

**Statement of Aaron Todd Bores, Executive Vice President Product Development**  
**Moen Incorporated, a Fortune Brands Innovations Company**  
**Before the Senate Committee on the Judiciary, Subcommittee on Intellectual Property**  
**hearing on**  
***Foreign Competitive Threats to American Innovation and Economic Leadership***  
**May 14, 2025**

Chairman Tillis, Ranking Member Schiff, and Distinguished Members of the Subcommittee:

It is truly an honor and a pleasure to appear here today. Thank you for the opportunity. My name is Aaron Bores and I am Executive Vice President of Product Development at Fortune Brands Innovations. I am here today to talk about one of our leading brands, Moen. I am an Engineer by training, with over 25 years of industry experience in Product Development and Supply Chain. I have dedicated the last 16 years of my career to Moen, where I have had the privilege to lead some of the brightest minds to innovate, develop, and grow North America's number one consumer faucet brand. We are proud to be a corporate constituent in the great state of North Carolina, where, for more than 50 years, our dedicated employees have manufactured the highest-quality plumbing products. It is their collective commitment to excellence that continues to drive our success

Our story begins with an American inventor, Al Moen, who—after burning his hand using a traditional two-handle faucet—was inspired to develop the single-handle faucet. That moment of American ingenuity ultimately led to the founding of Moen, which today has become a multi-billion-dollar company. Moen employs thousands across the United States, including 900 manufacturing and distribution associates in North Carolina.

Today, Moen is the number one faucet brand in North America and has been named America's Most Trusted Faucet Brand<sup>1</sup> for ten consecutive years, according to the 2025 Lifestory Research study. The company holds hundreds of patents, trademarks, and copyrights that protect the very innovations that have driven our growth and industry leadership.

I appear before you today with an urgent warning regarding American consumer health and safety. In recent years, there has been a sharp increase in inexpensive consumer faucets and plumbing supplies by unrecognized brands, the majority of which are imported from China. We do not view these products as our direct competition. We have long co-existed with imported private label brands- these are not those. We are here because, as the hero

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<sup>1</sup> Moen received the highest numerical score in the proprietary Lifestory Research 2025 America's Most Trusted® Faucet study. Study results are based on the experiences and perceptions of people surveyed. Your experiences may vary. Visit [www.lifestoryresearch.com](http://www.lifestoryresearch.com).

for beautiful water and the leading brand in the space, we feel we have the duty to highlight the very real risks associated with these products, which we refer to as “Imposter Brands”. These cheap, often Chinese knock-off brands misappropriate Moen and third-party intellectual property to deceive consumers into purchasing products which use 1) materials that leach dangerous levels of lead and carcinogens into consumer’s drinking water, and 2) designs which fail to properly regulate pressures to prevent scalding and slip and fall injuries. These imposter brands present a significant health risk to consumers.

## **Public Health and Safety at Risk**

These products are often sold through online e-commerce platforms and carry no disclaimers or warnings to inform consumers of their products’ non-compliance with U.S. plumbing and drinking water standards. In fact, many sellers of these potentially dangerous products willfully mislead consumers by claiming their products have been certified to said standards. Despite legislative advances like the INFORM Consumers Act of 2023, risks are accelerating. These products infringe upon our intellectual property, erode consumer trust, and most alarmingly, threaten the health and safety of the American people. We expect the threat to become more acute as Imposter Brands leverage advanced AI technologies capable of creating more deceptive advertising and faster replication of our IP.

We know this because we are a company of passionate people who want the best for our customers. That commitment includes rigorous engineering, testing and quality controls to meet or exceed every relevant industry standard. Unfortunately, in this process, we have learned some disturbing facts about millions of products sold today.

According to third-party market data, as many as 35 million cheap, foreign-made off-brand faucets<sup>2</sup> have been sold in the United States in the last five years. Many of these products come from foreign manufacturers with no regard for safety or compliance. We enlisted the International Association of Plumbing and Mechanical Officials (IAPMO)—the recognized leader in plumbing product testing—to independently evaluate the top-selling off-brand faucets available to American consumers.

## **Drinking Water Health and Safety**

IAPMO independently tested 19 of the top selling, cheap, foreign-made off-brand faucets<sup>3</sup> to the National Sanitation Foundation (NSF) 61 standard, which covers a wide range of products, including pipes, fittings, valves, and faucets used in potable water systems. The standard sets minimum health effects requirements for products and materials that come

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<sup>2</sup> Five-year total of Kitchen and Bath faucets sold from 2020-2024 (source confidential)

<sup>3</sup> Highest volume SKUs from Jan-Apr 2024 (source Profitero)

into contact with drinking water, ensuring the products do not contaminate the water supply.

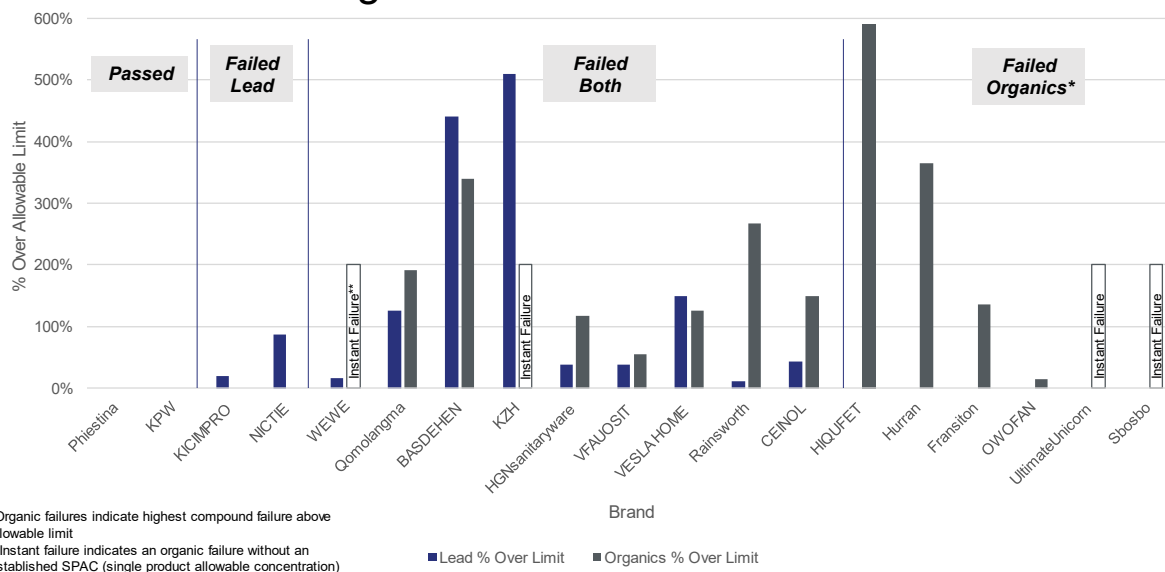
The Safe Drinking Water Act (SDWA) authorizes the Environmental Protection Agency (EPA) to set standards for safe drinking water. States and local jurisdictions enforce these through regulations, often referencing NSF 61. 49 states (all except Hawaii) require drinking water system components to comply with NSF 61. Compliance is often mandated through state or local plumbing/building codes and enforced at local levels.

The results were disturbing, as 17 of the 19 products tested did not meet drinking water health and safety standards<sup>4</sup>.

Of the top-selling, cheap foreign made faucets, 11 of 19 of tested faucets leached lead above the allowable threshold. The worst offender was found to be over 500% of the legal limit. 15 of 19 contained dangerous chemicals—including compounds linked to liver and kidney damage, lymphoma, respiratory problems, and birth defects. One faucet exceeded chemical safety standards by nearly 600%.

**Figure 1: Drinking Water Health and Safety Results**

## NSF Lead and Organics Results



In addition, many of these products, or their advertising, violate trademark rights of certification agencies by falsely displaying certification marks, including NSF and IAPMO, despite not being certified. We have also observed companies' using certification marks

<sup>4</sup> IAPMO test report numbers: 24321-24328, 24340, 24342-24343, 24347-24348, 24350-24352, 24354-24356

unrelated to water safety (e.g. CEC and DOE) and then state their products ‘ensure safe water quality’. But they omit that their products do not meet NSF requirements, giving the consumer a false sense of security. These marketing tactics violate IP rights, mislead the American consumer, jeopardize the trust and confidence in our industry’s governing bodies, and most concerningly – encourage the purchase of potentially harmful products to be installed in American consumer’s homes.

**Figure 2: Falsification of Trusted Certifications Example**



## Bathing Safety

Beyond drinking water, the threat also extends to one of our core innovations in shower safety. Moen's Posi-Temp valve—a product designed with aerospace-level tolerances and assembled under strict quality controls in North Carolina—has sold over 45 million units over the past two decades. We like to say that one in every three U.S. homes has a Moen Posi product installed.

ASSE 1016/ASME A112.1016/CSA B125.16 is a unified standard required by U.S. plumbing codes for water pressure balancing shower valves in residential and commercial buildings. It ensures automatic temperature compensation to prevent scalding and thermal shock. Compliance is mandated through state/local adoption of model plumbing codes and enforced at local levels.

We commissioned IAPMO to independently test 6 of the top selling, cheap, foreign-made off-brand pressure balancing valves<sup>5</sup>. All 6 failed to meet the ASSE 1016 safety standards<sup>6</sup>. The worst violator exceeded the safe temperature threshold by 750%. These products are absolutely a safety risk to consumers, with potential for scalding temperatures or shower shock induced falls.

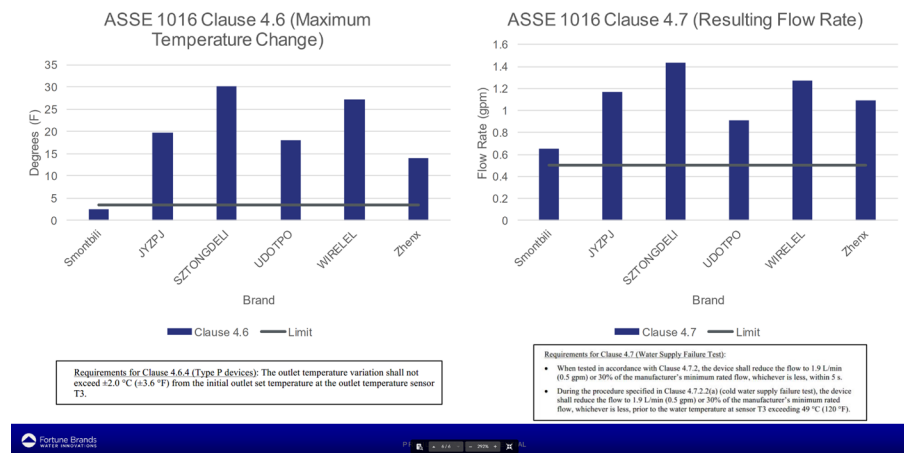
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<sup>5</sup> Highest volume SKUs from Jan-Apr 2024 (source Profitero)

<sup>6</sup> IAPMO test report numbers: 24358-24363

### Figure 3: Scalding & Shock Test Results

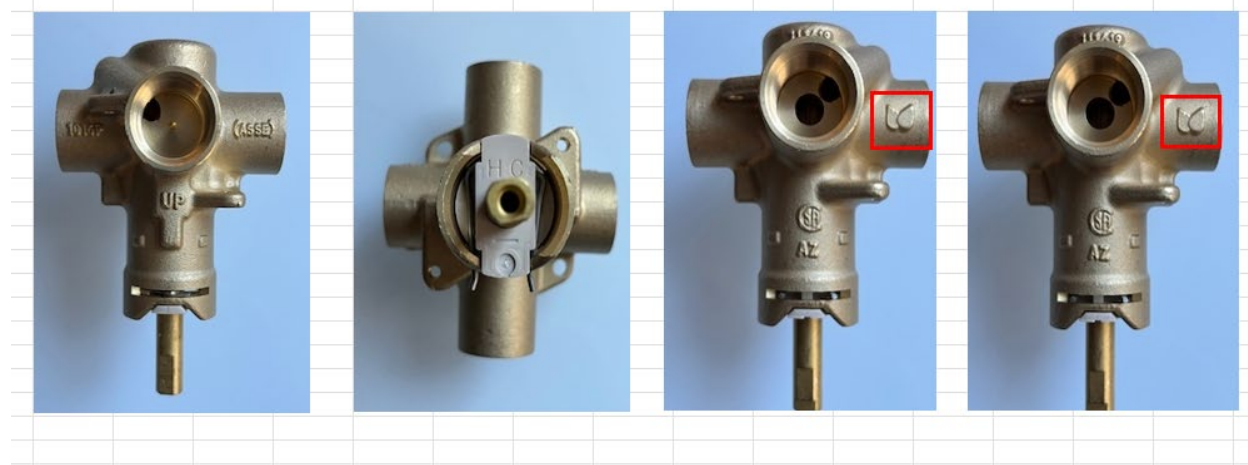
#### ASSE 1016 Clause 4.6 and 4.7 Results



Additionally, we are seeing a dramatic rise in counterfeit Posi-Temp valves imported from China. Posi-Temp is such an industry standard that bad actors see it as an opportunity to profit from its success. These counterfeits include a mixture of Moen's Posi-Temp brand, Moen's logo, SKU numbers, trade names, and instruction sheets. The counterfeit products even contain fake certification marks. While these products include much of what is not theirs, they do not include critical safety features, and do not pass the requirements outlined above. The use of Artificial Intelligence by these bad actors propagates the counterfeiting of products and assets at a speed that was at one time not fathomable. They are so well counterfeited that they confuse consumers and even the most experienced plumbers.

### Figure 4: Counterfeiting Example (Zhenx)

**NOTE:** Zhenx valve – failed all ASSE testing and uses counterfeit Moen logo and ASSE mark



**Figure 5: Counterfeit Posi-Temp - additional examples**

## Counterfeit Valve Overview Moen and Counterfeits – Valve bottom

Moen Posi-Temp™ model # 2510



Moen Posi-Temp™ 2510 Valve



Horthero 2510 Valve



Mahua 2510 Valve

### Economic and National Security Implications

Cheap, foreign made products and counterfeit products undermine consumer safety, can increase municipal maintenance costs, and erode trust in legitimate brands as well as our laws that govern their performance. If left unaddressed, this trend will diminish America's global leadership in innovation and manufacturing, undermine consumer confidence in product safety, and even threaten the reliability of critical infrastructure.

Widespread distribution of unsafe plumbing products may even present a national security concern. Faulty or unsafe components integrated into our nation's water systems—whether residential or municipal—pose unacceptable risks to public health and infrastructure stability.

### Legislative and Regulatory Solutions

We respectfully request the following exploration and potential actions from Congress:

1. Further refinement of the INFORM Consumers Act of 2023, seeking to close loop-holes that foreign bad actors continually exploit.
2. Enhanced verification protocols for certification and certification marks like NSF, IAPMO, etc. to ensure only compliant products are sold in the U.S. market.
3. Facilitate interagency collaboration between the FTC, CBP, CPSC, and DOJ to enable coordinated enforcement actions against serial violators.
4. Strengthen IP enforcement by closing loopholes that allow counterfeiters to operate just outside the law while intentionally confusing consumers.
5. Increase funding and resources for Customs and Border Protection and the Consumer Product Safety Commission to detect and intercept counterfeit goods.

### **A Moral and Industry-Wide Imperative**

This issue is not isolated to Moen. Through our work with Plumbing Manufacturers International (PMI) we have confirmed that counterfeit plumbing products are a growing concern across the board. We have partnered with IAPMO and PMI, worked directly with the CPSC, and are engaging with distributors to crack down on bad actors.

My statement is not just about protecting a brand. It's about protecting American consumers from dangerous products and preserving the innovation engine that has fueled our economic success for generations. The system that allowed a young Al Moen to turn a simple accident into the industry-leading brand that bears his name.

On behalf of Moen and the thousands of engineers, innovators, and workers who believe in safe, reliable products, I ask for your support.

Thank you. I look forward to your questions.