

Bayer



Bayer AG  
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## Investor News

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### **Bayer Corporation reaches agreement with U.S. Department of Justice in polyester polyols investigation**

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**Leverkusen / September 30, 2004** – Bayer Corporation, the U.S. subsidiary of Bayer AG, today confirmed that it has reached agreement with the U.S. Department of Justice to settle charges related to allegations that Bayer Corporation engaged in anti-competitive activities from February 1998 through December 2002 involving adipic-based polyester polyols. Under the terms of the agreement, Bayer Corporation agreed to plead guilty and to pay a fine of \$33 million. The company will set up a respective provision in the third quarter of 2004.

Bayer Corporation has cooperated with the Department during the investigation. The agreement, if approved by the court, resolves all criminal charges against Bayer for activities related to its adipic-based polyester polyols business.

Adipic-based polyester polyols are a distinct type of a polyol raw material supplied to customers who produce polyurethanes. Adipic-based polyester polyols are not urethanes.

Leverkusen, September 30, 2004

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**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.