



Ad-hoc Message

U.S. District Court Finds in Favor of Bayer

Class action certification denied in Baycol litigation

September 17, 2003

Leverkusen, Germany - Bayer said today that it is pleased that the Federal District Court in Minneapolis, Minnesota found in favor of the company and denied plaintiff's motion to certify a nationwide class action in the Baycol litigation.

Bayer opposed certification of a nationwide class for Baycol. The company argued that certification of a class action was not appropriate because the claims of the possible class members involve too many diverse and individual issues. Some of these include differences in state law, medical histories, Baycol dosages and Baycol use with other drugs. In addition, Bayer believes that a class action would have proven to be unmanageable.

Bayer will continue its strategy of analyzing the specific circumstances of each case and the nature of each claim. It will also continue to pursue its policy of trying to agree on fair compensation for anyone who experienced serious side effects from Baycol on its own initiative and without acknowledging any legal liability. Bayer has successfully settled more than 1342 cases in the United States to date. In cases where an examination of the facts indicates that Baycol played no part in the patient's medical situation, or where a settlement is not achieved, Bayer will continue to defend itself vigorously. Bayer believes this is the most fair and reasonable manner in which to handle the litigation.

Forward-looking statements

This news release contains forward-looking statements based on current assumptions and forecasts made by Bayer Group management. Various known and unknown risks, uncertainties and other factors could lead to material differences between the actual future results, financial situation, development or performance of the company and the estimates given here. These factors include those discussed in our public reports filed with the Frankfurt Stock Exchange and with the U.S. Securities and Exchange Commission (including our Form 20-F). The company assumes no liability whatsoever to update these forward-looking statements or to conform them to future events or developments.