



GUVERNUL ROMÂNIEI

AGENȚIA NAȚIONALĂ ANTI-DOPING

DECISION No. 4/14.01.2010

The *Hearing Commission for athletes and their support personnel who violated the anti-doping rules*, summoned on 14.01.2010, 10:00 H, at the National Anti-Doping Agency official seat in Bucharest, 37 – 39 Basarabia Bvd., sector 2, to review the file no. 38/2009 of the athlete **Orsolya BENE**, registered to **Miercurea Ciuc Sport Club**, residing in Miercurea Ciuc, 22, Lunca Mare Street, Sc. A, Apt. 13, Harghita County establishes:

Following the doping control on 22.11.2009, on sport discipline Ice Hockey on the occasion of National Championship of Ice Hockey, organized in **Bucharest**, the analytical result of the sample of the athlete **Orsolya BENE** with the code number **2474665A** indicated the presence of **sibutramine M1** and **sibutramine M2**, metabolites of **sibutramine**.

The substance detected in athlete's sample is included in the class S6.b. of the Prohibited List.

Following the debates, the *Hearing Commission for athletes and their support personnel who violated the anti-doping rules* took note of the fact that following a gynecological medical investigation where the athlete was told that losing 3-4 kilos could influence positively her minor hormonal disorders she used a herbal product named "The Capsule for Losing Weight" ARPFARM, while the prospectus of the product did not mention it would contain prohibited substances. The athlete stated that when she bought the product, she asked the pharmacists whether this 100%

natural product could be used by elite athlete and the pharmacist assured her she could use it.

The evidences administrated revealed that the athlete did not use the substance with a performance enhancing purpose for the sport discipline she practices. In the same time, the *Hearing Commission for athletes and their support personnel who violated the anti-doping rules* takes note that the athlete commits now the first anti-doping rule violation. Even more, the athlete's good will is shown by the fact that she declared the use of "the Capsule for Losing Weight" in the Doping Control Form.

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. 637/09.12.2009 of Bucharest Doping Control Laboratory and athlete's statements as of 14.01.2010, where she states that she does not request B sample analysis, pursuant to the legal provisions on national and international level:

DECIDES

The ineligibility of the athlete **Orsolya BENE**, registered to **Miercurea Ciuc Sport Club** for a period of 1 (one) year, pursuant to the provisions of the art. 37, Thesis II of the Law 227/2006 regarding the prevention and fight against doping in sport republished as she is guilty of violating the provisions of the art. 2 paragraph (2) letter a) of the mentioned law.

The ineligibility period starts at the date of the current decision.

Pursuant to the provisions of art. 43 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 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 she requests to be reintegrated in sport activity, she won't be reintegrated until she

informs the Agency and no advance notice doping testing is performed during a period of time equal to the ineligibility period remained when she retired.

The decision may be appealed in 21 days since the notification to the Appeal Commission besides National Anti-Doping Agency, the decision becoming mandatory once the above-mentioned term expires.

The decision shall be communicated to the athlete, the club where she is registered, to the Romanian Ice Hockey Federation, the Ministry of Education, Research, Youth and Sport, Romanian Olympic and Sport Committee, relevant International Federation and the World Anti-Doping Agency.

Romanian Ice Hockey Federation has the obligation to apply the provisions of the current decision and to comply with the legal provisions in force in compliance with the provisions of the article 65, paragraph (1) of the Law 227/2006 republished.

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

GRAZIELA ELENA VÂJIALĂ