

Red River Declarations: Ban Mercury Amalgam on Tribal Lands

Whereas the Minamata Convention on Mercury adopted the Children's Amendment, calling for the worldwide end of dental amalgam for children, pregnant women, and breastfeeding women, and whereas this amendment entered into legal force on 28 September 2023;ⁱ

Whereas the National Congress of American Indians, fully eleven years ago, called for the end of amalgam use on Tribal Lands;ⁱⁱ

Whereas dental amalgam continues in widespread use on Tribal Lands across the Americas: dental amalgam is used much more frequently in American Indians and Alaska Native than in the general population (73% vs 51% in 2011);ⁱⁱⁱ

Whereas this intentional overuse of dental amalgam by the United States government is due to unconscionable policies of the United States Indian Health Service—a system of *carte blanche* allowing the pro-mercury chief dental officers to implement the pro-mercury policies of their pro-mercury dental trade group;^{iv}

Whereas Brasil's Secretaria de Saúde Indígena also has not stopped placing amalgam in indigenous children;

Whereas alternatives to amalgam are effective, affordable, tooth friendly, technically superior—and within the ken of every dentist^v;

Whereas amalgam's mercury contaminates fish, including causing permanent brain damage to children^{vi}, and such poisoning disproportionately affects Indigenous Peoples from traditional fishing communities, impacting their health, culture, and subsistence rights;^{vii}

Whereas the Amazon basin, the most precious environmental treasure of the world, is replete with toxic mercury,^{viii} and whereas dental mercury, being implanted in humans, cannot be disposed of with technology, it is incumbent on the federal government of Brasil to end amalgam use in that region.

Whereas mercury toxicity of the Arctic formed the initial rationale for a worldwide mercury treaty a quarter century ago,^{ix} and whereas both Health Canada and the U.S. Indian Health Service are transporting mercury into the Arctic via flying dentists with amalgam into these regions—flouting the factual and moral underpinning of the Minamata Convention on Mercury;

Whereas the United States Health and Human Services' Food and Drug Administration recommended fully four years ago that dentists stop placing amalgam in children; in women who are pregnant, breastfeeding, or planning pregnancy; and in patients with neurological conditions, kidney disease, or mercury hypersensitivity;^x

But whereas the U.S. Indian Health Service, a unit of the same U.S. Department of Health and Human Services, defies the recommendations of its very agency (!) and continues the moral recklessness of mercury fillings for children and other vulnerable

subpopulations, and whereas two consecutive pro-mercury chief dental officers discourteously refused even to meet with the leading Black American physicians to discuss mercury-free dentistry;

Whereas the system of choice for the rich and mercury for the poor in the Americas has made today's dentistry a potent matter of environmental justice;^{xi}

Whereas The Americas North and South lag far behind most of the globe in ending amalgam^{xii}, with the sole Western Hemisphere ban being in St. Kitts and Nevis, while the European Union bans amalgam as of 1.1.2025;^{xiii} and amalgam bans are ordered across Africa (Gabon, Tanzania), in Asia (Philippines, Japan, Nepal), and in the Pacific (New Caledonia);^{xiv}

Whereas, too, many other nations have adopted partial amalgam bans, such as for children (Vietnam, Mauritius, Tunisia), for the armed forces (Bangladesh, India) and for government programs (Indonesia).^{xv}

Whereas dental hygienists and dental assistants have pleaded with the U.S. Public Health Service to stop being forced to work in these dangerous workplaces of dental clinics replete with mercury vapor.^{xvi}

Whereas amalgam is so controversial for health, environmental, and workplace reasons that both major publicly traded dental products makers in the United States ceased manufacturing and ceased selling dental amalgam;^{xvii}

Thus whereas we face the unprecedeted situation of industry having stopped the manufacture of a toxic product while the leaders of a "health" "profession"—the pro-mercury chief dental officers—insist on using it, even on children.

Thus whereas the U.S. Indian Health Service now buys its mercury fillings from rogue companies who exploit the Minamata Convention's goals.

Therefore:

Declaration #1: The Children's Amendment to the Minamata Convention on Mercury being international law since 2023, the federal government of the United States, the federal government of Brazil, and all governments of the Western Hemisphere must immediately stop implanting mercury amalgam in American Indian children, pregnant women, and breastfeeding women.

Declaration #2: The U.S. Indian Health Service must stop its callous exploitation of American Indians via its daily violation of the 2020 U.S. government recommendations, and hence must cease amalgam use immediately for all named vulnerable subpopulations: 1-all children, 2-all young women, and 3-all patients with neurological conditions or kidney disease or metal hypersensitivity.

Declaration #3: All Western Hemisphere governments should cease amalgam use on Tribal Lands—from the Arctic to the Amazon, from the Andes to the Rockies—on 1 January 2025, the same day it will be banned in 27 more nations.

Signatories

USA

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ⁱ <https://environmentalmedicine.eu/wp-content/uploads/Enforce-Minamata-Childrens-Amendment-9.2.2023.pdf>

ⁱⁱ National Congress of American Indians Resolution #TUL-13-051 (2013),
https://www.ncai.org/attachments/Resolution_GjszIyCiGnoCAyhMNINHEEuGYndhyDstaCmSKSWEaOrUWUCKqt_TUL-13-051%20Final.pdf

ⁱⁱⁱ <https://www.iitc.org/wp-content/uploads/2014/07/Amalgam-Flyer-050514-WEB.pdf>

^{iv} <https://www.ipsnews.net/2023/12/rise-global-south-highlights-minamata-convention-mercury-cop5/>

^v World Health Organisation, *Report of the Informal Global WHO consultation with policymakers in dental public health, 2021. Monitoring country progress in phasing down the use of dental amalgam*. Geneva

^{vi} U.S. EPA, *Health services industry detailed study* (August 2008), <https://www.epa.gov/sites/default/files/2015-06/documents/dental-amalgam-study-2008.pdf>

^{vii} National Congress of American Indians Resolution #TUL-13-051 (2013), *op cit.*

^{viii} <https://amazonaid.org/threats-to-the-amazon/mercury-poisoning/>

^{ix} <https://mercury.amap.no/#:~:text=Mercury%20is%20bioaccumulated%20and%20biomagnified,polar%20bears%20and%20toothed%20whales>

^x US Food and Drug Administration. *Recommendations About the Use of Dental Amalgam in Certain Populations: FDA Safety Communication*. US Food and Drug Administration; September 24, 2020. Available at:

<http://web.archive.org/web/20230115200419/https://www.fda.gov/medical-devices/safety-communications/recommendations-about-use-dental-amalgam-certain-high-risk-populations-fda-safety-communication>

^{xi} Mitchell, Warren, Bellinger, & Browne, *Is Dental Amalgam Toxic to Children of Color?*, *Journal of the National Medical Association* (2018) <https://www.sciencedirect.com/science/article/pii/S002796841830258X>

^{xii} <https://www.gazette.gc.ca/rp-pr/p1/2023/2023-02-04/html/reg1-eng.html>

^{xiii} Council signs off on measures to make the EU mercury-free - Consilium (europa.eu)

^{xiv} <https://environmentalmedicine.eu/mercury-free-dentistry-for-planet-earth/>

^{xv} *Ibid.*

^{xvi} <https://mercuryfreedentistry.net/wp-content/uploads/2024/06/hygienists-to-hhs-sign-on-final.pdf>

^{xvii} <https://mercuryfreedentistry.net/wp-content/uploads/2024/06/envista-letter.pdf>