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Public Health Division
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Health Advisory

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Temporary Exemption from the Mercury-Free Act - Use of influenza vaccine in children younger than 3 years of age

Please distribute to all providers in your practice

California law states that vaccines containing specific levels of mercury cannot be administered to pregnant women and young children, except under certain circumstances [Health and Safety Code Section 124172 subdivision (a)]. The Secretary of the California Health and Human Services Agency has granted a temporary exemption to this restriction for 2015-16 influenza season.

Accordingly, seasonal influenza vaccine, including thimerosal-containing vaccine, may be administered to children younger than 3 years of age for the period of October 9, 2015 – December 31, 2015.

This temporary exemption is being granted because of the danger posed in the next months by widespread influenza activity in California, and because there are limited supplies of thimerosal-free influenza vaccine for young children. Note that the exemption does not extend to pregnant women, who should receive only thimerosal-free vaccine.

The temporary exemption will help protect young children at high-risk for severe influenza complications and is similar to exemptions issued in 2006, 2009 and 2013. In accordance with the intent of the law, during this exemption period physicians should prioritize any remaining supplies of thimerosal-free vaccine to young children when feasible. As with other routine vaccines, providers should continue to provide patients and parents or guardians with the specific Vaccine Information Statement (VIS) that lists risks and benefits before immunization.

The need for an extension of the temporary exemption will be assessed over this period, and the California Department of Public Health (CDPH) will be in regular contact with the vaccine manufacturer to assess product availability and to continue to monitor the vaccine supply.

Information about this temporary exemption can be found at the following website: <https://www.cdph.ca.gov/programs/immunize/Pages/CaliforniaThimerosalLaw.aspx>.

Please contact the California Department of Public Health's Immunization Branch at (510) 620-3737 if you have additional questions after visiting the website. Or contact Berkeley Public Health for additional information at (510) 981-5300.

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