



FACT SHEET

Retailers and Counterfeit Pet Products

EPA, in cooperation with its state partners, is issuing stop sale, use, and removal orders to retailers and other distributors of counterfeit Frontline Top Spot, Frontline Plus, and Advantage products for control of fleas and ticks on dogs and cats. The orders prohibit retailers and other distributors from distributing or selling the counterfeit products and require their proper disposal.

EPA is responsible for assuring that all pesticides sold in the United States do not cause adverse effects under EPA-approved label use conditions. The counterfeiters have placed foreign labeled products in counterfeit retail cartons printed to resemble the U.S. product. The products, among other things, may be missing package inserts bearing directions for use required under U.S. law. Further, the Frontline brand products are not packaged in required child-resistant packaging. In addition to the inadequate labeling and packaging, consumers cannot be assured that the counterfeiters inserted the appropriate size applicator for the animal pictured or otherwise indicated on the retail carton.

The stop sale, use, and removal order prohibits the distribution or sale of the counterfeit product and requires the disposal of any counterfeit product on hand. This action is effective immediately upon issuance to the retailer or other distributor.

Penalties for Selling Counterfeit Products

Persons who distribute, import, or sell counterfeit pesticides such as Advantage and Frontline are subject to civil or criminal penalties up to \$27,500 per sale, one year imprisonment, or both. Persons who distribute or sell the counterfeit products after receipt of the order are not only liable for illegal distribution or sale of a counterfeit pesticide, but also for the additional violation of failing to comply with the stop sale order.

Affected Products

Counterfeit versions of the following EPA-registered products have been identified.

- Frontline Top Spot for Cats (EPA Reg. No. 65331-2)
- Frontline Top Spot for Dogs (EPA Reg. No. 65331-3)
- Frontline Plus for Cats (EPA Reg. No. 65331-4)
- Frontline Plus for Dogs (EPA Reg. No. 65331-5)
- Advantage 10 for Dogs (EPA Reg. No. 11556-117)

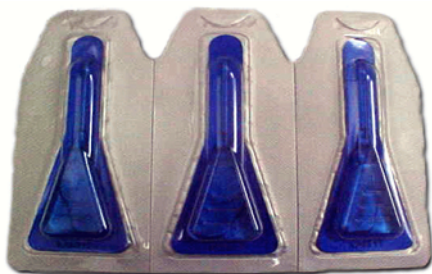
- Advantage 20 for Dogs (EPA Reg. No. 11556-119)
- Advantage 55 for Dogs (EPA Reg. No. 11556-120)
- Advantage 100 for Dogs (EPA Reg. No. 11556-122)
- Advantage 9 for Cats (EPA Reg. No. 11556-116)
- Advantage 18 for Cats (EPA Reg. No. 11556-118)

Determining U.S. Legitimate Products

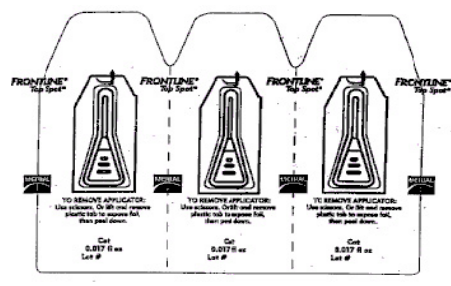
A variety of distributors are selling counterfeit products. Exterior packaging on the counterfeit product looks like the legitimate U.S. product. As a result, the only way to determine whether a product is legitimate or counterfeit is to open the package. The differences between the legitimate and counterfeit products are most pronounced when looking at the inside applicator package. The package contents for the legitimate U.S. products have the following characteristics:

Legitimate U.S. Frontline products:

1. The lot number on the outer package matches the lot number on the applicator package insert and/or the individual applicator.
2. The product is packaged in child-resistant packaging. The directions for opening the child-resistant blister package contain illustrations that actually look like the applicator package insert. The directions include “To remove applicator, use scissors or lift and remove plastic tab to expose foil, then pull down.”
3. The applicator package insert looks like this; note the notch between the individual applicator packages, which generally are absent on counterfeit products. All text is in English only.



Frontline Applicator Package (Front)



Frontline Applicator Package (Back).

This graphic is presented as an example only. The exact text may vary depending on the product name and the type/size of animal treated.

4. The instruction leaflet is included. It provides the following information: first aid statements, including emergency telephone numbers; precautionary statements for humans and pets; directions for use; frequency of use; and storage and disposal statements.

- Once you open the applicator package, the individual applicator has a label that includes the registrant's name "Merial;" the product name; the EPA registration number (see list above); the net contents in fluid ounces (fl. oz.) (not in metric measure, i.e., *ml*); percentage (%) of active ingredient(s) (Fipronil for Frontline Top Spot products. Fipronil and (S)-methoprene for Frontline Plus products); and the statements "CAUTION," "Keep out of reach of children," and "See full label for additional directions." All text is in English.
- The applicator label for the dog products includes the size of the dog, in pounds, on which the product is to be used.

Legitimate U.S. Advantage products:

- The only way to determine a legitimate Advantage product from a counterfeit product is by examining the actual product tubes that are inside the retail carton. Since the retail carton (outer box) and supplemental paper directions for use are identical between the legitimate product and the counterfeit product, check the language that is printed on the product tubes. The legitimate Advantage products all contain product tubes that are printed in English. The most obvious sign of a counterfeit product is that the product tubes are printed in a foreign language (most likely French or German).



Advantage product tube

- Legitimate product tubes will also include the EPA Registration Number, the signal word WARNING, and the child hazard warning (Keep Out of Reach of Children). Counterfeit product tubes may lack this information.
- Legitimate product tubes will also include a reference statement that refers users to the main labeling for directions for use and will include the manufacturing company's name (Bayer). Counterfeit product tubes may lack this information.
- Legitimate product tubes will contain an active ingredient statement that agrees with the active ingredient statement on the retail carton (9.1% imidacloprid). A counterfeit product may have an active ingredient statement that differs (such as 10%).

Providing Consumer Information

You can alert your customers of this action by posting the notice, press release, or this fact sheet in your store and on your Web site. You can also ask them to examine the products they have purchased to see if the package contents bear the characteristics mentioned above. In addition, you can direct them to <http://www.epa.gov/pesticides/health/illegalproducts/> or <http://www.epa.gov/pesticides/factsheets/flea-tick.htm> for more information. If consumers have

questions or concerns about their pet's health, recommend that they contact their veterinarian. For information about the pesticides included in these products, they may contact the National Pesticide Information Center (NPIC), which is an EPA-sanctioned toll-free helpline designed to assist in providing answers to most questions regarding pesticides and pesticide poisonings. NPIC staff are available at 1-800-858-7378, daily from 6:30 a.m.- 4:30 p.m. (PT). NPIC also has a Website with comprehensive pesticide information at <http://npic.orst.edu/>.

Disposal of Counterfeit Products

You should contact your local solid waste agency or your state pesticide disposal program to determine if a waste or pesticide collection program is available and if you are eligible to participate. (See contact information below).

- You may be eligible for pesticide collection programs, also called Clean Sweep programs.
- A few local household hazardous waste programs accept wastes from businesses that generate small quantities of hazardous wastes.
- You may have to pay the disposal cost.

If you cannot participate in a waste or pesticide collection program, you must dispose of the material in accordance with federal, state and local regulations.

- Contact your state solid or hazardous waste agency to find out the proper disposal options available to you. (See contact information below.)
- You may have to arrange and pay for pick-up and disposal by a disposal contractor at your expense.

Disposal Contacts

- To identify your state pesticide disposal program coordinator, see http://www.epa.gov/pesticides/regulating/disposal_contacts.htm
- To identify your local solid waste agency, look in the government section of your phone book under categories such as solid waste, public works, or garbage, trash or refuse collection.
- To identify your state solid or hazardous waste agency, see <http://www.epa.gov/epaoswer/osw/stateweb.htm>