

Mr Simon Reid BDS MFGDP MMedSc MDPH MSc
Chief Dental Officer for Northern Ireland



To all dentists in Northern Ireland

Room D4.20
Castle Buildings
Stormont
Belfast, BT4 3SQ
Tel: (028) 9052 2940
Fax: (028) 9052 2622
E-Mail: simon.reid@health-ni.gov.uk

Your Ref:
Our Ref: HE1/18/68069
Date: 6 April 2018

Dear Colleague

EU Regulation 2017/852 on Mercury and the UK Control of Mercury (Enforcement) Regulations (2017) – notice on restrictions on the use and disposal of dental amalgam.

You may be aware that EU Regulation 2017/852 on Mercury has been adopted by Member States and it applies to mercury, mercury compounds and mercury-added products. This filled gaps in previous legislation and enabled ratification of the Minamata Convention. Even though negotiations for the UK to exit the EU continue, the UK remains a full member, the obligations of that membership still apply, and EU legislation continues to be implemented. This Regulation has applied since 1 January 2018 and Article 10 details new provisions relating to dental amalgam to be implemented in the UK. Four of these are of relevance to dental practices and dental professionals as they relate to the clinical use and disposal of amalgam.

- **Article 10(1)** – With effect from 01 January 2019, dental amalgam shall only be used in pre-dosed encapsulated form. The use of mercury in bulk form shall be prohibited.
- **Article 10(2)** – With effect from 01 July 2018, dental amalgam must not be used for dental treatment of:
 - Deciduous teeth
 - Children under 15 years
 - Pregnant or breastfeeding women,except when deemed strictly necessary by the dental practitioner based on the specific medical needs of the patient,
- **Article 10(4)** – With effect from 01 January 2019 dental facilities must be equipped with an amalgam separator, and by 01 January 2021, all separators must retain at least 95% of amalgam particles. (This latter requirement also applies to any new separators installed from 01 January 2018 onwards),
- **Article 10(6)** – All amalgam waste is handled and collected by an authorised waste management establishment. (This came into effect with the Regulation itself, i.e. applied from 01 January 2018, as no subsequent date of effect is specified, but such measures should already be in place in Northern Ireland anyway as per extant healthcare waste guidance and dental standards.)

The UK Control of Mercury (Enforcement) Regulations (2017) has subsequently designated authorities for the enforcement of the environmental provisions in respect of waste amalgam and amalgam separators. Authorised waste management establishments already provide these services and it is understood that most if not all dental units would already have amalgam separators. The provisions relating to the use of encapsulated amalgam and the restrictions on the clinical use of amalgam will be managed through existing health (i.e. dental) regulatory processes.

In terms of Article 10(2), restricting the use of amalgam in certain patient groups, guidance development has been sought by all of the UK Chief Dental Officers, given that whilst health is a devolved matter, the UK is the Member State. This pan-UK guidance development process is already well underway.

Further correspondence will be issued in due course to keep you updated on this guidance and other matters related to the Article 10 amalgam provisions in EU Regulation 2017/852.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Simon Reid', followed by a period.

SIMON REID