



## DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration  
Silver Spring MD 20993

Bill Osmunson, DDS, MPH  
President, Washington Action for Safe Water  
1418 112<sup>th</sup> Ave. NE  
Bellevue, WA 98004

6/30/2010  
In Reply refer to:  
FOI# 2010-4601

Dear Requester:

This is in response to your request for record(s) from the Food and Drug Administration pursuant to the Freedom of Information Act regarding:

ITEM 3 - RECORDS RE: CONGRESSIONAL APPROVAL FOR FDA TO RELINQUISH DRUG REGULATORY APPROVAL FOR FLOURIDE IN DRINKING WATER

ITEM 4 - RECORDS RE: CONGRESSIONAL APPROVAL FOR EPA TO ASSUME JURISDICTION AS RELATED TO PUBLIC WATER SYSTEMS

ITEM 7 - RECORDS RE: CONGRESSIONAL AUTHORITY WHICH EXEMPTS DRUGS WHEN COMBINED WITH PUBLIC WATER FROM NDA REGULATORY PROCESS

A search of our system for the requested record(s) was conducted and no records were located. Therefore, we have no responsive records.

Please note - Some of the information you have requested (i.e. Legislative History re: Safe Water Drinking Act, and subsequent Amendments, are publically available; most likely through the Library of Congress.) As for Regulatory authority, please reference the Code of Federal Regulations (CFR) as they relate to the Safe Water Drinking Act. Last, with regard to MOU 225-79-2001, please see: [www.FDA.gov](http://www.FDA.gov) for more information.

While we believe that an adequate search of appropriate files was conducted for the records requested, you have the right to appeal this finding that no records exist. Your appeal should be mailed within 30 days from the date of this letter, to the Deputy Assistant Secretary for Public Affairs (Media), Room 17A-46, 5600 Fishers Lane, Rockville, Maryland 20857. Clearly mark both the envelope and your letter - Freedom of Information Act Appeal.

Reproduction=\$0.00 Search=\$46.00 Review=\$0.00 Fiche=\$0.00 Other=\$0.00 **Total=\$00.00**

The above total may not reflect final charges for this request, and you may receive responses from other parts of the Agency. Please do not send payment unless you receive an invoice.

All communications concerning this request should be identified with the reference number above and addressed as follows:

Food and Drug Administration  
Freedom of Information Staff, HFI-35  
5600 Fishers Lane (Room 6-30)  
Rockville, MD 20857

Sincerely Yours,

Erik Henrikson  
Office of Legislation

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FYI only Enclosures:

- MOU 225-79-2001
- Statement of Joshua M. Sharfstein, M.D., Principle Deputy Commissioner of Food and Drugs re:  
Regulation of Bottled Water