

6246

I N   S E N A T E

January 17, 2012

---

Introduced by Sen. ALESI -- 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 ASSEMBLY, DO ENACT AS FOLLOWS:

- 1     Section 1. The general business law is amended by adding a new section  
2     399-j to read as follows:  
3     S 399-J. ENGINE COOLANT AND ANTIFREEZE. 1. ANY ENGINE COOLANT OR ANTI-  
4     FREEZE SOLD IN THIS STATE ON OR AFTER JULY FIRST, TWO THOUSAND THIRTEEN,  
5     THAT IS MANUFACTURED ON OR AFTER JANUARY FIRST, TWO THOUSAND THIRTEEN,  
6     AND THAT CONTAINS MORE THAN TEN PERCENT ETHYLENE GLYCOL, SHALL INCLUDE  
7     DENATONIUM BENZOATE AT A MINIMUM OF THIRTY PARTS PER MILLION AND A  
8     MAXIMUM OF FIFTY PARTS PER MILLION AS A BITTERING AGENT WITHIN THE PROD-  
9     UCT SO AS TO RENDER IT UNPALATABLE. ANOTHER AVERSIVE AGENT MAY BE USED  
10    AS A BITTERING AGENT IF IT MEETS OR EXCEEDS THE DEGREE OF AVERSION IN  
11    TEST SUBJECTS OBTAINED BY UTILIZING THE FORMULATION OF A MINIMUM OF  
12    THIRTY PARTS PER MILLION AND A MAXIMUM OF FIFTY PARTS PER MILLION OF  
13    DENATONIUM BENZOATE IN ENGINE COOLANT OR ANTIFREEZE. ANY MANUFACTURER OR  
14    PACKAGER OF A PRODUCT SUBJECT TO THIS SECTION SHALL MAINTAIN A RECORD OF  
15    THE TRADE NAME, SCIENTIFIC NAME, AND ACTIVE INGREDIENTS OF ANY BITTERING  
16    AGENT USED PURSUANT TO THIS SECTION. INFORMATION AND DOCUMENTATION MAIN-  
17    TAINED PURSUANT TO THIS SECTION SHALL BE FURNISHED TO ANY MEMBER OF THE  
18    PUBLIC UPON REQUEST.  
19    2. THIS SECTION SHALL NOT BE CONSTRUED TO APPLY TO THE SALE OF A MOTOR  
20    VEHICLE THAT CONTAINS ENGINE COOLANT OR ANTIFREEZE.  
21    3. FOR PURPOSES OF THIS SECTION, THE TERMS "ENGINE COOLANT" AND "ANTI-  
22    FREEZE" SHALL MEAN ANY ENGINE COOLANT OR ANTIFREEZE THAT CONTAINS MORE  
23    THAN TEN PERCENT ETHYLENE GLYCOL.  
24    S 2. This act shall take effect January 1, 2013.

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

LBD07698-01-1