

# EPA Scrutinizing On-Line Sale of Anti-Coronavirus Pesticides

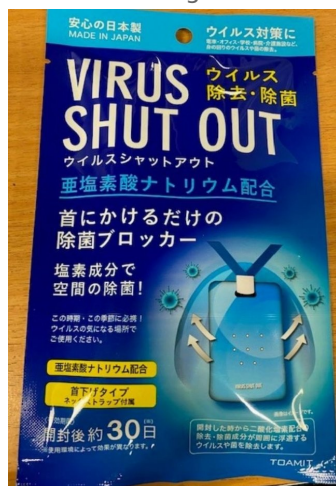
Joseph J. Green

April 30, 2020

The U.S. Environmental Protection Agency (EPA) is focusing substantial enforcement attention on the internet sale of pesticide products marketed with anti-viral claims, particularly those with claims related to coronavirus and COVID-19. EPA is scrutinizing on-line listings of pesticide products to identify and take action against products that are unregistered or which bear unapproved claims.

Last week, the agency issued a press release announcing that it is advising companies that support on-line marketplaces, such as Amazon, "that unscrupulous dealers are using their platforms to sell illegal disinfectant products." In the announcement, EPA Administrator Andrew Wheeler asserted that the agency "takes our responsibility to protect Americans from fraudulent surface disinfectants seriously." Likewise, Susan Bodine, EPA Assistant Administrator for Enforcement and Compliance Assurance (OECA), emphasized that "unregistered disinfectants can put consumers at risk, as they may be ineffective against the virus that causes COVID-19."

"EPA is working hard to stop the sale of these illegal products" - Susan Bodine, OECA



EPA Region 9, which oversees the West coast where a number of these products are imported from Asia and elsewhere, is particularly involved in the effort.

"EPA is vigorously investigating fraudulent disinfectant sales to the public via online marketplaces" - John Busterud, EPA Region 9 Administrator

Among other actions, EPA recently has taken several aggressive steps in furtherance of the initiative against illegal pesticide product sales, including:

- Working with U.S. Customs and Border Protection (CBP) to prevent entry of the unregistered product "Virus Shut Out," which was being imported from Japan and Hong Kong through U.S. ports in Honolulu and Guam.

- In coordination with CBP, seizure of "more than 7,800 illegal products" coming through international mail facilities at the main airports in Los Angeles and San Francisco.
- Meeting and working with U.S. retailers and third-party marketplace platforms to discuss imposter disinfectant products and those that falsely claim to be effective against the novel coronavirus.
- With the Department of Justice, arresting and bringing criminal charges against a Georgia resident for the illegal import and sale through eBay of an unregistered pesticide (Virus Shut Out) with allegedly fraudulent anti-viral claims.

Criminal charges are relatively rare in the environmental context, unless there is some truly intentional fraud or egregious misconduct (such as falsifying reports). While the facts of the case are not as yet fully public, and it is possible there is more to the misconduct in the case, criminal charges are a substantial escalation in the EPA response to the sale of unregistered pesticide products.