

MEMORANDUM

Agenda Item No. 11(A)(10)


TO: Honorable Chairman Anthony Rodriguez
and Members, Board of County Commissioners

DATE: April 1, 2025

FROM: Geri Bonzon-Keenan
County Attorney

SUBJECT: Resolution directing the Miami-Dade Water and Sewer Department to discontinue adding fluoride to the County's water supply as expeditiously as possible but not later than 30 days; directing the County Mayor to create and implement a Countywide public service campaign focused on dental hygiene and alternate sources of fluoride available in dental health products; directing the County Mayor to identify and include \$150,000.00 of legally available funds in the County Mayor's proposed Fiscal Year 2025-26 County budget in order to carry out such public service campaign; directing the County Mayor to research any federal or state grants that may be available to use for such public service campaign and delegating authority to the County Mayor to apply for such grants; and directing the County Mayor to provide a written report to the Board on the status of the grant research within 60 days

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Roberto J. Gonzalez.



Geri Bonzon-Keenan
County Attorney

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MEMORANDUM
(Revised)

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Please note any items checked.

- “3-Day Rule” for committees applicable if raised**
- 6 weeks required between first reading and public hearing**
- 4 weeks notification to municipal officials required prior to public hearing**
- Decreases revenues or increases expenditures without balancing budget**
- Budget required**
- Statement of fiscal impact required**
- Statement of social equity required**
- Ordinance creating a new board requires detailed County Mayor’s report for public hearing**
- No committee review**
- Applicable legislation requires more than a majority vote (i.e., 2/3’s present ____, 2/3 membership ____, 3/5’s ____, unanimous ____, majority plus one ____, CDMP 7 vote requirement per 2-116.1(3)(h) or (4)(c) ____, CDMP 2/3 vote requirement per 2-116.1(3) (h) or (4)(c) ____, CDMP 9 vote requirement per 2-116.1(4)(c) (2) ____) to approve**
- Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required**

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 11(A)(10)
4-1-25

RESOLUTION NO. _____

RESOLUTION DIRECTING THE MIAMI-DADE WATER AND SEWER DEPARTMENT TO DISCONTINUE ADDING FLUORIDE TO THE COUNTY'S WATER SUPPLY AS EXPEDITIOUSLY AS POSSIBLE BUT NOT LATER THAN 30 DAYS; DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO CREATE AND IMPLEMENT A COUNTYWIDE PUBLIC SERVICE CAMPAIGN FOCUSED ON DENTAL HYGIENE AND ALTERNATE SOURCES OF FLUORIDE AVAILABLE IN DENTAL HEALTH PRODUCTS; DIRECTING THE COUNTY MAYOR TO IDENTIFY AND INCLUDE \$150,000.00 OF LEGALLY AVAILABLE FUNDS IN THE COUNTY MAYOR'S PROPOSED FISCAL YEAR 2025-26 COUNTY BUDGET IN ORDER TO CARRY OUT SUCH PUBLIC SERVICE CAMPAIGN; DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO RESEARCH ANY FEDERAL OR STATE GRANTS THAT MAY BE AVAILABLE TO USE FOR SUCH PUBLIC SERVICE CAMPAIGN AND DELEGATING AUTHORITY TO THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO APPLY FOR SUCH GRANTS; AND DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO PROVIDE A WRITTEN REPORT TO THE BOARD ON THE STATUS OF THE GRANT RESEARCH WITHIN 60 DAYS

WHEREAS, the Miami-Dade Water and Sewer Department ("WASD") provides drinking water to its retail and wholesale customers throughout Miami-Dade County (the "County"); and

WHEREAS, raw water has a natural fluoride level of approximately 0.2 parts per million ("ppm"); and

WHEREAS, the practice of adding additional fluoride to water, known as community water fluoridation, dates back to 1945, prior to the mass market availability of dental hygiene products containing fluoride, such as toothpaste and mouthwash; and

WHEREAS, in 1956, the world's first fluoride toothpaste, Crest, began to be sold to the public in the United States; and

WHEREAS, since 1958, in an effort to optimize dental health, WASD and its predecessor utilities have been adjusting the fluoride content in the County's water supply to 0.7 ppm by adding fluorosilicic acid to the water that is produced at the Alexander Orr Water Treatment Plant, the Hialeah Water Treatment Plant and the John E. Preston Water Treatment Plant; and

WHEREAS, in 1975, the Environmental Protection Agency ("EPA") proposed its first regulations of fluoride in water recommending a range of 1.4 to 2.4 ppm, twice the range recommended by the United States Public Health Service of 0.7 to 1.2 ppm; and

WHEREAS, in 2015, EPA lowered its recommended level for fluoride in drinking water to 0.7 ppm; and

WHEREAS, on its website, the American Dental Association ("ADA") "endorses the fluoridation of community water supplies as safe, effective and necessary in preventing tooth decay" and "advocates for the fluoridation of public water supplies as an effective way to prevent tooth decay and promote oral health"; and

WHEREAS, the ADA recommends community water fluoridation at a level of 0.7 ppm; and

WHEREAS, the ADA receives funding from dental product manufacturers, including those whose products contain fluoride, who are applying to the ADA for its Seal of Acceptance for their products; and

WHEREAS, dental product manufacturers pay a one-time fee of \$15,000.00 per product application and an annual fee of \$3,500.00 to maintain the ADA's Seal of Acceptance for their product; and

WHEREAS, on its website, the American Academy of Pediatrics (“AAP”) “continues to recommend children use age-appropriate amounts of fluoride toothpaste and drink optimally fluoridated water to protect their teeth; and

WHEREAS, the AAP receives grant funding “from the American Dental Association Foundation to train pediatricians in each state Chapter about oral health and improve communications between the medical and dental homes;” and

WHEREAS, WASD spends approximately \$830,000.00 per year on the fluorosilicic acid that is used in the fluoridation process for the County’s water supply; and

WHEREAS, according to the manufacturer of the fluorosilicic acid used in the County’s water treatment process, fluorosilicic acid may be corrosive to metal piping; and

WHEREAS, WASD spends approximately \$40,000.00 per year on maintenance and repair costs for the fluoride injections system at the County’s plants; and

WHEREAS, according to the World Health Organization, fluorosilicic acid is corrosive to human eyes and skin and can lead to respiratory issues; and

WHEREAS, Rule 62-555.325(2)(e) of the Florida Administrative Code requires that “[a]t each drinking water treatment plant with fluoridation facilities, the supplier of water shall provide appropriate safety or protective equipment;” and

WHEREAS, residents and citizens in the County as well as other parts of the world have expressed concerns about the safety of adding fluoride to the water supply; and

WHEREAS, in September 2024, a judge sitting in the United States District Court for the Northern District of California issued a Findings of Fact and Conclusions of Law in Food & Water Watch, Inc. v. United States Environmental Protection Agency, Case No. 17-cv-02162-EMC, that held that the plaintiffs in the case had proven by a preponderance of the evidence that water

fluoridation at the level of 0.7 ppm presents “an unreasonable risk of injury to health or the environment, without consideration of costs or other non-risk factors” and ordered EPA to initiate a rulemaking under the Amended Toxic Substances Control Act regarding regulation of fluoride in drinking water; and

WHEREAS, on November 22, 2024, State of Florida Surgeon General Dr. Joseph A. Ladapo (the “Florida Surgeon General”) released a document entitled “Guidance for Community Water Fluoridation” (the “Guidance”), which cites to several studies that have been conducted in the United States, Mexico and Canada involving fluoride exposure to vulnerable populations; and

WHEREAS, the studies cited have found that prenatal fluoride exposure may be associated with lower IQs, decreased child inhibitory control and cognitive flexibility, and neurobehavioral problems in children; and

WHEREAS, at least one study conducted in Canada has found an association between exposure to fluoridated water and attention deficit hyperactivity disorder (“ADHD”) among children and adolescents between the ages of six and seventeen; and

WHEREAS, the U.S. Department of Health and Human Services National Toxicology Program published a report in August 2024 that concludes that: (1) some pregnant women and children may be receiving more fluoride exposure than necessary due to the presence of fluoride in, among other things, public water, water-added foods and beverages, and toothpaste and mouthwash, and (2) “there is a moderate confidence in the scientific evidence that points to an association between higher levels of fluoride consumption and lower IQs in children”; and

WHEREAS, in young children, excessive exposure to fluoride can cause fluoriosis, which can result in discoloration of teeth; and

WHEREAS, the Florida Surgeon General has recommended that, due to the neuropsychiatric risk associated with fluoride exposure and the wide availability of alternative sources of fluoride for dental health, water systems not fluoridate their community water supplies; and

WHEREAS, in a social media post from November 2024, Robert F. Kennedy, Jr., the United States Secretary of Health and Human Services, stated: “the Trump White House will advise all U.S. water systems to remove fluoride from public water. Fluoride is an industrial waste associated with arthritis, bone fractures, bone cancer, IQ loss, neurodevelopmental disorders, and thyroid disease”; and

WHEREAS, on March 4, 2025, Governor Ron DeSantis compared water fluoridation to “forced medicine” and stated: “When you’re forcing it into the water supply, that’s not really giving people the choice;” and

WHEREAS, Florida Commissioner of Agriculture Wilton Simpson has expressed his support for a statewide ban of fluoride in drinking water, stating: “We’re getting fluoride out of water. Not only fluoride, but any chemicals that the government deems necessary to put in our water. We don’t want that. We want parents to make those choices and decisions;” and

WHEREAS, on February 13, 2025, Florida Senator Keith L. Truenow filed Senate Bill 700, which, among other things, would bar public water systems from adding fluoride to its water supplies; and

WHEREAS, in multiple decisions, the United States Supreme Court has held that the right to refuse medical care is guaranteed by the Due Process Clause of the United States Constitution; and

WHEREAS, pursuant to section 381.026, Florida Statutes, the Florida Patient's Bill of Rights and Responsibilities, prior to receiving medical treatment, an individual must be provided with the right to informed consent, a risk/benefit analysis and the right to refuse medical treatment; and

WHEREAS, although not being carried out by a health care facility or provider as that term is defined in the Florida Patient's Bill of Rights and Responsibilities, the inclusion of fluoride in the drinking water amounts to a form of medical treatment for which individuals should be given the basic rights set forth in the Bill of Rights; and

WHEREAS, the residents of the County do not have the ability to opt-out of fluoridated water and should have a choice as to whether they want to use or ingest fluoridated water; and

WHEREAS, to the extent there is concern that, if fluoride is removed from the drinking water in the County, certain residents may not have access to other forms of fluoridated dental products and may, therefore, suffer from tooth decay and other dental health problems, the following no-cost and low-cost dental health services are available to residents of the County: Seals on Wheels Dental Program, Community Smiles, Jessie Trice Community Health System, and Community Health of South Florida, Inc; and

WHEREAS, Austria, Belgium, Denmark, Finland, France, Germany, Greece, Iceland, Italy, Luxembourg, Netherlands, Norway, Portugal, Sweden, and Switzerland have all rejected the practice of fluoridating drinking water; and

WHEREAS, only 3 percent of the population in Western Europe consumes fluoridated water; and

WHEREAS, some of the countries above have adopted salt fluoridation as an alternative to water fluoridation; and

WHEREAS, the recommended fluoride level in water is generally higher than the recommended fluoride level in salt; and

WHEREAS, people consume significantly more water than salt by volume, meaning that the amount of fluoride ingested from water is higher even if the concentration of fluoride in salt is higher; and

WHEREAS, on August 25, 2023, the City of Perry, Florida voted to remove additional fluoride from its water supply; and

WHEREAS, on February 13, 2024, Collier County, Florida voted to remove additional fluoride from its water supply; and

WHEREAS, on April 1, 2024, the City of Brooksville, Florida voted to remove additional fluoride from its water supply; and

WHEREAS, on September 3, 2024, the City of Sebring, Florida voted to remove additional fluoride from its water supply; and

WHEREAS, on October 8, 2024, the City of Live Oak, Florida voted to remove additional fluoride from its water supply; and

WHEREAS, on November 12, 2024, the City of Winter Haven, Florida voted to remove additional fluoride from its water supply; and

WHEREAS, on November 26, 2024, the City of Stuart, Florida voted to remove additional fluoride from its water supply; and

WHEREAS, on December 4, 2024, the City of Naples, Florida voted to remove additional fluoride from its water supply; and

WHEREAS, on December 11, 2024, the City of Miami Beach passed and adopted an urging to the County to review the practice of fluoridating the public water supply in light of concerns over efficacy and potential health risks; and

WHEREAS, on December 18, 2024, the City of Tavares, Florida voted to remove additional fluoride from its water supply; and

WHEREAS, on December 18, 2024, the City of Port Saint Lucie announced that it has temporarily halted adding additional fluoride to its water supply; and

WHEREAS, on January 2, 2025, the City of Palm Bay voted not to resume adding additional fluoride to its water supply; and

WHEREAS, on January 14, 2025, the City of Melbourne, Florida voted to remove additional fluoride from its water supply; and

WHEREAS, on January 15, 2025, the City of Immokalee, Florida voted to remove additional fluoride from its water supply; and

WHEREAS, on January 21, 2025, the City of Niceville, Florida voted to remove additional fluoride from its water supply; and

WHEREAS, on January 22, 2025, the City of Ormond Beach voted to remove additional fluoride from its water supply; and

WHEREAS, on January 24, 2025, the City of Fort Pierce announced that it was immediately discontinuing the addition of fluoride to its water supply; and

WHEREAS, on February 4, 2025, Lee County, Florida voted to remove additional fluoride from its water supply; and

WHEREAS, on February 17, 2025, the City of Longwood, Florida voted to remove additional fluoride from its water supply; and

WHEREAS, on February 20, 2025, the City of Lake Mary, Florida voted to remove additional fluoride from its water supply; and

WHEREAS, on February 24, 2025, the City of Leesburg, Florida voted to permanently halt the addition of fluoride to its water supply; and

WHEREAS, on February 24, 2025, the City of New Smyrna Beach, Florida voted to remove additional fluoride from its water supply; and

WHEREAS, on March 3, 2025, the City of Lakeland, Florida voted to remove additional fluoride from its water supply; and

WHEREAS, on January 14, 2025, the City of Melbourne, Florida voted to remove fluoride from its water supply; and

WHEREAS, starting as far back as November 5, 2013, this Board has heard presentations from the public on the topic of fluoride in the drinking water; and

WHEREAS, on September 16, 2014, Ray Fauntroy made a presentation to this Board on fluoride in drinking water and urged this Board to invite experts on the topic of water fluoridation to present on the topic; and

WHEREAS, on March 11, 2025, the following experts made a presentation before this Board's Safety and Health Committee on the topic of fluoridation in drinking water: Florida Surgeon General Dr. Joseph A. Ladapo, University of Florida Professor Dr. Ashley J. Malin, Dentist Dr. Claire Stagg, and Dentist Dr. Maya Assi,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that:

Section 1. The Board approves the foregoing recitals, which are incorporated herein by reference.

Section 2. This Board directs the Miami-Dade Water and Sewer Department to discontinue adding fluoride to the County’s water supply as expeditiously as possible but not later than 30 days.

Section 3. This Board directs the County Mayor to create and implement a countywide public service campaign regarding dental hygiene, including information about sources of fluoride other than the drinking water supply that can be used for dental health purposes.

Section 4. This Board directs the County Mayor to identify and include \$150,000.00 of legally available funds in the County Mayor’s proposed Fiscal Year 2025-26 County budget in order to carry out such public service campaign.

Section 5. This Board directs the County Mayor or County Mayor’s designee to research available federal or state grant funding to use for the public service campaign and delegates authority to the County Mayor or County Mayor’s designee to apply for such grants. The Board also directs the County Mayor or County Mayor’s designee to prepare a written report on the status of the grant research and applications within 60 days and place the completed report on an agenda of this Board without Committee review in accordance with Rule 5.06(j).

The Prime Sponsor of the foregoing resolution is Commissioner Roberto J. Gonzalez. It was offered by Commissioner _____, who moved its adoption. The motion was seconded by Commissioner _____ and upon being put to a vote, the vote was as follows:

- | | |
|---------------------------------|------------------------|
| Anthony Rodriguez, Chairman | |
| Kionne L. McGhee, Vice Chairman | |
| Marleine Bastien | Juan Carlos Bermudez |
| Kevin Marino Cabrera | Sen. René García |
| Oliver G. Gilbert, III | Roberto J. Gonzalez |
| Keon Hardemon | Danielle Cohen Higgins |
| Eileen Higgins | Raquel A. Regalado |
| Micky Steinberg | |

The Chairperson thereupon declared this resolution duly passed and adopted this 1st day of April, 2025. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this resolution and the filing of this approval with the Clerk of the Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

JUAN FERNANDEZ-BARQUIN, CLERK

By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

SED

Sarah E. Davis