



United States Attorney's Office

District of Rhode Island

News Release

U.S. Department of Justice

Peter F. Neronha

United States Attorney

District of Rhode Island

March 1, 2011

R.I. MAN SENTENCED TO TWO YEARS IN FEDERAL PRISON FOR INTERNET SALES OF COUNTERFEIT "FRONTLINE" PET PRODUCTS

PROVIDENCE, R.I. – A Warwick, R.I., man was sentenced to 24 months in federal prison today for Internet sales of unregistered, unlabeled pesticides for cats and dogs while infringing on the trademark of two well known national brand names, "Frontline" and "Frontline Plus."

U.S. District Court Chief Judge Mary M. Lisi also ordered John Buerman, 51, of Warwick, R.I., to serve three years of supervised release following his prison term. Buerman, pleaded guilty in U.S. District Court in Providence in August 2010 to one count of trafficking in counterfeit goods and knowingly using a counterfeit mark; and one count of knowingly distributing and selling a misbranded pesticide. Buerman made more than 3,500 sales through eBay.

Buerman's sentence was announced by Peter F. Neronha, U.S. Attorney for the District of Rhode Island; André Birotte Jr., U.S. Attorney for the Central District of California, and Michael E. Hubbard, Special Agent in Charge of the Boston office of EPA's Criminal Investigation Division.

At the time of Buerman's guilty plea, Assistant U.S. Attorney Terrence P. Donnelly told the court that Buerman created an online eBay store in January 2007 called "Catsmartplus," and began marketing pet pesticides he falsely claimed were "Frontline" or "Frontline Plus." Additionally, Buerman falsely represented that the pesticides were approved by the EPA. Mr. Donnelly told the court that Buerman purchased large quantities of counterfeit pesticides for cats and dogs from distributors in various parts of the world, including several in the United States, as well as Canada, Australia, and China. He made 3,579 sales on eBay totaling \$174,172 from January 2007 until federal and state agents executed a search warrant at his R.I. home in June 2009.

The matter came to light when a customer from the Los Angeles area purchased the product from the defendant's online store for \$32.95. The customer reported the matter to the authorities after one of her cats had an adverse reaction to the pesticide. Testing at EPA's National Enforcement Investigations Center (NEIC) laboratory confirmed that the products contained unregistered pesticides. Investigators also purchased similar misbranded and trademark-infringing items from the defendant's online store.

Buerman was charged by way of an Information in the Central District of California, where the matter was prosecuted by Assistant U.S. Attorney Bayron T. Gilchrist. The matter was transferred to the District of Rhode Island in May 2010.

Warwick police assisted EPA in the investigation.

###

Contact: 401-709-5357
USARI.Media@usdoj.gov