

13 March 2023

Complaint to the EU lobby transparency register regarding BASF SE

7410939793-88

<https://ec.europa.eu/transparencyregister/public/consultation/displaylobbyist.do?id=7410939793-88>

Clause(s) of Code of Conduct allegedly breached:

f) ensure that the information that they provide upon registration, and subsequently administer in the framework of their covered activities, is complete, up-to-date, accurate and not misleading, and agree to that information being made available in the public domain;

j) where engaged in a client-intermediary relationship:

- (i) ensure that the parties in such a relationship are entered in the register; and
- (ii) as clients or intermediaries, ensure that the relevant information concerning the relationship entered in the register pursuant to Annex II is published;

I would like to bring to the attention of the Secretariat of the Transparency Register the following information:

There is one entry for BASF, the world's biggest chemical producer, in the EU register ie. BASF SE 7410939793-88. As we set out below, we are concerned whether BASF SE is declaring all its intermediaries; is compliant with the 'single registration' rule; and is declaring all its EU lobby costs including those incurred at the national level.

BASF SE does not declare any intermediaries for its closed financial year (2021) or its "current" financial year (2022).

However, Fourtold 556944435357-74 declares "BASF" as a client in 2021 for €10,000 – €24,999 providing "General Policy Support". It also declares "BASF" as an intermediary in its current financial year (2022).

In another example, Hanover Communications International 712987314570-57 declares 2 BASF-related clients for the financial declaration for its closed year of 2021. These are

- "BASF Belgium Coordination Center CommV" for €100,000 – €199,999 for "BASF Public Affairs Support 2020"
- "BASF Belgium Coordination Center CommV" for €100,000 – €199,999 for "Common Agricultural Policy Farm to Fork Strategy Sustainable Use of..."

Hanover also declares the "BASF Belgium Coordination Center" as a client in the current financial year (2022).

Why does BASF SE not declare these intermediaries in its current (2022) and closed (2021) financial years?

Additionally, LobbyFacts shows us that, in the recent past, several intermediaries have declared various BASF entities as clients. These clients include: BASF Belgium Coordination, BASF Plant Science, BASF Catalysts, BASF France, BASF Española, and basf belgium coordination center commv, which are all listed, as well as BASF SE.

BASF SE only has one entry in the register, but is this entry compliant with the 'single registration' rule ie. does it include all EU lobby costs even if the work and costs are undertaken by its subsidiaries? And is BASF SE declaring all lobby costs incurred by influencing the EU institutions, even if the work is undertaken at the national level ie. by BASF France or BASF Española?

Under the 'single registration' rule, BASF SE should be declaring all EU lobbying by all its subsidiaries. If for some reason this is not possible, these subsidiaries should be registered in their own name and declaring all of their intermediaries.

Was any harm caused to the complainant?:

No

Was the non-compliance intentional?:

I don't know. But BASF declares a multi-million euro influencing budget, 27 lobbyists, and 19 with European parliament access passes, so it is more than reasonable to expect that it should be able to provide a full and complete register entry.