

DRAFT

Res. No.

Resolution calling upon the Department of Health, the United States Consumer Product Safety Commission, the federal Occupational Safety and Health Administration and/or any other appropriate agency to investigate the unlawful retail sale of elemental mercury to consumers within the City of New York, and to take any and all appropriate actions allowed by law to prevent the same, and calling upon the appropriate committee of the Council of the City of New York to hold a public hearing on the impact of the residential use of elemental mercury on the health and safety of the residents of the City of New York.

By Council Member Fisher

Whereas, Elemental mercury has been recognized as a poison for almost two thousand years, and if ingested or inhaled in high-levels or over a long period of time mercury can cause severe headaches, learning disabilities, emotional disturbances, serious and permanent nerve, brain and kidney damage, and even death; and

Whereas, The Federal Hazardous Substances Labeling Act requires mercury to be labeled with an appropriate warning alerting consumers to the dangers associated with its use, and the U.S. Consumer Product Safety Commission has issued a safety alert on the hazards of mercury vapor; and

Whereas, The Council of the City of New York is aware and has reason to know that mercury is being sold in the City without the federally mandated labels, and many consumers are therefore unaware of the dangers they, and others, are facing when mercury is used in the home; and

Whereas, Mercury is currently being used by many New York City residents for personal, religious and spiritual reasons in ways that pose a serious threat to the health, safety and well-being of those residents; and



THE COUNCIL
OF
THE CITY OF NEW YORK

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Whereas, Young children, whose brains and nervous systems are still developing, are particularly at risk for mercury poisoning (Acrodynia) because they often sleep, crawl, and play on floors where mercury was once sprinkled, and which is also where the highest concentrations of mercury vapor are found; and

Whereas, Fetuses and infants are also particularly at risk for acrodynia from mothers who have been exposed to mercury vapor, which passes easily through both the placenta and blood-brain barriers, and is also secreted in breast milk; and

Whereas, The general public may be unknowingly exposed to mercury vapor by means of second-hand exposure, as when a tenant scatters mercury on the floor and later vacates the apartment only to leave the mercury trapped in cracks in the floor or in the carpet, where it can later evaporate into poisonous mercury vapor; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the Department of Health, the United States Consumer Product Safety Commission, the federal Occupational Safety and Health Administration and/or any other appropriate agency to investigate the unlawful retail sale of elemental mercury to consumers within the City of New York, and to take any and all appropriate actions allowed by law to prevent the same, and calling upon the appropriate committee of the Council of the City of New York to hold a public hearing on the impact of the residential use of elemental mercury on the health and safety of the residents of the City of New York.

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