

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

NATURAL RESOURCES DEFENSE)
COUNCIL, INC., and PUBLIC CITIZEN,)
INC.,)
)
Plaintiffs,)
v.)
)
U.S. CONSUMER PRODUCT)
SAFETY COMMISSION,)
)
Defendant.)

08 Civ. 10507 (PGG)

DECLARATION OF SEAN HARRINGTON

I, Sean Harrington, declare as follows:

1. I have been a Public Citizen member for about two years.
2. My mailing address is P.O. Box 351855, Westminster, Colorado 80035.
3. I have an infant son who is five months old and two daughters who are three and thirteen years old.
4. My wife and I primarily buy toys and child-care products, such as bottles, plastic-coated spoons, and teething aids, for my two youngest children at Target and Wal-Mart.
5. I have become very concerned about harmful chemicals such as phthalates in my plastic children's toys and child-care products because I have heard on the radio and through online listservs that these chemicals are not well-regulated and could be in many products we have around the house. Because my son will start teething soon, I am especially worried about the harmful chemicals in plastic teething toys because they will constantly be chewed on in my son's mouth and the chemicals could be released. Although I am less concerned about things

like plastic-coated spoons since they are not chewed on, I do not want to take any risks with the developmental health of my child.

6. The labels on these products don't say whether or not they contain phthalates, so it is hard to know which ones to buy, or if any of them are safe. As I learn more about the dangers of phthalates and without knowing which plastic products are phthalate-free, my wife and I will have to figure out a way to avoid purchasing plastic child-care products and toys that could be put into our children's mouths and chewed on. My son has some fabric toys now, and we'll have to focus on getting more of those, instead of plastic ones.

7. I would like to know which manufacturers are following the Consumer Product Safety Commission's interpretation and plan to continue selling products containing phthalates so that I can avoid buying those products for my children and keep my family safe. I am angered by the CPSC's interpretation of the law, and I feel that it has acted in bad faith by allowing manufacturers and retailers to continue to sell products that are dangerous to my children.

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

Dated: St, Paul, Minnesota

13 December, 2008



Sean Harrington