



NACIONAL



RESOLUTION 274/2010

MINISTRY OF HEALTH

REPUBLIC OF ARGENTINA

Prohibition of the importation, commercialization or free transfer of mercury column sphygmomanometers, apparatus for measuring arterial pressure. Expansion of the limits of current restrictions.

09/02/2010;

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Considering record 2002-14.912-09/8 and Administrative Decision by the Ministry of Health 139/09,

WHEREAS:

The impact on health and the environment posed by the release of mercury to the environment, its transformation from metallic to organic forms and its resulting introduction into the food chain are causes of concern.

Administrative Decision 139/04 orders the development of a plan for mercury exposure minimization and mercury substitution in the Healthcare sector, based on the policies issued by the World Health Organization.

Pursuant to the above mentioned Administrative Decision, a team of professionals from within and from outside the sector has been called upon to create a Technical Working Group, under the National Health Determinants and Research Office, which – comprised of various technical backgrounds – supports the decision to continue with the efforts to phase out the use of devices, pieces of equipment and processes involving the use of mercury.

Along these lines, the Ministry of Health has signed cooperative agreements with non-governmental organizations, created communication links within the sector and generated consensus to enable the various areas in the Healthcare sector to move forward together.

Argentina is the Focal Point of a Project executed by the United Nations Development Program (UNDP) and funded by the Global Environmental Facility (GEF) to demonstrate and promote best techniques and practices aimed at reducing healthcare waste to avoid environmental releases of dioxins and mercury.

MERCOSUR Subgroup VI proposes to minimize the use and production of goods and supplies containing mercury, therefore favoring its substitution within the scope of MERCOSUR.

Administrative Decision 139/09 instructs all hospitals and healthcare facilities in Argentina to substitute mercury column manometers with mercury-free alternatives, also following the

recommendations by the the National Food, Drug and Medical Technology Administration (A.N.M.A.T.)

The Buenos Aires University School of Medicine has concurred with these objectives and has stated the need to phase out the use of mercury from healthcare products, substituting it with more environmentally sound alternatives.

Extending the scope of the current restriction to also include mercury blood pressure measuring devices sold for use by the general population is considered reasonable and feasible.

Executive Order No. 20 dated December 13, 1999 establishes that the Ministry of Health is responsible for implementing appropriate measures to protect public health in the event of the detection of any potential risk factor on human health.

The Health Relations and Research Undersecretariat and the Health Determinants and Health Relations Secretariat have assessed this decision and have agreed to its suitability.

The General Legal Affairs Office has taken the appropriate action as per its jurisdiction.

This measure is issued pursuant to the provisions set for by the Ministries Act – current text 199, amended by Public Law No. 25.233.

Therefore,

THE MINISTRY OF HEALTH

RESOLVES

Article 1.- The production, import, sale or free transfer of mercury column sphygmomanometers for blood pressure measurement to be used by the general population, by medical doctors or by veterinarians is prohibited.

Article 2.- For import and free transfer purposes this Administrative Decision shall become effective on the date of its publication on the Official Bulletin, for production said Administrative Decision shall come into force within ninety (90) and for and sale one hundred and eighty (180) calendar days.

Article 3.- The various jurisdictional levels shall devise a differentiated collection and final disposal system for sphygmomanometers for medical and veterinary use under safety conditions, which having reached their end of life or being available in the consumer market have become hazardous waste pursuant to this Administrative Decision, to be managed as a Y29 waste stream under Public Law No. 24.051 or equivalent provincial law. Provinces are urged to devise provisional storage mechanisms for obsolete material until suitable collection and final disposal mechanisms are operationally and legally ready for use.

Article 4.- It is ordered that this Administrative Decision be recorded, that notice be given, that publication be made, that it be forwarded to the National Official Registry Office, and duly closed.

ADMINISTRATIVE DECISION No. 274

Dr. Juan Luis Manzur
Minster of Health