

Caution and Guidance on Identifying Counterfeit 3M™ Hearing Protectors and 3M™ PELTOR™ Protective Communications Products

Before purchasing 3M hearing protection or protective communications products, please take the time to ensure that you are purchasing authentic **Personal Protective Equipment (PPE)**. Counterfeit or copycat products may not provide the same protection as authentic 3M PPE.

There is an increasing number of non-3M hearing protection devices (HPDs) and protective communications hearing protector products (PELTOR electronic hearing protectors) in the marketplace and being featured in online marketplaces when searching for 3M hearing protectors. These products may look almost identical to authentic 3M products such as earplugs, earmuffs, electronic in-ear hearing protectors, and protective hearing communication headsets, but instead, they may be counterfeit or copycat products.

- Counterfeit products are produced with the intent to deceive and mislead people into believing the items are genuine when they are not. These products are manufactured without authorization from the brand owner. They bear a brand such as 3M, but they are not authentic.
- Copycat products are manufactured to mimic the original brand product. They often use the same model numbers and colors as the original branded product, but they do not bear the brand name of the product they are copying.

The risk of counterfeit products

Both counterfeit and copycat products are problematic for end-users that are expecting the same performance as the original brand product, but in fact they are using unknown processes and materials, with unknown or nonexistent quality controls. They may not be tested nor comply with relevant standards that authentic 3M brand products do. Counterfeit products may pose a significant risk to the user's health and safety.

Authenticity matters. The risk to users of purchasing a “knock-off” or “look-alike” article of clothing for its fashionable design at a low cost, may simply result in acquiring an inferior product that isn't as durable or prestigious as the name-brand. However, use of counterfeit or fake hearing protectors, can pose significant risks to the health and/or safety of the user and potential liability for the employer. For example, counterfeit hearing protectors may not reduce noise effectively, resulting in noise-induced hearing loss; the materials and chemicals may not be safe to use in the ear or on the head, resulting in skin irritation; the batteries or electronic components may not be functional or safe, resulting in overheating, fire, or explosion of nonconforming batteries. Authentic manufacturers follow strict testing protocols, comply with national standards, follow tight quality control procedures and have systematic reporting and record keeping practices to ensure the products are safe to use and provide effective protection, when used as directed.

Hearing protectors are designed to reduce noise, and some products feature certain functionality to help users hear important environmental sounds and/or allow communications while being protected from the noise hazard.

All hearing protectors sold in the EU/EEA or the UK for the purpose of protecting the wearer against harmful noise must be compliant to the PPE Regulation 2016/425 (EU) and must carry CE and/or UKCA marking. Products are normally tested for compliance with the appropriated Harmonised European Standard(s) as part of the CE certification process. These standards are developed by the European CEN/TC159 Hearing Protection Technical Committee and adopted by each EU Member State. They are mandated by the European Commission and once published in the official journal of the European Union, manufacturers typically comply with these standards before commercializing hearing protection products in Europe. When tested against the Harmonized European Standard(s), both passive and electronic hearing protectors must fulfil the relevant parts of EN 352 family of standards.

Full attenuation data determined from testing by an accredited laboratory must be included either on the product packaging or in the instructions for use. An example of the full attenuation data which must be included with the product is referenced below (see Table 1). The information should accompany each smallest commercially available unit. If you are unable to find this information with the product, it is recommended to contact the manufacturer.

Table 1:

Frequency (Hz) f									H	M	L	SNR
	63	125	250	500	1000	2000	4000	8000				
Mf (dB)	28.7	29.0	30.4	33.1	32.4	33.6	43.1	38.3	34.3	32.1	30.8	34.3
Sf (dB)	3.8	4.8	6.0	5.9	6.4	3.4	2.3	3.3	2.9	4.8	4.9	3.8
APVf (dB)	24.9	24.2	24.4	27.2	26.0	30.2	40.8	35.0	31	27	26	31

f = Test frequency

Mf = Mean attenuation

Sf = Standard deviation

$APVf(Mf-Sf)$ = Assumed protection value

H = High frequency attenuation value (Predicted noise level reduction for noise $L_C-L_A = -2$ dB)

M = Medium frequency attenuation value (Predicted noise level reduction for noise $L_C-L_A = +2$ dB)

L = Low frequency attenuation value (Predicted noise level reduction for noise $L_C-L_A = +10$ dB)

SNR = Single Number Rating (the value that is subtracted from the measured C-weighted sound pressure level, L_C in order to estimate the effective A-weighted sound pressure level inside the ear)

Red flags

When researching and selecting hearing protectors, it is helpful to know what to look for on packaging and marketing materials. Note that this is not an exhaustive list but can be a starting place to identify red flags and ask more questions.

Too-good-to-be-true pricing

Often, the first indicator of a suspicious product is that the price is just too good to be true. Pricing that is well below the typical price you have paid in the past, or substantially lower than other name brand products is cause for further investigation. Counterfeiters are not concerned about creating quality or complying with regulations, which contribute to the cost of manufacturing and the product quality. In general, if it seems too good to be true, it probably is; counterfeiters often sell fake products substantially below the market price.

Regulatory information

All hearing protection devices sold within the EU/EEA and UK must be CE and/or UKCA (for UK) certified and comply with the PPE Regulation 2016/425 (EU). The manufacturer should provide a copy of the Declaration of Conformity (DoC) or a link to its website where the user can access this information.

The commercialization of any PPE is governed by the PPE Regulation (EU) 2016/425 (also incorporated into the UK law), which sets out essential requirements that must be met, before PPE products can be placed on the market in order to ensure protection of the health and safety of users.

All economic operators, including manufacturers and distributors, must comply with the PPE Regulation 2016/425 (EU).

Distributors must verify that, before making PPE available on the market, the PPE bears the correct markings and that it is accompanied by the required documents in a language that can be easily understood by end users. Reselling counterfeit PPE may constitute a violation of the law and may lead to serious legal consequences such as significant fines and may even result in criminal liability.

Missing or conflicting information

Discrepancies in information on the packaging or on a website may signal that a product is counterfeit. Some examples of mismatching information include:

- Inconsistencies in data between labels and packaging.
- Photos on the package that do not match the actual product inside that package.
- Fitting instructions and line drawings that do not match the product in the package.
- The product name is not identical on all panels of a package.
- The manufacturer's address contains spelling mistakes or nonsensical numbers.

Noticeable differences between an original and a new product

Another red flag is seeing noticeable differences between a product that you know to be authentic and a recently purchased product. Examples of this are variations in the color, size, dimensions, or materials.

Tips to help ensure you purchase genuine 3M hearing protection products

- Read the product description carefully to ensure that it identifies 3M as the manufacturer.
- Check packaging and user instructions for testing and certification.
- Check the product or packaging to ensure it features the correct CE marking and appropriate EN 352 standard reference number. All hearing protection products are placed in the highest risk category III in accordance with the PPE Regulation 2016/425 (EU) and therefore must bear the correct CE mark. The correct CE mark should include the CE letters followed by unique four-digit reference number of the Notified Body responsible for CE approval.
- Full attenuation data including octave band, HML and SNR together with information on standard deviation for each of the measurement must be included with the product, either on the packaging or in the instructions for use. Descriptions for 3M products will be written with clear, grammatically correct language.
- Notice the price; often counterfeit and copycat products are priced significantly lower than products that are authentic 3M products.
- If you are purchasing from an online platform, you are more likely to receive an authentic product when buying directly from that seller, rather than a 3rd party seller that is using the platform.

It is recommended to purchase 3M products through a 3M official distributor. When in doubt, you can contact your local 3M sales representative to help you locate a 3M official distributor.

Take action: Report problems

To avoid the risk of purchasing counterfeit products, it is recommended to buy from an official 3M distributor. It is appropriate to ask the distributor questions about its relationship with the manufacturer.

If you suspect that you have acquired a counterfeit or copycat 3M hearing protector or protective communications product, please report this to 3M on the following website: [3M.com/3MVerify](https://www.3M.com/3MVerify).

We believe every customer seeking to purchase a 3M product should receive an authentic 3M product — each and every time.



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