



Notification Number: 1998/289/F

## Order on the marketing ban of medical mercury thermometers for measuring the internal body temperature

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### Message

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TELEX 002



COMMUNICATION FROM THE COMMISSION - SG (98) D/51582/2  
DIRECTIVES 83/189/EEC, 88/182/EEC AND 94/10/EC  
TRANSLATION OF TELEX 001  
NOTIFICATION 98/0289/F

- 3B1 : 9801582.EN

**1. Structured Information Line**

TLX 002 IND- 98 0289 F-- EN ----- 980624 --- ---

**2. Member State**

France

**3. Department Responsible**

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**4. Notification Number**

98/0289/F

**5. Title**

Order on the marketing ban of medical mercury thermometers  
for measuring the internal body temperature

**6. Products Concerned**

Medical mercury thermometers for measuring the internal body  
temperature

**7. Notification Under Another Act**

Directive 93/42/EEC on medical devices



## 8. Main Content

The aim of this regulatory measure is to enable a reduction in mercury waste from health establishments and individuals. Mercury emissions into the environment originate from both natural sources (volcanic activity, de-gassing of the Earth's crust, etc.) and human activities (discharge from industries, local authorities, the incineration of waste, etc.)

Numerous attempts have been made in the industrial field to limit the use and discharge of mercury. The estimated amount of mercury discharged from broken thermometers is over 15 tons per annum in France. There are other techniques for taking temperatures, thus allowing for the substitution of mercury thermometers.

## 9. Brief Statement of Grounds

The toxicity of the organic derivatives of mercury has been known since the Minamata disaster in Japan (1955-1973) where hundreds of people died and several thousand suffered serious neurological disorders following regular consumption of fish highly contaminated with methylmercury from large quantities of industrial discharge.

Mercury is considered as a dangerous substance in Directive 67/6548/EC on the alignment of legislative, regulatory and administrative provisions concerning the classification, packaging and labelling of dangerous substances.

In the context of Europe, there is no obligatory requirement as regards the use of mercury in products, except in the case

of batteries. France is not the only country to establish restrictions on mercury in products, particularly thermometers. Indeed, the same measures have been taken in Norway, Sweden, Denmark and the Netherlands. These measures reducing the mercury risk enable the protection of man and the environment to be strengthened.

## 10. Reference Documents - Basic Texts

- book I of the health code, particularly article R 5152 thereof
- book V a) of the health code, particularly article L 665-5 and R 665-41
- opinion of the French High Council for Health (department of the assessment of risks and the environment on health) on the handling of the mercury risk in medical activities, which appeared in the Official Gazette of 28 March 1996
- circular no. 97/305 of 22 April 1997 on the handling of the mercury risk in medical activities, which appeared in the Official Gazette of 2 July 1997.



**11. Invocation of the Emergency Procedure**

No

**12. Grounds for the Emergency**

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13.-

14.No

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