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10 UNITED STATES DISTRICT COURT  
11 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
12 AT SAN FRANCISCO

13 \_\_\_\_\_ )  
14 FOOD & WATER WATCH, et al., )

15 Plaintiffs, )

16 vs. )

17 U.S. ENVIRONMENTAL PROTECTION )  
18 AGENCY, et al. )

19 Defendants. )  
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Civ. No. 17-CV-02162-EMC

**NOTICE OF THE PUBLICATION OF  
THE POOLED BENCHMARK DOSE  
ANALYSIS OF THE ELEMENT AND  
MIREC COHORTS**

On August 10, 2020, the Court held this case in abeyance pending the publication of additional studies, including the National Toxicology Program’s systematic review of fluoride neurotoxicity and a pooled benchmark dose (BMD) analysis of the NIH-funded ELEMENT and MIREC cohorts. *See* ECF No. 262 at 4:19-26.

On June 8, 2021, the pooled BMD analysis of the ELEMENT and MIREC data was published in the journal *Risk Analysis*, which is the official publication of the Society for Risk Analysis. The results of the peer-reviewed, pooled analysis are consistent with, and confirm, Dr. Philippe Grandjean’s earlier benchmark dose analysis that was discussed at trial and “can be used to guide decisions on preventing excess fluoride exposure in pregnant women.”

According to the study, which was authored by ten internationally esteemed scientists, including

1 Dr. Grandjean:

2 These findings provide additional evidence that fluoride is a developmental neurotoxicant (i.e.,  
3 causing adverse effects on brain development in early life). Given the ubiquity of fluoride  
4 exposure, the population impact of adverse effects from fluoride may be even greater than for  
5 other toxic elements like lead, mercury, and arsenic.

6 A copy of the study is attached as an exhibit to this notice.

7 June 10, 2021

Respectfully submitted,

8  
9 /s/ Michael Connett  
10 MICHAEL CONNETT  
11 Attorney for Plaintiffs  
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**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing was served by Notice of Electronic Filing this 10th day of June, 2021, upon all ECF registered counsel of record using the Court's CM/ECF system.

/s/ Michael Connett .  
MICHAEL CONNETT

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