

In the matter of the Canadian Anti-Doping Program;

And in the matter of an anti-doping rule violation by Alexis Barrière asserted by the Canadian Centre for Ethics in Sport;

File Outcome Summary

Summary

1. The Canadian Centre for Ethics in Sport (CCES) conducted an out-of-competition sample collection on January 14, 2019, in Montréal, QC.
2. Mr. Alexis Barrière (“the athlete”) was selected for doping control. The sample provided by the athlete returned an adverse finding for Stanozolol, a prohibited substance.
3. Following receipt of the CCES’ amended assertion of an anti-doping rule violation for the presence of Stanozolol, the athlete accepted the anti-doping rule violation and waived his right to a hearing.

Jurisdiction

4. The CCES is an independent not-for-profit organization incorporated under the federal laws of Canada that promotes ethical conduct in all aspects of sport in Canada. The CCES also maintains and carries out the CADP, including providing anti-doping services to national sport organizations and their members.
5. As Canada’s national anti-doping organization, the CCES is in compliance with the World Anti-Doping Code (Code) and its mandatory International Standards. The CCES has implemented the Code and its mandatory International Standards through the CADP, the domestic rules which govern this proceeding. The purpose of the Code and of the CADP is to protect the rights of athletes to fair competition.
6. The athlete is a member of Boxing Canada, and participates in the sport of Boxing. According to Part C, Rule 1.3 of the CADP, the CADP provisions apply to all members of, and participants in the activities of, sport organizations adopting it. The CADP was issued for adoption by Canadian sport organizations on October 1, 2014, to be operational on January 1, 2015. Boxing Canada adopted the CADP on December 6, 2014. Therefore, as a member of Boxing Canada and/or as a participant in Boxing Canada sport activities, the athlete is subject to the Rules of the CADP.

Doping Control

7. On January 14, 2019, the CCES conducted an out-of-competition doping control session in Montréal, QC. Testing was conducted as part of the CCES’ domestic test distribution plan, all pursuant to the CADP.

8. The athlete was notified for doping control and, together with the Doping Control Officer (DCO) from the CCES, completed the sample collection process. The athlete's sample code number was 4316811.
9. On January 16, 2019, the athlete's sample was received by World Anti-Doping Agency (WADA) accredited laboratory, the INRS-Institut Armand-Frappier (INRS), in Laval, QC.

Results Management

10. The adverse analytical finding was received from the INRS on February 1, 2019. The Certificate of Analysis indicated the presence of Stanozolol.
11. Stanozolol is classified as a prohibited substance on the 2019 WADA Prohibited List.
12. On February 21, 2019, the CCES formally asserted a violation against the athlete for the presence of a prohibited substance.
13. In accordance with CADP Rule 10.2.1, the standard sanction for an anti-doping rule violation involving the presence of a prohibited substance is a four (4) year period of ineligibility. The CCES initially proposed such a sanction.
14. On April 18, 2019, in response to the CCES' assertion, the athlete admitted to the anti-doping rule violation in a timely fashion in accordance with CADP Rule 10.11.2.
15. The CCES subsequently received and assessed information and evidence provided by the athlete and by two witnesses. The evidence evaluated by CCES supported and corroborated the athlete's claim (first raised during the initial review) that the AAF was not intentional in accordance with CADP Rule 10.2.1.1.
16. In summary, the athlete was the victim of a prank at a party. The athlete had no idea that friends had added a substance to his beverage. The athlete drank his beverage. Unbeknownst to all, the substance added to the athlete's beverage by the athlete's friends was later determined to be contaminated with Stanozolol. As the information and evidence provided by the athlete and his witnesses on the issue of intent (including proof of source) was determined to be reliable and credible, the CCES accepted that the athlete did not act with intent. The presumptive sanction thus rested at 2 years.

In addition, the CCES determined that the 2-year period of ineligibility could be further reduced in accordance with CADP Rule 10.5.1.2. The athlete had successfully established that the Stanozolol entered his body by way of a Contaminated Product. The CCES is satisfied the athlete has No Significant Fault or Negligence. The CCES is satisfied the athlete's degree of Fault is low. Accordingly, the CCES' rationale for accepting a reduced sanction below 2 years is the following:

- i) The athlete established that the source of the prohibited substance in his sample was a supplement contaminated with Stanozolol, which was placed in his drink at a party - as a prank. The athlete had no knowledge that any substance (of any description) was surreptitiously placed in his drink. The athlete's friends had no knowledge the supplement they placed in the athlete's drink was contaminated with Stanozolol.
 - ii) During the course of the initial review, the CCES interviewed both the athlete and the witnesses to assess the credibility of the athlete's claim that he did not knowingly ingest the supplement in question.
 - iii) Further, both open and sealed bottles of the supplement in question were analyzed for the presence of Stanozolol. The analysis conducted on the bottles by both the athlete and the CCES confirmed the presence of Stanozolol (which was not an ingredient listed on the label), in both the open and sealed bottles.
 - iv) The analysis conducted by the INRS laboratory satisfied the CCES that based on the level of Stanozolol detected in the athlete's sample; the level detected in the supplement, and the timing of ingestion, the athlete's explanation was indeed the most likely cause of the AAF.
 - v) Due to the athlete's lack of knowledge that he was exposed to Stanozolol and due to the method of ingestion (dissolved in a drink, at a party) the CCES determined the athlete's degree of Fault was low. However, the athlete is not totally without Fault. The athlete became exposed to a prohibited substance – though inadvertently – by the conduct of his friends and entourage. The so-called prank on the athlete would never have happened (regardless of what was eventually found to be in the supplement) if the athlete had been open and transparent with his friends and entourage regarding his responsibilities as an elite athlete. The athlete should have been very clear with his friends that he must know the composition of every single substance that enters into his system. This was not communicated clearly (if at all) to the friends. That the prank itself was even contemplated by the athlete's close friends underscores the athlete's deficiency with regard to his responsibility to ensure that no prohibited substance enters his system. The athlete's conduct was a departure from the expected standard of behaviour for an athlete of his experience.
17. As a result, on February 14, 2020, the CCES issued an amended Notification reducing the proposed sanction. As this would be a first violation involving a prohibited substance, and after consideration for the factors outlined above, the CCES has determined that the sanction for this violation should be a five (5) month period of ineligibility (in accordance with Rules 10.2.1.1 and 10.5.1.2 of the CADP).

Confirmation of Violation and Sanction

18. On February 15, 2020, in response to the CCES' amended Notification, the athlete waived his right to a hearing in accordance to CADP Rule 7.10.1 and accepted the five (5) month period of ineligibility proposed by the CCES.
19. The athlete was provisionally suspended on February 21, 2019 when the CCES asserted the violation and has respected the suspension thereafter. Accordingly, the athlete's five (5) month period of ineligibility commenced on February 21, 2019 and formally concluded on July 20, 2019.
20. The CCES now considers this case closed.

Dated at Ottawa, Ontario this 4th day of March 2020.



Jeremy Luke
Senior Director, Sport Integrity
CCES