

SENATE BILL REPORT

ESHB 2996

As Reported By Senate Committee On:
Labor, Commerce, Research & Development, February 28, 2008

Title: An act relating to placing aversive agents in antifreeze.

Brief Description: Requiring aversive agents in antifreeze products.

Sponsors: House Committee on Commerce & Labor (originally sponsored by Representatives Loomis, Dunshee, Simpson and Morrell).

Brief History: Passed House: 2/15/08, 93-1.

Committee Activity: Labor, Commerce, Research & Development: 2/28/08 [DP].

SENATE COMMITTEE ON LABOR, COMMERCE, RESEARCH & DEVELOPMENT

Majority Report: Do pass.

Signed by Senators Kohl-Welles, Chair; Keiser, Vice Chair; Holmquist, Ranking Minority Member; Franklin, King, Murray and Prentice.

Staff: Ingrid Mungia (786-7423)

Background: The Washington State Department of Agriculture Weights and Measures Program promotes marketplace equity in commercial transactions through testing and inspecting of commercial devices, price verification, package inspection, public education, monitoring fuel quality, and investigating complaints.

Summary of Bill: Any engine coolant or antifreeze manufactured or distributed in the state after January 1, 2010, that contains more than 10 percent ethylene glycol must contain denatonium benzoate at a minimum of 30 parts per million and a maximum of 50 parts per million as an aversive agent so as to render the product unpalatable.

These requirements apply to manufacturers, packagers, distributors, recyclers, or sellers of engine coolant or antifreeze, but not to those who install engine coolant or antifreeze for compensation. This does not apply to the sale of a motor vehicle that contains engine coolant or antifreeze, or to wholesale containers of 55 gallons or more of engine coolant or antifreeze. Manufacturers must maintain a record of the trade name, scientific name, and active ingredients of any aversive agent used, and make this information available to the public upon request.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

A person subject to these requirements is not liable for any personal injury, death, property damage, damage to the environment or a natural resource, or economic loss that results from the inclusion of denatonium benzoate in engine coolant or antifreeze.

Appropriation: None.

Fiscal Note: Available.

Committee/Commission/Task Force Created: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony on Engrossed Substitute Bill: PRO: More than 10,000 animals are killed each year from ingesting antifreeze. There are also cases of children being poisoned and antifreeze being used for murder. Requiring adding a bittering agent will render antifreeze unpalatable. The substitute bill clarifies recyclers are included in the requirement.

Persons Testifying: PRO: Representative Loomis, prime sponsor; Jerry Smedes, Emerald Services Inc.