News Release

BASF acts on Makhteshim Agan violation of court order protecting BASF patent rights

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RESEARCH TRIANGLE PARK, NC, May 1, 2012 – BASF today announced it has asked the United States District Court for the Middle District of North Carolina to find Makhteshim Agan, a subsidiary of the Chinese national chemical company ChemChina, in contempt for violating a court order restricting Makhteshim from manufacturing fipronil-based termiticides using any process other than that set forth in the order.

On October 27, 2010, in response to a patent infringement lawsuit filed by BASF, Makhteshim agreed to a court order that restricted it from entering the U.S. market with fipronil-based termiticides using any manufacturing process other than that which they represented at that time would not infringe BASF's manufacturing patents. The court order further required MANA to provide immediate and advance notice to BASF of any intention to materially change that intended manufacturing process.

BASF has identified a certain chemical reactant in Taurus® SC, the fipronil-based termiticide produced and marketed by Control Solutions, Inc., a subsidiary of Makhteshim, that was not permitted or disclosed as part of the manufacturing process identified by Makhteshim in connection with the agreed upon order. BASF has not been notified of this material change in the manufacturing process. The reactant is one used by BASF in its patented manufacturing process, although BASF is not alleging infringement in the proceedings initiated today.

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“We remain vigilant in protecting our intellectual property,” said Jan Buberl, Director of Specialty Products, BASF North American Crop Protection. “Providing innovative products to support customers’ success is our reason for being.”

For more information about BASF Pest Control Solutions or to find a BASF Sales Specialist in your area, please visit pestcontrol.basf.us.

About the Crop Protection division

With sales of € 4.1 billion in 2011, BASF’s Crop Protection division is a leader in crop protection and a strong partner to the farming industry providing well-established and innovative fungicides, insecticides and herbicides. Farmers use these products and services to improve crop yields and crop quality. Other uses include public health, structural/urban pest control, turf and ornamental plants, vegetation management, and forestry. BASF aims to turn knowledge rapidly into market success. The vision of BASF’s Crop Protection division is to be the world’s leading innovator, optimizing agricultural production, improving nutrition, and thus enhancing the quality of life for a growing world population. Further information can be found on the web at www.agro.basf.com or follow us on twitter: www.twitter.com/basfagro.

BASF – The Chemical Company

BASF Corporation, headquartered in Florham Park, New Jersey, is the North American affiliate of BASF SE, Ludwigshafen, Germany. BASF has more than 16,000 employees in North America, and had sales of $19.9 billion in 2011. For more information about BASF’s North American operations, visit www.basf.us.

BASF is the world’s leading chemical company: The Chemical Company. Its portfolio ranges from chemicals, plastics, performance products and crop protection products to oil and gas. We combine economic success, social responsibility and environmental protection. Through science and innovation we enable our customers in almost all industries to meet the current and future needs of society. Our products and system solutions contribute to conserving resources, ensuring healthy food and nutrition and helping to improve the quality of life. We have summed up this contribution in our corporate purpose: We create chemistry for a sustainable future. BASF posted sales of about €73.5 billion in 2011 and had more than 111,000 employees as of the end of the year. Further information on BASF is available on the Internet at www.basf.com.

Always read and follow label directions.

Taurus SC is a registered trademark of Control Solutions Inc.