

Updates on the Lawsuit Against the EPA to Stop Water Fluoridation

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Since 1945, it's been claimed that adding fluoride to drinking water is a safe and effective way to improve the public's dental health. Since then, many have bought into this fallacy hook, line and sinker, despite overwhelming evidence to the contrary.

One of the reasons why it's so important to eliminate [water fluoridation](#) is because this chemical is very difficult to filter out. You can remove some or a significant amount using distillation, [reverse osmosis](#) and special filtration media, but the vast majority of water filters that people have access to will not remove fluoride.

As a result, you might filter your water, thinking you've purified it, but you haven't eliminated fluoride. This is particularly problematic for low-income parents of small children, who need to [use fluoride-free water for mixing baby formula](#). Fluoridated water contains 200 to 250 times more fluoride than mother's milk,¹ significantly raising the child's risk of fluorosis and other health problems.

Fluoride Can Wreak Havoc on Health

Scientific investigations have revealed [fluoride is an endocrine-disrupting chemical](#),² and have linked it to the rising prevalence of [thyroid disease](#),³ which in turn can contribute to [obesity](#), [heart disease](#), [depression](#) and other health problems.

Even more importantly, fluoride has been identified as a developmental neurotoxin that impacts short-term and working memory, and contributes to rising rates of attention-deficit hyperactive disorder (ADHD)⁴ and lowered IQ in children.⁵

Many of these studies have found harm at, or precariously close to, the levels millions of American pregnant women and children receive. In all, there are more than 300 animal and human studies demonstrating fluoride can cause:⁶

- Brain damage, especially when coupled with [iodine deficiency](#)
- Reduced IQ
- Impaired ability to learn and remember
- Neurobehavioral deficits such as impaired visual-spatial organization
- Impaired fetal brain development

Help Eliminate Water Fluoridation in the US

In the featured video, Paul Connett, Ph.D., a toxicologist, environmental chemist and the founder and current director of the Fluoride Action Network (FAN), provides an update on FAN's lawsuit against the U.S. Environmental Protection Agency (EPA) to stop water fluoridation nationwide, along with the history behind and the science underpinning it.

Over the past 19 years, FAN has facilitated the removal of fluoride from the water supplies of hundreds of communities across North America, Canada, Australia, New Zealand and Europe. This week, we're helping FAN raise funds to make sure that FAN wins this lawsuit, and I encourage you to make a donation to this important cause.

The lawsuit has been led by attorney Michael Connett, a former executive director of FAN who has an encyclopedic knowledge of the science of fluoride. He is also the son of Paul and Ellen Connett. He is a practicing attorney in a firm that specializes in toxic injury cases.

Over the past year Michael has traveled across the USA and the world, working with leading experts to develop the case that EPA must regulate fluoridation chemicals to prevent known or expected harms. In essence, that means the end of fluoridation.

The gathered scientific evidence for the case is unprecedented in scope and the authority of the people behind it. Legally, the case breaks new ground by using a section of the Toxic Substances Control Act (TSCA) that allows anyone to file suit to compel EPA to regulate any toxic chemical so as to prevent harm from that chemical.

EPA has tried legal maneuverings to stop or constrain the lawsuit, but the court has sided with FAN every time. So, the case is scheduled for trial that will last two weeks or longer in the federal district court of San Francisco. Thousands of pages of testimony have already been gathered in preparation for the trial.

The science and law are on our side. Please consider donating to this history-making lawsuit. If you have already donated, please consider an additional donation. Your donation can help end fluoridation once and for all. Donations are tax deductible.

November 22, 2016, a coalition including FAN, Food & Water Watch, Organic Consumers Association, American Academy of Environmental Medicine, International Academy of Oral Medicine and Toxicology, Moms Against Fluoridation and several individuals, filed a petition^{7,8} calling on the EPA to ban the deliberate addition of fluoridating chemicals to U.S. drinking water under Section 21 of the Toxic Substances Control Act (TSCA).

As explained by Connett, the TSCA allows citizens and nongovernmental organizations to petition the EPA to remove toxic substances found to pose a threat either to the general population or a subset of that population.

The petition was made on the grounds that a large body of research demonstrates fluoride is neurotoxic at doses within the range now seen in fluoridated communities, and included over 2,500 pages of scientific documentation detailing these health risks.

The EPA denied the petition⁹ February 27, 2017, on the grounds that it had failed to present "a scientifically defensible basis" to conclude that anyone had in fact suffered neurotoxic harm as a result of fluoride exposure. In response, FAN and its coalition partners filed a lawsuit in the U.S. District Court for the Northern District of California, legally challenging the EPA's denial of their petition.

Victories Along the Way

As one might expect, the EPA filed a motion to dismiss the lawsuit. Fortunately, United States District Judge Edward M. Chen denied the EPA's motion¹⁰ on December 21, 2017, thereby allowing the case to move forward.

Next, the EPA sought to limit the coalition's scope of discovery. Not only did they try to prevent coalition attorneys from obtaining internal EPA documents, but they also wanted to prohibit coalition experts from referring to studies published after the November 2016 petition was submitted.

This included a landmark U.S. government-funded study^{11,12} published in the journal *Environmental Health Perspectives* in September 2017. This study is critical in demonstrating that fluoride is neurotoxic and has no place in the public water supply. Fortunately, on February 7, 2018, Chen denied¹³ this motion as well.

"By and large, we've succeeded in getting all the interviews and depositions that we needed," Connett says, adding, *"Our lawsuit is much stronger than the original petition because of science which has taken place since September 2017."*

The History of Fluoridation Science

In the featured video, Paul Connett provides a summary of the history of the science underpinning the lawsuit:

"In 1996, when I first got involved, it coincided with the first two intelligence quotient (IQ¹⁴) studies from China, which found that children in high-fluoride communities had lower IQ than children in low-fluoride communities," he says.

"By 2006, when the National Research Council looked at all the health issues from toxicology of fluoride,¹⁵ they found six IQ studies. They concluded, based only on those six studies, that fluoride did in fact pose a threat to the brain. Of course, these human studies were backed up with many dozens of animal studies ...

By 2008, we were up to 18 studies. The reason it jumped from six to 18 was that my son, Michael, who spearheaded much of this ... research into neurotoxicity, had translated many of the Chinese studies ...

By 2010, when we published our book 'The Case Against Fluoride: How Hazardous Waste Ended Up in Our Drinking Water and the Bad Science and Powerful Politics That Keep It There,' which I published with Dr. James Beck from Canada and Dr. Spedding Micklem from Scotland, the number [of studies] had risen to 23 ...

Then in 2012, a distinguished team, partly from Harvard University, did a review¹⁶ of 27 of the IQ studies; 25 of those were from China and two were from Iran. Now, they pointed out many weaknesses in the study designs. They didn't feel they had enough information in many of those studies.

But they also concluded that the consistency of these 27 studies was overwhelming ... These 27 studies were done over a period of 21 years. They were done in two countries, China and Iran. They were done in different geographical areas of China. They were done by different research teams.

Despite all that variety of research, 26 of the studies showed that the children with the higher fluoride exposure ... had lower IQ than the children with the lower fluoride exposure ... Very striking indeed. The proponents of fluoridation have done their best to dismiss these and other studies ...

Over 60 studies have been done. At least 57 now show this difference of lowered IQ with higher fluoride exposure. But the proponents have said, 'Oh well, these studies are from China and these other countries. You can't trust those. They didn't do them in fluoridated communities. This is natural fluoride' ...

They also said that the concentrations were ridiculously high, much higher than in fluoridated communities ... The promoters of fluoridation have always confused concentration with dose."

As explained by Connett, it's not the concentration of fluoride in the water (measured in mg per liter) that is significant for health. What matters is the dose you get in mg/day and the dosage (mg/day divided by the individual's body weight) and these depend on a variety of fluctuating factors, such as:

- The concentration of fluoride in the water
- How much water you drink
- How much fluoride you get from other sources
- Your body weight

The body weight issue is of critical importance, for a given dose in mg/day it is worse for a child than an adult; worse for an infant than a child and much worse for a fetus than an infant, a fact that was made very clear in a landmark U.S.-government funded study published in 2017.

Landmark Study Published in 2017

An international study effort led by professor Howard Hu, who at the time of the study's publication was at the University of Toronto. The study is known as the "Bashash study" after

the lead author, Morteza Bashash, Ph.D. The team also includes researchers from McGill, Harvard, Mount Sinai, Michigan, Indiana and the National Institute of Public Health of Mexico.

Funding for this research came from the U.S. National Institutes of Health, National Institute of Environmental Health Sciences (NIEHS) and the EPA. The finalized study^{17,18} was published in the September, 2017 issue of Environmental Health Perspectives.

"It was a 12-year study. It was funded by the U.S. government. We had top researchers and topnotch methodology. They controlled for every conceivable factor," Connett says.

"They found a strong relationship between the level of fluoride in pregnant women's urine and the subsequent IQ of their offspring. Individual measurements of exposure ... is important because it's independent of the source of fluoride.

It doesn't matter if the fluoride came from water, from salt, from pollution or [any other source]. [They measured] the total dose ... Sure enough, they found lowered IQ in the offspring at 4 years of age, and then again between 6 and 12. The higher the fluoride levels of the urine of the women, the lower the IQ of the children."

2017 Study Predicts Significant IQ Loss at Current Exposure Levels in US

The 2017 Environmental Health Perspectives study¹⁹ is important for FAN's legal case because it demonstrates the anticipated IQ loss from [fluoride exposure](#) at current levels in the U.S. is significant.

It revealed that a child of a mother who drinks water with 1 part per million (ppm) of fluoride can be predicted to have an IQ that is 5 to 6 points lower than a child born to a mother who drinks fluoride-free water. Equally important was the finding that there was no threshold below which fluoride did not affect IQ.

In a nutshell, as the level of fluoride in urine increased, IQ decreased, and this remained true across the entire range of exposures, from lowest to highest. So, the extent of the damage is really just a matter of degree.

As noted by Connett, an important feature of the 2017 Environmental Health Perspectives study was that they measured fluoride in urine, as this is a far more accurate indicator of total fluoride intake than simply measuring the concentration of [fluoride in drinking water](#) and then calculating how much water is being consumed.

The researchers also controlled for a wide range of factors — including lead, mercury, socioeconomic status, [smoking](#), alcohol use and pregnancy-related problems — that could potentially skew the results or produce a false effect. Importantly, they were able to largely rule out the influence of these confounding factors. Connett notes:

"Again, the proponents of fluoridation say, 'This is not relevant to water fluoridation. They don't have water fluoridation in Mexico.' [This is a] completely useless argument, because [the level

of fluoride in the urine is a measure of the women's total exposure of fluoride regardless of the source of fluoride].

Subsequent to this study, in 2018 a study²⁰ [was] done in Canada. They found the same levels of fluoride in the urine of pregnant women in Canada as in Mexico City. To be precise, the average in pregnant women in Canada is 0.87 ppm. The average in Mexico City was 0.91 ppm, so about the same. Also ... they found twice the level [of fluoride] in the urine in fluoridated communities compared to non-fluoridated communities.

There have been more studies since then ... [In 2018], Bashash, et al., also looked at attention-deficit/hyperactivity disorder (ADHD). They found more symptoms of ADHD amongst the children with the highest fluoride exposure in their mothers than the lower ones.²¹ That was important.

There's been another very important study^{22,23} by Ashley Malin ... She found that for women who were already low-iodine or borderline iodine-deficient, exposure to fluoride made their hypothyroidism worse, as measured by TSH ... Millions of people in Canada and the United States are borderline or outright deficient in iodine. This is a very important finding.

It's also important to relate the two issues. When a fetus comes into existence, it has no thyroid gland. It is totally dependent on the mother's production of thyroid hormones as to its development. Critical in that development is mental development.

It's well-known that if a woman is hypothyroid, there's an increased risk for the child to have a lower IQ. You can see the possible explanation for what's happening with pregnant women. It may well be this increased risk of hypothyroidism."

Fetal Exposure Is Extremely Worrying

As noted by Connett, the sum of the research suggests American children are indeed being harmed by current levels of fluoride in drinking water. In the featured video he cites one Chinese study in which they found 1.4 milligrams (mg) of fluoride per day was associated with a lowering of 5 IQ points in children.

The recommended fluoride level in the U.S. is 0.7 ppm. To reach 1.4 mg of fluoride a day, a child would need to drink just 2 liters of water at 0.7 ppm, Connett says, adding "And that's before you've even introduced the notion of fluoride from swallowing toothpaste, from food, from pesticides and so on. It's clear that many, many children are being overexposed to fluoride as far as their mental development is concerned."

Importantly, the 2017 Environmental Health Perspectives study²⁴ shifts the focus of concern from childhood exposure to fetal exposure in utero. For a fetus, the toxicity of any given dose is far more significant than for an infant, young child or an adult. The developing brain of a fetus is very vulnerable to toxic influences, which fluoride has clearly been demonstrated to be.

"It really makes no sense of putting this known neurotoxic substance into the drinking water for every pregnant woman and every child," Connett says. "That's what we're trying to end with this lawsuit."

Why is this lawsuit so important? Why are we raising money for this lawsuit? Well, the lawsuit is important because as important as we believe these studies are ... the major media in this country have not covered it. The New York Times has not said a word about the neurotoxicity of fluoride. They, like many other mainstream media, are still promoting fluoridation and treating us as idiots, as crazy people. It's sad, but that's the truth.

Unfortunately, professional bodies and health departments are still trapped by the paradigm that fluoridation is safe and effective. They go crazy whenever a study shows that tooth decay is going up if you stop fluoridation. Many of these are fallacious studies, but they get excited about that as if the whole concern about the body is the tooth ...

It's a very myopic view of the human being, and certainly the development of the fetus and the child. But that's the establishment's attitude. They either ignore these studies or they find a way of attacking them. The beauty of our lawsuit is the lawsuit under TSCA, it's in the hands of a federal law judge.

In this particular [legal] case, [because it is being tried de novo²⁵] the EPA cannot trump the science with authority. They can't say, 'Well, we are the agency that the U.S. government has set up to review these issues like this. We have determined that fluoride is safe' ... They can't get away with using authority. This lawsuit will be a battle between the sciences: Our science ... and their science, which I assume will attempt to destroy each study.

But they're going to have hard job because there are over 300 studies. Over 60 human studies now show that fluoride damages the brain at levels at which the fetus is exposed in fluoridated communities. I believe this lawsuit ... is our best chance of ending fluoridation in the United States. If we end it in the United States, we end it worldwide. It is incredibly important."

Call to Action — Donate Today!

You can learn more and find the details on the hundreds of published studies²⁶ on fluoridealert.org. And, if you're concerned about the health effects of fluoride, please support FAN with your tax-deductible donation today. Funds raised will be used to continue fighting this lawsuit to the end.

"Why do we need so much money? Well, lawsuits are expensive," Connett says. "As we've made progress in this federal lawsuit ... we've gotten more excited about the real possibility that we could win and end fluoridation. As we got more excited, we got more experts, some of them world-famous; some of them leading authorities in their areas of specialty. That's why we need to top-up our funds to win this lawsuit."