

108TH CONGRESS
1ST SESSION

H. R. 1563

To require engine coolant and antifreeze to contain a bittering agent so as to render it unpalatable.

IN THE HOUSE OF REPRESENTATIVES

APRIL 2, 2003

Mr. ACKERMAN (for himself, Mr. ROHRABACHER, Ms. LEE, Mr. KILDEE, Ms. LOFGREN, Mr. SCHIFF, Mr. McNULTY, Mr. LEWIS of California, Mr. WU, Mr. ISRAEL, Ms. BERKLEY, and Mr. BARTLETT of Maryland) introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To require engine coolant and antifreeze to contain a bittering agent so as to render it unpalatable.

1 *Be it enacted by the Senate and House of Representa-
2 tives of the United States of America in Congress assembled,*

3 **SECTION 1. ADDITION OF BITTERING AGENT REQUIRED.**

4 (a) IN GENERAL.—Any engine coolant or antifreeze
5 sold after January 1, 2004, that is manufactured after
6 July 1, 2003, and that contains more than 10 percent
7 ethylene glycol, shall include denatonium benzoate at a
8 minimum of 30 parts per million as a bittering agent with-
9 in the product so as to render it unpalatable. An aversive

1 agent other than denatonium benzoate may be used if it
2 meets or exceeds the degree of aversion in test subjects
3 obtained by utilizing the formulation of 30 parts per mil-
4 lion of denatonium benzoate in antifreeze.

5 (b) RECORD KEEPING.—A manufacturer or packager
6 of a product subject to this section shall maintain a record
7 of the trade name, scientific name, and active ingredients
8 of any bittering agent used pursuant to this section. Such
9 information shall be available to the public upon request.

10 (c) LIABILITY.—

11 (1) LIMITATION.—A manufacturer, distributor,
12 recycler, or seller of an automotive product that is
13 required to contain an aversive agent under this sec-
14 tion is not liable to any person for any personal in-
15 jury, death, or property damage that results from
16 the inclusion of denatonium benzoate in ethylene
17 glycol antifreeze, provided that the inclusion of
18 denatonium benzoate is in concentrations mandated
19 by subsection (a).

20 (2) EXCEPTION FOR WILLFUL MISCONDUCT.—
21 The limitation on liability provided by this sub-
22 section shall not apply if the personal injury, death,
23 or property damage results from willful or wanton
24 misconduct by the manufacturer, distributor, recy-
25 cler, or seller of the ethylene glycol antifreeze.

1 (d) EXEMPTION.—The requirements of this section
2 shall not be construed to apply to—
3 (1) the sale of a motor vehicle that contains en-
4 gine coolant or antifreeze; or
5 (2) wholesale containers of engine coolant or
6 antifreeze containing 55 gallons or more of engine
7 coolant or antifreeze.

○