



SIXTEENTH CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)
Second Regular Session)

'14 JUL 23 A11 :07

SENATE
S. No. 2321

RECEIVED BY: f

Introduced by Senator Miriam Defensor Santiago

AN ACT
PROHIBITING THE USE OF MERCURY IN DENTAL AMALGAM FILLINGS

EXPLANATORY NOTE

Dental amalgam is a dental filling material used to fill cavities caused by tooth decay. It has been used for more than 150 years in hundreds of millions of patients.

Dental amalgam is a mixture of metals, consisting of liquid mercury and a powdered alloy composed of silver, tin, and copper. Approximately 50% of dental amalgam is elemental mercury by weight.*

Elemental mercury and mercury compounds are known to be toxic and hazardous to human health and to the environment. Mercury is number three on the 2013 U.S. Agency for Toxic Substances and Disease Registry (ATSDR) Priority List of Hazardous Substances, behind arsenic and lead.

The mercury contained in dental amalgam is continually emitted in the form of mercury vapor, and the total amount of mercury released depends upon the total number of fillings; their age, composition, and surface area; the intra-oral presence of other metals; dietary and lifestyle habits; and other chemical and metabolic conditions affecting the mouth. When mercury vapors are inhaled, most of the mercury, or about 80 percent, enters the bloodstream directly through the lungs and then rapidly deposits preferentially in the brain and kidneys as well as other parts of the body.

* U.S. Food and Drug Administration website.
<http://www.fda.gov/medicaldevices/productsandmedicalprocedures/dentalproducts/dentalamalgam/ucm171094.htm>

Safer, highly effective, and durable alternatives to mercury-based dental fillings exist. This bill prohibits the use of mercury in dental amalgam fillings to protect the health of the people and the environment.

Miriam Defensor Santiago
MIRIAM DEFENSOR SANTIAGO
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Be it enacted by the Senate and the House of Representatives of the Philippines in Congress assembled:

1 AN ACT
2 PROHIBITING THE USE OF MERCURY IN DENTAL AMALGAM FILLINGS

3 SECTION 1. *Short Title.* – This Act shall be known as the “Mercury in Dental Fillings
4 Prohibition Act.”

5 SECTION 2. *Declaration of Policy.* – It is the policy of the State to promote the general
6 welfare of the people and protect the environment.

7 SECTION 3. *Prohibition on the Use of Mercury in Dental Amalgam Fillings.* – Effective
8 1 January 2016, the use of mercury in dental amalgam fillings is hereby prohibited.

9 Any person, corporation, partnership, association, or any such entity found to have used
10 mercury in the manufacture or production of dental amalgam fillings, or to have sold, distributed,
11 transported, or used in any dental or medical procedures dental amalgam fillings containing
12 mercury shall be fined not less than Twenty Thousand Pesos (P20,000.00) but not more than One
13 Hundred Thousand Pesos (P100,000.00) for each violation.

14 SECTION 4. *Implementing Rules and Regulations.* – Within ninety (90) days from the
15 effectivity of this Act, the Secretary of Health shall promulgate the implementing rules and
16 regulations necessary to carry out the provisions of this Act.

1 SECTION 5. *Separability Clause.* -- If any provision or part hereof is held invalid or
2 unconstitutional, the remainder of the law or the provision not otherwise affected shall remain
3 valid and subsisting.

4 SECTION 6. *Repealing Clause.* -- Any law, presidential decree or issuance, executive
5 order, letter of instruction, administrative order, rule, or regulation contrary to or inconsistent
6 with the provisions of this Act is hereby repealed, modified, or amended accordingly.

7 SECTION 7. *Effectivity Clause.* -- This Act shall take effect fifteen (15) days after its
8 publication in at least two (2) newspapers of general circulation.

Approved,

/jab7-21-2014