

Conflicts of Interest

Stay out of the MIDDLE!

18 U.S.C. § 208



1. Do I have a <u>financial interest-</u> \$\$?

- a. Examples: a farm, stocks, bonds, mutual funds, business, or real estate, compensation, debt, a job offer...
- b. The financial interests of a spouse, minor child, general partner, future employer, outside employer (paid or volunteer) are yours for purposes of §208.

2. Am I <u>personally and substantially participating</u> in a particular matter?

- a. Participate: Decision, approval, recommendation, investigation or rendering advice.
 - Direct involvement but may include the participation of a subordinate.
- **c. Personally & Substantially**: Of significance to the matter.
- d. Is that matter actually a "particular matter"?
 - 1. Focused upon the interests of specific persons, or a discrete and identifiable class of persons. e.g. inspection, contract, focused regulation.
 - 2. Does not extend to broad policy options or considerations directed toward the interest of a large and diverse group of personnel. e.g. broad regulation.

3. Will the particular matter have <u>a direct & predictable</u> impact on my financial interest?

- a. The magnitude of the gain or loss is immaterial.
- b. Direct: a close causal link between any decision or action in the matter and any expected effect of the matter on the financial interest.
- c. Predictable: Real, not speculative.

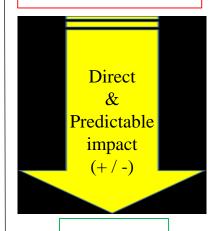
The analysis is not always linear!

Involvement

Personal



Particular Matter



MY \$\$

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Donald G. Lobeda, Jr.
Senior Ethics Program Advisor
Room 6840-South
202-720-0055
202- 603-4666 (cell)

202- 603-4666 (cell) Donald.Lobeda@oe.usda.gov Ethics-FoodSafety@oe.usda.gov

If you answer "YES" to all three questions-Call me!

