



State of New Jersey
DEPARTMENT OF HEALTH
CN 360
TRENTON, N.J. 08625-0360

April 8, 1994

TO: See Distribution List

FROM: Rosalind Thigpen-Rodd, M.H.A. *RTR*
Executive Director
Office of Minority Health

SUBJECT: Mercury Use Among Populations of Color

Please be advised that the next meeting of the Mercury Use in the Home Research Team and the New Jersey Department of Health is scheduled for Tuesday, April 19, 1994, at 11:30 a.m., at the New Jersey State Department of Health, First Floor Auditorium, Trenton, New Jersey.

Attached you will find a copy of background materials for your information. Please confirm your attendance with my Assistant Debbie at (609) 292-6962.

RTR:dc
Attachment

Distribution List

Dr. Arnold Wendroff
Dr. Francisco Dillon
Dr. Carlos Quezada
Dr. Judith Klotz
Dr. William Parkin
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Nancy Reyes-Svarcbergs



Centers for Disease Control
Atlanta GA 30333

July 14, 1994

Arnold P. Wendroff, Ph.D.
544 Eighth Street
Brooklyn, New York 11215-4201

Dear Dr. Wendroff:

Thank you for your letter of June 15 to Dr. David Satcher which has been forwarded to me for reply. We, too, are pleased that the United States Environmental Protection Agency (EPA) has begun distributing educational materials describing the potential risks from the sprinkling or burning of metallic mercury in the home. As you know, for the past five years we have been searching for evidence of mercury exposure among persons who have used mercury for ritualistic practices. Please contact us immediately if you should be able to identify such persons.

We have noted your suggestion that the Consumer Products Safety Commission (CPSC) subpoena the sales records of wholesale botanica suppliers and have forwarded your letter to the CPSC.

We appreciate your interest in this issue and look forward to continuing to work with you. Best regards.

Sincerely,

Ruth A. Etzel

Ruth A. Etzel, M.D., Ph.D.
Chief
Air Pollution and Respiratory
Health Branch
Division of Environmental Hazards
and Health Effects
National Center for Environmental
Health



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

Arnold P. Wendroff, Ph.D.
544 Eighth Street
Brooklyn, NY 11215

Dear Dr. Wendroff:

I am responding to your letter of August 9, 1994, addressed to Administrator Carol Browner. We appreciate your interest in the problem of ritual and cultural uses of mercury, and share your concern that such practices may be placing people at risk. Your thoughts and input on this issue have been valuable to us, and have helped shape our decision-making processes. While we understand your concerns, we feel that our community-based educational outreach program is currently the best possible strategy, given the need for cultural sensitivity on this issue, and the reality of resource constraints.

Our decision to pursue an education outreach campaign was predicated on a thorough evaluation of the range of options, and direct consultation with members of the affected community. It was largely at the request and urging of Hispanic community organizations that we decided not to pursue a regulatory approach, but rather to focus our efforts on providing relevant, culturally sensitive information to the target community. As you know, our outreach program includes providing information via community organizations in the form of multi-lingual fact sheets and other materials, and sending out radio broadcasts in Spanish. We have informed mercury producers and recyclers of the hazards involved in downstream uses of mercury, and have encouraged them to implement product stewardship measures to ensure that labeling and other safety information distributed with their products are supplied to downstream users. We have also alerted the Centers for Disease Control and Prevention (CDC) to the health risks posed by these types of mercury exposure, so that clinics and other health care providers will be aware of the potential for mercury exposure among their clientele.



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In your letter, you request that the Environmental Protection Agency (EPA) utilize the subpoena powers under Section 11 of the Toxic Substances Control Act (TSCA) to obtain the sales records of mercury wholesalers as a means of estimating the magnitude of the problem. While we have considered this option, we have decided that our resources are best spent, not in issuing subpoenas to mercury distributors, but rather in ensuring that members of the affected community are receiving timely, relevant, and culturally sensitive information advising them of the risks inherent in these practices. It could take years, not to mention a great commitment of resources, before any useful information is gained from subpoenas issued under Section 11. We feel confident that our decisions concerning this issue are justified and sound.

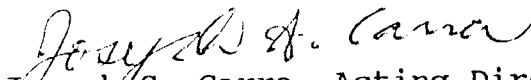
Your letter expresses concern that our educational outreach efforts will not be effective, in large part due to inadequate enforcement of labeling requirements, and the resulting mixed message conveyed to consumers. As you are aware, the Consumer Product Safety Commission (CPSC) has jurisdiction over the labeling of mercury under the Federal Hazard Substances Act (FHSA). The EPA has considered undertaking a rulemaking under Section 6 of TSCA to require additional labeling of mercury. However, such an endeavor would be time- and resource-intensive. Furthermore, since a Section 6 rule would not apply to all forms of mercury, such as that found in thermometers, it would likely fail to solve the problem.

In regards to the efficacy of our outreach efforts, we believe that it is simply too early to tell whether or not our program is having the desired effect. Of course, if we find our efforts to be lacking, we will revisit and revise our policies accordingly.

Addressing the hazards of ritualistic exposure to mercury requires sensitivity to the religious and cultural beliefs of the affected communities, as well as respect for personal privacy and religious freedoms. If the EPA were to take a heavy-handed regulatory approach on this issue, we may end up driving these practices even further underground, and causing damage to the fragile trust between these communities and the government. We strongly believe that educational outreach, through a collaborative effort with community-based organizations, is likely to be the most cost-effective, culturally relevant means of addressing this problem.

If you have additional questions or require further clarification, you may contact Mary F. Dominiak, manager of EPA's mercury outreach project, at (202) 260-7768.

Sincerely,


Joseph S. Carra, Acting Director
Office of Pollution Prevention & Toxics