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INADO Update #50

Anti-Doping Developments from Australia, Switzerland, the United States and India

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ASADA's Investigations into Code Australian Rules Football and Rugby

There has been a great deal of media coverage of the ongoing investigations of the Australian Sports Anti-Doping Authority, and court challenges. Ben McDevitt, CEO of ASADA, provides this update to the situation in Australia regarding the investigation into possible doping in the Australian Football League (AFL) and the National Rugby League (NRL):

- On 13 June 2014, ASADA put formal allegations of possible anti-doping rule violations to 34 current and former players from the AFL.
- On the same day, the Essendon Football Club and its suspended coach (James Hird) decided to launch a Federal Court challenge on the legality of the joint investigation between ASADA and the AFL.
- There have been three directions hearings in front of Justice John Middleton.
- What documents and affidavits will be lodged is now being debated by the parties.
- In a joint submission regarding discovery, the Essendon Football Club and its suspended coach have listed comments made by AFL chief medical officer Peter Harcourt in Zurich, an article by Harcourt and AFL investigator Brett Clothier in the British Journal of Sports Medicine and former AFL chief Andrew Demetriou's statements in a 27 July article.
- The Essendon Football Club and its suspended coach are seeking:
 - official correspondence between the AFL and ASADA, including events and meetings from 5 February 2013 when the club self-reported.
 - access to the full interim report released to the AFL last August.
 - access to a 100-page cover document that possibly details why ASADA issued the show cause notices.
- The AFL players have opted to not join the proceedings.
- ASADA will soon present its defence to the Essendon Football Club and its suspended coach.
- The Federal Court hearing will take place from 11 to 13 August 2014.
- The media reports that Justice Middleton could take weeks following the hearing to reach his decision.
- While the Federal Court is deliberating, ASADA has given its commitment to not provide any material to the independent Anti-Doping Rule Violation Panel regarding the 34 AFL players and would not do so without 14 days further written notice to the players.
- Separate to the Federal Court proceedings—ASADA has commenced action with respect to some individuals under the NRL anti-doping policy, while other matters remain under review.

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Ben adds:

“As you are aware, in Australia we have legislative restrictions and are unable to disclose specific information regarding an ongoing matter. Add to this the Federal Court challenge and ASADA has decided to refrain from public comments that might prejudice the case going forward.

“We are aware that Australian media has approached iNADO members in the past seeking comment on the Australian situation. At your request we would like to offer the following suggested media lines to assist your members in the event they are approached by Australian media:

“Matters arising from the ASADA investigation in Australia are still not complete and are currently the subject of a Federal Court challenge. To ensure the integrity of the anti-doping and legal processes are maintained, it would be inappropriate for us to comment.

“We would welcome additional supportive comments by your members regarding the importance of anti-doping efforts in a global context.”

iNADO hopes to make Ben available to its Members for a teleconference briefing at an appropriate time after the August court hearing or the decision from it.

Demystifying the Prohibited List in Switzerland

The Prohibited List is at the heart of anti-doping. But it is not easy for the non-scientific person. I know.

Anti-Doping Switzerland has a terrific treatment of the Prohibited List, starting with a non-technical description of its categories. Information by category includes: definitions; background information; effects of use; forms of administration; affected sports; physiological, psychological and, where relevant, gender-specific risks and side effects; interesting video clips; and review questions to test and confirm knowledge. Available in English, French, German and Italian.

This virtual tutorial on the Prohibited List is part of a larger “Medicines, Substances and Methods” site that also deals with Swiss medication inquiries, a dietary supplements guide, TUEs and medical news.

Go to: <http://www.antidoping.ch/en/prevention/mobile-learning-programs/mobile-lesson-substances-and-methods>

Minimising the Risks of Supplement Use

Supplement use causing anti-doping rule violations is a continuing problem in sport. And it should be a preventable one. Despite the warnings of NADOs and RADOs, and efforts to educate athletes and athlete support personnel about the risks of supplement use, such use continues thoughtlessly. All too often athletes do not understand – or claim not to understand – that a significant portion of supplements contain prohibited substances either by design (without being listed in the product contents) or through contaminated ingredients or production lines. All too often athletes do not exercise due diligence; for example, they fail to research the contents of supplement products, they fail to get proper expert advice before using them, or they purchase supplements over the internet with no

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assurance of product contents or quality. An negligent doping positive is in most ways just as bad as deliberate doping.¹

iNADO Update #26 (http://inado.org/uploads/3/1/2/9/3129436/inado_update_26_2013april19.pdf) discussed several NADO supplement programmes. It identified as one risk minimisation strategy: encourage athletes who insist on using supplements to only use products subject to rigorous third-party auditing for prohibited substances. This approach responds to the need of athletes and their support personnel for reliable guidance. But it must be part of a comprehensive strategy to minimising the risks of supplement use including, for example, advice so that athletes look first to alternatives to supplements, and so that they do not waste their money on useless products.

A leading example of such a comprehensive supplements strategy comes from Australia. The Australian Institute of Sport (AIS) has just issued a revised “supplement framework,” based on an ADCD categorisation of supplements, that will include third-party auditing: http://www.ausport.gov.au/news/ais_news/story_595615_ais_releases_sports_supplement_framework. The ABCD categorisation identifies types of supplements as

- useful sport foods (A),
- requiring further study and only to be provided to athletes under strict monitoring (B),
- with little meaningful proof of beneficial effects (C), and
- containing prohibited substances or with a high risk of contamination (D).

The AIS Sports Supplement panel is currently facilitating the implementation of third-party auditing programs within Australia to reduce the risk that contamination of supplements used by Australian athletes will lead to an anti-doping rule violation. This includes:

- supporting the LGC company to set up programs such as ‘Informed Choice’ and ‘Informed Sport’ in the Australian sporting environment, and
- identifying the products that are high priority for auditing and communicating support for brands/products that have been appropriately audited.

Here is the media release of LGC describing its role as the third-party auditor:

<http://www.lgcgroup.com/about-us/media-room/latest-news/2014/ais-supports-launch-of-internationally-renowned-su/#.U89gK7GjkTA>.

Teen-aged Use of Prohibited Substances in the U.S.

A sobering reminder of the cultural environment in which many NADOs and RADOs operate – and why we cannot let up on our efforts to educate young people to make their own decisions not to dope. This recent American survey found a significant number of teen-agers using performance-enhancing

¹ See this commentary on the recent IBU decision in *Sachenbacher-Stehle*, involving an experienced athlete who took nine supplements but did not check all of them carefully enough: <http://fasterskier.com/article/sachenbacher-stehle-case-raises-questions-about-supplement-use-and-safety/>. Note in particular the discussion of this case in relation to the IBU’s decision in *Starykh*, released the same day, giving the same period of ineligibility but for a rEPO positive.

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substances, in particular human growth hormone: <http://www.drugfree.org/newsroom/pats-2013-teens-report-higher-use-of-performance-enhancing-substances>

USADA's Scientific Director, Matt Fedoruk, comments on the public health implications of the survey: <http://www.drugfree.org/join-together/commentary-risking-well-short-term-gains-alarming-increase-teen-hgh-use/>

NADA India Provides Anti-Doping Workshop to Students

On a more positive note, and with an aim to provide a training module which would give students an opportunity to be recruited as Dope Control Officers, the National Anti-Doping Agency (NADA) India, in collaboration with Manav Rachna International University, recently conducted a two-day workshop on anti-doping: <http://www.deccanherald.com/content/420974/learning-all-anti-doping.html>

All NADOs and RADOs should be giving such sessions – with media coverage – to connect with young people, to generate publicity about the risks of doping and to raise the profile of anti-doping.

Join iNADO Today

Please look at joining iNADO. We offer ½ fees for the rest of 2014. As an iNADO Member, you will be part of the organisation for anti-doping professionals. In addition to the other benefits of Membership, such as discounted anti-doping conference fees, when your NADO joins iNADO, it will receive exclusive access to new resources, including:

- the iNADO Anti-Doping Training Programme for new staff,
- connections to Summer and Winter Olympic IF lists and criteria for “International-Level Athletes,”
- a directory of key staff of iNADO Members,
- convenient links to over 25 national medication inquiry databases,
- links to NADO websites by 22 languages (including 29 websites in English, 5 in French, 4 in German, 2 each in Arabic, Dutch, Spanish and Swedish and 1 each in Bulgarian, Danish, Estonian, Finnish, Greek, Italian, Japanese, Korean, Lithuanian, Mandarin, Norwegian, Polish, Portuguese, Russian, and Slovenian), and
- information from NADOs and WADA on the forthcoming Technical Document on Sport-Specified Analysis (TDSSA).

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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.