

4332

2011-2012 Regular Sessions

I N A S S E M B L Y

February 3, 2011

Introduced by M. of A. MILLMAN, TITONE -- Multi-Sponsored by -- M. of A. BARRON, BOYLAND, BRENNAN, CAHILL, CLARK, DINOWITZ, GALEF, GLICK, GOTTFRIED, MAISEL, MARKEY, MAYERSOHN, McENENY, PERRY, PHEFFER, REILLY, RUSSELL, WEISENBERG, WRIGHT -- read once and referred to the Committee on Economic Development

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.

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

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1 3. FOR PURPOSES OF THIS SECTION, THE TERMS "ENGINE COOLANT" AND "ANTI-
2 FREEZE" SHALL MEAN ANY ENGINE COOLANT OR ANTIFREEZE THAT CONTAINS MORE
3 THAN TEN PERCENT ETHYLENE GLYCOL.
4 S 2. This act shall take effect January 1, 2013.