



June 13, 2023

The Honorable Lina M. Khan  
Chair  
Federal Trade Commission  
600 Pennsylvania Avenue NW  
Washington, DC 20580

Dear Chair Khan:

The [Alliance for Automotive Innovation](#) ("Auto Innovators"), [the Automotive Anti-Counterfeiting Council](#) ("A2C2"), and [MEMA, The Vehicle Suppliers Association](#) ("MEMA") write to express continued support for the Integrity, Notification, and Fairness in Online Retail Marketplaces for Consumers Act (the "INFORM Consumers Act") and to request the Federal Trade Commission's prompt enforcement of the law as it takes effect later this month. The INFORM Consumers Act will play a vital role in stopping the proliferation of dangerous counterfeit motor vehicle parts being sold online.

The motor vehicle industry has made significant investments and innovations in the United States that help improve the safety of vehicles for consumers. A comprehensive [white paper](#) released by A2C2 found that these safety improvements are being thwarted by the use of counterfeit automotive parts, which are being sold to consumers through third-party marketplaces. Examples of safety critical and other vehicle components that are frequently counterfeited and can negatively impact vehicle operation, performance, and emissions include, but are not limited to, airbags, brake pads, wheels, ignition coils, fuel injectors, fuel pumps, spark plugs, oil filters, mass airflow sensors, oxygen sensors, and pressure sensors. Here is a [video](#) of testing done on a variety of counterfeit automotive parts.

A record number of American consumers have turned to [e-commerce platforms](#) for their shopping needs, underscoring the importance of verifying independent merchants, especially those located overseas. An automaker [examined](#) counterfeit seller data on one established marketplace, finding that over 75 percent of foreign-seller addresses were completely or partially unverifiable. Last month, a Tennessee man was [indicted and arrested](#) for importing counterfeit motor vehicle airbag parts, assembling them, and selling them on eBay. In 2019, a California man was [sentenced](#) to six months in federal prison after authorities uncovered a scheme involving the sale of counterfeit airbag covers on another established online

marketplace. Far too many criminals are slipping through the cracks of these leading online marketplaces where unsuspecting consumers are shopping.

As enacted by Congress, the INFORM Consumers Act is a common-sense, bipartisan solution to an escalating threat to consumer health and safety. Our associations welcome the Commission's leadership in implementing the Act and ensuring that online marketplaces strengthen their efforts to vet third-party sellers, their suppliers, and their products to provide greater transparency for consumers and to reduce the consumer harm associated with counterfeit products.

By addressing the root of the online counterfeit sales issue directly, rigorous enforcement of the INFORM Consumers Act can protect consumers and sustain the safety innovations of the automotive industry. We look forward to serving as a resource and to working with you on the implementation of this important law.

Sincerely,

Alliance for Automotive Innovation  
Automotive Anti-Counterfeiting Council  
MEMA, The Vehicle Suppliers Association

CC: Samuel Levine, Director, Bureau of Consumer Protection  
Serena Viswanathan, Associate Director, Division of Advertising Practices