

## **Nordion (Canada) Inc.**

**Case ID:**

ST-473

**Case Cluster :**

Nordion (Canada) Inc.

**Jurisdiction of Settlement:**

United States

**Jurisdiction of Settlement / Enforcement Agency:**

Securities and Exchange Commission

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

Russia

**Year of Settlement:**

2016

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

3/3

**Other Jurisdictions of Settlement:**

Unknown

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

Legal Person

**Type of Settlement:**

Civil

**Legal Form of Settlement:**

Cease and Desist Order

**Monetary Sanctions (Types):**

Civil Penalty

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

\$375,000

**Civil Disgorgement of Profits (US\$) :**

\$0

**Civil Prejudgment Interest (US\$) :**

\$0

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

\$375,000

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

\$0

**Monetary Sanctions Returned / Ordered Returned (Explanation):**

NA

**UNCAC Articles(s) Implicated:**

Art.16

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

Art. 1, Art. 2, Art. 8

**Offenses - Alleged:**

Falsification of Books and Records, Internal Controls Violations

**Offenses - Settled:**

No admission or denial of alleged offenses

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

No (Licensing)

**Summary:**

According to the US Securities and Exchange Commission Administrative Proceeding release, "From at least 2004 through 2011, Nordion, Inc. (?Nordion?), a global health science company, violated the books and records and internal accounting controls provisions of the Foreign Corrupt Practices Act of 1977 (?FCPA?) in connection with payments made to a third party agent to obtain Russian government approval to distribute TheraSphere, Nordion?s liver cancer treatment, in Russia. Nordion failed to record those payments in a manner that accurately and fairly reflected the transactions in its books and records. Nordion also failed to devise and maintain adequate internal accounting controls to provide sufficient reassurances that Nordion funds were used as authorized, that third-party agents were appropriately vetted, and that Nordion adequately trained its employees to conduct business in countries with significant corruption risks." The Administrative Summary notes that the scheme failed and Nordion was unable to distribute TheraSphere in Russia and did not profit from the scheme. (Source: In re: Nordion (Canada) Inc., Administrative Proceeding File No. 3-17153, and Administrative Summary.)

**Sources :**

US Securities and Exchange Commission, In re: Nordion (Canada) Inc., Administrative Proceeding File No. 3-17153, at <https://www.sec.gov/litigation/admin/2016/34-77290.pdf>; Administrative Summary, "SEC Charges Engineer and Former Employer with Bribe Scheme in Russia," March 3, 2016, at <https://www.sec.gov/litigation/admin/2016/34-77288-s.pdf>.