

Declaration of Conformity 2010 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 5, 2009 in the official section of the electronic Federal Gazette have been complied with since the submission of the last Declaration of Conformity on December 11, 2009.
2. The recommendations of the Government Commission on the German Corporate Governance Code published by the Federal Ministry of Justice on July 2, 2010 in the official section of the electronic Federal Gazette are complied with and will be complied with.

Ludwigshafen, dated December 16, 2010

The Supervisory Board
of BASF SE

The Board of Executive Directors
of BASF SE