

The NEW Battle Strategy to Get Rid of Mercury Once and For All in Dentistry

By Dr. Mercola

We are at a critical time in the fight against mercury fillings.

Thanks to your efforts at making your voice heard, on July 15, 2010, the United States Food and Drug Administration (FDA) chose a mercury-free dentist by the name of Michael Fleming to be on the Dental Products Panel, which will be the group to reassess the safety of mercury fillings for high-risk groups by way of a hearing this December.

Dr. Fleming has an interesting and varied professional background, with a long track record of listening to consumers.

As we move toward the December hearing, *we need your continuing letters and phone calls to the FDA*. Although the panel selection process is complete, they need to continue hearing your voice. We must show them there is a large body of consumers out there who are keeping an eye on them — like hawks.

According to the FDA's website, this panel's purpose is defined as follows:

“The Dental Products Panel reviews and evaluates data concerning the safety and effectiveness of marketed and investigational products for use in dentistry, endodontics or bone physiology relative to the oral and maxillofacial area and makes appropriate recommendations to the Commissioner of Food and Drugs.”

This hearing will hopefully bring us one step closer to the banning of amalgam fillings for children and pregnant women, and eventually for the rest of us.

Children and fetuses, whose brains are still developing, are most at risk for mercury-related neurological damage, and that is why it's [especially dangerous for pregnant women to get amalgam fillings](#).

FDA Stacks the Deck in its Favor by Appointing Pro-Industry “Experts”

The appointment of [Dr. Michael Fleming](#) is a big deal because [the FDA has a history of stacking the deck](#) of its panels so that the pro-industry position is upheld.

Indeed, before consumers spoke up, Center for Devices Director Jeffrey Shuren had already been doing just that, even having the gall to appoint an American Dental Association (ADA) leader named Dr. Amid Ismail, who has [repeatedly testified in favor of amalgam in both federal and local government hearings](#).

Ismail is such an extremist that he has actually stated that the choice of filling material rests with the dentist, not the consumer whose mouth it is going into. So now a leading opponent of mercury-free dentistry in previous hearings has become the judge, thanks to FDA's Shuren.

The FDA also has a history of ignoring its panelists' advice if it doesn't uphold the pro-industry position, even to the point of disagreeing with their own FDA scientific experts. This is [precisely what happened in 2009 with their disappointing "final rule."](#)

For policy change to occur, it is crucial that this panel NOT be exclusively represented by dental school deans and others with ties to the pro-mercury American Dental Association.

If the FDA is to have any credibility at all, it needs all sides fairly represented and heard, with equal time for hearing both sides of the issue.

This is a critical time for you to make your wishes known. Between now and December, the more pressure they receive from YOU, the less likely they'll be stacking the decks in their favor. Later in this article, I will give you some specific questions to pose in your communication with the FDA.

Facts About Mercury That May Shock You

Mercury pollution is growing across the globe.

[In the words of Charlie Brown](#), President of the World Alliance for Mercury-Free Dentistry, "Amalgam is a "primitive, polluting, 19th century product that began when physicians were sawing off legs. Medicine has since moved forward."

Consider these disturbing facts:

- Amalgam is the MOST EXPENSIVE dental material when you count environmental costs and clean-up costs.
- Amalgam is the number one cause of mercury exposure for consumers, according to the Canadian government and other sources.
- Mercury from dental offices is the largest source of mercury in wastewater. According to an article by Michael Bender (co-founder of the Mercury Policy Project), at least 40 percent of mercury flowing into municipal water treatment plants begins in dentist offices. And those plants are not set up to remove it, so it ends up in your fish.
- Americans and Europeans have more mercury in their mouths than exists in all products combined—more than 1,000 tons.
- Amalgams of the dead post a risk to the living. Emissions from the combustion of mercury fillings during cremation are a significant contaminator of air, waterways, soil, wildlife and food. Seven to nine metric tons of mercury per year escapes into the atmosphere during cremations, and it is estimated that, left unchecked, crematoria will be the largest single cause of mercury pollution by 2020.

There are numerous zoning battles in the U. S. to keep crematoria away from schools, including one in South Carolina. In Sweden, it is mandatory that teeth be extracted prior to cremation.

- Some dentists, who have easy access to mercury-containing dental materials, sell mercury at a premium to third world countries, which then use it in mining and industrial operations, contributing to the mercury pollution problem.
- Since the FDA does not regulate dentists, dentists remain free to offer you any kind of filling they want. According to a survey, 52 percent of all dentists nationwide report they are no longer placing amalgams in their patients' mouths.

However, specialists are far more likely to still be using mercury fillings — *four out of five still place amalgams.*

The FDA is Far Behind the Rest of the World on Amalgams

President Obama has made it clear that he is very concerned about mercury pollution worldwide, and early in his term, he reversed the Bush position that opposed legally binding measures to control mercury.

In February of 2009, Obama [endorsed negotiations for a new global treaty to on mercury pollution](#). The most important issue today in the amalgam battle centers on this upcoming world mercury treaty.

The United Nations has convened a series of conferences to put together the environmental treaty on mercury, a treaty that represents a chance for the world to rid itself of amalgam, and rid dentistry of mercury. The first session was in June of 2010, and there will be five more over the next three years. ([View the first session report here.](#)) The next treaty session is in Tokyo, Japan, January 24-28, 2011.

The end-goal is the signing of a legally binding mercury treaty in 2013.

The treaty's central question: What are we going to do about the ever-growing problem of worldwide mercury contamination?

According to Charlie Brown, who gave the opening statement at the treaty's first meeting, the FDA is far behind the rest of the world in stepping up to the plate to reduce mercury. The FDA has been standing in the way of banning these dangerous dental materials for 34 years — since 1976.

For a country that is supposed to be so scientifically advanced, the U.S. is lagging behind the rest of the world, and *even behind some third world countries:*

- Canada advised dentists to stop placing amalgam in children and pregnant women in 1996— fifteen years ago!
- Denmark, Norway and Sweden have essentially banned amalgams.

- There are 5,636 hospitals in developing countries that are committed to or already mercury-free. The majority of these are in the Philippines, India, and Argentina.

Pro-Mercury Forces Banking on Exemption for Amalgam

The goal of the mercury treaty is, ideally, ending all man-made mercury. As with any treaty, the key is what goes into the fine print.

The pro-mercury forces, led by the World Dental Federation and the American Dental Association, are asking for an exemption so they may keep selling amalgam indefinitely. The FDA has now expanded its agenda from being chief protector of amalgam in the United States, to attempting to block world action against amalgam.

So they sent a representative to the July 2010 UN conference in Stockholm to lobby AGAINST a phase-out of mercury fillings.

Additionally, the World Dental Federation is trying to make amalgams the world's "filling of choice," which would lead to millions of children worldwide being exposed to mercury's toxic effects, many in developing countries where their immune systems are already weakened due to suboptimal living conditions and cavities are commonplace.

To counter these pro-mercury forces, the World Alliance for Mercury-Free Dentistry fought back hard and secured a seat at the Stockholm negotiating session, and Charlie Brown gave the opening statement, which you can view in the video above.

Clashes Over Mercury Began During the Civil War

Why do pro-mercury dentists resist change so vociferously? Such resistance is not unprecedented -- not at all.

According to Charlie G. Brown of [Consumers for Dental Choice](#), during the American Civil War, mercury's use was prevalent, and even then controversial. Physicians in that era used it to treat soldiers for dysentery, typhoid, malaria, pneumonia, and syphilis.

But some physicians opposed mercury.

An early hero of the mercury-free movement was the Surgeon General, William A. Hammond. Hammond banned its use by Army physicians, and immediately, the medical establishment started calling for his ouster. The American Medical Association defeated Hammond, but ultimately lost. Today, the Civil War use of mercury as a tonic is considered practically deranged.

According to Brown:

"Future generations not only will condemn the American Dental Association for implanting a neurotoxin into the human body, but no doubt they will resent cleaning up after the irresponsible dentists who polluted our planet with mercury."

However, like Surgeon General Hammond, we now have the opportunity to stand up publicly against mercury abusers. Then it was the medical establishment; today it is the dental establishment.”

And also the FDA ...

Why is the FDA the World's Pariah on the Mercury Issue?

Why is the FDA so obstinate on amalgam, when it won't even allow farmers to rub [mercury-containing lotions on the legs of horses](#)? It certainly isn't representing public interest when, 7 to 1, the public wants a ban on mercury fillings.

- First, the FDA is not so much a regulator of big business as its protector.
- Second, FDA Commissioner Margaret Hamburg has an egregious conflict of interest on amalgam, yet participated in the rule making. Hamburg entered the FDA through the revolving door after making millions as the director of Henry Schein Inc., the largest seller of amalgam.

The FDA endorses a two-tiered system of dentistry: America's elite no longer receives amalgam, but the rest of us are at risk simply by being in a dental office. Dental employees are at even greater risk due to their daily mercury exposure.

The FDA is so much in the pocket of corporate America that it not only allows mercury-based dental filling to be implanted in children and pregnant women, but it covers up the very fact that these fillings contain mercury.

And the FDA's rule ignores the fact that Americans are getting mercury from [so many other sources](#) (vaccines, fish and seafood, household products, paints, pesticides, etc.) that many teenagers and adults are saturated with these neurotoxins.

The Issue of Informed Consent

One of Dr. Fleming's greatest concerns in the overall amalgam issue involves the [lack of informed consent](#) obtained from patients prior to installing mercury fillings in their mouths.

One Dental Products Panel member remarked:

“I think the major thread, or the take-home message that I have, is that the Federal Government and the agencies need to force dentists to provide informed consent to the patient, and making sure that the patient is going to be well-informed, and making their appropriate decision toward the use of this material.

Having said that, I don't know what would be the mechanism, whether ADA has to step forward, or the federal agencies. I leave it as a question open at this point. But something has to be done.”

Not only is informed consent not given, but the industry has gone so far as to disguise the name of mercury fillings in a way that misguides you into thinking they are something else.

The very name “silver fillings” would seem to imply they are made of silver, whereas they are more than 50 percent mercury. When confronted about this, the industry’s response is a lame one... the term “silver” is meant to denote *the color*, not the constitution.

In reality, [only one in four people is aware that silver amalgams contain mercury](#), and the dental industry is capitalizing on that ignorance. Even when the manufacturer places warnings on the label of the amalgam material, a dentist is under no obligation to relay that information to you. More than 90 percent of you believe dentists should be required to inform you about mercury fillings versus non-toxic alternatives.

Is there any way this evil behemoth can be defeated?

Our Secret Weapon: Using the FDA and EPA Turf Wars to our Advantage

You may not be aware of the administrative turf war inside the U.S. government.

This Environmental Protection Agency (EPA) seeks aggressive action against amalgam as well as other mercury products. The FDA takes the opposite tack on amalgam, wanting its use in perpetuity.

So far, the FDA has had the upper hand.

The FDA admits it has NO expertise or jurisdiction over the environmental impact of mercury.

But the FDA is so intent on protecting amalgam sellers that it is elbowing out the EPA and demanding its way. The FDA is a know-nothing on environmental issues, and admits it. Never having gotten involved in environmental regulatory issues before, the FDA is being a dog-in-a-manger in order to protect the amalgam profiteers.

Once Sweden and Norway realized the environmental impact of amalgam, they banned the product entirely.

To protect corporate interests, FDA is doing everything in its power to prevent the environmental experts from revealing to the public the extensive environmental costs inflicted by amalgam.

So, the key to winning a ban on amalgams is to make it an integral part of the argument for reducing environmental mercury.

WHAT YOU CAN DO: Demand that the FDA Join the World in Protecting Pregnant Women and Children From Mercury Exposure

The stakes could not be higher right now for mercury policy.

Consumer advocates need YOUR help now, more than ever. The more pressure the FDA gets from ordinary citizens like you, the less it will be able to wiggle out of its responsibilities for

protecting the public. But we all have to raucously demand it if we hope to overcome the tremendous pressure from the other side.

Consumers for Dental Choice

One of the greatest advocates for change has been [Consumers for Dental Choice](#), tireless consumer advocates for victims of mercury poisoning and key players in educating the public.

Charlie Brown is national counsel for Consumers for Dental Choice, and in June he was elected President of the new World Alliance for Mercury Free Dentistry.

Charlie's work focuses on petitioning federal and state agencies to do their duties under the law. He spearheads the national campaign to expose the deceptive practices of the American Dental Association. Without his extensive help, this article would not have been possible, for which I am very grateful.

You can take the following actions if you wish to actively promote policy change:

1. Contact Jeffrey Shuren, Director of the FDA's Center for Devices. Voice your concern that their Dental Products Panel be fair and balanced, as opposed to overrepresented by individuals with industry ties. Demand that the individual presenters (who are named as experts by the FDA), both those who are pro-amalgam and those who are anti-amalgam, have equal time to speak.

Dr. Jeffrey Shuren
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Ask him the following questions:

- Why won't FDA require labels to inform consumers that amalgam is 50 percent mercury?
- Why won't FDA at least ban amalgam for children and pregnant women, who are at greatest risk?
- Why is Dr. Ismail on the dental products panel when he has repeatedly advocated that amalgam is safe, even testifying in favor of amalgam on behalf of the ADA?

If at all possible, attend the FDA hearing in December:

December 14 and 15, 2010, 8am -6pm
Holiday Inn-Gaithersburg, Main Ballroom
2 Montgomery Village Ave, Gaithersburg, MD 20879

The FDA will not be expecting a forceful turnout, especially from ordinary citizens, so we can surprise them with a show of force and dogged determination.

Even if you cannot attend the hearing, make sure to submit your comments to the panel for the record. You can submit your comments in two ways:

1. Submit them [online at this site](#).
2. Submit them by mail to:

Division of Documents Management, Food and Drug Administration
5630 Fishers Lane, Room 1061
Rockville, MD 20852

Label all comments “Dental Amalgam — Docket Number FDA-2010-N-0268” so that it gets into the right file.

Comments can involve telling the FDA about your injuries, your children’s exposure to mercury, how your mercury fillings were implanted without your informed consent, how deceptive the FDA’s dental amalgam website is, how mercury hurts our environment, or any other concerns relating to mercury fillings.

- If you live in southern California, Consumers for Dental Choice has a special request.

They are organizing a grassroots project to educate communities about the hazards of dental mercury. If you would like to get involved, write Charlie at info@toxiceeth.org, put “Californian” in the subject line, and list which county you live in and your contact information.

It is time for the FDA to get out of the way of progress and support Obama’s plan to decrease worldwide mercury contamination, rather than standing in its way. Please join Charlie and me in keeping the pressure on them — let’s not allow them to manipulate their way into placing dental industry profiteering before of your children’s health.