

Mr. Dara Lynott  
Director, Office of Environmental Enforcement

CC: Department of Taoiseach  
Minister for Health  
Minister For Agriculture, Food and Fisheries  
Minister for Environment, Community and Local Government

26<sup>th</sup> March 2012

*Response to my Report on Human Toxicity, Environmental Impact and Legal Implications of Water Fluoridation.*

Dear Sir,

I wish to acknowledge your reply to my letter and submission of my report to the Environmental Protection Agency.

As you have noted, the Environmental Protection Agency (EPA) are the supervisory authority over water services in respect of the quality of drinking water and the role of the EPA is to ensure that the Irish fluoride drinking water standard of 0.8mg/l is adhered to and where it is breached that appropriate corrective action is taken.

As I have outlined in my report, the legislation relating to water fluoridation predates Ireland joining the European community. As you may be aware there is no EU legislation or policy that supports the fluoridation of drinking water supplies. As I have noted in my report, Ireland is the only country in Europe that accepts and pursues this policy. That is, the Government of Ireland accepts this position, not the citizens of Ireland, as they were never consulted on this policy.

It is evident that the environmental impact of such a policy has not been adequately considered in examining the environmental impacts of fluoride emissions on the environment. It is apparent that the intended public health benefits of fluoridation, which have been found to be negligible by the EU Commission, continue for some reason to be regarded as sacrosanct by Irish authorities. Yet the direct and indirect environmental consequences of this policy on human health and the environment remain uninvestigated. It is clearly evident that the impact of water fluoridation is unsustainable and not without consequence. In any matters addressing this subject, local authorities and the Department of Environment pass the responsibility onto the Department of Health as the Department with responsibility for Fluoridation Regulations, yet the Department of Health are not the regulatory authority with responsibility to safeguard the environment or prevent pollution.

My report details the various legal and environmental policy violations that exist regarding water fluoridation. From your response to me and noted above, it appears that you infer that the only responsibility the EPA have, in this respect, is to ensure that the drinking water standard is enforced. I believe that I am correct in stating, that primarily the Agency is the competent authority for the protection of the environment - as noted in the Protection of the Environment Act, 2003. As you are aware, this includes the prevention, limitation, elimination and abatement or reduction of environmental pollution and the preservation of the quality of the environment as a whole. The Agency is responsible for the management of environmental pollution, including any anthropogenic discharges of fluoride compounds from wastewater treatment plants or from sewage sludge disposal as well as the protection of consumers from contamination of drinking water with any substances that may be harmful to human health or the environment.

For example, the EPA is concerned with the long-term exposure of the population to the health effects of trihalomethanes and monitors drinking water for these compounds. Similarly, the Agency has issued guidance and enforcement proceedings on local authorities with respect to lead contamination in drinking water. I would assume that the Agency is likewise concerned about the long-term exposure of the population to silicafluoride compounds used in drinking water, as well as their co-toxicity with other compounds such as aluminum and lead. It is important that the Agency is aware, as noted in my report, that the health hazards associated with the enhanced incorporation of lead and aluminum are increased by the addition of silicafluorides to our drinking water supplies.

Within Europe the Agency is advised that legal precedence exists establishing clearly that fluoridated water is defined as a medicinal product. The State is required under EU law- European Council Directive on Medicinal Products for Human Use (2004/27/EC) to undertake detailed risk assessment and performance of tests and clinical trials including toxicological and pharmacological tests to demonstrate the effectiveness and risks associated with water fluoridation for the protection of public health. Despite this, the Government of Ireland or its agencies have never undertaken risk assessments on the fluoridation products in use in Ireland.

This would constitute a flagrant and serious violation of Directive 2001/83/EC.

In respect of EU Food Law, the Agency is advised that fluoridated drinking water is not safe for consumption for infants, as it results in contamination of baby infant formula milk with fluoride levels far in excess of recommended safety standards.

While my report addresses these concerns and much more in detail, I look forward to any recommendations the Agency may make to address these issues.

In quantifying the potential public health risk from fluoridation of drinking water, the Agency may be aware that in excess of fifty comprehensive epidemiological, toxicological, clinical medicine, and environmental exposure assessments were identified requiring further testing by the U.S. National Research Council (NRC) and the European Commission's Scientific Committee on Health and Environmental Risks (SCHER). The undertaking of these studies is regarded as of paramount importance for the protection of public health in communities where water fluoridation is practised, the details of which have been examined in my report. The completion of these studies is also a requirement of EU Law, as noted previously.

In response to parliamentary questions, the Minister for Primary Health Care, Deputy Shortall T.D., has confirmed the findings of my report, that the Department of Health has no information on the mutagenic, teratogenic, developmental neurotoxicity, cytotoxicity, carcinogenic effects, cogenotoxicity, short-term and sub-chronic exposures or synergistic/antagonistic effects of fluoride or Hexafluorosilicic acid or silicafluoride compounds on human beings. This is despite the numerous recommendations from scientific bodies that efforts be made to determine the toxicity of fluoride and silicafluoride products.

*As the supervisory agency over water services, can the EPA advise that they have such information on file?*

Furthermore, the Department of Health confirms that no human or animal health risk assessments have ever been completed on its behalf on silicofluorides and that the biological or toxicological impacts have never been fully examined by the Department.

*As the supervisory agency over water services, can the EPA advise that they have such information on file?*

In addition, the Department of Health have confirmed that no studies have been undertaken examining the interactive co-toxicity public health risks associated with silicafluoride compounds when mixed with other water treatment chemicals such as aluminium compounds.

*As the supervisory agency over water services, can the EPA advise that they have such information on file?*

If the Agency does not have this information, then it is clear that the State is continuing to use untested chemical compounds without undertaking the necessary precautions to protect public health, consumers or the environment.

If the Government is to continue with the policy of mandatory fluoridation of drinking water supplies, a thorough examination of the scientific recommendations requiring further study must be undertaken immediately demanding comprehensive and costly research, as outlined in my report.

In the interim, it is clear that in the absence of any such data or completion of the required toxicological assessments, a moratorium on water fluoridation must be put in place to protect consumers and the environment.

It is simply unacceptable that the State or the EPA would continue to allow untested chemicals to be added to public drinking water supplies.

*Finally can the Agency advise, as the regulatory authority with responsibility for environmental protection, how the Agency may support, in violation of EU Law, any policy that results in the indirect release of significant quantities of fluoride (a persistent toxic bio-accumulative environmental pollutant) into soils, groundwater and surface waters, with little or no controls and at concentrations that have been found to be harmful to ecosystems, protected fisheries as well as a potential risk to human health (as identified by the U.S.A EPA)?*

I look forward to your reply.

Yours sincerely

Declan Waugh