



Pre-Rulemaking Workshop

WELCOME!



Fuels, Lubricants, and Automotive Products Method of Sale, Advertising and Labeling Pre-Rulemaking Workshop

May 12, 2016

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Workshop Scope

- ▶ **IS:** A workshop about quality specifications, advertising, labeling, and method of sale requirements for fuels, lubricants, and automotive products.
- ▶ **IS NOT:** A workshop about quality specifications for natural gas as a motor vehicle fuel.
- ▶ **IS NOT:** A workshop about EVSE specifications, tolerances, or other technical requirements as published in National Institute of Standards and Technology (NIST) Handbook 44.



Agenda

- ▶ Need for Rulemaking
- ▶ Overview of DMS Fuels and Lubricants Programs
- ▶ Proposed Regulatory Changes
- ▶ Timeline
- ▶ Public Questions and Comments



Necessity for Rulemaking

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Need for Rulemaking: AB 808

Assembly Bill 808

(Ridley-Thomas, Ch. 591, Stats of 2015)

Division 5, Business and Professions Code

Chapter 14: Fuels and Lubricants

Chapter 15: Automotive Products

Definitions, quality specifications, standards, advertising, labeling and method of sale requirements for fuels, lubricants and automotive products in California.



Need for Rulemaking: Uniformity

Adopt method of sale requirements in the National Institute of Standards and Technology (NIST) Handbook 130, *Uniform Laws and Regulations in the Areas of Legal Metrology and Engine Fuel Quality*



Need for Rulemaking: Uniformity

Other NIST Handbooks adopted:

NIST Handbook 44: commercial fuel dispenser requirements

NIST Handbook 133: package net contents requirements

NIST Handbook 130 : uniform packaging and labeling regulation



Need for Rulemaking: Clean-Up

California Code of Regulations Title 4, Division 9

Chapter 6: Automotive Products Specifications

Chapter 7: Advertising of Gasoline and Other Motor Vehicle Fuels



Laboratory Branch Overview

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Laboratory Branch

- ▶ Regulatory and marketplace oversight functions through detailed sampling, testing, and analysis of fuels, lubricants, and automotive products.
- ▶ Reviews packaged products for conformance to labeling requirements.
- ▶ The State Metrology Laboratory keeps and maintains standards of weight, volume, time, temperature, and length that are used to ensure accuracy for weights and measures in the state of California.



Laboratory Branch

- ▶ Conducts laboratory research and analysis necessary to evaluate, modify, and validate test methods for determination of product quality and conformance to specifications.
- ▶ Utilizes standardized test procedures.
- ▶ Samples products to assure quality standards for motor vehicle fuels, lubricants, and automotive products while ensuring conformance to labeling requirements.
- ▶ Adopts specifications developed by ASTM International, SAE International, ISO, or vehicle manufacturers.
- ▶ Operates two testing laboratories in Sacramento and Anaheim.



Laboratory Branch

▶ Fuels

- ▶ Gasoline
- ▶ Diesel
- ▶ Ethanol Flex Fuels
- ▶ Methanol Flex Fuels
- ▶ Compressed Natural Gas
- ▶ Liquefied Petroleum Gas
- ▶ Hydrogen
- ▶ Dimethyl

▶ Automotive Products

- ▶ Motor Oil
- ▶ Gear Oil
- ▶ Brake Fluid
- ▶ Transmission Fluid
- ▶ Engine Coolant
- ▶ Diesel Exhaust Fluid

▶ Other Products

- ▶ Kerosene
- ▶ Fuels Oil



Enforcement Branch Overview

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Fuels, Lubricants, and Automotive Products Essential Functions

- ▶ Field Enforcement of minimum quality specifications for engine fuels, lubricants and automotive products– valued at over \$35 billion annually in California's economy
- ▶ Laboratory testing of those products for compliance with the minimum specifications established by state law.
- ▶ Enforcement of method of sale, advertising and labeling requirements to prevent deceptive, false and/or misleading statements. Approximately 10,000 retail stations statewide – 7,200 visits annually by state investigators and county inspectors
- ▶ Training of county weights and measures officials - 275 full time positions statewide



Fuels, Lubricants, and Automotive Products - Field Activities

- ▶ Sampling of Fuels, Lubricants, and Automotive Products
- ▶ Enforcement of quality specifications – removal from sale of substandard products
- ▶ Undercover purchases of products to test for quantity and/or quality
- ▶ Enforcement of price advertising for deceptive, false, and/or misleading information requirements
- ▶ Enforcement of labeling and method of sale requirements for quality, deceptive, false, and/or misleading information
- ▶ Response to consumer complaints regarding quality, quantity, advertising and labeling



Proposed Changes to California Code of Regulations (CCR)

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Changes Under Consideration: CCR, Title 4, Division 9, Chapters 6 and 7

Two chapters in the California Code of Regulations address fuels, lubricants, and automotive products:

- ▶ **Chapter 6. Motor Vehicle Fuels, Lubricants and Automotive Products Specifications**
- ▶ **Chapter 7. Advertising of Gasoline and Other Motor Vehicle Fuels.**



Changes Under Consideration: CCR, Title 4, Division 9, Chapter 6

- ▶ **Existing text for Chapter 6. Automotive Products Specifications** is repealed and replaced with:
- ▶ **Chapter 6. Motor Vehicle Fuels, Lubricants and Automotive Products Specifications**
- ▶ **Chapter 6 Articles and Sections** are renumbered, relabeled, and replaced with updated language to support proposed regulatory changes.
- ▶ **Changes to specific product categories** are presented here on a product by product basis.



Changes Under Consideration: CCR, Title 4, Division 9, Chapter 6

- ▶ **§ 4100. Standard Specifications for Engine Fuels.**
- ▶ **Key Changes: Exceptions to ASTM D4814 now reads:**
- ▶ (a) Gasoline and Gasoline Oxygenate Blends specifications shall meet the latest ASTM International Standard Specification set forth in ASTM D4814 with the following exceptions:
 - ▶ *(1) The Reid Vapor Pressure shall not exceed 93 kPa at 37.8 °C for vapor pressure class D; 103 kPa at 37.8 °C for vapor pressure class E; and shall not be more than the maximum specified by any California state law.*
 - ▶ *(2) When the maximum Reid Vapor Pressure specification for automotive spark-ignition engine fuel is specified by 13 CCR § 2262.4, the Vapor Pressure/Distillation Class AA specification for distillation temperatures may be applied in the manufacture of automotive spark-ignition engine fuel*



Changes Under Consideration: CCR, Title 4, Division 9, Chapter 6

▶ § 4100. Standard Specifications for Engine Fuels.

▶ Key Changes:

- ▶ (b) Diesel fuel oil shall meet the latest ASTM International Standard Specification set forth in ASTM D975. Diesel Fuel oil may contain up to 5 volume percent biodiesel.
- ▶ (c) Renewable diesel fuel shall meet the latest specifications of ASTM International Standard Specification set forth in ASTM D975
- ▶ (d) Biodiesel blends with a concentration from 6 to 20 volume percent biodiesel shall meet the latest ASTM International Standard Specification set forth in ASTM D7467.



Changes Under Consideration: CCR, Title 4, Division 9, Chapter 6

▶ § 4110. Motor Oils.

▶ Key Changes:

- ▶ **§ 4110. Motor Oils.** Engine oils viscosity classifications shall meet the latest version set forth in SAE International Surface Vehicle Standard SAE J300.
- ▶ **§ 4110.1 Motor Oils Performance Requirements.** Passenger vehicle, light duty truck and over the road heavy duty vehicle engine oils shall meet at least one of the following:
 - ▶ An active SAE J183 service classification;
 - ▶ a minimum of one current sequence of the European Automobile Manufacturers Association (ACEA) “European Oil Specification”;
 - ▶ an OEM specification.



Changes Under Consideration: CCR, Title 4, Division 9, Chapter 6

▶ § 4110. Motor Oils.

▶ Key Changes (cont.):

- ▶ **§ 4110.2 Motor Oils Performance Claims.** When requested by the Department or one of its authorized agents, any manufacturer, packer, seller, or distributor shall provide:
 - ▶ (1) the results of ASTM D4951 or D5185 for metals concentrations, and
 - ▶ (2) and documentation that the engine oil meets at least one of the following requirements:
 - ▶ is licensed by API;
 - ▶ is licensed by ACEA;
 - ▶ is licensed by an OEM; or
 - ▶ meets the requirements of a current SAE J183 service class.



Changes Under Consideration: CCR, Title 4, Division 9, Chapter 6

- ▶ **§ 4112. Gear and Manual Transmission Lubricants.**
 - ▶ **Key Changes: New Section Added**
 - ▶ **§ 4112. Gear and Manual Transmission Lubricants.**
 - ▶ **(a)** Gear and Manual Transmission Lubricants shall meet viscosity classifications in the latest version set forth in SAE International Surface Vehicle Standard SAE J306.
 - ▶ **(b)** Gear and Manual Transmission Lubricants shall meet the latest performance requirements published in the latest version of SAE International Surface Vehicle Information Report SAE J308.



Changes Under Consideration: CCR, Title 4, Division 9, Chapter 6

- ▶ **§ 4121. Engine Coolant Standard Specifications.**
 - ▶ **Key Changes: “and Exemptions” removed from language. Amended:**
 - ▶ **(a) Glycol Base Engine Coolant for Automobiles and Light Duty Service.** Glycol base engine coolant for use in automobiles and light duty service shall meet the specifications set forth by the latest version of ASTM International Standard Specification in ASTM D3306.
 - ▶ **(b) Recycled Glycol Base Engine Coolant Concentrate for Automobiles and Light Duty Service.** Recycled glycol base engine coolant concentrate for use in automobiles and light duty service shall meet the specifications set forth by the latest version of ASTM International Standard Specification in ASTM D6472.
 - ▶ **(c) Recycled Prediluted Aqueous Glycol Base Engine Coolant for Automobiles and Light Duty Service.** Recycled prediluted aqueous glycol base engine coolant for use in automobiles and light duty service shall meet the specifications set forth by the ASTM International Standard Specification in ASTM D6471.



Changes Under Consideration: CCR, Title 4, Division 9, Chapter 6

- ▶ **§ 4121. Engine Coolant Standard Specifications.**
 - ▶ **Key Changes: Added Language:**
 - ▶ **(d) Fully-Formulated Glycol Base Engine Coolant for use in Heavy-Duty Engine Service.** Fully-formulated glycol base engine coolant for use in heavy-duty engine service shall meet the specifications set forth by the ASTM International Standard Specification in **ASTM D6210**.
 - ▶ **(e) Low Silicate Ethylene Glycol Base Engine Coolant Requiring a Pre-Charge of Supplemental Coolant Additive for Use in Heavy-Duty Engine Service.** Low silicate ethylene glycol base engine coolant requiring a pre-charge of supplemental coolant additive for use in heavy-duty engines service shall meet the specifications set forth by the ASTM International Standard Specification in **ASTM D4985**.



Changes Under Consideration: CCR, Title 4, Division 9, Chapter 6

- ▶ **§ 4121. Engine Coolant Standard Specifications.**
 - ▶ **Key Changes: Added Language (cont.):**
 - ▶ **(f) Reporting Requirements.** When requested by the Department or one of its authorized agents, any manufacturer, packer, seller, or distributor shall present test data showing that the engine coolant additive formulation, when blended at the levels used in production of the engine coolant offered for sale, meets the performance requirements of all claimed specifications. Documentation shall include information sufficient to validate that the engine coolant offered for sale contains the same additive formulation used to generate the test data and is at the minimum concentration needed to meet the performance requirements.



Changes Under Consideration: CCR, Title 4, Division 9, Chapter 6

- ▶ **§ 4122. Transmission Fluid Specifications.**
 - ▶ **Key Changes: Amended Language:**
 - ▶ **§ 4122. Transmission Fluid Specifications.**
 - ▶ **(a) Transmission Fluids.** Transmission fluid offered for sale shall meet the specifications set forth by the original equipment manufacture of that transmission for all claimed transmission duty type.
 - ▶ **(b) Reporting Requirements.** When requested by the Department or one of its authorized agents, any manufacturer, packer, seller, or distributor shall present test data showing that the transmission fluid offered for sale meets the performance requirements of all claimed specifications.
Documentation shall include sufficient information to validate that the transmission fluid used to generate the test data is identical to transmission fluid being offered for sale.



Changes Under Consideration: CCR, Title 4, Division 9, Chapter 6

- ▶ **§ 4123. Diesel Exhaust Fluid Specifications.**
 - ▶ **Key Changes: Added Language:**
 - ▶ **§ 4123. Diesel Exhaust Fluid Specifications. Diesel exhaust fluid shall meet the latest specification set forth by ISO 22241.**



Changes Under Consideration: CCR, Title 4, Division 9, Chapter 7

- ▶ Existing text for Chapter 7. Advertising of Gasoline and Other Motor Vehicle Fuels. is repealed and replaced with:
 - ▶ Chapter 7. Motor Vehicle Products Advertising, Labeling and Method of Sale Requirements.
 - ▶ Chapter 7 Articles and Sections are renumbered, relabeled, and replaced with updated language to support proposed regulatory changes.
 - ▶ Changes to specific product categories are presented here on a product by product basis.



Changes Under Consideration: CCR, Title 4, Division 9, Chapter 7

National Uniformity.

Key Change - Added Language to Chapter 7:

- ▶ **§ 4200. National Uniformity.** The following method of sale requirements for motor vehicle fuels, lubricants and diesel exhaust fluid as set forth in the most recent publication of the *National Institute of Standards and Technology's Handbook 130, Uniform Laws and Regulations in the Areas of Legal Metrology and Engine Fuel Quality, Uniform Regulation for the Method of Sale of Commodities* are adopted by reference.



Changes Under Consideration: CCR, Title 4, Division 9, Chapter 7

Key Changes - to Chapter 7

- ▶ **§ 4201. Exceptions.** The following method(s) of sale for motor vehicle fuels and lubricants in Handbook 130 - IV. Uniform Regulations are not adopted or incorporated by reference:
- ▶ **(a) G. Uniform Engine Fuels, Petroleum Products, and Automotive Lubricants Regulation, Classification and Method of Sale of Petroleum Products.**
- ▶ **3.2. Automotive Gasoline and Automotive Gasoline-Oxygenate Blends.**
 - ▶ 3.2.2. When the Term “Leaded” May be Used.
 - ▶ 3.2.3. Use of Lead Substitute Must be Disclosed.
 - ▶ 3.2.4. Nozzle requirements for Leaded Fuel.
 - ▶ 3.2.5. Prohibition of Terms.
 - ▶ Table 1– Prohibition of Terms.



Changes Under Consideration: CCR, Title 4, Division 9, Chapter 7

Key Changes - to Chapter 7

- ▶ **§ 4201. Exceptions.** (cont.)
 - ▶ 3.4. Aviation Turbine Fuels.
 - ▶ 3.5. Aviation Gasoline.
 - ▶ 3.6. Fuel Oils.
 - ▶ 3.7. Kerosene (Kerosine).
 - ▶ 3.11. Compressed Natural Gas (CNG).
 - ▶ 3.12. Liquefied Natural Gas (LNG).
 - ▶ **(b) B. Uniform Regulation for the Method of Sale of Commodities, Classification and Method of Sale of Petroleum Products**
 - ▶ **2.32. Retail Sales of Hydrogen Fuel (H).**
 - ▶ 2.32.1. Definitions for Hydrogen Fuel.



Changes Under Consideration: CCR, Title 4, Division 9, Chapter 7

Key Changes - to Chapter 7

- ▶ **§ 4202. Additional Requirements.** The following method(s) of sale for motor vehicle fuels and lubricants are in addition to in Handbook 130 methods of sale:
- ▶ **§ 4202.1. Application.**
 - ▶ As used in this chapter, the advertising, labeling and method of sale requirements of motor vehicle products applies to engine fuels, lubricants and automotive products sold for use in vehicles for transporting persons or property on a public street or highway.
 - ▶ This chapter does not apply to the advertising, labeling and method of sale requirements for motor vehicle fuels and automotive products sold exclusively for use in agricultural, aviation, and marine applications.



Changes Under Consideration: CCR, Title 4, Division 9, Chapter 7

Key Changes – Added Language to Chapter 7

▶ § 4202.2 Definitions.

- ▶ **Advertising Medium.** “Advertising medium,” as used in this chapter, includes banner, sign, placard, poster, streamer and card, whether or not mounted, whether appearing on the same or different standards, or whether or not physically connected with each other, provided, the advertised statements can reasonably be read as one advertising message.
- ▶ **Bulk.** The term “bulk” means the sale of unpackaged motor oils and automotive products.
- ▶ **Container.** The term “container” shall have the same meaning as:
 - ▶ (a) “package”, when motor oil or automotive products are enclosed in a package in advance of wholesale or retail sales; or



Changes Under Consideration: CCR, Title 4, Division 9, Chapter 7

Key Changes – Added Language to Chapter 7

- ▶ **§ 4202.2 Definitions.** (cont.)
 - ▶ (b) “tank”, when engine fuels, motor oil or automotive products are stored and subsequently placed into packages, or sold and delivered into motor vehicles or customer provided vessels such as cans, bottles, barrels and drums; or
 - ▶ (c) “receptacle”, when engine fuels, motor oil or automotive products are stored and subsequently placed into packages, or sold and delivered into motor vehicles or customer provided vessels such as cans, bottles, barrels, totes and drums.
 - ▶ **Inactive Motor Oils.** Inactive motor oils means any motor oil with an engine service category that has been declared “technically obsolete” by both the SAE Fuels and Lubricants Technical Committee 1 and the Fuels and Lubricants Council.



Changes Under Consideration: CCR, Title 4, Division 9, Chapter 7

Key Changes – Added Language to Chapter 7

- ▶ **§ 4202.2 Definitions.** (cont.)
 - ▶ **Method of Sale.** As used in this chapter, the method of sale of motor vehicle fuels and other automotive products means the disclosure of information used in advertising mediums, markings, invoices, delivery tickets and labeling necessary to determine product: (1) identity, (2) responsibility, (3) quantity, (4) the unit of measure pursuant to section 13404.5, and when applicable, (5) minimum quality ratings and minimum performance levels.
 - ▶ **Motor Vehicle.** “Motor vehicle” and “vehicle” have the same meaning as the definitions in Division 1 “Words and Phrases” of the Vehicle Code.
 - ▶ **Obsolete Motor Oils.** Obsolete motor oils means any motor oil with an engine service category that has been declared “technically obsolete” by both the SAE Fuels and Lubricants Technical Committee 1 and the Fuels and Lubricants Council (i.e. pre-1931 API Category SA).



Changes Under Consideration: CCR, Title 4, Division 9, Chapter 7

Key Changes – Added Language to Chapter 7

- ▶ **§ 4202.2 Definitions.** (cont.)
- ▶ **Package.** Except as modified by Section 1. Application in NIST Handbook 130 Uniform Packaging and Labeling Regulation, the term “package”, whether standard package or random package, means any commodity:
 - ▶ (a) enclosed in a container or wrapped in any manner in advance of wholesale or retail sale; or
 - ▶ (b) whose weight or measure has been determined in advance of wholesale or retail sale. An individual item or lot of any commodity on which there is marked a selling price based on an established price per unit of weight or of measure shall be considered a package or packages.



Changes Under Consideration: CCR, Title 4, Division 9, Chapter 7

Key Changes – Added Language to Chapter 7

- ▶ **§ 4202.2 Definitions.** (cont.)
- ▶ **Service Category.** The Service Category is the rating of motor oils classified by the American Petroleum Institute (API) for passenger cars and heavy duty vehicles. API certifies that engine oil meets certain Original Equipment Manufacturer (OEM) quality and performance standards. The service rating is shown in the API "Service Symbol Donut" on the product label.



Changes Under Consideration: CCR, Title 4, Division 9, Chapter 7

Key Changes – Added Language to Chapter 7

- ▶ **§4202.3. Price Sign Display on Dispensing Apparatus.** In addition to the requirements of Sections 13470 and 13480, Business and Professions Code, any sign referring to the price of gasoline or other motor vehicle fuel displayed on any dispensing apparatus from which gasoline or other motor vehicle fuel is being offered for sale or sold, shall be limited to the following:
 - ▶ (a) The actual price per gallon, liter, kilogram, or other unit of measure, gasoline gallon equivalent (GGE), or diesel gallon equivalent (DGE) or other units of measures adopted pursuant to Section 12027, Business and Professions Code, and
 - ▶ (b) A conversion chart information required for liter sales per Section 13470.5, Business and Professions Code.



Changes Under Consideration: CCR, Title 4, Division 9, Chapter 7

Key Changes – Added Language to Chapter 7

- ▶ **§ 4202.4. Illumination.** - In addition to the requirements of Section 13536, Business and Professions Code, when any advertising message is illuminated, the entire message shall be uniformly illuminated.



Changes Under Consideration: CCR, Title 4, Division 9, Chapter 7

Key Changes – Amended Language to Chapter 7

- ▶ 3.1. General Considerations. [NOT ADOPTED Pursuant to §4201 (a)]
- ▶ **§ 4202.5. General Considerations Except for Electricity Sold as a Motor Vehicle Fuel.**
- ▶ 3.1.1. Documentation. –When products regulated by this rule are sold, an invoice, bill of lading, shipping paper, or other documentation must accompany each delivery other than a retail sale. This document must identify the quantity, the name of the product, the particular grade of the product, the applicable automotive fuel rating, and oxygenate type and content (if applicable), the name and address of the seller and buyer, and the date and time of the sale. Documentation must be retained at the retail establishment for a period not less than one year.



Changes Under Consideration: CCR, Title 4, Division 9, Chapter 7

Key Changes – Amended Language to Chapter 7

- ▶ **§ 4202.5. General Considerations Except for Electricity Sold as a Motor Vehicle Fuel.** (cont.)
 - ▶ 3.1.2. Retail Dispenser Labeling. – All retail dispensing devices must identify conspicuously the type of product, the particular grade of the product, and the applicable automotive fuel rating.
 - ▶ 3.1.3. Grade Name. – The sale of any product under any grade name that indicates to the purchaser that it is of a certain automotive fuel rating or ASTM grade shall not be permitted unless the automotive fuel rating or grade indicated in the grade name is consistent with the value and meets the requirements in Chapter 6. Standard Fuel Specifications.



Changes Under Consideration: CCR, Title 4, Division 9, Chapter 7

Key Changes – Added Language to Chapter 7

- ▶ **§ 4202.6. Prohibition of Terms.** – It is prohibited to use specific terms to describe a grade of gasoline or gasoline-oxygenate blend unless it meets the minimum antiknock index requirement shown in Table 1. Minimum Antiknock Index Requirements.

Table 1. Minimum Antiknock Index Requirements	
<u>Term</u>	<u>Minimum Antiknock Index</u>
<u>Premium, Super, Supreme, High Test</u>	<u>91</u>
<u>Midgrade, Plus</u>	<u>89</u>
<u>Regular, Unleaded (alone)</u>	<u>87</u>



Changes Under Consideration: CCR, Title 4, Division 9, Chapter 7

Ethanol Flex Fuel and M85. Key Changes - Added Language to Chapter 7:

- ▶ **§ 4202.7. Labeling and Price Sign Advertising Requirements for Ethanol Flex Fuel and M85.**
 - ▶ (a) The labeling on Ethanol Flex Fuel and M85 Fuel Methanol dispensers shall meet the requirements found in FTC 16 CFR Part 306 “Automotive Fuel Ratings, Certification and Posting”.
 - ▶ (b) All dispensers, advertising signs and storage tank labels shall comply with the requirements of Section 13480 and 13532 of the Business and Professions Code. E85 Fuel Ethanol shall use, at a minimum, the words “E85”, “Ethanol” in close proximity to describe the name of the product.
 - ▶ (c) Ethanol Flex Fuel and M85 Fuel Methanol are defined as an alternative fuels by the Federal Trade Commission (FTC) and therefore no grade designations are required.



Changes Under Consideration: CCR, Title 4, Division 9, Chapter 7

Key Changes – Added Language to Chapter 7

- ▶ **3.13. Oil.**
- ▶ **§ 4202.8. Viscosity.** The label on any vehicle engine (motor) oil container, receptacle, dispenser, or storage tank and the invoice or receipt from service on an engine that includes the installation of bulk vehicle engine (motor) oil dispensed from a receptacle, dispenser, or storage tank shall contain the viscosity grade classification preceded by the letters “SAE” in accordance with the SAE International’s latest version of SAE J300.



Changes Under Consideration: CCR, Title 4, Division 9, Chapter 7

Key Changes – Added Language to Chapter 7

- ▶ **3.13.1.3. Engine Service Category. [NOT ADOPTED Pursuant to §4201(a)]**
- ▶ **§ 4202.9. Engine Service Category.** Except for “Inactive” or “Obsolete” service categories, the label on any vehicle engine (motor) oil container, receptacle, dispenser or storage tank and the invoice or receipt from service on an engine that includes the installation of bulk vehicle engine (motor) oil dispensed from a receptacle, dispenser, or storage tank shall contain the engine service category, or categories, displayed in letters not less than 3.18 mm (1/8 in) in height, as defined by the latest version of SAE J183, “Engine Oil Performance and Engine Service Classification (Other than “Energy Conserving”)” API Publication 1509, “Engine Oil Licensing and Certification System,” European Automobile Manufacturers Association (ACEA), “European Oil Sequences,” or other “Vehicle or Engine Manufacturer Standards” as provided in Section 3.13.1.3.1.



Changes Under Consideration: CCR, Title 4, Division 9, Chapter 7

Engine Oils. Key Changes - Added Language to Chapter 7:

- ▶ **§ 4202.10. Inactive or Obsolete Vehicle Engine Oils.**
 - ▶ (a) Inactive or obsolete vehicle engine oils intended for use in vehicles that transport persons or property on a public street or highway shall not be sold at retail to the public.



Changes Under Consideration: CCR, Title 4, Division 9, Chapter 7

► Engine Oils. Key Changes - Added Language to Chapter 7:

§ 4202.10. Inactive or Obsolete Vehicle Engine Oils.(cont.)

(b) The label on any vehicle engine (motor) oil container, receptacle, dispenser, or storage tank and the invoice or receipt from service on an engine that includes the installation of vehicle engine (motor) oil dispensed from a receptacle, dispenser, or storage tank shall bear a plainly visible cautionary statement in compliance with the latest version of SAE J183, "Engine Oil Performance and Engine Service Classification (other than 'Energy Conserving')" Appendix A, whenever the vehicle engine (motor) oil in the container or in bulk does not meet an active API service category as defined by the latest version of SAE J183, "Engine Oil Performance and Engine Service Classification (Other than 'Energy Conserving')." If a vehicle engine (motor) oil is identified as only meeting a vehicle or engine manufacturer standard, the labeling requirements in Section 3.13.1.3.1. Vehicle or Engine Manufacturer Standard applies.



Changes Under Consideration: CCR, Title 4, Division 9, Chapter 7

► Transmission Fluid. Key Changes - Added Language to Chapter 7:

3.14. Automatic Transmission Fluid. [NOT ADOPTED Pursuant to §4201(a)]

§ 4202.11. Transmission Fluid.

3.14.1. Labeling. – The label on a container of transmission fluid shall not contain any information that is false or misleading. In addition, each container of transmission fluid shall be labeled with the:

- (a) brand name;
- (b) name and place of business of the manufacturer, packer, seller, or distributor;
- (c) words “Transmission Fluid”;
- (d) duty type classification. The duty classification shall specify the transmission type and each applicable vehicle manufacturer’s trade name or specification number.
- (e) statement of the quantity of the contents in terms of liquid measure.



Changes Under Consideration: CCR, Title 4, Division 9, Chapter 7

- ▶ **Biodiesel and Biodiesel Blends. Key Changes - Added Language to Chapter 7:**
- ▶ **§ 4202.12. Labeling and Price Sign Advertising Requirements for Biodiesel and Biodiesel Blends.**
 - ▶ (a) The labeling on biodiesel and biodiesel blend dispensers shall meet the requirements of the Federal Trade Commission (FTC) 16 CFR Part 306 “Automotive Fuel Ratings, Certification and Posting”.
 - ▶ (b) The name of the product and grade designation shall be on all dispensers, advertising signs, and storage tank labels as required in Section 13480 and 13532 of the Business and Professions Code.



Changes Under Consideration: CCR, Title 4, Division 9, Chapter 7

► Biodiesel and Biodiesel Blends. Key Changes - Added Language to Chapter 7:

► § 4202.12. Labeling and Price Sign Advertising Requirements for Biodiesel and Biodiesel Blends. (cont.)

- (c) Every biodiesel dispenser dispensing blends greater than 5 volume percent shall display on each customer side, as required by Section 13484 of the Business and Professions Code, a sign clearly visible which reads as follows:

“THIS FUEL CONTAINS BIODIESEL. CHECK THE OWNER’S MANUAL OR WITH YOUR ENGINE MANUFACTURER BEFORE USING.”

The lettering of this legend shall not be less than 6 mm (1/4 in) in height by 0.8 mm (1/32 in) stroke; block style letters and the color shall be in definite contrast to the background color to which it is applied.



Changes Under Consideration: CCR, Title 4, Division 9, Chapter 7

- ▶ **Retail Sales of Electricity Sold as a Vehicle Fuel. Key Change - Added Language to Chapter 7:**

§ 4202.13. Electricity Sold as Vehicle Fuel. Electrical energy transferred to or stored onboard an electric vehicle primarily for the purpose of propulsion.



Changes Under Consideration: CCR, Title 4, Division 9, Chapter 7

Engine Coolant Labeling. Key Change - Added Language to Chapter 7:

- ▶ **§ 4202.14. Engine Coolant Labeling Requirements.** Each package or container of engine coolant, prediluted engine coolant, recycled engine coolant, recycled prediluted engine coolant shall, and all heavy duty engine coolant formulations identified in CCR Title 4, Division 9, Chapter 6, Section 4121 (d) and (e) shall:
 - ▶ (a) Comply with Section 13711 (a) and (b), Business and Professions Code;
 - ▶ (b) Bear a distinctive brand name in letters not less than one-eighth inch (3.18 mm) in height; and
 - ▶ (c) Clearly identify the applicable ASTM International Standard Designation which the product meets.



Fuels, Lubricants, and Automotive Products Method of Sale, Advertising and Labeling Pre-Rulemaking Workshop



PUBLIC COMMENTARY

QUESTIONS and DISCUSSION

CALIFORNIA DEPARTMENT OF FOOD AND AGRICULTURE,
DIVISION OF MEASUREMENT STANDARDS



Thank You!!!

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