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French Judges Send Two Former 1855.com Executives to Criminal Court

The referral revives a long-stalled case over nearly €40 million in undelivered wine orders placed by about 11,000 customers.

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Eleven years after the collapse of 1855.com, the French online wine retailer accused of failing to deliver nearly €40 million in wine orders, two former executives are being sent to criminal court on charges of fraud and deceptive commercial practices, according to information relayed by lawyers representing hundreds of customers.

The case centers on Émeric Sauty de Chalon and Fabien Hyon, the two men who led the company before its liquidation. The decision marks a major turn in a long-running judicial process that many victims had come to see as stalled. For years, customers and their lawyers said they were facing a form of institutional paralysis while the former executives avoided repayment and escaped trial.

1855.com was once known in France for selling wine online, including Bordeaux futures, or en primeur, a system in which buyers pay in advance for wines that are delivered later. According to the case file described by lawyers involved in the matter, about 11,000 customers paid for bottles that were never delivered. The missing orders were valued at close to €40 million.

The investigation has moved unevenly over the years. In May 2019, the Paris public prosecutor had recommended that the case be dismissed in favor of the two executives, despite evidence submitted by victims and by France’s consumer fraud agency, the DGCCRF. At the time, prosecutors argued that the company’s leaders had not acted with intent to deceive customers.

That position was later challenged by the Paris Court of Appeal’s investigative chamber, which in 2021 ordered that the inquiry continue. Even after that ruling, however, several investigating judges handled the file without a final breakthrough.

The latest development came from Christel Boynton, vice president of the Paris Judicial Court and the judge overseeing the investigation. She appointed a court expert whose report was described by plaintiffs’ lawyers as highly damaging to the former executives. After reviewing the findings, she decided to place both men under formal investigation and refer them for trial.

Hélène Poulou, a lawyer representing several hundred private clients as well as the Conseil des Crus Classés en 1855, said the judge concluded that Chartrons, a sister company to 1855.com that was supposed to purchase Bordeaux futures, was effectively an empty shell. On that basis, she said, the judge reclassified part of the case from breach of trust to fraud, a more serious allegation under French criminal law.

The referral means the two men are now expected to face trial unless another procedural step alters the course of the case. As of now, no trial date has been announced by the court.

The affair has remained notable in France’s wine trade because it touched one of the market’s most sensitive areas: advance sales of collectible Bordeaux wines. The en primeur system depends heavily on trust between merchants and buyers. Customers pay months or years before delivery, often for expensive wines tied to prestigious estates and classified growths. When an intermediary fails, losses can be large and difficult to recover.

Lawyers for victims have argued for years that this was not simply a business failure but a deliberate scheme built on promises that could not be honored. The new judicial direction suggests investigators found enough evidence to support that view at trial.

The case has also drawn attention because of what happened after 1855.com went into liquidation. According to information cited by plaintiffs’ representatives, both former executives returned to business activity despite having been barred for two years from managing a company. Sauty de Chalon has kept a lower public profile, according to those lawyers. Hyon, they say, changed his name and now uses Fabien Hyon-Huttenberger or Huttenberger.

He is said to be offering management consulting through a company called Aranor, created last year and based on the Champs-Élysées in Paris. Lawyers involved in the case also say he created a holding company in 2024 called Fabulous Holding.

For victims who have waited more than a decade, the referral does not bring compensation by itself. But it does move one of France’s most notorious wine e-commerce scandals closer to a public hearing on whether its leaders knowingly misled thousands of buyers in a market where reputation and advance payment are central to how business is done.