

French executives on trial over faulty breast implants (Update)

April 17 2013, by Catherine Hours

France launched one of its biggest-ever trials on Wednesday as five managers from company PIP faced charges of selling faulty breast implants that sparked a global health scare.

More than 5,000 women registered as plaintiffs in the case, which sees the defendants including PIP founder Jean-Claude Mas charged with aggravated fraud for using industrial-grade silicone in implants.

An estimated 300,000 women in 65 countries are believed to have received the implants, which some health authorities say are twice as likely to rupture as other brands.

Up to 400 of the plaintiffs were on hand Wednesday for the start of the trial, which has been moved to a congress centre in the southern city of Marseille to accommodate the hundreds of plaintiffs and lawyers attending.

The defendants face up to five years in prison and the trial is set to last until May 17.

Taking to the stand to declare his name and profession at the start of the trial, Mas was booed by the crowd, who hissed and shouted again when a defence lawyer stated that the accused had been "ruined" by the scandal.

"What we expect is that ... the defendants receive the punishment they deserve, even if we know in advance that it will not be commensurate

with what they did," said Alexandra Blachere, the head of the PPP association representing women who were given the implants.

She said the women were victims who were too often "stigmatised" for wanting the implants in the first place and deserved financial compensation.

News of the faulty implants in 2011 sparked fears worldwide, but health officials in various countries have said they are not toxic and do not increase the risk of breast cancer. A 10-year case study has been launched in France to determine the long-term effects.

More than 4,000 women have reported ruptures, and in France alone 15,000 have had the PIP implants replaced.

Mas, a former travelling salesman who got his start in the medical business by selling pharmaceuticals, founded PIP in 1991 to take advantage of the booming market for cosmetic implants.

He built the company into the third-largest global supplier but came under the spotlight when plastic surgeons began reporting an unusual number of ruptures in his products.

Health authorities later discovered he was saving millions of euros by allegedly using industrial-grade gel in 75 percent of the implants. PIP's implants were banned and the company eventually liquidated.

PIP exported more than 80 percent of its implants, with about half going to Latin America, about a third to other countries in western Europe, some 10 percent to eastern Europe and the rest to the Middle East and Asia.

The others on trial with Mas are PIP's former general manager, Claude

Couty, quality control director Hannelore Font, technical director Loic Gossart and product director Thierry Brinon.

Some of the defendants, including Mas, have also been charged in separate and ongoing manslaughter and financial fraud investigations into the scandal.

The manslaughter probe is related to the suspicious 2010 death from cancer of a woman who was fitted with the implants.

The case began Wednesday with a number of defence requests for the case to be thrown out, including one on the basis that this trial is going ahead before the other probes into more serious charges have concluded.

Some lawyers for the plaintiffs are also expected to request the case be expanded to include others they claim should be held responsible, such as plastic surgeons, public health authorities and a German safety standards firm that gave the implants the go-ahead.

A court source said the first two days of the trial are expected to be taken up with such requests.

How PIP breast implant health scare, legal case unfolded

The trial of five executives of breast implant company PIP, including its founder Jean-Claude Mas, opened in the French city of Marseille on Wednesday.

Here is how the global health scare and criminal investigation unfolded:

— 2010 —

- March 30: PIP is shut down and its product banned after it was revealed to have been using non-authorized silicone gel that caused abnormally high rupture rates of its implants.
- June 10: 500 women who received the implants file a legal complaint against PIP in Marseille, near its corporate headquarters.
- September 28-29: French health authorities call for increased monitoring of PIP implants.

— 2011 —

- December 8: Prosecutors in Marseille open a preliminary investigation into the implants following the death of a woman from breast cancer.
- December 20: Media reports emerge that French medical authorities will tell 30,000 women who received defective implants to have them removed after eight cases of cancer emerge.
- December 23: France's health ministry advises women with breast implants made by PIP to have them removed as, while there is no proven cancer risk, they could rupture dangerously.

In the following days, authorities in Latin America and Europe also urge women to have the implants checked.

- December 27: The US Food and Drug Administration says it warned the French firm of "serious" quality control violations involving saline implants in 2000.

— 2012 —

- January 5: Mas admits to using cheaper, industrial-grade gel in the

implants but says they pose no health risk.

- January 17: The World Health Organisation recommends women have the implants checked for possible ruptures.
- January 27: Mas and Claude Couty, PIP's former general manager, are charged. Three other former employees are charged in late February.
- March 6: Mas is jailed for failing to pay his 100,000 euros bail.
- October 29: Mas is released pending trial.

— 2013 —

- January 30: German safety standards firm TÜV Rheinland, which gave the implants the all-clear, is sued by PIP distributors from Bulgaria, Brazil, Italy, Syria, Mexico and Romania, as well as thousands of victims, for more than 50 million euros (\$66 million).
- April 12: Health safety authorities report that nearly 15,000 French women have had the PIP implants removed.
- April 17: Trial of PIP executives begins in Marseille.

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