

**News Release**  
**U.S. Department of Justice**  
**Peter F. Neronha**  
**United States Attorney**  
**District of Rhode Island**

**August 31, 2010**

**R.I. MAN PLEADS GUILTY TO EBAY SALES  
OF COUNTERFEIT "FRONTLINE" PET PRODUCTS**

PROVIDENCE, R.I. – John Buerman, 51, of Warwick, R.I., pleaded guilty in U.S. District Court in Providence to 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." Buerman pleaded guilty 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 guilty pleas were announced by Peter F. Neronha, U.S. Attorney for the District of Rhode Island; and André Birotte Jr., U.S. Attorney for the Central District of California.

Assistant U.S. Attorney Terrence P. Donnelly told the court had the case proceeded to trial the government was prepared to present evidence 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.

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.

When federal agents executed a search warrant and searched the defendant's home they also discovered a .22 caliber rifle. The defendant, having been previously convicted of a felony, was prohibited from possessing a firearm. Buerman was charged with being a felon in possession of a firearm, to which he pleaded guilty.

Buerman entered his guilty pleas before U.S. District Court Chief Judge Mary M. Lisi last week, and is scheduled to be sentenced on January 6, 2011. Buerman faces a maximum sentence of 10 years in federal prison and 3 years supervised release on each charge.

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, R.I., police assisted EPA in the investigation.

###