

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

An Act To Protect Household Pets and Other Animals from Poisoning

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 38 MRSA §1611 is enacted to read:

§ 1611. Sale of engine coolants and antifreeze

1. Aversive agent required. After October 1, 2007, a person may not sell or offer to sell in this State any engine coolant or antifreeze that contains more than 10% ethylene glycol or propylene glycol unless it includes denatonium benzoate at a minimum of 30 parts per million as a bittering agent within the product so as to render it unpalatable.

2. Substitute aversive agent authorized. Notwithstanding subsection 1, an aversive agent other than denatonium benzoate may be used in engine coolant or antifreeze if it meets or exceeds the degree of aversion in test subjects obtained by using the formulation of 30 parts per million of denatonium benzoate in antifreeze.

3. Records of manufacturer and packager. Any manufacturer or packager of engine coolant or antifreeze subject to this section shall maintain a record of the trade name, scientific name and active ingredients of the bittering agent used pursuant to this section. Information and documentation maintained pursuant to this subsection must be furnished to any member of the public upon request.

4. Limitation of liability. A manufacturer, distributor, recycler or seller of any engine coolant or antifreeze that contains more than 10% ethylene glycol or propylene glycol and is required to contain an aversive agent under this section is not liable to any person for any personal injury, death or property damage that results from the inclusion of denatonium benzoate if the denatonium benzoate is included in ethylene glycol or propylene glycol engine coolant or antifreeze in concentrations mandated by this section.

5. Misconduct negates limitation of liability. The limitation of liability under subsection 4 does not apply if the personal injury, death or property damage described under subsection 4 results from willful or wanton misconduct by the manufacturer, distributor, recycler or seller of the ethylene glycol or propylene glycol engine coolant or antifreeze.

6. Exceptions. This section does not apply to:

- A. The sale of a motor vehicle that contains engine coolant or antifreeze; or
- B. Wholesale containers of 55 gallons or more of antifreeze or engine coolant.

SUMMARY

HP0579, LD 758, item 1, 123rd Maine State Legislature
An Act To Protect Household Pets and Other Animals from Poisoning

To reduce the risk of poisoning of household pets and other animals, this bill requires that engine coolant or antifreeze that contains more than 10% ethylene glycol or propylene glycol must include an aversive agent that makes it taste bitter so that it is rendered unpalatable.