

4276

2009-2010 Regular Sessions

I N S E N A T E

April 20, 2009

Introduced by Sen. STACHOWSKI -- read twice and ordered printed, and
when printed to be committed to the Committee on Consumer Protection

AN ACT to amend the general business law, in relation to the sale of
engine coolant and antifreeze

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEM-
BLY, DO ENACT AS FOLLOWS:

1 Section 1. The general business law is amended by adding a new section
2 399-i to read as follows:
3 S 399-I. ENGINE COOLANT AND ANTIFREEZE. 1. ANY ENGINE COOLANT OR ANTI-
4 FREEZE SOLD IN THIS STATE ON OR AFTER JULY FIRST, TWO THOUSAND ELEVEN,
5 THAT IS MANUFACTURED ON OR AFTER JANUARY FIRST, TWO THOUSAND ELEVEN, AND
6 THAT CONTAINS MORE THAN TEN PERCENT ETHYLENE GLYCOL, SHALL INCLUDE DENA-
7 TONIUM BENZOATE AT A MINIMUM OF THIRTY PARTS PER MILLION AS A BITTERING
8 AGENT WITHIN THE PRODUCT SO AS TO RENDER IT UNPALATABLE. ANOTHER AVER-
9 SIVE AGENT MAY BE USED AS A BITTERING AGENT IF IT MEETS OR EXCEEDS THE
10 DEGREE OF AVERSION IN TEST SUBJECTS OBTAINED BY UTILIZING THE FORMU-
11 LATION OF THIRTY PARTS PER MILLION OF DENATONIUM BENZOATE IN ENGINE
12 COOLANT OR ANTIFREEZE. ANY MANUFACTURER OR PACKAGER OF A PRODUCT SUBJECT
13 TO THIS SECTION SHALL MAINTAIN A RECORD OF THE TRADE NAME, SCIENTIFIC
14 NAME, AND ACTIVE INGREDIENTS OF ANY BITTERING AGENT USED PURSUANT TO
15 THIS SECTION. INFORMATION AND DOCUMENTATION MAINTAINED PURSUANT TO THIS
16 SECTION SHALL BE FURNISHED TO ANY MEMBER OF THE PUBLIC UPON REQUEST.
17 2. THIS SECTION SHALL NOT BE CONSTRUED TO APPLY TO THE SALE OF A MOTOR
18 VEHICLE THAT CONTAINS ENGINE COOLANT OR ANTIFREEZE.
19 3. FOR PURPOSES OF THIS SECTION, THE TERMS "ENGINE COOLANT" AND "ANTI-
20 FREEZE" SHALL MEAN ANY ENGINE COOLANT OR ANTIFREEZE THAT CONTAINS MORE
21 THAN TEN PERCENT ETHYLENE GLYCOL.
22 S 2. This act shall take effect January 1, 2011.

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets
[] is old law to be omitted.

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