



THE MULTINATIONAL LIVANOVA PLC WAS ORDERED TO PAY COMPENSATION FOR THE ENVIRONMENTAL DAMAGE CAUSED AT THE CAFFARO SITES

The Milan Court of Appeal confirms the CTU: LivaNova PLC sentenced to reimburse the MiTE for the costs for the repair of environmental damage at the Brescia, Torviscosa, and Colleferro sites for over 450 million euros

After a long and complex judgment, another story regarding the Caffaro contaminated sites ends in a positive way for the Ministry of Ecological Transition.

It has been filed in recent days the sentence with which the Milan Court of Appeal condemned LivaNova PLC (formerly Sorin SpA, born in 2003 from the spin-off of SNIA SpA through the transfer of a large sum that should have been destined to remediation interventions) to the reimbursement in favor of the Ministry of the costs for the primary and compensatory repair of the environmental damage caused by the companies of the SNIA-Caffaro Group in the three sites of national interest "Brescia Caffaro", "Caffaro di Torviscosa" and "Bacino del Fiume Sacco": the amount was quantified by the Office technical consultants as a total of € 453,587,327.48.

In the judgment, promoted by the District Attorney of the State of Milan, the Court of Appeal had already ruled with the positive partial sentence of 2019 in which it had stated that SNIA, as the owner of the areas and plants, direct manager, and parent company of the companies gradually participated and acquired, and Sorin, limited to the assets conferred -but without any temporal limitation relating to the time of production of the damages, including, therefore, in addition to those existing at the time of the demerger, also subsequent ones, as they are widely foreseeable- must be held jointly and severally liable for the damage caused in the aforementioned three sites.

However, given the pending extraordinary administration procedure against SNIA SpA, the amount of over 450 million euros will have to be borne by LivaNova PLC alone, a global company incorporated under English law with registered office in London and numerous branches around the world (one also in Italy, in Milan), as of today one of the market leaders in the medical technology and innovation sector.

It will now be seen whether the global biomedical giant, which declares itself attentive to environmental, social and governance sustainability, will fulfill its obligation to pay compensation.

After the agreement was signed in mid-October between the Ministry, the Brescia Public Prosecutor's Office and, the company Caffaro Brescia Srl (which is not part of the SNIA-Caffaro Group) aimed at ensuring the safety of the "Brescia Caffaro" SIN by carrying out (at the expense of the Company which has allocated approximately 3 million euros for this) of the works for the enhancement of the hydraulic barrier system, the ruling of the Milan Court of Appeal represents another important victory in protecting the environment.