

## Uniform Regulation for the Method of Sale of Commodities

### 2.XX. Transmission Fluid.

2.XX.1. Products for Use in Lubricating Transmissions – Transmission fluids shall meet the original equipment manufacturer’s requirements for those transmissions or have demonstrated performance claims to be suitable for use in those transmissions. Where a fluid can be licensed against an original equipment manufacturer’s specification, evidence of current licensing by the marketer is acceptable documentation of performance against the specification. In the absence of a license from the original equipment manufacturer, adherence to the original equipment manufacturer’s recommended requirements shall be assessed after testing per relevant methods available to the lubricants industry and the state regulatory agency. Suitability for use claims shall be based upon appropriate field, bench and/or transmission rig testing. Any manufacturer of a transmission fluid making suitable-for-use claims shall provide, upon request by a duly authorized representative of the Director, credible documentation of such claims. If the product performance claims published by a blender and/or marketer are based on the claim(s) of one or more additive suppliers, documentation of the claims may be requested in confidence by a duly authorized representative of the Director. Supporting data may be supplied directly to the Director’s office by the additive supplier(s).

2.XX.1.1. Conformance. – Conformance of a fluid per Section 2.XX.1. Products for Use in Lubricating Transmissions does not absolve the obligations of a fluid licensee with respect to the licensing original equipment manufacturer or the original equipment manufacturer’s licensing agent(s), where relevant.

2.XX.1.2. Transmission Fluid Additives. – Any material offered for sale or sold as an additive to transmission fluids shall be compatible with the transmission fluid to which it is added, and shall meet all performance claims as stated on the label or published on any website referenced by the label. Any manufacturer of any such product sold in this state shall provide, upon request by a duly authorized representative of the Director, documentation of any claims made on their product label or published on any website referenced by the label.

2.XX.2 Labeling and Identification of Transmission Fluid. – Transmission fluid shall be labeled or identified as described below.

2.XX.2.1. Container Labeling. – The label on a container of transmission fluid shall not contain any information that is false or misleading. Containers include bottles, cans, multi-quart or liter containers, pails, kegs, drums, and intermediate bulk containers (IBCs). In addition, each container of transmission fluid shall be labeled with the following:

- (a) the brand name;
- (b) the name and place of business of the manufacturer, packer, seller, or distributor;
- (c) the words “Transmission Fluid,” which may be incorporated into a more specific description of transmission type such as “Automatic Transmission Fluid” or “Continuously Variable Transmission Fluid”;
- (d) the primary performance claim or claims met by the fluid and reference to where any supplemental claims may be viewed (for example, website reference). Performance claims include but are not limited to those set by original equipment manufacturers and standards-setting organizations such as SAE and JASO and are acknowledged by reference; and
- (e) an accurate statement of the quantity of the contents in terms of liquid measure.

**2.XX.2.2. Identification on Documentation – Transmission fluid sold in bulk shall be identified on the manufacturer, packer, seller, or distributor invoice, bill of lading, shipping paper, or other documentation with the information listed below:**

- (a) **the brand name;**
- (b) **the name and place of business of the manufacturer, packer, seller, or distributor;**
- (c) **the words “Transmission Fluid,” which may be incorporated into a more specific description of transmission type such as “Automatic Transmission Fluid” or “Continuously Variable Transmission Fluid”;**
- (d) **the primary performance claim or claims met by the fluid or reference to where these claims may be viewed (for example, website reference). Performance claims include but are not limited to those set by original equipment manufacturers and standards-setting organizations such as SAE and JASO and are acknowledged by reference; and**
- (e) **an accurate statement of the quantity of the contents in terms of liquid measure.**

**2.XX.2.3. Identification on Service Provider Documentation – Transmission fluid installed from a bulk tank at time of transmission service shall be identified on the customer invoice with the information listed below:**

- (a) **the brand name;**
- (b) **the name and place of business of the service provider;**
- (c) **the words “Transmission Fluid,” which may be incorporated into a more specific description of transmission type such as “Automatic Transmission Fluid” or “Continuously Variable Transmission Fluid”;**
- (d) **the primary performance claim or claims met by the fluid or reference to where these claims may be viewed (for example, website reference). Performance claims include but are not limited to those set by original equipment manufacturers and standards-setting organizations such as SAE and JASO and are acknowledged by reference; and**
- (e) **an accurate statement of the quantity of the contents in terms of liquid measure.**

**2.XX.2.4. Bulk Delivery – When the transmission fluid is sold in bulk, an invoice, bill of lading, shipping paper, or other documentation must accompany each delivery. This document must identify the fluid as defined in Section 2.XX.2.2.**

**2.XX.2.5. Storage Tank Labeling. – Each storage tank of transmission fluid shall be labeled with the following:**

- (a) **the brand name;**
- (b) **the primary performance claim or claims met by the fluid or reference to where these claims may be viewed (for example, website reference). Performance claims include but are not limited to those set by original equipment manufacturers and standards-setting organizations such as SAE and JASO and are acknowledged by reference.**

**2.XX.3. Documentation of Claims Made Upon Product Label. – Any manufacturer, packer, or distributor of any product subject to this article and sold in this state shall provide, upon request of**

**duly authorized representatives of the Director, credible documentation of any claim made upon their product label, including claims made on any website referenced by said label. If the product performance claims published by a blender and/or marketer are based on the claim(s) of one or more additive suppliers, documentation of the claims may be requested in confidence by a duly authorized representative of the Director. Supporting data may be supplied directly to the Director's office by the additive supplier(s).**