

EEB calls for a robust revised EU Mercury Regulation

ENVI Committee – 1st Reading Vote – 11 January 2024, Brussels

[Mortler draft report]

Brussels, 9th January 2024

The European Environmental Bureau welcomes the release of European Commission's proposal for a revised EU Mercury Regulation, which aims to establish a mercury-free Europe, and address the last intentional remaining uses of mercury in products in the Union. For these objectives to be achieved, bold and pragmatic amendments are needed.

Mercury is a well-known global pollutant and a severe neurotoxin, which can cause environmental harm and severely affect people's health. Diffuse pollution remains a problem in Europe because of both historical and current emissions of mercury to the atmosphere. Mercury levels measured in biota continue to exceed environmental quality standards in almost all surface water bodies.

We welcome the work of the ENVI Committee to make progress on this file, and we would like to urge it to take account of the following issues¹ and our voting recommendation as below:

1. **The manufacture and export of mercury-added products not allowed in the EU should be prohibited.**

Compact Fluorescent (CFLs), linear and non-linear triband phosphor fluorescent lamps (LFLs, nLFL)

- Mercury-free, more energy and cost-efficient alternatives are widely available (eg. LEDs)
- A 2025 phase-out would put an end to double standards and ensure that mercury-added products are not reaching countries which lack effective and safe collection, and recycling systems.
- The economic impact from banning is estimated to be small or non-existent. The very few remaining EU companies have already shifted their production lines to LEDs and more jobs are expected to be created with local assembly of LEDs products;
- Re-location of EU businesses is unlikely; mercury use is decreasing and equivalent measures in other countries are being developed and implemented. International markets such as India and China are following the lead of EU legislation.
- Important losses in CO₂ emissions reductions would be caused in case of a delayed 2027 ban.

High-pressure sodium lamps (HPS)

- HPS are rapidly becoming replaced by LEDs for numerous reasons (HPS have poor colour quality; Cycle on and off, causing maintenance and safety issues; and have a relatively short life). Manufacturers tout multiple environmental, safety and health benefits.

Please support: Compromise Amendment 4

Otherwise, please support: 70, 71, 72, 73, 74, 75 and 76.

2. **Dental amalgam and its export should be phased out by 2025, latest.**

- Mercury-free dental restorations are available, affordable, effective and preferred by most EU citizens. They are more widely used than dental amalgam (at 81-90%) and do not require extra labour costs;
- A phase-out by 2025 would avoid 10 tonnes of mercury into the environment by 2030. It is the most cost-effective way to prevent dental mercury pollution.
- A ban within a year is feasible, as it already happened with the amalgam ban for children's teeth.

¹ More details can be found in our position paper sent on Monday 20, 2023 to the ENVI Committee: [231116_EEBposition_2023RevisionMercuryRegulation-1.pdf](#)

- Several member states have already or are about to ban dental amalgam use².

Please reject Compromise Amendment 1.

Please support Compromise amendment 1a.

Otherwise, please reject: 4, 5, 49, 50, 51, 52, 53, and support: 46, 47, 48.

3. Mercury emissions from crematoria should be better controlled.

- Emissions from crematoria represent a significant source of mercury pollution. Cremations steadily increase across the EU; e.g. between 2010 and 2019, cremations increased by 38%.
- Even with a ban on dental amalgam, over 1000 tonnes of mercury 'walking' around on peoples' mouths would yet be released in the decades to come, requiring additional control measures.

Please support Compromise Amendment 2.

Otherwise, please support: 54, 55, 62, 63.

4. Mercury compounds used for unallowed uses should be prohibited.

- Recent studies revealed the trade of mercury compounds for use in mercury added skin lightening creams. A 2023 undercover investigation by the Environmental Investigation Agency (EIA) confirms that a Spanish company has been repeatedly exporting ammoniated mercury for the production of skin lightening products - a use banned at EU level and not allowed by the Minamata Convention.

5. Further (re)assess remaining uses of mercury, including in lighthouses and porosimetry

- The 2008 COWI/Concorde report concluded that it would be consistent with the EU objectives to regulate mercury that is no longer used in light houses, and send it directly for safe disposal if no longer needed.
- In the same report, mercury consumption for porosimetry was assessed to be substantially larger than previously expected and potentially among the largest remaining uses in the EU. It can cause direct releases to the environment and input to waste. Alternatives exist and these preliminary findings indicate that it might be useful to investigate this mercury usage in more detail.

Referring to both points above:

Please support Compromise Amendment 3 and Amendment 57.

Otherwise, please support 38, 39, 40, 41, 42, 43, 44, 45, 67, 68, 56, 58, 59, 60, 61, 64, 65, 66, 69, and reject 6

6. In relation to all the above – referring to the relevant recitals, respectively.

Please support Compromise Amendment 5 and Amendment 37

Otherwise, please support 9, 10, 11, 12, 13, 15, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36 and reject 1, 2, 3, 7, 8, 14, 16

² SWE banned amalgam in 2009, DK and LT banned it with few limited exceptions; IT plans to phase it out by 2025; PL has withdrawn dental amalgam from the public program, effectively phasing it out; CRO and the CZ adopted a plan to facilitate uniform reimbursement for dental fillings regardless the material by 2025; in FIN, a composite restoration already costs the patient the same as an amalgam restoration; IRL, SK, SI, HU will alter their insurance to favour mercury-free fillings in the coming years, in ES, FIN, NL, dental amalgam use is below 1% and in DE, it has decreased from 3.2% in 2021 to 2.4% in 2022 (https://environmentalmedicine.eu/wp-content/uploads/20230272COD_PositionPaper_DA_EnvMedNetwork-.pdf).