

News From...



The Subcommittee on Human Rights and Wellness

Chairman Dan Burton (R ~ IN)

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CHAIRMAN BURTON TO EXAMINE CALIFORNIA'S COMPLIANCE WITH DENTAL AMALGAM DISCLOSURE POLICIES

Washington, D.C. – As part of an ongoing investigation into the risks of medical and dental exposure to mercury, the House Government Reform Subcommittee on Human Rights and Wellness will hold an oversight hearing entitled, **“California’s Compliance with Dental Amalgam Disclosure Policies,” on Monday, January 26, 2004, in the Town and Gown room on the campus of the University of Southern California in Los Angeles, California at 2:00 p.m.**

The Subcommittee will focus on the progress being made in California’s efforts to implement full disclosure of adequate information to dental patients, as directed and mandated by Proposition 65, the *“Safe Drinking Water and Toxic Enforcement Act of 1986.”* Additionally, the Subcommittee will examine California’s grassroots movement, as well as other legislative efforts to eliminate medical uses of mercury, and the impact of those efforts on similar movements in states throughout the country.

“Mercury is one of the most toxic substances found in nature, second only to radioactive materials,” stated Chairman Burton. “It is imperative for Californians and all Americans to have full disclosure of the serious risks posed by mercury-containing amalgams, so they are better enabled to make informed choices about the types of dental restorative material that is used in their treatment.”

Proposition 65 stipulates that no person in the course of doing business in the State of California, *“shall knowingly and intentionally expose any individual to a chemical known to the state to cause cancer or reproductive toxicity without first giving clear and reasonable warning to such individual.”* Mercury was one of the chemicals identified by the State of California to cause birth defects or other reproductive harm, and therefore subject to the provisions of Proposition 65.

In 1992, the California Legislature passed the *Watson Law*, written by the Subcommittee’s Ranking Member Congresswoman Diane Watson (D-CA) – then a California State Senator - that requires the California Dental Board to prepare and distribute a simple Fact Sheet about the risks and efficacies of mercury-amalgam dental filings. When the Board still had not complied in 2001, nine years after enactment of the law, the public outcry led the California State Legislature to dissolve the

existing Dental Board and create a new one. While the new Board has held hearings on the safety of mercury-containing amalgam filings in 2002, their efforts to create a simple consumer friendly Fact Sheet have again ground to a halt under apparent pressure from the California Dental Association.

Seventeen years after the implementation of Proposition 65, and over eleven years after passage of the *Watson Law*, the California Dental Board has yet to create a simple consumer friendly Fact Sheet discussing the pros and cons of different types of dental restorative materials. It is only through the actions of concerned citizens that a recent court order was obtained in California requiring a Proposition 65 warning be posted prominently in dental clinics with more than 9 employees.

PANEL ONE WITNESSES:

The Honorable Karen Johnson
Arizona State Representative

PANEL TWO WITNESSES:

Dr. Chester Yokoyama, DDS
California Dental Board

Mr. Shawn Khorrami, Esq.

Mr. Parin Shah
Executive Director
Community Toolbox for Children's Environmental Health

Dr. Harold Slavkin, DDS (*invited*)
Dean
University of Southern California School of Dentistry

This hearing is a follow-up to the Subcommittee's hearing of October 8, 2003, which examined the harmful effects of mercury's discharge from dental offices into municipal sewage systems. For more information, or to look at previous hearing resource materials, please visit the Subcommittee's website at www.reform.house.gov/WHR.