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News

Judge orders fluoride back in Arab's water - for now

By CHARLES WHISENANT
Friday, March 18, 2016 2:24 PM CDT

The Arab Tribune

Marshall County Circuit Judge Tim Riley on Thursday ordered Arab Water Works to immediately add fluoride back to Arab's water supply. He said fluoride is to remain in Arab's water supply unless and until he rules differently.

Riley granted the preliminary injunction pending the outcome of a lawsuit over the fluoride issue between the city of Arab and Arab Water Works. That trial is expected to happen later this year.

Riley issued the order following several hours of testimony last week.

The city sued the water works board after the board removed fluoride from the water system last August. The board did so without notifying the city or the public of the move.

Several in the medical community and the state department of public health urged the city to take action against the water board because of the removal.

In his order, Riley wrote:

- (Regarding the 1972 resolution from the Arab City Commission ordering the Arab Water Works board to fluoridate the water supply): The Arab Water Works Board followed the resolution and did so for 43 years without objection, until some point around August of 2015, when the board unilaterally removed fluoride from the water supply without notice to the Arab City Council or to the citizens of Arab. After unsuccessful efforts to have fluoride reintroduced into the water supply, the city filed this lawsuit.
- All medical professionals (at the hearing) were qualified as experts in their fields and each offered the opinion that systemic fluoride is important for the public health, and that removal of fluoride from the water supply would cause immediate, irreversible, irreparable harm - especially to children who need systemic fluoride as their teeth develop, elderly, and poor citizens served by the Water Works Board of the City of Arab.
- In addition, the court notes that it found each of the experts to be credible and knowledgeable. It further accepts their collective testimony that the only reputable, reliable and credible evidence on the issue of fluoridation of water is that it promotes public health.

Based on the abundance of undisputed medical testimony on the issue of irreparable harm, the court finds that irreparable harm would result if no injunction is issued.

- And finally on this issue, based on the medical evidence presented that ceasing systemic fluoridation through treatment of the public water supply would result in immediate irreversible harm to the same groups noted above, especially to children with developing teeth, the court finds that there is no adequate remedy at law for the plaintiff (the city).

Riley also noted that the water board offered no evidence of its authority to remove fluoride over the objection of the city.

"The defendant (water board) offered no evidence at all of the procedure, parliamentary or otherwise, that it followed in determining that fluoride should be removed," Riley wrote. "The defendant (water board) also failed to offer any evidence of harm that would result if it is required to fluoridate the water supply during the pendency of this litigation."

Riley said evidence offered by city attorneys, along with Alabama statutory and case law, led him to find that the city properly acted within its scope of authority in seeking to enforce its own resolutions as they relate to protecting public health.

"Especially in light of the fact that the Arab Water Works Board abided by the instruction in the resolution for 43 years with no objection and only now argues that it should not have to follow it," Riley wrote.

"The Arab Water Works Board of the City of Arab is to immediately resume the addition of fluoride to the water supply at the optimal level as recommended by the U.S. Department of Health and Human Services, currently 0.7 milligrams of fluoride per liter of water, and is enjoined from ceasing the same until further orders of this court," he continued.

Riley also ordered the city of Arab to post a \$50,000 bond as security for the cost of fluoride and attorney fees should the city lose the pending lawsuit and the court orders the city to pay those fees.

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Reader Comments

The following are comments from the readers. In no way do they represent the view of TheArabTribune.com.

Guest wrote on Mar 18, 2016 9:56 PM:

" What a load of crap. This is a subject the people should be allowed to vote on. "

jwillie6 wrote on Mar 18, 2016 11:28 PM:

" There is no condition in the body that is fluoride deficient. It is never included in adult multi-vitamins for good reason. No doctor ever prescribes it for any adult. Why would they when it is a deadly poison that heals nothing and cures nothing.

People everywhere are learning that fluoride is ineffective for teeth and dangerous to health.

Consider this:

In the US, 74 % fluoridated (more than the rest of the world combined).

In Europe, 3%.

In the world, 5%.

In Canada, now 37% --- down from 45% in six years.

Over 200 communities have voted it out in the last five years. "

Dan Germouse wrote on Mar 18, 2016 11:39 PM:

" The perpetrators of the forced-fluoridation experiment may want to take a look at Article 6 of the Universal Declaration on Bioethics and Human Rights, which is on the UNESCO website.

"Article 6 - Consent

1. Any preventive, diagnostic and therapeutic medical intervention is only to be carried out with the prior, free and informed consent of the person concerned, based on adequate information. The consent should, where appropriate, be express and may be withdrawn by the person concerned at any time and for any reason without disadvantage or prejudice."

Clearly the forced-fluoridation experiment (i.e. the dumping of toxic industrial fluoride waste into public water supplies) violates human rights.

http://portal.unesco.org/en/ev.php-URL_ID=31058&URL_DO=DO_TOPIC&URL_SECTION=201.html "

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