

Founder of French breast implant scandal firm jailed (Update 2)

December 10 2013, by Anne Beade

The founder of a French firm whose faulty breast implants sparked a global health scare was sentenced to four years in jail Tuesday after being convicted of fraud.

Four other former executives of the now-defunct Poly Implant Prothese (PIP) were also convicted over a scandal that reverberated around the world.

PIP was revealed two years ago to have been systematically using industrial-grade rather than medically approved silicone in its breast implants in order to cut costs and boost profits.

The Marseille court sentenced PIP founder Jean-Claude Mas to four years in prison, fined him 75,000 euros (\$103,000) and banned him permanently from working in medical services or running a company.

The 74-year-old, who says he is insolvent, was also ordered to compensate more than 4,000 plaintiffs up to 13,000 euros each for the anxiety he had caused them and, in some cases, the physical trauma of having the implants removed.

Mas, who was dubbed "the sorcerer's apprentice of implants" by prosecutors, did not react as the verdict was read out in court.

"Jean-Claude Mas did not fear for about 10 years to sell breast implants which contained a gel... made using uncertain procedures," the court

said, adding that they had not been subjected to "obligatory tests and examinations".

His lawyer, Yves Haddad, blamed the severity of the sentence on media-generated pressure and said he would appeal, a move which will keep Mas out of prison pending the outcome of a further hearing.

Haddad said it was "shocking" that Mas had not been given a suspended sentence as he had no previous criminal record.

The scandal first emerged in 2010 after doctors noticed abnormally high rupture rates in PIP implants.

It gathered steam worldwide in 2011, with some 300,000 women in 65 countries believed to have received the faulty implants.

During a month-long trial in April, the defendants admitted to using the industrial silicone but Mas denied the company's implants posed any health risks.

More than 7,500 women have reported ruptures in the implants and in France alone 15,000 have had the PIP implants replaced.

But health officials in various countries have said they are not toxic and do not increase the risk of breast cancer.

Several dozen of the women who had brought civil actions against Mas and PIP were in court Tuesday for the verdict.

"It is an important symbolic first step—the first time that we can use the word 'guilty' for Jean-Claude Mas," said Alexandra Blachere, the head of an association of women given the implants.

"It is a relief for the victims to be recognised," said Philippe Courtois, a lawyer for many of them, hailing the court's "rapid and coherent response".

Industrial gel saved PIP millions

The court also sentenced PIP's former general manager Claude Couty to three years in prison, with two years suspended.

Quality control director Hannelore Font and production director Loic Gossart were both sentenced to two years in prison, with one suspended, and research director Thierry Brinon was given an 18-month suspended sentence.

The executives are also partly liable for the damages award made Tuesday, although it was unclear if any of them would be capable of paying.

The court said Mas ran a tight ship and that "it was particularly difficult to go against his decisions and orders". It added that he was the "main beneficiary" of the money obtained through fraud.

Mas, a one-time 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 of implants. He 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 using industrial-grade gel in 75 percent of the implants.

Implants must be made from medical grade material that has been approved for use in a human body.

PIP's implants were banned and the company eventually liquidated.

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

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.

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