

City must fluoridate, public vote or not, says state health agency

By **KAREN A. DAVIS**
SENTINEL STAFF WRITER

WATSONVILLE — Fluoridation resistance is futile here, state Department of Health Services officials say, despite a recent council decision to let voters decide this fall whether to fluoridate the city's water supply.

"It doesn't matter if the voters pass a referendum saying they don't want to fluoridate," said Gary Hoffmann, head of the department's drinking-water policy development unit.

The state attorney general in 2000 said fluoride must be added to water supplies if a municipality has the money to do it.

"State statute ... and department regulations

... say they must if they have received funding," Hoffmann said. "Generally speaking, state law supersedes local ordinances."

Still, fluoridation opponents are not conceding defeat of what they called "a hard-fought victory."

"They want to slam-dunk fluoridation, but the people are not going to stand for it," said Dan Hernandez, spokesman for Watsonville Citizens for Safe Drinking Water, a group that opposes fluoridation.

"I like to believe our constitutional rights are intact — that the rights of the people are going to carry more weight," Hernandez said.

The group's initiative seeks to prohibit the

city from adding any chemical to the city's water supply not approved by the Food and Drug Administration. Although the measure does not specifically mention fluoride, the group is opposed to the chemical, which is added to many municipal water supplies nationwide to prevent tooth decay.

Hoffmann called this "a back door method used by the anti-fluoridation movement ... because they realize the FDA doesn't approve water treatment chemicals."

Assembly Bill 733 mandates the fluoridation of water systems that have 10,000 or more hookups. However, a condition of the bill exempts municipalities unless funding is pro-

vided by a source other than the water agency or the taxpayers the water system serves, Hoffmann said.

In April, the council accepted a nearly \$1 million grant to fund the installation of fluoridation treatment equipment and cover operations and maintenance costs for one year. But this month, city officials begrudgingly voted 4 to 2 to put the measure on the November ballot. Several members said they were simply not willing to trump the rights of citizens to choose.

Still, the department says the city must fluoridate within two years. As a last resort, the

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department has the ability to take enforcement action against the city, including levying fines if it fails to meet a 2004 fluoridation deadline, Hoffmann said.

Hernandez believes the state must contest decisions by other cities who have opposed fluoridation before picking any legal battle with Watsonville — cities like Santa Cruz, which in 1998 adopted an ordinance prohibiting the addition of fluoride to its system.

The department has sought to supply fluoridation grants to low income areas where dental health care is inadequate and where city water systems express an interest, Hoffmann said. The department has not taken the approach of forcing fluoridation, he added, saying that if Watsonville had not expressed an interest, the city would likely not have received a grant.

Fluoridation has been in place since 1945 and serves 62 percent of the country's population.

Contact Karen A. Davis at
kdavis@santa-cruz.com.