



9450 SW Gemini Drive
PMB 44671
Beaverton, OR 97008

July 1, 2024

BY EMAIL

Sabrina Gray, Counsel for Ethics
Department of Labor
Gray.Sabrina.A@dol.gov

Re: Request for Compliance with 21 U.S.C. 360ii(a)

Dear Sabrina Gray,

21 U.S.C. 360ii(a) directs the US Food and Drug Administration to, ""minimize the emissions of and the exposure of people to, unnecessary electronic product radiation [and] consult and maintain liaison with ... other appropriate Federal departments and agencies on ... the development of performance standards..."

The majority of artificial Visible Light radiation in the environment from Light Emitting Diodes is unnecessary electronic product radiation, and therefore requires the FDA and OSHA to consult and liaise to develop performance standards for LED products so as to minimize the emissions of, and exposure to, unnecessary Visible Light electromagnetic radiation. Presently, both the FDA and OSHA are in violation of 21 U.S.C. 360ii(a).

Examples of hazardous LED lights that put worker safety at risk include LED flashing lights on vehicles used by police officers, firefighters, and EMS, LED flashing lights and flood lights at airport facilities, LED flood lights at gas stations, LED lights in barber shops, LED flood lights at oil refineries, and thousands more.

The Soft Lights Foundation requests that OSHA contact the Director of the FDA Center for Devices and Radiological Health, Jeffrey Shuren (jeff.shuren@fda.hhs.gov), to correct the 21 U.S.C. 360ii(a) violation and initiate the development of performance standards for LED products to protect worker safety.

Sincerely,

/s/ Mark Baker

President

Soft Lights Foundation

mbaker@softlights.org