



GUVERNUL ROMÂNIEI

AGENȚIA NAȚIONALĂ ANTI-DOPING

DECISION

No. 10/05.04.2011

The *Hearing Commission for athletes and their support personnel who violated the anti-doping rules*, summoned on 05.04.2011, 10:00 H, at the National Anti-Doping Agency official seat in Bucharest, 37 – 39 Basarabia Blvd., sector 2, regarding the hearing of the athlete Popoviciu Alex-Gabriel, registered to **Oradea Sport Club**, residing in Oradea, 5 Constantin Brâncuși Street, Bl. PB32, Et. 4, Appt. 18, Bihor County, establishes:

Following the in competition doping control on 06.02.2011 conducted on sport discipline water polo, on the occasion of National Water Polo Championship, Rapid Bucharest – Oradea Sport Club, which took place in Bucharest, the analytical result of the sample with the code number 1958441A, indicated the presence of the prohibited substances methylhexanamine, included in the class S6.b (Specific Stimulants).

The *Hearing Commission for athletes and their support personnel who violated the anti-doping rules* gathered on 04.03.2011 where the athlete stated that he used the food supplement **Dymatize High Protein Mega Gainer for effort-support**.

The Hearing Commission decided to ask for some analytical researches to be performed on the food supplement and to suspend the athlete provisionally until a result is received.

The food supplement **Dymatize High Protein Mega Gainer** was analyzed by the laboratory and no prohibited substances were identified.

The *Hearing Commission for athletes and their support personnel who violated the anti-doping rules* gathered on 05.04.2011, when the athlete supported his statement as of 04.03.2011 and took note of the laboratory analysis result.

The *Hearing Commission for athletes and their support personnel who violated the anti-doping rules* reviewed the documents within the file, namely the analysis bulletin no. 94/21.02.2011 of Bucharest Doping Control Laboratory and the athlete's statements as of 04.03.2011 and 05.04.2011, taking into account that the nature of the prohibited substance that was detected in the athlete's sample, and in compliance with the legal provisions on national and international level:

DECIDES

The ineligibility of the athlete Popoviciu Alex-Gabriel for a three (3) months period of time from any sport activity pursuant to the provisions of art. 39 of Law 227/2006 regarding prevention and fight against doping in sport republished, because prohibited substance methylhexaneamine, which constitute a violation of the provisions of art. 2 paragraph a of the above-mentioned law.

The ineligibility period begins to run from the date of the current decision, while the provisional ineligibility period shall be credited against the total period of ineligibility imposed pursuant to the provisions of article 44 paragraph (1) and (2) of Law 227/2006 regarding the prevention and fight against doping in sport republished.

Pursuant to the provisions of art. 45 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 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, Oradea **Sport Club**, Romanian Water Polo Federation, National Authority for Youth and Sport, Romanian Olympic and Sport Committee, relevant International Federation and World Anti-Doping Agency.

Romanian Water Polo 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 71 of Law 227/2006 republished.

Pursuant to the provisions of art. 36 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