

RESPONSE FROM FLUORIDE FREE NZ - ASA COMPLAINT 16/359

FUNDRAISING PAGE SUBJECT TO COMPLAINT

9/10/2016

Cause - Stop Mandatory Nationwide Fluoridation in New Zealand: Fundraising for Media Campaign

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We urgently need your help to get our new TV and radio advertisements on air. These ads will also go out on social media



Fluoride Free New Zealand supporters are professionals and ordinary citizens who are passionate about the health of our families and our community. We're volunteers, working hard to get the best quality water possible for New Zealanders and to live up to our clean, green reputation. Fluoride is now known to be neurotoxic and can be harmful at certain levels. The US National Toxicology Program is currently undertaking a review of all studies where fluoride has been shown to harm the brain to try to ascertain what dose this harm occurs. They are also embarking on their own animal studies. For this reason, among others, we believe fluoridation chemicals have no place in our water.(see video footage of committee meeting See video footage here <https://www.youtube.com/watch?v=lytzqSyGV2E>.)

Please also sign our petition <https://www.change.org/p/government-of-nz-stop-mandatory-fluoridation-for-all-of-new-zealand>

and visit our Stop Nationwide Mandatory Fluoridation Campaign page (<http://fluoridefree.org.nz/new-zealand-campaign/>)

Page created by:

<https://givealittle.co.nz/cause/fluoridemediacampaign>

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RESPONSE

We have been asked to respond to this complaint under the following codes:

Code of Ethics – Basic Principle 4

Code of Ethics – Rule 2

Code of Ethics – Rule 6

Code of Ethics – Rule 11

Code of Ethics

Basic Principle 4: All advertisements should be prepared with a due sense of social responsibility to consumers and to society.

Rule 2: Truthful Presentation Advertisements should not contain any statement or visual presentation or create an overall impression which directly or by implication, omission, ambiguity or exaggerated claim is misleading or deceptive, is likely to deceive or mislead the consumer, makes false and misleading representation, abuses the trust of the consumer or exploits his/her lack of experience or knowledge. (Obvious hyperbole, identifiable as such, is not considered to be misleading).

Rule 6: Fear Advertisements should not exploit the superstitious, nor without justifiable reason, play on fear.

Rule 11: Advocacy Advertising Expression of opinion in advocacy advertising is an essential and desirable part of the functioning of a democratic society. Therefore, such opinions may be robust. However, opinion should be clearly distinguishable from factual information. The identity of an advertiser in matters of public interest or political issue should be clear.

Basic Principle 4

As stated in our explanation of why we were raising funds for an education campaign, we believe firmly that fluoridation is harmful to the health of consumers and harmful to our environment. Having researched this topic for many, many years, we feel we have a social responsibility to alert our fellow citizens to this harm. We believe people have a right to this information so that they can take steps to avoid fluoridated water if they wish, and to join us in educating others if they also wish.

It is with this sense of social responsibility that we are campaigning to end fluoridation in New Zealand.

Rule 2: Truthful Presentation

Complaint:

Fluoride Free New Zealand have listed themselves as a charity which they are not.

Fluoride Free New Zealand is a non-profit Incorporated Society. No one within Fluoride Free New Zealand is paid a salary or any type of reimbursement for labour. We listed ourselves on Give a Little as a Charity as that was the closest definition we could find on their site to describe our activity.

Complaint:

The premise of the title “Stop Mandatory Nationwide Fluoridation” is false. There is no plan to implement mandatory fluoridation.

The complaint states that the premise of our title is false. However, the admonition ‘stop mandatory fluoridation’ is just that – an admonition. It is not a statement about which it can sensibly be asked, “Is it true or false”. As such, truth or falsity is not applicable. The question is whether it implies something that is misleading. It does not.

The Government is introducing legislation to remove power from local communities via their Councils to decide about water fluoridation. This legislation will put the power to fluoridate communities into the hands of the DHBs.

District Health Boards must follow the Minister of health’s directives under section 32 of the Public Health and Disability Act 2000. DHBs must also, under their Crown funding agreements, promote specified Ministry policies, which include water fluoridation. As the Ministry of Health would like to extend fluoridation, local Councils will be compelled (i.e. mandated) to fluoridate.

Complaint:

“Fluoride is now known to be neurotoxic and can be harmful at certain levels” This is misinformation as only high levels of fluoride are harmful; the level used in drinking water is considered safe.

The information we provided on the Give A Little site were absolutely the facts. The US Government sponsored National Toxicology Program (NTP) is currently conducting animal studies in an attempt to discover what dose of fluoride causes harm to the brain¹.

When we first set up the Give A Little page, in April 2016, we reported that NTP were also conducting a review of animal studies. This review was completed in August so we provided an update on the page to let people know the outcome.

¹ <https://ntp.niehs.nih.gov/pubhealth/hat/noms/fluoride/neuro-index.html>

Systematic Literature Review on the Effects of Fluoride on Learning and Memory in Animal Studies 11 August 2016

CONCLUSION: Very few studies assessed learning and memory effects in experimental animals (rats and mice) at exposure levels near 0.7 parts per million, the recommended level for community water fluoridation in the United States.

At concentrations higher than 0.7 parts per million, this systematic review found a low to moderate level-of-evidence that adverse effects on learning and memory in animal exposed to fluoride. The evidence is strongest (moderate level-of-evidence) in animals exposed as adults and weaker (low level-of-evidence) in animals exposed during development. Confidence in these findings was reduced primarily based on potential confounding of the learning and memory assessments by deficits in motor function or fear and risk of bias limitations. Additional research is needed, in particular to address potential effects on learning and memory following exposure during development to fluoride at levels nearer to 0.7 parts per million. NTP is conducting laboratory studies in rodents to fill data gaps identified by this systematic review of the animal studies. The findings from those studies will be included in a future systematic review to evaluate potential neurobehavioral effects from exposure to fluoride during development with consideration of human, experimental animal and mechanistic data.

See https://ntp.niehs.nih.gov/ntp/ohat/pubs/ntp_rr/01fluoride_508.pdf FOR FULL REPORT

Fluoride has been classified as a neurotoxin by Philippe Grandjean et al, joining a list of only 10 other toxins, and published in the Lancet² in 2014. Grandjean³ is one of the world's leading environmental scientists. He has been recognised world-wide for "his long career conducting and promoting environmental health research, especially his groundbreaking work on the effects of methylmercury and other environmental toxins affecting children, and for his tireless advocacy of the need to protect future generations from the devastating effects of neuro and developmental toxins.

There have now been 57 studies on fluoride and the human brain, 50 of them finding that fluoride damages the brain. There are also hundreds of animal studies showing fluoride damages the brain⁴.

Our statement "Fluoride is now known to be neurotoxic and can be harmful at certain levels" is therefore completely true and unexaggerated. The complainant's claim that "only high levels of fluoride are neurotoxic" is a statement of belief rather than fact. The fact that the US Government's NTP is carrying out studies to determine the dose that causes harm - is verification that scientists, health authorities and governments do NOT know the harmful toxic dose and, therefore, it cannot be assumed that "only high levels" are neurotoxic. Our statement, "it can be harmful at certain levels" is correct, and is even confirmed by the complainant as he acknowledges high levels are neurotoxic. We did not exaggerate or

² <http://fluoridealert.org/news/fluoride-newly-identified-as-dangerous-to-brains/>

³ <https://www.hsph.harvard.edu/philippe-grandjean/>

⁴ <http://fluoridealert.org/issues/health/brain/>

mislead people in any way, as we were clear that it is at “certain levels” and that these levels are yet to be established.

Complaint:

“The US National Toxicology Program is undertaking a review of all studies where fluoride has been shown to harm the brain and ascertain what dose this harm occurs. They are also embarking on their own animal studies. For this reason, among others, we believe fluoridation chemicals have no place in our water.” This is likely to confuse the public into thinking that fluoride in our water causes harm.

It needs to be remembered that the complainant himself is just a member of the public. Dan Ryan is a computer programmer and has no qualifications in medicine, science or public health, unlike many people within Fluoride Free New Zealand. The information we have provided is straight-forward and we see no reason why this would *confuse* people. Many people agree with our view about a chemical that is known to be a neurotoxin - and because the dose that neurotoxicity occurs is unknown (and even under investigation by a US Government program) - it should not be added to our water. Dan Ryan’s assertions that people will be confused is distasteful, patronising and arrogant. It seems he has a very low opinion of his fellow members of the public.

Rule 6: Fear

Complaint:

Mentioning that fluoride is neurotoxic is likely to receive an emotional response. Only high levels of fluoride are harmful; the level used in drinking water is safe.

Dan Ryan is complaining that we are telling people the truth and that we shouldn’t tell people the truth because it is likely to invoke an emotional response. We find this charge astounding. If the ASA was to rule that people could not be told the facts about things, and especially something as important as what is added to their drinking water, because it might make people feel something, would mean we have reached a level of unprecedented censorship that we do not expect to face in this country.

Some young people such as Dan Ryan perhaps do not have the benefit of experiencing first-hand the numerous health issues that were once deemed safe by health authorities but have been later found to be unsafe. For example - smoking, lead in petrol and paint and New Zealand’s own disastrous experience with 245T. These were stopped because of concerted campaigns by activists.

From the 1950s through to 1987, Ivan Watkins Dow manufactured dioxin-containing 245T which was allowed to be sprayed over the whole country as a herbicide. The general public started to raise the alarm bells when it was noticed that there was a higher incidence of cancer and birth defects (especially spina bifida) being reported around the country, and particularly around the New Plymouth suburb of Paritutu.

The Ministry of Health defended the use of 245T and argued that the level of dioxin, (2 – 20ppm) was so low it could not possibly cause harm. In 1971, the US stopped manufacturing 245T and New Zealand became the last remaining country in the world still manufacturing it.

1971: First dioxin limit set at 1ppm, prior to that 2 – 20ppm were used

1983: A tenfold drop to 0.1ppm was set

1987: A final tenfold drop to 0.01ppm was set, causing the closure of the dioxin manufacturing plant without any admission from MoH of links to adverse health effects.

The MoH maintain that stance even to this day.

In 2006, TV3 produced a documentary *Let Us Spray*. “The questions over the Ivon Watkins Dow plant were suddenly reasonable, when for so many years campaigners in the Dioxin Information Network group had been labelled - among other things - "apocalyptic radicals" in the local newspaper. “ – David Fisher, NZ Herald⁵.

If opponents of 245T had not been allowed to share their concerns with the public, 245T spraying would have continued for far longer than it did. Even though the opponents did not have absolute proof that 245T was causing birth defects, still births and cancer, these people had the good sense to know that spraying herbicide to kill gorse was not worth risking serious, life-threatening and life-debilitating diseases.

Fluoridation is also following the same trend as dioxin in 245T:

1950s: Limit set at 1.2ppm

1990s: Limit reduced to 1ppm with recommended target of 0.85ppm

2015: The US Government has reduced the limit to 0.7ppm. Some Councils in New Zealand have followed suit, although the NZ MoH have still not changed their recommendation, at least not publicly.

We believe people would take from the information we provided, that fluoride is neurotoxic, that the dose where neurotoxicity occurs has not yet been determined, and that FFNZ believes for that reason (and others) that fluoride should not be added to the drinking water. People can then choose to agree with our conclusion or not. We are not presenting

⁵ http://www.nzherald.co.nz/nz/news/article.cfm?c_id=1&objectid=10410351

the information in any way that makes it more concerning than what it is. People, such as Dan Ryan, are free to continue to be not concerned but people should also be free to be concerned if they view the information the way we do.

We also believe it is of utmost importance to a functioning democracy that we be allowed to share these concerns. The fact that the limits on the level of fluoride allowed to be added to water has steadily reduced proves that the levels were too high in the past and that the people in charge of setting the levels are not always right.

Rule 11: Advocacy Advertising

Complainant:

Given the factual errors listed above, opinion has not been clearly distinguished from fact on this page.

As stated above, we do not believe there are any factual errors. The only statement that is not an absolute fact is, “we believe fluoridation chemicals should have no place in our water”. It cannot be stated anymore clearly that this is our belief/opinion - so it is false for Dan Ryan to claim that fact has not been distinguished from opinion.

The page makes it clear what our policy position is, why we are seeking donations, and that we are an advocacy organization. The public will therefore know from the outset that these are our advocacy positions. As the whole page is a Donations Page for Fluoride Free New Zealand, it is obvious that the information is from our perspective.

Complainant:

A quick read of the Donations tab makes it obvious that people are being deceived or having their existing misconceptions reinforced by Fluoride Free New Zealand.

We find Dan Ryan’s comments insulting, not only to us, but also to the people that commented on our page. Again, as stated above, we did not include any information that we do not consider to be the truth. Therefore, we were not “deceiving” people. It is also absurd to suggest that everyone that commented on our page has been solely influenced by the information we provided on the Give A Little page. It is far more likely these people have researched the subject of fluoridation themselves, probably for several years, and from many different sources, and simply agree with our view.

If Dan Ryan’s view was to be accepted, then Stuff and The Herald would be also be responsible for all the comments on their pages.

We are astonished at Dan Ryan's hubris and lack of respect for others who have a different opinion than him. He obviously has a problem with anyone holding a view contrary to his own. Allowing people to comment on our page is not a breach of the code.