



STATE OF NEW YORK
OFFICE OF THE ATTORNEY GENERAL

LETITIA JAMES
ATTORNEY GENERAL

DIVISION OF ECONOMIC JUSTICE
BUREAU OF INTERNET AND TECHNOLOGY

VIA EMAIL

The JY Firm PC
222 Sutter Street, 9th Floor
San Francisco, CA 94108

To Whom it May Concern,

The Office of the Attorney General of New York (NYAG) is investigating fraudulent, deceptive, and/or misleading advertising for products and services related to the COVID-19 (“coronavirus”) detection or treatment. Deceptive advertisements violate New York laws, including General Business Law § 349 and Executive Law § 63(12). The NYAG is also authorized pursuant to Executive Law § 63(12) to bring suit to enjoin any illegal acts and practices, including violations of the New York State price gouging law, GBL § 396-r, which provides for a civil penalty not to exceed \$25,000, and where appropriate, restitution for aggrieved consumers, and the New York City regulations.

We have identified a number of posts on Craigslist that appear to make claims that are not true or otherwise deceptive. For example, the post, <https://newyork.craigslist.org/mnh/hab/d/new-gretna-what-do-you-do-to-protect/7095106231.html>, advertises a vitamin C product as “What do you do to protect yourself from Coronavirus?” and includes a product called an “immunity pack.” There is no evidence at this time that vitamin C is effective in preventing the spread of the coronavirus. See <https://www.nytimes.com/article/coronavirus-myths.html>. As such, this advertisement deceptively suggests that it will help protect people from contracting or fighting the coronavirus with no basis in fact.

Another post alleges to offer for sale a coronavirus testing kit, <https://newyork.craigslist.org/mnh/for/d/new-york-coronavirus-disease-covid-19/7094248042.html>. The images in the post for these alleged kits appears to be the same as those publicized in a press release issued by the U.S. Customs and Border Control as fake, illegally imported kits. (<https://www.cbp.gov/newsroom/national-media-release/cbp-officers-seize-fake-covid-19-test-kits-lax>). As such, the NYAG believes this advertisement to be fraudulent.

A third post purports to sell a “MASK-N94” as “Coronavirus protection,” <https://newyork.craigslist.org/brk/for/d/regio-park-coronavirus-protection/7095785205.html>. The

N95 mask manufactured by M3 has been widely reported to provide protection from the coronavirus, *see* https://www.cdc.gov/niosh/npptl/topics/respirators/disp_part/n95list1.html. We have not seen evidence that a mask model called N94 even exists or that it provides protection from the spread of the coronavirus. As such, the NYAG believes this advertisement to be fraudulent.

Finally, a fourth post is offering a 1200 ml bottle of Purell for \$222, *see* <https://newyork.craigslist.org/mnh/hab/d/new-york-sanitizer-for-virus-and-germs/7095409388.html>. As mentioned above, the NYAG is authorized to bring suit to enjoin violations of the New York State price gouging law, GBL § 396-r, which prohibits the sale of goods and services necessary for the health, safety and welfare of consumers at unconscionably excessive prices during any abnormal disruption of the market. This posting falls within the scope of that statute and we request that you take it, and others like it, down immediately.

The NYAG requests that you remove these listings as soon as possible. We also request that you provide us with information with respect to all proactive efforts that you are currently taking or are planning to take to detect and remove similarly fraudulent, deceptive, or misleading postings on your platform related to the coronavirus.

We look forward to discussing these issues with you as soon as possible.



Kim A. Berger | Chief
Bureau of Internet and Technology
New York State Office of the Attorney General
28 Liberty Street, New York NY 10005
(T) (212) 416-8456
kim.berger@ag.ny.gov
<http://www.ag.ny.gov/bureau/internet-bureau>