## 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 KAREN KRAUT**

I, Karen Kraut, declare as follows:

1. I have been member of Public Citizen since 2004.

2. I live at 34 Fairmont Avenue, Apt. 1, Cambridge, MA 02139.

3. I have two sons: a one-year-old and a three-year-old.

4. I buy toys and child-care products for my children at Magic Beans and Target, but large portions of their toys and child-care items are gifts from family and friends.

5. I am very concerned about the harmful effects that phthalates in toys and child-

care products can have on my sons' development. I first learned about phthalates and their effects by reviewing information sent to me by Public Citizen, and I am especially worried about my one-year-old. He is at an age where he puts everything in his mouth, and my three-year-old helps by putting everything, including all types of plastic toys, into his brother's mouth.

6. As I become more aware, I am becoming increasingly disconcerted about the phthalates and other harmful chemicals that might be in my children's toys and in items like

sippy cups. Even if I wanted to purchase only products that were free of chemicals known to be dangerous, because my children receive gifts purchased by others, it would still be very difficult to limit my children's exposure. The Food and Drug Administration, the Consumer Product Safety Commission, and other agencies don't do enough to regulate the use of these chemicals in children's products and, as a result, my children aren't safe.

7. I think it is outrageous that CPSC is permitting the sale of products made with phthalates after the effective date of the statute. Manufacturers are now on notice that these products have adverse health effects and it is extremely irresponsible of them to continue to manufacture toys and child-care items that endanger children and of CPSC to encourage manufacturers to do so by allowing the sale of these toys and other items after February. I would feel much better about purchasing products for my sons and about receiving gifts on their behalf if I knew that the products on the shelves were safe.

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

Dated: Cambridge, Massachusetts

12/16\_\_\_\_2008

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Karen Kraut