

**SUPERIOR COURT OF THE DISTRICT OF COLUMBIA  
CIVIL DIVISION**

<p>GMO FREE USA d/b/a TOXIN FREE USA, P.O. Box 8273, New Fairfield, CT 06812,</p> <p style="text-align: center;">Plaintiff,</p> <p style="text-align: center;">v.</p> <p>WATER WIPES (USA) INC., 155 Fleet Street, Suite 2, Portsmouth, New Hampshire 03801,</p> <p style="text-align: center;">Defendant.</p>	<p style="text-align: center;"><b>COMPLAINT</b></p> <p style="text-align: center;"><u>DEMAND FOR JURY TRIAL</u></p>
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**PREAMBLE**

Plaintiff GMO Free USA d/b/a Toxin Free USA (“TFUSA” or “Plaintiff”) brings this action against Defendant WaterWipes (USA), Inc. (“WaterWipes” or “Defendant”) regarding the false and deceptive marketing and sale of its Plastic-Free Original Baby Wipes (the “Products”). WaterWipes represents to District of Columbia consumers that its Products are “plastic-free” and “the world’s purest baby wipes.” Plaintiff’s testing, however, reveals that the Product contains significant levels of microplastics, exposure to which can cause a range of harmful human health consequences—especially when exposure begins at a young age. The presence of microplastics is especially concerning considering that the Product is meant for use on newborns and young children, that children are more vulnerable to exposure to microplastics, and that microplastics build up over time and accumulate in the body, increasing the risk of disease later in life. This Complaint is on behalf of the general public of the District of Columbia, in the interest of consumers. This is not a class action, and no class certification will be sought. Plaintiff alleges

the following based upon personal knowledge, information, belief, and the investigation of Counsel:

### **INTRODUCTION**

1. This is a consumer protection action concerning marketing representations by Defendant WaterWipes (USA), Inc. (“WaterWipes”) regarding the false and deceptive marketing and sale of its Plastic-Free Original Baby Wipes (“the Product”).<sup>1</sup> The case is brought by GMO Free USA d/b/a Toxin Free USA (“TFUSA”), a nonprofit public interest organization. TFUSA does not seek money damages; instead, TFUSA seeks an order declaring that WaterWipes’ representations about its “Plastic-Free” Product is unlawful under the Consumer Protection Procedures Act (“CPPA”), D.C. Code §§ 28-3901–13, as well as an injunction that will end the deceptive advertising and marketing at issue.

2. This is not a class action and TFUSA will not seek class certification.

3. WaterWipes markets and sells its Product throughout the District of Columbia.

4. According to its own website, WaterWipes is a “global business,” selling its Products in over 50 countries.<sup>2</sup>

5. On the Product packaging, WaterWipes represents that the Product is “Plastic-Free,” has “just 2 ingredients,” and are “the world’s purest baby wipes.”

6. Via WaterWipes’ consumer-facing website, WaterWipes represents itself as a company committed to “purity” and “quality” through its “plant-based and plastic free” baby wipes.

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<sup>1</sup> Plaintiff alleges that any WaterWipes Products that contain microplastics are within the scope of this Complaint. Plaintiff reserves the right to add future Products as a result of further discovery.

<sup>2</sup> *About Us*, WaterWipes, <https://www.waterwipes.com/our-story> (last visited Mar. 19, 2025).

7. The same website represents that the WaterWipes' Product is "perfect for the delicate skin of newborns."

8. The WaterWipes website and on-package representations at issue in this action are accessible to consumers in the District of Columbia.

9. Consumers within the District and across the country believe that plastic pollution—particularly through microplastics—presents significant harm to human health and the environment.

10. Consumers within the District and across the country are also interested in products that are better for their health and are increasingly concerned about what they knowingly—and unknowingly—absorb through their skin.

11. Further, consumers within the District and across the country are increasingly worried about the products, substances, and chemicals they expose to newborns and young children.

12. Due to these concerns, many consumers are reevaluating their purchasing choices and the effects of those choices on their health, their families' health, and the environment.

13. Because of growing concerns about environmental and human health harms, consumers are willing to seek out less harmful services or products. Consumers prefer to support companies that protect their health and share their values, including a commitment to reducing impact on the environment and protecting the health of newborns and young children.

14. For these reasons, it is increasingly beneficial for companies that sell products for use with newborns, babies, and young children to advertise themselves as "plastic-free," "pure," and "safe," despite the reality that their products contain microplastics.

15. Microplastics have become increasingly pervasive, with recent studies finding microplastics in every human placenta and testicle studied,<sup>3</sup> as well as in every blood sample taken.<sup>4</sup>

16. Plastic pollution is now so widespread that a 2019 study commissioned by World Wildlife Fund International estimated that the average person could be consuming upwards of 5 grams of plastic every week, which is equivalent to roughly the weight of an entire credit card.<sup>5</sup>

17. Once microplastics enter the bloodstream, they can spread all throughout the body. These microplastics put stress on the body's immune system and have been found to increase the rate at which cancer cells spread.<sup>6</sup>

18. Research has found that microplastics exposure, even in low doses, during the early developmental stage can induce long-term and devastating health effects, including higher likelihoods of illness later in life.<sup>7</sup>

18. Further, newborns and young children are more susceptible to microplastic absorption through the skin because their most superficial layer of skin is thinner and more permeable compared to adults.<sup>8</sup>

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<sup>3</sup> Damian Carrington, *Microplastics Found in Every Human Testicle in Study*, The Guardian (May 20, 2024), <https://www.theguardian.com/environment/article/2024/may/20/microplastics-human-testicles-study-sperm-counts>; Michael Haederle, *Microplastics in Every Human Placenta, New UNM Health Sciences Research Discovers*, UNM Health Sciences Newsroom (Feb. 20, 2024), <https://hsc.unm.edu/news/2024/02/hsc-newsroom-post-microplastics.html>.

<sup>4</sup> *Microplastics Found in Human Hearts*, Plastic Pollution Coalition (Aug. 18, 2023), <https://www.plasticpollutioncoalition.org/blog/2023/8/18/microplastics-found-in-human-hearts>.

<sup>5</sup> *You May be Eating a Credit Card's Worth of Plastic Each Week: Study*, Reuters (June 11, 2019), <https://www.reuters.com/article/us-environment-plastic/you-may-be-eating-a-credit-cards-worth-of-plastic-each-week-study-idUSKCN1TD009>.

<sup>6</sup> Simon Ducroquet & Shannon Osaka, *The Plastics We Breathe*, WASH. POST (June 10, 2024), <https://www.washingtonpost.com/climate-environment/interactive/2024/microplastics-air-human-body-organs-spread/>.

<sup>7</sup> Nur Hanisah Amran et al., *Exposure to Microplastics during Early Developmental Stage: Review of Current Evidence*, 10 TOXICS 597, 597 (Oct. 5, 2022) (available at <https://pmc.ncbi.nlm.nih.gov/articles/PMC9611505/>).

<sup>8</sup> *Id.*

19. Lastly, exposure to microplastics in infancy induces numerous changes to the digestive, reproductive, central nervous, immune, and circulatory systems of children, which can have negative health consequences later in life.<sup>9</sup>

20. Contrary to WaterWipes' marketing representations to consumers, its Product is exposing newborns and children to significant levels of microplastics.

21. Testing through an independent third-party lab revealed the presence of microplastic in the Product at levels 387x the level of microplastic particles in the control (laboratory grade isopropyl alcohol).

22. No reasonable consumer who sees WaterWipes' representations would expect that its Products exposes them, their babies, or their family to microplastics.

23. WaterWipes promotes its Product as "plant-based" and "plastic free" on its Product packaging and website, despite the fact that microplastics have been found in WaterWipes' Product.

24. By misrepresenting the nature and quality of its Product, WaterWipes is able to capture the growing market of D.C. consumers who are concerned about plastic pollution and seek to support businesses with practices that are friendly to the environment and human health.

25. WaterWipes' false and misleading representations and material omissions violate the CPPA.

26. Because WaterWipes' marketing and advertising tend to mislead and are deceptive about the true nature and quality of its Products and business, TFUSA brings this deceptive advertising case on behalf of itself and the general public pursuant to the CPPA.

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<sup>9</sup> Nur Hanisah Amran et al., *supra* note 7.

## FACT ALLEGATIONS

### I. Defendant Makes False and Deceptive Representations About the Plastic Content of Its Product.

27. Defendant WaterWipes makes affirmative on-package representations about the safety of its Product—namely, that they are “plastic free” and are “the world’s purest baby wipes.”



28. WaterWipes also makes on-package representations that its Product contains “just 2 ingredients”—99.9% water and “a drop of fruit extract.”



29. On its website, WaterWipes states that its “wipes are plant-based and *plastic free*.”<sup>10</sup>

30. WaterWipes’ social media page also states that the Product is “100% plastic-free.”<sup>11</sup>



31. WaterWipes also claims that the Product is “perfect for the delicate skin of newborns.”<sup>12</sup>



<sup>10</sup> *Environment*, WaterWipes, <https://www.waterwipes.com/environment> (last visited Mar. 20, 2025).

<sup>11</sup> WaterWipes (@waterwipes), Instagram (Oct. 13, 2021), [https://www.instagram.com/p/CU-FtjaMfO5/?img\\_index=1](https://www.instagram.com/p/CU-FtjaMfO5/?img_index=1).

<sup>12</sup> *Our Products*, WaterWipes, <https://www.waterwipes.com/products> (last visited Mar. 20, 2025).

32. WaterWipes also represents that its Product is “purer than cloth and water.”<sup>13</sup>

33. Despite the presence of microplastics in the Product, WaterWipes represents to consumers that they are “the safest baby wipes on the market.”<sup>14</sup>

34. The representations made by WaterWipes, *see supra*, are intended to, and do, lead D.C. consumers to believe that the Products are safe, and free from substances that are harmful to human health. In reality, the Products contain microplastics, which accumulate in the body and lead to extensive potential negative health impacts.

## **II. Defendant’s Representations are Material to Consumers.**

35. WaterWipes’ representations that its Product is safe and free from plastics are material to D.C. consumers who care about making environmentally conscious and health-conscious purchasing decisions.

36. Infant safety in particular remains a top concern for parents, with the global market for such products at an estimated value of \$255.83 billion in 2024.<sup>15</sup>

37. One study found that “61% of Americans are concerned about the products they put in, on and around their bodies” and “81% assume the personal care products they use adhere to strict quality and safety standards.”<sup>16</sup>

38. Other research has found that “[c]onsumers want brands and retailers to be more transparent and open about their products.”<sup>17</sup> In fact, “1 in 3 U.S. consumers use online resources

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<sup>13</sup> *Umbilical Cord Care*, WaterWipes, <https://www.waterwipes.com/skincarehub/umbilical-cord-care> (last visited Mar. 19, 2025).

<sup>14</sup> *The Science & Safety of WaterWipes Products*, WaterWipes, <https://www.waterwipes.com/skincarehub/waterwipes-science-safety> (last visited Mar. 19, 2025).

<sup>15</sup> Nicholas Morine, *Parents Seeking Safety, Value, and a Return to Nature When Buying Products for Their Babies*, RetailWire (Jan. 3, 2025), <https://retailwire.com/parents-safety-value-products-babies/>.

<sup>16</sup> *Most Americans Are Concerned About the Safety of Many Consumer Products – Yet Few Research Claims*, NSF (May 16, 2019), <https://www.nsf.org/news/most-americans-are-concerned-about-the-safety-of-many-consumer-products>.

<sup>17</sup> Elizabeth Christenson, *Transparency Influences Shopper’s Beauty, Personal Care Purchases*, Drug Store News (Nov. 15, 2022), <https://drugstorenews.com/transparency-influences-shoppers-beauty-personal-care-purchases>.

to see how ingredients are sourced.”<sup>18</sup> Also, “72% of U.S. shoppers said brand transparency is ‘extremely important’ or ‘important.’”<sup>19</sup>

39. Here, Defendant is selling a Product meant to be used on newborns and young children<sup>20</sup> and makes specific representations about the plastic content—or supposed lack thereof—in its Product. Thus, Defendant’s representations are material to consumers.



### **III. Despite Defendant’s Representations, the Product Contains Significant Levels of Microplastics, Posing a Significant Risk to Newborn Health.**

40. TFUSA purchased WaterWipes Plastic-Free Original Baby Wipes to evaluate it for microplastics.

41. Testing conducted by an independent laboratory found microplastics in the Product at levels 387x the level of microplastic particles in the control (laboratory grade isopropyl alcohol).

42. There were microplastics found *throughout* the Product, not just in the top wipe but also further down the stack.

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<sup>18</sup> *Id.*

<sup>19</sup> *Id.*

<sup>20</sup> *See, e.g.,* WaterWipes, <https://www.waterwipes.com/> (last visited Mar. 19, 2025) (suggesting that consumers “Add [the Product] to [their] Baby Registry”).

43. Microplastics are any plastics less than five millimeters in length that come from larger plastic debris that degrades into smaller pieces over time.<sup>21</sup>

44. Microplastics have been shown to leach hazardous chemicals, and have been linked to cancer, weakened immune systems, endocrine and reproductive problems, nervous system problems, hearing loss, and metabolic disturbances, among other harmful health effects.<sup>22</sup>

45. Microplastics exposure, even in low doses, during the early developmental stage can induce long-term and devastating health effects.<sup>23</sup>

46. These hazardous substances are particularly harmful to “pregnant people . . . and in babies, children, and youth whose hormone systems are [] extremely active to guide healthy growth and development.”<sup>24</sup>

47. Microplastics exposure during the neonatal period is linked to the development of multiple illnesses in adulthood.<sup>25</sup>

48. Microplastics can be inhaled through the respiratory system as well as absorbed through the skin.<sup>26</sup>

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<sup>21</sup> Vedant Sharma, *Microplastic: A Potentially Silent But Deadly Killer*, Pre-Collegiate Global Health Review (Oct. 14, 2021), <https://www.pghr.org/post/microplastic-a-potentially-silent-but-deadly-killer>.

<sup>22</sup> *Id.*; Yage Li, et al., *Leaching of Chemicals from Microplastics: A Review of Chemical Types, Leaching Mechanisms and Influencing Factors*, *Sci. Total Env't* (Oct. 15, 2023), <https://pubmed.ncbi.nlm.nih.gov/37820817/>. Plastics themselves, of course, “may contain any mix of more than 16,000 different chemicals, and at least 4,200 [] are highly hazardous to human and environmental health.” See *New Report: Plastic Chemicals are Numerous and Hazardous*, Plastic Pollution Coalition (Mar. 20, 2024), <https://www.plasticpollutioncoalition.org/blog/2024/3/20/new-report-plastic-chemicals-are-numerous-and-hazardous>.

<sup>23</sup> Nur Hanisah Amran et al., *supra* note 7.

<sup>24</sup> *From Womb to World, Plastics Harm Babies: How to Protect Their Health*, Plastic Pollution Coalition (May 12, 2024), <https://www.plasticpollutioncoalition.org/blog/2024/5/12/from-womb-to-world-plastics-harm-babies>.

<sup>25</sup> Nur Hanisah Amran et al., *supra* note 7.

<sup>26</sup> *Id.*

49. Newborns and young children are more susceptible to microplastic absorption through the skin because their most superficial layer of skin is thinner and more permeable compared to adults.<sup>27</sup>

50. Exposure to microplastics in infancy induces numerous changes to the digestive, reproductive, central nervous, immune, and circulatory systems of children, which can have negative health consequences later in life.<sup>28</sup>

#### **IV. Defendant Is Misleading D.C. Consumers About Its Product.**

51. Consumers see WaterWipes' assurances about the absence of plastic in its Product and reasonably believe that the Product would not contain and subsequently expose them or their children to any level of microplastics, which accumulate in the body and lead to extensive negative health impacts later in life.

52. Yet, TFUSA's testing shows that the Product contains microplastics.

53. WaterWipes states that the packaging may still contain plastics, but omits the fact that the Product itself may also contain microplastics from its marketing materials.

54. D.C. Consumers are, therefore, at risk of real, immediate, and ongoing harm if the Product continues to be sold with the misleading representations and omissions.

#### **STATUTORY FRAMEWORK**

55. This action is brought under the District of Columbia Consumer Protection Procedures Act ("CPPA"), D.C. Code § 28-3901, *et seq.*

56. The CPPA makes it a violation for "any person" to, *inter alia*:

Represent that goods or services have a source, sponsorship, approval, certification, accessories, characteristics, ingredients, uses, benefits, or quantities that they do not have;

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<sup>27</sup> *Id.*

<sup>28</sup> *Id.*

Represent that goods or services are of a particular standard, quality, grade, style, or model, if in fact they are of another;

Misrepresent as to a material fact which has a tendency to mislead;

Fail to state a material fact if such failure tends to mislead;

Use innuendo or ambiguity as to a material fact, which has a tendency to mislead; or

Advertise or offer goods or services without the intent to sell them or without the intent to sell them as advertised or offered.

D.C. Code § 28-3904(a), (d), (e), (f), (f-1), (h).

57. While the CPPA enumerates a number of specific unlawful trade practices, *see* D.C. Code § 28-3904, the enumeration is not exclusive; a main purpose of the CPPA is to “assure that a just mechanism exists to remedy all improper trade practices.” D.C. Code § 28-3901 (b)(1); *see also, e.g., Dist. Cablevision Ltd. P’ship v. Bassin*, 828 A.2d 714, 722-23 (D.C. 2003); *Osbourne v. Capital City Mortg. Corp.*, 727 A.2d 322, 325-26 (D.C. 1999); *Atwater v. D.C. Dep’t of Consumer & Reg. Affairs*, 566 A.2d 462, 465 (D.C. 1989).

58. A violation of the CPPA may occur regardless of “whether or not any consumer is in fact misled, deceived or damaged thereby.” *Id.* § 28-3904.

59. The CPPA “establishes an enforceable right to truthful information from merchants about consumer goods and services that are or would be purchased, leased, or received in the District of Columbia.” *Id.* § 28-3901(c). The statute “shall be construed and applied liberally to promote its purpose.” *Id.*

60. Plaintiff in this case is a nonprofit, public interest organization statutorily empowered pursuant to D.C. Code Section 28-3905(k)(1)(C) & (D) to represent the interests of District of Columbia consumers.

61. Because Plaintiff is a public interest organization, TFUSA may act on behalf of the general public and bring any action that an individual consumer would be entitled to bring:

[A] public interest organization may, on behalf of the interests of a consumer or a class of consumers, bring an action seeking relief from the use by any person of a trade practice in violation of a law of the District if the consumer or class could bring an action under subparagraph (A) of this paragraph for relief from such use by such person of such trade practice.

*Id.* § 28-3905(k)(1)(D)(i). Subparagraph (A) provides: “A consumer may bring an action seeking relief from the use of a trade practice in violation of a law of the District.” Pursuant to § 28-3901(c), placing misinformation into the D.C. marketplace is a trade practice in violation of the CPPA. Accordingly, Plaintiff has standing to challenge WaterWipes’ misrepresentations about the Product in the District.

62. A public interest organization (*see* D.C. Code § 28-3901(15)) may act on behalf of the interests of consumers, *i.e.*, the general public of the District of Columbia, so long as the organization has “sufficient nexus to the interests involved of the consumer or class to adequately represent those interests.” *Id.* § 28-3905(k)(1)(D)(ii). As set forth in this Complaint, *see infra* ¶¶ 73-76, Plaintiff is an organization dedicated to consumer advocacy and has previously represented consumers in similar actions under the CPPA. TFUSA has a sufficient nexus to D.C. consumers to represent their interests adequately.

63. Alternatively, a nonprofit organization (*see* D.C. Code § 28-3901(14)) that has purchased or received a good in order to test or evaluate its qualities, as Plaintiff TFUSA has done here, has standing under the CPPA to act on behalf of itself and the general public and bring an action as a “tester” organization:

A nonprofit organization may, on behalf of itself or any of its members, or on any such behalf and on behalf of the general public, bring an action seeking relief from the use of a trade practice in violation of a law of the District, including a violation involving consumer goods or services that the organization purchased or received

in order to test or evaluate qualities pertaining to use for personal, household, or family purposes.

*Id.* § 28-3905(k)(1)(C).

64. This is not a class action, or an action brought on behalf of any specific consumer, but an action brought by Plaintiff on behalf of the general public, *i.e.*, D.C. consumers generally. No class certification will be requested.

65. This action does not seek money damages. Instead, Plaintiff seeks to end the unlawful conduct directed at D.C. consumers, *i.e.*, Defendant's false and deceptive marketing of the Product. Remedies available under the CPPA include "[a]n injunction against the use of the unlawful trade practice." *Id.* § 28-3905(k)(2)(D), (F). TFUSA also seeks declaratory relief in the form of an order holding WaterWipes' conduct to be unlawful in violation of the CPPA and requests its attorneys' fees and costs incurred in bringing this action.

### **JURISDICTION AND VENUE**

66. This Court has personal jurisdiction over the Parties in this case. Plaintiff consents to this Court having personal jurisdiction over it.

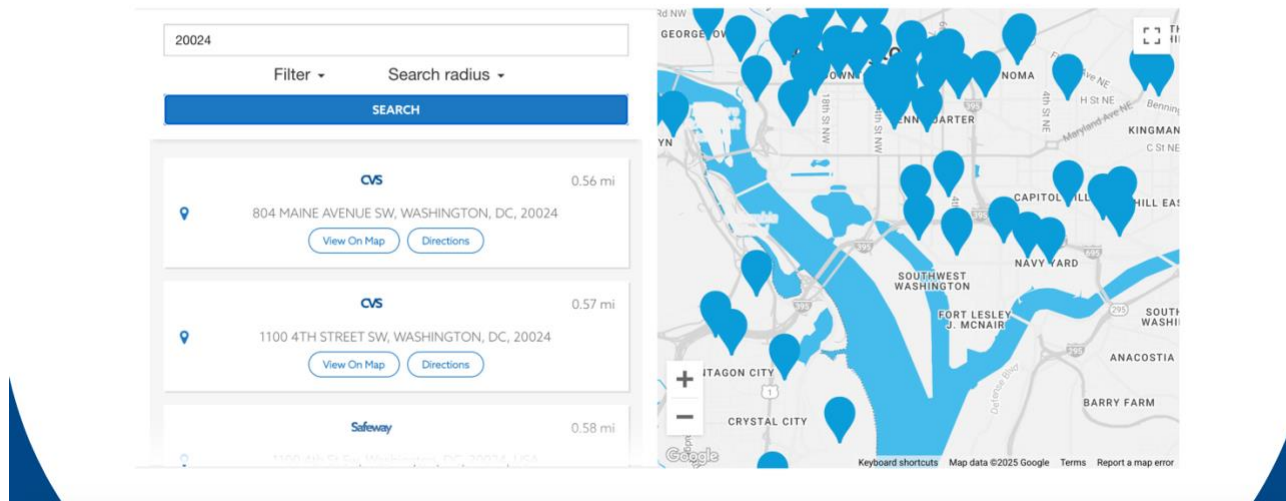
67. This Court has personal jurisdiction over Defendant because WaterWipes has purposefully directed its conduct to the District and availed itself to the benefits and protections of District of Columbia law.

68. Defendant markets to consumers within the District. The Product can be, and is, purchased in the District by D.C. consumers, who have access to WaterWipes' marketing and on-label representations about the Product, both online and in stores on the Products' packaging.<sup>29</sup>

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<sup>29</sup> *Where To Buy*, WaterWipes, <https://www.waterwipes.com/where-to-buy> (last visited Mar. 20, 2025).

Explore the map below to see stores where you can buy WaterWipes near you.



69. The beneficiaries of this action are District of Columbia consumers, and this case concerns representations made in the District of Columbia, to residents of the District of Columbia, and with the intent that residents would act upon those representations and purchase products within the District of Columbia.

70. The District has a strong interest in protecting its consumers through enforcement of the CPPA. The general public of the District has a corresponding interest in the vigorous enforcement of laws established to protect District consumers.

71. TFUSA, which has agreed to represent the interest of those consumers, has an interest in vindicating rights conferred by the CPPA as related to misrepresentations made to D.C. consumers. Plaintiff has an interest in prosecuting this case within the District, which is where the alleged injuries occurred and where the relevant Products were advertised for purchase and/or purchased.

72. This Court has subject-matter jurisdiction over this action under the CPPA, D.C. Code § 28-3901–13. Venue is proper in this Court because the claim brought in this complaint arises from Defendant’s conduct in the District.

### **PARTIES**

73. Plaintiff Toxin Free USA is a 501(c)(3) non-profit organization whose mission is to harness independent science and agroecology concepts to advocate for clean and healthy food and ecological systems. Toxin Free USA educates consumers about the potential hazards of synthetic ingredients, pesticides and biocides, and genetically engineered organisms (“GMOs”).

74. In 2020, Toxin Free USA expanded its public education mission beyond GMOs and GMO-related pesticides, establishing a complementary arm to the existing organization on the basis that it is impossible to have clean food and a clean environment without addressing the many toxins and pesticides, such as PFAS chemicals, that have become pervasive in our food system and environment.

75. Toxin Free USA performs its work and advocates for consumers throughout the United States, including in the District of Columbia.

76. TFUSA’s website, publications, public education, research, network building, and mobilization activities provide an important service to consumers and community activists every month.

77. On August 23, 2024, TFUSA purchased WaterWipes Plastic-Free Original Baby Wipes through Amazon.

78. Testing commissioned by TFUSA through a third-party lab revealed the presence of microplastics in the Product at levels 387x the level of microplastic particles in the control (laboratory grade isopropyl alcohol).

79. TFUSA gave Defendant notice of its CPPA claim on March 12, 2025.

80. Defendant is incorporated and headquartered in New Hampshire.

81. Defendant markets and sells the Product in stores and online in the District of Columbia.

82. Through its misrepresentations, Defendant has caused harm to the general public of the District of Columbia.

### **CAUSE OF ACTION**

#### ***Violations of the District of Columbia Consumer Protection Procedures Act***

83. Plaintiff incorporates by reference all the allegations of the preceding paragraphs of this Complaint.

84. Plaintiff is a nonprofit, public interest organization that brings these claims on behalf of the general public of D.C. consumers. *See* D.C. Code § 28-3905(k)(1)(D).

85. Through section 28-3905(k)(1)(D), the CPPA explicitly allows for public interest standing and allows a public interest organization to stand in the shoes of consumers to seek relief from any violation of the CPPA.

86. Additionally, pursuant to section 28-3905(k)(1)(C), the CPPA explicitly allows a nonprofit organization acting on behalf of the general public to establish “tester” standing, which Plaintiff has established here.

87. Defendant is a “person” and a merchant that provides “goods” within the meaning of the CPPA. *See* D.C. Code § 28-3901(a)(1), (3), (7).

88. As alleged in this Complaint, Defendant has falsely and deceptively represented, through false statements, material omissions, and ambiguous language, that the Product is safe and does not contain plastics, including microplastics.

89. Thus, Defendant has violated the CPPA by “represent[ing] that goods . . . have a source . . . [or] characteristics . . . that they do not have”; “represent[ing] that goods . . . are of a particular standard, quality, grade, style, or model, if in fact they are of another”; “misrepresent[ing] as to a material fact which has a tendency to mislead”; “fail[ing] to state a material fact if such failure tends to mislead”; “us[ing] innuendo or ambiguity as to a material fact, which has a tendency to mislead”; and “advertis[ing] . . . goods . . . without the intent to sell them as advertised.” D.C. Code § 28-3904(a), (d), (e), (f), (f-1), (h).

**JURY TRIAL DEMAND**

90. Plaintiff hereby demands a trial by jury.

**PRAAYER FOR RELIEF**

*Wherefore*, Plaintiff prays for judgment against Defendant and requests the following relief:

- A. A declaration that WaterWipes’ conduct is in violation of the CPPA;
- B. An order enjoining WaterWipes’ conduct found to be in violation of the CPPA; and requiring redress of consumer misunderstanding about the safety of the Products;
- C. An order granting TFUSA costs and disbursements, including reasonable attorneys’ fees and expert fees, and prejudgment interest at the maximum rate allowable by law.

DATED: March 28, 2025

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