

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 2013-005, the Japan Anti-Doping Disciplinary Panel has made the following decision with respect to this case.

November 8, 2013
Japan Anti-Doping Disciplinary Panel
Chair: Toshio Asami

Case 2013-005: Hearing Panel Decision

The Hearing Panel for Case 2013-005, 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 November 8, 2013.

November 8, 2013
Kazuki Shishido _____
Toshio Asami _____
Tetsuhiko Kimura _____

Decision:

- A violation of Article 2.1 of the Code is found to have occurred.
- In accordance with Article 9 and Article 10.8 of the Code, all of the individual results for the competition obtained during the period from the date of sample collection until the commencement date of the provisional suspension period (including the competition results for the 59th Men’s Japan Bodybuilding Championships) shall be disqualified, and all medals, scores and awards acquired during the period above shall be forfeited.
- In accordance with Article 10.2, Article 10.9.1 and Article 10.9.2 of the Code, ineligibility shall be imposed for a period of two years starting from October 31,

2013.

Reasons:

- The substance “clenbuterol” that was detected in out-of-competition testing conducted on October 4, 2013 and October 12, 2013 is designated as a prohibited substance under “S1.2 Other Anabolic Agents” in The 2013 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 (The Presence of a Prohibited Substance of its Metabolites or Markers in an Athlete’s Sample) in this case. A provisional suspension has been issued as of October 31, 2013 in this case, the validity of which was subsequently confirmed at the provisional hearing convened today pursuant to Article 7.6.2 b) of the Code. Therefore, it is appropriate to consider that, in accordance with Article 9 and Article 10.8 of the Code, all of the individual results obtained during the period from the date of sample collection until the commencement date of the provisional suspension period (including the competition results for the 59th Men’s Japan Bodybuilding Championships) shall be disqualified, and all medals, scores and awards acquired during the period above (if any) shall be forfeited.
- This violation is considered to be a first violation as a whole pursuant to Article 10.7.4 of the Code. Taking this into consideration, it is appropriate to impose a two-year period of ineligibility pursuant to Article 10.2 of the Code.
- In this case, the Athlete has been under a provisional suspension pursuant to Article 7.6.1 of the Code from the October 31, 2013 notice date until the time of the present decision (a provisional hearing was held on November 8, 2013 concerning the relevant provisional suspension). Accordingly, pursuant to Article 10.9.2 of the Code, the commencement date for the two-year period of ineligibility shall be October 31, 2013.

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

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