

## Congress To Demand Account from FDA on Nov. 14 Re: Refusing To Classify Mercury Fillings & Refusing To Do Environmental Impact Statement.

### HOUSE OVERSIGHT PANEL PLANS NOV. 14 HEARING ON MERCURY DENTAL FILLINGS

*FDA Week, October 26, 2007*

The House Oversight and Government Reform Committee's domestic policy panel will hold a hearing Nov. 14 on why FDA has not assessed the environmental impact of mercury dental fillings, sources say.

Consumers for Dental Choice, which has long lobbied FDA to ban dental fillings containing mercury, asked FDA this summer to issue an environmental impact statement. The group is concerned that mercury from dental clinics is getting into wastewater.

The group wants FDA to prepare the assessment when it comes out with an advanced notice of proposed rulemaking on amalgams. The agency said in August it intended to issue an ANPR by year's end to classify dental amalgams, but provided no other details.

Subcommittee members Diane Watson (D-CA) and Dan Burton (R-IN) have pushed for hearings on dental amalgams, Burton's spokesperson says. The lawmakers reintroduced legislation May 1 that would phase out such amalgams.

A spokesperson for domestic policy subcommittee Chair Dennis Kucinich (D-OH) will not confirm the hearing date because it is too far in advance.

The American Dental Association has defended the use of the fillings. In April, when a federal court refused to hear a lawsuit on mercury amalgams, ADA said mercury amalgams are a safe, inexpensive option for treating dental decay.

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### Committee announcement

#### [Environment](#)

### Environmental Risks Of And Regulatory Response To Mercury Dental Fillings

Wednesday, November 14, 2007, 2 p.m., 2154 Rayburn, Washington, D.C. 20515

This hearing will examine the environmental risks of mercury in dental fillings (known as dental mercury amalgam) and the government's regulatory response to it.

Dental offices are the third-largest user of mercury in the United States. Mercury contained in the existing dental fillings of Americans comprises over half of all mercury in use today, amounting to more than 1,000 tons. According to the U.S. Environmental Protection Agency (EPA), "Mercury discharges (in wastewater) from dental offices far exceeded all other commercial and residential sources." These discharges may have a significant negative effect on the environment. Sludge, the mercury-contaminated byproduct of municipal sewage treatment plants, is often incinerated, causing the formation of "methylmercury," the most toxic and dangerous form of mercury.

EPA's only dental mercury-specific program is an educational program to encourage new dentists to use equipment to prevent mercury from entering the wastewater.

Mercury dental devices are regulated by the Food and Drug Administration (FDA), but FDA has never conducted an environmental assessment of the use of dental mercury amalgam as prescribed by law.

Witnesses for the November 14 hearing include:

Panel I

- TBD, *Environmental Protection Agency*
- Dr. Norris Alderson, Director, Office of Science and Health Coordination, *Food and Drug Administration*

Panel II

- Mr. Ray Clark, Senior Partner, *The Clark Group, LLC*
- Mr. Bruce Terris, Partner, *Terris, Pravlik & Millian, LLP*
- Mr. C. Mark Smith, Co-Chair, Mercury Task Force, New England Governor's Conference
- Mr. Michael Bender, Executive Director, *Mercury Policy Project*
- Mr. Rod Mackert, Dentist and Faculty Member, *Medical College of Georgia*