

Re: Docket Number - 01 - 0067

Subj: re:Docket no. 01N-0067 Against FDA Rule
 Date: 9/11/02 9:09:04 PM Pacific Daylight Time
 From: JFSDC
 To: fdadockets@oc.fda.gov
 CC: AMDurrant, brownchas@erols.com, DentalChoice1, injuneat@harborside.com, mframson@mind.net, LGoldblatt@OCOM.edu, grsdc@hotmail.com, hardentown@prodigy.net, BULLELKMANN, O'Shea@thedoctorwithin.com, las@dnc.net, stearno@open.org

Oregon Doctors of Chiropractic

9/11/2002

Our organization is actively pursuing political and legal changes here in the State of Oregon regarding several public health issues. A primary goal of our organization is reducing mercury exposure to the public through both reduced environmental background mercury and direct exposure through dental materials specifically "Silver Fillings", which as we all now know are 50% mercury. In our research of the scientific literature we have found that besides the fact that amalgams vaporize mercury and are the highest source of mercury contamination of the human ecological systems, their unprotected removal to replace them with other dental materials constitutes the single greatest toxic exposure most people will ever experience. In addition, less than optimum methods of disposal of dental wastes result in additional environmental contamination causing an ever increasing level of background mercury. When added to the environmental impact resulting from improper disposal of fluorescent light bulbs, thermometers etc., we are reaching the point in this country where the neurological dysfunction that all chiropractors deal with is increasing at an exponential rate. The public health committee of the Oregon Doctors of Chiropractic has made legislative reform of this terrible toxic load on our citizens a priority. Despite all of the publicity about other sources of mercury, dental mercury amalgam remains, according to recent scientific studies, to be the single greatest source of mercury contamination in our patients. We have been excited to be part of changing this situation, reducing the exposure and improving the health of all Oregonians, and our environment.

We have now learned that your agency plans to reclassify Amalgam with its highly toxic mercury to a category which will in essence conceal the dangers of "Silver Fillings".

After review of the proposed rule, our Committee on Public Health, has determined that implementation of your proposed rule will severely restrict our ability to pass legislation which will effectively protect the **Citizens and Environment of the State of Oregon**. We feel you are interfering with our states right to protect our citizenry and our environment and fear that your efforts may be intentional. We pray that you will reverse the direction you are going with this rule and demonstrate to the public that you are following the congressional mandate under which you operate, that being protection of the public. We respectfully request a public hearing to be held in Portland, Oregon and other similar locations across the nation before you implement this rule change and reclassification of mercury. With the vast amount of scientific data available to support a meaningful debate on the issue, we feel it is time for people to become aware that dental materials are currently being placed without full disclosure and therefore **without informed consent**.

Mercury from dental amalgams is a chronic and insidious exposure to a neurotoxin making millions of Americans ill with **Subclinical Immune and Neurological Dysfunction (SIND)**. SIND is seen in chiropractic offices every day and it is our opinion after exhaustive literature review that toxic exposure to mercury is a primary factor resulting in a less than optimum response to even the best care that the chiropractor renders in an attempt to restore optimum neurological and physiological function. It is also obvious that people suffering from SIND will progress and develop diagnosable Multiple Sclerosis, Alzheimers, and various autoimmune disorders, but only after years of suffering with different syndromes resulting from SIND. The financial impact of this situation caused by chronic toxic exposure to mercury is enormous.

There is sufficient scientific evidence to support the above statement and the public deserves the opportunity for public dialogue on this issue. Your proposal to write a rule which will conveniently side step the risks of dental amalgam mercury fillings is not a responsible action and is a violation of that congressionally mandated duty with which you are charged, i.e. protection of the public.

Please reconsider your position based on all relevant scientific literature rather than out of date studies. Please reconsider and re-classify Mercury amalgams as a Class III dental device requiring the manufacture to

Wednesday, September 11, 2002 America Online: JFSDC

01N-0067

C59

Re: Docket Number
01-0067

prove it's safety.

John Schmidt, D. C. Chairman Public Health Committee ODOC

Ann Durrant, D. C. President Oregon Doctors of Chiropractic

Subj: **Returned mail: Service unavailable**
Date: 9/11/02 9:09:38 PM Pacific Daylight Time
From: MAILER-DAEMON@aol.com
To: JFSDC@aol.com
Sent from the Internet (Details)

Re: Docket Number
01-0067

The original message was received at Thu, 12 Sep 2002 00:09:05 -0400 (EDT)
from root@localhost

— The following addresses had permanent fatal errors —
<fdadockets@oc.fda.gov>

— Transcript of session follows —
... while talking to fdaress13.isa.fda.gov.:
>>> DATA
<<< 554 Invalid data in message
554 <fdadockets@oc.fda.gov>... Service unavailable

Final-Recipient: RFC822; fdadockets@oc.fda.gov
Action: failed
Status: 5.0.0
Remote-MTA: DNS; fdaress13.isa.fda.gov
Diagnostic-Code: SMTP; aol
Last-Attempt-Date: Thu, 12 Sep 2002 00:09:11 -0400 (EDT)

Received: from JFSDC@aol.com
by imo-m08.mx.aol.com (mail_out_v34.10.) id x.1ab.84722d1 (26116);
Thu, 12 Sep 2002 00:09:05 -0400 (EDT)
Return-path: <JFSDC@aol.com>
From: JFSDC@aol.com
Message-ID: <1ab.84722d1.2ab16d60@aol.com>
Date: Thu, 12 Sep 2002 00:09:04 EDT
Subject: re:Docket no. 01N-0067 Against FDA Rule
To: fdadockets@oc.fda.gov
CC: AMDurrant@aol.com, brownchas@erols.com, DentalChoice1@aol.com,
injuneat@harborside.com, mframson@mind.net, LGoldblatt@OCOM.edu,
grsdc@hotmail.com, hardentown@prodigy.net, BULLELKMAN@aol.com,
O'Shea@thedoctorwithin.com, las@dnc.net, stearno@open.org
MIME-Version: 1.0
Content-Type: multipart/alternative; boundary="part1_1ab.84722d1.2ab16d60_boundary"
X-Mailer: AOL 7.0 for Windows US sub 10637

Oregon Doctors of Chiropractic

9/11/2002

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Thursday, September 12, 2002 America Online: JFSDC

Re: Docket # - OIN - 0067

mercury contamination of the human ecological systems, their unprotected removal to replace them with other dental materials constitutes the single greatest toxic exposure most people will ever experience. In addition, less than optimum methods of disposal of dental wastes result in additional environmental contamination causing an ever increasing level of background mercury. When added to the environmental impact resulting from improper disposal of fluorescent light bulbs, thermometers etc., we are reaching the point in this country where the neurological dysfunction that all chiropractors deal with is increasing at an exponential rate. The public health committee of the Oregon Doctors of Chiropractic has made legislative reform of this terrible toxic load on our citizens a priority. Despite all of the publicity about other sources of mercury, dental mercury amalgam remains, according to recent scientific studies, to be the single greatest source of mercury contamination in our patients. We have been excited to be part of changing this situation, reducing the exposure and improving the health of all Oregonians, and our environment.

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John Schmidt, D. C. Chairman Public Health Committee ODOC

Ann Durrant, D. C. President Oregon Doctors of Chiropractic

Subj: **Returned mail: Service unavailable**
Date: 9/15/02 10:53:13 PM Pacific Daylight Time
From: MAILER-DAEMON@aol.com
To: JFSDC@aol.com
Sent from the Internet (Details)

Re: Docket #
01N-0067

The original message was received at Mon, 16 Sep 2002 01:52:40 -0400 (EDT)
from root@localhost

— The following addresses had permanent fatal errors —
<fdadockets@oc.fda.gov>

— Transcript of session follows —
... while talking to fdaress13.isa.fda.gov.:
>>> DATA
<<< 554 Invalid data in message
554 <fdadockets@oc.fda.gov>... Service unavailable

Final-Recipient: RFC822; fdadockets@oc.fda.gov
Action: failed
Status: 5.0.0
Remote-MTA: DNS; fdaress13.isa.fda.gov
Diagnostic-Code: SMTP; 554 Invalid data in message
Last-Attempt-Date: Mon, 16 Sep 2002 01:52:41 -0400 (EDT)

Received: from JFSDC@aol.com
by imo-m05.mx.aol.com (mail_out_v34.10.) id x.161.13ee6210 (4402);
Mon, 16 Sep 2002 01:52:40 -0400 (EDT)
Return-path: <JFSDC@aol.com>
From: JFSDC@aol.com
Message-ID: <161.13ee6210.2ab6cba8@aol.com>
Date: Mon, 16 Sep 2002 01:52:40 EDT
Subject: Fwd: Docket no. 01N-0067 Against FDA Rule
To: fdadockets@oc.fda.gov
CC: BULLELKMAN@aol.com
MIME-Version: 1.0
Content-Type: multipart/mixed; boundary="part1_161.13ee6210.2ab6cba8_boundary"
X-Mailer: AOL 7.0 for Windows US sub 10637

Attached please find our comments.

John Schmidt, DC Oregon Doctors of Chiropractic

Return-path: <JFSDC@aol.com>
From: JFSDC@aol.com
Full-name: JFSDC
Message-ID: <1ab.84722d1.2ab16d60@aol.com>
Date: Thu, 12 Sep 2002 00:09:04 EDT
Subject: re:Docket no. 01N-0067 Against FDA Rule
To: fdadockets@oc.fda.gov
CC: AMDurrant@aol.com, brownchas@erols.com, DentalChoice1@aol.com,
injuneat@harborside.com, mframson@mind.net, LGoldblatt@OCOM.edu,

Sunday, September 15, 2002 America Online: JFSDC

grsdc@hotmail.com, hardentown@prodigy.net, BULLELKMAN@aol.com,
 O'Shea@thedoctorwithin.com, las@dnc.net, stearno@open.org
 MIME-Version: 1.0
 Content-Type: multipart/alternative; boundary="part2_161.13ee6210.2ab16d60_boundary"
 X-Mailer: AOL 7.0 for Windows US sub 10637

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Sunday, September 15, 2002 America Online: JFSDC

John Schmidt, D. C. Chairman Public Health Committee ODOC

Ann Durrant, D. C. President Oregon Doctors of Chiropractic

Re: Docket Number
OIN - 0067

SCHMIDT CHIROPRACTIC

P.O. Box 399 • Silverton • OR • USA



503/873-3641



503/873-6200

1-26 02 09:16:57

F A X T R A N S M I T T A L

DATE: 9-16-02

TOTAL PAGES INCLUDING COVER SHEET. Eight - 8

TO: F.D.A.

FAX #: 1-301-827-6870

FROM: John Schmidt DC - Oregon Doctors of
Chiropractic

COMMENTS:

Re: "Docket Number - OIN - 0067"

- From 9-11-02 until 9-15-02 I made no less than 20 attempts to e-mail to you my comments and those of my Organization president Ann Durrant DC to you.
- I am emailing you no more and instead Faxing to you 2 copies of my Returned Mail (first and last copy) and also the Original Written Testimony.
- I will fax it twice in case your fax is broken also.

John Schmidt DC

