

Estonian Anti-Doping Disciplinary Panel – Summary of the Resolution

The resolution has been compiled following the structure of the Results Management Guidelines Template I – Reasoned Decision. First three parts are summarised.

The Estonian Anti-Doping Disciplinary Panel consisting of Margus Mugu (chairman), Marek Kaleta, Siim Schneider and Toomas Tõnise met on November 5, 2015 in Tallinn to review the case of violation of anti-doping rules in relation to the adverse analytical finding (tamoxifen) returned in the out-of-competition doping sample given by [...] on [...], 2015. The meeting was attended by [the Athlete] (hereinafter also referred to as the Athlete) and the Executive Director of the Estonian Anti-Doping Agency Elina Kivinukk.

4. Procedural issues and plea

4.1 The Athlete requested B-Sample Testing.

4.2 The Athlete could not explain how the prohibited substance had entered his body. He assumed that it could have happened while sharing the sports drinks bottles with his practice companions.

5. Evidence

5.1 Estonian Anti-Doping Agency presented:

5.1.1 Doping Control form, indicating that testing took place on [...].

5.1.2 The A-Sample report from September 18th, indicating S4. Hormone and Metabolic Modulators / tamoxifen metabolite hydroxy-methoxy-tamoxifen.

5.1.3 The B-Sample report from October 7th, indicating S4. Hormone and Metabolic Modulators / tamoxifen metabolite hydroxy-methoxy-tamoxifen.

5.2 The Athlete did not bring any evidence.

6. Assessment of evidence

Presence of the prohibited substance has been sufficiently proved according to the World Anti-Doping Code Article 2.1.2, where both the Athlete's A- and B-samples indicated the following substance: S4. Hormone and Metabolic Modulators / tamoxifen metabolite hydroxy-methoxy-tamoxifen.

7. Resolution

7.1 For the reasons outlined above, the Athlete has violated the Code rule 2.1.

7.2 The Athlete could not explain how the prohibited substance had entered his body. He assumed that it could have happened while sharing the sports drinks bottles with his practice companions.

7.3 Therefore the Panel has determined that the Athlete is guilty of the offences outlined above.

7.4 There are no aggravating or mitigating circumstances found in the case.

10. Based on the above, the Estonian Anti-Doping Disciplinary Panel decides:

10.1 To impose an ineligibility period of two (2) years, starting from November 5th, 2015 and lasting until November 4th, 2017 on [the Athlete] (ID [...]) on the basis of Article 10.2.2 of the Code.

10.2 To annul all results obtained by [the Athlete] in competition from [...] 015 on the basis of Article 10.8 of the World Anti-Doping Code, with all resulting Consequences.