

In the matter of the Canadian Anti-Doping Program;

**And in the matter of an anti-doping rule violation by Devon McCullough 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 31, 2022, in St. John's, NL.
2. Mr. Devon McCullough ("the Athlete") was selected for Doping Control. The Sample provided by the Athlete returned an Adverse Analytical Finding ("AAF") for Cocaine and metabolite: Benzoyllecgonine, a non-specified Prohibited Substance.
3. Following receipt of the CCES' Notice of Charge, asserting an anti-doping rule violation ("ADRV") for the presence and Use of the Prohibited Substance, Cocaine and metabolite: Benzoyllecgonine, the Athlete waived his right to a hearing, admitted the violation and accepted the proposed period of Ineligibility and all other applicable 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 implements 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 Softball Canada and participates in the sport of softball. 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 Softball Canada on November 4, 2020. Therefore, as a member of Softball Canada and/or as a participant in Softball Canada sport activities, the Athlete is subject to the Rules of the CADP.

Doping Control

7. On August 31, 2022, the CCES conducted an In-Competition Sample collection session in St. John's NL. Testing was conducted on Softball Canada athletes as part of the CCES' domestic test distribution plan, all pursuant to the CADP.
8. The Athlete was notified that he had been selected 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 4624637.

9. On September 2, 2022, the Athlete's Sample was received by the INRS Centre Armand-Frappier Santé Biotechnologie ("INRS"), a World Anti-Doping Agency (WADA) accredited laboratory for analysis, in Laval, QC.

Results Management

10. The AAF was reported by the INRS on September 27, 2022. The certificate of analysis indicated the presence of Cocaine and metabolite: Benzoyllecgonine.
11. Cocaine and metabolite: Benzoyllecgonine is classified as a non-specified Prohibited Substance on the 2022 WADA Prohibited List. This substance is further identified as a "Substance of Abuse" on the 2022 WADA Prohibited List.
12. The CCES commenced an initial review into the Athlete's AAF and issued a notification of a potential ADRV on September 29, 2022.
13. On October 4, 2022, in response to the CCES' Notification letter, the Athlete requested the opening of his B-Sample. On October 14, 2022, the INRS reported, through a certificate of analysis, that the Athlete's B-Sample analysis confirmed the presence of Cocaine and metabolite: Benzoyllecgonine.
14. On November 15, 2022, the CCES formally issued a Notice of Charge, asserting an ADRV against the Athlete for the presence and Use of Cocaine and metabolite: Benzoyllecgonine.
15. Having assessed all information provided by the Athlete the CCES proposed a three (3) month period of Ineligibility in accordance with Rules 8.4.1 and 10.2.4.1 of the CADP.

Confirmation of Violation and Sanction

16. On November 18, 2022, in accordance with CADP Rule 8.4.1, the Athlete waived his right to a hearing thereby admitting the ADRV and accepting both the asserted violation and the proposed period of Ineligibility and all other applicable Consequences outlined within the November 15, 2022, Notice of Charge.
17. Therefore, the sanction for this violation is a three (3) month period of Ineligibility which commenced on November 15, 2022, (the date the Athlete was provisionally suspended) and concludes on February 14, 2023. Further, in accordance with CADP Rules 10.1 and 10.10, any competitive results obtained by the Athlete during the Event at which his Sample was collected, and from date of Sample collection, must be Disqualified.
18. The CCES now considers this case closed.

Dated at Ottawa, Ontario this 7th day of December 2022.



Jeremy Luke
Executive Director, Sport Integrity
CCES