



Statement

Media Contact: Casey Stavropoulos
(202) 247-0705

Investor Contact: Graeme Bell
(908) 423-5185

Statement Regarding Decision by N.J. Supreme Court to Hear Appeal Of VIOXX Class-Action Ruling

WHITEHOUSE STATION, N.J., July 24, 2006 – New Jersey’s Supreme Court today agreed to hear an appeal of a lower court decision granting class-action status to a nationwide group of insurance companies and HMOs seeking reimbursement for VIOXX expenditures. Merck & Co., Inc. had opposed class action status in the case, International Union of Operating Engineers Local 68 Welfare Fund v. Merck.

Ted Mayer, of Hughes, Hubbard & Reed, Merck’s outside counsel, issued the following statement in connection with today’s decision:

“We are gratified that the state’s highest court has agreed to hear this case. We have long believed that it is not an appropriate case to be handled as a class action because the situation of each insurance company and HMO is so different from one another.

“Every member of the supposed class had different types of information in deciding whether to reimburse patients for VIOXX and they all went through varied processes with different experts in making those decisions.

“The ruling was also flawed because it sought to impose New Jersey law on transactions that occurred in 49 other states, effectively overruling the consumer protection statutes of those other states.

“Additionally, the claims are meritless because Merck’s communications and representations about VIOXX’s efficacy and safety were both proper and accurate. The fact is that VIOXX worked for patients because it was effective at relieving pain with fewer gastrointestinal effects than other drugs in its class.”

About Merck

Merck & Co., Inc. is a global research-driven pharmaceutical company dedicated to putting patients first. Established in 1891, Merck currently discovers, develops, manufactures and markets vaccines and medicines to address unmet medical needs. The Company devotes extensive efforts to increase access to medicines through far-reaching programs that not only donate Merck medicines but help deliver them to the people who need them. Merck also publishes unbiased health information as a not-for-profit service. For more information, visit www.merck.com.

Forward-Looking Statement

This statement contains "forward-looking statements" as that term is defined in the Private Securities Litigation Reform Act of 1995. These statements are based on management's current expectations and involve risks and uncertainties, which may cause results to differ materially from those set forth in the statements. The forward-looking statements may include statements regarding product development, product potential or financial performance. No forward-looking statement can be guaranteed, and actual results may differ materially from those projected. Merck undertakes no obligation to publicly update any forward-looking statement, whether as a result of new information, future events, or otherwise. Forward-looking statements in this statement should be evaluated together with the many uncertainties that affect Merck's business, particularly those mentioned in the cautionary statements in Item 1 of Merck's Form 10-K for the year ended Dec. 31, 2005, and in its periodic reports on Form 10-Q and Form 8-K, which the Company incorporates by reference.

#