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Professionalism in Public Service

Local 2050

Comments on Reevaluating the Fluoride in Drinking Water Standard
by Robert J. Carton, Ph.D., Vice-President, Local 2050 of the
National Federation of Federal Employees, before the Drinking Water
Committee of the Science Advisory Board of the Environmental
Protection Agency. Arlington, VA, Nov. 1, 1991.

My name is Dr. Bob Carton, I am Vice-President of Local 2050 of the National Federation of Federal Employees. Our union represents the 1100 scientists, lawyers, and engineers at EPA Headquarters. We are the professionals who are responsible for providing the scientific basis for EPA's regulations. We have an obviously important stake in ensuring that the scientific process used in assessing risks from chemicals is sound and that those who conduct this assessment are not forced or coerced in any way into supporting predetermined conclusions.

In this context, I am here today to alert you to the fraudulent nature of EPA's previous efforts on fluoride and to request that you take an active role in insisting that EPA conduct an unbiased, indepth investigation of the risks posed by exposure to fluoride, not a whitewash as occurred in 1985. Let me explain to you what happened in 1985.

The fluoride in drinking water standard, or Recommended Maximum Contaminant Level (RMCL), published by EPA in the Federal Register on Nov. 14, 1985, is a classic case of political interference with science. The regulation is a fraudulent statement by the Federal Government that 4 milligrams per liter (mg/l) of fluoride in drinking water is safe with an adequate margin of safety. There is evidence that critical information in the scientific and technical support documents used to develop the standard was falsified by the Department of Health and Human Services and the Environmental Protection Agency to protect a long-standing public health policy.

EPA professionals were never asked to conduct a thorough, independent analysis of the fluoride literature. Instead, their credentials were used to give the appearance of scientific credibility. They were used to support the predetermined conclusion that 4 mg/l of fluoride in drinking water was safe.

Ethical misconduct by EPA management included the following: they ignored the requirements of the law to protect sensitive individuals such as children, diabetics, or people with kidney impairment. Contrary to law, they made the criteria for considering health data so stringent that reasonable concerns for safety were eliminated. Data showing positive correlations between fluoride exposure and genetic effects in almost all laboratory tests were discounted.

By selective use of data, they fit science to the desired outcome. They reported to the Administrator data demonstrating that dental fluorosis was an adverse health effect, but then hid this information from the public when the Administrator decided to call dental fluorosis a "cosmetic" effect. The National Institute for Dental Research had warned EPA that admitting dental fluorosis was an adverse health effect would be contrary to the long-standing policy of the Public Health Service that fluoridation at 1 mg/l is totally safe. EPA had already admitted in the Federal Register that objectionable dental fluorosis can occur at levels as low as 0.7 mg/l.

EPA management based its standard on only one health effect: crippling skeletal fluorosis. In setting the safe level at 4 mg/l, however, they ignored data showing that healthy individuals were at risk of developing crippling skeletal fluorosis if these individuals happened to drink large quantities of water at the "safe" level of 4 mg/l. EPA's own data showed that some people drink as much as 5.5 liters/day. If these people ingested this amount of water containing 4 mg/l of fluoride, they would receive

a daily dose of 22 mg. This exceeds the minimum dose necessary to cause crippling skeletal fluorosis, or "20 mg/day for 20 years" as stated by EPA and the Public Health Service. This situation is made worse by the fact that there are additional sources of fluoride, such as toothpaste, tea, mouthwash, etc. Even more unsettling is the fact that there is no sound scientific basis for the 20 mg/day threshold. The threshold is probably lower.

There is evidence, ignored by EPA, in a preliminary study by Dr. Geoffrey Smith, that exposure to fluoride at 1 mg/l in drinking water over a long period of time may calcify ligaments and tendons causing arthritic pains, and may be partially responsible for the alarming increase in cases of repetitive stress injury.

EPA management also relied upon a report from the Surgeon General which they knew was false. This report claimed to represent the conclusions of an expert panel (on which EPA was present as an observer) when in fact the concerns of this panel for the effects of fluoride on the bones of children, for its effects on the heart, for dental fluorosis, and for the overall lack of scientific data on the effects of fluoride in U.S. drinking water were deleted. There is a report in the press that these changes were made without the knowledge or approval of the expert panel.

EPA accepted the falsified report from the Surgeon General's office and asked a contractor to turn this into an "assessment." The contractor dutifully collected only literature that supported the report. The report was submitted for public comment, but was never altered to incorporate the volumes of information sent in by world class experts, and by ordinary citizens who had taken the time to look for all of the appropriate literature. Any opinions contrary to the report were dismissed. It can truly be said that there is no final report, because the substance of the public comment was virtually ignored. What we have is actually a "Draft" stamped "Final"!

After the regulation was published, NFFE Local 2050 spent a great deal of energy attempting to get this issue resolved. We did not want any part of such a charade. In 1986, after numerous letters to EPA management which were ignored, NFFE Local 2050 prepared an amicus brief in an unsuccessful suit by the Natural Resources Defense Council to overturn the fluoride regulation. Our message began to be heard in August of 1988, when Chemical & Engineering News, a weekly magazine of the American Chemical Society, published a 17 page feature story on the fluoride issue, focusing in part on our union's efforts. In 1989, with prodding from Mr. Reilly's staff, we had an exchange of letters and some productive meetings with Mr. Bill Whittington, Deputy Assistant Administrator for Water, who unfortunately has now left the Agency.

In one of these letters, we detailed for Mr. Whittington, our recommendations for conducting an assessment of the risks from fluoride exposure. We grouped them into three categories:

- (1) focus on the scientific endpoints the law requires us to examine which the previous effort did not,
- (2) bring in scientific experts from around the world who have published extensively on various aspects of the risks from fluoride exposure, and
- (3) create an independent scientific assessment committee with no conflict of interest to peer review the report.

We also recommended that all of this should be done under the direction of EPA scientists with expertise in the various disciplines that an understanding of fluoride risks requires: carcinogenicity, mutagenicity, metabolism, etc.

We would like you to take these recommendations seriously. We do not need another exercise in political expediency. And we do not need to see EPA scientists attacked by their managers, as is now occurring, because they reveal unpleasant facts. A number of

recent publications in prestigious journals show there is overwhelming evidence that the aged population of the US is experiencing a significant increase in hip fractures as a result of the reckless practice of fluoridation. The senior toxicologist who brought this and other negative information on fluoride to the attention of EPA management is being threatened with dismissal.

It is about time that science prevailed on this subject, and past errors were corrected. This will not happen by using the so-called "Frank Young" report or the National Academy of Sciences to review his report. This will only result in the same whitewash that emerged from the Surgeon General's office. The NAS has already indicated that they will produce the party line, even if they can't substantiate it. In a recent series of letter between the NAS, Ms. Darlene Sherrell, and Sen. Graham of Florida, the NAS was forced to admit that it could not document the derivation of the chronic effect level for crippling skeletal fluorosis. As already mentioned, crippling skeletal fluorosis is the single health effect upon which the fluoride in drinking water standard is based.

EPA should reconsider their current plans to duck major responsibility for assessing fluoride risks and should let EPA professionals do the job that the American public who pays their salaries expects of them. The seriousness of the coverup on this issue requires that we go back to square one, evaluate the primary literature and let the chips fall where they may. A budget commensurate with the size of this task needs to be developed, even if it means going to Congress for a special appropriation. We ask your support in ensuring that the above recommendations are taken seriously.

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