

Explanation of the agenda item 1 without resolution

Presentation of the adopted annual financial statements and the approved consolidated financial statements, the combined management report and Group management report, the explanatory report of the Executive Board on the disclosures pursuant to sections 289a , 315a of the German Commercial Code, and the report of the Supervisory Board for the fiscal year ended December 31, 2022

The Supervisory Board approved the annual financial statements and the consolidated financial statements prepared by the Executive Board pursuant to Art.

§§ The annual financial statements are thus adopted in accordance with § 172 of the German Stock Corporation Act (AktG). The annual financial statements are thus adopted in accordance with § 172 AktG. A resolution of the Annual General Meeting to adopt the annual financial statements or approve the consolidated financial statements pursuant to § 173 AktG is therefore not required. The other aforementioned documents are also merely to be made available to the Annual General Meeting in accordance with § 176 (1) sentence 1 AktG. A resolution on agenda item 1 is therefore not required.

Leverkusen, May 2023 Biofrontera

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The Board