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European Court Ruling Ends Water Fluoridation

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Fluoridated water must be treated as a medicine, and cannot be used to prepare foods! That is the decision of the European Court of Justice, in a landmark case dealing with the classification and regulation of 'functional drinks' in member states of the European Community. (HLH Warenvertriebs and Orthica (Joined Cases C-211/03, C-299/03, C-316/03 and C-318/03) 9 June2005)...

Implications for international trade in food products...

But the ruling also has an equally profound implication for export trade in processed foods and drinks. The Court stated that even if a functional food product (or a food containing it) is legally marketed as a food in one member state, it cannot be exported to any other member state unless it has a medicinal licence. So any company making a consumable product using fluoridated water in its preparation or as an ingredient cannot now export that product to any other state in the EC, even if their product is permitted in their home state.

The economic implications are enormous. Not only does the ruling ban the use of fluoridated water for all retail catering and wholesale food processing in the UK and Ireland, it also prohibits such trade from these states to other member states of the EC.

But it goes much further than even this, because if British and Irish processed foods from fluoridated areas cannot be exported to the EC, this prohibition must also apply to the importing of such products into EC member states from any other country that practices water fluoridation. The decision effectively bans all processed food products from countries such as the USA, Australia and New Zealand, unless they can be positively proven to have been prepared using only water that was not fluoridated.

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