

**SENATE, No. 894**

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**STATE OF NEW JERSEY**  
**219th LEGISLATURE**

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INTRODUCED JANUARY 27, 2020

**Sponsored by:**  
**Senator NELLIE POU**  
**District 35 (Bergen and Passaic)**

**SYNOPSIS**

Prohibits sale of paint or coating removal products that contain methylene chloride unless purchaser meets certain safety standards for use.

**CURRENT VERSION OF TEXT**

As introduced.



1 AN ACT concerning paint and coating removal products that contain  
2 methylene chloride and supplementing Title 24 of the Revised  
3 Statutes.

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

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8 1. a. A person shall not sell or offer for sale in the State any  
9 paint or coating removal product that contains methylene chloride  
10 (dichloromethane) except as provided in subsection b. of this  
11 section.

12 b. A person may sell a paint or coating removal product that  
13 contains methylene chloride (dichloromethane) to a person who can  
14 demonstrate to the seller that the product will be used only by  
15 persons with safety equipment, training on the use of that  
16 equipment, and proper handling instructions for methylene chloride  
17 consistent with the requirements of 29 C.F.R. s.1910.1051.

18 c. A person who violates this section shall be liable to a civil  
19 penalty of up to \$1,000 for each violation, to be collected in a  
20 summary proceeding pursuant to the "Penalty Enforcement Law of  
21 1999," P.L.1999, c.274 (C.2A:58-10 et seq.). If the violation is of a  
22 continuing nature, each day during which it continues shall  
23 constitute a separate and distinct offense. The municipal court and  
24 the Superior Court shall have jurisdiction to enforce the "Penalty  
25 Enforcement Law of 1999." The Department of Health or any local  
26 health agency may institute a civil action for injunctive relief to  
27 enforce this act and to prevent a violation of its provisions, and the  
28 court may proceed in the action in a summary manner. Nothing in  
29 this act shall be construed to impose liability on any news outlet  
30 that accepts or publishes advertising for any product that would  
31 otherwise be subject to the provisions of this section.

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33 2. This act shall take effect one year after the date of  
34 enactment.

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#### STATEMENT

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39 This bill would prohibit the sale, or offer for sale, of paint or  
40 coating removal products that contain methylene chloride (also  
41 called dichloromethane), except under certain circumstances. The  
42 bill allows a person to sell a paint or coating removal product that  
43 contains methylene chloride to a person who can demonstrate to the  
44 seller that the product will be used only by persons with safety  
45 equipment, training on the use of that equipment, and proper  
46 handling instructions for methylene chloride consistent with the  
47 standards in federal regulations. Any person who violates the bill's  
48 provisions would be liable to a civil penalty of up to \$1,000 for

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- 1 each violation. If the violation is of a continuing nature, each day
- 2 during which it continues would constitute a separate offense.