

2012 July 19

Dear Colleagues:

INADO Update #2

Membership

INADO already has over a dozen applications for membership approved by the Board of Directors or in process. For the record, the Netherlands Dopingautoriteit was the first NADO through the door. Thanks to CEO Herman Ram.

We are currently sending out updated membership invitation packages to NADOs. (Membership information packages will be sent to RADOs in the next wave.) Your INADO Board of Directors and I look forward to receiving and approving your membership application.

INADO Innovation

NADOs lead global anti-doping efforts through innovation. Here are three new and practical resources offered by NADOs that are accessible to all:

- UK Anti-Doping has a special website with information about the anti-doping program for the 2012 London Olympic Games and Paralympic Games: <http://www.ukad.org.uk/london2012/>. Please bring it to the attention of your London-bound Chefs-de-Mission and Team physicians.
- The Netherlands Dopingautoriteit has launched a new English-language web-based Anti-Doping Knowledge Center: www.doping.nl. This is a collection of anti-doping documents of all types, including scientific articles and disciplinary decisions. Registration is free.
- The Anti-Doping Knowledge Center is just starting. It is already a substantial collection. But it will grow. It welcomes your contributions. If you have documents or other anti-doping material in electronic format that would benefit the anti-doping community, please submit them to: info@antidoping.nl.
- The United States Anti-Doping Agency has released a comprehensive online tutorial regarding supplements: <http://www.usada.org/supplement411>. The website includes comprehensive information to guide athletes through the risks of supplement use, and much more.

WADA Code/Standards Review

As many of you know, the Monitoring Group for the Council of Europe's *Anti-Doping Convention (1989)* has both an Advisory Group on Science and an Advisory Group on Legal Issues. Both have met recently to consider the proposed WADA Code and the International Standards. This is part of a coordinated European response to WADA.

From my notes of the meeting of the Advisory Group on Legal Issues, here are emerging European government and NADO views on key Code and Standards issues:

- New interpretative sentence in Code Purpose section is welcomed by most.
- The B sample should remain. The advantages, including cost advantages, of eliminating it are not clear. But the protection it offers athletes, laboratories and ADOs is tangible. It also protects sport disciplinary and appeal procedures, including recourse to CAS, from domestic courts. It will be a PR disaster to eliminate.
- There was no consensus on the proposed change of criteria for inclusion on the List. (Although majority of the Advisory Group on Science supported this.) But there is a strong view that more transparency is needed from WADA on the reasons for adding substances to the List or to the Monitoring Program.
- There should be no last-minute additions to the List after the consultation process is completed.
- The proposal that Labs test for the full menu unless excused by WADA is far too inflexible, flies in the face of intelligent testing and will result in a waste of scarce financial resources.
- No real consensus on whereabouts changes except that team whereabouts in Team Sports should be relied on more.
- The ISL proposal for increased WADA powers to order retesting of samples cannot be reconciled with ADO ownership of those samples. At the very least WADA must consult sample owners.
- Revision cycle for ISL needs to be brought into line with revisions of other Standards.
- ISL must require labs to report on levels of specified substances when requested (to assist with results management) even if there is no reporting threshold.
- NADO TUEs should be accepted by IFs for all athletes, except for those in IF RTP/HPAP, including for all athletes not in those pools but who compete in an international event.
- Support the change in terminology from RTP to HPAP. But WADA must do a much better job policing IF failure to properly name their pools.
- No consensus on whereabouts 3 strikes in 12 rather than 18 months.
- Prohibited association proposal fine in principle but needs drafting work.
- Automatic disqualification of individual results (Article 9) should include the Code 0.6 proposal (circulated at the may WADA ExCo/FB meeting but removed in Draft 1.0) for a narrow exception where no fault or negligence and no performance enhancement in the circumstances.
- Strong disagreement with 10.4 proposal to overrule CAS decision in Olivera
- Strong support on substances of abuse.
- Support for changes to aggravated circumstances but not new exception for prompt admission (10.6.2).
- Article 10.13 (payment of cost awards) is unlikely to work unless more flexible and covered in rules outside of Code.
- No consensus on introducing Osaka Rule providing for Olympic Ban (and in any event, why not apply to Paralympics, other major games or even world championships?)
- Strong opposition to the team sanctions proposal (Article 11).
- Concern about the fixed definition of minors and varying requirements of national laws.
- Retroactivity of the expanded limitations period seems highly questionable.
- Article 22 changes (role of governments) unacceptable to the extent they are worded in mandatory language.

Relations with WADA

- I spoke to Rune Andersen June 28th about the Code and Standards Review. He hopes more NADOs and more Public Authorities will participate in this Phase 2 of the Review than in Phase 1. He is looking for consensus positions.

- In particular, he would appreciate attention to the data protection issue. Europe continues to be reluctant to formally recognise Quebec and Canadian data protection laws as more than adequate (and thereby permit all European countries to share data through ADAMS). WADA hopes NADOs and RADOs will lobby their governments to take whatever steps are necessary to facilitate information sharing subject to law.

Miscellaneous

- The London Games Organising Committee (LOCOG) is offering 90 digital refractometers for sale after the Olympic and Paralympic Games. The machines are the ATAGO PAL-10S and retail for approximately £350. LOCOG would sell at £200 per machine. These are the latest machines and also include an in built thermometer which we will use as part of the Athlete Blood Passport requirement to record the temperature in the room where collection is made. Please contact Kevin Haynes at Kevin.Haynes@london2012.com
- For those of you who have not seen it, this [interview](http://velonews.competitor.com/2012/07/news/ashenden-understanding-usadas-armstrong-charges_227833) with Michael Ashenden on the workings of a blood passport APMU is instructive (go to the second page of the article): http://velonews.competitor.com/2012/07/news/ashenden-understanding-usadas-armstrong-charges_227833
- Here is a joint statement issued by the Germany's NADA and WADA concerning UV blood treatment: http://playtrue.wada-ama.org/news/joint-statement-from-wada-and-german-nada/?utm_source=rss&utm_medium=rss&utm_campaign=joint-statement-from-wada-and-german-nada. NADA's own statement (in German) is at: <http://www.nada-bonn.de/aktuelles/news/details/archiv/2012/juli/05/artikel/gemeinsame-erklaerung-von-wada-und-nada/>

Look Ahead

- Proposals for the INADO Office location have been received from Barcelona, Bonn, Lausanne and London. I anticipate that the INADO Board of Directors will make a decision no later than its August 28th Board meeting.

Concluding Words

- Never hesitate to contact me if you need assistance. Let me know what is happening in your country and in your organisation. Tell me how INADO can help you do a better job.

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