

COMPLAINT NUMBER	17/161
COMPLAINANT	K Hodge
ADVERTISER	Fluoride Free NZ
ADVERTISEMENT	Fluoride Free NZ, Television
DATE OF MEETING	29 May 2017
OUTCOME	No Grounds to Proceed

Advertisement: A television advertisement for Fluoride Free New Zealand contained various scientific and social claims about the negative aspects of water fluoridation.

The Chair ruled there were no grounds for the complaint to proceed.

Complainant, K Hodge, said: This ad is highly misleading regarding the safety of added fluoride to water supplies.

Multiple studies support the safety and public health benefits of this as an additive. This ad is unbalanced, misleading and as such, detrimental to the ability to have an ongoing productive debate about water fluoridation in New Zealand.

Specifically, the ad states:

1. "Hydrofluorosilicic acid is a waste product collected from the chimneys of the fertiliser industry." This is a misrepresentation of the standard process of recycling waste chemicals.
2. "This fluoride chemical also contains traces of lead, aluminium, mercury, arsenic and sometimes uranium." Firstly, the chemical "hydrofluorosilicic acid" cannot contain any of these, as it is a single chemical compound. However, conceivably the extraction process will result in a product with traces elements of the above chemicals - again, mentioning their presence is extremely misleading as these are chemical elements the general public recognise to be toxic, but they would not be present in quantities that would cause a health issue in fluoridated drinking water.

The ad continues to imply that the fluoridated compound in water supplies is extremely toxic by stating that "it is toxic to animals and the environment," and that it needs to be "handled by workers wearing HAZMAT suits". This is a gross misrepresentation of the degree of toxicity that people who drink fluoridated water would be exposed to.

This ad appears to deliberately poorly represent the science behind water fluoridation in order to promote the agenda of the organisation "Fluoride Free NZ". This ad promotes fear of water fluoridation without providing clear factual information and as a result has the ability to severely impede our Nation's ability to have a rational debate about whether or not it is a sensible public health measure.

Many thanks for your email. I feel that the issues I raised have been broadly covered, however disagree with the ruling I would raise further points (as per the rest of this email) in response to the attached document.

- I fully support groups with differing opinions to voice their views, however I feel strongly that information should not be presented in such a way as to mislead people who may have little understanding of the issue at hand, or designed to cause unreasonable fear. I feel that

emphasis should be on providing facts and stating opinion, and on avoiding misrepresentation of facts for the purposes of making a point.

- The way that facts are presented is monumentously important in ensuring adequate understanding and interpretation.

Yes, the fluoride compound hydrofluorosilicic acid is produced from waste products from the fertiliser industry. However to say that it is "collected from chimneys of the fertiliser industry" whilst having large industrial chimneys billowing smoke in the background is highly misleading. The process involves making waste gases pass through water. (Rather than scraping soot off the inside of a chimney, as appears to be implied).

- I disagree that most people would think that "traces" of a chemical being present means that the chemical would not be present in sufficient quantities to cause harm. Additionally, emotions tend to be heightened and rational or scientific thinking compromised when people are concerned about health issues, particularly issues affecting children. This is illustrated in anti-vaccination campaigning : people who strongly oppose vaccinating children most definitely think that small quantities of chemicals can cause significant harm.

Additionally, many every-day things we consume contain "traces" of all the chemicals mentioned in the advertisement (including normal drinking water), so reporting that they are present (whilst indeed factually correct) provides no useful information to people wanting to make a choice regarding water fluoridation, and is certainly not relevant to the advertiser's point of view other than it is likely to frighten people who do not have a pretty good understanding of the chemical make-up of everyday life. "Trace" elements of uranium, lead, arsenic, mercury and aluminium (all presumably chosen as examples because of their well-known toxic nature) in drinking water would still have to comply with New Zealand drinking water standards, regardless of whether fluoride was present or not.

- I disagree that this ad does not breach the code of ethics for advocacy advertising

With specific regard to the codes addressed in the attached document:

- Basic principle 4: I realise that the advertisers feel that the ad was created with a due sense of social responsibility, and it is helpful to have an ad illustrating an opposing point of view. However, I find it socially irresponsible to misrepresent scientific arguments, as I feel has been done in this ad.

- Rule 2 (and rule 6): Nothing in this advertisement is factually incorrect, however I find many of the facts chosen and the way they are presented to be extremely misleading.

Yes, the fluoride compound contains traces of arsenic. So do apples (to give one example). Yes, the fluoride compound is toxic in concentrated form and needs to be handled by people with protective gear, AND is banned from being released directly into the environment - however pointing this out with no further context with regards to the quantities that would be present in drinking water is misleading as to the significance of it's potential detrimental health effects. Showing chimneys with smoke and workers wearing hazmat suits whilst talking about a chemical that might be added to drinking water is worrisome. This adds to a general fear of the issue being discussed, regardless of whether people rationally understand that many industries require the wearing of protective gear. The scary music played in the soundtrack of a movie is not in itself scary, but it aims to create an atmosphere of fear through psychological manipulation. Humans are easily manipulated, and I feel that this ad exploits this. I can see nothing helpful to the general argument about the fact that people handling fluoride have to wear Hazmat suits. The ad already states that the compound is toxic, that should be sufficient if that's the point they are trying to make. To claim that they are simply trying to educate people is a poor excuse for putting in something so potentially manipulative.

- Rule 6: This ad certainly plays on fear. Sadly, many people do not have a robust scientific understanding of the environment around them - that is not to say they would not be able to understand if it were explained, just that some members of the general public would lack a

contextual framework with which to interpret the facts provided, and would therefore be likely to be frightened by what this ad implies about water fluoridation.

-Rule 11: I agree that the advertiser has made factually correct statements, and that they are clearly identified at the end of the ad. I agree that this ad does not breach this rule.

The relevant provisions were Code of Ethics - Basic Principle 4, Rule 11, Rule 2, Rule 6.

The Chair noted the Complainant's concerns that the advertisement was unbalanced, misleading and detrimental to the on-going debate about water fluoridation.

She noted that a precedent ruling for the same advertisement, Decision 16/297, had been sent to the Complainant and acknowledged the additional concerns raised by the Complainant with regard to the decision.

The Chair said the Complainant's concerns, including the interpretation of the statements quoted in the advertisement and the use of fear tactics, had been covered by the Complaints Board in the precedent decision. This included the Board's view that the advertisement presented an emotive and provocative advocacy perspective, but that an alternative viewpoint did not make the advertisement misleading.

The Chair said Decision 16/297 applied to this complaint.

That decision said in part:

"...Advocacy advertising is often characterised by parties having differing views that are expressed in robust terms. This is especially so when there is proposed legislation or a referendum on an issue. In this case the New Zealand Government has proposed new legislation to shift responsibility for water fluoridation from local councils to district health boards. The Complaints Board does not take a view on the issue being presented, its role is to ensure there is fair play and the right of free expression is not unduly restricted...."

The Chair therefore ruled the advertisement had been prepared with a due sense of social responsibility to consumers and there was no apparent breach of the Code of Ethics.

Accordingly the Chair ruled there were no grounds for the complaint to proceed.

Chair's Ruling: Complaint **No Grounds to Proceed**