

IN THE MATTER OF

Mr. X

Represented by Maître Guilhem DEPLAIX, Attorney at the Montpellier Bar

VERSUS

PRIMARY HEALTH INSURANCE FUND (CPAM) OF VAR

42 Rue Emile Ollivier – La Rode

83082 TOULON CEDEX

Represented by Mrs. Christelle ZINTHALER, duly authorized

PROCEDURAL HISTORY

As Mr. X's permanent disability rate was equal to or greater than 25%, the file was referred to the Regional Committee for the Recognition of Occupational Diseases (CRRMP) of Marseille PACA Corse.

On 5 December 2018, the CRRMP of Marseille PACA Corse issued an unfavorable opinion regarding coverage of the disease under occupational risk legislation.

By letter dated 4 February 2019, the CPAM of Var informed Mr. X of its refusal to grant coverage of his illness under occupational risk legislation.

On 23 March 2019, Mr. X referred the matter to the Amicable Appeals Commission (CRA) to contest the CPAM's decision of 4 February 2019.

In the absence of a response within the prescribed time limit, Mr. X filed an application on 1 August 2019 before the Social Division of the Toulon Judicial Court (formerly Tribunal de Grande Instance), to contest the implicit rejection decision of the CRA. The case was registered under No. RG 19/02865.

By decision dated 9 July 2019, the CRA confirmed the refusal decision of 4 February 2019.

By application dated 13 September 2019, Mr. X again seized the court to contest the CRA decision of 9 July 2019. The case was registered under No. RG 19/03086.

By interlocutory judgment of 7 March 2022, the Social Division of the Toulon Judicial Court:

- Joined the two proceedings under a single case number;
- Annulled the opinion of the CRRMP of Marseille dated 5 December 2018, issued without a reasoned opinion from the occupational physician;
- Ordered the CPAM of Var to refer the case to a newly composed CRRMP pursuant to Article L.461-1 of the Social Security Code, to determine whether a direct link existed between the declared pathology and the claimant's occupational exposure.

On 23 August 2022, the court designated the Occitanie Regional CRRMP.

On 15 December 2022, the Occitanie CRRMP issued an unfavorable opinion, finding no direct link between the pathology and Mr. X's professional activity.

On 28 March 2025, the Court of Appeal of Aix-en-Provence:

- Reversed the first-instance judgment insofar as it had declared the claim inadmissible;
- Dismissed the claim under Table No. 34 of occupational diseases;
- Referred the parties back to the Toulon Judicial Court to rule on coverage under the general occupational risk legislation following the latest CRRMP opinion.

The case was heard on 7 November 2025.

FOUNDATIONS OF THE DECISION

Under Article L.461-1 of the Social Security Code, a disease not listed in a table of occupational diseases may be recognized as occupational in origin where it is directly and essentially caused by the victim's habitual work and results in a permanent disability of at least 25%.

Mr. Eric X declared on 8 February 2018 a pathology described as:

“Central and peripheral autoimmune neuropathy with demyelination syndrome.”

After investigation, the medical advisor set the permanent disability rate at at least 25%.

Two successive CRRMP committees (Occitanie and Grand-Est) issued unfavorable opinions, considering in particular:

- The possible multifactorial origin of symptoms;
- The absence of confirmed scientific consensus;
- A previous head trauma in 2011.

However, the court recalls that it is not bound by CRRMP opinions.

Mr. X maintained that during his aviation career he was exposed to chemical substances from aircraft engine oils, including organophosphates and ultrafine metallic particles.

The court relied in particular on:

- The expert report of Professors BABIN, BALDI and COUMOUL (17 June 2022) concerning smoke and fume events and toxic exposure in aircraft cabins;
- The expert opinion of Dr. TRIPODI (4 April 2024), concluding that the symptoms were compatible with aerotoxic syndrome and multiple chemical sensitivity;
- The expert report of Professor BACCINO (21 January 2025), concluding positively on occupational exposure capable of causing aerotoxic syndrome, identifying an initial acute episode in 2009, and noting improvement during periods away from work.

The court further noted:

- The presence of metallic and chemical particles in the claimant's body;
- Scientific literature reporting similar symptoms in exposed pilots;
- Improvement of cholinesterase levels following removal from exposure;
- The absence of any more convincing alternative causal explanation from CPAM.

The court concluded that:

The direct and essential link between exposure to toxic substances from aircraft engine oils and Mr. X's disease is established.

OPERATIVE PART

For these reasons, the Court:

- **ORDERS** the CPAM of Var to grant coverage under occupational risk legislation for the disease declared on 8 February 2018 by Mr. X, namely “central and peripheral autoimmune neuropathy with demyelination syndrome”;
- **DISMISSES** all claims of the CPAM;
- **ORDERS** the CPAM of Var to pay Mr. X the sum of €1,500 pursuant to Article 700 of the Code of Civil Procedure;
- **ORDERS** the CPAM to bear the costs of the proceedings;
- **DECLARES** that there is no need for provisional enforcement;
- **STATES** that any appeal must be filed within one month.

Certified true copy issued by the Registry of the Toulon Judicial Court.