

## **Saybolt Inc. / Saybolt Inc. and Saybolt North America, Inc.**

**Case ID:**

ST-310

**Case Cluster :**

Saybolt Inc.

**Jurisdiction of Settlement:**

United States

**Jurisdiction of Settlement / Enforcement Agency:**

Department of Justice

**Jurisdiction of Foreign Public Official(s) :**

Panama

**Year of Settlement:**

1998

**Month/Day of Settlement (or Notes):**

12/03

**Other Jurisdictions of Settlement:**

Unknown

**Settlement with Individual or Legal Person?:**

Legal Person

**Type of Settlement:**

Criminal

**Legal Form of Settlement:**

Guilty Plea

**Monetary Sanctions (Types):**

Criminal Fine

**Total Monetary Sanctions (US\$):**

\$1,500,000.00

**Criminal Fine/Penalty (US\$) :**

\$1,500,000

**Monetary Sanctions Returned / Ordered Returned (US\$):**

\$0

**UNCAC Articles(s) Implicated:**

Art.16

Art.26

**OECD Anti-Bribery Convention Articles Implicated:**

Art. 1, Art. 2

**Offenses - Alleged:**

Conspiracy to bribe foreign officials, Bribery of foreign officials

**Offenses - Settled:**

Conspiracy to bribe foreign officials, Bribery of foreign officials

**Public Procurement Contract / SOE Involved?:**

Yes

**Summary:**

According to the June 2011 US Report to the OECD, "In April 1998, a grand jury sitting in Trenton, New Jersey, returned an indictment charging Frerik Pluimers, a Dutch national, and

David Mead, a British national, both of whom were officers of an American company, Saybolt Inc., with conspiracy and violations of the FCPA and the Travel Act in connection with a \$50,000 bribe paid to Panamanian officials. The bribe was paid to secure a lease for Saybolt Panama to move into the Panama canal free zone, which would reduce the company's tax liability. The bribe was discussed and approved at a board meeting of Saybolt Inc. in New Jersey, but the bribe itself was paid from the company's Dutch parent, Saybolt N.A., with the authorization of Pluimers. / Criminal Disposition: On December 3, 1998, Saybolt Inc. and its subsidiary, Saybolt North America, pled guilty to violating the FCPA and paid a \$1.5 million fine. In a related case, Saybolt Inc. was sentenced to pay a \$3.4 million fine and required to retain a compliance monitor in relation to charges that it had falsified environmental tests of certain of its products. [ ] Mr. Mead was convicted at trial in October 1998 and sentenced to four months in prison and a \$20,000 fine. The United States requested that the Netherlands extradite Mr. Pluimers in March 2000. Despite extended litigation, including a decision of the Dutch Supreme Court authorizing the extradition, the Dutch authorities have refused and rejected the U.S. request for Mr. Pluimers' extradition. The United States is still seeking Mr. Pluimers return to the United States to stand trial." (Source: US Report to the Organisation for Economic Co-operation and Development, "Steps taken to implement and enforce the OECD Convention on Combating Bribery of Foreign Public Officials in International Business Transactions," Information as of May 31, 2011, Saybolt Inc. Case Summary at 134-35.)

**Sources :**

US Report to the Organisation for Economic Co-operation and Development, "Steps taken to implement and enforce the OECD Convention on Combating Bribery of Foreign Public Officials in International Business Transactions," Information as of May 31, 2011, Saybolt Inc. Case Summary at 134-35, accessed at <http://www.oecd.org/dataoecd/18/8/42103833.pdf>. US v. Saybolt North America, Inc. and Saybolt Inc., Case No. 98-cr-10266-WGY (D. Mass.), Information filed August 10, 1998, accessed at <http://www.justice.gov/criminal/fraud/fcpa/cases/saybolt/08-10-98saybolt-info.pdf>; Plea Agreement dated August 18, 1998, accessed at <http://www.justice.gov/criminal/fraud/fcpa/cases/saybolt/08-18-98saybolt-plea-agree.pdf>; Judgment (as to Saybolt North America, Inc.), accessed at <http://www.justice.gov/criminal/fraud/fcpa/cases/saybolt/01-26-99saybolt-northamerica-judg.pdf>; Judgment (as to Saybolt Inc.), accessed at <http://www.justice.gov/criminal/fraud/fcpa/cases/saybolt/01-26-99saybolt-inc-judgment.pdf>