

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

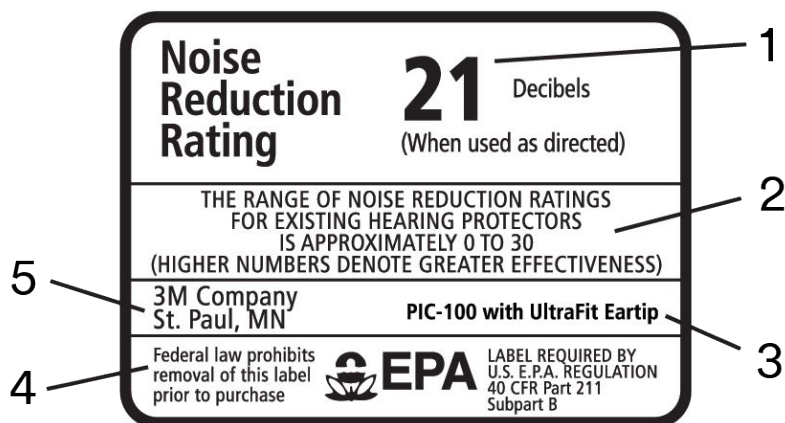
Both counterfeit and copycat products are problematic for end-users that are expecting the same performance as the original brand product, but in fact they are using unknown processes and materials, with unknown or nonexistent quality controls. They may not be tested nor comply with relevant standards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

Authenticity matters. The risk 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 recordkeeping practices in order 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 have uniquely designed functionality to help users hear important environmental sounds and/or communications while being protected. In the United States, hearing protectors must comply with regulatory requirements for testing, labeling, marketing, and packaging these products. Hearing protectors, both passive and electronic, must be tested according to standardized procedures and the manufacturer must be able to support claims that they make about their products.

The Environmental Protection Agency 40 C.F.R Part 211, subpart B regulation stipulates the method for testing attenuation, how to calculate the Noise Reduction Rating (NRR), how to label a product. It specifies the supporting information, such as the fitting instructions and the attenuation data, that must accompany the product. Figure 1 shows an example of the required elements of Noise Reduction Rating label according to the EPA regulation.

Figure 1: An example Noise Reduction Rating label with required EPA content.



Item	Item Description
1	The NRR value, which is calculated from attenuation measured according to ANSI S3.19-1974, Experimenter Fit method.
2	This section must contain this exact EPA wording.
3	A product model number or type identification.
4	This section is required as shown, including the EPA logo.
5	Manufacturer name, city, and state of the principal office

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

In addition to the EPA label shown in Figure 1, the product must have supporting information, such as a detailed attenuation table showing the average noise reduction and standard deviation at nine frequencies. Instructions for properly fitting the devices and specifically worded statements must be included.

There is no certification nor approval agency in the U.S. for hearing protectors. Be cautious if you see a claim on a website or packaging stating that a particular product is certified or approved by a regulatory body.

- There is no approval body or certification of hearing protectors in the US.
 - Products cannot be “OSHA approved” or “EPA approved” or “ANSI approved.”
 - Products cannot be “OSHA certified” or “EPA certified” or “ANSI certified.”

- ANSI, OSHA, MSHA, NIOSH, FRA, etc. do not test nor endorse HPDs.
 - Products should not say “ANSI tested.”
 - Products should not say “NIOSH tested.”

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 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.
- 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.
- Always purchase 3M products through a 3M Authorized Distributor. When in doubt, you can contact a local 3M sales representative to help you locate a 3M authorized distributor:
 - In the US: [US Sales Rep Locator](#)
 - In Canada: [Canada US Sales Rep Locator \(English\)](#) | [Canada US Sales Rep Locator \(French\)](#)

Take action: Report problems

To avoid the risk of purchasing counterfeit products, be sure to buy from an authorized 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 by going to [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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