

**AMERICAN DENTAL ASSOCIATION AND CDA SUED FOR
DECEIVING PATIENTS ABOUT
MERCURY AMALGAM DENTAL FILLINGS**

Los Angeles, California, 06/12/01 -- The American Dental Association and its California affiliate were sued today in California Superior Court for their unlawful practice of deceiving patients about the presence of mercury in the most widely used type of dental fillings. The case charges the ADA and its largest state affiliate with deceiving consumers into thinking amalgam fillings are made of silver, when in fact the major component (about 50%) is mercury (see attached ADA brochure, "Answers to your questions about Silver Fillings"). Only about 25% of a mercury amalgam filling is composed of silver.

The lawsuits were filed this morning by public interest attorneys Shawn Khorrami of Los Angeles and Charles G. Brown of Washington, D.C. on behalf of organizations and individuals active in the effort to end the use of mercury in dental amalgam fillings (see list below).

In addition to filing the lawsuits, the attorneys served 60 days notice (as required by law), that they intend to sue the ADA under the provisions of Proposition 65, the anti-toxics measure passed by California voters in 1986. Under Prop. 65, the State of California has identified mercury as a chemical known to be a reproductive and/or developmental toxin.

"It is long past time for the ADA and the CDA to 'open wide' and start using the 'M' word," said Brown, the former West Virginia state Attorney General who is the lead attorney for the national legal battle against mercury in dental fillings. "Mercury is universally recognized as an extremely dangerous toxin. One filling contains 750 milligrams of mercury, enough to contaminate a small lake. The ADA is out of the medical mainstream in claiming that mercury is safe for use in human beings. The

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rest of the medical world is eliminating the use of mercury in all other circumstances [see attached backgrounder]. People have the right to know the truth from the dental establishment about the dangers of mercury.”

“The ADA and CDA are out of step not only with the rest of the medical community, but with California law,” said Khorrami. “The State of California identifies mercury as a toxic substance, and under Prop. 65, therefore, dentists are required to warn their patients about it. Our complaint is not with individual dentists, many of whom share our concern about the use of mercury, but with the ADA, which has a vested economic interest in the continued use of mercury and which has exercised undue and unfair pressure on dentists not to warn their patients of the dangers of mercury.”

“The amount of mercury in each dental filling is colossal by medical standards,” said Dr. Boyd E. Haley, Professor and Chairperson of the Department of Chemistry at the University of Kentucky and an expert in the study of the dangers of mercury to human health, who joined the attorneys at the press conference. “Mercury amalgam is dangerous before it goes into the mouth, and it is a hazardous material when it comes out. Each filling has 750,000 micrograms of mercury. A person with four fillings has three grams of mercury in his or her mouth, enough to shut down a lake, a school, or a business.”

Also participating in the press conference were Anita Tibau of Orange County and Debbie Seltenreich, RN, of San Diego, a former dental assistant, both of whom have suffered from medical problems attributed to mercury in dental fillings. Tibau explained that she had acute asthma for two decades, symptoms that began when the fillings were placed and ended when they

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were removed. “If the dentist had only told me that the fillings were half mercury, I would never have put them in,” she said.

Attorney Brown filed suit against state dental boards in federal district court in May on behalf of dentists opposed to the ADA “gag rule” that limits their ability to alert patients to the presence of mercury in dental amalgam and its potential health risks.

Brown says by taking money from amalgam manufacturers while asserting that amalgam is safe, “The ADA has forfeited its right to represent America’s dentists. You can’t serve two masters,” said Brown. “The ADA has taken money and chosen to promote the interests of the amalgam manufacturers over the interests of its own members and their patients.”

The lawyers said their focus is consumer choice at the outset, before fillings are placed in the mouth, rather than on the question of whether they should be retained or removed.

Plaintiffs in one of the lawsuits include Kids Against Pollution, a national organization of active youth dedicated to solving and preventing pollution problems; the American Academy of Biological Dentistry, a national dental society opposed to amalgam use; and Dental Amalgam Mercury Syndrome Inc., a national organization of victims of mercury toxicity from mercury amalgam fillings. The second lawsuit includes individuals seeking class action status.

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The full text of the lawsuits and the Proposition 65 intent-to-sue notice, along with additional information on the issue of mercury amalgam dental fillings, can be found on the Internet at www.toxicteeth.net.