

Annual Declaration Pursuant to Cal. Health & Safety Code §§ 119400-119402

All Bayer HealthCare employees have a responsibility to comply with all legal requirements and must report suspected violations of our compliance programs and related policies to their supervisors, the Law and Patents Department, or the Compliance Officer through the Confidential Disclosure Program. Reports to the Confidential Disclosure Program may be made anonymously. Any employee who reports a suspected violation, or raises any compliance matter, in good faith, will not be subject to any retaliation or adverse action based upon such reports.

Bayer HealthCare LLC and Intendis, Inc. (collectively referred to as “Bayer”) hereby declare that, to the best of its knowledge, and based on its good faith understanding of all applicable statutory requirements, Bayer is not aware of any violations between January 1, 2009 – December 31, 2009 of its Comprehensive Compliance Program (“CCP”) or of California Health and Safety Code §§ 119400-119402 relating to California medical or health professionals that have not been addressed and for which corrective action has not been taken. Copies of this declaration and the CCP may be obtained by calling 1-877-256-3562 (our toll-free number).