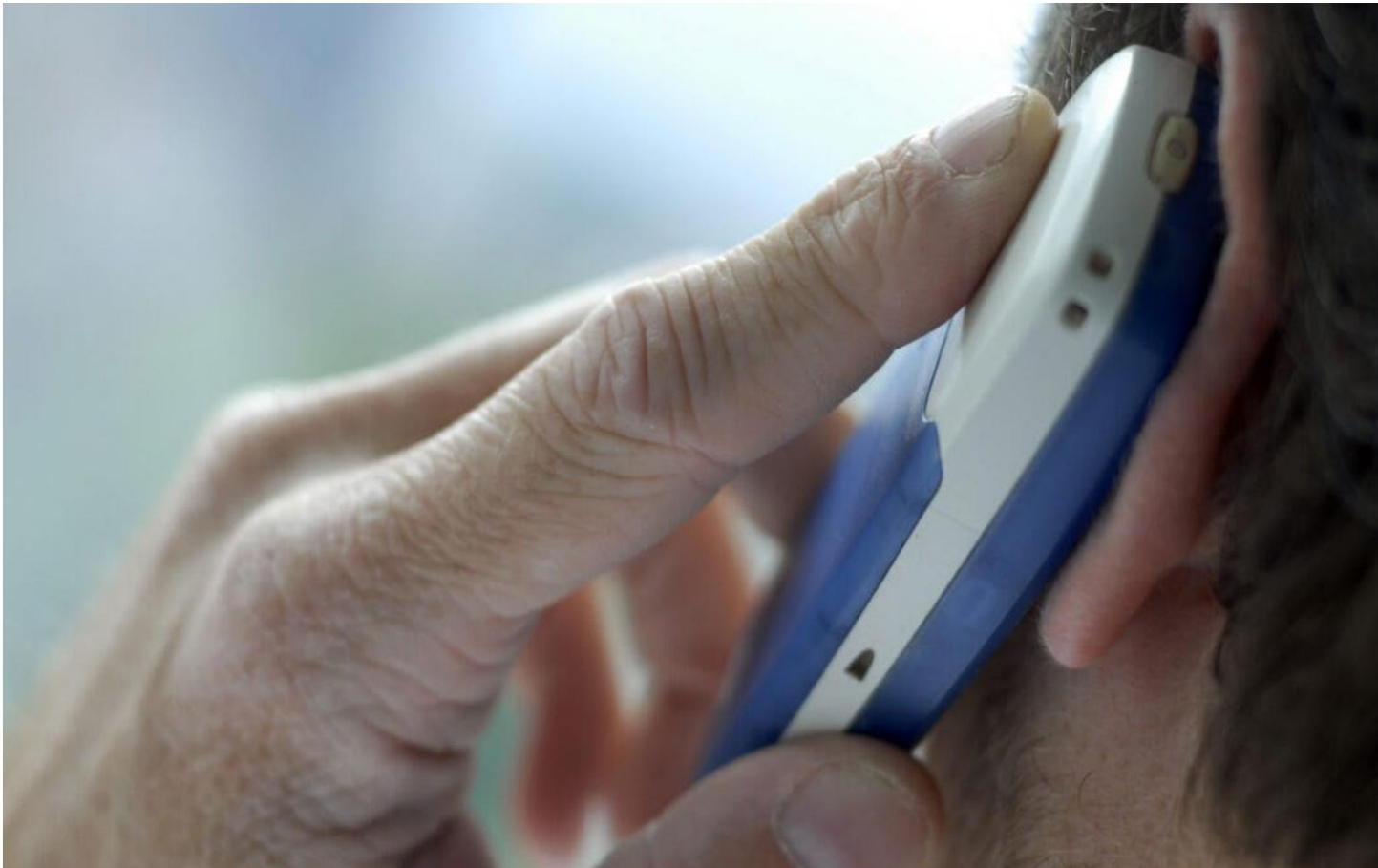


Tumor and cell phone: the Turin Court of Appeal compensates an employee

November 11, 2022

By: **Phonagate Alert**



In a judgment rendered on November 2, 2022, the Turin Court of Appeal confirmed the first instance decision, condemning **INAIL** [*Instituto nazionale Assicurazione Infortuni sul Lavoro* – National Institute of Work Accident Insurance] to compensate the victim of an intracranial tumor of the acoustic neuroma type linked to the use of a mobile phone.

2.5 hours a day on his cell phone for 13 years

The victim is a man, aged 63 and now retired, who worked as a specialized technician for a company in Val d'Aosta. Between 1995 and 2008 he used his mobile phone (first using the **ETACS** communication standard then **GSM**) for more than 10,000 hours (from 10,361 to 13,687) – an average of 2.5 hours per day.

According to medical reports, the plaintiff suffers from left deafness, facial nerve paresis, balance disorders and depressive syndrome due to the tumor. The case brought before the Aosta court recognized the causal link between the use of cell phones and the appearance of auditory nerve neuroma.

A second victory on a global scale

The Turin Court of Appeal therefore confirms the decision of the Aosta court which, in 2020, ordered **INAIL** to pay him a monthly pension of around 350 euros for occupational illness.

This is therefore the second time – on a global scale – that a court has taken a **favorable decision** to a worker. Indeed, in the first case, **Romeo v. Inail**, the judgment became final in 2020 since **INAIL** had not appealed to the Court of Cassation.

A judgment on scientific grounds

The scientific and medical debates at the Court of Appeal were held under the direction of Professor **Roberto Albera**. The latter, full professor of otolaryngology at the University of **Turin**, has also been since 2009 and until now director of the SC Otolaryngology and director of the department of surgical sciences at the University of Turin (2012-2018).

For the plaintiff's lawyer, Master **Stefano Bertone** – from the **Ambrosio and Commodo** law firm :

“The detractors who, with each court decision concerning cell phones, argue that “judges replace science” will have to find another argument: scientists

representing INAIL were unable to put forward any convincing arguments to the scientific expert appointed by the judges. »

And Maître **Bertone** added by way of advice in this interview given to the [Cosenza Channel](#) site :

'Distance therefore remains users' best ally and mobile phones must never be kept in contact with the body.'

For Doctor **Marc Arazi** who, as part of the **Report** program “ [Onda su Onda](#)“ of **RAI 3** in , had participated in the report November 2018 to alert on the **Phonagate** health scandal :

“Our NGO Alerte Phonagate relies on the spirit of responsibility of companies and administrations to protect the health of their employees using mobile phones on a daily basis

and other connected objects as part of their work. This new Italian decision shows that it is their future responsibility! »

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Association aiming to enable, both in France and internationally, the networking of individuals, organizations and communities fighting for the recognition, protection and defense of the health of mobile telephone users within the framework, among others, of the health and industrial scandal known as "Phonagate". It also wants to contribute with its partners to the definition of a global strategy for the use of mobile phones, digital tablets, connected objects or any other new technology to come using electromagnetic waves, in conditions which protect the health of users and in particular children. Finally, it wants to contribute to the identification, prevention and repair of damage caused to victims of mobile telephony on a physical, psychological, moral level, etc. and harm caused to their loved ones. To achieve its objectives, the association can take legal action directly and/or in support of actions taken by its members. It may carry out any useful action or activity, including of an economic nature, for the accomplishment of its corporate purpose.

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