

In the matter of the Canadian Anti-Doping Program;

And in the matter of an anti-doping rule violation by David Mylnikov 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 June 9, 2023, in Winnipeg, MB.
2. David Mylnikov (“the Athlete”) was selected for Doping Control. The Sample provided by the Athlete returned an Adverse Analytical Finding (AAF) for Cannabis: Carboxy-THC (“Cannabis”), a Prohibited Substance.
3. Following receipt of the CCES’s Notice of Charge asserting an anti-doping rule violation (ADRV) for the presence and Use of the Prohibited Substance, the Athlete signed a Waiver of Hearing Form, thereby admitting the ADRV, waiving his right to a hearing and accepting all 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 Canadian Anti-Doping Program (CADP), including providing anti-doping services to national Sport Organizations and their members.
5. As Canada’s National Anti-Doping Organization, the CCES is compliant with the World Anti-Doping Code (“the Code”) and its mandatory International Standards. The CCES has implemented the Code and the 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 and participates in the activities of the Shooting Federation of Canada (SFC). According to CADP Rule 1.3, the CADP applies to all members of, and Participants in activities of Sport Organizations adopting it. The CADP was issued for adoption by Canadian Sport Organizations on October 26, 2020. The SFC adopted the CADP on November 8, 2020. Therefore, as a Participant in the SFC activities, the Athlete is subject to the CADP.

Doping Control

7. On June 9, 2023, the CCES conducted an In-Competition Sample collection session in Winnipeg, MB. Testing was conducted on SFC athletes as part of the CCES’s 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 from the CCES, completed the Sample collection process. The Athlete’s Sample code number was 7176428.

9. On June 13, 2023, the Athlete's Sample was received for analysis by the INRS Centre Armand-Frappier Santé Biotechnologie ("the INRS"), a World Anti-Doping Agency (WADA) accredited laboratory in Laval, Quebec.

Results Management

10. The AAF was reported by the INRS on June 29, 2023. The Certificate of Analysis indicated the presence of Cannabis: Carboxy-THC, above the reporting threshold.
11. Cannabis: Carboxy-THC is classified as a Specified Substance and as a Substance of Abuse on WADA's 2023 Prohibited List.
12. The CCES commenced an initial review into the Athlete's AAF and issued a Notification letter of a potential ADRV on July 19, 2023.
13. On September 21, 2023, the CCES formally issued a Notice of Charge asserting an ADRV against the Athlete for the presence and Use of the substance.
14. In accordance with Rule 10.2.4.1 of the CADP, if the Athlete can establish that any ingestion or Use of a Substance of Abuse occurred Out-of-Competition and was unrelated to sport performance, then the period of ineligibility shall be three (3) months. In addition, the period of Ineligibility calculated under this Rule 10.2.4.1 may be reduced to one (1) month if the Athlete or other Person satisfactorily completes a Substance of Abuse treatment program approved by the CCES.
15. Based on the Athlete's explanations, confirmation received from the INRS Laboratory and WADA's Guidance Note for Anti-Doping Organizations regarding Substances of Abuse under the World Anti-Doping Code, the CCES accepted that the Athlete ingested Cannabis Out-of-Competition and not for the purposes of enhancing sport performance and therefore proposed a three (3) month period of Ineligibility in accordance with CADP Rule 10.2.4.1.

Confirmation of Violation and Sanction

16. On October 11, 2023, in accordance with CADP Rule 8.4.1, the Athlete waived his right to a hearing thereby accepting both the asserted violation and the proposed period of Ineligibility and all applicable Consequences outlined within the September 21, 2023, Notice of Charge.
17. Accordingly, effective October 11, 2023, an ADRV has been confirmed against the Athlete for the presence and Use of Cannabis. In accordance with CADP Rule 10.2.4.1, the sanction for this violation is confirmed to be a three (3) month period of Ineligibility, which commenced on October 11, 2023 (the date the Athlete signed the Waiver of Hearing) and concludes on January 10, 2024.
18. Further, in accordance with CADP Rule 10.10, any competitive results obtained by the Athlete, from date of Sample collection, shall be Disqualified.

19. The CCES now considers this case closed.

Dated at Ottawa, Ontario this 2nd day of November 2023.



Kevin Bean
Executive Director, Sport Integrity
CCES