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Diesel Fuel Additive Compliance

The Issue: A newly effective EPA regulation for diesel fuel additives went into effect on June 1, 2006. This rule requires that all diesel fuel additives SOLD after June 1, 2006, to be labeled with one of the following statements on the container:

1. For those additives with a sulfur content not exceeding 15 ppm sold in containers for use by the ultimate consumer the following statement: ``This diesel fuel additive complies with the federal low sulfur content requirements for use in diesel motor vehicles and nonroad engines."

or

2. For those additives with a sulfur content in excess of 15 ppm sold in containers for use by the ultimate consumer the following statement: ``This diesel fuel additive does not comply with federal ultra-low sulfur content requirements for use in model year 2007 and newer diesel motor vehicles or model year 2011 and newer diesel nonroad equipment engines."

The Problem: The vast majority of the consumer diesel fuel additive industry was not notified or aware of this requirement before May 1, 2006. Therefore, products remaining on store shelves or in retail inventory prior to June 1, 2006, are likely not appropriately labeled.

The Impact: The EPA-required labels are meant to ensure that consumers do not add diesel fuel additives to 2007 model year diesel engines if those additives are above 15 ppm sulfur content. These 2007 model year diesel engines have been designed to run on 15 ppm sulfur (or less) containing fuel and fuel additives. There is a concern that adding diesel fuel additives above 15 ppm sulfur could potentially cause damage to the emission-control technology of these 2007 model year diesel engines. These new labels will help avoid that potential problem.

Industry Action:

- ASPA and its members have taken action to ensure that all products shipped to retailers after June 1, 2006, are properly labeled.
- ASPA and its members are reaching out to retail outlets, distributors, and distribution centers notifying them of the need to provide proper labeling of all diesel fuel additive products and providing sticker labels or other methods to be attached to unlabeled products.
- ASPA and its members are working with retailers, the EPA, and non-profit groups to ensure that all products are properly labeled.

Action Needed By Retail Outlets and Others:

1. ASPA and its members are asking retail outlets, distributors, and distribution centers to help us in affixing sticker labels to product currently in the stream of commerce.
2. Retail outlets can also download a "shelf talker" that advises consumers about reading the label and selecting the correct products for their engines. Please click here (insert hyper link) to download the "shelf talker".

Please note: This is NOT a product recall. These products are NOT defective or dangerous. There is NO need to send product back to manufacturers. If retailers affix labels provided by manufacturers to unlabeled product, these products WILL be fully complainant.

Customer Action Needed: Customers should only use products in 2007 model diesel engine vehicles if the following labeling is on products: "This diesel fuel additive complies with the federal low sulfur content requirements for use in diesel motor vehicles and nonroad engines."

Please Note: Regardless of labeling all diesel fuel additives can be used in 2006 and OLDER model year vehicles.

More Information: For more, [click here to access Frequently Asked Questions](#) on this issue, or call Andy Hackman with ASPA at: (202) 833-7328.

