

3M Files Lawsuit Alleging N95 Price Gouging in New York City

Lawsuit is part of 3M's national and global efforts to fight price gouging and counterfeiting of N95 respirators used on the frontlines of the fight against COVID-19

ST. PAUL, Minn.--(BUSINESS WIRE)-- 3M filed legal action today in federal court in New York City against Performance Supply LLC, alleging illegal price gouging and deceptive trade practices in the sales of N95 respirators that are critical in the fight against the COVID-19 outbreak. The New Jersey-based defendant, which falsely claimed a business affiliation with 3M, offered to sell \$45 million in N95 respirators to New York City officials at prices 500-600% over 3M's list price. The Complaint seeks injunctive relief to require Performance Supply LLC to cease its illegal activities, and also requests damages, with 3M promising that any damages recovered will be donated to COVID-19 related nonprofit organizations.

"3M does not – and will not – tolerate price gouging, fraud, deception, or other activities that unlawfully exploit the demand for critical 3M products during a pandemic," said Denise Rutherford, 3M's Senior Vice President, Corporate Affairs. "3M will not stop here. We continue to work with federal and state law enforcement authorities, and around the world, to investigate and track down those who are illegally taking advantage of this situation for their own gain."

"This lawsuit is only one of the many legal tools 3M is using to protect the public," Rutherford added. "3M is also making referrals to law enforcement authorities, taking down websites with fraudulent or counterfeit product offerings, removing false or deceptive social media pages, and sending cease and desist letters as a first step prior to taking further legal action."

The lawsuit is part of an extensive series of actions 3M has taken to address price gouging and counterfeiting activity related to its respirators.

3M is working with national and international law enforcement, state Attorneys General, and the largest online retail and tech companies in the world to identify illegal activity and help punish criminals. The goal is to prevent fraud before it starts and stop it where it is happening.

3M has deployed a dedicated legal team, including volunteers from its network of outside counsel, and resources in every part of the country. In this case, 3M is represented by international law firm Mayer Brown, led by Washington D.C. partner Carmine R. Zarlenga and New York partners A. John P. Macini, Andrew J. Calica and Chicago partner Richard Bulger.

3M has not changed the prices it charges for respirators as a result of the COVID-19 outbreak. The company is working with online retailers and technology companies such as Google, Amazon and Facebook to identify and remove counterfeiters and price gougers from their sites and refer them to law enforcement authorities.

Resources to fight fraud

3M has created a new hotline to call for information on how to help identify authentic 3M products and to ensure products are from 3M authorized distributors. That number, in the U.S. and Canada, is (800) 426-8688.

If customers have concerns about potentially fraudulent activity, price gouging, or counterfeit 3M products, they can report their concerns at [3M's website](#).

About 3M

At 3M, we apply science in collaborative ways to improve lives daily. With \$32 billion in sales, our 96,000 employees connect with customers all around the world. Learn more about 3M's creative solutions to the world's problems at www.3M.com or on Twitter @3M or @3MNews.

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[Jennifer Ehrlich](#)

651-733-8805

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