

HOUSE JOINT MEMORIAL 25

47TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2005

INTRODUCED BY

Peter Wirth

A JOINT MEMORIAL

REQUESTING THE DEPARTMENT OF HEALTH TO CONDUCT A STUDY ON THE DANGERS OF MERCURY AMALGAM AND DEVELOP RECOMMENDATIONS FOR PUBLIC INFORMATIONAL MATERIALS AND ENVIRONMENTAL SAFETY.

WHEREAS, mercury is a potent neurotoxin that can affect the brain, spinal cord, kidneys and liver; and

WHEREAS, metallic mercury is used to produce chlorine gas and caustic soda and is also used in thermometers, dental fillings and batteries; and

WHEREAS, the mercury in a dental amalgam continually emits mercury vapors; and

WHEREAS, the federal environmental protection agency considers removed amalgam filling and extracted teeth containing amalgam filling to be hazardous waste; and

WHEREAS, mercury toxicity is a retention toxicity that

.153660.1

underscoring material = new
[bracketed material] = delete

underscored material = new
[bracketed material] = delete

1 builds up over years of exposure; and

2 WHEREAS, according to certain scientific studies and the
3 agency for toxic substances and disease registry of the public
4 health service of the federal department of health and human
5 services, children and pregnant women are at particular risk
6 for exposure to mercury contained in dental amalgam; and

7 WHEREAS, according to the federal centers for disease
8 control and prevention up to one in ten pregnant women in the
9 United States already carry enough mercury in their bodies to
10 pose a threat of neurological damage to the fetus; and

11 WHEREAS, the use of mercury put into the body in any form
12 is opposed by many health groups, such as the American public
13 health association, the California medical association and the
14 organization "health care without harm"; and

15 WHEREAS, more than one thousand four hundred health care
16 facilities in the United States have pledged to become mercury
17 free; and

18 WHEREAS, once mercury enters water it can change to
19 methylmercury, and methylmercury pollution is endangering
20 communities by contaminating fish, an important food source;
21 and

22 WHEREAS, state laws in Maine and California now require
23 dentists to distribute information on the potential hazards of
24 the use of mercury in any dental procedure;

25 NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF THE

.153660.1

underscored material = new
[bracketed material] = delete

1 STATE OF NEW MEXICO that the department of health be requested
2 to conduct a study on the dangers of mercury amalgam and to
3 develop recommendations for public informational materials and
4 environmental safety; and

5 BE IT FURTHER RESOLVED that the informational materials
6 address the advantages and disadvantages to oral health,
7 overall health and the environment of using mercury or mercury
8 amalgam in dental procedures; and

9 BE IT FURTHER RESOLVED that the recommendations for
10 environmental safety consider appropriate and acceptable
11 measures for the disposal of dental waste; and

12 BE IT FURTHER RESOLVED that the department of health use
13 the research of national and international experts on mercury
14 toxicity and the experience of other states in regulating
15 mercury use and disposal in conducting the study; and

16 BE IT FURTHER RESOLVED that the findings and
17 recommendations of the study be presented to the legislative
18 health and human services committee at its October 2005
19 meeting; and

20 BE IT FURTHER RESOLVED that a copy of this memorial be
21 sent to the secretary of health.