



WATERSHED

National Pure Water Association

42, Huntington Road, YORK. YO31 8RE

Telephone: +44 (0)20 8220 9168

www.npwa.org.uk

IN THIS ISSUE: JUDICIAL REVIEW OF SCSHA DECISION, HAF'S DAY IN LONDON, RECENT ACTIVITIES, ANOTHER CASE OF POISONED HORSES, FLUORIDATION OVERFEED, CYANIDE IN THE RIVER TRENT, FLUORIDISTAS AT THE HELM & MORE...

NHS South Central's decision on fluoridation in Hampshire to be Judicially Reviewed



A Southampton resident has been granted Legal Aid for a Judicial Review to challenge the SCSHA's decision. Mrs Geraldine Milner argues that fluoridation should not have been approved because it was at odds with pronouncements in Parliament, from members of the Government, that such schemes should only be allowed if most of the local population is in favour. South Central Strategic Health Authority (SCSHA) had received written responses to the Consultation showing that 72% of the population was opposed. A Mori telephone poll also showed a majority (38%) were opposed against only 32% in support.

A spokesman from solicitors Leigh Day and Co said that the laws created in 2003 and 2005 were "silent" about public opinion but "Government minister after government minister stood up when the Act was being passed in

Parliament and said it should only go ahead if the local population was in favour — but that was not in the actual legislation."

Mrs Milner also claims that opponents' cogent arguments were not properly considered by the SHA but, at the preliminary hearing, the Judge disallowed this part of her claim and declared that the case would proceed only on the legality of the decision.

The SHA said in a statement: "South Central Strategic Health Authority is pleased with the ruling and the judge's view that 'in all other respects the decision-making process was unimpeachable'. The SHA remains confident that the decision that has been made by the SHA board was carried out in accordance with the relevant legislation laid down by Parliament and is in the best interests of the health of local people."

Mrs Milner's lawyers have

appealed the judge's ruling on the second ground, and this is due to be heard fairly soon. Depending on the result, the Judicial Review will go ahead on one or both grounds and a decision could be made as early as next spring. SCSHA have set aside £400,000 to fight the case.

The forthcoming Judicial Review has already had an impact elsewhere. The North West Strategic Health Authority has stated that it is waiting for the result of the case before pursuing its plans for fluoridation of Manchester and the North West. A joint complaint to the Parliamentary and Health Ombudsman by New Forest East MP Julian Lewis and Councillor David Harrison, alleging that the consultation was one-sided and ignored residents' opposition, is also on hold until the result of the Judicial Review is known.

2005 ECJ Judgment

In our last edition of Watershed we reported the citing of a 2005 European Court of Justice judgment* by the Medicines and Healthcare products Regulatory Agency in support of its position that fluoridated water is a food and not a medicinal product.

We would like to make it clear that neither fluoridated water nor any of the fluoridating agents were the subject of this ruling.

The essence of this judgment is that when a product is exported from one EU member state, where it is marketed and regulated as a food, to another member state, where it is classified as a medicinal product, only Community law specific to medicinal products will apply in the importing member state.

*See judgment details on p3.

Recent Activities

The BBC having received information that the SHA for Yorkshire and the Humber had commissioned a feasibility study on fluoridation from Yorkshire Water plc, your Chairman, Elizabeth McDonagh, was invited to make her television debut at the BBC's Leeds studio. The brief altercation with dentist Ronnie Levine took all of three minutes on the 6.30 edition of 'Look North' on 2 June. Blink and you missed it. However, a few people have made kind remarks. Elizabeth was also on Radio Leeds on 4 August.

On 9 June, members of NPWA's Executive Committee went to London to support Hampshire Against Fluoridation. At the meeting in Parliament, NPWA's Chairman expressed the Association's hope that the political parties would come together and investigate the scientific issues properly, free from bias. She said, "We are delighted that Julian Lewis is taking a lead on this and will be pushing to get his party (Conservative) to consider the issues and hopefully take a stand against fluoridation". We collaborated in a joint statement on the events of the day which was issued to the press by the Alliance for Natural Health.

The Chairman gave a talk on "Water in Healing" to the 'Life and Light Group' in Shipley on June 18 and alerted her audience to the early moves to fluoridate parts of Yorkshire. The Green Party in Yorkshire has also been alerted to the current threat.

Earlier in the year we responded to a call for information from the EU's Scientific Committee for Health and Environmental Risk. Subsequently they changed their protocol and made a further call for information. So we responded again – just in time for the deadline of 25 June. On 27 and 28 June we manned our usual stand at the Buxton Health and Healing Festival, issuing leaflets and supplying an interested public with information.

On 8 July, Ian Packington and the

Chairman visited one of our oldest members, Ulrich Weigert from Sheffield. Ulrich supplied us with some fascinating information regarding the NPWA campaign in which he has been actively involved since the 1950s. Ulrich is 94 and is still giving talks against fluoridation.

We hosted a meeting at the Crowne Plaza Hotel in Leeds on the evening of 25 July. The speaker was Professor Paul Connert who showed his new DVD, *Professional Perspectives*, and gave a PowerPoint presentation explaining why fluoridation is unscientific and absurd. The meeting called for much effort especially on advance publicity. Our thanks to Committee members and others who attended and helped in any way.

Members of the Executive Committee have pursued a number of issues. Notable are efforts resulting in Unison's Health Care group withdrawing their endorsement of fluoridation, various *Freedom of Information* requests and a survey of service obtained via our phone-line. There have been many enquiries and requests for books, leaflets and information. The Committee is constantly kept busy dealing with these and with printing of leaflets, financial matters and keeping up with fluoridation news worldwide.

Ian Packington ran a fringe meeting at the Liberal Democrat conference in Bournemouth on 19 September. Thanks to him, and to Marianne, Anne and Jan who, with Elizabeth and Ian operated the stand at the Harrogate Health and Healing Festival on 26 and 27 September. Activity was virtually non-stop and many signatures were collected for the Register of Objectors. We are all volunteers and are looking forward to serving the NPWA as it moves into its fiftieth year of existence in 2010.

Another case of fluorosis in horses drinking artificially fluoridated water

The diagnosis of fluorosis in quarter horses owned by Pixi Macicek closely resembles the case of Cathy Justus's horses with which most NPWA members are familiar. The Macicek farm is in Hitchcock, Texas. When the horses moved to the farm in 1992, fluoridated water 'from a treatment

plant in Houston' with 0.9 to 1.1 ppm fluoride was the only source of water. In 1999, county authorities took over artificial water fluoridation in the district, using fluorosilicic acid. No other sources of fluoride intake by the horses have been identified.

The Macicek horses suffered colics, urticaria and abscesses. Most of them were diagnosed with low thyroid function, all had deformed hooves, some legs grew crooked and two horses suffered fractures. Two horses were anaemic, one acutely so. One horse with a low red blood cell count failed to improve on iron supplementation but became "a better horse within weeks" when given iodine. Veterinarians, consulted when lameness prevented the horses being ridden, never looked at the horses' teeth. The teeth of all the horses showed varying signs of dental fluorosis as did the teeth of horses on a neighbouring farm. The neighbour's horses also drank the artificially fluoridated water and had similar lameness problems.

From 22 February 2008, the Macicek horses were provided with water containing only 0.10 to 0.11 ppm fluoride, from a newly-drilled well on the farm. All the horses began to drink more water. The colics ceased and a decrease in muscle and joint stiffness was noted. Hooves began to grow normally and the overall appearance of the horses improved. The owner's recurring migraines also ceased when she changed from fluoridated water to well water.

Further details are to be found in a Research Report by Pixi Macicek and Lennart P Krook in the July – September 2008 volume of *Fluoride* 41(3)177-183 -

<http://tinyurl.com/ygh2kez> The altitude at Cathy's farm at Pagosa Springs, 7,200 feet above sea level, has been proposed as a factor which could have led to poisoning of horses from a fluoride concentration little above 1ppm. The Hitchcock farm is only about 18 feet above sea level, indicating that even at low altitudes, 1 ppm is not a safe drinking water concentration for horses.

The Research Report points to the absurdity of the statement that horses can tolerate 60 ppm fluoride in the total daily feed, made in an official US publication, *Effects of fluoride in animals*.

Fluoride overfeed in UK

In the last Watershed we reported on a fluoride overfeed incident in Queensland. Well, it's happened here as well. So much for all those assurances made in Southampton and elsewhere that fluoridation plants always have reliable fail-safe mechanisms built in. The incident occurred in 2008 but came to public knowledge only with the publication of *Drinking Water 2008 for the Central Region of England A report by the Chief Inspector of Drinking Water, July 2009*.

In August 2008, Severn Trent Water notified the Inspectorate of a problem of fluoride overdosing at Dimmingsdale treatment works which serves Wolverhampton and Bridgnorth. Two water samples taken at the Plant contained fluoride in excess of the DWI's Maximum Contaminant Level of 1.5 ppm. The incident had occurred one month before notification and had continued for four weeks. Alarms had been ignored. The DWI state in their Report that the water company did not notify them promptly, did not liaise with local/health authorities and carried out inadequate follow-up sampling and inadequate investigation into the root cause of the failure. Staff training and staff competence were inadequate. The inspector's recommendations included "improved training and supervision of staff altering, commissioning or operating plant and equipment potentially impacting on drinking water quality". This training should be in line with the requirements of the *Code of Practice on Technical Aspects of Fluoridation of Water Supplies 2005*. The Inspector also recommended written procedures in the operation of the plant and robust end-to-end testing of all control and shut-down systems. He expressed the hope that Severn Trent would share the results of its investigations with other water companies who would hopefully learn from the incident.

Severn Trent have reported the overfeed and their response on a website – <http://tinyurl.com/yjujf9b>

They assure the public that "There is no suggestion from the worldwide

scientific evidence that such a short term elevated level of fluoride would have caused adverse health effects in the short or the longer term."

Cyanide poisons fish in Trent, 5/10/2009

An alarm was raised by anglers on the River Trent near Rugeley, Staffs, after a poison, later identified as cyanide, killed thousands of fish. The river is a haven for trout, salmon, roach, perch, and other wildlife.

The cyanide had entered Severn Trent's water-treatment plant at Strongford, Staffs., and killed the bacteria used in the treatment process. As a result, partially treated effluent with one ppm cyanide and an unacceptable level of ammonia was discharged into the river. This is believed to have killed the fish. An investigation has been launched into the source of the pollution which may be illegal disposal of industrial chemicals.

A spokesman for the Environment Agency said there was no health risk to the public as the Trent is not sourced for drinking water. [That's as well! – Ed]. However, people were warned 'as a precaution' to stay away from the banks of the river as a clean-up operation began on a 20-mile stretch of the Trent in Staffordshire.

Fluoride Fatigue sold out

Demand for Dr Bruce Spittle's book "Fluoride Fatigue" has exceeded our expectations and NPWA office supplies have now run out. There will be a delay before we can obtain further supplies from the Australian publisher but readers are reminded that they can access the entire text online at – <http://tinyurl.com/yzh963z>

Say NO leaflets

We have recently received from our printer 16,000 copies of our yellow Say NO leaflets. This popular leaflet, devised when Jane Jones was Campaigns Director, has been only minimally updated since. It gives the reasons for our opposition to fluoridation and invites people to join the campaign by making small regular monthly subscriptions.

The 'Say NO' leaflets are fairly

inexpensive and members are often kind enough purchase them for their own local campaigns. They cost £2 for 25 or £7 for 100 including p&p from: Say NO Leaflets, NPWA, 42, Huntington Road, York, YO31 8RE. Please send a cheque payable to NPWA to cover the cost of your requirements.

This is much appreciated as it enables us to replenish funds for subsequent printings. However, for areas under threat (specifically Manchester and Southampton) we have supplied quite large quantities of leaflets without charge for distribution by local groups.

Another recent campaign, led by two members, has seen (one-time) distribution of leaflets into organic food boxes, health food shops in Derbyshire and London and to key FOE groups country-wide. Quite a few health food shops and alternative therapy clinics place them on display. We also distribute the leaflets when we hold meetings, have stands at health fairs and give talks to groups. These initiatives have led to a number of new members joining the Association and we thank all members who have helped with distribution.

Southampton's 'Court Leet' considers 'Presentments' on Fluoridation

Four 'Presentments' on fluoridation were made before Southampton's Ancient 'Court Leet' on 6 October. Two of the four, given by Mary Williams and Stephen Matthews, were upheld. Mary's presentment outlined concerns about the possible health effects and level of opposition. Stephen's was an environmental concern. He said that 110 tonnes of fluoride added to Southampton Water per year could disrupt the fragile ecology of the Solent oyster fishery and that fluoride accumulates in the shellfish.

The Council currently supports fluoridation but its Cabinet is expected to discuss the issue again.

*2005 ECJ Judgment

HLH Warenvertriebs GmbH and Orthica BV v Bundesrepublik Deutschland (Joined Cases C-211/03, C-299/03, C-316/03, C-317/03 and C-318/03) can be accessed at – www.tinyurl.com/Ineax

Thanks to Dr Doug Everingham for kind permission to print his poem (p4).

Fluoridistas at the Helm

On 5 February 2008, in the House of Commons, Alan Johnson, then Secretary of State for Health, called for fluoride to be added to England's water supplies as a key means of tackling tooth decay. He said: "May I repeat again that the science supports fluoridation? Parliament did the same, on a free vote. Whenever the public are tested on this question, they believe that there should be fluoridation." Well, Alan, they didn't in Southampton.

"There is absolutely no clinical evidence whatsoever that links fluoridation with anything other than fluorosis." Alan! The NHS denies the validity of all the clinical evidence available and never tests for fluoride!

On 15 May, Johnson told the National Fluoride Information Centre Conference: "In February, I asked PCTs in areas of poor oral health to kick start the consultation process. Parliament set this out in 2005, when it was decided to remove the veto from water authorities and put the initiative in the hands of the NHS. If, after consultation with patients and the public, fluoridation is approved, financial support of £42 million will be available over the next three years. I am convinced that water fluoridation provides the best way of improving oral health for the poorest in society. As existing fluoridated areas have shown, it gives poor kids rich kids' teeth.** I am therefore delighted to give my personal support to SHAs that are determined to tackle health inequalities by conducting public consultations on new fluoridation schemes and thereby making the most of the new opportunities that the amended legislation provides."

The dramatic resignation of Work and Pensions Secretary, James Purnell, from the Cabinet on June 4 led within days to a Cabinet re-shuffle as Gordon Brown strove to re-assert his authority.

Alan Johnson was promoted to Home Secretary (and has been tipped as a possible future P.M. should Gordon Brown be replaced).

Andy Burnham was appointed Secretary of State for Health. The media spotlight soon picked up on criticism from anti-fluoride activists, including Caroline Lucas, and led Burnham to step down as Vice President of the British Fluoridation Society, on the very day he had urged

health service managers, at the NHS Confederation Conference, to press ahead with fluoridation. He said he was leaving the position to avoid any "perceived conflict of interest".

Anti-fluoride campaigners nationwide are incensed that someone with such a record of support for the very controversial issue of fluoridation is now in charge of the body that has so long promoted it and will be in charge of decisions to fluoridate regardless (as in Hampshire) of the wishes of local people.

After sixty years of fluoridation, not one of the three major political parties in the UK has a policy on fluoridation. While science advances in its understanding of the dangers of fluoride, the Department of Health buries its head in the sand, its official line dictated and maintained by a clique of pro-fluoride civil servants and individual politicians highly influenced by the British Fluoridation Society. This is simply not good enough in a 21st century democracy.

** "Fluoride gives poor kids rich kids teeth" is an oft-heard slogan of the British Fluoridation Society.

With a General Election not far away, readers might wish to discover which other politicians are promoting fluoridation. <http://tinyurl.com/yjkqkvj> gives you some.

Childhood Tooth Decay in Fluoridated Eire, 9/10/2009

In [70% fluoridated - Ed] Eire, 27% of three-year-olds have tooth decay. More than 20% of eight-year-olds, 50% of 12-year-olds and 75% of 15-year-olds have experienced decay in their permanent teeth, some seriously. The level of tooth decay among Irish children is higher than among children of the [10% fluoridated - Ed] UK. The prevalence and severity of decay is significantly higher among disadvantaged children. This information was presented, (without a mention of fluoridation) to the 2009 Annual Seminar of the Public Dental Surgeons Group by Dr Carmel Parnell, researcher and a senior dental surgeon in the (Irish) Health and Safety Executive. Dr Parnell said that the only dietary advice regarding teeth was a warning not to bottle-feed sweet drinks to children. Oral health education should be incorporated into the school curriculum and children who are felt to be at high risk of tooth decay should have fissure sealants applied to vulnerable teeth.

Commons Debate, 14/10/2009

Andrew Lansley, MP introduced a Motion critical of the Government's record on NHS dentistry in the House of Commons on Wednesday. He cited Professor Jimmy Steele's Review of NHS dentistry published in August. Mr Mike O'Brien, Minister of State at the Department of Health, defended the Government and reaffirmed its commitment to fluoridation. This led Dr Julian Lewis MP to complain repeatedly about the undemocratic consultation in Southampton. Mr O'Brien maintained that allegations of harm from fluoride were 'scare stories' and Strategic Health Authorities were entitled to fluoridate in spite of majority opposition. Read it all at - <http://tinyurl.com/yhugffa>

Finally, we love this poem by Australian Dr Doug Everingham, former GP, Australian Health Minister, 1972-75, and WHO Assembly Vice-President, 1975

Putting fluoride in water is an inefficient way to apply it to the surfaces of teeth. There are better ways to put it there for lessening decay but avoid the harm to tissues underneath

Dental caries rates are falling just as rapidly, it seems, in the towns without the fluoride as with.

It has more to do with brushing teeth and sugar-free cuisine, and the magic water remedy's a myth.

Water fluoride does wonders in polluting companies' minds. It allows them to disperse commercial waste.

It is cheaper to promote official dental care designs than to compensate for fluorosis traced.

There are fractured bones and other ailments, animal reports, there are tissue culture studies round the Earth, showing common rates of fluoride do harm of many sorts -- may be doing far more damage than they're worth.

That's apart from the concerns about official justice creeds and the medical propriety of force. Let's abandon patronizing views of medication 'needs' --go for 'civilizing' diet trends of course.