

2015 March 2

iNADO Update #57

New iNADO Members - Risks of Traditional Medicines - Applying 2015 Code Sanctions - Anti-Doping Legislation - First I&I Steps – Anti-Doping Prevention in Recreational Sport

Dear Colleagues:

This iNADO Update includes a wide range of items and topics. Enjoy. See you in Lausanne.

Three New iNADO Members: Tunisia, Malta and Turkey

iNADO continues to grow. It now has 48 Member NADOs with the recent additions of the National Anti-Doping Agency of Tunisia, the National Anti-Doping Commission of Malta and the Turkish Anti-Doping Commission. iNADO welcomes them into our community of Members.

March 2015 iNADO Workshop (Improving Anti-Doping Quality, Managing Anti-Doping Budgets) and AGM

Registration is still open for the 2015 iNADO Workshop and Annual General Meeting: <https://www.surveymonkey.com/s/2015iNADOWorkshop>. The registration page includes a link to the draft programme on the iNADO website: <http://inado.org/2015-workshop--agm.html>

The theme of this year's Workshop is "Improving Anti-Doping Quality, Managing Anti-Doping Budgets." Presentations and breakout sessions will explore providing services to International Federations and Major Event Organisers, tips on implementing the new TDSSA, how to define your RTP and other national testing pools, and leveraging the 2015 Code to increase funding. There will be a leaders' forum at lunch to discuss strategic issues, such as the pros and cons of outsourcing to manage costs. This is the largest annual gathering of anti-doping practitioners from NADOs, your best annual opportunity to trade issues, solutions and experiences with your peers, and to develop new partnerships.

We have also arranged a tour of Berlinger's new factory and headquarters on Friday March 27, leaving from Lausanne after the WADA ADO Symposium finishes. This will be part of Berlinger's 150th Anniversary celebrations. It will be a unique opportunity to learn first-hand about the design and production of the leading anti-doping equipment that most of you use, and to discuss with Berlinger future innovation in its products and services.

As in the past, representatives of non-Member NADOs are welcome to the Workshop as observers at a fee. RADO representatives will also welcome on that basis, as will be a number of International Federation Colleagues.

The Risks of Traditional Remedies: Contamination of Ayurvedic Medicine

A recent decision from World Rugby (formerly the International Rugby Board) highlights the risks to athletes of poorly informed use of traditional medicines and remedies: <http://keeprugbyclean.worldrugby.org/downloads/cases/90/J-1500107-GM-Hettiarachchi-Reasons.pdf>

The athlete is an experienced Sri Lankan rugby player. He suffered asthmatic and respiratory conditions as a result of allergies. “Western” medical treatments did not help. He turned to ayurvedic treatment, a system of traditional medicine indigenous to Sri Lanka. His condition improved. However, while he told the ayurvedic doctor he was an athlete, he did not show that doctor the Prohibited List. He did not consult with a qualified sport doctor. He did not check with his NF. It did not occur to him that there would be a possibility of doping as ayurvedic medicines are supposed to be based on herbal remedies using natural products.

The athlete tested positive for glucocorticosteroid prednisone (Prohibited List, Section S9) as the result of an in-competition test at an international match. He had declared on his doping control form an “herbal medication for cough and cold.” He received a six month period of ineligibility.

Unfortunately for the athlete, sometimes traditional medicines are mixed with “western” drugs. And this is not disclosed. A literature search done by a medical doctor on the World Rugby panel revealed a history of ayurvedic medicine being adulterated with western medicines, particularly with corticosteroids. There was a previous case involving a Sri Lankan cricketer who tested positive for prednisone through a medication prescribed to him by an ayurvedic doctor who did not disclose the Prohibited Substance. The panel accepted this as the probable explanation for the positive test.

This case stands as a warning to athletes (and their NFs) in countries where the practice of traditional medicine is common: never assume a traditional or herbal product can be free of prohibited substances, even if a medicine. Always get the advice of qualified sport doctors when treating an illness with medication. **As with the risk of contaminated supplements**, NADOs must provide warnings to athletes of the care that must be taken whenever using a medication, whether “western” or “traditional.”

Code Sanctions in Six “Easy” Steps

At last month’s Anti-Doping Seminar in Asian, ably hosted by the Japan Anti-Doping Agency and WADA, we reviewed how to apply the 2015 Code sanctions in individual cases in six steps:

1. Determine if it is a 1st, 2nd or 3rd ADRV
2. Determine the type of ADRV (Presence, Use, Possession, etc.)
3. Determine the type of Prohibited Substance or Method (specified substance or non-specified substance?)
4. Determine the basic results and eligibility sanctions (depending on intention and in some cases the seriousness of the violation or the fault of the individual)
5. Determine if any reduction to the period of ineligibility applies (due to no fault or negligence, substantial assistance, early admission, etc.)
6. Determine if multiple grounds for a reduction applies

In coming weeks iNADO will hold its first webinar to take Members through these six steps in detail.

The Purposes of Anti-Doping Legislation

In many countries, anti-doping legislation is currently under development or revision. At the recent Intelligence & Investigations Seminar hosted by Anti-Doping Singapore and the South-east Asian RADO,

iNADO presented on anti-doping legislation. Reviewing various models, it is clear that government legislation focussing on anti-doping can have a wide range of purposes:

- Create the NADO (to operate autonomously)
- Require binding sport arbitration for doping cases (in place of the domestic courts) and create a national sport dispute resolution body
- Give special powers to the NADO (for example, to compel cooperation with anti-doping investigations)
- Authorise domestic information sharing between the NADO and public authorities such as police, customs, public prosecutors, national postal services, and drug and health regulators, and information sharing internationally
- Directly implement the 2015 WADC/International Standards
- Criminalise the possession, trafficking, import/export of Prohibited Substances (in addition to any general laws for the control or criminalisation of drugs)
- Criminalise use of Prohibited Substances by athletes
- Require professional governing bodies (for doctors, pharmacists, coaches, etc.) to discipline their members for doping , or otherwise use labour law to discipline doping
- Recognise/implement international anti-doping commitments (UNESCO Anti-Doping Convention, CoE Anti-Doping Convention)

This is a good time to consider whether national laws should be created or amended in your country to support more effective anti-doping.

Anti-Doping Intelligence & Investigations: First Steps

The Singapore Seminar also provided extensive information to NADOs on building an I&I capacity. Much of the focus was on forming partnerships with public authorities to share information. But this takes time. Here are more immediate practical steps your NADO should undertake:

- Use the information you already collect or can easily access to better inform your testing and prevention programmes. Information such as whereabouts, doping control forms, DCO supplementary reports, information from NFs, media reports, questions asked at education sessions, laboratory feedback, etc.
- Use a simple means (such as an Excel spread sheet) to integrate information about individual athletes and athlete support personnel from those multiple sources. Make sure all staff in your NADO are urged and trained to contribute to that database.
- Have regular meetings among all staff, or all departments, to exchange and assess information.
- Reach out to athletes and athlete support personnel for information that might indicate doping. Consider establishing an anonymous anti-doping tip line (many NADOs already have them and can provide you with advice on how to set-up and operate one by e-mail and/or e-mail). Have regular small group or “town hall” meetings to have better two-way communication to build trust with athletes and athlete support personnel, and to listen to their concerns.
- Whenever there is an AAF, always consider who might have aided or caused the athlete’s doping (a coach, trainer, doctor, agent, parent, teammate, etc.). Use “substantial assistance” (2015 Code Article 10.6.1) to encourage the athlete to assist in identifying the real culprit(s).

Remember, under the 2015 Code NADOs have a duty to investigate potential ADRVs, especially in cases involving athlete support personnel and minors (Articles 20.5.7 and 20.5.9).

- Seek athlete and athlete support personnel assistance with your inquiries. They are obliged to cooperate: 2015 Code Articles 21.1.6 and 21.2.5. You are entitled to ask them to meet with you. If they refuse, that itself is useful information.
- Consider purchasing a programme or service that allows you to monitor social media (such as Twitter and Facebook) for mention of testing, of doping, of prohibited substances and methods, and so on. It is amazing what people post without remembering that social media is all about public sharing of information, as opposed to concealing it.
- Review your office and IT security and procedures to ensure your information is well protected (and so that when the time comes you can demonstrate to public authorities that you can be trusted to properly protect the information they might be willing to share with you).

European Union Study: Doping Prevention in Recreational Sport - A Map of Legal, Regulatory and Prevention Practice Provisions in EU 28

The EU has released a study on anti-doping prevention, and barriers to effective prevention programmes: http://ec.europa.eu/sport/news/2014/study-doping-prevention_en.htm.

The study provides an overview of current practice and legislation as it applies to the prevention of doping in recreational sport. It states that while 19 EU Member States have adopted specific criminal legislation to fight against doping, only Cyprus has specifically criminalized the use of any substance on the Prohibited List by an athlete, whether in elite or recreational sports (although Germany is considering it).

The study identifies four key barriers to implementation of doping prevention programmes in recreational sports: (i) understanding the role of nutritional supplements as a gateway to doping; (ii) better regulation of the nutritional supplement industry; (iii) easy access to doping products; and (iv) a lack of formal co-operation between key stakeholders. Yet another reason for NADOs to have a clear strategy for dealing with supplement use by athletes at all levels. And to consider the development of an international platform to exchange national legislation (preferably English translation), regulations and good practices between NADO's, not only in recreational sport, but in general.

Recommendations include educational programmes on sport ethics and on behavioural change (to improve personal performance without performance- or image-enhancing substances) and national initiatives to raise awareness among public health authorities about preventing doping in sport.

This report will assist you in establishing firmer cooperation with public health authorities and food and drug regulators to address doping as not just an issue for elite sport.

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iNADO is the Institute of National Anti-Doping Organisations. It promotes best practices by NADOs and RADOs, and is their collective voice.