



GUVERNUL ROMÂNIEI

AGENȚIA NAȚIONALĂ ANTI-DOPING

DECISION

No. 12/13.05.2010

The *Hearing Commission for athletes and their support personnel who violated the anti-doping rules*, summoned on 13.05.2010, 10:00 H, at the National Anti-Doping Agency official seat in Bucharest, 37 – 39 Basarabia Bvd., sector 2, for hearing of the athlete **Dan DUMITRACHE**, registered to **Zamolxis Alba Iulia Sport Club**, residing in Arad, 7, Prof. Onisifor Chibu Street, Apt. 5 establishes:

Following the doping control on 12.04.2010 conducted in ARAD, on sport discipline Powerlifting, the sample's analytical result of the athlete **Dan DUMITRACHE** with the code number **2497446A**, indicated the presence of 18-nor-17alfa-methyl-17beta-hidroxymethyl-androst-1,4,13-trien-3one, metabolite of **metandienone**, substance included in the class S1.1.a. of the 2010 Prohibited List.

On 28.04.2010 the meeting for the provisional hearing of the athlete took place where the athlete did not submit, although he had been notified legally. On 27.04.2010, the athlete gave a first statement stating he had used effort-support substances and medicines as well as **naposim and testosterone** during the recovery period following the injuries he had suffered, mentioning he did not request the analysis of B sample and he admitted the result of the doping control.

Pursuant to the art. 31, paragraph (2) of the Law 227/2006 regarding prevention and fight against doping in sport, republished, *The Hearing Commission* decided on 28.04.2010 the provisional suspension of the athlete **Dan Dumitrache** with regard to his participation in any competition until the final decision, pursuant to

art. 33 of the Law 227/2006 regarding prevention and fight against doping in sport, republished.

The athlete was notified with regard to the meeting of the *Hearing Commission* on 13.05.2010, but the athlete did not submit to it at the date and time communicated and he did not submit any documents in his defense.

Pursuant to art. 46 paragraph (1) of the Law 227/2006 regarding prevention and fight against doping in sport, republished, the athlete is strictly responsible for the presence in his / her biological sample of any prohibited substance or its metabolites or markers and there's no need to establish the intention or fault to determine an anti-doping rules violation.

The *Hearing Commission for athletes and their support personnel who violated the anti-doping rules* summoned on 13.05.2010, by reviewing the documents within the file, namely the analysis bulletin no. 137/22.04.2010 of Bucharest Doping Control Laboratory and athlete's statements as of 27.04.2010, taking into account the nature of the prohibited substance detected in athlete's sample and the Decision regarding the provisional suspension no. 11/28.04.2010 and pursuant to the legal provisions on national and international level:

DECIDES

The ineligibility of the athlete **Dan Dumitrache**, registered to **Zamolxis Alba Iulia Sport Club** for a period of 2 (two) years, pursuant to the provisions of the art. 36 of the Law 227/2006 regarding the prevention and fight against doping in sport republished as he is guilty of violating the provisions of the art. 2 paragraph (2) letter a) of the mentioned law.

The ineligibility period starts at the date of the current decision, while the provisional suspension period shall be credited against the total period of Ineligibility imposed pursuant to art. 42 paragraphs (1) and (2) of the Law 227/2006 regarding the prevention and fight against doping in sport republished.

Pursuant to the provisions of art. 43 of the mentioned law, during the ineligibility period, the athlete has the obligation to submit his whereabouts

information to the Agency. Aiming to reintegrate in sport activity, during the ineligibility period, the athlete has to undergo to four no advance notice doping testing, one of them at the moment when the sport activity is started again. When the athlete firstly retires from sport activity during the ineligibility period and then he requests to be reintegrated in sport activity, he won't be reintegrated until he informs the Agency and no advance notice doping testing is performed during a period of time equal to the ineligibility period remained when he retired.

The decision may be appealed in 21 days since the notification to the Appeal Commission besides National Anti-Doping Agency.

The decision shall be communicated to the athlete, the club where he is registered, to the Romanian Powerlifting Federation, the National Authority for Youth and Sport, Romanian Olympic and Sport Committee, relevant International Federation and the World Anti-Doping Agency.

Romanian Powerlifting Federation has the obligation to apply the provisions of the current decision and to comply with the legal provisions in force pursuant to the provisions of the article 65, paragraph (1) of the Law 227/2006 republished.

**CHAIRPERSON OF THE HEARING COMMISSION FOR ATHLETES AND
THEIR SUPPORT PERSONNEL, WHO VIOLATED THE ANTI-DOPING
RULES,**

GRAZIELA ELENA VÂJIALĂ