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Maine Department of Administrative and Financial Services

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Maine Among Several States That Received Potentially Counterfeit N95 Respirators

Amid nationwide recall, State has notified recipients and is moving to replace affected N95s

Augusta, MAINE – The Department of Administrative and Financial Services’ Division of Procurement Services has received notification of a national recall on certain N95 respirators with lot numbers that match those purchased by the State. The recall alert indicates that these items carry a significant risk of being counterfeit and should not be used. As a result, it is not known at this point whether these items meet the U.S. Centers for Disease Control & Prevention’s National Institute for Occupational Safety and Health (NIOSH) standards for N95 respirators.

Since November, the State has distributed approximately 161,000 N95 respirators now subject to recall to school nurses, health care facilities, and certain State workers within the Department of Health and Human Services (DHHS). Approximately 2 million additional N95 respirators, also subject to recall, remain at State warehouses where officials are holding them. State officials are requesting that any affected respirators be put aside, unused and unopened, until investigations are complete.

“We have alerted those affected by this recall and are coordinating to provide alternative respirators as available,” **said Jaime Schorr, Chief Procurement Officer**. “In addition to the recall, Federal authorities have announced an investigation into a counterfeit N95 operation in which fake 3M respirators were offered and/or sold to a growing list of government agencies and health care facilities across multiple states, including New Jersey, Washington, Ohio, and Minnesota. The State of Maine has contacted Federal authorities to determine whether these recalled respirators should be incorporated into its investigation alongside other states.”

The recall notice from the National Recall Alert Center is specific to medical-grade 3M respirators, models 1860 and 1860S, blue in color. These respirators require a fitting and are intended for personnel such as nurses or doctors and are not generally made available to the public. A copy of the recall notice is [attached](#), which includes affected lot numbers.

Of the approximately 161,000 affected respirators distributed by the State, approximately 140,000 were distributed to 55 schools and districts for nurses and other clinical staff. The Maine Department of Education has contacted affected districts and is working with the Division of Procurement Services to replace the stock, which was intended to support them for the next several months, as quantities allow.

Approximately 3,000 affected respirators were sent to 64 health care facilities. The Maine Center for Disease Control and Prevention has alerted these health care facilities and will work with those facilities to replace the units.

The remaining approximately 18,000 recalled respirators were distributed to DHHS employees with patient-facing roles. These recalled units have been removed from circulation and alternative N95 respirators will be made available.

The vendors represented to the State that the items were NIOSH-approved, authentic 3M brand N95 respirators. Prior to ordering, the State was provided samples from the vendors, which were inspected for quality through fit testing. These samples passed the quality review.

The Division of Procurement Services is investigating the matter and is in direct communication with officials at 3M, including the 3M Covid-19 Fraud, Price Gouging and Counterfeit Product Response Team. Additionally, the Division has contacted the Office of the Maine Attorney General and, if investigation shows that these items are indeed fraudulent, will seek full reimbursement. The names of the vendors will be released once confirmation of fraud is received from 3M.

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