



October 16, 2012

Air Resources Board
1001 I Street, 23rd Floor
Sacramento, California 95814

Attn: Ms. Lori Andreoni
Manager, Board Administration and Regulations Coordination Unit
<http://www.arb.ca.gov/lispub/comm/bclist.php>

Subject: Proposed Amendments to the California Consumer Products Regulation Pertaining to
Automotive Windshield Washer Fluid Products; Board Agenda Item # 12-7-2

Dear Board Members:

The Automotive Specialty Products Alliance (ASPA) appreciates the opportunity to offer comments on the California Air Resources Board (ARB) proposal to modify current regulatory requirements for Automotive Windshield Washer Fluid (AWWF) Products. As discussed below, ASPA supports the ARB proposal to redefine “Type A” areas to better characterize areas of the state that generally experience freezing temperatures, and to clarify the definition of the AWWF product category.

1. The modified definition of the AWWF product category in ARB’s proposal improves the clarity of the applicable requirements.

ASPA strongly supports ARB’s proposal to consolidate all definitions pertaining to the AWWF category in a single modified definition. Clearly defined product categories and related terms are critically important to California’s complex and comprehensive Consumer Products Regulation [17 CCR §94508 (a)].

The current description of Type “A” area lists: (1) specific air basins that are defined in other sections of the California Code of Regulations, or (2) entire counties.¹ The current reference to specified air basins is *not* readily comprehensible. Therefore, ASPA supports ARB’s proposal to include the names of the counties that comprise the air basins in the Type “A” area. ASPA agrees with ARB staff’s statement that “...county boundaries are more readily understood than are air basins boundaries.”²

ASPA also supports ARB’s proposal to use the U.S. Postal Service’s zip codes to identify the freezing regions of the state that are being added to the Type “A” area. ASPA agrees with ARB staff’s conclusion that zip codes “...are commonly used and understood...and their use would provide a practical way for manufacturers, distributors, and retailers to manage the distribution and sale of AWWF products into the new Type ‘A’ areas.”³

¹ See Table of Standards at 17 CCR § 94509(a).

² ARB, “Staff Report: Initial Statement of Reasons, Proposed Amendments to the California Regulation for Reducing Emissions from Consumer Products Pertaining to Automotive Windshield Washer Fluid Products,” (Aug. 29, 2012) at Ch. 2 p. 16.

³ *Id.* at Ch. 2 p. 11.

2. ARB's proposed modifications will promote public safety by including additional parts of the state, which routinely experience freezing temperatures, in the "Type A" area.

The use of freeze-resistant pre-mixed (*i.e.* ready-to-use) AWWF products enables drivers to maintain clear vision during the winter months, when drivers in colder areas of the state must routinely contend with ice, snow, freezing rain and road spray on their windshields. Expanding the "Type A" area to include narrowly-defined additional parts of the state (identified by zip codes) that routinely experience freezing, ARB will ensure drivers will be able to use freeze-resistant AWWF products to maintain the clear vision necessary to safely operate their vehicles in freezing conditions – a boon to public safety.

3. ARB's proposed modification to labeling requirements for concentrated AWWF products will improve safety for drivers who travel to areas of the state that experience freezing temperatures.

The draft proposed modifications will permit product labels for dilutable (*i.e.* concentrated) AWWF products to include instructions informing consumers that they may follow the dilution instructions for "Type A" areas when travelling to areas in California with freezing temperatures. ASPA supports this proposed revision since it will allow manufacturers to provide instructions on product labels that clearly communicate that drivers may legally mix dilutable AWWF to prevent it from freezing in the vehicles windshield washer fluid reservoir.

If you have any questions, please contact me at 202-833-7308.

About ASPA: The Automotive Specialty Products Alliance combines the efforts of the Automotive Aftermarket Industry Association (AAIA), the Consumer Specialty Products Association (CSPA), and the Motor & Equipment Manufacturers Association (MEMA) – three national trade associations representing companies engaged in the manufacture, formulation, distribution, and sale of automotive specialty products. ASPA presents a unified industry voice for the associations' members engaged in the automotive chemical and vehicle appearance products markets.

Respectfully submitted,



Sean R. Moore

On behalf of the ASPA Operating Committee and Board of Directors

cc: Carla D. Takemoto, Chief, Area Source and Emissions Inventory Programs Branch, PTSD
Jose Gomez, Manager, Technical Development Section, Area Source and Emissions
Inventory Programs Branch, PTSD
Olufemi Olaluwoye, Air Pollution Specialist, Technical Development Section, Area Source
and Emissions Inventory Programs Branch, PTSD