

Decision of the Japan Anti-Doping Disciplinary Panel

Case 2015-002

Name of Athlete: X
Sport: Power lifting

Pursuant to the decision of the Hearing Panel convened for this case, the Japan Anti-Doping Disciplinary Panel has made the following decision with respect to this case.

November 12, 2015
Japan Anti-Doping Disciplinary Panel
Vice Chair: Kazuki Shishido

Hearing Panel Decision

The Hearing Panel for this case, which is composed of the following members appointed by the Chair of the Japan Anti-Doping Disciplinary Panel pursuant to Article 8.3.2 of the Japan Anti-Doping Code (hereinafter, the “Code”), has made the following decision concerning this case pursuant to the results of the hearing (the “Hearing”) held on October 28, 2015.

November 12, 2015
Kazuki Shishido _____
Toshio Asami _____
Masahiro Murayama _____

Decision:

- A violation of Article 2.1 of the Code is found to have occurred.
- In accordance with Articles 9 and 10.8 of the Code, all of the individual results of the Athlete obtained from the date of sample collection through the commencement date of the provisional suspension period (including the competition results at the 44TH ALL JAPAN MEN’S POWER LIFTING CHAMPIONSHIP COMPETITION) shall be disqualified, and all medals, points and prizes obtained during such period shall be forfeited.
- In accordance with Articles 10.2.1.1 and 10.11.3.1 of the Code, a period of ineligibility shall be imposed for a period of four years starting from July 30, 2015.

Reasons:

- The substance “drostanolone” that was detected from the Athlete in In-Competition testing conducted on June 28, 2015 is designated as a prohibited substance under “S1.1.a Anabolic Androgenic Steroids (Exogenous)” in The 2015 Prohibited List International Standard (the “Prohibited List”), and it constitutes a “Prohibited Substance” as prescribed in Article 2.1 of the Code. The Athlete subsequently requested an analysis of the B Sample; however, according to the Test Report submitted by LSI Medience Corporation as of October 10, 2015, it confirmed the results of the initial detection above. The Athlete did not contest the test results or the process and procedure that led to those results at the provisional hearing or the hearing.
- Accordingly, the Athlete can be found to have violated Article 2.1 of the Code (Presence of a Prohibited Substance or its Metabolites or Markers in an Athlete’s Sample) in this case, and it is appropriate to consider that, in accordance with Articles 9 and 10.8 of the Code, all of the individual results of the Athlete obtained from the date of sample collection through the commencement date of the provisional suspension period (including the competition results at the 44TH ALL JAPAN MEN’S POWER LIFTING CHAMPIONSHIP COMPETITION; hereinafter, the “Competition”) shall be disqualified, and all medals, points and prizes obtained during such period (if any) shall be forfeited.
- Furthermore, the substance above that was detected in this case, while on the one hand constituting a “Prohibited Substance,” does not constitute a “Specified Substance” under the Prohibited List, and the Athlete asserts that the violation in this case was not intentional. In this regard, the Athlete stated at the Hearing that, with respect to the specific circumstances in which the Prohibited Substance above entered his body, it is considered that drostanolone was contained in either of the multiple supplements taken by the Athlete since several months prior to the Competition; however, the route through which the Prohibited Substance above entered his body is not necessarily found to have been clarified by the evidence submitted by the Athlete at the Hearing. In addition, the Athlete states that the supplement was taken for the purpose of enhancing concentration; however, while all of these supplements were purchased and imported through a website established by an overseas business operator, the Athlete is found to have already known, through training and raising of awareness, etc. by the National Sports Federation to which the Athlete belonged, the dangers of a Prohibited Substance being contained in supplements obtained through the mail order website of an overseas business operator, and there unavoidably remains doubt as to find that the violation in this case was not intentional. Therefore, the Athlete cannot be found to have proved that the violation in this case was not intentional, and Article 10.2.1.1 applies to this case.
- Taking into consideration the above circumstances and the fact that this was a first violation, it is appropriate to impose a four year period of ineligibility pursuant to Article 10.2.1.1 of the Code.
- In this case, the Athlete has been under a provisional suspension pursuant to Article 7.9.1 of the Code from the date of the notice of July 30, 2015 by the responsible person at JADA until the

time of the present decision (a provisional hearing was held on October 28, 2015 concerning the relevant provisional suspension). Accordingly, pursuant to Article 10.11.3.1 of the Code, the commencement date for the period of ineligibility shall be July 30, 2015.

Based on the foregoing, we have made our decision as stated above.

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