

Decision of the Japan Anti-Doping Disciplinary Panel

Name of Athlete: X  
Sport: Bodybuilding

Pursuant to the decision of the Hearing Panel convened for Case 2012-005, the Japan Anti-Doping Disciplinary Panel has made the following decision with respect to this case.

October 4, 2012  
Japan Anti-Doping Disciplinary Panel  
Chair: Toshio Asami

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Case 2012-005: Hearing Panel Decision

The Hearing Panel for Case 2012-005, 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 (the “Code”), has made the following decision concerning this case pursuant to the results of the hearing held on October 4, 2012.

October 4, 2012  
Yoshihisa Hayakawa \_\_\_\_\_  
Toshio Asami \_\_\_\_\_  
Noboru Mesaki \_\_\_\_\_

Decision:

- A violation of Article 2.1 of the Code is found to have occurred.
- In accordance with Article 9 and Article 10.1.1 of the Code, each of the competition results for the competition (August 5, 2012: The 23rd Japan Open Bodybuilding Championships) shall be disqualified, and in accordance with Article 10.8 of the Code, each of the competition results for the competition (September 9, 2012: The 16th Japan Class Category Bodybuilding Championships) shall also be disqualified.
- In accordance with Article 10.4 and Article 10.9.2 of the Code, ineligibility shall be imposed for a period of two years starting from September 27, 2012.

Reasons:

- The substance 19-norandrosterone that was detected in In-Competition testing is designated as a prohibited substance under “S1.1.b Anabolic Androgenic Steroids” in The 2012 Prohibited List International Standard (the “Prohibited List”), and it constitutes a “Prohibited Substance” as prescribed in Article 2.1 of the Code. In response to this, the Athlete neither requested an analysis of the B Sample, nor contested the test results or the process and procedure that led to those results at the hearing.
- Accordingly, the Athlete can be found to have violated Article 2.1 of the Code in this case, and in accordance with Article 9 and Article 10.1.1 of the Code, each of the competition results for the competition (August 5, 2012: The 23rd Japan Open Bodybuilding Championships) shall be disqualified. Since the Athlete also participated in another competition prior to the September 27, 2012 notice date of provisional suspension, in accordance with Article 10.8 of the Code, each of the competition results for such competition (September 9, 2012: The 16th Japan Class Category Bodybuilding Championships) shall also be disqualified.
- Since the 19-norandrosterone that was found in this case does not fall under a “Specified Substance” under the Prohibited List, the reduction of the period of ineligibility for specific substances as set out in Article 10.4 is denied.
- On the other hand, the possibility of application of the reduction of the period of ineligibility due to being without fault or negligence or significant fault or negligence as set out in Article 10.5 cannot be completely ruled out. However, based on the written statements, etc. submitted by JADA, the Athlete himself and the managing director of the Japan Bodybuilding Federation, the Athlete in this case is found to have carelessly taken an overseas supplement (possibly containing such substance) purchased via internet auction without being given any prescription by a doctor. Due to the circumstances being as such, the existence of significant fault or negligence on the part of the Athlete cannot be denied, and the reduction of the period of ineligibility may not be granted.
- Taking into consideration the above circumstances as well as the fact that the present violation was a first violation, it has been decided that, as a first violation, it is proper to impose a two-year period of ineligibility pursuant to Article 10.2 of the Code.
- In this case, the Athlete has been under provisional suspension pursuant to Article 7.6.1 of the Code from the September 27, 2012 notice date until the time of the present decision (a provisional hearing was held on October 4, 2012 concerning

the relevant provisional suspension). Accordingly, pursuant to Article 10.2 and Article 10.9.2 of the Code, the Athlete shall be subject to a two-year period of ineligibility from September 27, 2012.

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