

## Syncor International Corporation / Syncor Taiwan, Inc.

**Case ID:**

ST-353

**Case Cluster :**

Syncor International Corporation

**Jurisdiction of Settlement:**

United States

**Jurisdiction of Settlement / Enforcement Agency:**

Department of Justice

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

Taiwan, China

**Year of Settlement:**

2002

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

12/10

**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\$):**

\$2,000,000.00

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

\$2,000,000

**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:**

Bribery of foreign officials

**Offenses - Settled:**

Bribery of foreign officials

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

Yes

**Summary:**

According to the US Department of Justice Report to Congress, Appendix C "Summaries of Foreign Corrupt Practices Act Enforcement Actions by the United States, January 1, 1998 -

September 30, 2010," Syncor International Corporation, at 79-80, accessed at [www.justice.gov/criminal/fraud/fcpa/docs/response3-appx-c.pdf](http://www.justice.gov/criminal/fraud/fcpa/docs/response3-appx-c.pdf): Misconduct in Taiwan, 1997-2002; Criminal and civil charges stemmed from (1) series of payments totalling at least \$344,110 in "commissions" by Syncor and its employees to physicians employed by hospitals owned by the legal authorities in Taiwan for the purpose of obtaining and retaining business from the hospitals and in connection with the purchase and sale of unit dosages of certain radiopharmaceuticals. Monty Fu, Syncor Taiwan's founder and board chairman authorized the payments and (2) at least \$113,007 in improper payments (1998-2002) authorized by Fu and made by Syncor Taiwan to physicians employed at hospitals owned by the legal authorities in Taiwan in exchange for their referrals of patients to medical imaging centers owned and operated by Syncor. Settlement amounts: criminal fine of \$2 million (Syncor; noted in the DOJ press release as maximum penalty under FCPA); Civil: \$500,000 civil penalty (Syncor), \$75,000 civil penalty (Fu). Resulting criminal enforcement actions: US v. Syncor Taiwan, Inc. (C.D. Cal., December 4, 2002).

**Sources :**

US Department of Justice Report to Congress, Appendix C "Summaries of Foreign Corrupt Practices Act Enforcement Actions by the United States, January 1, 1998 - September 30, 2010," Syncor International Corporation at 79-80, accessed at [www.justice.gov/criminal/fraud/fcpa/docs/response3-appx-c.pdf](http://www.justice.gov/criminal/fraud/fcpa/docs/response3-appx-c.pdf). US v. Syncor Taiwan, Inc., Case No. 2-cr-12441 (C.D. Cal.), Information filed December 4, 2002; Plea Agreement dated December 4, 2002, accessed at ; <http://www.justice.gov/criminal/fraud/fcpa/cases/syncor-taiwan/12-03-02syncor-taiwan-plea-agree.pdf>; US Department of Justice Press Release, "Syncor Taiwan, Inc. Pleads Guilty to Violating the Foreign Corrupt Practices Act," December 10, 2002, accessed at [http://www.justice.gov/opa/pr/2002/December/02\\_crm\\_707.htm](http://www.justice.gov/opa/pr/2002/December/02_crm_707.htm); 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, Syncor International Corporation Case Summary at 95-96, accessed at <http://www.oecd.org/dataoecd/18/8/42103833.pdf>.