

RESOLUTION -NATIONAL BLACK CAUCUS OF STATE LEGISTRATORS!  
May 2002

WHEREAS:

1. The major ingredient of dental amalgam (43 to 54%) is mercury;
2. Mercury is an acute neuro-toxin;
3. Each mercury amalgam filling contains about one-half to three-fourths gram of mercury, the same amount of mercury as is in a mercury thermometer;
4. The mercury in dental amalgam continually emits poisonous vapors while in the dental filling;
5. The term "silver" to describe a product that has substantially more mercury than silver does not accurately convey needed information to consumers;
6. Mercury is being removed from all other health care uses, such as vaccines, disinfectants, and contact lenses. Many health organizations, such as the American Public Health Association, the California Medical Association, and Health Care Without Harm, recommend removing mercury from all health products.
7. Children under 18, pregnant women, and nursing mothers may be at particular risk to mercury exposure, because the mercury goes to the developing brain, through the placenta, and through the breast milk, according to the Agency for Toxic Substances and Disease Registry of the United States Public Health Service. Several authorities, including manufacturers who have issued contraindications and the Government of Canada, warn that children and pregnant women are at particularized risk for exposure to mercury amalgam;
8. Consumers and parents have a right to know, in advance, that, in the words of the California Dental Board: "There exists a diversity of various scientific opinions regarding the safety of mercury dental amalgam";
9. Alternatives to mercury-based dental fillings exist, such as resin composite and porcelain;
10. Medicaid and many third-party payment health plans do not allow consumers to choose alternatives to mercury amalgam, so poor children's only options are mercury fillings or no fillings at all; and
11. The states of Arizona, California, and Maine have passed laws providing warnings to consumers about the risks of "silver" (mercury) dental amalgam, and Rhode Island has passed a law giving consumers on insurance plans full choice on the type of fillings they may have.

THEREFORE, the National Black Caucus of State Legislators recommends:

1. States enacts laws providing warnings to all consumers that
  1. Silver fillings are about 50% mercury, a neuro-toxin and environmental hazard;
  2. There exists a diversity of various scientific opinions regarding the safety of mercury dental amalgam;
  3. Particularized concern has been expressed regarding the health effects on children, pregnant women, and nursing mothers;
2. States enact laws to provide choices to all consumers, so that Medicaid families and moderate-income consumers on insurance plans will be able to choose alternatives to mercury amalgam.