

**BY EMAIL**

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22 July 2024

Dear Colleague

**EU Regulation (EU) 2024/1849 on mercury as regards dental amalgam –  
derogation agreement**

On 10 July 2024, the amended EU regulation on mercury as regards dental amalgam and other mercury-added products was published. Under the terms of the Windsor Framework, this amended regulation applies directly to Northern Ireland, and prohibits the use of dental amalgam from 1<sup>st</sup> January 2025 except in specific medical cases.

There has been significant work over many months to seek a derogation from the EU, given the significant impact this regulation would have on dental services in Northern Ireland.

On Friday 19<sup>th</sup> July, the EU published an agreement with the UK government to permit the continued use of dental amalgam in Northern Ireland until 31 December 2034 or until the date agreed under the framework of the Minamata Convention on Mercury, whichever is earlier. The derogation is available in the EU Official Journal at the following link:

[https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=OJ:C\\_202404675](https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=OJ:C_202404675)

This derogation will permit the continued use of dental amalgam for patients, as per the current arrangements. There are a number of conditions to be adhered to (relating to monitoring and reporting), and we will work with colleagues in DAERA, other agencies and the British Dental Association towards these with as minimum impact as possible.

We appreciate the uncertainty has been extremely challenging for practitioners across all dental settings, and hope that this derogation provides some welcome assurance to you moving forward.

The Windsor Framework Democratic Scrutiny committee agreed to hold an Inquiry into the amended regulation before the derogation was announced, and the committee will work through this process.

Yours sincerely

*Caroline Lappin*

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