

EEB calls for a robust revised EU Mercury Regulation

EEB recommendations for the European Parliament and Council

Brussels, 15 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 neededⁱ.

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 outcome of the [ENVI committee vote](#)ⁱⁱ calling for 2025 dental amalgam and mercury lamps phase outs, and requesting studies and further work on crematoria, mercury added compounds as well as remaining mercury uses in the EU.

We call on the Members of the European Parliament and Member States to follow the same line in the upcoming discussions and votes as relevant, for the reasons below:

1. 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.
- In fact, the 2012 BIOS study had evaluated that a full phase out would have been possible already by 2018 at the time.
- Several member states have already or are about to ban dental amalgam useⁱⁱⁱ.
- It is known to pose a health risk (dental amalgam contains 50% of mercury!) A delayed phased out date, with the increased rate of cremation and the lack of regulation of mercury emissions from crematoria, would only allow for tonnes of mercury to be directly released, affecting the environment and people's health.

2. The manufacture and export of mercury-added lamps not allowed in the EU should be prohibited by 2025.

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.

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.

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.

ⁱ EEB Position on how to achieve a robust revision of the EU Mercury regulation - <https://eeb.org/library/eeb-position-on-how-to-achieve-a-robust-revision-of-the-eu-mercury-regulation/>

ⁱⁱ ENVI Compromise amendments(CA) 1a, 2, 3,4 ,5 and Amendments 57, 37, https://www.europarl.europa.eu/doceo/document/A-9-2024-0002_EN.html#_section1 and <https://www.europarl.europa.eu/cmsdata/279859/2024-01-11%20votes%20and%20roll-call%20votes%20-%20ENVI.pdf>

ⁱⁱⁱ 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).