ALERT: PHONY COVID-19 TESTS

As California continues to set records for the number of people testing positive for the omicron variant of the coronavirus, you may find yourself becoming desperate to find an at-home test to avoid long lines at testing sites.

By now, we know unscrupulous scammers are always waiting for their next opportunity and the shortage of COVID-19 tests is no different. Bad actors are quickly using the omicron crisis to dupe the public into buying counterfeit tests. So, before you click the add-to-cart button on that website claiming to sell self-testing kits, know how to spot red flags so you don't become a different kind of COVID-19 statistic.

Here's a list of tips from the Federal Trade Commission on how to vet at-home tests:

- Only buy tests authorized by the FDA.
- Check the FDA's lists of antigen diagnostic tests and molecular diagnostic tests before buying, to find the tests authorized for home use. (EUA is "emergency use authorization.")
- Do a background check on a seller before you buy, especially if you're buying from a site you don't know.
- Search online for the website, company, or seller's name plus words like "scam," "complaint," or "review."
- Compare online reviews from a wide variety of websites. You can get a good idea about a company, product, or service from reading user reviews on various retail or shopping comparison sites.
- Think about the source of the review. Consider whether the review is coming from an expert organization or an individual customer.
- When buying online, pay by credit card. If you're charged for an order you never got, or for a product that is not as advertised, you can dispute the charge with your credit card company.
- If you have been scammed, report it directly the FTC or contact the DA's consumer protection team at consumer@sdcda.org.

If you are looking for an in-person test site:

- Beware of pop-up COVID test sites as they are currently unregulated, and some may not be legitimate.
- Red flags related to pop-up COVID testing sites include:
    - Sites that do not have logos or information identifying who is providing the service.
    - Sties that will not provide information about the lab that is providing the results.
    - Sites that collect non-relevant personal identifying information such as social security numbers.
- San Diego County provides a list of authorized free test sites on its website.

Finally, Governor Gavin Newsom signed an executive order proclaiming a state of emergency through March 31, 2022, aimed at preventing price gouging on COVID-19 at-home test kits. The order prohibits sellers from increasing prices on the test kits by more than 10% if they had been selling the test kits as of December 1, 2021, unless they can prove their costs have increased. Anyone who began selling tests after December 1, 2021 may not charge 50% greater than what they paid for the kit themselves.

To report an incident of price gouging you can call the San Diego District Attorney consumer hotline at (619) 531-3507 or by email at consumer@sdcda.org.

The Consumer Protection Unit is comprised of Deputy District Attorneys, Investigators and Paralegals dedicated to protecting consumers and law-abiding businesses from fraudulent or unfair business practices.