

**In the matter of the Canadian Anti-Doping Program;**

**And in the matter of an anti-doping rule violation by Phillipe Marcil asserted by the  
Canadian Centre for Ethics in Sport;**

File Outcome Summary

**Summary**

1. The Canadian Centre for Ethics in Sport (CCES) conducted an in-competition sample collection session on August 21, 2021, in Saguenay, QC.
2. Mr. Phillipe Marcil (“the athlete”) was selected for doping control. The sample provided by the athlete returned an adverse analytical finding for Tamoxifen, a specified substance.
3. Following receipt of the CCES’ Notice of Charge, asserting an anti-doping rule violation for the presence and use of Tamoxifen, the athlete failed to dispute the violations within the timelines outlined within the Canadian Anti-Doping Program (CADP) and as a result was deemed to have admitted that he committed the asserted violations, waived his right to a hearing and accepted the proposed consequences.

**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 the Canadian Powerlifting Union (CPU) and participates in the sport of Powerlifting. 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 adopted by the CPU on October 29, 2020. Therefore, as a member of CPU and/or as a participant in CPU sport activities, the athlete is subject to the Rules of the CADP.

**Doping Control**

7. On August 21, 2021, the CCES conducted an in-competition doping control session in Saguenay, QC. Testing was conducted on CPU athletes 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 4475928.

9. On August 24, 2021, the athlete's sample was received by the 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 September 9, 2021. The Certificate of Analysis indicated the presence of Tamoxifen.
11. Tamoxifen is classified as a specified substance on the 2021 WADA Prohibited List.
12. On September 16, 2021, the CCES commenced an initial review and Notification into the athlete's adverse analytical finding.
13. On October 4, 2021, the CCES formally issued a Notice of Charge asserting a violation against the athlete for the presence and use of a specified substance. Within the Notice of Charge, the CCES also imposed a Provisional Suspension on the athlete in accordance with CADP Rule 7.4.2.
14. In accordance with CADP Rule 10.2.2, the standard sanction for an anti-doping violation involving the presence and use of a specified substance, is a two (2) year period of ineligibility. The CCES proposed the standard two (2) year sanction within its Notice of Charge of October 4, 2021.

### **Confirmation of Violation and Sanction**

15. In accordance with CADP Rule 8.4.2, which was specifically referenced within the Notice of Charge, the CCES informed the athlete on October 4, 2021, that should the athlete take no further action to dispute the asserted violation within 20 days of receiving the letter he would be deemed to have waived his right to a hearing and thereby would accept the two (2) year ineligibility sanction proposed by the CCES.
16. A case file was opened with the Sport Resolution Centre of Canada (SDRCC) on October 4, 2021.
17. On October 6, 2021, during an administrative call with the SDRCC, the athlete indicated his intent to sign the Waiver of Hearing form and accept both the violation and all proposed consequences. Despite his comments during the October 6, 2021 call, a signed Waiver of Hearing form was never submitted by the athlete.
18. On October 22, 2021, the CCES wrote to the athlete and provided notice that, in order to avoid the provisions of CADP Rule 8.4.2, he must formally respond to the CCES' assertion of an anti-doping rule violation and either request a hearing or waive his right to a hearing.
19. As no further action was taken by the athlete to dispute the asserted violation by the October 25, 2021, deadline, the CCES relies on the provisions contained in CADP Rule 8.4.2. Accordingly, effective October 26, 2021, by reason of the deemed Waiver, an anti-doping rule violation has been confirmed against the athlete for the presence and use of the identified prohibited substance. In accordance with CADP Rules 10.2.2, 8.4.2 and 10.13.2, the sanction for this violation is a two (2) year period of ineligibility, which commenced on October 4, 2021, and concludes on October 3, 2023.

20. The CCES now considers this case closed.

Dated at Ottawa, Ontario this 5<sup>th</sup> day of November 2021.



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Jeremy Luke  
Senior Director, Sport Integrity  
CCES