DOMINION OF CANADA

PROVINCE OF QUÉBEC

John Remington Graham, being first duly sworn on oath, deposes and says:

Yesterday morning, I was arranging my air travel to Toronto in anticipation of appearing personally before the community water fluoridation committee of the Peel Region in Ontario to speak on judicial findings on water fluoridation, when I encountered the after-effects of a minor stroke which I suffered last summer. My physician, Dr. Louis Grenier, has recommended that I undertake no further travel, and today my wife observed that my physical condition was not good enough for the trip. Sylvie is a former Crown prosecutor in Quebec, and served twelve years as mayor of our municipality. I am sorry that I cannot appear personally as planned.

Materials already submitted include copies of (1) my letter of January 14, 2015, to Dr. David Kennedy, including (2) a résumé of highlights in my career; (3) a law review article authored by Dr. Pierre Morin, an eminent Canadian medical research scientist, and myself, the same entitled *Highlights on North American Litigation during the Twentieth Century on Artificial Fluoridation of Public Water Supplies*, 14 Journal of Land Use and Environmental Law 195-248 (Florida State University, 1999); and (4) the report of the union of scientists at the United States Environmental Protection Agency on June 29, 2000, submitted by their executive vice president, Dr. J. W. Hirzy, to a subcommittee of the United States Senate. I affirm of my own knowledge that those materials correctly recite the facts, save for minor errors, including in particular that, in the year 2000, 161 million (not 130 million) Americans drank water fluoridated at one part per million. It may now be conservatively estimated from data discussed in the foregoing materials that a million or more persons in the United States have died of cancer induced or promoted by water fluoridation since the United States Public Health Service

endorsed such measure in 1951, and Congress has since spent millions of dollars every year to promote it. I might here mention that the National Institute of Environmental Health Sciences has in 2012 and again 2017 published large and impressive studies which suggest that fluoride in public drinking water may cause neurological injury to man, including lower IQ in children. This recent work on neurological injury is of high quality, but is not yet as well developed as the work on fluoridation-caused cancer already found in judicial findings which I secured before veteran trial judges after historic trials in Pennsylvania, Illinois, and Texas, as reported in the law review article already provided. I should say that the evidence we presented before judicial tribunals in three States was somewhat understated at the time presented in court, but the casualty in cancer mortality is now known to be substantially greater than we originally thought. If the community water fluoridation committee wishes to inquire on details, I invite questions which I shall address by affidavit from evidence in my files, including detailed adjustments of epidemiological surveys done by Dr. Dean Burk, one of the most decorated and famous cancer research scientists in the world during the 20th Century.

I summarize salient points: I have practiced law, as a member of the Minnesota Bar (#3664X) over fifty years, including appearances before courts of record in sixteen jurisdictions of the United States, and service as a public defender, a law professor, and a chief public prosecutor in Minnesota, not to mention consultation in major litigation in Canada. I have studied Canadian constitutional law and history at Laval University under Professor Henri Brun, who was at the time the leading French-speaking constitutional lawyer in Canada. I can say from my experience in presenting forensic evidence on water fluoridation in Pennsylvania, Illinois, and Texas that **it is now possible to prove by fair preponderance of the evidence in judicial proceedings before courts of superior jurisdiction in the United States or Canada that**

water fluoridation causes large-scale cancer and other ailments in man. I can predict the outcomes in future judicial proceedings, first, because the United States Public Health Service, supported by the American Dental Association, covered up large laboratory studies proving that fluoride in drinking water at 1.0 part per million, introduced as sodium fluoride so as to resemble fluoride treatment of public water supplies, is a carcinogen, capable of producing significant cancer-related reactions in mice. Secondly, the United States National Cancer Institute has attempted to adjust massive epidemiological surveys of twenty large central cities for age, race, and sex, but did so by leaving out all or nearly all available and pertinent data, which, when included by standard statistical methods, shows a huge association of human cancer mortality with water fluoridation, -- something on the order of 200 excess cancer deaths per million persons exposed after 15-20 years of exposure. The actual casualty, established by the unadjusted data, already controlled for known and known variables by a long base line, is probably half again as great.

I have studied Canadian decisions on health freedom, and the most telling are *Toronto v. Forest Hill*, [1957] S. C. R. 569, and *Chaoulli v. Québec*, [2005] 1 S. C. R. 791. In light of these Canadian decisions and *Jacobson v. Massachusetts*, 197 U. S. 11 at 39 (1905), it appears that the Supreme Court and superior courts of Canada would hold that water fluoridation cannot be imposed on citizens who can establish on the face of the pleadings or can prove by fair preponderance of the evidence that water fluoridation causes harm to human health, as veteran trial judges have already found in Pennsylvania, Illinois, and Texas. As revealed on pages 237 and 238 of the law review article already provided, Judge Anthony Farris of the District Court of Texas found that the **"artificial fluoridation of public water supplies may cause or contribute to the cause of cancer, genetic damage, intolerant reactions, and**

chronic toxicity, including dental mottling in man; may aggravate malnutrition and existing illnesses in man; and is in some doubt as to the reduction of tooth decay in man." The Texas Court of Appeals upheld these findings based on a fair preponderance of the evidence. The report of Dr. Hirzy in behalf of the union of scientists at the USEPA confirms on page 4 that these judicial findings are scientifically correct. Similar findings were entered after long trials by Judge John Flaherty, later Chief Justice of the Pennsylvania Supreme Court, and Judge Ronald Niemann of the Circuit Court of Illinois. The public officers of the Peel Region who must decide whether to impose water fluoridation over the protest of their fellow citizens are presumed know and understand the dangers which the foregoing materials portray, and will sooner or later be answerable one way or another for their decisions. They will have no excuse for harm done if they rely on advice of bureaucrats who have not studied the forensic evidence, or misrepresent their qualifications.

/s/ John Remington Graham

John Remington Graham

Sworn and subscribed before me on this 12th day of September, 2018

/s/ Sylvie Fortin

Sylvie Fortin, Member of the Bar (retired), and
Commissioner for the Taking of Oaths,
Dominion of Canada, Province of Québec