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Annual Shareholders' Meeting of BASF SE, Ludwigshafen/Rhine,

on Friday, May 12, 2017 at 10.00 a.m.

in the Congress Center Rosengarten, Rosengartenplatz 2, 68161 Mannheim

**Comment on Item 1 of the Agenda pursuant to Section 124 a Sentence 1 No. 2
of the German Stock Corporation Act**

Item 1 of the Agenda (Presentation of the adopted Financial Statements of BASF SE and the approved Consolidated Financial Statements of the BASF Group for the financial year 2016; presentation of the Management's Reports of BASF SE and the BASF Group for the financial year 2016 including the explanatory reports on the data according to Sections 289 (4) and 315 (4) of the German Commercial Code; presentation of the Report of the Supervisory Board), does not have to be approved by the Annual Shareholders' Meeting, as the Supervisory Board approved the Financial Statements of BASF SE and the Consolidated Financial Statements of the BASF Group on February 22, 2017. Thus, the Annual Financial Statements have been adopted according to Section 172 Sentence 1 of the German Stock Corporation Act. Therefore, the approval by the Annual Shareholders' Meeting pursuant to Section 173 (1) of the German Stock Corporation Act of the Financial Statements and the Consolidated Financial Statements is not necessary. Moreover, the approval by the Annual Shareholders' Meeting of the additional documents referred to under Item 1 which have to be presented at the Annual Shareholders' Meeting, is not required by law.