

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS

UNITED STATES OF AMERICA)	
)	Criminal No.: 300-CR-296-R
v.)	
)	Filed: July 27, 2000
DEAD SEA BROMINE)	
COMPANY, LTD.,)	
)	Violation: 15 U.S.C. §1
Defendant.)	Conspiracy to Restrain
)	Interstate Commerce

INFORMATION

The United States of America, acting through its attorneys, charges:

I

DESCRIPTION OF THE OFFENSE

1. Dead Sea Bromine Company, Ltd. ("Dead Sea"), a corporation organized and existing under the laws of the State of Israel, is made a defendant on the charge stated below.

2. Beginning in July, 1995 and continuing until April, 1998, the exact dates being unknown to the United States, the defendant and co-conspirators entered into and participated in a combination and conspiracy to suppress and eliminate competition by allocating customers and fixing the price for TBBA, DECA and 100% methyl bromide sold in the United States. The combination and conspiracy engaged in by the defendant and co-conspirators was in unreasonable

restraint of interstate commerce in violation of Section 1 of the Sherman Act (15 U.S.C. § 1).

3. The charged combination and conspiracy:

(a) consisted of a continuing agreement, understanding, and concert of action among the defendant and co-conspirators regarding certain products sold by the defendant and its corporate conspirator in the United States, the substantial terms of which were to:

(i) fix, increase, and maintain prices for the sale of such products in the United States; and,

(ii) allocate among the corporate conspirators the customers in the United States to whom certain of these products would be sold by each conspirator.

(b) affected the following products for the indicated time periods during the combination and conspiracy charged in this Information:

(i) DECA sold in the United States from October, 1997, until April, 1998;

(ii) TBBA sold in the United States from July, 1995, until April, 1998; and,

(iii) 100% methyl bromide sold in the United States from March, 1997, until April, 1998.

4. For the purpose of forming and carrying out the charged combination and conspiracy, the defendant and co-conspirators did those things that they combined and conspired to do including, among other things:

(a) participating in meetings and conversations in the United States, Europe, Israel and elsewhere to discuss the prices of TBBA, DECA and 100% methyl bromide sold in the United States and the allocation of customers in the United States to whom certain of the products would be sold by each co-conspirator;

(b) agreeing, during such meetings and conversations regarding such products, to fix, increase, and maintain prices at certain levels in the United States;

(c) agreeing, during such meetings and conversations regarding such products, to allocate among the corporate conspirators the customers in the United States to whom certain of these products would be sold by each conspirator;

(d) exchanging sales and customer information for the purpose of monitoring and enforcing adherence to the above-described agreements; and

(e) selling such products at the agreed-upon prices and in accordance with the agreed upon customer allocations in the United States.

II

DEFINITIONS

5. As used in this Information, the term:

(a) "TBBA" means tetrabromobisphenol-A, a reactive and additive flame retardant used in the manufacture of epoxy, phenolic and polycarbonate resins. The chemical formula for TBBA is $C_{15}H_{12}Br_4O_2$.

(b) "DECA" means decabromodiphenyloxide, an inert additive flame retardant used in the manufacture of thermoplastics and fibers. The chemical formula for DECA is $C_{12}Br_{10}O$.

(c) "100% methyl bromide" means a colorless, odorless gas used in its pure form for space fumigation. The chemical formula for 100% methyl bromide is CH_3Br .

III

DEFENDANT AND CO-CONSPIRATORS

6. During the relevant period, Dead Sea was a corporation organized and existing under the laws of the State of Israel, with its principal place of business in Beer Sheva, Israel. Dead Sea manufactures TBBA, DECA and 100% methyl bromide in Israel and is engaged in the sale of TBBA, DECA and 100% methyl bromide throughout the United States.

7. Various corporations and individuals not made defendants herein participated as co-conspirators in the offense charged herein and performed acts and made statements in furtherance thereof.

8. Wherever in this Information reference is made to any act, deed, or transaction of a corporation, the allegation means that the corporation engaged in the act, deed, or transaction by or through its officers, directors, agents, employees, or representatives while they were actively engaged in the management, direction, control, or transaction of its business or affairs.

IV

TRADE AND COMMERCE

9. During the period covered by this Information, the defendant and co-conspirators sold and distributed substantial quantities of TBBA, DECA and 100% methyl bromide in a continuous and uninterrupted flow of interstate commerce.

10. During the period covered by this Information, the activities of the defendant and co-conspirators that are the subject of this Information were within the flow of, and substantially affected, interstate commerce.

V

JURISDICTION AND VENUE

11. The combination and conspiracy charged in this Information was carried out, in part, within the Northern District of Texas within the five years preceding the filing of this Information.

ALL IN VIOLATION OF TITLE 15, UNITED STATES CODE, SECTION 1.

_____/s/_____
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