



GUVERNUL ROMÂNIEI
AGENȚIA NAȚIONALĂ ANTI-DOPING

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

To
BIRCA ROXANA ELISABETA
Steaua Bucharest Army Sport Club
Romanian Athletics Federation
Ministry of Youth and Sport
International Association of Athletics Federations
Romanian Olympic and Sport Committee
World Anti-Doping Agency

Bucharest, 15.10.2013

Regarding the case of **National Anti-Doping Agency** *versus* the athlete **Birca Roxana Elisabeta**, affiliated to Steaua Bucharest Army Sport Club,
sport discipline athletics

DECISION

No. 17/15.10.2013

Issued by

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

With the following structure:

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Secretary of the Hearing Commission: **Gabriela ANDREIASU**

Summoned on 15.10.2013, 11:00 H, at the Olympic Sport Complex “Sydney”, in Izvorani, for the hearing of the athlete Birca Roxana Elisabeta, affiliated to Steaua Bucharest Army Sport Club, residing in Gruiu village, 163 Gruiu-Snagov Street, Ilfov County.

Following the doping control conducted in competition on 11.07.2013 during the Summer Universiade in Kazan, Russian Federation at the sport discipline athletics, upon the request of the International University Sport Federation (FISU), the analytical result of the athlete Birca Roxana Elisabeta’s sample with the code number 2809373A indicated the presence of the prohibited substance **18-nor-17b-hydroxymethyl-2a,17a-dimethyl-5a-androst-13-en-3-one**, a long-term metabolite of **methasterone**, a substance included in class S1.1.A of the Prohibited List – Exogenous Anabolic Androgenic Steroids.

On 05.09.2013 FISU sent an official letter designating the National Anti-Doping Agency of Romania as the authority responsible for the management of the athlete Bircă Roxana Elisabeta case, the athlete being included in the Registered Testing Pool of the National Anti-Doping Agency.

The athlete did not submit to the Hearing Commission meeting session on 26.09.2013, although she had been legally notified. The Hearing Commission established as necessary the presence of the athlete Birca Roxana Elisabeta, the coach Mr. Barbu Augustin and Dr. Osean Vasile at the hearing meeting session for the correct management of the case, and for that reason the meeting was postponed for 08.10.2013.

By Decision no. 14/26.09.2013, the Hearing Commission decided the provisional suspension of the athlete Birca Roxana Elisabeta, starting with 05.09.2013.

The athlete did not submit to the meeting session on 08.10.2013 either; however through a written request, she asked to have the meeting postponed.

On 15.10.2013 the athlete submitted to the Hearing Commission where she stated that she could not explain the presence of the prohibited substance in her sample. The Hearing Commission took note of the result of the sample 2809373B analysis performed on 13 August 2013, sent by Moscow Doping Control Laboratory, confirming the result of the sample 2809373A analysis, namely the presence of **18-nor-17b-hydroxymethyl-2a,17a-dimethyl-5a-androst-13-en-3-one**, a long-term metabolite of **methasterone**. Mr. Osean Vasile, the doctor, was present at Moscow Doping Control Laboratory to witness the identification, unsealing and sample analysis procedure. The

statement of dr. Osean Vasile showed that the B sample counter-analyzed was the one of the athlete Birca Roxana Elisabeta and it had the same code number as the one documented in the doping control form. The doctor also stated he had not prescribed or recommended the athlete to use prohibited substances.

Romanian Athletics Federation designated Mrs. Limona Adriana as observer, and she stated that all recommended supplements were analyzed and did not contain prohibited substances.

Steaua Bucharest Army Sport Club designated the coach, Mr. Tobos Horia, and he stated he did not support the use of the prohibited substances to enhance the performance in sport. Moreover they organized many educative activities to inform and educate the athletes, coaches and doctors. The disciplinary measure taken by Steaua Bucharest Army Sport Club was to exclude them from the club.

The coach, Mr. Barbu Augustin stated he did not explain the result of the sample analysis, as well as the fact that he had no information establishing that the athlete would use prohibited substances.

The Hearing Commission for athletes and their support personnel who violated the anti-doping rules, after reviewing the documents within the file, the analysis bulletins issued by Moscow Doping Control Laboratory for the sample with the code 2809373 A and B, the nature of the prohibited substance detected in her sample, the statements offered during the hearing meeting session, as well as the national and international legal provisions:

DECIDES

The ineligibility of the athlete Birca Roxana Elisabeta, affiliated to Steaua Bucharest Army Sport Club from sport activity, for a period of two (2) years, pursuant to the provisions of article 38 of Law 227/2006 regarding prevention and fight against doping in sport, republished with subsequent amendments, as the athlete had violated the provisions of article 2, paragraph (2), letter a) of the mentioned law, as the prohibited substance **18-nor-17b-hydroxymethyl-2a,17a-dimethyl-5a-androst-13-en-3-one**, a long-term metabolite of **methasterone**, a substance included in class S1.1.A of the Prohibited List – Exogenous Anabolic Androgenic Steroids was found in her sample.

The ineligibility period begins to run from the date of the current decision, while the provisional suspension period shall be credited against the total period of ineligibility: 15.10.2013-04.09.2013.

The decision shall be communicated to the athlete Birca Roxana Elisabeta, Steaua Bucharest Army Sport Club where she is affiliated, Romanian Athletics Federation, the Ministry of Youth and Sport, Romanian Olympic and Sport Committee, the International Association of Athletics Federations and the 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 art. 45 of the mentioned law, during the ineligibility period, the athlete has the obligation to submit her whereabouts information to the Agency. Aiming to reintegrate in sport activity, during the ineligibility period, the athlete has to undergo four (4) 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/she requests to be reintegrated in sport activity, he/she will not be reintegrated until he/she informs the Agency and no advance notice doping testing is performed during a period of time equal to the ineligibility period remained when he/she retired.

Romanian Athletics Federation has the obligation to apply the provisions of the current decision and to comply with the legal applicable provisions, pursuant to the provisions of articles 37 and 71 of the Law 227/2006.

Pursuant to the provisions of art. 36, paragraph (4) of the 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.

CHAIRMAN OF HEARING COMMISSION

Ioan DOBRESCU