

RESPONSE FROM FLUORIDE FREE NZ - ASA COMPLAINT 16/297

DESCRIPTION OF ADVERTISEMENT

A 3x6 metre billboard on the Hutt Road in Petone containing a photo of a Wellington boy's teeth that we believe to be dental fluorosis.

RESPONSE

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

Code of Ethics – Basic Principles 3 and 4

Code of Ethics – Rule 2

Code of Ethics – Rule 3

Code of Ethics – Rule 6

Code of Ethics – Rule 11

Advocacy Principle - Rule 5

Code of Ethics

Basic Principle 3: No advertisement should be misleading or deceptive or likely to mislead or deceive the consumer.

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 3: Research, Tests and Surveys – Advertisements should not use tests and surveys, research results or quotations from technical and scientific literature, in a manner which is misleading or deceptive

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.

Advocacy Principle Rule 5 That it is essential in all advocacy advertisements that the identity of the advertiser is clear

Basic Principle 3

The complainant argues that the photo provided is not dental fluorosis.

Before posting this billboard, we obtained independent advice from dentists who advised us that the condition was dental fluorosis. A search on the internet will show many images similar, or worse, than the one on the billboard. The complaint acknowledges that the diagnosis of dental fluorosis is not clear cut as they suggest that the ASA seek independent advice. We believe the image we have provided is dental fluorosis. But whether it is actually dental fluorosis, or appears to the public as identical to dental fluorosis, does not affect the message. The point is that people do have dental fluorosis that looks just like the image used, therefore it becomes irrelevant whether the image depicts the actual condition or one essentially identical in appearance – it can have no influence on the public take-out from the advertisement, and can hardly be misleading when the key message is true.



Wikipedia¹ mild dental fluorosis

The complainant asserts that the billboard implies that all dental fluorosis in NZ will appear as it does in the billboard and that the level of fluorosis displayed on the billboard is not representative of the vast majority of cases of fluorosis.

The billboard states that “41% of children in New Zealand have some form of dental fluorosis”. That makes it clear to the average person that there are various forms and degrees of dental fluorosis, so obviously the form displayed is only one of them.

The 2009 Oral Health Survey says that 5.1% of New Zealanders have mild dental fluorosis and 2.0% have moderate dental fluorosis. The photo on the billboard represents over 7% of New Zealand children who have that level or worse. 7% of the population is a significant number.

¹ https://en.wikipedia.org/wiki/Dental_fluorosis



Moderate dental fluorosis

The complaint states that “fluoride poisoning is not dental fluorosis”. We find this an odd statement as it is like saying “nut allergy is not anaphylactic shock”.

Dental fluorosis is the first outward sign of fluoride poisoning. Dental fluorosis is caused by the ingestion of too much fluoride as teeth are growing, which causes damage to the tooth enamel. The Medical Dictionary definition² of “poisoning” is: *“Poisoning occurs when any substance interferes with normal body functions after it is swallowed, inhaled, injected, or absorbed.”*

Therefore, dental fluorosis is undeniably a symptom of fluoride poisoning. Stating this is not misleading or deceiving - it is the truth. But it is especially relevant because fluoride is not considered a nutrient, as there is no known bodily function that requires it. It is, in fact, considered a contaminant in water and is regulated as such.

Maximum acceptable values for chemical contaminants, both natural and of human origin, are listed in two tables in the DWSNZ. The first (Table 2.2 in the DWSNZ) lists inorganic chemicals such as nitrate, metals and chemicals used to disinfect water. Classes of chemical contaminants in the table are:

- metals and metalloids
- inorganic disinfection by-products
- disinfectants
- a miscellaneous group outside the above classifications: beryllium, boron, cyanide, fluoride, nitrate and nitrite.

<http://www.mfe.govt.nz/publications/rma/draft-users-guide-national-environmental-standard-sources-human-drinking-water-0>

Therefore, it is a fact that dental fluorosis is a symptom of fluoride poisoning, so therefore it should be able to be stated as such, since no one actually disputes that. However, the fact that this is a billboard with our name clearly displayed, indicates to the public that we are an advocacy organisation, so it is likely to be viewed by the public as our advocacy position.

² <http://medical-dictionary.thefreedictionary.com/poisoning>

Basic Principle 4

We have prepared our advertisement with a due sense of responsibility, with attention to the fair and robust treatment of matters which concern the public, as this is our *raison d'être*. We understand it is not the mandate of the ASA to make judgments on which opinions are more valid than others, or to be the arbiter of fact. We firmly believe New Zealanders have a right to know that the Ministry of Health has found that a large proportion of children have an enamel defect, called dental fluorosis, which is caused by too much fluoride ingested when teeth are growing.

It is socially responsible to give this information to consumers.

Rule 2: Truthful Presentation

The advertisement is a truthful presentation of dental fluorosis and the number of New Zealand children who are impacted.

Rule 3: Research, Tests and Surveys

We have quoted the Ministry of Health's 2009 Oral Health Survey, which found over 40% of children have some form of dental fluorosis. We used this survey as it is the most recent survey carried out by anyone in New Zealand into the prevalence of dental fluorosis. It is also the survey that the Ministry of Health uses to claim benefit and to base their advocacy for extended fluoridation. If the survey is reliable enough for the Ministry of Health, then it must be reliable enough for others.

Rule 6: Fear

The complainant states that by using the word "poisoning" the advert breaks Rule 6. However, as discussed in Principle 3, dental fluorosis is the first outward symptom of fluoride poisoning. We do not believe we should be censored into calling it something other than what it is.

We are calling it "poisoning" because over-exposure has serious ramifications. There are four studies that have looked at dental fluorosis and IQ. All four have found that any level of dental fluorosis corresponds with a lowering of IQ.

"It is clearly evident that with increase in the grade of fluorosis, a trend of increase in the IQ grade (decrease in intellectual capacity) was observed indicating a strong correlation between fluorosis grade and IQ grade" <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC4668514/>

The complainant also states that "dentists agree that it is not harmful". There are actually thousands of dentists worldwide that do not agree "that it is not harmful", but that is beside the point, as dentists are not toxicologists and it is not under their purview to diagnose outside of the mouth.

The complainant asserts that dental fluorosis cannot be considered a harm. However, even damage to the enamel of teeth is a harm. It is undeniable that the teeth have been harmed

by fluoride. Because fluoride proponents do not think that matters, does not equate to no harm.

And because evidence in the scientific literature is showing that any form of dental fluorosis is an indication that fluoride has affected the developing brain - describing dental fluorosis as a symptom of fluoride poisoning is reasonable.

Children can develop a thin blue line on their gum (Burton's Line) if over-exposed to lead. If we were to show an image of a child's gum with a thin blue line and said "Lead poisoning hiding under your lip", no one could claim that this was misleading, incorrect or exaggerated.

A letter published in a US newspaper³ on Monday the 18th of July 2017 by dentist David Ball D.D.S says:

"As a dentist in the Chillicothe area, I have become very concerned with the negative effects I have seen in many of my patients from ingesting too much fluoride. Dental fluorosis, one of the first visible signs of people suffering from a toxic amount of fluoride, characteristically shows up as white, brown, or chalky spots on the teeth. Ingested fluoride becomes part of the developing teeth from 0-8 years old. These spots are unappealing and can be costly to correct, while also negatively affecting one's self-esteem. Research states that ingesting too much fluoride can cause other more serious health problems as well. "

We believe parents have the right to know that a large proportion of children are developing this symptom of over-exposure to fluoride so that they can take active steps to reduce their child's exposure if they so choose.

We are pleased that the complainant has advised us that fluoride poisoning needs to be notified. Obviously, people do not realise that.

Rule 11: Advocacy Advertising

The complainant argues that we are stating our opinions as fact. It is undeniable that the Ministry's Health Survey showed over 40% of children with some form of dental fluorosis. It is also a fact that dental fluorosis is the result of too much fluoride. In our view, this means the child has been poisoned. As this is a billboard with our name clearly provided, it is obvious to even the casual observer that this is our advocacy position.

Advocacy Principle Rule 5

Our identity as the advertiser was made clear on the billboard and we believe that our position on fluoridation is also clear by our name "fluoridefree". The vast majority of people would understand this means we see fluoride as something we would like to be free of i.e. something undesirable.

³ <http://www.chillicothe Gazette.com/story/opinion/readers/2017/07/16/letters-editor-acha-hurts-rural-families-water-fluoridation-discussion/471762001/>