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Monster Beverage Corp. Details Medical Evidence Obtained in the Fournier Lawsuit

CORONA, Calif., March 4, 2013 (GLOBE NEWSWIRE) -- Monster Beverage Corporation (Nasdaq:MNST) today revealed the findings of a group of physicians and a coroner that the company asked to examine the medical records of Anais Fournier, whose family filed a lawsuit blaming her death on the consumption of Monster Energy Drinks.

After the lawsuit was filed, even though Monster had every confidence in the safety of its products, the company retained a group of physicians, including a coroner, to independently ascertain whether there was any basis for the allegations in the suit. The company retained a cardiac pathologist, a cardiac electrophysiologist, an emergency room physician, a chief forensic pathologist/coroner, as well as other medical experts including a toxicologist and a pharmacologist.

"After an examination of Ms. Fournier's medical records, pathology report and autopsy report, the physicians stated conclusively that there is no medical, scientific or factual evidence to support the Maryland Medical Examiner's Report of 'caffeine toxicity' or that Ms. Fournier's consumption of two Monster Energy Drinks 24 hours apart contributed to, let alone was the cause of her untimely death," said Daniel Callahan, of Callahan & Blaine, one of Monster's lawyers.

"When the Maryland Medical Examiner was asked why her report contained the term 'caffeine toxicity,' she responded that it was because she had been told by Ms. Fournier's mother that Ms. Fournier had consumed an energy drink containing caffeine," Mr. Callahan said. "This was even though her report states that blood tests for caffeine levels were not done."

"In fact, the physicians, including a coroner, we asked to examine Ms. Fournier's medical records and autopsy report found no medical, scientific or factual evidence to support a finding of caffeine toxicity," Mr. Callahan said. "They said no caffeine blood level test was performed to determine if any caffeine had been ingested. There is no medical or scientific evidence that Ms. Fournier had any caffeine in her system at the time of cardiac arrest."

Finally, the physicians and a coroner examining Ms. Fournier's medical records said they found absolutely no connection between Ms. Fournier's alleged consumption of a Monster Energy drink and her unfortunate passing.

Moreover, recognized medical literature shows that even if Ms. Fournier had consumed caffeine prior to her death, caffeine would not have played any role in her cardiac arrest, according to both the physicians and the coroner who examined her records.

"In a Harvard Medical School study by T.B. Graboys et al, doctors had patients with known severe cardiac disease consume 200 mgs of caffeine to see if there was an association between caffeine consumption and arrhythmias," Mr. Callahan said. "The study published in the *Archives of Internal Medicine* found no evidence that the consumption of caffeine at that level stimulated arrhythmias, 'even among patients with known life-threatening arrhythmia.'"

"An Institute of Medicine Study on caffeine conducted for the U.S. Military cited a report by Hodgman that concluded the fatal acute oral dose of caffeine in humans is estimated to be between 10,000 milligrams and 14,000 milligrams," he said. "An individual would have to consume 1,000 fluid ounces, or 7.8 gallons or over 60 16-oz cans of Monster Energy Drinks in a single sitting to ingest 10,000 mgs of caffeine."

The Fournier lawsuit alleges that Ms. Fournier drank one 24-oz Monster Energy drink at about 5:30 p.m. on December 16, 2011, without incident. It states that a full 24 hours later, on December 17, she drank another 24 ounce Monster Energy drink, also without incident. A 24 ounce can of Monster Energy contains 240 milligrams of caffeine from all sources. This is less than a 12 ounce cup of Starbucks brewed coffee, which contains about 260 milligrams of caffeine. A 16 ounce cup of Starbucks brewed coffee contains about 330 milligrams of caffeine.

Approximately three hours after consuming the second beverage on December 17, Ms. Fournier suffered a cardiac arrest. "At that point in time, according to numerous studies, caffeine from any caffeinated beverage she would have ingested on Friday evening would have completely dissipated and only about 2/3rds of caffeine from the second beverage would have remained," Mr. Callahan said.

"Moreover, evidence obtained in this case indicates that Ms. Fournier drank caffeinated coffee in the morning on a daily basis; her mother often took her to Starbucks; she also regularly drank energy drinks --all without incident," Mr. Callahan said.

"The Maryland Medical Examiner concluded that Ms. Fournier died of natural causes," Mr. Callahan said, "and an independent pathologist hired by the State of Maryland concluded her cause of death to be cardiac fibrosis, which is a thickening or scarring of the cardiac tissue."

Mr. Callahan said that the examination of Ms. Fournier's medical records by the physicians and coroner retained by Monster showed that prior to her death, Ms. Fournier suffered from several heart conditions, which are known to increase the risk of cardiac arrest and sudden death. And she had a family history of heart problems. Her maternal great grandfather died at an early age from heart disease, her maternal grandfather had a heart attack, and her mother had a severe heart condition that required the implantation of a pacemaker.

"Ms. Fournier was diagnosed with a heart murmur at age 4, and with a vascular form of connective tissue disease at age 6. This disease, Ehlers-Danlos Syndrome, is an inherited condition of the connective tissue of the heart that is characterized by severe arterial complications and ruptures," Mr. Callahan said.

"Ms. Fournier also had multiple heart ailments, including mitral valve prolapse — which was also diagnosed when she was 6 years old — intramural coronary artery thickening and myocardial fibrosis," Mr. Callahan stated. "When she was 13 years old, Ms. Fournier complained to her doctors that her heart was pounding in her chest. She confided that she was concerned that her symptoms were a precursor to a much more serious problem, even her own death."

The pathologist retained by the State of Maryland noted that Ms. Fournier's heart was 60% larger than the predicted normal size for a person of her age and weight. The pathologist stated in her report, "The association between Ehlers-Danlos Syndrome and mitral valve prolapse has been well established. Mitral valve prolapse is also associated with intramural coronary artery thickening and myocardial fibrosis with increased risk for cardiac arrhythmia and sudden death."

A cardiac pathologist retained by Monster who looked at the heart also noted evidence of myocarditis that has been associated with arrhythmias and sudden death.

"Our deepest sympathies go out to Ms. Fournier's family," Mr. Callahan said. "Nothing is more painful than losing a child. However, after an examination of Ms. Fournier's medical records by a group of physicians — including a pathologist/coroner — including the Medical Examiner's Report and the report of the state's Pathologist — there is no medical or scientific evidence that would support a finding that Ms. Fournier's death is causally linked to the consumption of Monster Energy Drinks."

"Monster is very sorry for the family's loss, but the facts do not support placing the blame of Ms. Fournier's untimely passing on Monster beverages," Mr. Callahan said.

Approximately 50 billion energy drinks have been sold and safely consumed worldwide for approximately 25 years. This includes more than 8 billion cans of Monster Energy that have been sold and safely consumed over the past 11 years. More than 5 million Monster energy drinks are sold and safely consumed every single day in 90 countries.

The FDA has stated last year that there is a long history of safe use of products containing caffeine in the U.S. and that the average amount of caffeine consumed by the U.S. population has not increased in spite of the entry of energy drinks into the marketplace. And the FDA has also stated that a recent review of the available caffeine studies did not indicate any new previously unknown risks associated with caffeine consumption.

"Millions of Monster Energy Drinks are safely consumed every day and there is not one direct link to a single death that we know of that has been proven," Mr. Callahan said. "We are confident that Monster Energy Drinks are safe when consumed responsibly and in accordance with recommendations on our labels."

Monster Beverage Corporation

Based in Corona, California, Monster Beverage Corporation is a marketer and distributor of energy drinks and alternative beverages. The Company markets and distributes Monster Energy® brand energy drinks, Monster Energy Extra Strength Nitrous Technology® brand energy drinks, Java Monster® brand non-carbonated coffee + energy drinks, X-Presso Monster® brand non-carbonated espresso energy drinks, M3® Monster Energy® Super Concentrate energy drinks, Monster Rehab® non-carbonated energy drinks with electrolytes, Ubermonster™ energy drinks, Worx Ener@shots, and Peace Tea® iced teas, as well as Hansen's® natural sodas, apple juice and juice blends, multi-vitamin juices, Junior Juice® beverages, Blue Sky® beverages, Hubert's® Lemonades, Vidration® vitamin enhanced waters, and PRE® Probiotic drinks. For more information, visit www.monsterbevcorp.com.

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Certain statements made in this announcement may constitute "forward-looking statements" within the meaning of Section 27A of the Securities Act of 1933, as amended, and Section 21E of the Securities Exchange Act of 1934, as amended, regarding the

expectations of management with respect to our future operating results and other future events including revenues and profitability. Management cautions that these statements are based on management's current knowledge and expectations and are subject to certain risks and uncertainties, many of which are outside of the control of the Company, that could cause actual results and events to differ materially from the statements made herein. Such risks and uncertainties include, but are not limited to, the following: unanticipated litigation concerning the Company's products; the current uncertainty and volatility in the national and global economy; changes in consumer preferences; changes in demand due to both domestic and international economic conditions; activities and strategies of competitors, including the introduction of new products and competitive pricing and/or marketing of similar products; actual performance of the parties under the new distribution agreements; potential disruptions arising out of the transition of certain territories to new distributors; changes in sales levels by existing distributors; unanticipated costs incurred in connection with the termination of existing distribution agreements or the transition to new distributors; changes in the price and/or availability of raw materials; other supply issues, including the availability of products and/or suitable production facilities; product distribution and placement decisions by retailers; changes in governmental regulation; the imposition of new and/or increased excise and/or sales or other taxes on our products; criticism of energy drinks and/or the energy drink market generally; the impact of proposals to limit or restrict the sale of energy drinks to minors and/or persons below a specified age and/or restrict the venues and/or the size of containers in which energy drinks can be sold; political, legislative or other governmental actions or events, including the outcome of any state attorney general and/or government or quasi-government agency inquiries, in one or more regions in which we operate. For a more detailed discussion of these and other risks that could affect our operating results, see the Company's reports filed with the Securities and Exchange Commission. The Company's actual results could differ materially from those contained in the forward-looking statements. The Company assumes no obligation to update any forward-looking statements, whether as a result of new information, future events or otherwise.

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