

WT DocId: No.  
06-203



July 12, 2007

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Department of Health and Human Services  
Food and Drug Administration  
9200 Corporate Boulevard  
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FILED/ACCEPTED

SEP 20 2007

Federal Communications Commission  
Office of the Secretary

Dear Ms. Kahan:

Thank you for your letter of December 18, 2006 in response to a letter from the Hearing Industries Association (HIA) dated December 15, 2005 regarding proposed voluntary hearing aid labeling about compatibility with digital cellular phones. In that letter, the Agency made recommendations regarding draft labeling language developed by HIA to provide consumers with information about compatibility.

HIA members carefully considered the Agency's comments in the December 18, 2006 letter and have incorporated those comments in the language that companies will now include in their user manuals. The text that companies will use is as follows:

*Some hearing aid users have reported a buzzing sound in their hearing aids when they are using cell phones, indicating that the cell phone and hearing aid may not be compatible. According to the ANSI C63.19 standard (ANSI C63.19-2006 American National Standard Methods of Measurement of Compatibility Between Wireless Communications Devices and Hearing Aids), the compatibility of a particular hearing aid and cell phone can be predicted by adding the rating for the hearing aid immunity to the rating for the cell phone emissions. For example, the sum of a hearing aid rating of 2 (M2/T2) and a telephone rating of 3 (M3/T3) would result in a combined rating of 5. Any combined rating that equals at least 5 would provide "normal use;" a combined rating of 6 or greater would indicate "excellent performance."*

*The immunity of this hearing aid is at least M2/T2. The equipment performance measurements, categories and system classifications are*

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*based upon the best information available but cannot guarantee that all users will be satisfied.*

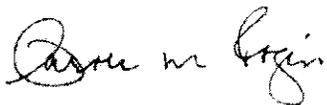
*NOTE: The performance of individual hearing aids may vary with individual cell phones. Therefore, please try this hearing aid with your cell phone or, if you are purchasing a new phone, be sure to try it with your hearing aid prior to purchase. For additional guidance, please ask your cell phone provider for the booklet entitled "Hearing Aid Compatibility with Digital Wireless Cell Phones."*

Let me also provide some additional information regarding this voluntary effort by HIA members:

- Companies will provide this information with their relevant products on a prospective basis as user manuals are prepared, revised or reprinted
- Companies may choose to modify the wording of this statement for readability or greater consumer clarity, but the information above will be the basis
- Companies will maintain documentation of compatibility testing in their files

The members of HIA have partnered with the cellular telephone industry, the FDA and the FCC and, importantly, consumer groups representing people with hearing losses and hearing aids to provide the best possible guidance to the users of our products. We are confident that this collaborative effort will result in the broadest possible access to digital cellular technology by hearing aid users.

Sincerely,



Carole M. Rogin  
Executive Director

cc: HIA Members  
Larry Kessler, ScD  
Jeffrey Gibbs, Esq.  
Peter Tannenwald, Esq.

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