

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

NATURAL RESOURCES DEFENSE)
COUNCIL, INC., and PUBLIC CITIZEN,)
INC.,)

Plaintiffs,)

v.)

08 Civ. 10507 (PGG)

U.S. CONSUMER PRODUCT)
SAFETY COMMISSION,)

Defendant.)

DECLARATION OF BERIT BLOCK

I, Berit Block, declare as follows:

1. I have been a member of the Natural Resources Defense Council since 2004.

2. I live at 255 West Street, Apt. 8C, New York, NY 10024.

3. I have three children. My oldest son is almost five years old, my daughter is three years old, and I have a five month old baby boy.

4. For my children, I buy both toys and child-care products for help with teething and feeding, like teething rattles and pacifiers, at many neighborhood stores in New York and also online. I don't shop at Target, Wal-Mart, or Toys R Us.

5. I am concerned about my children's exposure to phthalates in toys and child-care products. I am originally from Europe, and I am aware that phthalates are restricted there in toys and children's products. I know that phthalate residues can be shown in people's bodies. I understand that the long term effects of phthalates are not known. I know that concerns exist that exposure to phthalates may lead to reproductive health impairments, greater susceptibility to

allergies, and other health risks. Children's toys should be absolutely safe and should not carry the risk of long term adverse health consequences. I worry about the impacts that these chemicals may have on my children.

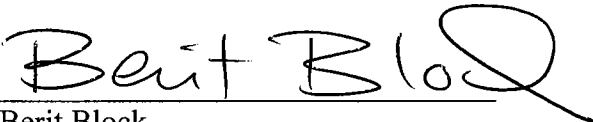
6. I don't have enough information about which toys or child-care products contain phthalates to be confident that I am making the right decision when I buy toys or other children's products. I would very much like to avoid phthalates, but it's hard to have confidence that I am avoiding them because the products are not properly labeled. As a result I try to limit the use of plastic products, but I would prefer to be able to buy plastic products for child care purposes and as toys. Plastic childcare products and toys are easy to keep clean and therefore generally hygienic. They are lightweight, easy to take along, and non-breakable. In particular, for child care products like pacifiers, baby bottles, children's plates, utensils or sippy cups, non-plastic alternatives are not available to my knowledge. Phthalates concern aside, I prefer plastic products because they are not fragile and not likely to disintegrate, splinter or break. In addition, I find that plastic products are almost impossible to avoid. In some instances, I am able to avoid plastic toys and child care products at my home, but my children are still exposed to them at school and elsewhere.

7. I would prefer if I could feel confident that plastic child care products and toys are safe for my children. I would feel safer buying toys and child-care products, as well as giving my children products bought by others, if I knew that phthalates were banned in all toys and child-care products, whenever they might have been manufactured. The Consumer Product Safety Commission should make sure that toys and child-care products that contain phthalates are not sold after the date that the Congressional ban goes into effect.

I declare under penalty of perjury that the foregoing is true and correct, to the best of my knowledge, information, and belief.

Dated: New York, New York

12/8, 2008


Berit Block