

FACTUAL SUMMARY REPORT ON THE PUBLIC CONSULTATION FOR THE REVIEW OF THE MERCURY REGULATION

1. Objectives of the Consultation

The purpose of the review is to assess three problem areas of mercury pollution including the continued use of dental amalgam, emissions of mercury from crematoria and the manufacture and trade of mercury-added products. The review contributes to wider political objectives and is accompanied by an impact assessment.

The Public Consultation forms one of several strands of consultation activities for the review, which furthermore includes interviews with selected stakeholders, focus groups and workshops. This consultation aimed at gathering, from the general public and technical experts, information on the need, preferred methods and impacts of a phase-out of mercury.

This document provides a breakdown of the responses to the Public Consultation. A full analysis of the results will be included in the final report of the study in support of the impact assessment.

2. Approach to the Public Consultation

A questionnaire was developed for the purpose of this consultation and consisted of two sections: one section aimed at the general public, and the other aimed at those with technical expertise or professional experience within the three areas of interest. The consultation was open to all interested stakeholders within the EU and internationally, however it was particularly focused on feedback from public authorities, companies and business associations, citizens, and civil society (academia/research institutions, Non-Governmental Organisations (NGOs), environmental organisations, consumer organisations, and trade unions).

The questionnaire was made available in all official EU languages and uploaded to the EU Survey tool. The consultation period started on 8 February 2022 and ended on 3 May 2022, lasting 12 weeks. Participants could respond to the questionnaire on behalf of an organisation/institution or as individuals and were also invited to upload position papers.

3. Responses to the Public Consultation

A total of 146 valid responses were submitted during the consultation period. Responses were grouped into distinct clusters, which were examined for trends against stakeholder type, location, size, organisation and respondent name. For clustered responses to be classified as a campaign, each cluster must be equal to or exceed 5% (7) of the total number (146) of responses.

This method identified one campaign with eight responses. All eight responses were German, seven of which gave their response as an 'EU citizen', and one on behalf of a consumer organisation. This campaign primarily responded to the general public section of the

questionnaire; however, two also indicated a technical expertise with dental amalgam and answered these questions.

3.1. Respondent profiles

As shown in Table 1 below, responses were provided by a variety of stakeholder types, most being from EU citizens (49%, 72/146), and companies/business organisations (19%, 28/146).

Table 1: Respondent stakeholder types

Stakeholder types	Stakeholder types (percentage of total (count))
Academic/research institution	1% (2)
Business association	3% (5)
Company/business organisation	19% (28)
Consumer organisation	1% (2)
Environmental organisation	1% (1)
EU citizen	49% (72)
Non-EU citizen	5% (8)
Non-governmental organisation (NGO)	14% (21)
Other	1% (1)
Public authority	4% (6)
Total	100% (146)

Source: OPC survey 2022

Table 2 displays responses by country of origin. In total, 87% (127/146) of responses were from EU Member States and 13% (19/146) from non-EU countries. Significantly more responses were received from Germany than any other country (34%, 49/146), with Romania being the second highest (19%, 28/146). The six public authority responses were from the Swedish Chemicals Agency; the City of Gothenburg Environmental Administration; the Estonian Ministry of the Environment; an undeclared French authority; an Italian Joint Research Centre member, and the Norwegian Environment Agency.

Table 1: Responses by country of origin

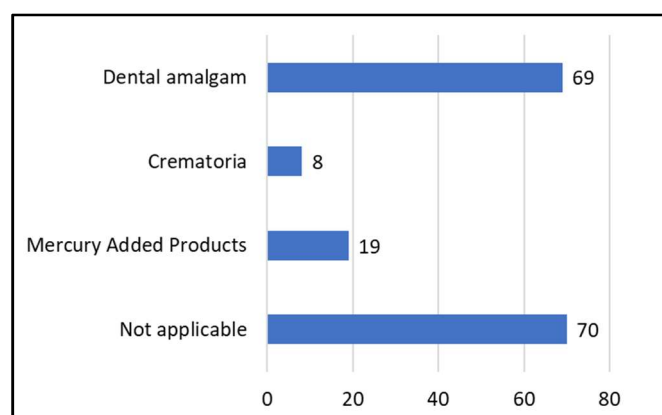
Country	Stakeholder types (percentage of total (count/total))
Austria	1% (2)
Belgium	5% (8)
Bulgaria	1% (1)
Cameroon	1% (1)
Czechia	1% (1)
Denmark	1% (2)
Estonia	1% (1)
France	3% (4)
Germany	34% (49)
Greece	1% (1)
Hungary	1% (1)

Iran	1% (1)
Ireland	1% (2)
Italy	8% (11)
Malaysia	1% (1)
Malta	1% (1)
Netherlands	1% (1)
New Zealand	1% (1)
Norway	1% (2)
Poland	2% (3)
Portugal	2% (3)
Romania	19% (28)
Slovakia	1% (2)
Spain	1% (1)
Sweden	3% (5)
Ukraine	1% (1)
United Kingdom	7% (10)
United States	1% (2)
Total	100% (146)

Source: OPC survey 2022

Figure 1 displays the proportion of responses from technical experts or people with specific experience in the three areas of interest (dental amalgam, crematoria, and mercury-added products (MAPs)). A large proportion of responses (42%, 69/166) were from experts for dental amalgam, whereas the response from experts for crematoria and MAPs was significantly lower. A significant proportion (48%, 70/166) indicated ‘not applicable’ suggesting approximately half of the respondents provided feedback as non-experts/experienced stakeholders. Thirteen respondents ticked more than one area of expertise (explaining why the total in Figure 1 (166) is higher than the total number of respondents (146)).

Figure 1: Number of respondents with technical expertise or experience related to the Public Consultation

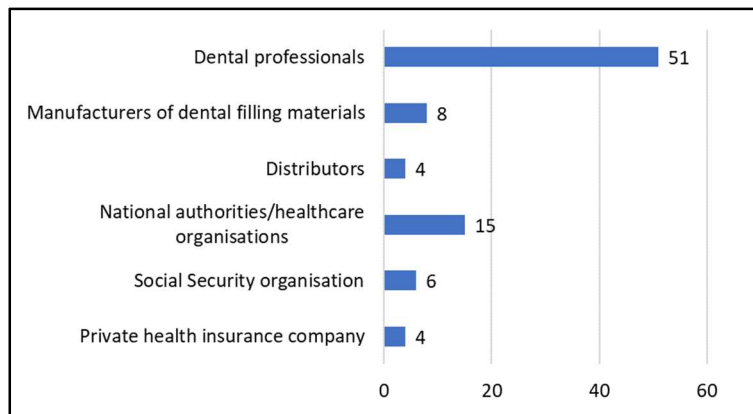


Source: OPC survey 2022

3.2. Responses according to sub-areas of interest

The following figures below illustrate the sub-areas of respondent expertise and specific experience within the three areas of interest. As respondents could tick more than one area of expertise, the total number of experts within a sub-sector may exceed the total number of experts presented in Table 1. For example, Figure 1 shows 69 experts in dental amalgam, however Figure 2 (below) shows 88 respondents across all dental amalgam areas (indicating that 19 respondents selected more than one area of expertise).

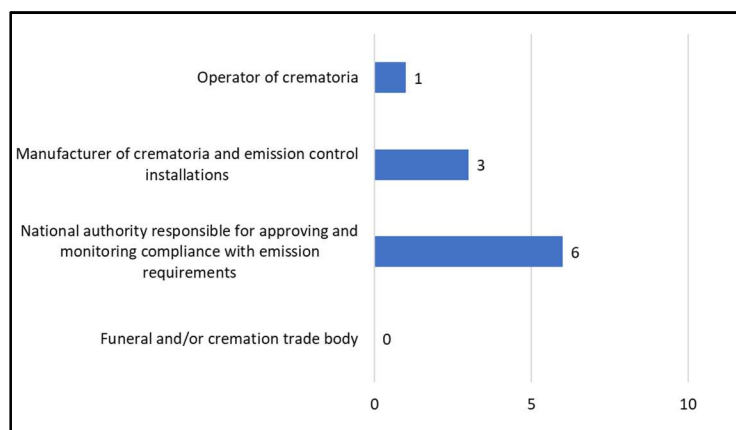
Figure 1: Sub-sectors of operations: Dental amalgam



Source: OPC survey 2022

Figure 3 highlights that 6/8 of crematoria experts are operators of crematoria. Few respondents had expertise as manufacturers of crematoria and emission control system installations, national authorities responsible for approving and monitoring compliance with emission requirements. No responses were received from funeral and/or cremation trade bodies.

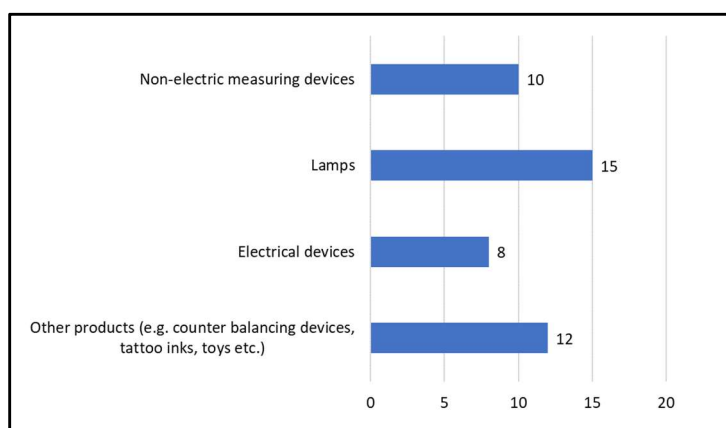
Figure 2: Sub-sectors of operation: Crematoria



Source: OPC survey 2022

Figure 1 shows that 19 respondents possess expertise on MAPs. As Figure 4 shows, this is relatively equally split across all areas of interest.

Figure 3: Sub-sectors of operation: Mercury-added products



Source: OPC survey 2022

4. Responses to the Public Consultation

Regarding dental amalgam, 95% (129/136) of the general public would choose a mercury free material, of which 88% (114/129) stated this was because of the associated lower potential health risk, and 60% (78/129) stated this was to reduce environmental impacts. Another 74% (102/137) stated they would pay more for non-mercury materials to be used, 44% (44/100) suggesting they would pay more than 50% increase in price. Finally, 91% (125/137) believed amalgam should be banned for use in dental fillings (except for a limited number of cases where other materials cannot be applied due to specific health conditions of the patient).

Regarding crematoria, 61% (80/131) were aware that mercury is emitted through crematoria emissions, 77% (101/131) were concerned about these emissions, and 86% (115/113) believed there should be an EU wide policy limit to these emissions. Of experts, 71% (5/7) believed emission limits should apply to all crematoria facilities. In addition, 88% (7/8) of experts believed state-of-the-art emission control technologies should be made obligatory across the EU.

Regarding mercury-added products, 56% (9/16) of experts believed there is no future for EU exports of MAPs, whereas 31% (5/16) believed there might be a future for a narrow range of specialist products. Of experts, 56% (9/16) believe demand for MAPs (already banned in the EU but still being exported) will further decrease in importing countries; only 19% (3/16) believe it will increase. Finally, 47% (7/15) of experts believe an EU export ban would be effective in reducing the sale of MAPs in importing countries, whereas 33% (5/15) believe the exports need to be accompanied by global trade restrictions.

A total of 31 valid papers (submitted by 19 respondents) suitable for analysis: 20 regarding dental amalgam, one regarding the environmental effects of mercury emissions, two regarding MAPs, and eight papers on general issues unspecific to the three areas of interest. Of the 19 respondents, five were from Belgium, seven from Germany, one from Greece, three from Sweden, one from Cameroon, and two from the United Kingdom.