



May 10, 2006

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Gilbert M. Cassagne
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Cadbury Schweppes Americas Beverages
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Fax: +44 (0) 207 830 5157
Todd Stitzer
Chief Executive Officer
Cadbury Schweppes Plc
25 Berkeley Square
London
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UK

Re: *Center for Science in the Public Interest v. Cadbury Schweppes Plc, d/b/a Cadbury Schweppes Americas Beverages, and Dr Pepper/Seven Up, Inc.*

Dear Messrs. Cassagne and Stitzer:

The Center for Science in the Public Interest ("CSPI") intends to file a lawsuit alleging that Cadbury Schweppes Plc, d/b/a Cadbury Schweppes Americas Beverages, and Dr Pepper /Seven Up, Inc. (collectively "Cadbury") engage in acts and practices that are both unfair and deceptive with respect to the marketing and sale of 7UP as a "natural" product.

Cadbury has commenced a marketing campaign to promote a reformulated 7UP as all-natural. For example, Cadbury says on its website:¹

"We're proud to be the first mainstream carbonated soft drink brand to *address consumer demand* for a great tasting lemon-lime soft drink made from *100 percent natural* ingredients," said Randy Gier, chief marketing officer for Cadbury Schweppes Americas Beverages. "By *removing all the artificial ingredients*, 7UP is remaining true to its roots as 'the UNCOLA'® – an alternative to other carbonated soft drinks currently on the market."

In truth, 7UP is not a "natural" product, because the ingredients are not in fact "100% natural." 7UP is sweetened with high-fructose corn syrup ("HFCS"), which is not a natural product. As Cadbury knows, HFCS is manufactured from corn using a complex and multi-step industrial process: Starch is extracted from

¹ www.dpsu.com/Newsroom/tabid/144/ctl/Details/mid/531/ItemID/30/Default.aspx [emphases added].

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corn; the starch is artificially broken down by acids or enzymes into glucose (dextrose) molecules; and some of the glucose molecules are artificially converted (by enzymes) into fructose.

There is nothing natural about this complex process of creating new molecules. Therefore, Cadbury's entire campaign is unfair and deceptive.

As the manufacturer and distributor of 7UP, Cadbury is responsible for the injury caused by its actions. Consumer injury occurs each time a consumer purchases a 7UP with a label stating that it is "natural." Each occurrence is a separate injury. E.g., *Aspinall v. Philip Morris Companies, Inc.*, 442 Mass. 381, 813 N.E.2d 476 (Mass. 2004).

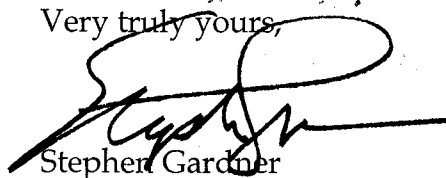
CSPI will proceed on its own behalf and on behalf of its members who have purchased a 7UP product with a label stating that it is "natural." Because Cadbury's unfair and deceptive acts and practices caused similar injury to numerous other persons similarly situated, CSPI may also represent all other persons so injured.

CSPI primarily seeks an injunction that Cadbury not describe any product that is sweetened with HFCS as "natural," but CSPI also plans to seek all available damages, restitution/ disgorgement, corrective advertising, and attorneys' fees.

This offer of settlement will remain open for 30 days from your first receipt of this letter, after which it shall be automatically withdrawn and become null and void. By making this demand, CSPI does not waive any other potential claims and reserves all rights to raise such claims in the event that this matter is not settled prior to litigation.

Please have your own counsel contact me if Cadbury wishes to discuss a settlement of this matter before suit is filed or if Cadbury needs additional information about this lawsuit.

Very truly yours,

A handwritten signature in black ink, appearing to read "Stephen Gardner", written over a horizontal line.

Stephen Gardner
Director of Litigation