



GUVERNUL ROMÂNIEI
AGENȚIA NAȚIONALĂ ANTI-DOPING

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

To,
DRAGHICI ALEXANDRU
METROREX SPORT CLUB
ROMANIAN RUGBY FEDERATION
MINISTRY FOR YOUTH AND SPORT
INTERNATIONAL RUGBY BOARD
ROMANIAN OLYMPIC AND SPORT COMMITTEE
WORLD ANTI-DOPING AGENCY

Bucharest, 18.11.2013,

Regarding the case of **National Anti-Doping Agency** *versus* the athlete Drăghici
Alexandru, affiliated to Metrorex Sport Club

DECISION

No. 19/18.11.2013

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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IOAN DOBRESCU

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Gabriela ANDREIAȘU

Iulia-Monica ACATRINEI

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

Summoned on 18.11.2013, 10:00 H, at the National Anti-Doping Agency official seat in Bucharest, 37 – 39 Basarabia Bvd., District 2 for the hearing of the athlete Draghici Alexandru Catalin, affiliated to Metrorex Sport Club, residing in Bucharest, 7 Mihaileni Street, District 1, holds the followings:

Following the doping control conducted in competition on 12.10.2013, at sport discipline rugby, on the occasion of the match in Division A – south group, between Metrorex Bucharest Sport Club and Callatis Mangalia Sport Club, that took place in Bucharest, the analytical result of the athlete Draghici Alexandru Catalin sample, with the code number 6070032A, indicated the presence of the prohibited substance methylhexaneamine, included in the prohibited substances class S6.b - Specified Stimulants.

The Hearing Commission for athletes and their support personnel met on 18.11.2013, when the athlete was heard and he stated that he used the nutritional supplement NEUROCORE, which was recommended to him by a friend and was bought from a web site. The athlete cooperated with the Hearing Commission and, as proof of the product use, he presented the product recipient, on which it was labelled Geranium Extract.

Furthermore, the athlete declared that he was not involved in high performance sport and he practiced sport for personal condition. The Commission holds the fact that, in the past, the athlete was involved in high performance sport and he never used prohibited substances or otherwise violated the anti-doping rules.

Deliberating upon the case, the Commission holds the followings:

Pursuant to the provisions of article 48 paragraph 1 of the Law no. 227/2006 regarding prevention and fight against doping in sport, republished with subsequent amendments and completions, which clearly stipulates that the athlete is solely responsible for the presence in his biological sample of any prohibited substance, the conclusion is that the athlete didn't take sufficient measures to get information on the product he used.

However, the Commission shall take note, when pronouncing the decision, of the athlete's sincere attitude during the case settlement (he admitted the product use, he presented the product recipient), the fact that this is the athlete's first anti-doping rule violation, as well as of the fact that the substance detected following the doping control is a prohibited substance included in class S6.b (Specified Stimulants) – methylhexanamine, according to the 2013 Prohibited List.

Moreover, the Commission holds the athlete's allegation that, by using that product, he didn't intend to enhance his sport performances, as he practiced recreational sport, for personal condition, as well as the fact that he undertook minimal diligences to get informed about the ingredients of the product used. Furthermore, the substance "geranium extract", which was found in the composition of the product bought and used does not appear on the Prohibited List or between the synonyms for methylhexanamine available on the World Anti-Doping Agency website.

Given all these facts, the Commission should consider a sanction consisting in a minimum period of ineligibility for the athlete, holding that there are sufficient grounds in support of this decision.

The Hearing Commission for athletes and their support personnel who violated the anti-doping rules, after reviewing the documents within the file, the analysis bulletin no. 735/24.10.2013 issued by Bucharest Doping Control Laboratory, the nature of the prohibited substance detected in the athlete's sample, the fact that the athlete admitted the use of the nutritional supplement, the fact that the substance "geranium extract" does not appear on the Prohibited List or between the synonyms for methylhexanamine available on the World Anti-Doping Agency website, his collaboration with the Commission, the fact that the athlete didn't request the B sample analysis, as well as the national and international legal provisions:

DECIDES

The ineligibility of the athlete Draghici Alexandru Catalin, affiliated to Metrorex Sport Club, for a period of three (3) months, pursuant to the provisions of article 39 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), letters a) and b) of the above mentioned law.

The ineligibility period begins to run from the date of the current decision, thus the period of athlete's ineligibility being from 18.11.2013 to 17.02.2014.

Pursuant to the provisions of art.45 of the above 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 (4) no advance notice doping tests, 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 tests are performed during a period of time equal to the ineligibility period remained when he retired.

The decision shall be communicated to the athlete Draghici Alexandru Catalin, Metrorex Sport Club, where he is affiliated, Romanian Rugby Federation, Ministry for Youth and Sport, 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.

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 article 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 DOBRESU