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Date: March 25, 2025 at 11:21:18 AM EDT
To: mbraga@teWKsbury-ma.gov

What's Happened Since a Judge Ruled Water Fluoridation Is Lowering IQ?

Momentum for change is the on local level while the federal government remains quiet. In the meantime, many Americans are drinking treated water.

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By [Amy Denney](#)

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Though Dr. Mark Burhenne has been railing against water fluoridation on his social media accounts and his “Ask the Dentist” podcast, he never thought he’d see it banned from so many public water supplies in his lifetime.

A landmark ruling in September that directed the U.S. Environmental Protection Agency (EPA) to address the “unreasonable” risk fluoride in drinking water poses to lowering IQ in children has become a tipping point, Berhenne told The Epoch Times in an email. The decision has motivated large numbers of local and state governments to ban fluoride in their water supplies.

“Change like this isn’t going to happen overnight, but this was the kind of momentum we’ve been waiting for,” he said. “I didn’t think I’d see this kind of progress on fluoride in my lifetime, but now? I think it’s possible. It’ll take time—decades, maybe—but the wheels are turning.”

Utah is set to be the first state to ban fluoride in drinking water. At the same time, at least 50 communities nationwide have removed fluoride from water—representing about 4.5 million people—according to the Fluoride Action Network (FAN). Florida is considering legislation to prevent local governments from adding it to water supplies, and several states are considering reversals of fluoridation mandates.

The chain reaction on the local level is obscured by silence on the federal level, where decades of denials and obfuscation have clouded the contentious public health issue. It remains unresolved and unaddressed, even as new research confirms fluoride health risks. There may be legal loose ends as well. Three days before President Trump took office, EPA’s acting administrator Jane Nishida filed an appeal of the federal court decision under pressure from dental organizations.

Stakeholders Respond

The Epoch Times reached out to the EPA to ask whether it is pursuing the appeal or if it is pursuing action related to the court’s findings.

An agency spokesperson didn’t address specific questions but replied, “In keeping with a longstanding practice, EPA does not comment on pending litigation.”

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U.S. District Judge Edward Chen in San Francisco issued an 80-page [ruling](#) in September, which stated “the risk to health at exposure levels in United States drinking water is sufficiently high to trigger regulatory response by the EPA.” Chen did not order a specific course of action. Currently, the government [recommends](#) a fluoride level of 0.7 milligrams per liter (mg/L) in drinking water for the prevention of tooth decay.

“Community water fluoridation is a practical, cost-effective, and equitable way for communities to improve oral health regardless of age, education, or income by preventing cavities. This results in less mouth pain, fewer fillings or teeth pulled, and fewer missed days of work and school,” [according to](#) the Centers for Disease Control and Prevention (CDC).

The lawsuit was filed in 2017 by several nonprofits led by environmental advocacy organization Food & Water Watch. Chen paused the suit in 2020 to wait for a National Toxicology Program report that was in the works, which was published in August, showing a link between higher amounts of fluoride exposure and a lower IQ in children. The findings were based on studies involving fluoride levels at about twice the recommended limit for drinking water or approximately 1.4 mg/L.

The American Dental Association (ADA) and other organizations wrote a letter to Nishida requesting the appeal one week before it was filed, noting that the CDC hailed water fluoridation as a top public health achievement, reducing cavities by 25 percent.

“It would be regrettable to compromise nearly 80 years of public health success due to challenges in effectively communicating the science, which often extends beyond the simplicity of a sound bite,” the organizations wrote.

The ADA did not reply to The Epoch Times for an interview request.

Burhenne countered that the EPA’s appeal was surprising in light of overwhelming data.

“It’s hard to see it as anything but a stall tactic. Honestly, it feels like ego is driving their actions at this point, and it’s frustrating,” he said.

The lawsuit findings are sufficient to end water fluoridation, according to Stuart Cooper, executive director of FAN, which was a plaintiff in the suit. The EPA has two years to devise a tactic for protecting the vulnerable from fluoride risks. The

neurotoxic effects of fluoride are more prevalent in formula-fed infants, African Americans, and undernourished people.

Cooper said new EPA rules could be designed either to ban municipalities from buying fluoride—which is a manmade chemical form of the mineral—or somehow inform every pregnant woman of the risks to fetal and child development from drinking fluoridated water. The latter seems so out of reach that Cooper doesn't conceive any option outside of ceasing the practice.

Other federal agencies could also step in and take action, Cooper told The Epoch Times, including the CDC and the Department of Health and Human Services (HHS), which sets fluoride limits in drinking water and is headed by long-time fluoride opponent Robert F. Kennedy Jr.

“We expect to see CDC and HHS to change their stance in the coming months,” Cooper said. “In the meantime, HHS is currently promoting water fluoridation, they are providing grants to communities for the infrastructure so they can initiate fluoridation, and they spend tax dollars on PR campaigns in favor of fluoridation.”

He added that nothing would prevent HHS or the CDC from updating recommendations on the optimal upper limit of fluoride to zero, much like HHS and the EPA did when they [lowered](#) the upper limit of fluoride from 1.2 mg/L to 0.7 mg/L in 2011.

The Epoch Times reached out to several federal agencies to ask whether the new administration plans to issue advisories or launch new studies on fluoride. Agencies that responded referred questions to the EPA.

Cooper said neither a pending appeal nor the EPA's legal directive prevents other agencies from stepping in to take action. Also, he pointed out that the new administration isn't beholden to following through on the appeal.

“The CDC and HHS can act unilaterally outside of that. They can put out an advisory and end the promotion of water fluoridation tomorrow,” he said. “I imagine they're busy right now. It hasn't been very long, but it's going to happen. You're already watching water fluoridation unravel in real-time.”

RFK Jr: Fluoride Friend or Foe?

Adding to the confusion is a [post](#) Kennedy made on X that Trump would “advise all U.S. water systems to remove fluoride from public water” on his first day as President, leaving followers questioning the silence in the weeks since.

Neither Kennedy nor the White House responded to The Epoch Times about why that recommendation wasn't made.

“Public policy takes time,” Cooper said. “You have to be patient and determined and put your head down and just keep advocating if you believe in something. Eventually I think integrity and truth wins out.”

Burhenne said the nature of Kennedy's announcement was disappointing and hasn't helped forge awareness or cooperation.

“It shifted the focus back to polarizing, sensationalized rhetoric—the kind of ‘conspiracy theory’ framing we've been trying to avoid. That made things a bit harder, but I don't think it derailed the progress entirely,” Burhenne said.

New Fluoride Evidence

Another [study](#) showing fluoride exposure in children was tied to lowered cognitive abilities was published earlier this month in Environmental Health Perspectives.

Researchers followed 500 women and their children in rural Bangladesh who were exposed to naturally occurring fluoride in drinking water at levels similar to those in the United States. Fluoride exposure was measured through urine, accounting for not only water but also exposure to fluoride in food and dental products, which aren't considered a significant exposure since they aren't intended to be ingested.

Fluoride concentrations in children at more than 0.72 mg/L were associated with lower cognitive abilities—including being able to hear or read and then follow instructions—and being able to process and interpret information with their senses. Of note, the associations were only statistically significant when children were 10 years of age and not 5 years of age—although a negative effect was also seen at 5 years.

Beyond Fluoride

Fluoride also highlights a larger problem, Burhenne said, about the state of municipal water supplies, which vary drastically and are filled with carcinogens and other toxins like microplastics, heavy metals, prescription drugs, and other chemicals.

The federal government should have stricter guidelines for water and require more frequent testing, he said. Governments have failed to provide access to safe,

clean drinking water, he added, leaving the burden of filtering and purifying water up to homeowners.

Funds used for purchasing and maintaining fluoride systems could be redirected toward improving overall water quality, Burhenne suggested.

“Clean water is fundamental—after all, we’re mostly water ourselves—and the fact that this basic right to clean, uncontaminated water is being overlooked in favor of political and emotional debates is deeply concerning.”

Michelle Lee



