

# SENATE, No. 979

## STATE OF NEW JERSEY 213th LEGISLATURE

INTRODUCED JANUARY 28, 2008

**Sponsored by:**

**Senator JEFF VAN DREW**

**District 1 (Cape May, Atlantic and Cumberland)**

**Senator FRED H. MADDEN, JR.**

**District 4 (Camden and Gloucester)**

**Co-Sponsored by:**

**Senators Connors, Bateman, Ciesla and Bucco**

**SYNOPSIS**

Requires bittering agent to be added to certain engine coolants and antifreeze to render it unpalatable.

**CURRENT VERSION OF TEXT**

As introduced.



**(Sponsorship Updated As Of: 10/3/2008)**

1 AN ACT concerning antifreeze and engine coolant, and  
2 supplementing Title 13 of the Revised Statutes.

3

4 **BE IT ENACTED** *by the Senate and General Assembly of the State*  
5 *of New Jersey:*

6

7 1. As used in this act:

8 "Antifreeze" means any substance intended for use as the cooling  
9 medium, or to be added to the cooling liquid, in the cooling system  
10 of internal combustion engines to prevent freezing of the cooling  
11 liquid or to lower its freezing point.

12

13 2. a. Any engine coolant or antifreeze sold in the State on or  
14 after January 1, 2009, that is manufactured on or after July 1, 2008,  
15 and that contains more than ten percent ethylene glycol, shall  
16 include denatonium benzoate at a minimum of thirty parts per  
17 million and a maximum of fifty parts per million as an aversive or  
18 bittering agent within the product so as to render it unpalatable.  
19 Another aversive agent may be used as a bittering agent if it meets  
20 or exceeds the degree of aversion in test subjects obtained by  
21 utilizing the formulation of thirty parts per million of denatonium  
22 benzoate in engine coolant or antifreeze.

23

24 b. Any manufacturer or packager of antifreeze subject to this  
25 section shall maintain a record of the trade name, scientific name,  
26 and active ingredients of any bittering agent used pursuant to this  
27 section. Information and documentation maintained pursuant to this  
28 section shall be made available to a member of the public upon  
29 request.

30

31 3. A manufacturer, packager, seller, distributor or recycler of  
32 antifreeze that is required pursuant to this act to include a bittering  
33 agent shall not be liable to any person for any bodily injury, death  
34 or damage to property that results from the inclusion of the bittering  
35 agent in the antifreeze in the concentration required by this act  
36 unless the personal injury, death or damage to the property results  
37 from willful conduct of the manufacturer, packager, seller,  
38 distributor or recycler of the antifreeze.

39

40 4. The provisions of this act shall not apply to any of the  
41 following:

42 a. the sale of a motor vehicle that contains antifreeze; or

43 b. a whole container of engine coolant or antifreeze containing  
44 fifty-five gallons or more of engine coolant or antifreeze.

45

45 5. This act shall take effect immediately.

STATEMENT

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3       This bill would provide that any antifreeze or engine coolant sold  
4 in New Jersey on or after January 1, 2009, that is manufactured on  
5 or after July 1, 2008, and that contains more than ten percent  
6 ethylene glycol, shall include denatonium benzoate at a minimum of  
7 thirty parts per million and a maximum of fifty parts per million as  
8 a bittering agent within the product so as to render it unpalatable.  
9 The provisions of this bill would not apply to the sale of a motor  
10 vehicle that contains antifreeze, or a whole container of engine  
11 coolant or antifreeze containing fifty-five gallons or more of engine  
12 coolant or antifreeze.

13       As used in this bill, "antifreeze" means all substances and  
14 preparations intended for use as the cooling medium, or to be added  
15 to the cooling liquid, in the cooling system of internal combustion  
16 engines to prevent freezing of the cooling liquid or to lower its  
17 freezing point. Antifreeze contains ethylene glycol, a deadly toxin.