

Water fluoridation in Israel - no Supreme Court ban

Contrary to reports on some anti-fluoride websites, the Israeli Supreme Court has not banned water fluoridation, whether on health grounds or on any other grounds. The story about what is going on in Israel right now is much more complex and nuanced than fluoride opponents would have us all believe.

Mandatory fluoridation introduced in 2002

Since 2002 (not 1974 as some reports have claimed), Israel has had legislation in place that requires all water suppliers to communities with populations of 5,000 or more to fluoridate their water. Before 2002 there was legislation that allowed local decision-making on schemes.

Over recent years there has been a significant expansion of fluoridation schemes across the country. As many as 70% of the whole Israeli population are now benefiting, including residents in the three major cities of Jerusalem, Tel Aviv and Haifa.

Study confirms significant dental benefits

A recently reported study of 12-year olds in fluoridated Haifa and non-fluoridated Kfar Saba has confirmed the dental health benefits. Conducted in 2011/12 by the Department of Community Dentistry in the Dental Faculty of Jerusalem's Hebrew University, the study found that 12-year olds in fluoridated Haifa had an average of 0.98 decayed, missing and filled teeth, compared with 1.38 in non-fluoridated Kfar Saba.



Fluoridated
Haifa

Fluoridated
Jerusalem



Fluoridated
Tel Aviv

The study also found a much narrower gap in dental health between children from the most and least affluent backgrounds in Haifa than between the same groups in Kfar Saba. In this way, water fluoridation has helped to reduce health inequalities between Israeli children from relatively affluent and relatively deprived backgrounds.

Legal manoeuvres by fluoridation opponents

Despite the demonstrable benefits of water fluoridation, anti-fluoride groups in Israel have continued to campaign against it. Just after the 2002 legislation on mandatory fluoridation was enacted, the mayor of Herzliya, Yael German, took legal action to try to stop it from being implemented.

The case she launched some ten years ago went right up to the Israeli Supreme Court, which dismissed it. In doing this, the judges confirmed that the Ministry of Health had responsibility for fluoridation under the legislation and that the evidence presented to the Court indicated that fluoridation was safe.

More recently, in 2012, a private member's bill to stop fluoridation was defeated in the Knesset. Then, in November of that year fluoride opponents lodged another case with the Supreme Court. The main petitioner in this instance was not Yael German but the Izun Hozer Association for the Dissemination of Health Education in Israel, which is also opposed to a campaign by the Israeli government to vaccinate children against polio.

Recent political changes and their impact

A third key event in recent months also had major implications for fluoridation. In January 2013, a change of government occurred following Knesset elections. This brought Yael German to national office as the Minister of Health in the new coalition. As mayor of Herzliya, she had opposed mandatory fluoridation when it was being introduced in 2002/03 and has been an ardent opponent ever since.



Israel
Supreme
Court



Inside the
Knesset

New regulations and their effect on fluoridation

On becoming Minister of Health, Yael German declined to sign an order that would have allowed the mandatory fluoridation regulations to continue in force. Instead, she signed new regulations which perpetuate mandatory fluoridation for one year (up to August 2014), after which the mandatory component will lapse.

Latest Supreme Court case struck from the list

While all this post-election activity was taking place, the case lodged by fluoride opponents last November was waiting its turn to be heard. In July of this year it went before the Supreme Court which, on learning that the new Minister of Health had signalled the end of mandatory fluoridation from next year, decided that it was not worth allowing the case to go ahead. It was therefore struck from the Court list. There was no ban imposed from the highest judicial body in the land, as some elements of the anti-fluoride movement would apparently like everyone to believe.

Lack of clarity on what will happen after August 2014

So what happens after August 2014? The situation is, to say the least, very confusing. Some commentators have interpreted the new regulations as, in effect, removing any statutory authorisation for fluoridation to take place, even on a voluntary basis in individual local authorities.

However, comments by the Supreme Court on the wording of the new regulations suggest it is not clear whether, from that time, there will be no fluoridation at all or whether, as some have suggested, it will be up to individual local authorities to decide. From a dental public health perspective, it is to be hoped that Israeli children will not be denied the protection against tooth decay that many of them currently enjoy.

**Yael German,
Israeli Minister
of Health since
2013 and
former mayor
of Herzliya**

