

Whitacre paid ultimate price

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THAT investigation led to the FBI looking at the activities of employees, specifically the management team. Phone records were gathered, and taps were placed on office and home phones.

Whitacre said given the activities that had transpired with other lysine companies, he became quite anxious, something his wife Ginger sensed right away. Whitacre said he explained things to her before the FBI arrived at their home, but even so, he said, she had little knowledge about the severity of price-fixing.

As FBI agents were leaving the house, Whitacre said his wife called them back

and told them there was more they should know. "There was no turning back then," said Whitacre. "I blew the whistle because my wife turned me in."

A day or so later, Whitacre said, the FBI agents came back to the house and discussed his being an informant in helping them build a case against ADM for conspiring to fix the price of the corn-based product lysine.

Shortly thereafter, Whitacre began wearing a wire to work, tape-recording conversations with those at the highest levels of ADM. He met FBI agents twice a week to hand over tapes and give them background about what was being discussed. In 1995, it became

public that he was the "mole" within ADM.

A mistake

The issue was compounded when Whitacre was found to have committed fraud against ADM, embezzling \$9 million from the company, most while he was working as an FBI informant.

Whitacre had set up a fictitious offshore company that sent ADM a fake invoice, and then he approved the bills being paid. "I definitely lost my moral compass. When you don't know who you're working for, you start working for yourself."

During the fallout of the 1995 FBI raid on ADM's offices, Whitacre made two attempts on his own life. Working undercover quickly takes its toll, he said, noting that the FBI only allows its trained professionals to work undercover for a year at a time.

"I was under the stress of doing undercover work for nearly three years," he said. "It was tough, and it makes you do things you might otherwise not. It was like I was two people."

As he told the judge on March 4, 1998, Whitacre admitted that he made mistakes — huge ones, in fact. "I received a nine-year sentence that day. Some people, including the FBI agents, feel that was way too long, and some people in Decatur feel that was not long enough, but that is what the court decided, and I did that sentence," he said.

"With living through that sentence, I can tell you first hand it was a long one for me and my family. I started prison just before I turned 41 years old. I was released in December 2006 at age 49. I watched my children grow up in visiting rooms within a prison camp for almost a decade. However, that was no one's fault but my own. Decatur had nothing to do with it, nor ADM. My own self-destruction was the cause. My own actions," said Whitacre.

A hero?

As a result of Whitacre's efforts, many feed manufacturers received significant financial gain from settlements with various vitamin companies, choline chloride companies, L-lysine companies and others as a result of price-fixing claims filed on behalf of these feed manufacturers.

Both general line and integrator companies benefited, with some of the settlements being a very significant amount.

In an anonymously submitted letter to the editor that appeared in the Sept. 7, 2004, issue of *Feedstuffs*, the author pointed out that without Whitacre, the FBI and other federal agencies might not have had the incentive to move to completion regarding the lysine price-fixing or go after the vitamin and choline chloride companies.

"Granted, Whitacre was found guilty of a number of federal offenses and is justly serving his time. If you have read *Rats in the Grain* or *The Informant* and believe the content of these two books, it is somewhat difficult to conjure up a great deal of sympathy for him, but when you deposited your settlement checks, you should have said a special prayer for Whitacre because, right or wrong, for personal gain or not, he is the individual who broke the back of price-fixing by ingredient suppliers that led to these settlements," the letter said.

Whitacre remains quite moved by the amount of support the industry extended him and his family during his time in prison. He said he received a number of letters of support and even some prison visits. What really touched him was the financial support some companies provided for his family; several shared their settlements and thanked him for the sacrifices he had made on their behalf.

"Their generosity really helped us out," said Whitacre, who noted that when he went into prison, his wife was a stay-at-home mom.

A new start

The day after his release from prison, Whitacre joined Cypress Systems Inc., a Fresno, Cal.-based biotechnology company, as president of technology and business development for its new East Coast office. Most recently, he was promoted to chief operating of-



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