

# State and Local Public Officials Mercury-Free Caucus

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The Honorable Ted Kennedy (D-Mass.), Chairman  
The Honorable Mike Enzi (R-Wyo.), Ranking Minority Member  
Senate Committee on Health, Education, Labor, & Pensions

Re: FDA confirmation hearings: Request you forward our concerns to Dr. Hamburg

Dear Chairman Kennedy and Senator Enzi:

One of Commissioner-designate Margaret Hamburg's first duties, should she be confirmed, will be to classify mercury amalgam. By court order, FDA's deadline is this July 28.

We created this coalition of state and local public officials because we believe the time is past for the use of mercury-based dental fillings. Amalgam, a pre-Civil War device, perhaps had transitional value before resin composite was developed as an alternative. But now that resin fillings are interchangeable with amalgam, and now that the health risks of mercury are well-known, no good public policy reason exists to continue to use amalgam, especially for children and women of childbearing age.

May we ask the Chairman and/or Ranking Minority Member to forward our concerns -- and this letter -- to Dr. Hamburg?

First, we agree with Dr. Hamburg when, as Health Commissioner for New York City, she stated that mercury is "highly poisonous to the brain and kidneys." We see no reason to exempt mercury implanted in children's mouths from that statement -- and we trust that neither does she. Indeed, an inch from the brain is the last place a neurotoxin belongs. Consider this: When an amalgam is removed from a tooth, it must be placed in a hazardous waste bag only a few seconds after it was in a person's mouth.

Second, because of the deceptive term "silver fillings" and a gag rule previously enforced by state dental boards, most Americans, according to a Zogby poll, do not know that the fillings are mercury. Certainly many American parents and pregnant women are trying to shield their children or unborn babies from any mercury exposure. FDA should require disclosure to every patient and parent of a child patient receiving mercury.

Third, two-tiered dentistry exists today. Gone are the days when everyone got mercury fillings; today, upper-middle-class adults get resin. Consumers -- including, tragically, our soldiers, sailors, airmen, and Marines -- still receive mercury fillings in factory-line dental clinics and institutional settings. Indeed, a witness from the NAACP, testifying before a U.S. House committee, said, "It's time to end mercury for the poor and choice for the rich," and added:

"Don't create a two-tiered system of environmental justice, where we leave the mercury fillings on the Indian reservations, in the inner cities, in the barrios, and in Appalachia."

*[www.mercury-poisoned.com/hearings/carlton\\_statement.html](http://www.mercury-poisoned.com/hearings/carlton_statement.html)*

We condemn the idea that children, lower-income Americans, and Americans receiving institutional dentistry merit anything less than what the rest of us now receive: toxic-free dentistry. Dr. Hamburg, if confirmed, should act decisively to protect Americans, especially children and young women, from mercury by limiting, then phasing out the use of amalgam.

Sincerely,

Hon. Teresa Fedor, State Senator, Ohio

Hon. Daylin Leach, State Senator, Pennsylvania

Hon. Sandra Williams, State Representative, Ohio

Hon. Karen Johnson, former State Senator, Arizona

Hon. Charlotte Pritt, former State Senator, West Virginia

Hon. Jay Goyal, State Representative, Ohio

Hon. Hal Lynde, former State Representative, New Hampshire

Hon. Marvin L. Van Haaften, former Director, Iowa Governor's Office  
of Drug Control Policy ("Drug Czar"); former Marion County (Iowa) Sheriff

Hon. Charles G. Brown, former Attorney General, West Virginia

Hon. Joanne Twomey, Mayor, Biddeford, Maine; former State Representative

Hon. Michael J. London, Councilman, Trumbull, Connecticut

Hon. Lujene G. Clark, former Councilwoman, Carthage, Missouri

Hon. Kevin Biggers, former Member, Dental Board, California

Hon. Ron King, DDS, former Member, Board of Dentistry, Minnesota

Hon. Chester L. Yokoyama, DDS, former Member, Dental Board, California