

Declaration of compliance

Declaration of the Board of Management and the Supervisory Board of Biotest AG in relation to the recommendations contained in the German Corporate Governance Code pursuant to § 161 of the German Act on Public Limited Companies

Since the last declaration of compliance of 12 March 2007, referring to the German Corporate Governance Code of 12 June 2006, Biotest AG has complied with all recommendations of the German Corporate Governance Code then in force.

The Board of Management and the Supervisory Board further declare that Biotest AG has complied with all recommendations of the German Corporate Governance Code of 14 June 2007 with the following exception:

Biotest AG has not complied with the new recommendation to create a nomination committee of the Supervisory Board set forth in Section 5.3.3 of the German Corporate Governance Code. On the one hand, the next election of the Supervisory Board will first take place in four years, on the other hand, the Supervisory Board of Biotest AG consists of only four shareholders' representatives. Biotest AG deems the creation of a separate committee from the small group of shareholders' representatives as currently unnecessary. Moreover, an increased transparency of the selection procedure intended by the recommendation can also be achieved at a plenary meeting of the Supervisory Board.

Dreieich, 19 March 2008

For the Board of Management

For the Supervisory Board

Prof. Dr. Gregor Schulz

Dr. Michael Ramroth

Dr. Thorlef Spickschen