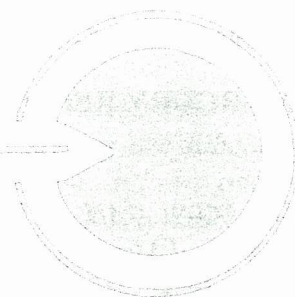


BIO-PROBE

NEWSLETTER



Vol. 17, Issue 4

Bio-Probe Newsletter

July 2001

MERCURY LAWS AND LAWSUITS

Bio-Probe has previously stated that the current controversy over the safety of mercury/silver amalgam dental fillings will progress through four phases. Events in all four phases will occur throughout the controversy, but one phase will predominate at a given time.

Clinical: Dentists and physicians note positive health changes after elimination of the chronic exposure to mercury from amalgam dental fillings. Many thousands of patients have now experienced this. However, there are patients who have not experienced health improvement. Therefore, scientific documentation on the issue is imperative.

Scientific: Quality research is conducted, peer reviewed, and published in valid scientific journals. This research would verify or deny that mercury could cause the adverse health effects relieved after elimination of exposure to dental amalgam mercury. Serious scientific study really began in the early 1980's. Since then, the amount of published scientific evidence on the extreme toxicity of mercury has become compelling, certainly sufficient to consider elimination, or at least serious restriction, of the use of mercury amalgam dental fillings.

Regulatory: Scientific and clinical evidence - along with public awareness and demand - of the harmful effects of mercury, including that from dental amalgam, has become so overwhelming that governments take regulatory action to eliminate the use of mercury from all medical and other products.

Legal: Evidence of harm from dental amalgam mercury has become so pronounced that tort and other litigation

Table of Contents

Mercury - Laws and Lawsuits.....	1
Mercury Regulatory Actions: Maine, Colorado, New Hampshire, Vermont, New York,	2
Maryland, Minnesota, Oregon, New Jersey.....	3
Lawsuits: Class Action Against ADA & CDA.....	4
Class Action Against Maryland Dental Board.....	4
Class Action Against California Dental Clinics.....	5
Media: Wall Street Journal.....	6
Associated Press.....	6
Toronto Globe and Mail.....	7
Science	
Retrograde Degeneration of Neurite Membrane Structural Integrity of Nerve Growth Cones Following In Vitro Exposure to Mercury. Leong, CCW; Syed, NI; Lorscheider, FL.....	7
Forum	
IAOMT 2001 Annual Meeting.....	8
Biological Periodontal Meeting, IAOMT.....	8

© 2000 Bio-Probe, Inc. The Bio-Probe Newsletter is published bimonthly. Editorial office is at 5508 Edgewater Dr., Orlando, FL 32810. Subscription price in U.S. funds, U.S. and Canada \$75.00 per year; other countries \$90.00. Postage paid

is initiated.

Although clinical evidence of harm from dental amalgam mercury continues, as does the appearance of more and more published science, the case against dental amalgam and other mercury sources has become so compelling that regulatory action against mercury use is becoming very pronounced. A number of countries have issued advisories against the use of dental amalgam in certain circumstances. Now, many States in the U.S.A. are taking regulatory action against mercury, and even dental amalgam specifically. Following are synopses on some of the activity to date.

MERCURY REGULATORY ACTIONS

Maine

1. LD 1409: "AN ACT to Address the Health Effects of Mercury Fillings."

Key Points: Bill requires dentists to post information about the risks and benefits of mercury amalgam fillings in their offices. Besides the poster, a brochure for patients is to be provided by the Bureau of Health and the Department of Environmental Protection.

Status: "PASSED TO BE ENACTED" on 4 June 2001 by House and Senate. Signed by the Governor on 12 June 2001. Public Law 385.

Bio-Probe: The bill originally would have 1) prohibited placement of mercury amalgam fillings in children eight years of age or younger and in women who are pregnant; and 2) require informed consent for placement of amalgam in all other patients. Strong opposition from the dental profession eliminated these features of the bill.

Colorado

- House Bill 97-1187: "Concerning the ability of dentists to use mercury amalgam as a dental restorative material."

Key Points: Section I. 12-35-118, (1.7) (a): "Nothing in this section shall be construed to deprive any dental patient of the right to choose or replace any professionally recognized restorative material, nor to permit disciplinary action against a dentist solely for removing or placing any professionally recognized restorative material."

Status: Passed House and Senate, signed by Governor, became law in 1997.

New Hampshire

- House Bill 675: "AN ACT relative to mercury source reduction."

Key Points: 149-M:51 Definitions, II: "Fabricated mercury-added product" means a product that consists of a combination of

individual components, one or more of which is mercury-added, that combine to make a single unit. III: "Formulated mercury-added product" means a chemical product, including but not limited to laboratory chemicals, cleaning products, cosmetics, pharmaceuticals, and coating materials, that are sold as a consistent mixture of chemicals."

149-M:58 Phase-out and Exemptions. I: "No mercury-added product shall be offered for final sale or use or distributed for promotional purposes if the mercury content of the product exceeds: (a) One gram (1000 milligrams) for fabricated mercury-added products or 250 parts per million (ppm) for mercury-added formulated products, 4 years from the effective date of this section."

149-M:59 Labeling of Mercury-Added Products.

I: "No mercury-added product manufactured after 2 years from the effective date of this section shall be offered for final sale or use or distributed for promotional purposes in New Hampshire unless both the product and its packaging are labeled in accordance with this section. III: All labels shall be clearly visible prior to sale and must inform the purchaser, using words or symbols, that mercury is present....."

Status: Passed, Signed by Governor. Effective Date: 1 January 2002.

BIO-PROBE: By Law, New Hampshire dentists will no longer be able to place large amalgam fillings (one gram or more in weight) after 1 January 2004. For placement of amalgam fillings less than one gram in weight, consumer must be informed of mercury content by words or symbols.

Vermont

- Senate 0091 "Comprehensive Management of Human Exposure to Mercury."

Key Points: Purpose: "This bill proposes to establish a comprehensive approach to reducing