



GUVERNUL ROMÂNIEI

AGENȚIA NAȚIONALĂ ANTI-DOPING

DECISION

No. 1/18.05.2015

Issued by National Anti-Doping Agency
In the case of athlete **SCHIFANO Mauro**,

Affiliated with Amefa Arad Sport Club, sport discipline - bodybuilding

National Anti-Doping Agency, named hereinafter “the Agency”, having the official seat in Bucharest, 37-39 Basarabia Blvd., District 2, pursuant to the provisions of article 32² of the Law no. 227/2006 regarding prevention and fight against doping in sport, republished, with subsequent amendments and completions, while reviewing the case of the athlete Mauro SCHIFANO, affiliated with Amefa Arad Sport Club, with the domicile in Arad, 14 Diogene street, Arad County, holds the following:

Following the doping control conducted during the National Championship for Juniors – men and women, and Cadets – men and women, in Iasi, on 18.04.2015, the analytical result of the athlete Mauro SCHIFANO's sample, with the code number 3858252A, indicated the presence of the following prohibited substances: **19 Norandrosteron > 15ng/ml, 2 α -methyl-5 α -Androstan-3 α -OL-17 one and Metenolon.**

The presence of the metabolite 19 Norandrosteron indicates the administration of the prohibited substance Nandrolone included in Section S1.1a – Exogenous Androgenic Anabolic Steroids of the 2015 Prohibited List. Pursuant to the provisions of the Technical Document TD2014NA, the sample indicates the presence of 19-NORANDROSTERON in a concentration higher than 15ng/mL.

The presence of metabolite 2 α -methyl-5 α -Androstan-3 α -OL-17 one indicates the administration of the prohibited substance Drostanolon included in Section S1.1.a Exogenous Androgenic Anabolic Steroids.

The substance METENOLON is also included in Section S1.1.a Exogenous Androgenic Anabolic Steroids of the 2015 Prohibited List.

Through the notification no. 318/08.05.2015, the Agency notified the athlete Mauro SCHIFANO, the Romanian Bodybuilding and Fitness Federation, the Romanian Olympic and Sport Committee, the Amefa Arad Sport Club, the Ministry for Youth and Sport and the International Bodybuilding and Fitness Federation of the following:

- The provisional suspension of the athlete from sport activity, pursuant to the **provisions of article 35¹ para. (1)** of the Law no. 227/2006 regarding prevention and fight against doping in sport, republished, with subsequent amendments and completions.
- **The athlete's right to ask, in written, for B sample analysis, in 48 hours from receiving the notification**, pursuant to the provisions of article 28 of the Law no. 227/2006 regarding prevention and fight against doping in sport, republished, with subsequent amendments and completions.
- **The prompt admission of the anti-doping rules violation, after the Agency communicated the notification** of the alleged anti-doping rule violation and the athlete didn't deny the accusation, being compelled to submit a written statement to the Agency, in maximum 10 days from receiving the notification.
- **The athlete's right to waive the hearing, formally, by sending a written statement to the Agency, in maximum 10 days from receiving the notification**, through which he should present his point of view regarding the alleged anti-doping rule violation.
- **The fact that, in case he will give substantial assistance in discovering and/or establishing an anti-doping rule violation provided in article 2 para. 2** of the Law no. 227/2006 regarding prevention and fight against doping in sport, republished, with subsequent amendments and completions, committed by another person, the period of the provisional suspension can be suspended up to $\frac{3}{4}$ of the otherwise applicable period, following the approval of WADA and the relevant international federation.

Following this notification, the athlete submitted his answer with the no. 340/13.05.2015, waiving both the hearing and the B sample analysis and admitting the accusations.

In deliberating on the case, the Agency holds the following:

Pursuant to the provisions of article 2 para. (2) letters a) and b) of the Law no. 227/2006 regarding prevention and fight against doping in sport, republished, with subsequent amendments and completions, the presence of a prohibited substance or its metabolites or markers in the athlete's sample, as well as the use or attempted use of a prohibited substance or method represent anti-doping rules violations.

In compliance with the principle of strict liability, the athletes or other persons are responsible to know what an anti-doping rule violation means, as well as the prohibited substances and methods included in the Prohibited List.

It is each athlete's duty to be sure that no prohibited substance enters his/her body. The athletes are strictly responsible for the presence of any prohibited substance or its metabolites or markers in the biological samples collected. Therefore, there is no need to prove the intention, fault, negligence or conscious use by an athlete to establish an anti-doping rule violation according to article 2 para. (2) letter a) of the above mentioned law, as well as to article 2.1 of the World Anti-Doping Code.

The proof of an anti-doping rule violation is represented by one of the following situations: the presence of a prohibited substance or its metabolites or markers in the A sample of an athlete, when the athlete waives the B sample analysis and the B sample is not analyzed; or, when the B sample is analyzed and the B sample analysis confirms the presence of the prohibited substance or its metabolites or markers detected in the athlete's A sample.

The Agency, by reviewing the documents in the file, the bulletin of analysis no. 255/05.05.2015, issued by the Doping Control Laboratory in Bucharest, the nature of the prohibited substances detected in the athlete's sample, respectively non-specified substances, the athlete Mauro Schifano's answer registered with the no. 340/13.05.2015 through which he waived the hearing and the B sample analysis, admitting the accusations resulted from the presence of the substances detected by the laboratory in his urine sample, as a consequence of the use of androgenic anabolic steroids, as well as the relevant national and international legal provisions:

DECIDES

4 years ineligibility from sport activity of the athlete Mauro SCHIFANO, affiliated with Amefa Arad Sport Club, pursuant to the provisions of article 38 letter a) of the Law no. 227/2006 regarding prevention and fight against doping in sport, republished, with subsequent amendments and completions, as he violated the provisions of article 2 para. (2) letters a) and b) of the above mentioned law, namely the presence of the prohibited substances 19 Norandrosteron > 15ng/ml, 2 α -methyl-5 α -Androsstan-3 α -OL-17 one and Metenolon, which indicates the **use of Nandrolone, Drostanolon and Metenolon**.

The ineligibility period begins to run from the date of the sample collection, according to article 41 para. (3) of the Law no. 227/2006 regarding prevention and fight

against doping in sport, republished, with subsequent amendments and completions, the athlete being ineligible from 18.04.2015 until 17.04.2019.

Pursuant to the provisions of article 42 para. (4) of the above mentioned law, while serving the ineligibility, the athlete is compelled to remain available for testing and to submit his whereabouts to the Agency.

Pursuant to Article 28 of Order no. 47/2014 issued by the President of the National Anti-Doping Agency for the approval of the Regulations on the 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 Mauro SCHIFANO, Amefa Arad Sport Club, Romanian Bodybuilding and Fitness Federation, Ministry for Youth and Sport, Romanian Olympic and Sport Committee, International Bodybuilding and Fitness Federation, as well as the World Anti-Doping Agency.

The Romanian Bodybuilding and Fitness Federation is bound to enforce the current decision and to comply with the applicable legal provisions, pursuant to the provisions of articles 37 and 52³ of the Law no. 227/2006 regarding prevention and fight against doping in sport, republished, with subsequent amendments and completions.

Pursuant to the provisions of Article 36 para. (2) of the Law no. 227/2006 regarding the prevention and fight against doping in sport, republished, the Agency shall disclose the Decision in 20 days from its pronouncement, in compliance with the provisions of article 33 para. 2 letter i).

PRESIDENT

GRAZIELA ELENA VAJIALA