

4 October 2024

Erika Whittome  
Via email

Email: [fyi-request-28632-3067318d@requests.fyi.org.nz](mailto:fyi-request-28632-3067318d@requests.fyi.org.nz)

Dear Erika

**REQUEST FOR INFORMATION UNDER THE LOCAL GOVERNMENT OFFICIAL INFORMATION AND MEETINGS ACT 1987 (LGOIMA) – FLUORIDATION**

**Your request**

On 3 October 2024, we received your request for information. In particular, your request was as follows:

*Dear Watercare Services Limited,*

*A recent decision 24 Sep 2024 in the US states:*

*“The record still establishes with little doubt that fluoridated drinking water presents a risk of injury to health.”*

*The full decision of the Judge is published here*

*[https://urldefense.com/v3/\\_\\_https://childrenshealthdefense.org/wp-content/uploads/Court-Ruling.pdf\\_\\_;!!JcuPmubLuqHOewrctw!AhZ5-](https://urldefense.com/v3/__https://childrenshealthdefense.org/wp-content/uploads/Court-Ruling.pdf__;!!JcuPmubLuqHOewrctw!AhZ5-37DrSmgrNnCaWqzPQxCpESwmvmtcCtj9X7SEPybLDDkCYewW6DfzPY5n6A5_dS_6VZ8y-qVK9NSJES_Pmn19HmixpaBYo8oKue6ldow$)*

*37DrSmgrNnCaWqzPQxCpESwmvmtcCtj9X7SEPybLDDkCYewW6DfzPY5n6A5\_dS\_6VZ8y-qVK9NSJES\_Pmn19HmixpaBYo8oKue6ldow\$*

*1 Please provide all the information for how this ruling has been promulgated at Watercare. Kindly share all memos, emails, correspondence etc regarding this recent US court decision.*

*2 Please provide the documents for the risk benefit analysis for fluoride that is added to our water as a medical treatment. If need be, kindly transfer to the MoH after a response to item 1 request for information.*

*Yours faithfully,*

*Erika Whittome*

**Our response**

We provide our response below in the order of your email.

- 1. Please provide all the information for how this ruling has been promulgated at Watercare. Kindly share all memos, emails, correspondence etc regarding this recent US court decision.**

Attachment 1 sets out our correspondence in relation to the recent US court decision. Where necessary, private information has been withheld under LGOIMA on the basis that its withholding is necessary to protect the privacy of natural persons in accordance with section 7(2)(a) of the LGOIMA. In terms of section 7(1) of LGOIMA, we are satisfied that the withholding of this information is not outweighed by other considerations which render it desirable, in the public interest, to make that information available.

- 2. Please provide the documents for the risk benefit analysis for fluoride that is added to our water as a medical treatment. If need be, kindly transfer to the MoH after a response to item 1 request for information.**

Unfortunately, the requested risk benefit analysis for fluoride is not held by Watercare. We are therefore refusing your request under section 17(e) of the LGOIMA. As you may be aware, Watercare does not set fluoridation policies. This role is with the Ministry of Health. This is the reason why the risk benefit analysis for fluoride is not held by Watercare.

As per your advice, we have transferred your request for information to the Ministry of Health. If you have any questions, please contact them via email: [oiagr@health.govt.nz](mailto:oiagr@health.govt.nz)

#### **Next steps**

If you are unhappy with our response, we recommend that you:

- obtain your own legal advice, or
- contact the Ministry of Health using a form available on their website: [Official Information Act requests | Ministry of Health NZ](#), or
- seek an investigation and review by the Ombudsman for all of our responses. Information about how to make a complaint is available at [www.ombudsman.parliament.nz](http://www.ombudsman.parliament.nz) or freephone 0800 802 602.

Yours sincerely



Mark Bourne  
**Chief Operations Officer**