

**National Anti-Doping Panel**  
**IN THE MATTER OF PROCEEDINGS BROUGHT UNDER THE**  
**ANTI-DOPING RULES OF THE MOTOR SPORTS ASSOCIATION**  
**Between:**

**UK ANTI-DOPING LIMITED**

and

**PAUL BIRD**

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**CONSENT ORDER**

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- A. The Anti-Doping Rules of the Motor Sports Association (the 'MSA') are the UK Anti-Doping Rules, version 1.0, dated 1 January 2015 (the 'MSA ADR').
- B. Paul Bird ('Mr Bird') is subject to and bound to comply with the MSA ADR pursuant to Article 1.2.1(a) of the MSA ADR.
- C. On 11 July 2015, Mr Bird was selected to provide a sample after competing in the Nicky Grist Stages Event. A Doping Control Officer ('DCO') collected a total of four (4) urine samples from Mr Bird In-Competition. The first three (3) samples were numbered 1117000, 1112823 and 1117622 respectively and each returned a specific gravity of 1.002, below the required level of 1.005. The fourth sample, numbered 1116997 returned a specific gravity of 1.010. Assisted by the DCO each of the four samples provided was split into two separate bottles which were given reference numbers A1117000 and B1117000; A1112823 and B1112823; A1117622 and B1117622; and A1116997 and B 1116997 respectively.
- D. All samples were transported to the World Anti-Doping Agency ('WADA') accredited laboratory in London, the Drug Control Centre, Kings College London (the 'Laboratory'). The Laboratory analysed the first and last samples collected from Mr Bird, namely those labelled A1117000 and A1116997 ('the A Samples') in accordance with the procedures set out in WADA's International Standard for Laboratories.
- E. Analysis of each A Sample returned an Adverse Analytical Finding ('AAF') for benzoylecgonine (a Metabolite of cocaine) and furosemide.
- F. Cocaine is listed under S6(a) of the WADA 2015 Prohibited List ('the List') and is classified as a Non-Specified Stimulant. Furosemide is listed in S5 of the List under Diuretics and Masking Agents. Cocaine and furosemide are Prohibited Substances.
- G. Mr Bird did not have a Therapeutic Use Exemption to justify the presence of either benzoylecgonine or furosemide in his system.

- H. On 31 July 2015, UKAD issued Mr Bird with a Notice of Charge which charged him with committing an Anti-Doping Rule Violation pursuant to Article 2.1 of the MSA ADR.
- I. On 9 September 2015, and by agreement between the MSA, UKAD and Mr Bird, UKAD referred the matter to the NADP Secretariat for hearing and determination in accordance with the NADP Procedural Rules. The NADP President appointed the above named chairman to an NADP Tribunal for that purpose.
- J. Mr Bird has informed UKAD via his solicitors Messrs Burton Copeland that he does not contest the charge of committing an Anti-Doping Rule Violation pursuant to Article 2.1 of the MSA ADR.
- K. The parties have therefore proposed resolution of the matter on the terms set out below, subject to the approval of the NADP.

**WITH THE CONSENT OF THE PARTIES, IT IS HEREBY ORDERED THAT:**

- 1. Mr. Bird hereby admits to the Presence of furosemide and benzoyllecgonine in violation of Article 2.1 of the MSA ADR.
- 2. UKAD is not in a position to establish, as per Article 10.2.1(b) of the MSA ADR, that the Presence violation committed in respect of furosemide was intentional.
- 3. Mr Bird has established on the balance of probabilities that as per Article 10.2.1(a) and Article 10.2.3 of the MSA ADR, that the Presence violation committed in respect of benzoyllecgonine was not intentional.
- 4. The applicable sanction in respect of the Presence of furosemide is as per Article 10.2.2 of the MSA ADR a period of Ineligibility of two (2) years.
- 5. The applicable sanction in respect of the Presence of benzoyllecgonine is as per Article 10.2.2 of the MSA ADR also a period of Ineligibility of two (2) years.
- 6. As a consequence:
  - 6.1 Mr. Bird is ruled Ineligible for a period of two (2) years in accordance with Article 10.2 of the MSA ADR. The period of Ineligibility is deemed to have started running from the date that he was charged and Provisionally Suspended in accordance with Article 10.11.3 of the MSA ADR. It will therefore run from 11 July 2015 to midnight on 10 July 2017 (inclusive).
  - 6.2 During the two (2) year period of Ineligibility:

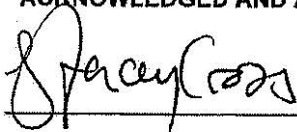
6.2.1 In accordance with Article 10.12.1 of the MSA ADR, Mr. Bird may not participate in any capacity in a Competition, Event or other activity (other than authorised anti-doping education or rehabilitation programmes) organised, convened, authorised or recognised by the MSA or any body that is a member of or affiliated to or licensed by the MSA; (b) any Signatory of the World Anti-Doping Code or any club or other body that is a member of or affiliated to or licensed by a Signatory or a Signatory's member organisation; or (c) any professional league or any international or national-level Event organisation; and

6.2.2 Mr. Bird will remain subject to and bound to comply with the MSA ADR, including the obligation to submit to Testing under Article 10.12.3 of the MSA ADR. If requested, he will provide information as to his whereabouts to facilitate such Testing.

7. Mr. Bird and each of the MSA, FIA (Federation Internationale de l'Automobile) and WADA has a right of appeal against this Order or any part of it in accordance with Article 13 of the MSA ADR. There shall be no order as to the costs of these proceedings.

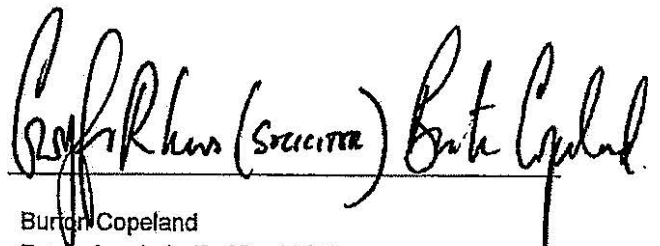
8. The disposition of these proceedings on the terms set out above will be publicly announced (including via the NADP and UK Anti-Doping websites).

**ACKNOWLEDGED AND AGREED:**



Stacey Cross  
For and on behalf of UK Anti-Doping Limited

Date: 23 November 2015



Burton Copeland  
For and on behalf of Paul Bird

Date: 20<sup>th</sup> November 2015

**SO ORDERED:**

William Norris QC  
Chairman, NADP Arbitral Tribunal

Date:  2015

20<sup>th</sup> November 2015