

Medical Independence Act

SECTION 1. Intent. Over the objection of many of its citizens, the City Council approved the addition of hexafluorosilicic acid (a form of fluoride) to the City's public drinking water for the express purpose of reducing tooth decay. This action has forced the entire community either to submit to this medication for tooth decay, to remove it as best individuals can, or to not use the water. Extraordinary effort and expense are required to escape being medicated by this substance which is absorbed even through unbroken skin. For many, effective avoidance is an economic and practical impossibility resulting in their enforced medication. The citizens herewith determine that access to a public water supply constitutes a property right shared by all users of that water supply. They find that the property rights of persons to whom medicated water is unacceptable are impaired by addition of medication to the common supply of water and that this is a takings which has not been compensated in any way. Furthermore, the citizens declare that the right of all adult and mentally competent citizens to control their own medical care and the right to informed consent for medical treatment are essential to their pursuit of life and liberty. The citizens of Port Angeles now declare that public water supplies should not be used to medicate citizens.

SECTION 2. It shall be unlawful for any person, agent, or any public water system to put or continue to put any product, substance, or chemical in public water supplies for the purpose of treating physical or mental disease or affecting the structure or functions of the body of any person, or with any other intent of acting in the manner of a preventive or treating medication or drug for humans or animals.

SECTION 3. This ordinance does not apply to substances which are added to treat water to make water safe or potable such as use of agents for disinfection, or corrosion control PROVIDED that water treatment substances contaminated with fluoride in amounts sufficient to elevate levels of fluoride in the finished water by more than 0.1 parts per million above those background levels which occur naturally in the raw supply water shall be prohibited.

SECTION 4. In case of conflict with any law, regulations, resolutions, or ordinances of the City of Port Angeles, this ordinance shall prevail to the maximum extent allowed by law. The action by the City Council taken Feb. 18, 2003 to approve addition of fluoride to the municipal water supply is hereby repealed.

SECTION 5. This ordinance shall take effect thirty days after certification of the election at which it was approved by the Port Angeles electorate. Additions of hexafluorosilicic acid solution to the municipal water supply will then cease.

SECTION 6. If any provision, phrase, or part of this ordinance or its underlying legal basis, or the application to any person or circumstance is held invalid, the remainder of the provisions of this ordinance or the application thereof shall be given effect insofar as possible, and to this end the provisions of this ordinance are severable.

NOTES AND OTHER INFORMATION

1. See Washington State Constitution especially Article I sections 1, 3 and 11.
2. See state laws conferring the power to refuse medication by persons in nursing homes, the mentally ill, the dying., RCW 69.41.085, RCW 70.122.010, RCW 70.129.120, RCW 70.129.140 RCW 71.05.215.
3. Science and Ethics of Water Fluoridation. Journal of the Canadian Dental Ass'n.. 2001, Vol 67 No 10, 578-580
4. Fluoridation: A Violation of Medical Ethics and Human Rights. Douglas Cross and R..J. .Carton, Ph.D. International Journal of Public Health : 2003:9:24-29.
5. Fluoridation vs. Informed Consent: Michael Connett. Fluoridation Action Network July 10,2001. www.fluoridealert.org/med-consent.htm.
6. See definition of drugs RCW69.04.009—any substance affecting mind or body of persons is a drug. Also note that under RCW 69.04.490 a drug is misbranded by failure to show all ingredients.
7. See Port Angeles Library, Reference Section, loose leaf binder "Fluoride", contains:
 - (A) Material Safety Data Sheets for Port Angeles , shows fluoridation chemicals: fluorosilicic acid 24 (FSA), hydrogen fluoride 0.55 and "heavy metals as Lead" 3.17 parts per million.
 - (B) A letter from Gary Pittman, former supervisor at Occidental Chemical Corporation (producers of FSA) describes the manufacturing process, the great number of contaminants in the final product, and testifies that every batch produced contains a unique mixture of contaminants.
 - (©) Articles on ethics referred to above.
8. Current standards for setting allowable limits for concentration of chemicals in drinking water, "Maximum Contaminant Levels" (MCL) allow negative health impacts as a trade off to avoid costs of reducing toxic exposures. Communities may choose less expensive additives or weaker standards and accept higher health risks. Fluoride approximates the toxicity of lead and arsenic. The state and federal MCL for fluoride in drinking water is 4,000 parts per billion compared to 15 parts per billion for lead and 10 parts per billion for arsenic. Smaller numbers are more protective of health.
9. See Port Angeles Library, Reference Section, loose leaf binder "Fluoride", contains:
 - (A) Material Safety Data Sheets for Port Angeles fluoridation chemicals:. It shows: fluorosilicic acid (FSA) 24 , hydrogen fluoride 0.55 and "heavy metals as Lead" 3.17.parts per million.
 - (B) A letter from Gary Pittman, ,a former supervisor at Occidental Chemical Corporation (producers of FSA) describes the manufacturing process, the great number of contaminants in the final product, and testifies that every batch produced contains a unique mixture of contaminants.
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10. Published by National Research Council for EPA in 2006 is the 500+ page Reference: Fluoride in Drinking Water: A Scientific Review ofEPA's Standards. <http://www.nap.edu/catalog/11571.html> Can be read free on line. Can be downloaded for about \$45 or 50.00. Available in hard copy for purchase. It says the current limit of 4000 parts per billion for water fluoridation allows damaging health effects with infants/small children at particular risk.