



GUVERNUL ROMÂNIEI
AGENȚIA NAȚIONALĂ ANTI-DOPING

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

To
KISS ANDREI
Grivita R.C.
Romanian Rugby Federation
National Authority for Youth and Sport
International Rugby Board
Romanian Olympic and Sport Committee
World Anti-Doping Agency

Bucharest, 31.10.2011

Regarding the case of **National Anti-Doping Agency** *versus* athlete **Kiss Andrei**,
registered to Grivita R.C., sport discipline rugby

DECISION

No. 18/ 31.10.2011

Issued by

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

With the following structure:

Chair

Graziela Elena VÂJIALĂ

Members:

Eugen COIFAN

Gabriela ANDREIAȘU

Tudor COSTIN

Marius MARIN

Alexandru ARTEM

Elena DUMITRAȘCU

Cristian DIMA

Secretary of Hearing Commission: **Gabriela ANDREIAȘU**

Summoned on 31.10.2011, 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 **Kiss Andrei**, registered to **Grivita R.C.**, residing in Bucharest, 2B Nicolae Oncescu Street, Bl. 101, Sc. A, Apt. 45, District 6 establishes:

Following the doping control on 08.10.2011 on the occasion of National Rugby Championship, A Division, conducted in Bucharest, the analytical result of the sample of the athlete mentioned above with the code number **1981139A**, indicated the presence of **acid 11-nor-9-carboxy-delta 9-tetrahydrocannabinol (carboxy THC), metabolite of delta 9-tetrahydrocannabinol**, the substance is included in the class S8 Cannabinoids of the Prohibited List.

The *Hearing Commission for athletes and their support personnel who violated the anti-doping rules* summoned on 31.10..2011 took into account that the athlete admitted that he used the prohibited substance which it was found in the urine sample, he smoked it with hookah in the week preceding the match. The athlete also brought at the Agency the residual tobacco he had in the house.

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. 732/26.10.2011 of Bucharest Doping Control Laboratory, the athlete's statement admitting the use of the prohibited substance which it was found in the biological sample and that the athlete did not want the analysis of the B sample, taking into account the legal provisions on national and international level:

DECIDES

The ineligibility of the athlete **KISS ANDREI**, registered to **Grivita R.C.**, for a period of three (3) months, pursuant to the provisions of art. 39 of Law 227/2006 regarding prevention and fight against doping in sport republished, with the further

amendments, as the athlete violated the provisions of article 2, paragraph (2), letter a) and b) of the mentioned law.

The provisional suspension period begins to run from the date of the sample collection.

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 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 by the athlete to the Appeal Commission besides National Anti-Doping Agency in 21 days since the notification, this became mandatory after the expiration of the mentioned period.

Romanian Rugby 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 37 and article 71 of the Law 227/2006.

Pursuant to the provisions of art.36, paragraph (4) of Law 227/2006 regarding prevention and fight against doping in sport, republished, with the further amendments, the above-mentioned institutions are required to maintain confidentiality of the information communicated until the public disclosure of the case.

CHAIR OF HEARING COMMISSION

GRAZIELA ELENA VÂJIALĂ