



GUVERNUL ROMÂNIEI

AGENȚIA NAȚIONALĂ ANTI-DOPING

DECISION

No. 5/ 11.01.2011

The *Hearing Commission for athletes and their support personnel who violated the anti-doping rules*, summoned on 11.01.2011, 10:00 H, at the National Anti-Doping Agency official seat in Bucharest, 37 – 39 Basarabia Bvd., sector 2, regarding the hearing of the athlete TUDOSE DAN, registered to **Roxy Dojo Bucharest Sport Club**, residing in Bucharest, 12 Voronet Street, Bl. D7, Sc. 1, Appt. 9, District 3 establishes:

Following the doping control on 23.11.2010 planned by National Anti-Doping Agency, on sport discipline traditional Karate the athlete refused to provide the urine sample, after he signed the *Notification for doping testing* he left the doping control station saying that “it is late and that he do not participate in sport competitions”.

The *Hearing Commission for athletes and their support personnel who violated the anti-doping rules* gathered on 13.12.2010 where the athlete was not present despite the fact he had been legally notified. Mr. Stuparu Dan - president attended the session on behalf of Romanian Traditional Karate Federation and Mrs. Cruher Roxana on behalf of Roxy Dojo Sport Club. They affirmed that Tudose Dan was not an athlete, that he did not participate in sport competitions and they registered him as an athlete only to have access to the gym. The Commission members considered it is necessary that the athlete should come to the next hearing session and they postponed the decision.

The *Hearing Commission for athletes and their support personnel who violated the anti-doping rules* gathered on 11.01.2011 where the athlete was not present despite the fact he had been legally notified, but on 10.01.2011 he sent a

statement where he stated that he practiced this sport only recreationally, although he was registered to the Romanian Traditional Karate Federation with athlete card series D no. 01177.

The Commission members considered that the athlete submitted to the sport regulations in force because he was registered to Romanian Traditional Karate Federation and because he had athlete status.

The *Hearing Commission for athletes and their support personnel who violated the anti-doping rules* reviewed the documents within the file, the athlete's statement as of 10.01.2011, and in compliance with the legal provisions on national and international level:

DECIDES

The ineligibility of the athlete **TUDOSE DAN**, registered to **Roxy Dojo Bucharest Sport Club** for a period of 2 years pursuant to the provisions of art. 36 of Law 227/2006 regarding prevention and fight against doping in sport republished, because *refusing to submit to Sample collection after signing the Notification for doping control* is a violation of art.2 paragraph (2) letter c. of the above-mentioned law.

The ineligibility period begins to run from the date of the current decision.

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 to the Appeal Commission beside National Anti-Doping Agency in 21 days since the notification.

The decision shall be communicated to the athlete, **Roxy Dojo Sport Club**, Romanian Traditional Karate Federation, National Authority for Youth and Sport, Romanian Olympic and Sport Committee, International Traditional Karate Federation and World Anti-Doping Agency.

Romanian Traditional Karate 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 article 65, paragraph (1) of Law 227/2006 republished.

Pursuant to the provisions of art.34, paragraph (4) of Law 227/2006 regarding the prevention and fight against doping in sport, republished, the above-mentioned institutions are required to maintain confidentiality of the information communicated until the public disclosure of the case.

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

GRAZIELA ELENA VÂJIALĂ