

Justice Department targets eBay for alleged unlawful sales of pesticides and other toxins

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An eBay app is shown on a mobile phone, July 11, 2019, in Miami. On Wednesday, Sept. 27, 2023, the U.S. Justice Department filed a civil complaint against eBay, claiming the online company unlawfully sold and distributed hundreds of thousands of products that violated various environmental laws. Credit: AP Photo/Wilfredo Lee, File

The U.S. Justice Department filed a civil complaint against eBay, claiming the online marketplace unlawfully sold and distributed hundreds of thousands of products like pesticides and motor vehicle emission-evading devices that violate environmental laws.

The complaint Wednesday claims eBay sold, offered for sale or caused the sale of more than 343,000 aftermarket devices that try to evade motor vehicle emissions controls.

It also alleges the company unlawfully distributed or sold at least 23,000 pesticides that were unregistered, misbranded or for restricted use. The Justice Department said that the pesticides include a high toxicity insecticide banned in the US, a restricted use pesticide that only certified applicators may apply and a product falsely claiming to protect users against the virus that causes COVID-19.

In addition, the complaint claims eBay distributed more than 5,600 painting and coating removal products that include methylene chloride.

"eBay's sale of emission control defeat devices, pesticides, and other unsafe products poses unacceptable risks to our communities disproportionately impacted by environmental and health hazards," U.S. Attorney Breon Peace said Wednesday. "Together with our partners, this office will vigorously enforce federal law against those whose conduct endangers public health and the environment."

eBay called the government's actions "entirely unprecedented," and said that it planned to vigorously defend itself.

"Maintaining a safe and trusted marketplace for our global community of sellers and buyers is a fundamental principle of our business at eBay," the company said in a prepared statement. "We dedicate significant resources, implement state-of-the-art technology and ensure our teams

are properly trained to prevent prohibited items from being listed on the marketplace."

eBay said that it's blocking and removing more than 99.9% of the listings for the products cited by the Justice Department, including millions of listings each year.

The Justice Department, on behalf of the U.S. Environmental Protection Agency, filed the complaint against eBay Inc. in federal court in Brooklyn.

The EPA has previously issued orders against eBay. In 2021 the agency ordered the company to stop selling 170 unregistered and misbranded pesticide products.

The U.S. has targeted sales of toxic materials before. In 2018 the EPA announced a \$1.2 million settlement with Amazon over the sale and distribution of illegal pesticides.

Federal regulators said at the time that the agreement settled allegations that the Seattle e-commerce giant committed nearly 4,000 violations between 2013 and 2016 for selling and distributing imported pesticide products not licensed for sale in the United States.

The EPA issued a "stop-sale" order in 2021 requiring Amazon to take down listings for dozen of products the agency said posed a health risk to people and pets exposed to the products, The Seattle Times [reported](#).

The EPA also ordered Amazon and eBay to stop selling a variety of pesticide products in June 2020 that included some that falsely claimed to provide protection against the coronavirus.

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