

HOUSE BILL 47

M3

4lr0952

(PRE-FILED)

By: **Delegate Carr**

Requested: November 14, 2013

Introduced and read first time: January 8, 2014

Assigned to: Environmental Matters

A BILL ENTITLED

AN ACT concerning

Environment – Mercury – Dental Amalgam

FOR the purpose of requiring the Department of the Environment to create a fact sheet on dental amalgam on or before a certain date; requiring the fact sheet on dental amalgam to include certain information; requiring the Department to make a certain effort to distribute the dental amalgam fact sheet to the public; requiring the Department to post the dental amalgam fact sheet on its Web site; and generally relating to dental amalgam.

BY adding to

Article – Environment

Section 6-910 to be under the new part “Part III. Dental Amalgam”

Annotated Code of Maryland

(2013 Replacement Volume)

Preamble

WHEREAS, The U.S. Environmental Protection Agency has stated that environmental mercury causes neurological harm to children; and

WHEREAS, Mercury is a component of dental amalgam and accounts for 50% of dental amalgam contents, which is unknown to many dental patients due to use of the term “silver fillings”; and

WHEREAS, The Department of the Environment does not list dental amalgam on its mercury webpage; and

WHEREAS, Dental amalgam has adverse economic effects on businesses statewide, such as fishermen who may not fish for certain fish, funeral directors who

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



must buy crematory abatement equipment, dental workers who suffer from mercury in their workplace air, and landlords who have mercury residual in their pipes; and

WHEREAS, The United States has signed the Minamata Convention on Mercury, a treaty that calls for a global reduction of dental amalgam; and

WHEREAS, The United States, as a signatory of the Minamata Convention on Mercury, has agreed to reduce the use of dental amalgam; and

WHEREAS, Rather than waiting for the federal government to act, Maryland should begin phasing out dental amalgam now to reduce environmental mercury; now, therefore,

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article – Environment

6–908. RESERVED.

6–909. RESERVED.

PART III. DENTAL AMALGAM.

6–910.

(A) (1) ON OR BEFORE JANUARY 1, 2015, THE DEPARTMENT SHALL CREATE A FACT SHEET ON DENTAL AMALGAM.

(2) THE DENTAL AMALGAM FACT SHEET SHALL INCLUDE THE FOLLOWING INFORMATION:

(I) DENTAL AMALGAM IS COMMONLY REFERRED TO AS “SILVER FILLINGS”, BUT THIS TERM IS NOT ACCURATE;

(II) THERE IS MORE MERCURY THAN SILVER IN AMALGAM, AND MERCURY ACCOUNTS FOR 50% OF DENTAL AMALGAM CONTENTS;

(III) DENTAL AMALGAM IS A MAJOR SOURCE OF MERCURY POLLUTION GLOBALLY;

(IV) THE UNITED STATES HAS SIGNED THE MINAMATA CONVENTION ON MERCURY, A TREATY THAT REQUIRES A GLOBAL REDUCTION OF AMALGAM USE;

(V) DENTAL AMALGAM IS A MAJOR SOURCE OF MERCURY POLLUTION IN MARYLAND;

(VI) DENTAL AMALGAM ENTERS MARYLAND'S ENVIRONMENT FROM NUMEROUS PATHWAYS, SUCH AS ENTERING THE WATER FROM DENTAL CLINIC RELEASES AND HUMAN WASTE; ENTERING THE AIR FROM CREMATION EMISSIONS, DENTAL CLINIC EMISSIONS, AND SLUDGE INCINERATION EMISSIONS; AND ENTERING THE LAND FROM LANDFILLS, BURIALS, AND FERTILIZERS;

(VII) DENTAL AMALGAM'S EFFECT ON THE ENVIRONMENT CAN HAVE AN IMPACT ON THE COSTS OF GOVERNMENT AND TAXES PAID BY THE PUBLIC;

(VIII) ALTERNATIVES TO DENTAL AMALGAM EXIST THAT DO NOT POLLUTE MARYLAND'S ENVIRONMENT; AND

(IX) ASK YOUR DENTIST ABOUT THE ALTERNATIVES TO DENTAL AMALGAM THAT ARE BEST FOR YOU AND YOUR FAMILY.

(3) THE DEPARTMENT SHALL MAKE A REASONABLE EFFORT TO DISTRIBUTE THE DENTAL AMALGAM FACT SHEET TO THE PUBLIC.

(B) THE DEPARTMENT SHALL PUBLISH THE DENTAL AMALGAM FACT SHEET ON ITS WEB SITE.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2014.