

**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 DANIEL R. VICE

I, Daniel R. Vice, declare as follows:

1. I have been member of Public Citizen since December 2002.
2. I live in Bethesda, Maryland.
3. I have an infant daughter who is one year old and a son who is four years old.
4. I buy toys and child-care products for my children at Babies R Us, Toys R Us, CVS, and Target.
5. I am very concerned about the harmful effects that phthalates in toys and child-care products, such as sippy cups, can have on my children’s development. I first learned about phthalates and their effects by reading the U.S. Public Interest Research Group’s reports on toy safety, and now, I’ve been seeing reports about phthalates on the news. I am especially concerned about my daughter who is at an age where she uses a sippy cup and puts everything—including all kinds of plastic toys—in her mouth.


6. I am trying to avoid buying plastic child-care products and toys that contain phthalates so that I can keep my children safe. The last time I bought a sippy cup for my daughter, I bought one that was labeled phthalate-free, but most products are not marked, so it is hard to know which ones are safe. I am also concerned about the gifts that my children receive from family and friends—the givers may not know about the harmful effects of phthalates and check to see whether or not the toys contain phthalates before buying them for my children.

7. I would feel much better about my children's health if I knew that all toys and child-care products being sold were phthalate-free. Right now, because most packaging does not indicate whether the product contains phthalates, and that will not change even after the ban goes into effect, it is very hard to keep her safe. It would be easier to keep both of my children healthy if the Consumer Product Safety Commission did not permit the sale of phthalate products after the 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: Bethesda, Maryland

December 12, 2008



Daniel R. Vice