

DECISION

No. 2/24.02.2014

Issued by

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

With the following structure:

CHAIRPERSON

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Secretary of the Hearing Commission: Gabriela ANDREIAȘU

Summoned on 02.12.2013, 10:00 H, at the National Anti-Doping Agency Headquarters in Bucharest, 37 – 39 Basarabia Blvd., District 2, for the hearing of the athlete Stancu Danut, affiliated with Olimpia Bucharest Sport Club, residing in 5 Izvorul Trotusului Street, bl. D15, et.3, Ap.57, Sc. 4, District 4, Bucharest establishes the following:

Following the in competition doping control conducted on 15.01.2014 at bobsleigh sport discipline held in Sistraus, Austria, the analytical result of the athlete Stancu Danut sample with code 2774754A indicated a T/E ratio > 4, which represents an atypical result.

Pursuant to Art. 28, paragraph 5 of Law 227/2006 regarding prevention and fight against doping in sport, republished with subsequent amendments and additions, the Agency conducted a review to determine whether a therapeutic use exemption had been granted or whether there was any apparent departure from the *International Standard for Testing* or *International Standard for Laboratories* to refute the analytical result found. Given that the verification did not reveal any of the above situations, the Agency asked the Doping Control Laboratory in Bucharest to perform the radioactive isotope mass spectrometry (IRMS) analysis. The result of this analysis indicated the exogenous origin of etiocholanolon, androsterone, testosterone, 5 β Adiol and 5 α Adiol, substances included in Section S1.1.b. Endogenous Anabolic Androgenic Steroids of 2014 Prohibited List.

On 24.02.2014, the *Hearing Commission for the athletes and their support personnel who violated the anti-doping rules* convened and heard the athlete who stated he had used the dietary supplement **Tribulus Terrestris** from the Weider Company and he had administrated himself diprofos and he had not used testosterone or other steroids. He also said that after receiving the notification on the determined result, he conducted a research on the Internet where he found a document of Weider Company outlining that the product used could be the one that led to a positive result; however he did not submit the document to the Commission. At the same time, the athlete said that he did not want the counter-expertise by B sample analysis to be performed. The Hearing Commission brought to his attention that this product

could increase the secretion level of endogenous testosterone, but may not result in a T/E ratio > 4. Moreover, the IRMS analysis indicated the exogenous origin of etiocholanolon, androsterone, testosterone, 5 β Adiol and 5 α Adiol.

By deliberating on the judged case, the Commission holds the followings:

Taking into account the provisions of art. 48 para. 1 of Law no. 227/2006 regarding prevention and fight against doping in sport preventing and combating doping in sport, republished with subsequent amendments and additions defining unequivocally that the athlete is responsible for the presence of any prohibited substance in his/her biological sample, it is revealed that the athlete has not taken sufficient steps to collect information on the consumed product.

The *Hearing Commission for the athletes and their support personnel who violated the anti-doping rules* by reviewing the documents within the file, the analysis bulletins no. 23/27.01.2014 and no. 51/07.02.2014, issued by the Doping Control Laboratory in Bucharest, the nature of prohibited substances detected in his sample, the fact that he could not justify the established analytical result and he did not asked for counter-expertise, alongside legal provisions at national and international level:

DECIDES

The ineligibility of the athlete Stancu Danut, affiliated with Olimpia Bucharest Sport Club, for a period of two (2) years from any national and international competition, pursuant to the provisions of article 38 of Law 227/2006 regarding prevention and fight against doping in sport, republished with subsequent amendments and additions, as the athlete had violated the provisions of article 2, paragraph (2), letter a) of the above mentioned law, namely the presence of the prohibited substances etiocholanolon, androsterone, testosterone, 5 β Adiol and 5 α Adiol of exogenous origin, substances included in Section S1.1.b. Endogenous Anabolic Androgenic Steroids of 2014 Prohibited List.

The ineligibility period begins to run from the date of the current decision, thus the period of athlete's ineligibility is: 24.02.2014-23.02.2016.

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 be reintegrated in sport activity, during the ineligibility period the athlete must undergo four (4) no advance notice doping testing, one of the doping testing at the moment when the sport activity is resumed. When the athlete firstly retires from sport activity during the ineligibility period and then he/she requests to be reintegrated in sport activity, he/she will not be reintegrated until he/she informs the Agency and no advance notice doping testing is performed during a period of time equal to the ineligibility period remained when he/she retired.

Pursuant to Article 28 of Order no. 37/2013 for the approval of the Regulation for organization and operation of the Hearing Commission for the athletes and their support personnel who violated the anti-doping rules, the decision shall be communicated to the athlete Stancu Danut, the Olimpia Bucharest Sport Club where he is affiliated, Romanian Bobsleigh and Skeleton Federation, the Ministry of Youth and Sport, Romanian Olympic and Sport Committee, the International Bobsleigh and Skeleton Federation and the World Anti-Doping Agency.

Pursuant to the provisions of Art. 60, para. 1 of Law 227/2006 regarding prevention and fight against doping in sport, republished with subsequent amendments and additions, the decision may be appealed to the Appeal Commission beside the National Anti-Doping Agency in 21 days since its notification.

Romanian Bobsleigh and Skeleton Federation has the obligation to enforce 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 art. 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.

CHAIRPERSON OF HEARING COMMISSION
IOAN DOBRESU