

Summary of New York State Labeling and Disclosure Requirements

[Link to final regulations](#)

Brief Summary:

The New York State Department of Environmental Conservation (DEC) has finalized rules to phase out the use of Hydrofluorocarbon (HFC) refrigerants and move to ultra-low GWP refrigerants in the future. The new regulations under Part 494 will dramatically impact HVACR products sold and installed in New York State. The final regulation impacts five main areas:

- Prohibitions on sales of bulk refrigerants (HFCs, HCFCs, and CFCs)
- Prohibitions on sales and installation of equipment using HFC refrigerants
- Labeling and disclosure requirements
- Recordkeeping and reporting requirements for manufacturers, producers, suppliers/distributors, and users of HFC refrigerants
- Leak repair requirements and an end-user refrigerant management program

Information to note:

- The rule goes into effect on January 9, 2025. The rule is set to go into effect 30 days after the regulation was filed with the New York State Register. The final regulation was filed on December 10, 2024, and published on December 24, 2024.
- Labeling and disclosure requirements go into effect on January 9, 2025, despite some equipment subject to the requirements being manufactured before the requirements went into effect. Contact your manufacturer for guidance on how to comply with the labeling and disclosure requirements.

For additional information, contact Todd Titus (ttitus@hardinet.org) or Alex Ayers (aayers@hardinet.org).

§ 494-1.6 Labeling and Disclosure Requirements

(a) As of the effective date of this Part any person who manufactures for sale or entry into commerce in the State of New York new motor-bearing equipment, specified components, or new foam products in the subsectors listed in section 494-1.4 of this Part, must provide:

- (1) A written disclosure provided to the buyer as part of the sales transaction and invoice.
- (2) A written disclosure provided to the public on a public website or in a specification or safety data sheet that is available on the manufacturer's website.
- (3) A label on the equipment, product, or its packaging or in a format that can be displayed at all times in a conspicuous location at a facility that meets the requirements of 40 CFR 84.58(d).

(b) The written disclosures and label must identify all regulated substances contained in the equipment or product, indicate if the regulated substance was of reclaim in origin, and provide the date of manufacture or a four-digit year. For specified components that do not contain regulated substances, the written disclosure or label must identify all regulated substances intended for use with that component.

(c) For field-charged equipment or systems containing 50 or more pounds of regulated substances, the manufacturer shall ensure that the following information can be easily produced by the owner/operator of the equipment upon request, such as by providing the information or instructions for determining this information.

- (1) any regulated substances currently contained in the equipment;
- (2) the date on which the refrigerant circuit was completed or four-digit year; and
- (3) the refrigerant charge capacity of the installed system.

(d) The written disclosures and label may be combined with such statements, labels, or other requirements of other jurisdictions.

(e) The written disclosures must state that the motor-bearing refrigeration equipment or foam product may only be used in the State of New York with substances that are in compliance with New York State regulations.

(f) If the written disclosure to the buyer is not combined with a disclosure required by another jurisdiction, the written disclosure shall include the following statement signed by an authorized representative of the manufacturer: "I certify under penalty of law that the statements and information submitted in this document are to the best of my knowledge and belief true, accurate, and complete."

(g) Any product or system, using a regulated substance manufactured, imported, or installed after the relevant prohibition date for that sector or subsector, that lacks a label will be presumed to use a regulated substance that is not in compliance with this Part unless the presumption is rebutted. A person may rebut the presumption by demonstrating that the product or system uses a substance in compliance with this Part.