

The Puppet and the Puppet-Master

The opening of a serialised investigation into the largest environmental poisoning ever established in Italy.

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*Every week, one part. We shall tell the story of the Miteni case: the PFAS poisoning that contaminated the aquifers of three provinces of Veneto, characterised by a criminal judge as **intentional** disaster and poisoning. And we shall pose the question that in Italy no one has pursued to the end: why has justice struck those who discharged the poison — little Miteni, now bankrupt — and not those who designed that poison, had it certified, produced it, and pocketed the profit?*

Our compass will be a public document — the judgment of the Vicenza Court of Assize — and the interpretations that can be given of it. One part at a time.

1. Dark Waters. Ours were worse

In 2019 we packed the cinemas for *Dark Waters* (*Cattive acque*): the true story of the lawyer **Robert Bilott** who, from the early 2000s, dragged **DuPont** into court over PFOA and won the case for the farmers and citizens of West Virginia. We were indignant for America. We did not know that, at that very moment, **the water of Veneto was much worse** than the water in the film — and that among the producers of the poisons was the same DuPont, together with Solvay.

PFOA was not a mystery. It was a secret. Internal documents that emerged in the American trials prove that **DuPont and 3M had known of its toxicity for decades**: as early as 1970 a DuPont laboratory defined it "highly toxic" by inhalation; in 1980-81 the two companies learnt of malformations in the children of exposed female workers, and said nothing; in 1984 secret DuPont tests found PFOA in the drinking water of nearby communities. The science was there. It sat in the drawers of the industry, which studied it in confidence and often did not disclose it.

This is the first, embarrassing delay: the delay **of public knowledge**. Private knowledge stays hidden; open scientific debate arrives late and, still today, remains beneath the surface except in the places of the tragedy; collective perception arrives last. And a disaster that no one perceives is a disaster that **no one stops in time**. This is exactly what aggravated the Miteni case: for years, while the poison flowed, the alarm never sounded.

The public numbers, meanwhile, accumulated. The American *C8 Science Panel* (2011-2012) established a *probable* link between PFOA and cancer of the kidney and of the testis. In 2019 PFOA was placed among the persistent organic pollutants of the **Stockholm Convention**. In 2023 the IARC classified it as **carcinogenic to humans (Group 1)**, alongside asbestos and tobacco. And in 2024 the United States set a drinking-water limit of **4 nanograms per litre**: the measure of how little it takes to do harm. PFAS are a **global** public-health question. In Italy, for too long, we watched it at the cinema.

2. PFOA out of the game, the flight into the substitutes

From 2006 the EPA puts PFOA out of the game: with the *PFOA Stewardship Program* the eight big companies of the sector — among them **Solvay** and **DuPont** — commit to reducing it by 95% by 2010 and eliminating it by 2015. So as not to lose billion-dollar markets, the multinationals **hurriedly create the substitutes**: DuPont patents **GenX** (2009); Solvay works from 2002 on **cC6O4** and registers it in 2011. They present them as safer — less persistent, less toxic — but they introduce them in haste, without the real effects being truly known.

Here **ECHA**, the European Chemicals Agency, enters the scene, together with the REACH Regulation. The path is precise: the substance is *registered* (it is the producer that supplies the data); if it meets certain criteria of hazardousness it is entered in the *Candidate List* of substances of very high concern (**SVHC**); from there it can pass to *authorisation* or to *restriction*. Solvay took the laxer route: in 2011 it registered cC6O4 as a "**production intermediate not intended for environmental release**", a category that requires far less data. A declaration which, in the light of what followed, has not withstood the test of the facts.

The outcome must, as a matter of scruple, be stated exactly, because here the two molecules **did not meet the same fate**:

- **GenX** was entered by ECHA in the *Candidate List* as an **SVHC in 2019**, and the EU Court of Justice confirmed the classification in 2022;
- **Solvay's cC6O4, by contrast, has never been classified as an SVHC**. Registered as an "intermediate", it slipped through the net. It has been found in the Po, in Milan, in Turin, up on the Alps — and yet, formally, it remains unclassified. Indeed: in 2021 Solvay **blocked, at the American laboratory Wellington, the sale of the analytical standard** for cC6O4, obstructing monitoring even by the public agencies. Whoever controls the *detectability* of his own pollutant controls its official existence.

(A proposal for a **restriction of the entire PFAS family**, presented to ECHA by five European countries, has been under way since 2023: one of the broadest ever advanced. Late, but indicative of where the world is going.)

It is **these** products — Solvay's cC6O4 and DuPont's GenX — that end up at Trissino, at Miteni.

3. The puppet and the puppet-master

Why do two world giants entrust their most sensitive molecules to a small Veneto company? Because — this is the thesis of this investigation and of the complaints — **Miteni was not a supplier: it was a screen.**

cC6O4 is **Solvay's "molecular signature"**: exclusive patent, proprietary *know-how*, European registration as **lead registrant**. Miteni appears there only as a co-registrant, and only for **recovery**: it worked on resins and technical data sheets supplied by Solvay. On its own it could have produced nothing. On this rests the **"resin cycle"**: Solvay sends the cC6O4-laden resins from Spinetta to Trissino for recovery, Miteni extracts the product and returns it — and keeps the **hazardous waste**. For a giant that has every technology in-house, outsourcing the dirty phase is **economically absurd**: it makes sense only as a shifting of the risk, environmental and legal, onto another company and into another region, where the controls were weaker.

Three facts, read in the light of the judgment, make the scheme recognisable. In **2009** Miteni is sold for **one euro** to the Luxembourg fund ICIG and at the top arrives a manager who came from the Solvay plant at Spinetta (later convicted). In **2018**, when Miteni heads towards bankruptcy, Solvay **resumes cC6O4 production at home within the day**: proof that Trissino was an **expendable department**, reabsorbable at any moment. Miteni discharges, Miteni is convicted. But if Miteni was the puppet, **the puppet-master has remained in the shadows**: Solvay and DuPont have never been charged, nor called on for the clean-up, nor sued for the damage.

And the puppet-masters are two. The same scheme holds for **DuPont** and its **GenX**, the other substitute for PFOA: once again Trissino as the terminal for the waste, once again the recovery and the return of the product. DuPont, however, enters later — and the moment it chooses says everything (we shall see it shortly).

This is the paradox of the judgment, and it is the engine of this investigation. The Vicenza Court of Assize convicted the Miteni managers and the individuals attributable to ICIG and Mitsubishi: the only ones **the prosecution** had brought to trial. Solvay and DuPont remained outside — because the charges had left them outside, not because their shadow was not there. But the **reasoning** tells another story: it describes the resins arriving from Solvay and the product going back, the toll-manufacturing contract resolved at the top, the residues and the IBCs, the GenX shipped from Dordrecht. Line by line, it lays the **foundations of the case against the principals**. The conviction stops at the perpetrator; its own reasoning points to who is missing.

Words matter: the conviction of the Miteni managers is a **fact**; the liability of Solvay/Syngenta and DuPont/Chemours is, today, a **hypothesis** — the thesis we shall put to the test, part after part.

4. The largest, the most ignored

The contamination poisoned the aquifers of **Vicenza, Verona and Padua**: at least **350,000 people** drank, for years, water polluted by mixtures of old and new PFAS — one of the most extensive contaminations in Europe. The study by the **University of Padua** with the **Istituto Superiore di Sanità** (*Environmental Health*, 2024) counted, in the "red zone" alone (30 municipalities, ~150,000 inhabitants), between 1985 and 2018 **51,621 deaths against 47,731 expected: 3,890 excess deaths**, from cardiovascular diseases and cancers. For the first time, the link between PFAS and cardiovascular mortality was demonstrated.

And here the **delay of science** returns, this time our own. Systematic monitoring of the "new PFOAs" begins only in 2018-2019, when they had been in the environment for at least ten years. An epidemiological study of the factory workers, the most exposed, is still lacking. The study that put numbers on the deaths arrived late, and more from the pressure of citizens than from the institutions. The greatest disaster was matched by the most tepid curiosity.

5. The comparison that embarrasses

The **same two companies**, elsewhere, pay. In the United States, for analogous PFAS affairs: **DuPont/Chemours/Corteva**, \$1.185 billion in 2023 to the water systems (plus an agreement with New Jersey announced at over \$2 billion); **Solvay**, about \$393 million with New Jersey. These are civil settlements, not criminal convictions — we say so with precision. But the message is clear: where judicial pressure exists, those who produced PFAS pay **billions**. In Italy the Court of Assize awarded compensation that is remarkable by national practice (about €58 million to the Ministry of the Environment, tens of millions to more than 300 civil parties — claimants for damages within the criminal trial), but **incommensurable** with that scale — and which risks remaining on paper, because those convicted are bankrupt.

6. Those who fail to supervise then play the victim

Then there is the **failure of the public controls**, at every level. In 2013 ARPA Veneto finds cC6O4 at Miteni's discharges: it is the alarm, the disaster is emerging. A year later, instead of closing, the **Veneto Region opens**: the 2014 integrated environmental permit (AIA) authorises the recovery and disposal of PFAS **without setting limits** on the discharge of the new compounds — and from then on ARPA even stops looking for them. It is that same wide-open door that lets in **DuPont**, which precisely from 2014 begins to ship to Trissino, from its Dutch factory at Dordrecht, the waste laden with **GenX**, fleeing the controls that in the Netherlands were becoming stringent. Veneto permits what elsewhere is no longer tolerated. It is the classic mechanism — industry "brings jobs and money" (most of which, however, stays with industry) and those who should supervise close their eyes. The Ministry of the Environment, even though the legal requirements

were present, did not establish the Site of National Interest that would have imposed serious remediation. It is a practice with something neocolonial about it: the risks that cannot be run elsewhere are shifted here, and within Italy from one region to another.

And when the disaster emerges, the reversal occurs: the same body that had opened the door — the Veneto Region — **joins the proceedings as a civil party**, that is, among the victims. From a party that ought to have answered to a party asking to be compensated. In this investigation it has a name: **political** responsibility.

Downstream, finally, the **civil law** limps along: the first Italian class action (about 40,000 opt-ins, €2 billion claimed) is directed against Miteni — bankrupt — and its shareholders Mitsubishi (liable only up to 2008) and ICIG (a Luxembourg fund). For the victims, the concrete risk is coming away **empty-handed**.

7. The law is already there

The most widespread error is to believe that in Italy the principal **cannot** be struck. It is false, and as a criminal lawyer I shall demonstrate it provision by provision. There are **complicity** (Art. 110 of the Criminal Code), which does not require being at the scene of the act; the liability for **omission** of one who holds a position of guarantee (Art. 40, paragraph 2); the **poisoning of water** (Art. 439) and disaster; the **environmental offences** of 2015; the **liability of legal entities** (Legislative Decree 231/2001); and now the new European directive on the criminal protection of the environment, transposed in 2026.

Above all there is one point that on its own sustains the accusation, and that too many pretend to ignore: **the law of waste**. European and Italian legislation — the framework Directive 2008/98/EC and the Environmental Code (Legislative Decree 152/2006) — imposes on whoever produces waste a duty of control over the **entire** management chain, down to final disposal, under the principle that "the polluter pays". The producer **does not free himself** of liability by handing the waste to a third party — still less if that third party is not authorised or operates illegally. *"I consigned the cC6O4 to Miteni and I do not know what became of it"* is not a defence: it is the description of negligence (*in eligendo* and *in vigilando*), when not of intent. Whoever creates the substance and puts it into the cycle **answers for how it ends up**.

If, with all these instruments, the principal is not prosecuted, the explanation is not legal. It is **political**.

8. Method

Two rules, so that the investigation is rigorous before it is indignant. **The sources**: we work on the judgment of the Vicenza Court of Assize — a public and established fact — and on the interpretations given of it. Alongside, there are documents **autonomous and distinct from the Miteni trial**: the criminal complaints filed, separately, with the Public

Prosecutors of Alessandria and Vicenza, which ask that the parties upstream be investigated. **Respect for persons:** the Miteni managers are convicted, that is a fact; the liability of Solvay/Syensqo and DuPont/Chemours is a hypothesis, not a conviction. We will always use the right words.

9. The calendar

From here the journey begins. One part a week: the facts, the key passages of the judgment, the pattern of the supply chain (the resin cycle, the corporate screen, the molecular signature), the comparison with the world, the testing of the legal thesis — that striking the principals is not only just, but is **already possible** with the laws we have.

The question is not "can it be done?". It is: **why has it not been done?**

Until next week.

| **Part 1** → *The Absent*

Note on sources

Dark Waters (Cattive acque, 2019): the DuPont/Parkersburg PFOA case, the lawyer Robert Bilott. Historic concealment: internal documents (via US litigation, UCSF/EWG/UCS archives) prove that DuPont and 3M knew of the toxicity of PFOA/PFOS from the 1970s-80s (Haskell memo 1970; malformations in children of exposed female workers 1980-81; secret drinking-water tests 1984). PFOA: C8 Science Panel (2011-2012, *probable* link kidney/testis); included among the POPs of the **Stockholm Convention (2019)**; IARC **Group 1 (Nov. 2023)**; PFOS 2B. EPA drinking water (2024): 4 ng/L PFOA/PFOS. **EPA PFOA Stewardship Program (2006)**: –95% by 2010, elimination by 2015; among the 8 companies, Solvay and DuPont. Substitutes: GenX/HFPO-DA (DuPont, patent 2009) — **ECHA SVHC 2019**, confirmed by the EU Court 2022; cC6O4 (Solvay, worked on from 2002, REACH registration 2011 as an "intermediate not intended for environmental release", *Lead Registrant*) — **not classified SVHC**; in 2021 Solvay blocks the cC6O4 analytical standard at Wellington Labs. ECHA/REACH procedure: registration → Candidate List (SVHC, Art. 57) → authorisation (Annex XIV) / restriction (Annex XVII); universal PFAS restriction proposal presented by 5 countries (2023, under assessment). "Red zone" mortality: A. Biggeri et al., *Environmental Health* 2024, vol. 23, art. 42 (30 municipalities, ~150,000 inhabitants; 1985-2018: 51,621 observed vs 47,731 expected = **3,890 in excess**; SMR 108) — DOI 10.1186/s12940-024-01074-2. Overall exposure in the Veneto area: ~350,000 people. US settlements: DuPont/Chemours/Corteva \$1.185bn (2023) + NJ agreement over \$2bn; Solvay/NJ ~\$393m (2023). Vicenza compensation: ~€58m to the Ministry of the Environment, more than 300 civil parties. Waste law: Directive 2008/98/EC and Legislative Decree 152/2006 (producer responsibility along the entire supply chain; "the polluter pays"). Criminal framework: Arts. 110, 40 second paragraph and 439 of the Criminal Code; Law 68/2015; Legislative Decree 231/2001, Art. 25-undecies; Legislative Decree 81/2026 (EU Directive 2024/1203). Failure of the controls and failure to establish the SIN: the investiga-

tion's reconstruction. "Screen/resin cycle/molecular signature" scheme: a reconstruction based on the judgment and the complaints (a thesis, not a conviction, as regards Solvay/DuPont).

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