

June 30, 2004

Carlos M. Gutierrez
Chairman and Chief Executive Officer
Kellogg Company
1 Kellogg Square
PO Box 3599
Battle Creek, MI 49016-3599

Dear Chairman Gutierrez:

I write to urge you to immediately cease the sale of cereal boxes with certain Spider-Man novelties that contain batteries with mercury in violation of Connecticut law. Mercury is a highly toxic substance, even in small amounts, and poses a significant risk to health and environment. Once mercury enters the waste stream, it almost always causes harmful pollution to our air and water.

No healthy breakfast begins with mercury. The danger cannot be sugarcoated.

Connecticut has enacted strong legislation to protect our public health and environment from mercury by banning its use in many consumer products. These statutes -- the Mercury Reduction Act, Conn. Gen. Stat. § 22a-616, and the Child Protection Act, Conn. Gen. Stat. § 21a-337 -- establish a clear public policy against the use of mercury and other hazardous substances in children's toys. Because safe non-mercury batteries are available, there is no legitimate reason to use batteries that are nearly certain to become toxic waste. Continuing to use mercury batteries needlessly exposes children to mercury and produces more toxic waste.

All cereal boxes with toys that have batteries containing mercury should be removed from store shelves immediately. Since the stores themselves may have legal as well as moral obligations, we will inform them immediately of our concern and seek their cooperation.

I look forward to your expedited, positive response to this letter. Continued use of mercury batteries would constitute a violation of state law and I will take strong action to enforce this law.

Sincerely,

RICHARD BLUMENTHAL

RB/pas