



GUVERNUL ROMÂNIEI
AGENȚIA NAȚIONALĂ ANTI-DOPING

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

To
Kiss Andrei
Grivita Rugby Club
Romanian Rugby Federation
National Authority for Sport and Youth
International Rugby Board
Romanian Olympic and Sport Committee
World Anti-Doping Agency

Bucharest, 16.10.2012

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

DECISION

No. 30/16.10.2012

Issued by

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

With the following structure:

Chairperson

Ioan DOBRESCU

Members:

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Gabriela ANDREIASU

Cristian DIMA

Secretary of the Hearing Commission: Gabriela ANDREIASU

Summoned on 16.10.2012, 12:00 H, at the National Anti-Doping Agency official seat in Bucharest, 37 – 39 Basarabia Bvd., District 2, for the hearing of the athlete **Kiss Andrei**, registered to Grivita Rugby Club, residing in Bucharest, 2B Nicolae Oncescu Street, bl. 101, Sc. A, Appt. 57, district 6, establishes:

Following the doping control conducted on 22.09.2012, sport discipline rugby, on the occasion of the National Rugby Championship match C.S. OLIMPIA-R.C. GRIVITA, in Bucharest, the analytical result of the athlete Kiss Andrei's sample, with the code number 6025163A, indicated the presence of the prohibited substance **acid 11-nor-delta 9-tetrahydrocannabinol-9-carboxylic (carboxy THC), metabolite of delta 9-tetrahydrocannabinol**, a substance included in class S8 of the Prohibited List (Cannabinoids).

On 16.10.2012 the athlete attended the meeting of the Hearing Commission, where he stated that he had smoked a cigarette in a club on 20.09.2012. At the same time, the athlete did not request B sample analysis.

The Hearing Commission took note of the fact this was not the athlete's first violation of the anti-doping rules, as he had been sanctioned by three (3) months ineligibility period on 08.10.2011-07.01.2012.

The Hearing Commission for athletes and their support personnel who violated the anti-doping rules, after reviewing the documents within the file, namely the Analysis Bulletin no. 682/04.10.2012 issued by the Doping Control Laboratory of Bucharest, the nature of the prohibited substances detected in his sample, the fact that the athlete registered the second anti-doping rules violation, as well as the national and international legal provisions:

DECIDES

The ineligibility of the athlete **Kiss Andrei**, registered to Grivita Rugby Club from any national or international sport event, for a period of two (2) years, pursuant to article 41 of the Law 227/2006 regarding prevention and fight against doping in sport, republished with subsequent amendments, as the athlete violated the provisions of article 2, paragraph (2), letter a) and b) of the mentioned law.

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

The decision shall be communicated to the athlete Kiss Andrei, Grivita Rugby Club where he is registered, Romanian Rugby Federation, National Authority for Sport and Youth, Romanian Olympic and Sport Committee, International Rugby Board and World Anti-Doping Agency.

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

Pursuant to the provisions of article 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.

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 articles 37 and 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 subsequent amendments, the above-mentioned institutions are required to maintain confidentiality of the information communicated, until the public disclosure of the case.

CHAIRPERSON OF HEARING COMMISSION

IOAN DOBRESU