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Testimony of Samantha A. Fearn on SB 304
Manager, State Government Relations, Honeywell
April 2, 2003 – Senate Natural Resources Committee

Mr. Chairman, members of the Committee, for the record my name is Samantha Fearn, Manager of State Government Relations for Honeywell International. Thank you for the opportunity to appear before the committee and express our opposition to SB 304 on behalf of our Consumer Products Group which manufactures Prestone antifreeze and other car care products.

SB 304 would require manufacturers to include denatonium benzoate (DB) (or an equivalent bittering agent) in antifreeze and engine coolant products containing 10 percent or more ethylene glycol. Although some will contend there is a crisis involving ethylene glycol-based antifreeze, the facts clearly indicate otherwise.

Lack of A Specific Problem-

In its 2001 annual report, the American Association of Poison Control Centers (AAPCC) reported that accidental exposure to ethylene glycol antifreeze was statistically insignificant (less than 1/4 of 1 percent) of the total number of exposures to *all* substances. The AAPCC also reported there has not been a death of a child under the age of six related to ingestion of ethylene glycol-based automotive antifreeze since it began collecting data in 1983.

In fact, the AAPCC's national exposure data show that ethylene glycol exposures are on the decline. From 1999 to 2001, ethylene glycol-based antifreeze exposures declined by 10.0%. There is no substitute for responsible consumer handling of any automotive product. Education is the key. As with any product containing potentially harmful ingredients, the most effective way to protect children and animals from accidental exposure is to educate consumers to properly store, use and dispose of antifreeze.

There is no Substitute for Responsible Handling -

Aversive agents do not reduce exposures – the exposure must occur before the bitterant can be engaged, therefore, the key to keeping children and animals safe is to reduce exposures.

Since 1996, Honeywell and the antifreeze industry have actively sponsored the AAPCC's public service announcement campaign (in both English and Spanish) to educate the public on the proper use and storage of antifreeze. In addition to using child-resistant closures, Honeywell voluntarily uses foil safety seals on all antifreeze containers sold in retail outlets has pioneered the redesign of our product packaging to decrease accidental spills.

Uncertain Environmental Fate of the Chemical

While there is conflicting data on the efficacy of aversive agents like denatonium benzoate, even less is known about its environmental fate. Even at low levels, denatonium benzoate (or "Bitrex") may pose a risk to the environment in general and to groundwater in particular. **The manufacturer's own material safety data sheet (MSDS) for this chemical compound clearly states, "At concentrations above 5 mg/l Bitrex is harmful to the environment."** The MSDS further states that the "[p]roduct may be harmful to fish and other aquatic life.

Independent third party environmental fate studies have determined that there are real and uncertain risks directly related to the use of denatonium benzoate. Specifically, these studies concluded that denatonium benzoate does not fully biodegrade and has potential long-term health and safety concerns, which could cause problems as it accumulates in the environment.

Consumer Products Safety Commission validates uncertainties and does not recommend use-

As a result of the overwhelming number of uncertainties about the effect of denatonium benzoate, the U.S. Consumer Product Safety Commission (CPSC) decided *not* to require the inclusion of denatonium benzoate in products. In its report to Congress, the CPSC stated, **"The limited data suggest that denatonium benzoate does not totally biodegrade. The environmental impact of this is unknown." The report concludes, "The CPSC recommends that the use of aversives should not be considered for regulation until the effectiveness of these substances to limit ingestions is demonstrated."**

In response to legislation and litigation in Oregon, antifreeze manufacturers asked third-party environmental engineering firms to conduct extensive scientific studies of how denatonium benzoate in antifreeze behaves during engine use. Compounds produced as part of the thermal decomposition of denatonium benzoate were either unidentifiable or potential human health hazards. Thus, the disposal of expended antifreeze containing these byproducts of DB might pose serious risks to water resources, livestock, and even humans. Finally, there are legitimate concerns about what effect the addition of this chemical compound may have on the performance of antifreeze and engine coolant products.

While Honeywell supports the goal of protecting human and animal health, this bill would not offer any substantial increase in protection and could result in unintended negative impact. No one, including the bitterant manufacturers, knows what impact the inclusion of denatonium benzoate might have on people, animals or the environment. Given the magnitude of uncertainties and potential environmental risks related to the inclusion of denatonium benzoate in antifreeze and engine coolants, the legislature should **not** mandate the inclusion of this chemical compound.

On behalf of Honeywell CPG, thank you for your consideration and I respectfully request that you do not give SB 304 a do pass recommendation. Thank you Mr. Chairman.

(I have a 250+pp. briefing binder where I have tabbed and flagged all of the pertinent studies and scientific data for reference.)