



**GUVERNUL ROMÂNIEI**  
**AGENȚIA NAȚIONALĂ ANTI-DOPING**

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

**To**  
Toncean Dragos  
Farul Constanta Sport Club  
Romanian Karate Federation  
National Authority for Youth and Sport  
International Karate Federation  
Romanian Olympic and Sport Committee  
World Anti-Doping Agency

**Bucharest, 06.04.2012**

Regarding the case of **National Anti-Doping Agency** *versus* athlete **TONCEAN  
DRAGOS**, registered to Farul Constanta Sport Club, sport discipline Karate

**DECISION**

**No. 4/ 06.04.2012**

**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

Dan Gabriel NICHITA

Tudor COSTIN

Marius MARIN

Alexandru ARTEM

Elena DUMITRAȘCU

Cristian DIMA

Ion DOBRESCU

Secretary of Hearing Commission: **Gabriela ANDREIAȘU**

Summoned on 06.04.2012, 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 Toncean Dragos, registered to **Farul Constanta Sport Club**, residing in Reghin, 17 Petru Maior Street, establishes:

Following the doping control on 03.03.2012 conducted on the occasion of National Shotokan Championship, conducted in Craiova, the analytical result of the sample of the mentioned athlete with the code number **1980838A**, 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 06.04.2012 took into account that the athlete admitted he had used the energy drink ISODRINK, obtained from his Hungarian friends and that he did not use THC or other prohibited substances. The athlete was not able to bring the product prospectus at the hearing meeting and he said that it has withdrawn from the market. At the same time, the athlete said that he was to a party few days before the competition where he used alcoholic drinks together with other friends who also used cannabis. He did not remember if he used also cannabis because he was drunk.

Mr. Valerian Musat, the athlete's coach, who is also a lawyer claimed the athlete's innocence trying to make arguments in his favor that marihuana (a substance confused with cannabis) is a substance that does not increase the performance, especially at his sport discipline.

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. 71/19.03.2012 of Bucharest Doping Control Laboratory, the athlete's statement, the statement of Mr. Valerian Musat - the athlete's coach, the fact 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 **Toncean Dragos**, registered to Farul Constanta Sport Club, 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) of the mentioned law.

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

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.

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

Romanian 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 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**