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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-SEVENTH SESSION

H. F. No. **2599**

02/29/2012 Authored by Kriesel

The bill was read for the first time and referred to the Committee on Commerce and Regulatory Reform

1.1 A bill for an act
1.2 relating to commerce; requiring use of an aversive agent in antifreeze; proposing
1.3 coding for new law in Minnesota Statutes, chapter 325F.

1.4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.5 Section 1. [325F.174] AVERSIVE AGENT IN ANTIFREEZE.

1.6 Subdivision 1. **Prohibition.** (a) No engine coolant or antifreeze that contains
1.7 more than ten percent ethylene glycol may be manufactured, distributed, or sold in this
1.8 state unless it contains denatonium benzoate at a minimum of 30 parts per million and
1.9 a maximum of 50 parts per million as an aversive agent so as to render the product
1.10 unpalatable.

1.11 (b) The requirements of this section apply to manufacturers, packagers, distributors,
1.12 recyclers, or sellers of engine coolant or antifreeze, but not to those who install engine
1.13 coolant or antifreeze for compensation or to the sale of a motor vehicle that contains
1.14 engine coolant or antifreeze.

1.15 (c) A manufacturer of a product subject to this section shall maintain a record of the
1.16 trade name, scientific name, and active ingredients of any aversive agent used under this
1.17 section. The manufacturer shall make this information available to the public upon request.

1.18 Subd. 2. **Limitation of liability.** (a) A manufacturer, packager, distributor, recycler,
1.19 or seller of an engine coolant or antifreeze that is required to contain an aversive agent
1.20 under subdivision 1 shall not be liable for any personal injury, death, property damage,
1.21 damage to the environment or a natural resource, or economic loss that results from the
1.22 inclusion of denatonium benzoate in engine coolant or antifreeze.

2.1 (b) The limitation of liability provided in this subdivision does not apply to a
2.2 particular liability that is not caused or is unrelated to the inclusion of denatonium
2.3 benzoate in engine coolant or antifreeze.

2.4 **EFFECTIVE DATE.** This section is effective January 1, 2013.