

UNREGULATED, UNAPPROVED, UNCONTROLLED, ILLEGAL

- 1. HEALTH PRODUCTS & DRUGS WHICH ARE NOT APPROVED/REGULATED ARE NOT LEGAL:** The National Association of Pharmacy Regulatory Authorities (www.napra.org) and Health Canada, according to the requirements of the Natural Health Products Regulations 2004, under the Food and Drug Act 1985, state that fluorides used for therapeutic purposes are drugs and/or health products.
<http://gazette.gc.ca/archives/p2/2003/2003-06-18/html/sor-dors196-eng.html>
Schedule 1 outlines the medicinal ingredients that can be contained within NHPs.
http://www.hc-sc.gc.ca/dhp-mps/prodnatur/legislation/pol/complian-conform_pol-eng.php
- 2. SITE & PRODUCT LICENSES NOW REQUIRED:** Municipalities are the "final manufacturer" of fluoride water but possesses neither a site or product license. The manufacturers and importers of fluorosilicate products used to make the final product possess neither a site or product license. "All natural health products require a product licence before they can be sold in Canada." & "A system of site licensing requires that all Canadian manufacturers, packagers, labellers, and importers of natural health products be licensed."
<http://www.hc-sc.gc.ca/dhp-mps/prodnatur/about-apropos/index-eng.php#lab>
- 3. RESPONSIBILITY & ACCOUNTABILITY:** Municipalities are legally responsible for the decision to manufacture fluoride water and are legally responsible for the consequences of their decision to artificially fluoridate drinking water.
http://www.newmediaexplorer.org/chris/Clinch_2009_Who_Claims_Responsibility1.pdf
- 4. DUE DILIGENCE:** False & misleading statements are widespread and officially documented in the Auditor General of Canada Petition #221E.
http://www.oag-bvg.gc.ca/internet/English/pet_221E_e_33561.html
- 5. AVOIDING EXCESS CONSUMPTION:** According to the 2009 draft report, "Fluoride in Drinking Water", by Health Canada "The MAC is declared to be "protective of health, provided care is taken to follow Health Canada's recommendations regarding other sources of exposure to fluoride" p 3
http://www.newmediaexplorer.org/chris/Dr_Thiessen_2009_Health_Canada_Misrepresents_NRC_Review.pdf Municipal taxpayers have not been informed that artificial water fluoridation is "safe" as long as they avoid "other sources" of fluoride exposure, as recommended by Health Canada.
- 6. AVOIDING EXCESS CONSUMPTION #2:** If "excess" fluoride intake occurs, it is due to the total exposure of fluoride from all sources.
http://www.newmediaexplorer.org/chris/Clinch_2009_F_in_foods.pdf
http://www.newmediaexplorer.org/chris/Clinch_2009_Fluoride_Air_Pollution.pdf
It is also clearly known that artificial water fluoridation is the single largest source of fluoride exposure, according to the National Research Council 2006 Review and the US Centers for Disease Control. The wide-spread prevalence of fluorosis disease (e.g.

dental fluorosis, skeletal fluorosis, soft tissue fluorosis) can be proven with reasonable scientific certainty. The Carcinogen Identification Committee of the California Environmental Protection Agency's Office of Environmental Health Hazard Assessment http://www.oehha.ca.gov/prop65/CRNR_notices/state_listing/data_callin/sqe101509.html
http://www.newmediaexplorer.org/chris/Clinch_2009_Fluoride_and_Dental_Fluorosis.pdf

7. **SCIENTIFIC RISK ASSESSMENT:** A scientific risk assessment is legally required for products with a declared therapeutic function (e.g., the prevention of cavities) "to discover or verify the product's clinical, pharmacological or pharmacodynamic effects; to identify any adverse events that are related to its use; to study its absorption, distribution, metabolism and excretion; or to ascertain its safety or efficacy," <http://www.hc-sc.gc.ca/dhp-mps/prodnatur/about-apropos/index-eng.php#lab>
The US Environmental Protection Agency was not able to identify any chronic studies for the two chemicals used in most artificial water fluoridation systems. http://www.keepers-of-the-well.org/product_pdfs/EPA_response_6.99.pdf
http://www.keepers-of-the-well.org/product_pdfs/Sensenbrenner_ltr.pdf
8. **NOTICE OF COMPLIANCE:** No municipality, the "final manufacturer", of fluoride water, nor any manufacturers/importers of the fluoride products used in the final manufacture (sodium silicofluoride, hexafluorosilicic acid), has received a Notice of Compliance from Health Canada confirming that their activities are legal. <http://www.hc-sc.gc.ca/dhp-mps/prodnatur/index-eng.php>
9. **FREEDOM OF CHOICE MUST BE RESPECTED:** "Health Canada ensures that all Canadians have ready access to natural health products that are safe, effective and of high quality, while respecting freedom of choice and philosophical and cultural diversity." <http://www.hc-sc.gc.ca/dhp-mps/prodnatur/index-eng.php>
Canadian Medical Association: "In providing medical service, do not discriminate against any patient on such grounds as age, gender, marital status, medical condition, national or ethnic origin, physical or mental disability, political affiliation, race, religion, sexual orientation, or socioeconomic status." <http://icarus.med.utoronto.ca/cc/cmeEthics.html>
Municipal taxpayers have NOT been given "Freedom of Choice" i.e., that those citizens who do not wish to receive this drug/natural health product for religious, cultural or philosophical and/or health reasons, based on the Canadian Charter of Rights and Freedoms <http://laws.justice.gc.ca/en/charter/>, because they have not been provided with an alternative source of safe drinking water, at no extra cost, so that these individuals are not financially penalized or treated unequally.
10. **ULTRA VIRES:** Treating water to make it safe is an administrative action which is permissible under the law. The manufacture, distribution and sale of health products is not within the authority of a municipality and is *ultra vires*. The Fluoridation Act must be re-assessed because it makes no mention of the *material fact* that fluoride products used for therapeutic purposes are considered drugs and/or health products.