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Circular 017/24

1st November 2024

Dear Contractor,

Dental Circular – NOHL Memo to dentists re Legislative change in relation to amalgam.

Yours Sincerely,

A handwritten signature in blue ink, appearing to read 'Shaun Flanagan', with a stylized flourish.

Shaun Flanagan
Assistant National Director,
Primary Care Reimbursement Service



NATIONAL ORAL HEALTH OFFICE – Strategic and Operational Planning

Regulation (EU) 2024/1849 (Amalgam phase out)

MEMO

To: HSE Dentists and DTSS Contracted Dentists

For distribution to all staff with a role in dental services

CC: CCO, A/I, AND PCRS

From: Dr. Anne O'Neill National Oral Health Clinical Lead

Date: 31st October 2024

Subject: Minamata Convention-Regulation (EU) 2024/1849 (Amalgam phase out) and survey on amalgam usage and preventative strategies for dental caries

Dear Dr Colleagues,

Further to amendments to the Minamata Regulation 2017/852, I am writing to update you on recent EU legislation which will impact on amalgam usage in clinical practice, specifically in the context of the HSE's approach to implementation of the obligations within the updated legislation.

Context

As you will be aware, following signature of the Minamata Convention on Mercury in 2013, the EU established [Regulation \(EU\) 2017/852](#) on Mercury, setting limits on the use of mercury in a range of products and prohibiting the export of metallic mercury from the EU. This was translated into the Irish Dental Council Code of Practice- Dental Amalgam 2018. In May 2022, HSE included access to posterior dental composites for patients in the Dental Treatment Service Scheme (DTSS). Ireland fully supported an EU proposal published on 14 July, 2023 to phase out the use of dental amalgam by amending Regulation (EU) 2017/852 on Mercury. [Regulation \(EU\) 2024/1849](#) was published on 10 July 2024 which amends Regulation (EU) 2017/852. The key new provisions and dates of note relating to clinical practice contained in the amending legislation for Ireland and the EU are as follows:

1. Dental amalgam will be prohibited for use in dental treatment in the EU from **1 January, 2025**, except when deemed strictly necessary by the dental practitioner based on the specific medical needs of the patient.
2. The **import and manufacturing** of dental amalgam will be prohibited, except for specific medical needs, from **1 July, 2026**.

The legislation and administrative arrangements required to give full effect to the changes introduced under Regulation (EU) 2024/1849 are being progressed by the Department of the Environment, Climate and Communications in conjunction with the Department of Health.

Reporting Under the new Regulation

Ireland also has an obligation to report to the EU on the use of amalgam for those instances where dental practitioners have deemed it is necessary to use for a patient's specific medical needs. The specific data required for reports will be further outlined at a later date.

Next steps

Between now and January 2025, we will be engaging with Dentists providing HSE funded dental care, as well as developing communications for patients so that they may understand the impact of these changes and how they might prevent dental caries. The HSE will undertake an analysis of the use of dental amalgam in relation to the services directly provided and/or funded by the HSE to ensure that all systems are configured to support implementation of the updated Regulation.

As part of this letter we are sending an initial exploratory survey to gain insight on amalgam usage and preventative strategies for dental caries in clinical practice. We are keen to gain your insights and your opinion matters. The survey is anonymous and voluntary, designed to give initial insights from dental practice

Take survey at: <https://surveys.hse.ie/s/FL6BDO/>

Yours sincerely,

Dr Anne M O'Neill BDS NUI, HSE Assistant National Director Oral Health

Email: nationaloralhealth@hse.ie