

111TH CONGRESS  
1ST SESSION

# H. RES. 648

Expressing the need for enhanced public awareness of potential health affects posed by mercury.

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## IN THE HOUSE OF REPRESENTATIVES

JULY 14, 2009

Ms. WATSON (for herself, Mr. BURTON of Indiana, Mr. STARK, Mr. GRIJALVA, Ms. LORETTA SANCHEZ of California, Ms. LINDA T. SÁNCHEZ of California, Mr. YARMUTH, Mr. COHEN, Mr. PALLONE, Mr. HIGGINS, Mr. CUELLAR, Mr. KUCINICH, Mrs. NAPOLITANO, Ms. EDWARDS of Maryland, Mr. HINCHEY, Mr. BACA, Ms. WOOLSEY, Ms. HIRONO, Ms. KAPTUR, Mr. DOGGETT, Mr. JACKSON of Illinois, Mr. JOHNSON of Georgia, Ms. FUDGE, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. CLARKE, Mr. POE of Texas, Mr. WESTMORELAND, Mrs. BIGGERT, and Mr. KAGEN) submitted the following resolution; which was referred to the Committee on Energy and Commerce

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## RESOLUTION

Expressing the need for enhanced public awareness of potential health affects posed by mercury.

Whereas consumers and parents should be aware of the risks of placing a product containing a substantial amount of mercury in their bodies or the bodies of their children;

Whereas elemental mercury and mercury compounds are known to be toxic and hazardous to human health and to the environment;

Whereas mercury is third most toxic substance on the 2007 CERCLA Priority List of Hazardous Substances, behind arsenic and lead;

Whereas dental amalgam, commonly referred to as a “silver filling”, consists of 42 to 58 percent mercury;

Whereas consumers may be deceived by the use of the term “silver” to describe a dental amalgam, which contains substantially more mercury than silver;

Whereas 78 percent of people in the United States do not know that mercury is a major component of an amalgam;

Whereas the mercury contained in a dental amalgam is continually emitted in the form of mercury vapor, and the total amount of mercury released depends upon the total number of fillings, their age, composition, and surface area, the intra-oral presence of other metals, dietary and lifestyle habits, and other chemical and metabolic conditions affecting the mouth;

Whereas when mercury vapors are inhaled, most of the mercury (about 80 percent) enters the bloodstream directly through the lungs and then rapidly deposits preferentially in the brain and kidneys as well as other parts of the body;

Whereas according to the World Health Organization, the estimated average daily intake and retention of mercury from a dental amalgam ranges from 3 to 17 micrograms per day, and is greater than all other sources combined;

Whereas the California Dental Association, by court order, requires postings of warnings about mercury fillings in California Dental Offices as of March 9, 2003;

Whereas the warnings read “NOTICE TO PATIENTS: PROPOSITION 65 WARNING: Dental Amalgam, used

in many dental fillings, causes exposure to mercury, a chemical known to the State of California to cause birth defects or other reproductive harm”;

Whereas studies show that a variety of commonly found human intestinal and oral bacteria can methylate mercury and the mercury vapor from fillings biotransforms into the highly neurotoxic and teratogenic methylmercury;

Whereas according to the Agency for Toxic Substances and Disease Registry, the mercury from amalgam passes through the placenta of pregnant women and mercury may accumulate in higher concentrations in the unborn baby than in the mother;

Whereas absorbed mercury can also pass into breast milk of a lactating mother and be ingested by the infant;

Whereas the National Academy of Sciences estimated that “over 600,000 children are born each year at risk for adverse neurodevelopmental effects due to in utero exposure to methyl mercury”;

Whereas this report urged the need to understand the relative amount of mercury attributable to a dental amalgam in the body and to Thimerosal in vaccines;

Whereas mercury is a 50 percent component of Thimerosal, a preservative found in vaccines, and is still used in trace amounts in influenza vaccines;

Whereas influenza vaccines are recommended to pregnant woman and children;

Whereas the Food and Drug Administration (FDA) and the Environmental Protection Agency (EPA) are advising women who may become pregnant, pregnant women, nursing mothers, and young children to avoid some types

of fish and eat fish and shellfish that are lower in mercury;

Whereas 50 States, the District of Columbia, and the United States Territory of American Samoa have issued 15,422 fish consumption advisories to their residents due to mercury contamination as found on the Environmental Protection Agency's Fish Advisory website;

Whereas the Food and Drug Administration has issued fish consumption advisories due to levels of mercury in commercially-caught fish and, in January 2001, warned pregnant woman and young children not to eat certain marine fish;

Whereas mercury toxicity is a retention toxicity (total body burden) that builds up over years of exposure, and is therefore dependent on all sources of mercury to which an individual may be exposed;

Whereas mercury enters the environment from sewage treatment plants, dental run-off, vapors from crematoriums, and industrial pollution;

Whereas mercury wastewater released from dental clinics has been shown to fail the Environmental Protection Agency's toxicity characteristic leaching procedure and, therefore, is regulated as hazardous waste;

Whereas research from the Naval Dental Research Institute indicates that, when discharged to the environment, conditions may be right for waste dental mercury to methylate, become bioavailable, and subsequently biomagnify in fish as methyl mercury, the most toxic form of mercury;

Whereas a report issued on June 5, 2002, by the Mercury Policy Project, the Sierra Club, Health Care Without

Harm, Clean Water Action, and the Toxics Action Center stated that, because of mercury fillings, dental offices are now the leading source of mercury in the Nation's wastewater;

Whereas mercury from a dental amalgam can enter the environment during any point of the product's life-cycle;

Whereas this includes placement or removal of fillings, through bodily excretions, when sewage sludge is incinerated, spread on crops, or dumped in land fills, when vapor is released or land filled, when vapor is released directly from the filling (which increases with brushing, chewing, and consuming hot foods or salt), and during cremation;

Whereas currently there are no requirements for mercury capture before or during cremation;

Whereas the Association of Metropolitan Sewerage Agencies reported human wastes from individuals with dental amalgam fillings to be the most significant source of domestic mercury entering publicly owned treatment works, greater than 80 percent of the total contributing factors;

Whereas mercury use by the dental industry increased from 2 percent in 1980 to 22 percent of the total use of mercury in the United States in 2001, because of drastic declines in mercury use by other industries over that period;

Whereas amalgam restorations were estimated to be 55 percent of the total mercury product reservoir in 2004 by the Environmental Protection Agency, and will therefore be a source of environmental contamination into the future;

Whereas cremation is chosen in approximately 30 percent of all deaths, and this percentage is expected to increase every year;

Whereas according to industrial hygiene surveys, 6 to 16 percent of dental offices exceed the exposure levels for air mercury permitted by Occupational Safety and Health Administration standards;

Whereas the National Institutes of Health has concluded that when inorganic mercury is located in brain tissue, researchers are unable to demonstrate an appreciable half-life, or decrease, of mercury over time (more than 120 days);

Whereas the implications of this conclusion are that dental amalgam exposure will permanently increase mercury body burden;

Whereas the use of mercury in any product being put into the body is opposed by many health groups, such as the American Public Health Association, the California Medical Association, and Health Care Without Harm; and

Whereas as the result of *Moms Against Mercury v. von Eschenbach*, the court ruled that the FDA must classify mercury amalgam as a device by July 28, 2009: Now, therefore, be it

1       *Resolved*, That the House of Representatives encour-  
2 ages the dissemination of information regarding mercury,  
3 its uses, and its effects to allow consumers to make in-  
4 formed decisions.

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