

Declaration of Conformity 2008 of the Board of Executive Directors and the Supervisory Board of BASF SE

The Board of Executive Directors and the Supervisory Board of BASF SE hereby declare pursuant to § 161 AktG [Stock Corporation Act]

1. The recommendations of the Government Commission on the German Corporate Governance Code published by the Federal Ministry of Justice on August 8, 2008 in the official section of the electronic Federal Gazette are complied with and will be complied with.

2. The recommendations of the Government Commission on the German Corporate Governance Code published by the Federal Ministry of Justice on July 20, 2007 in the official section of the electronic Federal Gazette have been complied with since the submission of the last Declaration of Conformity on December 5, 2007, with the following exception:
 - The structure of the compensation for the Board of Executive Directors was discussed in the Personnel Committee and was regularly reviewed (by way of deviation from Code number 4.2.2 paragraph 1).

Ludwigshafen, dated December 3, 2008

The Supervisory Board
of BASF SE

The Board of Executive Directors
of BASF SE