



JUN 12 2012

Dr. Nestor B. Shapka
President of the Canadian Council
of Oral Medicine and Toxicology
Vice-President of the International Academy
Oral Medicine and Toxicology
5029 50 Avenue
P.O. Box 5245
Bonnyville AB T9N 2G4

Dear Dr. Shapka:

We are responding to the Notice of Objection and request for a Board of Review that you filed during the consultation period following publication of the proposed *Regulations Respecting Products Containing Certain Substances Listed in Schedule 1 to the Canadian Environmental Protection Act, 1999* (CEPA 1999) (the Regulations) in the *Canada Gazette*, Part I, on February 26, 2011.

We have carefully considered the issues identified in your Notice of Objection and request for a Board of Review regarding the exemption for dental amalgam in the proposed Regulations.

As set out in CEPA 1999, the mandate of a Board of Review in this instance is to inquire into the nature and extent of the danger posed by the substance in respect of which the regulation is proposed. We are of the view that your Notice does not bring forth any new scientific data or information with respect to the nature and extent of the danger posed by mercury.

Health Canada has concluded that mercury levels in the body from dental amalgam do not approach those recognized to cause illness, and that it is essential from a public health perspective that all Canadians continue to have access to dental amalgam, a safe, cost-effective and responsible choice of dental restorative material. In addition, the appropriate choice of risk management instruments in relation to a substance is beyond the mandate of a Board of Review. Therefore, we wish to inform you that we will not be establishing a Board of Review.

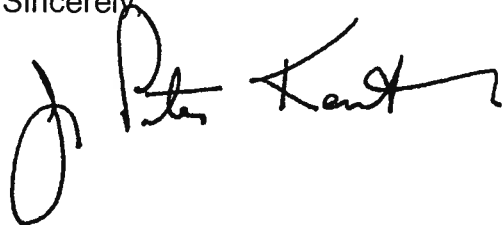
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Management of mercury releases remains an issue of importance for the Government of Canada. Indeed, mercury releases from dental amalgam waste are currently being managed under CEPA 1999 through a Pollution Prevention Planning Notice. In addition, Health Canada has established recommendations on the use of dental amalgam for the dental profession, while remaining respectful of the fact that the practice of dentistry is not regulated at the federal level.

Please be assured that the Government of Canada is committed to consulting with all stakeholders and the public on the development of these regulations, and that any issues brought forth will continue to be considered in an open and transparent manner. To that end, in November 2011 Environment Canada and Health Canada published a Response to Comment document that summarizes the feedback received during the consultation period and describes how these matters will be addressed in the final Regulations, including the decision to maintain the exemption for dental amalgam. The document is available on Environment Canada's Mercury and the Environment website at www.ec.gc.ca/mercure-mercury.

We appreciate your bringing the concerns of the Canadian Council of Oral Medicine and Toxicology and the International Academy Oral Medicine and Toxicology to our attention, and look forward to working with you in the future on environmental or human health matters of mutual interest.

Sincerely,

A handwritten signature in black ink that reads "Peter Kent". The signature is written in a cursive style with a large initial "P" and a long horizontal stroke at the end.

The Honourable Peter Kent, P.C., M.P.

A handwritten signature in black ink that reads "Leona Aglukkaq". The signature is written in a cursive style with a large initial "L" and a long horizontal stroke at the end.

The Honourable Leona Aglukkaq, P.C., M.P.