

CIS BRAND BRIEFING NO. 1

Are Marketplace Counterfeits Really Dangerous?

Yes. Fake infant formula, a baby's car seat, diet pills and airbags, sold under real brand names, and what regulators and the courts found.

WRITTEN BY	PUBLISHED	CONTACT
Chris Anderson, Ph.D. Founder and CEO, Cyber Investigation Services	October 2026	chris@cyberinvestigationservices.com

THE SHORT ANSWER

Yes. A counterfeiter is paid for how a product looks, not for what is inside it or how it performs. When the product is a handbag, that gap costs the buyer money. When the product is infant formula, a baby's car seat or a pill, the gap can harm a child or a patient.

Federal agents traced fake Similac infant formula to grocery shelves in California. In December 2025 Mexico's health regulator warned parents about three falsified Similac lots. Its alert also warns, in general, that falsified products sold online are a health risk. A knockoff infant car seat bought on Amazon broke apart in a crash test. Fake Alli diet pills sold on eBay and other websites held a controlled drug, and one buyer suffered a mild stroke. When the government bought brand-name goods from third-party sellers on five major marketplaces, 20 of 47 came back counterfeit.

For 16 years I have built intelligence on the sellers behind listings like these. This paper sets out only what the public record proves, with every claim footnoted to its source. It is a record of fakes that failed, not a count of victims.

FAKE INFANT FORMULA

In February 1995 the FDA's Office of Criminal Investigations opened a case after consumers complained about Similac sold at Safeway stores in the San Francisco Bay Area. The maker examined returned cans and found the formula was counterfeit.¹

Mohamad Mostafa had bought generic powdered infant formula and had 50,000 counterfeit Similac labels printed. Day laborers packed the powder into cans at a warehouse in Santa Ana, California, and an ink jet printer put lot numbers on the bottoms. A federal judge in the Central District of California found him guilty on all four counts. On December 16, 2002 he was sentenced to 3 years and 8 months. That fake moved through grocery wholesalers, not the internet.¹

The fakes have not stopped. On December 15, 2025, Mexico's federal health regulator, COFEPRIS, updated its alert on falsified Similac after Abbott reported another fake lot. The alert names Similac Isomil 1 lot 37055NNR and Similac Total Comfort Etapa 1 lots 00274TVE and 444242QUO1. The alert does not say where those lots were sold. It warns in general that falsified products sold through e-commerce platforms, websites, mobile apps and the informal market are a health risk, because no one knows their ingredients or how they were made, stored and shipped.²

The FDA explains what is at stake for a baby. A counterfeit label can hide what is really in the can. "Infants who are intolerant to certain ingredients and are fed such a counterfeit formula could experience serious adverse health consequences."³

¹ U.S. Food and Drug Administration, Office of Criminal Investigations, Enforcement Story Archive, "Office of Criminal Investigation 2002," entry "Counterfeit Similac Infant Formula." <https://www.fda.gov/inspections-compliance-enforcement-and-criminal-investigations/enforcement-story-archive/office-criminal-investigation-2002-1>

² Comisión Federal para la Protección contra Riesgos Sanitarios (COFEPRIS), Mexico's federal health regulator (a foreign regulator, translation by the author), Alerta Sanitaria (Alimentos), December 15, 2025, updating its alert "Falsificación de productos de Abbott Laboratories de México, S.A. de C.V." of August 29, 2025. The original reads: "La comercialización de productos falsificados a través de plataformas de comercio electrónico, sitios web, aplicaciones móviles y el mercado informal representa un riesgo a la salud de la población, ya que se desconocen los ingredientes empleados en su elaboración, así como las condiciones de fabricación, almacenamiento, transporte y distribución." https://www.gob.mx/cms/uploads/attachment/file/1042976/Act_Alerta_Sanitaria_Abbott_Laboratories_15122025.pdf

³ U.S. Food and Drug Administration, "Questions & Answers for Consumers Concerning Infant Formula," content current as of May 17, 2023. <https://www.fda.gov/food/people-risk-foodborne-illness/questions-answers-consumers-concerning-infant-formula>

OTHER FAKES MADE FOR BABIES

An infant car seat. In 2019 CNN bought a knockoff of the Doona infant car seat on Amazon and paid the University of Michigan Transportation Research Institute to crash-test it. At 30 miles per hour the fake broke into pieces. A genuine Doona in the same test stayed intact.⁴

A swaddle bought on Amazon. A mother bought what she thought was a "Love to Dream" baby swaddle through Amazon's marketplace. Its zipper pull broke off, "creating a potential choking hazard for her baby." The brand's U.S. distributor examined it and found it was a counterfeit.⁴

Pacifiers at the border. In September 2020 CBP seized 25 counterfeit pacifiers bearing Chanel and Mercedes-Benz logos, shipped from Hong Kong to an address in Allegheny County, Pennsylvania. CBP did not say where they were being sold. It warned that counterfeit pacifiers "may expose children to unsafe levels of lead paint or they could be constructed of inferior materials that may break and potentially choke a child."⁵

⁴ CNN Business, "Fake and dangerous kids products are turning up for sale on Amazon," December 20, 2019. Covers both the car seat and the swaddle. <https://www.cnn.com/2019/12/20/tech/amazon-fake-kids-products>

⁵ U.S. Customs and Border Protection, "Pittsburgh CBP Officers Seize Counterfeit and Potentially Harmful Child Pacifiers," September 16, 2020. <https://www.cbp.gov/newsroom/local-media-release/pittsburgh-cbp-officers-seize-counterfeit-and-potentially-harmful>

FAKES PEOPLE SWALLOW

Diet pills sold online. Alli is a weight-loss drug sold over the counter. The FDA warned that counterfeit Alli lacked the real drug's active ingredient and "instead they contained dangerous levels of Sibutramine," a controlled substance that can cause seizures, heart attack or stroke. The fakes were sold "through Internet websites, including online auction websites, such as eBay."⁶

Shengyang Zhou of China identified himself as the maker of the counterfeit Alli. One buyer, an emergency room doctor from Texas, "suffered a mild stroke from ingesting the counterfeit medication." On June 2, 2011 a federal judge in Denver sentenced Zhou to seven years and three months in prison.⁶

An energy supplement made in an unsanitary plant. Joseph Shayota and his co-conspirators made fake 5-Hour ENERGY, a liquid dietary supplement, "at an unsanitary facility using untrained day workers, and mixed unregulated ingredients in vats." Over 3.7 million counterfeit bottles entered interstate commerce. He was sentenced to 86 months in June 2017.⁷

⁶ U.S. Immigration and Customs Enforcement, "Chinese national sentenced to more than 7 years in federal prison for trafficking counterfeit pharmaceutical weight-loss drug," June 3, 2011 (District of Colorado case, describing the FDA's public alerts). <https://www.ice.gov/news/releases/chinese-national-sentenced-more-7-years-federal-prison-trafficking-counterfeit>

⁷ U.S. Attorney's Office, Northern District of California, "Counterfeiters Sentenced For Convictions In Nationwide Conspiracy To Distribute Fake 5-Hour Energy Drink," June 21, 2017. <https://www.justice.gov/usao-ndca/pr/counterfeiters-sentenced-convictions-nationwide-conspiracy-distribute-fake-5-hour>

WHAT THE GOVERNMENT FOUND WHEN IT BOUGHT THEM

For a report published in January 2018, the Government Accountability Office bought 47 brand-name items from third-party sellers on Amazon, Walmart, eBay, Sears Marketplace and Newegg. It picked products that customs often seizes as fakes: Nike Air Jordan shoes, Yeti travel mugs, Urban Decay cosmetics and UL-certified phone chargers. The brand owners then tested what arrived. "20 of 47 items GAO purchased from third-party sellers on popular consumer websites were counterfeit."⁸

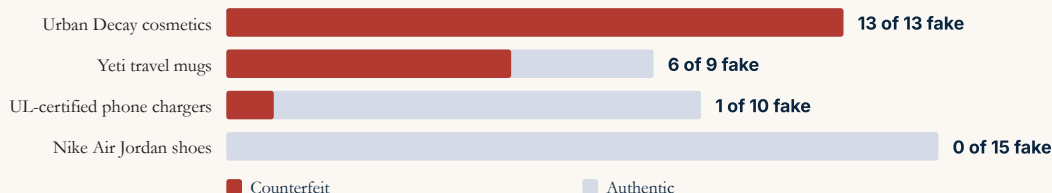
Figure 1. What the government got when it bought from third-party sellers

Source: GAO-18-216, Highlights table. The marketplaces were Amazon, Walmart, eBay, Sears Marketplace and Newegg.

GAO TEST PURCHASES, REPORTED JANUARY 2018

Items bought from third-party sellers on five marketplaces, tested by the brand owners

20 of 47 counterfeit



Every cosmetic GAO bought was fake. GAO tested whether items were genuine, not whether they were safe.

GAO called its sample nongeneralizable, and it was small. What it shows is the buyer's position. Every one of the 47 items shipped from a U.S. address. The listings said new and brand-name.⁸ Those listings gave the buyer no reliable way to tell which were fake. It took the brand owners, with the product in hand, to tell.

⁸ U.S. Government Accountability Office, "Intellectual Property: Agencies Can Improve Efforts to Address Risks Posed by Changing Counterfeits Market," GAO-18-216, January 30, 2018, Highlights page and Appendix I (the five websites, the four products, U.S. ship-from addresses and the nongeneralizable sample are all GAO's own statements). <https://www.gao.gov/products/gao-18-216>

WHAT THE COURTS HAVE PUNISHED

The cases below are criminal convictions, not allegations. Each one involved safety products sold under real brand names on eBay.

Fake airbags on eBay. In New York, Raymond Whelan imported airbags from China, assembled them himself "even though he had little to no knowledge on how to do so," and listed them on eBay "as genuine used airbags." He sold about 360 and was sentenced to 24 months in May 2019.⁹ In Tennessee, Mohammed Al-Abadi, a retired mechanic, built counterfeit airbags from Chinese parts and sold more than 500 on eBay. The Department of Transportation's inspector general put it plainly: "Counterfeit airbags are neither regulated nor tested to meet federal safety standards." He was sentenced to 24 months on April 30, 2025.¹⁰

Fake bicycle helmets on eBay, Kentucky. Matthew Stepp bought counterfeit Specialized, Giro and Catlike helmets from a Chinese website for \$50 to \$70 and sold them on eBay for upwards of \$150. In federal safety testing at about 11 miles per hour, the fakes "broke into pieces during impact testing." A jury convicted him in June 2018.¹¹

⁹ U.S. Attorney's Office, Western District of New York, "Cheektowaga Man Sentenced For Buying And Selling Counterfeit Airbags," May 9, 2019. <https://www.justice.gov/usao-wdny/pr/cheektowaga-man-sentenced-buying-and-selling-counterfeit-airbags>

¹⁰ U.S. Attorney's Office, Western District of Tennessee, "Memphis Man Sentenced to Two Years in Prison for Trafficking in Counterfeit Motor Vehicle Airbags," May 7, 2025. <https://www.justice.gov/usao-wdtn/pr/memphis-man-sentenced-two-years-prison-trafficking-counterfeit-motor-vehicle-airbags>

¹¹ U.S. Attorney's Office, Western District of Kentucky, "Shepherdsville Man Convicted Of Selling Counterfeit Bicycle Helmets On Ebay," June 8, 2018. <https://www.justice.gov/usao-wdky/pr/shepherdsville-man-convicted-selling-counterfeit-bicycle-helmets-ebay>

COUNTERFEITS ARE NOT RARE

In fiscal 2025, U.S. Customs and Border Protection seized nearly 79 million counterfeit items, worth over \$7.3 billion had they been genuine. CBP warns that these items "can pose serious health and safety risks to American consumers" and are sold "often through online sources."¹²

The American Apparel & Footwear Association tested 47 counterfeit clothes, shoes and accessories. It told the Senate Judiciary Committee in 2023 that 17 "had dangerously high levels of poisonous materials, like lead, arsenic, and phthalates."¹³ That is a trade group's own study, reported to Congress.

¹² U.S. Customs and Border Protection, "CBP reminds shoppers: beware of counterfeits this holiday season," national media release, November 12, 2025. <https://www.cbp.gov/newsroom/national-media-release/cbp-reminds-shoppers-beware-counterfeits-holiday-season>

¹³ Written testimony of Steve Lamar, American Apparel & Footwear Association, U.S. Senate Committee on the Judiciary, October 3, 2023. https://www.judiciary.senate.gov/imo/media/doc/2023-10-03_-_testimony_-_lamar.pdf

WHAT THIS MEANS FOR A BRAND

Most of the marketplace cases above share three things. The fake carried a real brand name or safety mark. It was sold where the buyer trusted the listing. The buyer could not tell it was fake until it was tested.

A parent mixing a bottle of fake formula never meets the counterfeiter, wherever the can was bought. They know only the brand name. That is why a counterfeit of a safety product or a food is not only a sales problem for the brand. It is a safety problem with the brand's name on it.

At CIS we work the categories where a fake can hurt someone, children first. The question for a brand in those categories is not whether counterfeits are dangerous. The record answers that. The question is whether someone is selling them under your name right now.

PUT YOUR BRAND ON OUR FREE WATCH LIST

If counterfeiters are selling under your brand, you should know it before your customers do. We always watch for free. When fakes put your customers at risk, we warn you and send you a CIS Consumer Safety Review: who is selling, where they ship from, and what it would take to stop them.

We package the intelligence to attract contingency attorneys to take your case. Our fee comes only from the recovery. Many counterfeiting problems can be resolved with no money out of your pocket: the attorney pays the upfront costs and takes them back from what is collected. Put your brand on our free Watch List at cyberinvestigationservices.com/watch-list.

About the author. Chris Anderson, Ph.D., founded Cyber Investigation Services, a Florida limited liability company, in 2010 and leads it as CEO. CIS is an eCommerce consumer safety and national security intelligence firm. For 16 years Chris has built intelligence on the sellers behind counterfeit marketplace listings.