Coni

DELIBERAZIONE DEL CONSIGLIO NAZIONALE

N. 1311 **del** 30 GIU. 2005

Oggetto: **SUPPORTO AGLI ORGANI DI GIUSTIZIA E GARANZIA PER LO SPORT**
Coordinamento Attività Antidoping
Norme Sportive Antidoping – Deleghe alla Giunta Nazionale

IL CONSIGLIO NAZIONALE

VISTO l'articolo 1 della legge 31 gennaio 1992, n. 138;

VISTO l'articolo 5 del Decreto legislativo 23 luglio 1999, n. 242 e successive modifiche e integrazioni;

VISTI gli articoli 2, 6, 7 e 13 dello Statuto del Comitato Olimpico Nazionale Italiano;

VISTO il Regolamento della Camera di Conciliazione e Arbitrato per lo Sport ("Regolamento"), approvato con propria deliberazione n. 1303 assunta in data 3 febbraio 2005;

VISTA la deliberazione n. 325 assunta dalla Giunta Nazionale in data 30 giugno 2005;

CONDIVISI i contenuti della predetta deliberazione;

RITENUTO di dover provvedere all'approvazione delle Norme Sportive Antidoping;

RAVVISATA la necessità di conferire alla Giunta Nazionale la delega in ordine ad alcuni adempimenti, atti ad assicurare, secondo criteri di efficacia ed efficienza, l'attuazione delle Norme Sportive Antidoping;

deliberazione n. 1311

Riunione del 30 GIU. 2005

DELIBERA

- di approvare le Norme Sportive Antidoping, che allegate alla presente deliberazione, ne costituiscono parte integrante e sostanziale;
- di conferire, per le motivazioni in premessa, per il quadriennio olimpico 2005/2008, alla Giunta Nazionale la delega di riprendere in esame le Norme Sportive Antidoping, al fine di apportare i necessari aggiustamenti tecnico-procedurali e di provvedere alla nomina del Presidente e dei Componenti del Giudice di Ultima Istanza in materia di doping.

IL SEGRETARIO

IL PRESIDENTE

VISTO: se ne propone l'adozione attestandone la conformità agli atti, la regolare istruttoria e la compatibilità con la vigente normativa

Il Dirigente
Dott. Marco Arpino

Coni

Norme sportive antidoping

Documento tecnico attuativo del Programma Mondiale Antidoping WADA

Regolamento dell'attività antidoping

APPROVATO DAL CONSIGLIO NAZIONALE DEL C.O.N.I.
CON DELIBERAZIONE N° 1311 DEL 30 GIUGNO 2005

http://www.coni.it/antidoping

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TITOLO I
PRINCIPI GENERALI

Art. 1
Definizione del doping e violazioni del Regolamento

1.1. Il doping è contrario ai principi di lealtà e correttezza nelle competizioni sportive, ai valori culturali dello sport, alla sua funzione di valorizzazione delle naturali potenzialità fisiche e delle qualità morali degli Atleti.
Con il termine doping si intende il verificarsi di una o più violazioni previste dal Regolamento dell'attività antidoping ("*Regolamento*").
Le violazioni del *Regolamento* sono quelle di seguito riportate.

1.2. La presenza di una sostanza vietata o dei suoi metaboliti o marker in un campione biologico dell'atleta.

1.2.1. Ogni atleta deve personalmente assicurarsi di non assumere alcuna sostanza vietata. Gli Atleti sono ritenuti responsabili dell'assunzione di qualsiasi sostanza vietata, nonché dei relativi metaboliti o marker rinvenuti nei loro campioni biologici. Pertanto, per l'accertamento di una violazione antidoping ai sensi del precedente punto 1.2. non è indispensabile dimostrare che vi sia stato dolo, colpa, negligenza o uso consapevole da parte dell'atleta.

1.2.2. Fatta eccezione per le sostanze per cui la Lista delle sostanze vietate e dei metodi proibiti ("*Lista*") stabilisce un quantitativo limite, la presenza di una sostanza vietata o dei suoi metaboliti o marker nel campione biologico di un atleta costituisce di per sé una violazione del *Regolamento*.

1.2.3. In deroga al principio generale stabilito al precedente punto 1.2.2., la *Lista* può definire alcuni criteri specifici per valutare le sostanze vietate che possono essere prodotte anche per via endogena.

1.3. Uso o tentato uso di una sostanza vietata o di un metodo proibito.

1.3.1. Il successo o il fallimento dell'uso di una sostanza vietata o di un metodo proibito non costituisce un elemento essenziale: è sufficiente che la sostanza vietata o il metodo proibito siano stati usati, o si sia tentato di usarli, per commettere una violazione del *Regolamento*.

1.4. Il rifiuto o l'omissione, senza giustificato motivo, di sottoporsi al prelievo dei campioni biologici, previa notifica in conformità con il vigente *Regolamento*, o il sottrarsi in altro modo al prelievo dei campioni biologici.

1.5. La violazione, senza giustificato motivo, delle condizioni previste per gli Atleti che devono sottoporsi ai test fuori competizione, inclusa l'omessa comunicazione di

informazioni utili per la loro reperibilità e la conseguente mancata esecuzione di test richiesti in conformità con le norme vigenti.
A tal fine gli Atleti sono tenuti a fornire ed aggiornare le informazioni per la loro reperibilità in modo che possano essere contattati per i test senza preavviso fuori competizione, dandone tempestiva comunicazione alla Federazione Sportiva Nazionale (F.S.N.) o Disciplina Sportiva Associata (D.S.A.), di appartenenza.

1.6. La manomissione o il tentativo di manomissione di una qualsiasi fase dei controlli antidoping.

1.7. Il possesso di sostanze vietate e la pratica di metodi proibiti.

1.7.1. Salvo l'uso terapeutico consentito in virtù del successivo art. 3.4. o ad altro giustificato motivo, il possesso da parte di un atleta in qualsiasi momento o luogo di una sostanza vietata nei test fuori competizione e/o la pratica di un metodo proibito.

1.7.2. Salvo l'uso terapeutico consentito in virtù del successivo art. 3.4. o ad altro giustificato motivo, il possesso - in relazione a un atleta, a una competizione o a un allenamento - da parte del personale di supporto degli Atleti in qualsiasi momento o luogo di una sostanza vietata nei test fuori competizione e/o la pratica di un metodo proibito.

1.8. Il traffico di sostanze vietate o di metodi proibiti.

1.9. La somministrazione di una sostanza vietata o la sua tentata somministrazione, il ricorso ad un metodo proibito o il suo tentativo, o altrimenti fornire assistenza, incoraggiamento e aiuto, istigare, dissimulare o assicurare complicità in altra forma all'atleta in riferimento a una violazione o tentata violazione del *Regolamento*.
Costituisce aggravante se il fatto è commesso da chi esercita la professione medica, farmaceutica o connessa.

1.10. L'accertamento di un fatto di doping, l'acquisizione di una notizia relativa ad un fatto di doping, la violazione della legge 376/2000, comporta l'attivazione di un procedimento disciplinare e l'eventuale applicazione delle sanzioni stabilite dal Comitato Olimpico Nazionale Italiano (C.O.N.I.), dalle F.S.N., dalle D.S.A.

Art. 2
Prove del doping

2.1. Onere e grado della prova.
In attuazione delle disposizioni del Codice, il C.O.N.I., attraverso le strutture di cui al Titolo II del *Regolamento*, ha l'onere di stabilire se è stata commessa una violazione in materia di doping.

Quando l'onere della prova è affidato all'atleta o ad altra persona responsabile di una violazione del *Regolamento*, per confutare una presunzione di colpevolezza o stabilire determinati fatti o circostanze il grado della prova è basato sulla valutazione delle probabilità.

2.2. Metodi per accertare fatti e presunzioni.
I fatti correlati alle violazioni del *Regolamento* possono essere accertati con qualsiasi mezzo attendibile, inclusa l'ammissione di colpevolezza.
Nei casi di doping, risultanti dall'accertata presenza della sostanza vietata o dei suoi metaboliti o marker nel campione biologico dell'atleta, vengono applicate le seguenti regole di ammissibilità delle prove:

2.2.1. si presume che i laboratori accreditati dalla WADA abbiano condotto le procedure di analisi e conservazione dei campioni biologici conformemente agli appositi Standard internazionali nelle procedure di analisi e di conservazione dei campioni biologici. L'atleta può confutare tale assunto dimostrando che vi è stata una violazione degli Standard internazionali nelle procedure di analisi e di conservazione dei campioni biologici; in tale ipotesi, la struttura antidoping è tenuta a dimostrare che quanto sostenuto dall'atleta non ha inficiato il risultato analitico di positività;

2.2.2. l'inosservanza degli Standard internazionali nelle procedure di analisi e di conservazione dei campioni biologici o altra violazione del Regolamento non hanno rilievo se i risultati delle analisi sono negativi.

2.3. Nei casi previsti al precedente art. 1, punti 4 e 5, la prova è implicita nel rifiuto o nell'omissione o nella violazione.

Art. 3
Lista delle sostanze vietate e dei metodi proibiti

3.1. La WADA pubblica nel proprio sito web la versione più recente della *Lista*.
La Lista ed i suoi aggiornamenti – di cui la Giunta Nazionale prenderà atto, senza che si rendano necessari ulteriori interventi da parte del C.O.N.I. - entrano in vigore secondo le modalità indicate dalla WADA.
La WADA annualmente pubblica di norma nel mese di gennaio una nuova Lista.
E' fatto obbligo alle F.S.N. e le D.S.A. recepire la *Lista* nei propri regolamenti e provvedere agli atti necessari per la massima divulgazione agli affiliati.
La *Lista* trova comunque applicazione anche nel caso in cui le F.S.N. o le D.S.A. non abbiano provveduto a compiere gli atti formali di adozione.

3.2. Sostanze vietate e metodi proibiti secondo la *Lista*.
La *Lista* comprende:
- sostanze vietate e metodi proibiti in competizione;
- sostanze vietate e metodi proibiti in e fuori competizione.

Su raccomandazione di una Federazione Internazionale, la *Lista* può essere integrata dalla WADA in funzione di una determinata disciplina sportiva.
La Lista può identificare delle sostanze specifiche che siano particolarmente suscettibili di violazioni non intenzionali delle norme antidoping, a causa della loro larga diffusione nei prodotti medicinali ovvero di un loro utilizzo con scarsa probabilità di successo come agenti dopanti.

3.3. Criteri per l'inclusione di sostanze e di metodi nella *Lista*
L'inclusione di sostanze vietate e di metodi proibiti nella *Lista* è demandata alla WADA ai sensi dell'art. 4.3. del Codice.

3.4. Uso terapeutico
A norma degli Standard Internazionali per l'esenzione a fini terapeutici, nell'ambito della Commissione Medico–Scientifica Antidoping del C.O.N.I., è istituito il Comitato per l'esenzione a fini terapeutici ("CEFT"), regolato da un apposito disciplinare deliberato dalla Giunta Nazionale del C.O.N.I., che forma parte integrante del presente Regolamento.
Il CEFT esamina le richieste di esenzione a fini terapeutici ("TUEs") degli Atleti in conformità con gli Standard Internazionali.

3.5. Programma di monitoraggio
La WADA, di concerto con gli altri Firmatari e i Governi, istituisce un programma di monitoraggio delle sostanze che non sono inserite nella *Lista*, per accertarne eventuali usi impropri in ambito sportivo.
La WADA provvede a rendere pubblico, prima dell'esecuzione dei test, l'elenco delle sostanze che sono monitorate.
I laboratori si impegnano a riferire con regolarità alla WADA, i casi di uso denunciato o riscontro accertato di tali sostanze, aggregando i dati per disciplina sportiva e specificando se i campioni biologici sono stati raccolti durante o fuori competizione. Tali dati non devono contenere ulteriori informazioni su campioni specifici.
La WADA fornisce al Coordinamento, di norma annualmente, le informazioni statistiche aggregate per disciplina sportiva riguardanti le sostanze aggiuntive, garantendo l'anonimato dei singoli Atleti in riferimento a tali dati. L'uso denunciato o il riscontro accertato delle sostanze monitorate non costituiscono una violazione del *Regolamento*.
Il Coordinamento si attiva per la diffusione di tali informazioni presso le F.S.N. e le D.S.A.

TITOLO II
STRUTTURE PREPOSTE ALL'ATTIVITÀ ANTIDOPING

Art. 4
Giudice di ultima istanza in materia di doping
(*G.U.I.*)

4.1. Al fine di perseguire l'obiettivo della maggiore omogeneità possibile delle decisioni dei Giudici sportivi in materia di doping - esperiti i gradi di giustizia sportiva federale e ferma restando la competenza del Tribunale Arbitrale Sportivo di Losanna ("T.A.S.") a norma del Codice WADA - è possibile ricorrere al Giudice di ultima istanza in materia di doping ("G.U.I."), istituito presso il C.O.N.I.

4.2. Il G.U.I. è composto da un Presidente e da quattro membri ordinari, di cui uno con incarico di Vice Presidente. Per i soli procedimenti di appello avverso i rifiuti del CEFT in materia di TUEs, il G.U.I. è integrato da ulteriori quattro componenti - tre medici ed un atleta, designato dalla Commissione Nazionale Atleti del C.O.N.I. Il Presidente ed i componenti del G.U.I. sono nominati, su proposta della Giunta Nazionale, dal Consiglio Nazionale del C.O.N.I. Il Presidente e i componenti ordinari debbono essere magistrati anche a riposo, delle giurisdizioni superiori ordinaria ed amministrativa, professori universitari in materie giuridiche od avvocati patrocinanti avanti le supreme Corti. Nelle funzioni di segreteria il G.U.I. è supportato dal Coordinamento.

4.3. Il G.U.I. giudica con la presenza del Presidente o del Vice Presidente e di almeno due componenti. Per i soli procedimenti di appello avverso i rifiuti del CEFT in materia di TUEs, il G.U.I. giudica con la presenza del Presidente o del Vice Presidente e di almeno quattro componenti, due ordinari e due medici.

4.4. Il G.U.I. per l'esercizio delle proprie funzioni può chiedere – per il tramite del Coordinamento - di avvalersi della collaborazione di funzionari, tecnici, consulenti esterni e mezzi del C.O.N.I. e dotarsi di un disciplinare di funzionamento interno. Tale disciplinare ed eventuali successive modificazioni, di cui la Giunta Nazionale del C.O.N.I. prende atto, forma parte integrante del presente Regolamento.

4.5. I procedimenti dinanzi al G.U.I. sono disciplinati a norma del successivo art. 20 del presente Regolamento.

Art. 5
Commissione Antidoping
(*C.A.*)

5.1. Presso il C.O.N.I. e' istituita la Commissione Antidoping ("*C.A.*"), composta da un Presidente, da un Segretario e da un massimo di cinque membri, di cui un medico.

Nell'ambito della C.A., è istituito il Comitato per i controlli antidoping ("C.C.A."), costituito da un Presidente, un Segretario e da un massimo di cinque componenti, regolato da un apposito disciplinare deliberato dalla Giunta Nazionale del C.O.N.I., che forma parte integrante del presente Regolamento.

5.2. Il Coordinamento , al fine di contribuire alla promozione delle iniziative rivolte alla lotta contro il doping nello sport, attraverso la C.A.:

a) elabora progetti educativi e di informazione e formazione derivanti da studi sui rischi connessi con la pratica del doping, per consentire una efficace opera di dissuasione degli Atleti all'uso di sostanze vietate e metodi proibiti;

b) assume iniziative dirette ad acquisire elementi conoscitivi ed a formulare proposte per una più incisiva repressione del fenomeno del doping nello sport, avvalendosi anche della collaborazione del C.O.N.I., delle F.S.N. e delle D.S.A.;

c) procede alla ricognizione delle regole antidoping emanate dalla WADA, dal C.O.N.I., dalle F.S.N. e dalle D.S.A. esprimendo per queste ultime parere di conformità ed effettua specifici studi giuridici sulle normative vigenti in materia di doping, anche al fine di formulare proposte;

d) effettua il monitoraggio sui programmi di attività antidoping disposti dalle F.S.N. e dalle D.S.A..

Il C.C.A., nel rispetto degli Standard Internazionali:

e) pianifica e attua in piena autonomia i controlli antidoping durante e fuori le competizioni, con o senza preavviso, da effettuarsi di norma tramite la F.M.S.I., avvalendosi pure della collaborazione delle F.S.N. e D.S.A., nei limiti numerici previsti dal C.O.N.I., anche d'intesa con la Commissione ministeriale di cui alla legge 376/2000;

f) dispone controlli antidoping di propria iniziativa, su specifica richiesta del C.O.N.I., dell'Ufficio di Procura Antidoping, delle F.S.N., delle D.S.A., in attuazione della Convenzione di Strasburgo ovvero del Programma mondiale Antidoping WADA, da effettuarsi di norma tramite la F.M.S.I.

g) può accedere senza alcuna necessità di preavviso nei locali adibiti al controllo antidoping per assistere a tutte le fasi della sessione dei prelievi.

5.3. Fermo restando quanto previsto al precedente art. 5.2. lettera f), il C.C.A. individua direttamente i nominativi degli Atleti da sottoporre a controllo antidoping a che possono essere disposti in occasione di gare nazionali, di allenamenti, di raduni, nonché al di fuori degli stessi, anche su convocazione, per il tramite del Coordinamento.

5.4. Per i controlli su convocazione il C.C.A. può avvalersi della collaborazione della F.S.N. e della D.S.A.
Il C.C.A., tramite telegramma, invia all'atleta e alla F.S.N. o D.S.A. di appartenenza la convocazione per l'effettuazione del prelievo, che deve pervenire almeno ventiquattro ore prima dell'ora fissata per il prelievo stesso.
E' fatto carico alla F.S.N. o D.S.A. verificare presso l'atleta l'avvenuta notifica della convocazione.

L'Ispettore Medico incaricato per il controllo deve segnalare all'Ufficio di Procura Antidoping l'eventuale mancata presenza dell'atleta ai fini dell'attivazione del procedimento di indagine, avendo cura di informarne contestualmente il Coordinamento.

5.5. Il C.C.A. può, nei casi in cui lo ritenga opportuno, non prendere alcun accordo preventivo con l'atleta e predisporre senza preavviso l'invio di un Ispettore Medico nel luogo di svolgimento della gara o dell'allenamento, o in qualunque altro luogo in cui l'atleta sia reperibile. In tale ipotesi, l'Ispettore Medico deve dare comunicazione prioritariamente all'atleta o chi ne esercita la potestà genitoriale, e concedere il tempo ragionevole per portare a termine l'attività nella quale è in quel momento impegnato.
In ogni caso il controllo deve avere inizio entro un'ora dalla sua notifica, fatta eccezione per le seguenti ipotesi che ne possono giustificare il ritardo – premiazione, interviste già programmate, altre competizioni nei sessanta minuti, defaticamento, controlli medici, ricerca del rappresentante e/o dell'interprete; in ogni caso l'atleta è tenuto sotto costante osservazione visiva dall'Ispettore Medico, o da persona da lui designata, ed il ritardo può essere dichiarato soltanto dopo il trascorrere di ulteriori trenta minuti. A suo insindacabile giudizio l'Ispettore Medico può rigettare il differimento del controllo ove non sia possibile la continua osservazione visiva dell'atleta.

5.6. Le F.S.N. e le D.S.A. sono tenute a fornire al C.C.A., per il tramite del Coordinamento, con la massima tempestività e precisione ogni informazione ritenuta utile, ed in particolare:

a) i nominativi dei componenti della Commissione federale antidoping ed il nome di un referente federale (e degli eventuali sostituti) incaricato di mantenere i rapporti con il C.C.A. e il Coordinamento. Tale figura è da ricercarsi nell'ambito della struttura amministrativa federale (Segretario Generale o funzionario da questi delegato);

b) i calendari dell'attività agonistica nazionale ed internazionale e, per gli sport di squadra, anche i calendari dei campionati delle diverse serie e/o categorie, ed ogni variazione degli stessi che intervenga nel corso dell'anno ;

c) i calendari dei raduni e degli allenamenti previsti in Italia e all'estero per gli Atleti italiani di interesse nazionale e ogni loro variazione che intervenga nel corso dell'anno;

d) l'elenco degli Atleti di livello nazionale e di livello internazionale (con specifica di quelli di interesse olimpico e/o selezionati per le rappresentative nazionali ai sensi dell'art. 31 dello Statuto CONI) corredato dagli indirizzi, dai numeri di telefono dell'atleta e della Società di appartenenza, nonché dal piano di attività. Gli Atleti inseriti in tale elenco sono tenuti a fornire tempestivamente precise e aggiornate informazioni in ordine alla loro reperibilità. Tali informazioni sono tenute rigorosamente riservate ed utilizzate esclusivamente per la pianificazione, il coordinamento e la conduzione dei test e distrutte quando non si rendono più necessarie per tali fini.
Di quanto sopra la WADA viene debitamente informata a cura del Coordinamento.

5.7. Il mancato rispetto di quanto disciplinato al precedente punto 6, previa diffida e decorso il termine di sei giorni, è oggetto di segnalazione alla Giunta Nazionale del C.O.N.I. da parte del C.C.A., per il tramite del Coordinamento
La mancata effettuazione del controllo antidoping imputabile a responsabilità organizzativa della F.S.N. o D.S.A. interessate determina a carico di queste l'obbligo di rimborsare le spese sostenute per gli Ispettori Medici incaricati del controllo.
Il mancato controllo per fatti oggettivi non imputabili a responsabilità personali determina la reiterazione del controllo stesso da effettuarsi nel più breve tempo possibile.

5.8. Il C.C.A. per l'esercizio delle proprie funzioni può chiedere - per il tramite del Coordinamento- di avvalersi della collaborazione di funzionari, tecnici, consulenti esterni e mezzi del C.O.N.I.

5.9. La *C.A.* ed il C.C.A. operano sulla base di un disciplinare interno di funzionamento che definisce, tra l'altro, criteri, modalità, condizioni e procedure per l'effettuazione dei controlli antidoping, in conformità a quanto stabilito dagli Standard Internazionali per i controlli. Tale disciplinare ed eventuali successive modificazioni, di cui la Giunta Nazionale del C.O.N.I. prende atto, forma parte integrante del presente Regolamento.
La *C.A.* può disporre la costituzione di gruppi di lavoro interni per l'espletamento di specifiche incombenze.

Art. 6
Commissione Medico- Scientifica Antidoping
(*C.S.A.*)

6.1. Presso il C.O.N.I. è istituita la Commissione Medico-Scientifica Antidoping ("*C.S.A.*") in posizione di piena autonomia. La *C.S.A* è composta da un Presidente, da un Segretario e da un massimo di nove membri, di cui otto scelti tra esponenti di diverse discipline scientifiche ed uno designato dalla Commissione Nazionale Atleti del C.O.N.I.

6.2. La *C.S.A*:

a) svolge direttamente e/o commissiona ricerca scientifica ed indagini di carattere medico, analitico, psicologico negli ambiti e nei campi che richiedono approfondimenti e/o nuovi elementi di conoscenza. A tal fine definisce i protocolli di ricerca, individua le modalità operative, valuta i progetti e formula le proposte di finanziamento, provvedendo infine a diffonderne i risultati;

b) svolge attività educativo-didattica, producendo testi e documenti a carattere scientifico con l'obiettivo di informare e formare i destinatari degli stessi, interni ed esterni al mondo sportivo;

c) agisce da osservatorio della ricerca e della letteratura antidoping, con lo scopo specifico di informarsi dettagliatamente su quanto accade nel mondo sul

fenomeno del doping nello sport e delle iniziative intraprese a salvaguardia della salute degli Atleti;

d) svolge azione di supporto, consulenza, garante e controllo, in tutti i casi in cui il C.O.N.I. intraprende iniziative ricollegabili alla ricerca scientifica in materia di lotta al doping e di tutela della salute degli Atleti;

e) sviluppa, nel quadro degli accordi tra il C.O.N.I. e il Ministero della Salute e per il tramite del Coordinamento, rapporti di collaborazione anche con il Dipartimento Valutazione Farmaci e Farmacovigilanza, con l'Istituto Superiore di Sanità, con i Dipartimenti universitari, nell'ottica di un'azione coordinata e congiunta contro il doping e l'abuso, in genere, dei farmaci nello sport;

f) propone alla Giunta Nazionale del C.O.N.I. - tramite il Coordinamento- campagne di prevenzione e di sensibilizzazione per la tutela della salute degli Atleti nonché sull'uso e l'abuso dei farmaci nello sport, curandone l'attuazione anche in collaborazione con altre Istituzioni e partners italiani e stranieri;

h) esprime pareri e valutazioni su questioni scientifiche inerenti alla materia del doping su richiesta del C.O.N.I., delle F.S.N. e delle D.S.A.

~~a)~~ 6.3. Il Presidente della C.S.A. presiede il CEFT, composto e regolato dal disciplinare di cui all'art. 3.4 del presente Regolamento, ed individua la composizione dello stesso, da sottoporre all'approvazione della Giunta Nazionale del CONI, in conformità alle disposizioni di cui all'art. 6 degli Standard Internazionali per l'esenzione ai fini terapeutici.

Art. 7
Ufficio di Procura Antidoping
(*U.P.A.*)

7.1. Presso il C.O.N.I. è istituito l'Ufficio di Procura Antidoping ("*U.P.A.*"), composto da un Procuratore Capo, da un Segretario e da un massimo di otto Procuratori.
L'*U.P.A* agisce in posizione di piena autonomia ed è competente in via esclusiva a compiere tutti gli atti necessari per l'accertamento delle responsabilità di tesserati alle F.S.N. o alle D.S.A. che abbiano posto in essere un qualunque comportamento vietato dal *Regolamento*.
E' altresì legittimata a richiedere, qualora soggetti non tesserati abbiano posto in essere un qualunque comportamento vietato dal *Regolamento*, provvedimenti cautelativi, anche al fine di impedire reiterazioni.

7.2. L'*U.P.A* è competente ad indagare:

a) sull'uso di sostanze vietate e sul ricorso a metodi proibiti da parte dell'atleta;

b) sul traffico, sul procacciamento, sulla vendita, sulla cessione e sul possesso di sostanze doping;

c) sull'istigazione, anche se non accolta, sull'accordo, anche se non realizzato, per fare uso di qualsiasi sostanza vietata o metodo proibito:

d) sulle violazioni accertate e segnalate in applicazione della legge 376/2000;

e) sul rifiuto o l'omissione di sottoporsi a prelievo antidoping senza giustificato motivo o il sottrarsi in altro modo.

7.3. Il Procuratore Capo coordina l'attività dell'*U.P.A*, detta le opportune disposizioni ed effettua i procedimenti di indagine in prima persona, insieme ad uno o più Procuratori o assegnandoli ad uno o più di loro.
I Procuratori designati conducono l'indagine e per il tramite del Segretario curano gli adempimenti ad essa connessi.
Il Procuratore Capo, anche su proposta del Procuratore titolare delle indagini, può delegare la Procura federale ad effettuare per conto dell'*U.P.A* singoli atti ispettivi nell'ambito di un procedimento di indagine e/o a rappresentarlo nel procedimento avanti i competenti Organi di giustizia federali.

7.4. L'*U.P.A* inoltre :

a) ha facoltà di chiedere alle F.S.N. e alle D.S.A. ogni documento ritenuto necessario ai fini delle indagini ed inoltre, per il tramite del Coordinamento, di avvalersi dell'ausilio di funzionari, tecnici e mezzi del C.O.N.I., ovvero di consulenti esterni;

b) può accedere senza alcuna necessità di preavviso nei locali adibiti al controllo antidoping per assistere a tutte le fasi della sessione dei prelievi;

c) provvede a segnalare alle Procure della Repubblica competenti e/o alle Autorità amministrative e agli Ordini professionali le fattispecie ritenute penalmente rilevanti ovvero di loro interesse a norma di legge, di cui acquisisce conoscenza, dandone contestuale comunicazione al *Coordinamento*;

d) può richiedere alla *C.S.A.* – per il tramite del *Coordinamento* - pareri, valutazioni e assistenza per fatti attinenti alle indagini;

e) può sollecitare al *C.C.A.* – per il tramite del Coordinamento - la predisposizione di controlli in caso di ritenuta necessità o utilità;

f) conduce eventuali ulteriori indagini richieste dalle vigenti normative antidoping o comunque ritenute appropriate dal C.O.N.I.;

g) notifica immediatamente ai soggetti interessati la norma antidoping apparentemente violata, dandone contestuale comunicazione al *Coordinamento*.

Art. 8
Comitato Etico
(*C.E.*)

8.1. Presso il C.O.N.I. è istituito il Comitato Etico ("*C.E.*"), composto da un Presidente, da un Segretario e da un massimo di sei membri, di cui uno designato dalla *C.S.A.* ed uno dalla Commissione Nazionale Atleti del C.O.N.I..
Il *C.E.* opera in posizione di piena autonomia e indipendenza quale Organo di consulenza delle strutture antidoping previste nel *Regolamento*.

Il *C.E.* è costituito con riferimento alle disposizioni di cui al D.M. 15 luglio 1997, n. 162, e successive modifiche e/o integrazioni.

8.2. Il *C.E.* svolge la propria funzione di consulenza sulla obbligatoria proposizione di studi scientifici, esprimendo giudizio di idoneità riguardo gli aspetti etici, comportamentali, sociologici e metodologici delle ricerche.
Il *C.E.* esplica la conseguente attività di controllo sulla progressione del metodo in atto, dei risultati e delle conclusioni.

8.3. Per specifiche e motivate esigenze il *C.E.* può cooptare componenti esterni con competenza nella specifica materia da trattare, i quali parteciperanno esclusivamente ai lavori che ne hanno motivato la cooptazione.

8.4. Le F.S.N. e le D.S.A. possono avvalersi della consulenza del *C.E.* per studi riconducibili alla materia di cui al precedente punto 2. In tali ipotesi il *C.E.* esprime giudizio di idoneità, esplicando la conseguente attività di controllo sulla progressione del metodo in atto, dei risultati e delle conclusioni.

8.5. Il *C.E.* opera sulla base di un proprio regolamento interno di funzionamento che definisce protocolli, modalità, condizioni e procedure di propria competenza.
Tale regolamento ed eventuali successive modificazioni, di cui la Giunta Nazionale del C.O.N.I. prende atto, viene tempestivamente trasmesso per conoscenza alle F.S.N. e alle D.S.A. a cura del Coordinamento

Art. 9
Coordinamento Attività Antidoping

9.1. Il C.O.N.I. ha il potere di elaborare ed applicare ogni adeguato provvedimento di propria competenza per la lotta contro il doping, in conformità a quanto previsto dalla Convenzione contro il doping, con appendice, fatta a Strasburgo il 16 novembre 1989, ratificata ai sensi della legge 29 novembre 1995, n. 522, nonché dal decreto legislativo 23 luglio 1999, n. 242 e successive modifiche e integrazioni, Il C.O.N.I., a mezzo del *Coordinamento*, svolge l'attività antidoping in attuazione delle normative proprie e della WADA, anche nel rispetto e in armonia con la legge 376/2000.

In particolare il *Coordinamento*:

a) svolge attività di pianificazione generale e di coordinamento, anche dei servizi logistici e amministrativi comuni alle strutture antidoping del C.O.N.I., nonché con le F.S.N. e le D.S.A. sulla specifica materia;

b) supporta il C.C.A. nella specifica attività riguardante l'effettuazione dei controlli, tenuto anche conto dei controlli disposti dalla Commissione di cui alla legge 376/2000;

c) riceve le comunicazioni di positività del campione A di norma tramite la F.M.S.I. e attiva la procedura di abbinamento codice/nome per l'accertamento dell'identità dell'atleta;

d) provvede alle comunicazioni di rito ai fini dell'attività di competenza delle F.S.N. e delle D.S.A., dell'U.P.A., nonché dell'Ufficio Comunicazione e Rapporti con i Media;

e) predispone almeno annualmente una relazione statistica generale sulle attività di controllo antidoping portandone a conoscenza la Giunta Nazionale del C.O.N.I. e la WADA;

f) attua progetti educativi e di informazione e formazione, derivanti da studi sui rischi connessi con la pratica del doping, forniti dalle strutture antidoping di cui al presente Titolo, per consentire una efficace opera di dissuasione degli Atleti all'uso di sostanze vietate e metodi proibiti;

g) intrattiene rapporti con la WADA e gli altri Enti sulla specifica materia;

h) chiede pareri alle strutture antidoping del Regolamento negli ambiti di competenza;

i) può accedere senza alcuna necessità di preavviso nei locali adibiti al controllo antidoping per assistere a tutte le fasi della sessione dei prelievi

l) propone alla Giunta Nazionale del C.O.N.I. l'annuale Piano di distribuzione dei Controlli Nazionale (TDP), comprensivo del numero minimo di controlli messi a disposizione del C.C.A. ed i nominativi dei Segretari componenti le strutture antidoping del CONI, individuati tra il personale assegnato al Coordinamento;

m) supporta le strutture antidoping del C.O.N.I., nelle funzioni di Segreteria.

9.2. Il *Coordinamento* dispone delle risorse necessarie per il funzionamento delle strutture operanti nell'ambito dell'attività antidoping del C.O.N.I. e per dare pratica attuazione ad ogni iniziativa.
Adotta misure idonee affinché i risultati delle ricerche avviate dagli Organismi antidoping non siano utilizzati impropriamente. Detti risultati saranno comunicati alla WADA, previa presa d'atto da parte della Giunta Nazionale del C.O.N.I.

9.3. Il *Coordinamento* relaziona di volta in volta alla Giunta Nazionale del C.O.N.I. sulle positività riscontrate, sui provvedimenti disciplinari adottati dall'*U.P.A.*, sull'andamento dei procedimenti disciplinari, nonché sulle sanzioni comminate dagli Organi di giustizia federali e su quant'altro possa riguardare la specifica materia, ricevendo ogni utile informazione dalle strutture antidoping di cui al presente Titolo.

Art. 10
Federazione Medico Sportiva Italiana
(F.M.S.I.)

10.1. La fase esecutiva dei controlli antidoping è affidata di norma dal C.O.N.I. alla Federazione Medico Sportiva Italiana ("F.M.S.I."), che ha l'incarico di designare gli Ispettori Medici – che assumono la qualifica prevista da WADA di funzionari responsabili del controllo antidoping - per le operazioni di prelievo e di assicurare le connesse formalità, nel rispetto delle disposizioni del presente Regolamento.

Laddove esigenze organizzative lo richiedano, la F.M.S.I. può designare più di un Ispettore Medico. I designati devono sottoscrivere il verbale di prelievo antidoping, nonché la modulistica adottata dal CONI sulla base delle indicazioni della WADA, e sono tutti responsabili per quanto attiene il rispetto delle procedure.
Ai soli fini didattici, la F.M.S.I. ha facoltà di far assistere un medico tesserato alle operazioni di controllo antidoping, sotto la diretta ed esclusiva responsabilità dell'Ispettore Medico designato.

10.2. Le analisi sono effettuate esclusivamente presso laboratori antidoping nazionali ed esteri accreditati o approvati dalla WADA, come da tabella allegata.

10.3. Ai fini dell'attuazione dei compiti di cui al precedente punto 1, la F.M.S.I. forma e aggiorna gli Ispettori Medici, per l'inserimento in un apposito albo deliberato dalla Giunta Nazionale del C.O.N.I., predisponendo ed organizzando adeguati corsi nel rispetto della normativa prevista negli specifici Standard internazionali.
La F.M.S.I. ha facoltà di incaricare Supervisori medici federali con lo scopo di esaminare l'operato dei propri Ispettori.
Qualora l'Ispettore Medico designato per le operazioni antidoping fosse assente per causa di forza maggiore, le sue funzioni sono espletate dal Supervisore presente.

10.4. I Medici federali ed i Medici delle società sportive, la cui attività è disciplinata dalle norme adottate dal C.O.N.I. e dalle F.S.N. e D.S.A., devono essere tesserati per la F.M.S.I.. La F.M.S.I. cura l'aggiornamento dei Medici, ai fini della prevenzione e repressione del fenomeno del doping.

10.5. La F.M.S.I. è responsabile dei procedimenti disciplinari, attivati dall'U.P.A., per le violazioni delle norme antidoping da parte di Medici.

Art. 11
Incompatibilità, durata e decadenza

11.1. L'incarico di componente del Giudice di ultima istanza in materia di doping, della Commissione Antidoping, del Comitato per i Controlli Antidoping, dell'Ufficio di Procura Antidoping e del Comitato Etico è incompatibile con incarichi o cariche rivestite in seno a Federazioni Sportive Nazionali, Discipline Associate e Società sportive.
La condizione di incompatibilità deve essere comunicata dall'interessato al Presidente del C.O.N.I., tramite il *Coordinamento*, entro trenta giorni dal suo insorgere, con l'opzione per l'uno o l'altro incarico.
In mancanza, l'incarico conferito ai sensi del *Regolamento* decade automaticamente.

11.2. I componenti delle strutture antidoping del C.O.N.I non possono in alcun caso – direttamente o indirettamente – assumere la difesa e/o assistere nelle fasi di accertamento e disciplinari i tesserati incolpati per fatti di doping, nonché assumere

incarichi di consulenza relativi a tali fatti, pena l'immediata decadenza dall'incarico conferito ai sensi del *Regolamento*.

11.3. I componenti delle strutture antidoping restano in carica per la durata del quadriennio olimpico e possono essere rinominati. In caso di decadenza degli Organi istituzionali del C.O.N.I., le predette strutture antidoping continuano ad esercitare le proprie funzioni fino alla loro ricostituzione. I componenti che non esercitano le funzioni a loro assegnate, senza giustificato motivo, per più di tre sedute decadano dall'incarico con le stesse modalità previste per la nomina.

11.4. La carica ricoperta in seno alle strutture antidoping del C.O.N.I. è gratuita; è attribuito un gettone di presenza, avente sostanziale natura di rimborso spese, per ogni riunione o seduta di lavoro a cui ciascun componente delle strutture antidoping partecipi.

11.5 Le F.S.N. e le D.S.A. possono prevedere nei regolamenti federali, qualora intendano istituire Commissioni Federali Antidoping ("C.F.A."), allo scopo di garantire un'efficace ed efficiente attuazione dei provvedimenti adottati dal C.O.N.I. per la lotta contro il doping, ulteriori incompatibilità, rispetto a quelle sancite dal presente articolo. Le Commissioni Antidoping Federali devono prevedere un membro Medico, iscritto alla F.M.S.I. Le F.S.N. e le D.S.A. che non istituiscono C.F.A. nominano un Medico federale responsabile dell'interazione con le strutture preposte all'attività antidoping di cui al presente Titolo.

11.6 Ciascuna F.S.N. o D.S.A. è tenuta a coadiuvare il C.O.N.I. nell'individuazione e nell'aggiornamento del Gruppo registrato degli Atleti per i controlli ("RTP"), nonché nelle comunicazioni di rito. Le F.S.N., le D.S.A., le Società Sportive e gli Atleti devono fornire al C.O.N.I. i seguenti dati minimi sui luoghi di permanenza degli Atleti ("whereabouts information") previsti dalla WADA:

- nome;
- sport/disciplina,
- indirizzo di casa,
- numeri telefonici da contattare;
- orari e sedi di allenamento;
- stage di allenamento;
- itinerari di viaggio;
- programma di gara;
- disabilità, ove necessario, incluso la necessità di coinvolgere eventuali terzi nel processo di notifica.

TITOLO III
NORME PROCEDURALI PER L'EFFETTUAZIONE DEI CONTROLLI

Di seguito vengono indicate le operazioni riguardanti le procedure per i controlli sia sulle urine sia sul sangue nel rispetto di quanto stabilito dallo Standard internazionale.

Art. 12
Programma dei controlli antidoping

12.1. Il C.O.N.I. presiede, cura e coordina l'organizzazione delle attività sportive sul territorio nazionale e, anche al fine di garantire il regolare e corretto svolgimento delle gare, delle competizioni, dei campionati, nonché la salute degli Atleti, previene e reprime l'uso di sostanze o di metodi che alterano le naturali prestazioni fisiche degli Atleti nelle attività agonistico-sportive. A tal fine la Giunta Nazionale del C.O.N.I. delibera annualmente il TDP., affidando la pianificazione ed attuazione dei controlli al C.C.A., a norma dell'articolo 5.

12.2. Nell'esercizio delle attività a valenza pubblicistica di cui al precedente punto 1, ciascuna Federazione Sportiva Nazionale e Disciplina Associata si conforma agli indirizzi ed ai controlli del C.O.N.I., collaborando alla pianificazione ed alla attuazione del TDP, anche in armonia con le iniziative assunte dalla Commissione di cui alla legge 376/2000.
Ferma restando la competenza esclusiva del C.C.A. nella pianificazione ed attuazione dei controlli, sino al 31 dicembre 2005 la realizzazione del TDP o di altre attività antidoping approvati dal C.O.N.I. può continuare ad essere regolata da apposite convenzioni ancora vigenti con la F.M.S.I.

12.3. In caso di constatato inadempimento alle disposizioni di cui al precedente punto 2, il *Coordinamento* relaziona tempestivamente la Giunta Nazionale del C.O.N.I. per i provvedimenti di competenza.

12.4. La Giunta Nazionale del C.O.N.I. approva nel rispetto degli Standard internazionali i protocolli necessari per l'effettuazione dei controlli antidoping e per l'individuazione dei campioni biologici da prelevare, che devono essere allegati al presente Regolamento.

12.5. Gli Atleti italiani e stranieri tesserati per Società sportive affiliate alle F.S.N. ed alle D.S.A. con il loro tesseramento e/o rinnovo accettano le Norme sportive antidoping adottate dal C.O.N.I.-e le successive modifiche e/o integrazioni, assumendo l'obbligo di sottoporsi ai controlli ed ai prelievi di campioni biologici, in e fuori competizione, con o senza preavviso.

Art. 13
Controlli antidoping sulle urine

13.1. Per l'effettuazione dei controlli antidoping, salvo quanto previsto specificamente al successivo art. 14, la Società ospitante e/o l'Ente organizzatore sono tenuti a mettere a disposizione:
- un idoneo locale dotato di servizi igienici, nel quale individuare possibilmente una zona di attesa ed un vano per le operazioni di controllo, situato in prossimità degli spogliatoi;
- un tavolo con sedie;
- almeno due diversi tipi di bibite analcoliche, gasate e non, in contenitori ancora sigillati che saranno aperti dall'atleta o sotto la sua osservazione.

13.2. Gli Atleti, i Medici sociali, i massaggiatori, i tecnici, i dirigenti accompagnatori e le Società sono tenuti a prestare la massima collaborazione per il miglior espletamento delle procedure del controllo antidoping.

13.3. L'Ispettore Medico incaricato di effettuare il prelievo viene designato con lettera ufficiale a norma del precedente art. 10. Copia della lettera viene consegnata dall'Ispettore Medico ad un responsabile dell'organizzazione, il quale dovrà assicurargli l'ingresso nell'impianto con la propria autovettura per raggiungere il luogo più vicino al locale individuato per le operazioni di prelievo.

13.4. Nei controlli antidoping in competizione, il medico o il dirigente sociale devono consegnare all'Ispettore Medico designato, secondo quanto previsto dal Codice, dagli Standard Internazionali e dalla Lista approvati dalla WADA, nonché dal disciplinare di cui al precedente art. 3.4. del presente Regolamento, eventuali TUEs riguardanti esclusivamente gli Atleti da sottoporre al controllo. La dichiarazione di somministrazione o di assunzione a scopo terapeutico di prodotti contenenti sostanze vietate o per via non consentita non è comunque esimente da responsabilità, in carenza di TUES. In assenza del medico o del dirigente sociale, l'atleta provvede personalmente agli adempimenti di cui sopra.
Le certificazioni da produrre – di norma in triplice copia - sono allegate ai verbali di prelievo destinati al *Coordinamento*, alla F.S.N./D.S.A. e all'atleta. In mancanza di sufficienti copie devono essere privilegiate, nell'ordine, il *Coordinamento* e la F.S.N./D.S.A.

13.5. Nel locale adibito al controllo antidoping, il rappresentante della F.S.N./D.S.A. assume la qualifica di accompagnatore prevista dalla WADA, mentre l'Ispettore Medico effettua tutte le operazioni intestate al Funzionario responsabile dei controlli antidoping.
Possono essere sottoposti a controllo gli Atleti espulsi o ritiratisi nel corso della gara, anche per infortunio tale da non richiedere l'immediato ricovero ospedaliero.
La sessione dei prelievi viene condotta nel rispetto degli Standard Internazionali approvati dalla WADA.

13.6. Gli Atleti individuati devono recarsi senza ritardo e muniti di apposito documento di identificazione, anche federale, nel locale adibito al controllo antidoping ed in ogni caso il controllo deve avere inizio entro un'ora dalla sua notifica, fatta eccezione per le seguenti ipotesi che ne possono giustificare il ritardo:
- premiazione;
- interviste già programmate;
- altre competizioni nei sessanta minuti;
- defaticamento;
- controlli medici;
- ricerca del rappresentante e/o dell'interprete.

L'atleta è tenuto comunque sotto costante osservazione visiva dell'Ispettore Medico o di altra persona da lui designata, di norma colui che assume la qualifica di accompagnatore, ed il ritardo viene dichiarato soltanto dopo il trascorrere di ulteriori trenta minuti. A suo insindacabile giudizio l'Ispettore Medico può rigettare il differimento del controllo ove non sia possibile la continua osservazione visiva dell'atleta.
La mancata presenza al controllo e/o comportamenti elusivi sono considerati come rifiuto del controllo stesso e sono puniti secondo quanto previsto al successivo art. 19.4.1. Tali circostanze devono essere segnalate tempestivamente dall'Ispettore Medico all'U.P.A. e al *Coordinamento*.
L'Ispettore Medico, d'intesa con il rappresentante della F.S.N. o della D.S.A. se presenti, accerta che le operazioni di prelievo siano predisposte in maniera tale da garantirne la regolarità con il minor disagio possibile per gli Atleti, ai quali deve essere illustrata la procedura per la raccolta del campione.
Durante le operazioni di prelievo non possono essere eseguite riprese audio o video di alcun genere.

13.7. Gli Atleti, dei quali l'Ispettore Medico accerta l'identità, rimangono nel locale adibito al controllo antidoping fino ad avvenuto prelievo del campione ed alla conclusione delle connesse operazioni.
Per ciascun atleta le operazioni si intendono concluse con la sigillatura dei propri flaconi, contenitori e borsette termiche (se previste).
Viene sottoposto al prelievo del campione biologico un atleta alla volta.
Ciascun atleta sceglie il kit per il prelievo antidoping tra quelli messi al momento a sua disposizione dall'Ispettore Medico, verificandone l'integrità.
Il kit risulta costituito da:
- un recipiente per la raccolta dell'urina;
- un flacone contrassegnato con la lettera A;
- un flacone contrassegnato con la lettera B.

13.8. Oltre agli Ispettori Medici ed agli Atleti designati, nel locale possono essere presenti esclusivamente:
- il medico della Società o dell'atleta (in sua assenza il dirigente accompagnatore della Società);
- il rappresentante della F.S.N. o della D.S.A. interessate, che assume la qualifica di accompagnatore ai sensi della normativa WADA;

- l'interprete, se richiesto dall'atleta;
- i rappresentanti delle strutture antidoping del C.O.N.I.;
- il Supervisore medico federale ai sensi del precedente art. 10.3.

In caso di assenza del rappresentante federale, l'ufficiale di gara designato dalle F.S.N. o dalle D.S.A. si mette tempestivamente a disposizione dell'Ispettore Medico ai fini dell'identificazione degli Atleti durante la sessione dei prelievi.
La raccolta del campione di urina, nell'apposito recipiente, deve avvenire alla sola e costante presenza dell'Ispettore Medico, dello stesso sesso dell'atleta.
L'atleta deve rimanere nel locale fino alla produzione della quantità minima di 75 ml di urina (per la ricerca di Epo si rimanda al successivo art. 14).
Se la quantità prodotta dall'atleta è insufficiente, il campione incompleto viene chiuso dall'Ispettore Medico alla presenza dell'atleta in modo tale da impedirne qualsiasi manomissione. Ove l'attesa per il prelievo si protragga, l'Ispettore Medico a sua esclusiva discrezione può consentire all'atleta di fare la doccia e vestirsi, sempre sotto il suo controllo o quello di persona da lui incaricata.
Per consentire le operazioni di cui sopra l'atleta deve rimanere sempre a disposizione del personale autorizzato alle operazioni antidoping.
Il campione incompleto viene aperto dal medesimo Ispettore quando l'atleta è in grado di produrre l'ulteriore quantità di urina necessaria per completare l'operazione di prelievo.
Le operazioni di prelievo devono avvenire nel rispetto della procedura prevista dal kit utilizzato e comunque in modo tale da escludere qualsiasi possibilità di manomissione.
Il comportamento dell'atleta, che lascia il locale senza autorizzazione prima di aver completato le attività di prelievo, viene considerato come rifiuto e/o elusione del controllo e segnalato tempestivamente a cura dell'Ispettore Medico all'*U.P.A.* e al *Coordinamento*

13.9. Prodotta la quantità minima, l'atleta, alla costante presenza dell'Ispettore Medico, travasa l'urina dal recipiente ai flaconi A e B in modo che circa i 2/3 del volume originario siano immessi nel flacone A ed 1/3 nel flacone B, avendo cura di lasciare un residuo di liquido all'interno del recipiente utilizzato per il prelievo, sufficiente per consentire la determinazione del pH e della densità.
L'Ispettore Medico può, su richiesta dell'atleta, sostituirsi nella procedura appena descritta.
I flaconi A e B vengono chiusi e sigillati così come prescritto nella procedura di utilizzo del kit.

13.10. L'Ispettore Medico effettua la misura del pH e della densità utilizzando il residuo di urina appositamente lasciato nel recipiente per tale operazione: riporta quindi i valori sul verbale di prelievo antidoping ed elimina immediatamente quanto residua.
Il valore del pH deve essere compreso fra 5 e 7 e la densità uguale o superiore a 1.010.
Qualora il campione prelevato non rientri in uno di tali parametri, si dovrà procedere ad una sola ulteriore raccolta di urina con le modalità fin qui descritte. Le analisi sono effettuate su entrambi i campioni prelevati.

13.11. L'Ispettore Medico deve compilare per ciascun atleta sottoposto al controllo il verbale di prelievo antidoping, secondo il modello predisposto dal *Coordinamento*
Di tale verbale:

a) l'originale deve essere sottoscritto dall'Ispettore Medico e dall'atleta.
Se presenti all'intera procedura di prelievo, sottoscriveranno anche il medico della Società o dell'atleta (in sua assenza il dirigente accompagnatore della Società) e il rappresentante della F.S.N. o della D.S.A. interessate.
Tale originale deve essere inserito nell'apposita busta indirizzata ed inviata al *Coordinamento*, sempre a cura dell'Ispettore Medico.
Sull'esterno di tale busta devono essere riportati, a cura dell'Ispettore Medico, i riferimenti relativi alla F.S.N. o alla D.S.A. interessate, alla gara, alla località e alla data di svolgimento.
La busta conterrà inoltre le eventuali certificazioni previste al precedente punto 4;

b) la prima copia, con le medesime certificazioni di cui al richiamato punto 4, deve essere inserita nell'apposita busta indirizzata ed inviata alla F.S.N. o alla D.S.A. interessate, sempre a cura dell'Ispettore Medico. Al rappresentante federale, se presente, l'Ispettore Medico può consegnare tale busta per l'inoltro al competente ufficio federale.
Sull'esterno di tale busta devono essere riportati, a cura dell'Ispettore Medico, i riferimenti relativi alla F.S.N. o D.S.A. interessata, alla gara, alla località e alla data di svolgimento;

c) la seconda copia, con le medesime certificazioni di cui al richiamato punto 4, anch'essa inserita in un'apposita busta, viene consegnata all'atleta;

d) la terza copia non deve contenere alcun dato identificativo dell'atleta e va inserita nell'apposita busta indirizzata al laboratorio antidoping.

L'Ispettore Medico deve inoltre provvedere alla compilazione dei moduli inerenti alla sessione dei prelievi, adottati dal C.O.N.I. su indicazione della WADA, secondo le modalità indicate dal Coordinamento.
La sola busta di cui alla precedente lettera d) deve essere inserita nella borsa di trasporto in cui si trovano i campioni prelevati, destinata al laboratorio antidoping.
Le buste di cui alle lettere a), b), c), devono essere chiuse alla presenza dell'atleta, controfirmate sul lembo di chiusura dall'Ispettore Medico e, se presente, dal rappresentante della F.S.N. o D.S.A. interessate. Sulle firme deve essere apposto del nastro adesivo trasparente.

L'Ispettore Medico deve evitare che documenti idonei a svelare l'identità degli Atleti sottoposti a controllo siano inseriti nella borsa di trasporto destinata al laboratorio. Ciascun verbale deve essere riposto in una apposita busta; in caso di più prelievi nella stessa manifestazione tutte le buste devono essere recapitate ai destinatari con un unico plico.

13.12. I destinatari delle buste contenenti i verbali di prelievo di cui alle precedenti lettere a), b), c) hanno l'obbligo di conservarle con la massima cura, con il divieto di aprirle o manometterle.

Trascorsi sessanta giorni dalla data di comunicazione dell'esito negativo delle analisi, i destinatari di cui alle lettere a) e b) possono distruggere le buste in loro possesso, redigendo apposito verbale.In tale contesto e per l'attuazione dei compiti di cui al precedente art. 9.1 lettera c) il Coordinamento può utilizzare i dati ivi contenuti.

13.13. L'Ispettore Medico deve compilare con particolare cura ed in ogni sua parte il verbale di prelievo antidoping, richiedendo all'atleta e riportando sul modulo le dichiarazioni relative all'assunzione di prodotti e/o trattamenti farmacologici e medici - prescritti e non - al quale l'atleta stesso si sia sottoposto nei dieci giorni precedenti il prelievo.
L'Ispettore Medico è tenuto altresì a segnalare tempestivamente al *Coordinamento* ed all'*U.P.A.*, mediante rapporto scritto, eventuali tentativi, comportamenti o azioni posti in essere da tesserati, o da altri soggetti, volti ad impedire che l'atleta designato si sottoponga a controllo antidoping ovvero che vengano attuati comportamenti o tentativi che contravvengano alla corretta esecuzione di tutte le fasi riconducibili all'attività di controllo.

13.14. Ogni flacone contrassegnato con la lettera A o B, debitamente sigillato, deve essere inserito nel rispettivo contenitore, in modo tale da poter distinguere il flacone A dal B.
Ciascun contenitore viene chiuso e sigillato così come prescritto nella procedura del kit utilizzato.
I contenitori A e B devono essere inseriti nelle rispettive borsette termiche (se previste e sigillate nel rispetto della procedura di utilizzo) e nella apposita borsa per il trasporto, a sua volta chiusa con un sigillo, il cui codice identificativo, di norma, deve essere trascritto a cura dell'Ispettore Medico sulla busta indirizzata al laboratorio e contenente le copie dei verbali di prelievo.

13.15. Le operazioni descritte al precedente punto 14 – ad eccezione della chiusura e sigillatura della borsa di trasporto - devono essere eseguite alla presenza dell'atleta. Questi è tenuto a constatare che i flaconi, i contenitori, la borsetta termica (se prevista), siano stati sigillati secondo le procedure di utilizzo e che i codici relativi ai flaconi ed ai contenitori siano rispondenti a quanto riportato sul verbale di prelievo antidoping.
Il verbale deve essere firmato dall'Ispettore Medico e dall'atleta. Tali sottoscrizioni devono essere apposte al termine di ciascuna operazione di prelievo, così come definita ai precedenti punti 7 e 8, ad attestazione della corretta esecuzione della intera procedura di prelievo, di cui l'Ispettore Medico ne è garante.
In caso di mancata sottoscrizione del verbale da parte dell'atleta, è fatto carico all'Ispettore Medico darne tempestiva e motivata segnalazione al *Coordinamento*; il laboratorio comunque procede all'iter analitico del campione prelevato.
Eventuali irregolarità riscontrate dall'atleta devono essere riportate sul verbale a cura dell'Ispettore Medico.
Alle medesime operazioni possono altresì essere presenti le persone indicate al precedente punto 8.
Se presenti all'intera procedura di prelievo, il verbale verrà sottoscritto anche dal medico della Società o dell'atleta (in sua assenza dal dirigente accompagnatore della

Società) e dal rappresentante della F.S.N. o della D.S.A. interessate, ad attestazione della corretta esecuzione della procedura.
Eventuali irregolarità riscontrate dal medico della Società o dell'atleta (in sua assenza dal dirigente accompagnatore della Società) devono essere riportate sul verbale a cura dell'Ispettore Medico.
Il rappresentante federale, ovvero delle strutture antidoping del C.O.N.I. se presenti, possono chiedere di far constatare a verbale circostanze e comportamenti non regolamentari verificatisi durante lo svolgimento delle operazioni di prelievo.

13.16. L'inoltro dei campioni al laboratorio antidoping è effettuato nel rispetto della normativa WADA.
L'apertura della borsa di trasporto, della borsetta termica (se prevista) e del contenitore A, deve essere effettuata esclusivamente presso la sede del laboratorio che procede alle analisi.
I flaconi A vengono estratti dal rispettivo contenitore e, previa verifica dei sigilli apposti, dissigillati dal responsabile del laboratorio o da un componente dello staff da questi designato, ed il loro contenuto utilizzato per la prima analisi.
Il contenitore B, estratto dalla borsa di trasporto e dalla rispettiva borsetta termica (se prevista), dopo la verifica dell'integrità dei sigilli apposti, viene così conservato in condizioni tali da garantirne l'integrità e, in caso di positività del corrispondente campione A, utilizzato per la controanalisi (se richiesta).
Il flacone B relativo all'atleta riscontrato positivo alla prima analisi viene dissigillato ed estratto dal suo contenitore alla presenza dell'atleta (oppure di un suo rappresentante appositamente delegato) e/o del perito da questi nominato: possono altresì essere presenti rappresentanti delegati dal *Coordinamento*
In caso di assenza dell'atleta (oppure di un suo rappresentante appositamente delegato), le operazioni di identificazione e dissigillatura del campione B devono comunque avvenire alla presenza di un osservatore esterno al laboratorio, che viene in ogni caso assicurata da un rappresentante delegato dal *Coordinamento*
Gli adempimenti conseguenti alla controanalisi sono disciplinati al successivo art. 15.

13.17. In caso di "non conformità" dei campioni - riscontrata dal laboratorio ricevente secondo la normativa vigente - dovuta a motivi tali da inficiare la validità e da imporre la sospensione della procedura analitica, il responsabile del laboratorio deve comunque darne tempestiva comunicazione alla F.M.S.I. o ad altro ente incaricato, che provvederanno ad informare il *Coordinamento*, per gli eventuali conseguenti adempimenti.
I campioni "non conformi", in assenza di specifico avviso, possono essere smaltiti trascorsi almeno novanta giorni da detta comunicazione al *Coordinamento*

13.18. La conservazione e lo smaltimento dei campioni di urina da parte del laboratorio antidoping avvengono come di seguito indicato, nel rispetto di quanto stabilito dagli Standard internazionali:
- per il residuo dei campioni A negativi ed i corrispondenti campioni B non è fissato alcun termine per la loro conservazione;
- i campioni B, corrispondenti ai campioni A risultati positivi e l'eventuale residuo del campione A, vengono conservati per almeno novanta giorni dalla

data di comunicazione al *Coordinamento* del rapporto di prova (nel caso in cui non venga richiesta od effettuata la controanalisi).

- qualora richiesta la controanalisi, l'eventuale residuo dei campioni A e B eccedente la quantità utilizzata viene conservato per ulteriori novanta giorni dalla data di emissione del rapporto di prova relativo a detta analisi.

La procedura di cui sopra viene seguita anche per i campioni B nei cui corrispondenti campioni A è stato rilevato un rapporto Testosterone/Epitestosterone (T/E) o una concentrazione di Epitestosterone superiore al limite previsto dalla WADA o altri steroidi anabolizzanti androgeni endogeni di cui alla Lista.
Decorsi i termini sopra indicati i campioni e i residui potranno essere smaltiti.

13.19. Sostanze sottoposte a indagine.
I campioni biologici per i controlli antidoping vengono analizzati per individuare le sostanze vietate e/o i metodi proibiti di cui alla *Lista*, nonché altre sostanze eventualmente indicate dalla WADA in conformità con il precedente art. 3.5.

13.20. Ricerche sui campioni biologici.
I campioni biologici non possono essere utilizzati dai laboratori antidoping per fini diversi da quelli previsti dalla WADA.

13.21. Standard per l'analisi dei campioni e la rendicontazione.
I laboratori sono tenuti ad analizzare i campioni biologici per i controlli antidoping e a riportare i risultati attenendosi agli Standard internazionali.

13.22. Laboratori esteri.
Il laboratorio antidoping nazionale, destinatario delle borse di trasporto contenenti i campioni biologici prelevati, provvede a:

- individuare le borse da inviare ai laboratori esteri accreditati;
- spedire ai laboratori esteri accreditati le borse ancora chiuse così come pervenute.

Art. 14
Controlli antidoping ed ematici

14.1. I controlli antidoping ed ematici sono svolti nel rispetto degli Standard Internazionali adottati da WADA: con il tesseramento e/o il rinnovo, gli Atleti accettano le Norme Sportive Antidoping adottate dal C.O.N.I., nonché quelle della WADA, assumendo l'obbligo di sottoporsi a controlli antidoping ed ematici con o senza preavviso, in e fuori competizione, nonché le relative sanzioni. Sentita la C.S.A., con determinazioni della Giunta Nazionale del C.O.N.I., che formano parte integrante del presente Regolamento, sono disciplinate le modalità di conduzione delle sessioni di prelievo, delle analisi, della gestione dei risultati e di quanto altro connesso ai controlli ematici ed ai combinati sangue/urina.

TITOLO IV
ADEMPIMENTI E SANZIONI

Art. 15
Adempimenti conseguenti ai casi di positività

15.1. I risultati delle analisi (negatività e positività) sono tempestivamente comunicati dall'ente incaricato al *Coordinamento*
I soli risultati di negatività sono comunicati dall'ente incaricato alle F.S.N. e alle D.S.A., che provvedono a comunicarli agli Atleti interessati; i risultati di positività sono altresì inviati alla WADA ed alle competenti Federazioni Internazionali direttamente dai laboratori antidoping.

15.2. L'accertamento dell'identità dell'atleta positivo all'analisi del campione A, previa verifica dell'inosservanza degli Standard internazionali per i test o per le analisi di laboratorio che possa inficiare la validità del riscontro analitico, avviene presso il *Coordinamento* mediante confronto contestuale tra la comunicazione dell'esito emesso dal laboratorio antidoping, recante il codice del campione, l'originale del prelievo antidoping in possesso del *Coordinamento* e la copia del medesimo verbale in possesso della F.S.N. o della D.S.A. interessate, nonché mediante l'accertamento dell'esistenza di TUEs.
Per l'identificazione dell'atleta, gli incaricati del *Coordinamento* e della F.S.N. o D.S.A. devono presentare le buste ancora chiuse, che verranno aperte per la circostanza.
Nell'ipotesi che una delle due parti non sia venuta in possesso della busta di propria competenza, si procede ugualmente alla identificazione dell'atleta mediante l'apertura della sola busta pervenuta.
Di tale identificazione viene redatto apposito verbale in unico originale, sottoscritto dagli incaricati di cui sopra e conservato presso il *Coordinamento*, fotocopia dello stesso è contestualmente consegnata al responsabile della F.S.N. o D.S.A.

15.3. Identificato l'atleta, la F.S.N. o la D.S.A. comunicano al *Coordinamento* con la massima tempestività: indirizzo, numero telefonico e fax riguardanti l'atleta stesso e la Società di appartenenza e quant'altro utile per le comunicazioni di rito.
Il *Coordinamento*, nel più breve tempo possibile, provvede a dare ufficiali comunicazioni al Segretario generale della F.S.N. o D.S.A. interessate - anche ai fini della sospensione cautelare così come previsto al successivo art. 16 - all'atleta ed alla Società di appartenenza a mezzo telegramma e/o raccomandata (anticipata via fax ove possibile) o altro mezzo di trasmissione preventivamente concordato con la F.S.N. o D.S.A.
Analoga comunicazione viene data all'*U.P.A.*, nonché al C.C.A., limitatamente ai controlli da questo disposti.
La F.S.N. o D.S.A. interessate sono comunque tenute a verificare presso l'atleta e la Società di appartenenza l'avvenuta ricezione della notifica e, in mancanza, a provvedervi direttamente.

Ugualmente la comunicazione viene inoltrata dal *Coordinamento* alla WADA ed alla referente Federazione Internazionale.

15.4. Qualora la positività configuri fondati elementi di responsabilità a carico della Società di appartenenza, così come previsto al successivo art. 18.4, o per effetto di altra specifica normativa federale, l'*U.P.A.* ne dà comunicazione alla Società stessa per l'esercizio della facoltà di cui al successivo punto 5, nonché al *Coordinamento*

15.5. La controanalisi viene effettuata a seguito di richiesta dell'atleta interessato, inviata al *Coordinamento* entro sette giorni dalla data della comunicazione ufficiale di positività di cui al precedente punto 3.
In caso di comunicata rinuncia o trascorsi inutilmente i sette giorni di cui sopra, il *Coordinamento* provvede a trasmettere il fascicolo all'*U.P.A.* per il seguito di competenza.
In presenza di richiesta, il *Coordinamento* concorda con la F.M.S.I. o con altro ente incaricato la data di effettuazione della controanalisi, dandone comunicazione all'atleta con un preavviso minimo di sette giorni. La data fissata viene comunicata dal *Coordinamento* anche al Segretario generale della F.S.N. o D.S.A. interessate e alla Società di appartenenza.
Tale comunicazione è inviata a mezzo telegramma, raccomandata (anticipata via fax ove possibile) o altro mezzo di trasmissione preventivamente concordato con la F.S.N. o D.S.A.
Alla controanalisi, fin dalla fase di identificazione del campione B, può assistere l'atleta interessato, oppure un suo rappresentante appositamente delegato dallo stesso con lettera che pervenga al *Coordinamento* (anche a mezzo fax) entro le ventiquattro ore precedenti la data stabilita per tale operazione.
L'atleta e/o il rappresentante delegato possono essere assistiti da un perito, il cui nominativo e qualifica devono essere notificati nei termini e nelle modalità precedentemente indicati.
La Società di appartenenza ha facoltà di chiedere l'effettuazione della controanalisi e/o essere rappresentata nonché farsi assistere da un perito, secondo le modalità sopraddette, solo nel caso in cui sia stata formalizzata dall'*U.P.A.* azione di responsabilità nei suoi confronti in relazione al medesimo caso di positività.
Alla controanalisi possono altresì assistere un rappresentante della F.S.N. o D.S.A. interessate ed un incaricato del *Coordinamento*. Le operazioni di identificazione e dissigillatura del campione B devono comunque avvenire alla presenza di un osservatore esterno al laboratorio.
Il laboratorio non può consentire l'accesso nei propri locali a persone non preventivamente accreditate dal *Coordinamento*.
L'assenza dell'atleta, e/o di chi lo rappresenta, alle operazioni di controanalisi non è motivo di sospensione della procedura analitica. Il laboratorio, pertanto, dà corso alla predetta procedura nel giorno ed ora fissati, così come già comunicati all'atleta e alla Società interessata.
L'atleta ha diritto di chiedere copia della documentazione di laboratorio relativa ai campioni A e B, comprensiva delle informazioni riferite allo Standard internazionale per le analisi di laboratorio.

15.6. L'analisi del campione B è svolta dallo stesso laboratorio che ha analizzato il campione A, con personale tecnico diverso da quello che ha eseguito la prima analisi; ove ciò non sia possibile, il campione B viene analizzato da altro laboratorio accreditato.
Qualora la controanalisi confermi l'esito di positività, il *Coordinamento*, ricevuta la comunicazione dalla F.M.S.I. o da altro ente incaricato, provvede a informare i medesimi destinatari con le modalità già indicate, trasmettendo all'*U.P.A.* il fascicolo per gli adempimenti di competenza.
Qualora la controanalisi non confermi l'esito di positività della prima analisi, questa viene considerata negativa e il *Coordinamento* dichiara il procedimento concluso, dandone comunicazione ai medesimi destinatari con le modalità già indicate.
In tale ipotesi la sospensione cautelare comminata ai sensi del successivo art. 16, deve essere immediatamente revocata, senza possibilità di rivalsa -- a qualsiasi titolo – da parte dell'atleta e/o della Società di appartenenza; le sanzioni eventualmente comminate devono essere annullate.
Qualora l'atleta o la sua squadra siano stati esclusi da una competizione e la successiva analisi del campione B non confermi i risultati del campione A, l'atleta o la squadra possono continuare a partecipare alla competizione se è ancora possibile il loro reinserimento, senza modificare ulteriormente lo svolgimento della competizione, a insindacabile decisione dell'Ente organizzatore.

15.7. I risultati della controanalisi sono inappellabili.

15.8. La rilevazione del valore del rapporto Testosterone/Epitestosterone (T/E) o una concentrazione di Epitestosterone superiori al limite previsto dalla WADA ovvero degli altri steroidi anabolizzanti androgeni endogeni di cui alla Lista nell'analisi del campione A configura una violazione, salvo nel caso in cui esista la prova che l'alterazione di tale rapporto o concentrazione sia dovuta a condizione fisiologica o patologica.
Entro dieci giorni dalla data della specifica comunicazione del *Coordinamento* ai medesimi destinatari di cui al precedente punto 3, l'atleta può inviare alla C.S.A. la documentazione medica tesa a provare la fisiologicità dell'alterazione e/o della concentrazione riscontrate, ovvero richiedere l'effettuazione della controanalisi sul campione B.
La documentazione eventualmente sottoposta all'esame della *C.S.A.* comporta l'interruzione del termine per la richiesta di controanalisi.
Il *Coordinamento* dichiara il procedimento concluso per negatività, qualora la documentazione sia stata ritenuta idonea ed esaustiva dalla *C.S.A.*, comunicandolo agli interessati.
Il *Coordinamento* dà comunicazione agli interessati della riapertura del termine per l'esercizio della facoltà di richiedere la controanalisi sul campione B, qualora la documentazione non sia stata ritenuta idonea ed esaustiva dalla *C.S.A.*
Trascorsi inutilmente i dieci giorni per la presentazione della documentazione di cui sopra o in assenza di richiesta di controanalisi ovvero nel caso in cui l'analisi del campione B confermi il risultato nel campione A, la C.S.A. deve effettuare una apposita indagine per determinare se tale rapporto è dovuto ad una condizione fisiologica ovvero ad una condizione patologica.

In entrambi i casi, l'indagine includerà un riesame di qualsiasi test precedente, di quelli successivi e/o di risultati di indagini endocrinologiche. Se non sono disponibili test precedenti, l'atleta deve essere sottoposto ad una indagine endocrinologica ovvero sottoposto dal C.C.A. a test senza preavviso almeno tre volte entro un periodo di tre mesi.
Tale monitoraggio è volto ad identificare le cause responsabili dell'elevato valore di rapporto o concentrazione, per valutarne l'eventuale rilevanza ai fini di doping. La mancata collaborazione da parte dell'atleta alla effettuazione delle indagini, sarà considerata al pari di una presenza della sostanza proibita nel campione dell'atleta.
I risultati degli esami congiuntamente all'eventuale documentazione prodotta sono oggetto di nuova valutazione da parte della *C.S.A.* per un definitivo giudizio.
Qualora da tale giudizio emerga che l'alterazione del rapporto o della concentrazione rilevati non siano riconducibili a causa fisiologica o patologica, l'atleta viene dichiarato positivo e trova applicazione la specifica procedura di cui al successivo articolo. In caso contrario o qualora la controanalisi dia esito negativo, il *Coordinamento* dichiara il procedimento concluso per negatività, dandone comunicazione agli interessati.

Art. 16
Sospensione cautelare

16.1. L'atleta risultato positivo all'analisi del campione A deve essere immediatamente sospeso dall'attività sportiva con provvedimento dell'Organo di Giustizia di primo grado della F.S.N. o D.S.A. di appartenenza, da adottarsi in via di urgenza. Copia del provvedimento deve essere immediatamente trasmessa – anche a mezzo fax – all'*U.P.A.* e per conoscenza al *Coordinamento*

16.2. A seguito della sospensione cautelare, all'atleta deve essere data immediatamente l'opportunità di esporre le proprie ragioni presso i competenti Organi.

16.3. L'atleta sospeso in via cautelare non può svolgere alcuna attività sportiva in attesa della decisione del competente Organo di Giustizia federale di primo grado, decisione che deve essere emanata con tempestività, ma in ogni caso non oltre trenta giorni a decorrere dalla data del provvedimento di deferimento dell'*U.P.A.*
Il provvedimento di sospensione cautelare ha effetto dal giorno successivo alla data di comunicazione all'interessato ed ha termine con la decisione dell'Organo di Giustizia federale di primo grado.
Il provvedimento di sospensione non è rinnovabile e decade trascorsi sessanta giorni dalla data di comunicazione.
Il periodo di sospensione scontato dall'atleta in esecuzione di un provvedimento cautelare viene sottratto dalla sanzione eventualmente irrogata dal citato Organo giudicante.
Avverso il provvedimento di sospensione cautelare l'atleta può proporre appello con le modalità ed i termini di cui al successivo art. 20.

16.4. L'Organo di Giustizia federale di primo grado può erogare, su motivata richiesta dell'*U.P.A.*, il provvedimento di sospensione cautelare durante la fase dell'istruttoria, nei confronti di quei tesserati indagati per gravi infrazioni regolamentari.

16.5. In caso di richiesta di archiviazione da parte dell'*U.P.A.* e di mancato riconoscimento di responsabilità da parte dell'Organo di Giustizia federale di primo grado, il provvedimento cautelare in precedenza adottato deve essere immediatamente revocato, senza alcuna possibilità di rivalsa – a qualsiasi titolo - da parte dell'atleta e/o della Società di appartenenza.

Art. 17
Procedimento disciplinare

17.1. Fermo restando che è sufficiente il ricorso o il tentativo di ricorrere alla sostanza vietata o al metodo proibito per ritenere compiuto il fatto di doping, l'attivazione del procedimento disciplinare da parte dell'*U.P.A.*, secondo quanto emanato dal C.O.N.I., dalle F.S.N. e dalle D.S.A., nonché dalla Commissione ministeriale di cui alla legge 376/2000, avviene a seguito di notizia, comunque acquisita, dei fatti di cui al precedente art. 1 ovvero in caso di comportamenti, tentativi, azioni poste in essere da tesserati, o da altri soggetti, tesi ad impedire che l'atleta designato si sottoponga a controllo antidoping, nonchè che il prelievo non abbia corretta esecuzione. Le disposizioni contenute nel presente Titolo IV del Regolamento si applicano anche per le violazioni segnalate dalla Commissione ministeriale di cui alla legge 376/2000, nel rispetto della normativa WADA.

17.2. Nel caso in cui l'atleta venga riscontrato positivo ovvero sia stata contestata allo stesso o ad altre persone una violazione delle norme antidoping in una gara organizzata sotto l'egida di una Federazione Internazionale ovvero in un controllo disposto da una Organizzazione Antidoping internazionale, è fatto obbligo alla F.S.N. o D.S.A. interessate darne comunicazione al *Coordinamento* - affinché possa procedere nel rispetto di quanto stabilito dai regolamenti antidoping internazionali, nonché per consentire all'U.P.A. di compiere eventuali proprie autonome indagini – e le comunicazioni di cui al precedente articolo 7.4 lettera c). Nel caso in cui le Federazioni Sportive Internazionali ovvero le Organizzazioni Antidoping internazionali che hanno disposto il controllo rimandino alle F.S.N. o D.S.A. l'accertamento delle responsabilità conseguenti al caso di positività riscontrato ovvero ad una violazione delle norme antidoping, l'attività di indagine viene svolta esclusivamente dall'U.P.A.

17.3. Per l'approfondimento e l'accertamento dei fatti oggetto di indagine, l'U.P.A. convoca tempestivamente i tesserati, nonché qualunque altra persona ritenuta informata, procedendo - se del caso - alla eventuale contestazione di addebiti disciplinari.

La F.S.N. o D.S.A. collaborano con il Coordinamento per la citazione dei tesserati convocati a comparire dinanzi all'*U.P.A.* e per l'esecuzione degli accertamenti disposti.
In sede di audizione l'indagato ha diritto di farsi assistere da persona di propria fiducia, nonché di essere patrocinato da un consulente legale, con spese a proprio carico. L'indagato ha altresì diritto di replica alle contestazioni inerenti alla presunta violazione del *Regolamento* e alle conseguenti sanzioni.

17.4. Completata l'indagine, l'*U.P.A.* trasmette alla Segreteria della F.S.N. o D.S.A. interessate copia degli atti dell'istruttoria, con motivato e argomentato provvedimento di deferimento dell'indagato ovvero di richiesta di archiviazione al competente Organo di Giustizia federale di primo grado.
Della trasmissione degli atti vengono informati l'indagato, la Società di appartenenza e il Coordinamento.
La F.S.N. o D.S.A., ricevuti gli atti dall'*U.P.A.*, li inoltrano al proprio Organo di giustizia di primo grado ai fini dell'applicazione di eventuali sanzioni ovvero per l'archiviazione.
Ove il regolamento federale di giustizia preveda in primo grado il contraddittorio in udienza, la stessa deve essere fissata nel più breve tempo possibile e comunque non oltre venti giorni dalla data di notifica degli atti dell'istruttoria da parte dell'*U.P.A.*, con preavviso agli interessati di almeno sette giorni. Eventuali memorie depositate all'Organo di giustizia di primo grado devono essere contestualmente notificate alla controparte.
La facoltà di inoltrare istanza di accesso alla documentazione presente nel fascicolo di indagine per prenderne visione od estrarne copia - con costi a carico del richiedente - può essere esercitata, solo dopo l'avvenuto deposito, direttamente dall'interessato o dal proprio difensore presso il suddetto Organo di giustizia.

17.5. L'*U.P.A.*, in persona di un suo componente ovvero per il tramite della Procura federale appositamente delegata, è parte necessaria nel procedimento disciplinare dinanzi agli Organi di giustizia federali nei diversi gradi di giudizio.

17.6. Nel corso del procedimento di indagine, l'*U.P.A.* cura gli eventuali rapporti con le Autorità di cui al precedente articolo 7.4 lettera c .

17.7. E' fatto obbligo all'atleta e al personale di supporto di non avvalersi della consulenza o della prestazione dei soggetti non tesserati inibiti dall'ordinamento sportivo in applicazione di quanto disposto al successivo punto 8, pena l'irrogazione delle sanzioni di cui al successivo art. 19.13.

17.8. Se nel corso di una indagine si afferma la responsabilità di un soggetto non tesserato, l'*U.P.A.* adotta tutte le misure necessarie per avviare procedimenti cautelativi dinanzi agli Organi di giustizia delle F.S.N. o D.S.A. interessate ovvero dinanzi al G.U.I., affinché assumano provvedimenti di inibizione a rivestire cariche o incarichi in seno al C.O.N.I., alla F.S.N. o alla D.S.A. stesse, ovvero a presenziare allo svolgimento delle manifestazioni od eventi sportivi organizzati sotto la loro egida.

Non possono far parte dell'ordinamento sportivo coloro che si siano sottratti volontariamente con dimissioni o mancato rinnovo del tesseramento ai procedimenti disciplinari instaurati a loro carico o alle sanzioni irrogate nei loro confronti.

17.9. E' fatto obbligo alla F.S.N. o D.S.A. notificare al soggetto deferito, al *Coordinamento* e all'U.P.A. con tempestività e comunque non oltre il termine massimo di sette giorni dalla data dell'udienza - anche a mezzo fax - le decisioni adottate dall'Organo di giustizia federale di primo grado, corredate delle motivazioni e di quanto altro necessario al fine di consentire alle parti la predisposizione dell'eventuale atto di appello.

Art. 18
Violazioni delle norme antidoping

18.1. L'inosservanza delle disposizioni del *Regolamento* è punita a norma del presente Titolo.

18.2. Nei confronti di qualunque tesserato che non presti la collaborazione richiesta o che non si presenti all'*U.P.A.* convocato per l'assunzione di informazioni ovvero per la contestazione dell'addebito, senza addurre giustificati motivi di impedimento, trova applicazione la sanzione della sospensione per un periodo da uno a sei mesi. Tale sanzione viene proposta dall'*U.P.A.* al competente Organo di giustizia federale e si cumula con le sanzioni eventualmente irrogate all'esito definitivo del procedimento disciplinare.

18.3. E' facoltà delle F.S.N. o delle D.S.A. prevedere l'applicazione di sanzioni più gravi di quelle enunciate al successivo art. 19, in coerenza con quanto eventualmente stabilito in materia dalle rispettive Federazioni Internazionali.

18.4. Nei casi di violazioni delle norme antidoping da parte di propri tesserati, alle Società sportive possono essere applicate le sanzioni stabilite dai regolamenti federali per i casi di violazione dei principi di lealtà e correttezza sportiva.

18.5. La violazione delle norme antidoping si prescrive in otto anni dal giorno in cui è stata commessa.

Art. 19
Sanzioni

19.1. Le sanzioni sono erogate dagli Organi di giustizia delle F.S.N. o D.S.A. e/o dal G.U.I. o dalle Federazioni Internazionali, per i casi di rispettiva competenza.

19.2. Squalifica per uso di sostanze vietate e metodi proibiti.
Fatta eccezione per le sostanze specifiche di cui al successivo punto 3, la durata della squalifica comminata per le violazioni degli articoli 1.2. (Presenza di sostanza vietata o dei suoi metaboliti o marker), 1.3. (Uso o tentato uso di una sostanza vietata o di un metodo proibito), 1.7. (Possesso di sostanze vietate e pratica di metodi proibiti), è:

Prima violazione: due anni;

Seconda violazione: squalifica a vita.

L'atleta o la persona interessata, tuttavia, possono esporre, prima che venga comminata la squalifica, le ragioni per annullare o ridurre la sanzione, secondo quanto previsto dal successivo punto 5.

19.3. Sostanze specifiche di cui alla Lista.
Ove un atleta riesca a dimostrare che l'assunzione di una sostanza specifica di cui alla Lista non era tesa a incrementare la prestazione sportiva, il periodo di squalifica di cui al precedente punto 2 viene così sostituito:

Prima violazione: da un minimo del richiamo con nota di biasimo - senza squalifica da futuri eventi sportivi - ad un massimo di un anno;

Seconda violazione: due anni;

Terza violazione: squalifica a vita.

La riduzione di una sanzione ai sensi del successivo punto 5 si applica unicamente alla seconda o alla terza violazione, poiché la sanzione prevista per la prima violazione lascia sufficiente discrezionalità per valutare il grado di responsabilità della persona interessata.

19.4. Squalifica per altre violazioni
Le altre violazioni del *Regolamento* comportano i seguenti periodi di squalifica:

19.4.1. per le violazioni degli articoli 1.4. (Rifiuto o omissione di sottoporsi al prelievo del campione biologico o sottrarsi in altro modo al prelievo stesso) e 1.6. (Manomissione o tentativo di manomissione di una fase qualsiasi del controllo antidoping), si applicano le squalifiche previste al precedente punto 2;

19.4.2. per le violazioni degli articoli 1.8. (Traffico di sostanze vietate o di metodi proibiti) e 1.9. (Somministrazione o suo tentativo di sostanze vietate o ricorso o suo tentativo di metodi proibiti), il periodo di squalifica va da un minimo di quattro anni fino alla squalifica a vita.
La violazione del *Regolamento* che coinvolga un minore viene considerata particolarmente grave e, se commessa dal personale di supporto dell'atleta

in relazione a sostanze diverse da quelle di cui al precedente punto 3, comporta la squalifica a vita del personale coinvolto;

19.4.3. per quanto attiene alle violazioni dell'art. 1.5. (Omesse informazioni sulla reperibilità e conseguente mancata esecuzione del test), il periodo di squalifica non deve essere inferiore a tre mesi né superiore a due anni.
La squalifica per le successive violazioni del medesimo articolo è da un minimo di sei mesi ad un massimo di tre anni.

19.5. Annullamento o riduzione della squalifica per circostanze eccezionali.
Il presente punto è applicabile solo nei casi in cui le circostanze siano realmente eccezionali, così come di seguito specificato e per la sola irrogazione delle sanzioni. Non può trovare applicazione per accertare se vi sia stata una violazione del *Regolamento*.

19.5.1 Nessuna colpa o negligenza.
In un caso particolare riguardante una violazione del *Regolamento* ai sensi degli articoli 1.2. (Presenza di una sostanza vietata o dei relativi metaboliti o marker) o 1.3. (Uso o tentato uso di una sostanza vietata o di un metodo proibito), all'atleta che dimostri che la violazione è avvenuta del tutto senza sua colpa o negligenza, il periodo di squalifica previsto viene annullato.
Per quanto riguarda la sola violazione riferita al precedente art. 1.2, l'atleta per far annullare il periodo di squalifica deve anche dimostrare in quale modo la sostanza vietata sia penetrata nel suo organismo.

19.5.2. Assenza di colpa o negligenza significativa.
Il presente punto si applica solo alle violazioni del *Regolamento* che riguardano gli articoli 1.2. (Presenza di una sostanza proibita o dei relativi metaboliti o marker), 1.3. (Uso o tentato uso di una sostanza vietata o di un metodo proibito), 1.4. (Rifiuto o omissione al prelievo dei campioni) e 1.9. (Somministrazione o suo tentativo di sostanze vietate o ricorso o suo tentativo di metodi proibiti).
Se un atleta dimostra in un caso particolare relativo a tali violazioni di non essere responsabile di colpa o negligenza significativa, il periodo di squalifica può essere ridotto ma non in misura inferiore alla metà del periodo minimo di squalifica teoricamente applicabile.
Se la squalifica teoricamente applicabile è a vita, il periodo ridotto non può essere inferiore a otto anni.
Se una sostanza vietata, o i relativi metaboliti o marker, vengono riscontrati nel campione biologico di un atleta in violazione dell'art. 1.2., questi per ottenere la riduzione del periodo di squalifica deve anche dimostrare in quale modo la sostanza vietata sia penetrata nel suo organismo.

19.5.3. Collaborazione fattiva dell'atleta per la scoperta e/o l'accertamento di violazioni del Regolamento da parte del personale di supporto dell'atleta e di altri.

A conclusione delle indagini, su istanza dell'U.P.A., il periodo di squalifica in un caso particolare può essere ridotto qualora l'atleta collabori in maniera fattiva, consentendo all'U.P.A di scoprire o accertare una violazione del Regolamento da parte di un'altra persona imputabile ai sensi degli articoli 1.7.2. (Possesso da parte del personale di supporto dell'atleta), 1.8. (Traffico di sostanze vietate o di metodi proibiti) e 1.9. (Somministrazione o suo tentativo di sostanze vietate o ricorso o suo tentativo di metodi proibiti).
Il periodo ridotto di squalifica, tuttavia, non può essere inferiore alla metà del periodo minimo teoricamente applicabile. Se la squalifica teoricamente applicabile è a vita, il periodo ridotto non può essere inferiore a otto anni.

19.6. Norme in caso di più violazioni.

19.6.1. Per quanto riguarda l'applicazione delle sanzioni di cui ai precedenti punti 2, 3 e 4, viene considerata seconda violazione solo se l'*U.P.A.* dimostra che l'atleta o altra persona abbiano commesso la seconda violazione dopo la notifica della prima o dopo aver compiuto un ragionevole tentativo di notifica; diversamente, le violazioni vengono considerate come unica prima violazione e la sanzione comminata sarà basata sulla violazione punibile con la sanzione più grave.

19.6.2. Se un atleta, a seguito dello stesso controllo antidoping, ha commesso una violazione del *Regolamento* per l'uso di una sostanza specifica ai sensi del precedente punto 3 e di un'altra sostanza vietata o di un metodo proibito, questi verrà giudicato come se avesse commesso una sola violazione, con l'applicazione della sanzione più grave.

Se un atleta commette due diverse violazioni, una relativa a una sostanza specifica sanzionabile ai sensi del precedente punto 3 e un'altra relativa a una sostanza vietata o a un metodo proibito sanzionabile ai sensi del precedente punto 2, o una violazione sanzionabile ai sensi del precedente punto 4.1, il periodo di squalifica comminato per la seconda infrazione non deve essere inferiore a due né superiore a tre anni.

L'atleta che commette una terza violazione, che coinvolge a vario titolo le sostanze specifiche di cui al precedente punto 3 e/o qualsiasi altra violazione in base ai precedenti punti 2 o 4.1, è sanzionato con la squalifica a vita.

19.7. Invalidazione dei risultati delle competizioni successive al prelievo dei campioni.
In aggiunta all'invalidazione automatica dei risultati della competizione durante la quale è stato prelevato il campione risultato positivo, ai sensi di quanto disposto al successivo punto 11, tutti gli altri risultati agonistici ottenuti dopo tale prelievo (durante o fuori competizione) ovvero successivamente a un'altra violazione antidoping durante un periodo di sospensione cautelare o di squalifica, verranno invalidati con le relative conseguenze, ivi inclusa l'eventuale perdita di medaglie, punti e premi.

19.8. Inizio del periodo di squalifica.
La squalifica ha inizio:
- dal giorno della sospensione cautelare, se comminata e ancora in essere all'esito del dibattimento di primo grado;
- dal giorno del dibattimento in cui viene sanzionata, in assenza e/ o in caso di intervenuta revoca della sospensione cautelare;
- dal giorno del dibattimento in cui viene sanzionata, se ciò si verifica dopo lo scadere del termine massimo previsto per la sospensione cautelare (61° giorno). Il periodo di sospensione cautelare già scontato deve essere detratto dal periodo della squalifica comminata.

In caso di revoca della sospensione cautelare può essere detratto il periodo che intercorre dalla stessa fino al dibattimento qualora si sia proceduto all'invalidazione dei risultati sportivi conseguiti nel medesimo periodo di revoca.

19.9. Status giuridico durante la squalifica.
Nessuna persona squalificata può partecipare a qualsiasi titolo, per tutto il periodo della squalifica, ad una competizione o un'attività (salvo i programmi autorizzati di formazione antidoping e riabilitazione) che sia autorizzata e/o organizzata da un Firmatario o da un'Organizzazione affiliata a un Firmatario.
Inoltre, per le violazioni del *Regolamento* che non interessano le sostanze specifiche indicate al punto 3, i finanziamenti sportivi, in tutto o in parte, o altre forme di sostegno correlate allo sport di cui abbia beneficiato tale persona, vengono trattenuti dai Firmatari, dalle Organizzazioni affiliate ai Firmatari e dai Governi.
L'atleta che sconta un periodo di squalifica più lungo di quattro anni può partecipare, alla fine del quarto anno di squalifica, agli eventi sportivi locali in una disciplina diversa da quella in cui ha commesso la violazione, ma solo se l'evento sportivo locale è a livello tale da non consentire qualificazioni dirette o indirette (né di accumulare punti) per competere nel campionato nazionale o in un evento internazionale.
L'atleta non può svolgere allenamenti con una squadra nazionale né condurre alcuna attività in qualità di allenatore o dirigente sportivo, potendo partecipare alle sole attività sportive condotte a livello ricreativo.
Le sanzioni e i provvedimenti adottati da ciascuna Federazione che riguardano soggetti tesserati, e non, sono efficaci nei confronti di tutte le F.S.N. e D.S.A.
Il *Coordinamento* provvede a dare comunicazione alle F.S.N. ed alle D.S.A. dei provvedimenti disciplinari adottati in materia di doping.

19.10. Test per la reintegrazione in attività.
Per la reintegrazione al termine del periodo di squalifica, l'atleta deve sottoporsi a test fuori competizione eventualmente disposti dal C.O.N.I., anche su richiesta delle F.S.N. o D.S.A. interessate o dall'U.P.A., per tutta la durata della sospensione cautelare o della squalifica fornendo, ove richiesto, dati precisi e aggiornati in merito alla sua reperibilità.
Se un atleta squalificato si ritira dall'attività sportiva e viene cancellato dall'elenco dei nominativi da sottoporre ai test fuori competizione, ma in seguito intende essere reintegrato, non potrà riprendere l'attività fin quando non abbia notificato tale sua

intenzione alla F.S.N. o D.S.A. e non si sia sottoposto a test fuori competizione per un periodo di tempo pari al periodo di squalifica ancora da scontare.

19.11. La violazione del Regolamento in relazione ad un controllo condotto durante una competizione determina automaticamente l'invalidazione dei risultati individuali ottenuti (con tutte le conseguenze del caso, ivi inclusa la perdita di medaglie, punti e premi), a prescindere da eventuali ulteriori sanzioni che possono essere applicate, fermo restando il disposto di cui al successivo punto 12.

19.12. Nelle discipline che non sono sport di squadra, ma in cui vengono premiate le squadre, quando uno o più componenti commettono una violazione del *Regolamento*, le squalifiche o le altre azioni disciplinari comminate alla squadra sono quelle previste dal regolamento della Federazione Internazionale competente.
In uno sport di squadra:
- se per un evento sportivo a più di un componente della stessa squadra è stata notificata una possibile violazione del Regolamento, la squadra sarà sottoposta a un test mirato;
- se durante un evento sportivo più di un componente della stessa squadra ha commesso una violazione del Regolamento, la squadra può essere squalificata o può subire un'altra azione disciplinare.

19.13. All'atleta e/o al personale di supporto dell'atleta che si avvalgono della consulenza o della prestazione di soggetti non tesserati inibiti dall'ordinamento sportivo a seguito dell'applicazione di quanto previsto all'art. 17, punti 7 e 8, è comminata la sospensione dall'attività rispettivamente svolta fino ad un massimo di sei mesi.
In caso di reiterazione la sanzione è aumentata proporzionalmente fino ad un massimo di diciotto mesi.

19.14. Salvo che l'ipotesi non rientri nelle più gravi violazioni già previste, l'Ispettore Medico, l'atleta e, se presente alla fase di prelievo, il medico della Società o dell'atleta (in assenza il dirigente accompagnatore della Società), sono responsabili per il rispetto delle norme procedurali per l'effettuazione dei controlli di cui ai precedenti articoli 13 e 14.
Qualsiasi inosservanza è punita con la sospensione dall'attività rispettivamente svolta fino ad un massimo di tre mesi. In caso di reiterazione la sanzione è aumentata proporzionalmente fino ad un massimo di nove mesi.

Art. 20
Procedura per l'appello

20.1. Sentenze impugnabili in appello.
Le sentenze emesse dagli Organi di Giustizia federali di primo grado in applicazione del *Regolamento* possono essere impugnate in appello secondo quanto di seguito stabilito. L'appello non ha effetto sospensivo.

20.2. Appelli per decisioni su violazioni del *Regolamento*, conseguenze e sospensioni provvisorie.
E' possibile appellare esclusivamente le sentenze di condanna per violazione del *Regolamento*, le sentenze con sanzioni ritenute di entità non idonea, le sentenze di assoluzione, le sentenze per incompetenza dell'Organo che le ha emesse, le sentenze per sospensione cautelare.

20.3. Appelli che coinvolgono Atleti di livello internazionale.
Ferma restando la disciplina prevista dalle Federazioni Internazionali e fatte salve le disposizioni di cui al precedente art. 17.2, nei casi relativi a competizioni inquadrate in un evento sportivo internazionale, è possibile presentare appello contro le sentenze emesse dagli Organi di giustizia federale di primo grado solo al Tribunale Arbitrale dello Sport (TAS).

20.4. Appelli che coinvolgono Atleti di livello nazionale.
Nei casi in cui è possibile presentare appello ai sensi del precedente punto 2, l'appello avverso la sentenza deve essere inoltrato al competente Organo di giustizia federale di secondo grado, secondo le modalità e i termini disciplinati dal presente articolo.
E' altresì possibile, esperiti i gradi di giustizia federale, ricorrere al G.U.I., secondo le modalità ed i termini descritti nel presente articolo.

20.5. Soggetti aventi diritto a presentare appello.
Nei casi previsti al precedente punto 3, possono presentare appello al TAS le parti del processo concluso con la sentenza impugnata. Possono inoltre appellare la sentenza la Federazione Internazionale competente e l'Organizzazione antidoping i cui regolamenti sono stati applicati per comminare la sanzione nonchè il Comitato Internazionale Olimpico o il Comitato Paraolimpico Internazionale, a seconda dei casi, qualora la sentenza possa avere conseguenze sui Giochi Olimpici o i Giochi Paraolimpici, incluse le sentenze che incidono sull'idoneità a partecipare ai Giochi Olimpici o ai Giochi Paraolimpici, e la WADA.

Nei casi previsti al precedente punto 4, possono presentare appello all'Organo di giustizia federale di secondo grado e successivamente al G.U.I., le parti del processo concluso con la sentenza impugnata ovvero la Federazione Internazionale competente e la WADA
E' facoltà delle parti ovvero della Federazione internazionale competente e della WADA ricorrere al TAS, una volta esauriti i predetti gradi di giustizia sportiva nazionale.
La F.S.N. o D.S.A. sono tenute a comunicare e ad aggiornare il *Coordinamento* sui ricorsi in materia di doping presentati al TAS dalle medesime e/o da propri tesserati.

Fatto salvo quanto disposto nel presente articolo, può appellarsi contro una sospensione cautelare solamente il tesserato cui sia stata comminata la stessa.

20.6. Appelli contro la concessione o il rifiuto di una TUEs
Possono presentare appello:

- al TAS, l'atleta, la Federazione Internazionale interessata o il C.O.N.I. se interessato avverso le delibere della WADA che annullano la concessione o il rifiuto di TUEs;
- al TAS, gli Atleti di livello internazionale avverso le decisioni della Federazione internazionale di appartenenza contrarie alle TUEs, e che non siano state annullate dalla WADA;
- al TAS, gli Atleti di livello nazionale avverso le decisioni del CFT di cui al precedente art. 3.4. contrarie alle TUEs, che non siano state annullate dal G.U.I. e/o dalla WADA;

20.7. Appelli contro sentenze sanzionatorie ai sensi del successivo art. 27.
I soggetti di cui al successivo art. 27, possono appellarsi esclusivamente al TAS, per quanto attiene alle sanzioni comminate conformemente alla parte terza del Codice.

20.8. Gli appelli al TAS devono essere presentati in conformità con le disposizioni applicate da tale organo.

20.9. Modalità e termini per la presentazione dell'appello al competente Organo di Giustizia federale di secondo grado per violazioni della normativa antidoping.
L'impugnazione è proposta:
a) in via principale: avverso le decisioni dell'Organo di Giustizia federale di primo grado entro il termine perentorio di dieci giorni dalla data di ricevimento della comunicazione del provvedimento adottato;
b) in via incidentale: entro il termine perentorio di otto giorni dalla data di ricezione del ricorso principale.

I ricorsi suddetti devono essere inviati all'Organo di Giustizia federale di secondo grado entro i rispettivi termini a mezzo lettera raccomandata A/R, se del caso anticipati a mezzo fax. Fa fede esclusivamente la data risultante dal timbro apposto dall'Ufficio Postale accettante.
Copia dell'atto di appello deve essere trasmesso alla controparte, a pena di inammissibilità del ricorso, nei termini e con le modalità sopra descritti.
I ricorsi devono essere esaustivamente motivati e corredati della copia della decisione di primo grado che si intende impugnare e della quietanza comprovante l'avvenuto pagamento della tassa, annualmente stabilita dalla F.S.N. o D.S.A. interessata, il tutto a pena di inammissibilità.
Sono esentati dal versamento della citata tassa l'*U.P.A.*, la WADA, e la Federazione Internazionale.
L'Organo di Giustizia federale di secondo grado acquisisce copia degli atti del fascicolo direttamente all'Organo di primo grado; provvede inoltre alla convocazione delle parti interessate per assicurare il contraddittorio.
E' facoltà del soggetto deferito essere presente direttamente o per delega al proprio difensore all'udienza per il dibattimento dell'appello, mentre rimane l'obbligo della presenza dell'U.P.A., direttamente o tramite delega alla Procura federale.
L'udienza deve essere fissata entro il termine massimo di venti giorni decorrenti dalla data di ricevimento dell'atto di appello e la decisione, corredata delle motivazioni, deve essere pronunciata entro e non oltre il termine massimo di quindici giorni dalla data dell'udienza.

Per i ricorsi avverso le sentenze di sospensione cautelare il competente Organo di giustizia federale di secondo grado deve:
- riunirsi entro sette giorni dalla data di ricevimento del ricorso;
- pronunciarsi entro il termine massimo di tre giorni;
- decidere in base agli atti acquisiti nel procedimento.

Nei procedimenti di appello non possono proporsi domande o questioni nuove e, se proposte, debbono essere rigettate d'ufficio. Nell'atto di appello, l'appellante può chiedere l'ammissione di nuove prove, soltanto se dimostra di non aver potuto dedurle nel giudizio di primo grado per cause a lui non imputabili. L'organo di appello può ammetterle se le ritiene indispensabili ai fini della decisione e, in tal caso, deve consentire alle altre parti di articolare l'eventuale prova contraria.
Il dibattimento ha luogo in pubblica udienza. Deve essere assicurata la presenza delle parti e dei difensori. Dopo la relazione, sentite eventualmente le parti e raccolte le prove, se ammesse, l'Organo di appello provvede dando immediata lettura del dispositivo.

L'Organo di Giustizia federale di secondo grado:
a) se valuta diversamente, in fatto o in diritto, le risultanze dei procedimenti di prima istanza, riforma in tutto od in parte le decisioni impugnate decidendo nuovamente nel merito, con divieto di inasprimento delle sanzioni a carico del reclamante, ad eccezione degli appelli presentati dall'*U.P.A.*;
b) se rileva motivi di inammissibilità od improcedibilità del giudizio di primo grado, annulla la decisione impugnata senza rinvio;
c) se ritiene insussistente la inammissibilità o la improcedibilità dichiarata dagli Organi di primo grado, annulla la decisione impugnata e rinvia all'organo che ha emesso la decisione stessa, per un nuovo esame del merito;
d) se rileva che gli organi di primo grado non hanno provveduto su tutte le domande loro proposte, non hanno preso in esame circostanze di fatto decisive agli effetti del procedimento, non hanno in alcun modo motivato la propria decisione o hanno in qualsiasi modo violato le norme sul contraddittorio. annulla la decisione impugnata e rinvia all'organo che ha emesso la decisione stessa per un nuovo esame del merito:
e) se rileva motivi di nullità nella decisione di primo grado, diversi da quelli previsti alla precedente lettera d), dichiara la nullità, dispone la rinnovazione degli atti e decide nel merito:
f) dichiara l'inammissibilità del ricorso per vizio di forma o per mancanza di interesse ad impugnare, con provvedimento che deve essere comunicato alle parti interessate.

Sono possibili la correzione, l'integrazione della sentenza impugnata o la rinnovazione del dibattimento direttamente ad opera del giudice d'appello in caso di erronea declaratoria, in primo grado, dell'estinzione del reato o dell'improcedibilità dell'azione disciplinare e in materia di circostanze aggravanti non contestate all'imputato.

Non vi è annullamento della decisione quando trattasi di vizi afferenti ai singoli atti. In tale ipotesi si procede alla loro rinnovazione, se ancora possibile e se necessaria ai fini della decisione di appello.
Con l'appello non si possono sanare irregolarità procedurali che abbiano reso inammissibile il ricorso di primo grado.

20.10. Modalità e termini per la presentazione del ricorso al Giudice di ultima istanza del C.O.N.I. per violazioni della normativa antidoping.
Il ricorso può essere proposto dall'U.P.A, anche nel caso di cui all'art. 17.8., e dal tesserato ovvero dalla Federazione Internazionale e dalla WADA, qualora vi abbiano interesse.
A pena di inammissibilità il ricorso - corredato dei motivi, del versamento dei diritti amministrativi nella misura annualmente stabilita dal C.O.N.I., come da tabella allegata, e della prova dell'avvenuta comunicazione alla controparte - va proposto con atto sottoscritto dal ricorrente a mezzo lettera raccomandata A/R, se del caso anticipato a mezzo fax, alla segreteria del G.U.I. entro dieci giorni dalla comunicazione della deliberazione impugnata ovvero entro sette giorni per gli appelli contro le deliberazioni del CEFT che negano una TUEs. Fa fede esclusivamente la data risultante dal timbro apposto dall'Ufficio Postale accettante. L'*U.P.A*, la WADA e la Federazione Internazionale interessata, non sono tenute al versamento dei diritti amministrativi di ricorso.
Il ricorso non ha effetto sospensivo.

20.11. Procedimento avanti il G.U.I.
Il G.U.I. acquisisce copia degli atti del fascicolo direttamente dall'Organo di giustizia federale di secondo grado, il quale ne cura la trasmissione entro e non oltre cinque giorni dalla richiesta. Il G.U.I. fissa l'udienza entro il termine massimo di venti giorni dalla ricezione degli atti, dandone comunicazione tempestivamente alle parti interessate. Fino a dieci giorni prima dell'udienza tutte le parti possono presentare memorie e, fino a cinque prima, possono presentare memorie di replica.
Per gli appelli contro le deliberazioni che negano una TUEs, il CEFT cura la trasmissione degli atti al G.U.I. e può presentare memorie, nei termini sopra indicati.
La trattazione del ricorso avviene in camera di consiglio. Deve essere assicurata la presenza delle parti e/o dei loro difensori. E' facoltà del tesserato essere presente direttamente o per delega al proprio difensore, mentre l'U.P.A. deve essere presente personalmente. La Federazione Internazionale e la WADA possono intervenire a mezzo degli organi rappresentativi ovvero a mezzo di soggetti specificatamente delegati.
Per gli appelli contro le deliberazioni che negano una TUEs, deve essere assicurata la presenza della parte e/o del difensore e del CEFT. E' facoltà del tesserato essere presente direttamente o per delega al proprio difensore, mentre il C.E.F.T. deve essere presente personalmente.
Dopo la relazione, a cura del Presidente o di un componente da lui delegato, le parti formulano le loro eventuali richieste. Non sono ammesse repliche. Il G.U.I., dopo la discussione, provvede dando immediata lettura del dispositivo, salvo che, per la molteplicità o per l'importanza delle questioni da decidere ovvero per la necessità di rinnovare singoli atti, il Presidente ritenga indispensabile differire la deliberazione ad

altra udienza. Qualora non sia possibile procedere alla redazione immediata dei motivi in camera di consiglio, vi si provvede non oltre il quindicesimo giorno da quello della pronuncia. In caso di parità di voti prevale il voto del Presidente o in sua assenza del Vice Presidente.
Nel decidere il ricorso il G.U.I. può innanzitutto dichiararne la inammissibilità o l'improcedibilità per mancato rispetto delle disposizioni della cui osservanza è prevista la inammissibilità o l'improcedibilità o per mancanza di legittimazione o interesse a ricorrere.
Se rileva che l'Organo di giustizia federale di secondo grado ha erroneamente dichiarato l'inammissibilità o l'improcedibilità dell'appello o ha deciso con palese violazione del contraddittorio, annulla la decisione impugnata e rinvia al predetto Organo per un nuovo esame nel merito.
Negli altri casi, previa eventuale rinnovazione di singoli atti, ove ancora possibile e necessaria, decide il ricorso nel merito e se valuta diversamente, in fatto o in diritto, le risultanze del procedimento annulla la decisione impugnata decidendo nuovamente nel merito con divieto di inasprimento delle sanzioni a carico del tesserato salvo che sia stato richiesto dall'U.P.A. con il suo appello.
Il G.U.I. può condannare alle spese del procedimento le parti soccombenti che vi hanno dato causa.
Per gli appelli contro le deliberazioni del CEFT che negano una TUEs, il G.U.I. applica la normativa stabilita dalla WADA in materia. Se il G.U.I. revoca una deliberazione del C.E.F.T. che non concede una TUEs, tale deliberazione può essere impugnata dalla WADA davanti al TAS. Le deliberazioni della WADA che revocano la concessione o il rifiuto di una TUEs possono essere impugnate dall'Atleta o dal C.O.N.I. esclusivamente davanti al TAS, nel rispetto della sua normativa.

TITOLO V
DISPOSIZIONI FINALI

Art. 21
Campo di applicazione

21.1. Gli Atleti italiani e stranieri tesserati per Società sportive affiliate alle F.S.N. ed alle D.S.A. con il loro tesseramento e/o rinnovo accettano le Norme Sportive Antidoping adottate dal C.O.N.I., nonché quelle della WADA e le successive modifiche e/o integrazioni, assumendo l'obbligo di sottoporsi a controlli antidoping con o senza preavviso, in e fuori competizione, ed ai prelievi di campioni biologici. Come da modulistica approvata dal Segretario Generale del C.O.N.I. ed allegata al presente Regolamento, le F.SN. e le D.S.A. rendono ai propri tesserati idonea informativa, ricevendo dagli stessi la dichiarazione di consenso sottoscritta, anche ai fini del tesseramento. Le F.S.N. e le D.S.A. sono tenute a trasmettere tempestivamente la dichiarazione di consenso sottoscritta - anche in formato elettronico - al *Coordinamento*, su sua richiesta.

21.2. Il prelievo dei campioni biologici per i controlli antidoping può avvenire in competizione, durante eventi sportivi internazionali e/o nazionali.
Al fine di assicurare che una sola Organizzazione sia responsabile per tutte le fasi dei test eseguiti durante l'evento sportivo:

- per gli eventi sportivi internazionali: il prelievo dei campioni per i controlli antidoping deve essere condotto e controllato dall'Organizzazione internazionale. Se l'Organizzazione internazionale decide di non condurre alcun test durante l'evento sportivo, la F.S.N., la D.S.A. e/o il C.O.N.I. possono eseguire i test, di concerto e con l'approvazione dell'Organizzazione internazionale citata o della WADA.
  Gli Atleti sono tenuti al rispetto delle regole emanate dalla competente Federazione Internazionale e da questa possono essere sottoposti a giudizio;
- per gli eventi sportivi nazionali: il prelievo dei campioni per i controlli antidoping deve essere disposto dal C.O.N.I., di norma per il tramite della F.M.S.I., anche d'intesa con la Commissione ministeriale di cui alla legge 376/2000.

21.3. Gli Organismi internazionali competenti possono disporre anche controlli fuori competizione nei confronti di Atleti tesserati presso F.S.N. o D.S.A. e comminare sanzioni secondo i propri regolamenti.

21.4. I test fuori competizione devono essere condotti e diretti dagli Organismi internazionali e nazionali. Tali test possono essere condotti e diretti da:
(a) WADA; (b) CIO o il Comitato Paraolimpico Internazionale, in connessione con i Giochi Olimpici o Paraolimpici; (c) Federazione Internazionale di appartenenza dell'atleta; (d) C.O.N.I.; (e) C.C.A., anche d'intesa con la Commissione ministeriale di cui alla legge 376/2000.

Al fine di ottimizzare l'efficacia delle iniziative comuni e per evitare la ripetizione dei test sui singoli Atleti in caso di concomitante presenza di Organismi internazionali e nazionali, i primi avranno priorità nell'esecuzione dei test, fermo restando, per i secondi, di eseguire quanto programmato per la parte eventualmente residuale.

21.5. Fermo restando quanto previsto al precedente punto 1 ed all'art. 17.2., sono disciplinate secondo il regolamento della competente Federazione Internazionale la gestione dei risultati e la conduzione delle udienze per una violazione del Regolamento relativa ad un riscontro analitico di positività o accertata dall'U.P.A. relative a fattispecie che non consentano l'attivazione di un procedimento disciplinare ai sensi del precedente art. 17.

21.6. Fatto salvo il diritto di appello come precedentemente previsto, l'esecuzione dei test, la TUEs, i risultati delle udienze o le altre deliberazioni di un Firmatario, purché conformi al Codice e rientranti tra le competenze del Firmatario, devono essere riconosciuti e osservati da tutti gli altri Firmatari. Questi possono riconoscere analoghe iniziative condotte da altri Organismi che non abbiano sottoscritto il Codice, purché i regolamenti di tali Organismi siano per il resto ad esso conformi.

21.7 Per quanto non espressamente indicato nelle Norme Sportive Antidoping adottate dal C.O.N.I., o qualora insorgano controversie, farà testo la versione inglese del Codice Mondiale Antidoping e degli Standard Internazionali WADA.
Qualora insorgano contrasti tra Norme Sportive Antidoping adottate dal C.O.N.I. e i regolamenti antidoping federali, faranno testo le Norme Sportive Antidoping adottate dal C.O.N.I.

Art. 22
Divulgazione delle informazioni

22.1. Ai sensi dell'art. 9.1. lettera d) e nel rispetto delle disposizioni di cui agli artt. 23 e 24, l'identità degli Atleti i cui campioni biologici hanno dato riscontro analitico di positività, o degli Atleti e delle altre persone che hanno violato norme antidoping viene resa pubblica dall'Ufficio Comunicazione e Rapporti con i Media, non prima del compimento dell'indagine amministrativa descritta al precedente art. 15.2.

Art. 23
Comunicazioni ai mezzi di informazione

23.1. I dati personali relativi a fatti di doping, se non associati ad informazioni riguardanti sotto qualunque profilo lo stato di salute degli interessati, non sono ritenuti dati sensibili ai sensi della legge 675/96 sulla privacy.
Per i minori saranno indicate soltanto le iniziali del nome e del cognome.

L'emissione di comunicati e notizie relativi ad atti, informazioni, disposizioni, provvedimenti delle strutture del C.O.N.I. preposte all'attività antidoping, è di esclusiva competenza e responsabilità dell'Ufficio Comunicazione e Rapporti con i Media.
E' di esclusiva competenza e responsabilità delle F.S.N. o D.S.A. interessate l'emissione di comunicati stampa relativi agli analoghi atti adottati dai propri Organi ed Uffici.

Art. 24
Obbligo di riservatezza

24.1. Fermo restando quanto previsto per le comunicazioni di rito, sono obbligati a mantenere riservata qualsiasi notizia o informazione inerente agli argomenti trattati e alle procedure previste dal Regolamento:
- i componenti ed i consulenti delle strutture del C.O.N.I. e delle F.S.N. e D.S.A. preposte all'attività antidoping;
- le parti;
- i componenti ed i consulenti degli organi di giustizia.

24.2. Il personale e gli incaricati del C.O.N.I. e delle F.S.N. e D.S.A. sono tenuti a non fornire a chi non ne abbia diritto notizie o informazioni di cui al precedente punto.

Art. 25
Norme transitorie

25.1 Sino al 31 dicembre 2005, ai sensi dell'articolo 12.2 del presente Regolamento, il C.C.A. provvede alla gestione dei controlli antidoping, regolati da apposite convenzioni ancora vigenti tra F.M.S.I. e F.S.N., sia di quelli indicati come "ordinari" sia di quelli affidati alla Commissione Antidoping del C.O.N.I..

Art. 26
Controlli antidoping per gli animali che partecipano alle competizioni sportive

26.1. La Federazione Sportiva Nazionale che nella propria attività sportiva impiega animali è tenuta a istituire ed applicare un regolamento antidoping per i suddetti animali in conformità a quanto previsto dal corrispondente Organismo internazionale. Tale regolamento deve comprendere un *Elenco* delle sostanze vietate, le procedure adatte per l'esecuzione dei test e l'individuazione dei laboratori accreditati per le analisi dei campioni biologici.

Art. 27
Ruoli e responsabilità

27.1. Ruoli e responsabilità del C.O.N.I.
Fa carico al C.O.N.I.:
- revocare per intero o in parte i finanziamenti, per tutto il periodo della squalifica, agli Atleti o al Personale di supporto degli Atleti che hanno violato il *Regolamento*;
- revocare per intero o in parte i finanziamenti alle F.S.N. affiliate o riconosciute che non operino in conformità con il *Codice*;
- adottare e attuare politiche e regolamenti antidoping che siano conformi al *Codice*;
- cooperare con le altre competenti organizzazioni nazionali e con le altre Organizzazioni antidoping;
- incoraggiare l'esecuzione di test reciproci tra Organizzazione antidoping nazionali;
- promuovere la ricerca antidoping per il tramite delle strutture preposte;
- autorizzare e facilitare il Programma Osservatori Indipendenti.

27.2. Ruoli e responsabilità delle Organizzazioni di importanti eventi sportivi.
Fa carico alle Organizzazioni di importanti eventi sportivi:
- attuare politiche e regolamenti antidoping per i propri eventi sportivi che siano conformi al *Codice*.
- adottare opportune misure per assicurate l'osservanza del *Codice*;
- autorizzare e facilitare il Programma Osservatori Indipendenti.

27.3. Ruoli e responsabilità degli Atleti.
Fa carico agli Atleti:
- essere a conoscenza ed attenersi ai vigenti regolamenti e politiche antidoping adottati in conformità con il *Codice*;
- l'obbligo di sottoporsi al prelievo dei campioni biologici;
- assumersi tutte le responsabilità, ai fini del *Regolamento*, in ordine alle sostanze che ingeriscono e usano;
- informare il personale medico dell'obbligo di non usare sostanze vietate e metodi proibiti e assicurarsi che le cure mediche ricevute non violino le politiche e i regolamenti adottati in conformità con il *Codice*.

27.4. Ruoli e responsabilità del Personale di supporto degli Atleti.
Fa carico al Personale di supporto degli Atleti:
- essere a conoscenza e attenersi alle politiche e ai regolamenti adottati conformemente al *Codice*;
- cooperare con il programma di test per gli Atleti;
- usare la loro influenza sui valori e le attitudini degli Atleti per rafforzare i comportamenti contro il doping.

Art. 28
Norme finali

28.1. La disciplina prevista nel presente Regolamento in riferimento alle F.S.N. e alle D.S.A. trova applicazione anche agli Enti di Promozione Sportiva, nei limiti stabiliti dalle istruzioni deliberate dalla Giunta Nazionale, sentito l'organismo di coordinamento dei medesimi Enti.
Le Norme Sportive Antidoping adottate dal C.O.N.I.("N.S.A.") trovano immediata applicazione per le F.S.N. e le D.A, trascorsi trenta giorni dalla notifica dell'avvenuta approvazione, anche attraverso la pubblicazione sul sito internet del C.O.N.I. (www.coni.it.) Entro lo stesso termine, le F.S.N. e le D.S.A. dovranno modificare la propria normativa federale, al fine di renderla conforme alle N.S.A.
In mancanza di tale adempimento, le N.S.A. trovano comunque piena applicazione, anche derogando la eventuale difforme regolamentazione federale.

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APPENDICE: DEFINIZIONI

Le definizioni di cui alla presente appendice devono essere considerate parte integrante del *Regolamento dell'attività antidoping*.

Assenza di colpa o negligenze significativa: attestazione dell'*Atleta* in virtù della quale la sua colpa o negligenza, ove venga vista alla luce delle circostanze generali e dei criteri per l'esclusione di colpa o negligenza, non risulta significativa in relazione alla violazione del *Regolamento* antidoping.

Atleta: qualsiasi *Persona* che, per quanto attiene ai *controlli antidoping*, partecipa ad attività sportive a livello internazionale (secondo la definizione data dalle singole Federazioni Internazionali) o a livello nazionale (secondo la definizione data dalle singole *Organizzazioni antidoping nazionali*) o qualsiasi altra *Persona* che partecipa ad attività sportive a livello inferiore, ove ciò sia previsto dall'*Organizzazione antidoping nazionale* della *Persona* interessata. Per quanto attiene alle iniziativi di informazione e formazione antidoping, viene considerato *Atleta* qualsiasi *Persona* che partecipa ad attività sportive in rappresentanza di un *Firmatario*, un governo o altra organizzazione sportiva che abbia adottato il *Codice*.

[Nota: questa definizione chiarisce che tutti gli Atleti di livello internazionale e nazionale sono tenuti a rispettare le norme antidoping del Codice, mentre l'esatta definizione di sport a livello internazionale e nazionale deve essere delineata rispettivamente nei regolamenti antidoping delle Federazioni Internazionali e delle Organizzazioni antidoping nazionali. A livello nazionale, i regolamenti antidoping adottati conformemente al Codice devono essere applicabili almeno a tutti gli Atleti delle squadre nazionali e a tutte le persone qualificate a competere in qualsiasi campionato nazionale di qualsiasi sport. La definizione inoltre consente a ogni Organizzazione antidoping nazionale, ove questa lo ritenga opportuno, di allargare il programma di controlli antidoping, coinvolgendo oltre agli Atleti nazionali anche gli Atleti a livelli agonistici inferiori. Gli Atleti a tutti i livelli agonistici devono ricevere le informazioni e la formazione utili per la lotta al doping.]

Atleti *di livello internazionale*: Atleti designati da una o più Federazione Internazionali per l'inserimento tra i *nominativi registrati per i test* di una Federazione Internazionale.

Campione biologico: qualsiasi materiale biologico prelevato nell'ambito dei *controlli antidoping*.

Codice: il *Codice* mondiale antidoping.

Comitato Olimpico Nazionale: l'organizzazione riconosciuta dal Comitato Internazionale Olimpico. Con il termine *Comitato Olimpico Nazionale* si intende anche la Confederazione Sportiva Nazionale in quei paesi in cui quest'ultima assume le normali responsabilità del *Comitato Olimpico Nazionale* in materia di lotta al doping.

Competizione: una corsa, una partita, un incontro o una gara di Atletica, come ad esempio le finali olimpiche dei 100 metri. Per le corse a tappe e le altre gare di Atletica in cui i premi vengono assegnati in base ai risultati giornalieri, o secondo altri criteri provvisori, la

distinzione tra una *competizione* e un *evento sportivo* viene fissata nel regolamento della competente Federazione Internazionale.

Controllo antidoping: la procedura comprende l'assegnazione dei test, il prelievo e la gestione dei campioni, l'analisi dei laboratori, la gestione dei risultati, la fase dibattimentale e gli appelli.

Divulgazione delle informazioni: divulgare o diffondere informazioni al pubblico o ad altre persone oltre a quelle aventi diritto ad essere notificate preventivamente ai sensi dell'art. 14.

Durante le competizioni: al fine di differenziare i *test* condotti *durante le competizioni* da quelli condotti *fuori delle competizioni*, salvo diversa indicazione del regolamento della Federazione Internazionale o di altra *Organizzazione antidoping*, i *test durante le competizioni* sono costituiti da *test* eseguiti sugli *Atleti* in relazione a una determinata *competizione*.

[Nota: la distinzione tra "durante le competizioni" e "fuori delle competizioni" è importante perché soltanto i test "durante le competizioni" sono basati sulla Lista delle sostanze e delle pratiche vietate completa. Gli stimolanti vietati, ad esempio, non sono testati fuori delle competizioni, perché non incrementano le prestazioni, salvo quando sono presenti nell'organismo dell'Atleta durante la competizione. Purché lo stimolante vietato non sia presente nell'organismo dell'Atleta al momento della competizione, non fa alcuna differenza se detto stimolante sia stato rinvenuto nell'urina dell'Atleta il giorno prima o dopo della competizione.]

Esecuzione di test: le fasi delle procedure di *controllo antidoping* che richiedono la pianificazione della ripartizione dei test, il prelievo dei *campioni*, la gestione dei *campioni* e il trasporto dei *campioni* al laboratorio.

Evento nazionale: un evento sportivo che coinvolga Atleti internazionali o nazionali che non sia un evento internazionale.

Evento internazionale: un *evento* sportivo in cui l'organo esecutivo o il designatore dei commissari sportivi sia il Comitato Internazionale Olimpico, il Comitato Paraolimpico Internazionale, una Federazione Internazionale, un'*Organizzazione di un evento importante* o un'altra organizzazione sportiva internazionale.

Evento sportivo: una serie di *competizioni* individuali organizzate nella stessa manifestazione sotto uno stesso organo esecutivo (ad es. Giochi Olimpici, Campionati del Mondo FINA o Giochi Pan Americani).

Firmatari: gli enti che hanno sottoscritto il *Codice* e si sono impegnati ad osservare il *Codice*: il Comitato Internazionale Olimpico, le Federazioni Internazionali, il Comitato Paraolimpico Internazionale, i *Comitati Olimpici Nazionali*, i Comitati Paraolimpici Nazionali, le *Organizzazioni di importanti eventi*, le *Organizzazioni antidoping nazionali* e la *WADA*.

Funzionario responsabile dei controlli antidoping (DCO): Dirigente qualificato e autorizzato dal CONI ad assumere le responsabilità della gestione in loco della sessione per il prelievo dei campioni, nel rispetto degli Standard Internazionali per i controlli (preparativi; svolgimento della sessione; sicurezza/iter amministrativo successivamente al controllo; trasporto dei campioni e della documentazione). Il DCO è responsabile del trasporto dei campioni – portati direttamente ovvero per il tramite di un corriere - al Laboratorio antidoping accreditato WADA, nel rispetto della normativa WADA. Gli Ispettori Medici iscritti all'Albo deliberato dalla Giunta Nazionale del C.O.N.I. assumono la qualifica di DCO a norma dell'art. 10 del Regolamento.

Fuori delle competizioni: qualsiasi *controllo antidoping* che non venga eseguito *durante le competizioni*.

Invalidazione: vedi *Sanzioni per violazioni del regolamento antidoping*.

Lista delle sostanze vietate e dei metodi proibiti: lista che identifica le *sostanze vietate* e i *metodi proibiti*.

Manomissione: alterazione per fini o con modi illeciti; esercitare pressioni indebite; interferire illecitamente al fine di alterare i risultati o impedire il normale svolgimento delle operazioni.

Marker: un composto, un gruppo di composti o di parametri biologici che indicano l'uso di una *sostanza vietata o di un metodo proibito*.

Metabolita: qualsiasi sostanza prodotta da un processo di biotrasformazione.

Metodo proibito: qualsiasi metodo così definito nella *Lista delle sostanze vietate e dei metodi proibiti*.

Minore: qualsiasi *Persona* fisica che non abbia raggiunto la maggiore età secondo la definizione data dalle leggi vigenti nel suo paese di residenza.

Nessuna colpa o negligenza: attestazione dell'*Atleta* di non aver saputo o sospettato, né di aver potuto ragionevolmente sapere o sospettare anche esercitando la massima cautela, di aver assunto od utilizzato *sostanze vietate o metodi proibiti*.

Nominativi registrati per i test: elenco degli Atleti d'élite, istituito dalle singole Federazioni Internazionali e dalle *Organizzazioni antidoping nazionali*, che devono essere sottoposti a *test durante e fuori competizione* nell'ambito della pianificazione della ripartizione dei test di ogni Federazione Internazionale e Organizzazione.

[Nota: ogni Federazione Internazionale deve definire chiaramente i criteri specifici per l'inserimento degli Atleti tra i nominativi registrati per i test. Ad esempio, i criteri potrebbero essere una determinata posizione in classifica mondiale, un determinato tempo, l'appartenenza a una squadra nazionale, ecc.]

Organizzazione antidoping: un *Firmatario* che adotti un regolamento per avviare, attuare e applicare qualsiasi parte del processo di *controllo antidoping*. Ciò include, ad esempio, il Comitato Internazionale Olimpico, il Comitato Paraolimpico Internazionale, altre *Organizzazioni di importanti eventi sportivi* che conducano *test* in occasione di tali *eventi*, la *WADA*, le Federazioni Internazionali e le *Organizzazioni antidoping nazionali*.

Organizzazione antidoping nazionale: l'ente o gli enti nazionali cui viene riconosciuta la massima autorità e responsabilità in materia di adozione e attuazione del regolamento antidoping, direzione dei prelievi di *campioni*, gestione dei risultati dei test e conduzione dei dibattimenti, sempre a livello nazionale. Se le competenti autorità pubbliche non hanno provveduto alla designazione, l'ente responsabile è il *Comitato Olimpico Nazionale* o un suo designato.

Organizzazioni di importanti eventi: questo termine si riferisce alle associazioni continentali di *Comitati Olimpici Nazionali* e di altre organizzazioni internazionali polisportive che operano come organi esecutivi di *eventi internazionali* continentali, regionali o di altro genere.

Partecipante: qualsiasi *Atleta* o *Personale di supporto degli Atleti*.

Persona: *Persona* fisica, organizzazione o altro ente.

Personale di supporto degli Atleti: qualsiasi *Persona* con funzioni di allenatore, preparatore, dirigente, agente, addetto alla squadra, ufficiale, medico o paramedico che lavori con gli *Atleti*, o si occupi di loro, e che partecipi alla competizione sportiva o intervenga nella preparazione agonistica.

Possesso: il possesso effettivo o presunto (accertato solo se la *Persona* ha il controllo esclusivo sulla *sostanza/metodo proibito* o sui locali in cui la *sostanza/metodo* proibito è stata rinvenuta), purché, qualora la *Persona* non abbia il controllo esclusivo sulla *sostanza/metodo proibito* o sui locali in cui la *sostanza/pratica vietata* è stata rinvenuta, il possesso presunto sussista solo se la *Persona* era a conoscenza della presenza della *sostanza/metodo proibito* e intendeva esercitare il proprio controllo su di essa; a condizione, tuttavia, che non vi sia alcuna violazione del regolamento antidoping basata esclusivamente sul *possesso* se, prima che la *Persona* riceva la notifica di aver commesso una violazione del regolamento antidoping, la *Persona* stessa ha dimostrato concretamente di non avere alcuna intenzione di esercitare il *possesso* e di aver rinunciato al suddetto *possesso*.

[Nota: in virtù di tale definizione, gli steroidi rinvenuti nell'automobile dell'Atleta costituiscono una violazione, salvo l'Atleta dimostri che altri hanno usato la sua automobile; in tal caso, l'Organizzazione antidoping deve dimostrare che, anche se l'Atleta non aveva il controllo esclusivo dell'automobile, l'Atleta sapeva della presenza degli steroidi e intendeva esercitare il suo controllo su di essi. Analogamente, nel caso di steroidi rinvenuti nell'armadietto delle medicine dell'abitazione dell'Atleta, quindi sotto il controllo congiunto dell'Atleta e del coniuge, l'Organizzazione antidoping deve dimostrare che l'Atleta sapeva della presenza degli steroidi nell'armadietto e intendeva esercitare il suo controllo su di essi.]

Programma Osservatori Indipendenti: un gruppo di osservatori, sotto la supervisione della WADA, che osserva le procedure del *controllo antidoping* in occasione di alcuni *eventi sportivi* e riferisce in merito. Se la *WADA* sta conducendo dei *test durante le competizioni* di

un determinato *evento sportivo*, gli osservatori devono essere sotto la supervisione di un'organizzazione indipendente.

Riscontro analitico di positività: referto di un laboratorio o di un altro centro accreditato all'esecuzione dei *test* che rileva in un *campione biologico* la presenza di una *sostanza vietata* o dei suoi *metaboliti* o *marker* (incluse elevate concentrazioni di sostanze endogene) o evidenze dell'*uso* di un *metodo proibito*.

Sanzioni per violazioni del regolamento antidoping: una violazione del regolamento antidoping, commessa da un Atleta o da un'altra Persona, sanzionabile nel modo seguente: (a) *Invalidazione*: significa che i risultati ottenuti dall'*Atleta* in una determinata *competizione* o in un dato *evento sportivo* vengono invalidati, con le relative conseguenze in termini di annullamento delle medaglie, dei punti e dei premi conferiti; (b) *Squalifica*: significa che l'*Atleta* o altra *Persona* non possono partecipare per un dato periodo di tempo ad alcuna *competizione* o ad altra attività, né ricevere alcun finanziamento; e (c) *Sospensione cautelare*: significa che l'*Atleta* o altra *Persona* non possono partecipare temporaneamente ad alcuna *competizione* in attesa della sentenza finale che verrà presa nel dibattimento.

Senza preavviso: *controllo antidoping* eseguito senza alcun preavviso all'*Atleta* e durante il quale l'*Atleta* viene continuamente accompagnato dal momento della notifica fino al prelievo del *campione biologico*.

Sospensione cautelare: vedi *Sanzioni*.

Sostanza vietata: qualsiasi sostanza così definita nella *Lista delle sostanze vietate e dei metodi proibiti*.

Sport di squadra: disciplina sportiva in cui è consentito sostituire i giocatori nel corso della *competizione*.

Squalifica: vedi *Sanzioni per violazioni al regolamento antidoping*.

Standard internazionale: standard adottato dalla *WADA* a supporto del *Codice*. L'osservanza di uno *Standard internazionale* (in opposizione a un altro standard o a una pratica o una procedura di natura diversa) è elemento sufficiente a concludere che le procedure definite dallo *Standard internazionale* sono state eseguite correttamente.

Tentativo: intraprendere deliberatamente un'iniziativa chiaramente mirata a commettere una violazione del regolamento antidoping. Tuttavia, non vi sarà alcuna violazione del regolamento antidoping solamente in base al *tentativo* di commettere una violazione se il soggetto interessato rinuncia al tentativo prima di essere scoperto da una parte terza non coinvolta nel *tentativo* stesso.

Test mirati: procedura di selezione degli *Atleti* per l'esecuzione di *test*: *Atleti* o gruppi di *Atleti* vengono selezionati su base non casuale al fine di eseguire i *test* in un determinato momento.

Traffico illegale: vendere, dare, somministrare, trasportare, inviare, consegnare o distribuire una *sostanza vietata o un metodo proibito* a un *Atleta* sia direttamente che tramite terzi, ad eccezione della vendita o della distribuzione (da parte di personale medico o *persone* diverse dal *personale di supporto dell'Atleta*) di una *sostanza vietata* per fini terapeutici legittimi.

Udienza preliminare: udienza con rito abbreviato tenuta prima del dibattimento che, previa notifica, offre all'*Atleta* la possibilità di esporre le proprie ragioni sia in forma scritta che orale.

Uso: l'applicazione, l'ingestione, l'iniezione o il consumo in qualsivoglia modo di una *sostanza vietata o di un metodo proibito*.

WADA: Agenzia Mondiale Antidoping.

Sul sito WADA (www.wada-ama.org) sono pubblicati tutti gli atti, documenti e fonti regolamentari – richiamati anche nel presente Regolamento - necessari a garantire l'armonizzazione e la migliore pratica dei programmi antidoping.

§§§§§§§§§§§§§

All.

FEDERAZIONE _____

INFORMATIVA ALL'INTERESSATO

La informiamo, anche ai sensi del decreto legislativo 30 giugno 2003, n. 196 – Codice in materia di protezione dei dati personali – consolidato con la legge 26 febbraio 2004, n. 45 di conversione, che i dati e le informazioni che Le sono richiesti con il tesseramento per il rispetto della vigente normativa **sulla tutela sanitaria delle attività sportive e della lotta contro il doping**, sono necessari ai fini della partecipazione all'attività sportiva organizzata dalla Federazione Sportiva Nazionale.
I dati da Lei forniti saranno utilizzati per tutti i trattamenti - nei limiti stabiliti da leggi o regolamenti - necessari alla definizione della Sua "partecipazione" all'attività sportiva conseguente al tesseramento federale.
A seguito dell'entrata in vigore del Codice WADA, i titolari del trattamento dei dati personali in materia di doping con a fianco indicate le strutture responsabili sono:

WADA
www.wada-ama.org
European Office Lausanne
Avenue du Tribunal – Fedéral 34 – 1005 Lausanne Switzerland
Tom Dielen Director Regional Office tel. + 41 213434345 fax + 41 213434341 e-mail sibille.villard@wada-ama.org,
Alain Garnier Director Medical tel. + 41 213434346 fax + 41 213434341 e-mail sibille.villard@wada-ama.org
Sibylle Villard Assistant tel. + 41 213434350 fax + 41 213434341 e-mail sibille.villard@wada-ama.org

CONI
www.coni.it
Commissione Antidoping – Comitato Controllo Antidoping
Commissione Scientifica Antidoping
Comitato per l'Esenzione a Fini Terapeutici
Comitato Etico
Ufficio di Procura Antidoping
Giudice di Ultima Istanza in materia di doping
Stadio Olimpico – Curva Sud – 00194 Roma Italia
Tel. +39 06 36851 fax +39 06 36857877 e-mail antidoping@coni.it

Federazione sportiva nazionale interessata
(Per la FSN responsabili e recapiti sono da indicare a cura della stessa.)

L'ufficio di supporto della CONI Servizi spa alle predette strutture antidoping del CONI è:
Coordinamento Attività Antidoping
Stadio Olimpico – Curva Sud – 00194 Roma - Italia
Tel. +39 06 36851 fax +39 06 36857877 e-mail antidoping@coni.it

L'ufficio della CONI Servizi spa responsabile dell'emissione di comunicati e notizie relativi ad atti, informazioni, disposizioni, provvedimenti delle strutture antidoping del CONI è:
Comunicazione e Rapporti con i Media
Foro Italico 00194 Roma – Italia
Tel. +39 06 36851 fax +39 06 36857106 e-mail comunicazione@coni.it

Si ricorda che con il tesseramento e/o rinnovo vengono accettati il Regolamento antidoping CONI attuativo del Codice Mondiale WADA, il Programma Mondiale Antidoping elaborato dalla WADA, nonché quelli elaborati dal CONI e dalla FSN di appartenenza.
La informiamo che in qualità di interessato sono fatti salvi i Suoi diritti di cui all'art. 7 del Decreto legislativo 30 giugno 2003, n. 196 e successive modifiche e/o integrazioni.

Il/La sottoscritto/a Segretario Generale della Federazione _____

_____
(firma)

_____
(luogo, data e timbro)

---

per presa visione ed accettazione
NOME E COGNOME DEL TESSERATO[1]:_____

_____
(firma)

_____
(luogo e data)

---

[1] Per il minore firma di chi esercita la patria potestà

All.

DICHIARAZIONE

(da redigersi in carta libera)

Il/La sottoscritto/a tesserato/a _____

Nato/a _____ il _____

residente in _____ C.A.P. _____

Via _____ Tel _____

Federazione di appartenenza _____ Tessera federale n. _____

firmando il presente documento, riconosce di aver letto, compreso ed accettato integralmente le normative **statuali sulla tutela sanitaria delle attività sportive e della lotta contro il doping, le disposizioni emanate** da WADA, CONI e Federazione Sportiva nazionale in materia, nonché l'informativa ai sensi del decreto legislativo 30 giugno 2003, n. 196 – Codice in materia di protezione dei dati personali – consolidato con la legge 26 febbraio 2004, n. 45 di conversione, ai fini della "partecipazione" all'attività sportiva

dichiara

di autorizzare il trattamento dei dati forniti ai fini della "partecipazione" all'attività sportiva **e che la effettiva partecipazione alla stessa è subordinata al conseguimento della idoneità alla pratica sportiva, ai sensi della normativa vigente sulla tutela sanitaria e sulla lotta al doping.**

_____
(firma) [2]

_____
(luogo e data)

Il Segretario Generale della Federazione _____ **dichiara che** il titolare del trattamento dei dati per la Federazione sportiva è:

_____

_____
(firma)

_____
(luogo, data e timbro)

---

[2] Per il minore firma di chi esercita la patria potestà

Coni

Norme sportive antidoping

Documento tecnico attuativo del Programma Mondiale Antidoping WADA

Codice Mondiale Antidoping

ALLEGATO AL REGOLAMENTO DELL'ATTIVITÀ ANTIDOPING APPROVATO DAL CONSIGLIO NAZIONALE DEL C.O.N.I.
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World Anti-Doping Code

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INTRODUCTION

THE PURPOSE, SCOPE AND ORGANIZATION OF THE WORLD ANTI-DOPING PROGRAM AND THE *CODE*

The purposes of the World Anti-Doping Program and the *Code* are:

- To protect the *Athletes'* fundamental right to participate in doping-free sport and thus promote health, fairness and equality for *Athletes* worldwide; and

- To ensure harmonized, coordinated and effective anti-doping programs at the international and national level with regard to detection, deterrence and prevention of doping.

THE WORLD ANTI-DOPING PROGRAM

The World Anti-Doping Program encompasses all of the elements needed in order to ensure optimal harmonization and best practice in international and national anti-doping programs. The main elements are:

Level 1: The *Code*

Level 2: *International Standards*

Level 3: Models of Best Practice

THE *CODE*

The *Code* is the fundamental and universal document upon which the World Anti-Doping Program in sport is based. The purpose of the *Code* is to advance the anti-doping effort through universal harmonization of core anti-doping elements. It is intended to be specific enough to achieve complete harmonization on issues where uniformity is required, yet general enough in other areas to permit flexibility on how agreed upon anti-doping principles are implemented.

INTERNATIONAL STANDARDS

International Standards for different technical and operational areas within the anti-doping program will be developed in consultation with the *Signatories* and governments and approved by *WADA*. The purpose of the *International Standards* is harmonization among *Anti-Doping Organizations* responsible for specific technical and operational parts of the anti-doping programs. Adherence to the *International Standards* is mandatory for compliance with the *Code*. The *International Standards* may be revised from time to time by the *WADA* Executive Committee after reasonable consultation with the *Signatories* and governments. Unless provided otherwise in the *Code*, *International Standards* and all revisions shall become effective on the date specified in the *International Standard* or revision.

MODELS OF BEST PRACTICE

Models of Best Practice based on the *Code* will be developed to provide state of the art solutions in different areas of anti-doping. The Models will be recommended by *WADA* and made available to *Signatories* upon request but will not be mandatory. In addition to providing models of anti-doping documentation, *WADA* will also make some training assistance available to the *Signatories*.

International Standards Comment: *International Standards will contain much of the technical detail necessary for implementing the Code. This would include, for example, the detailed requirements for Sample collection, laboratory analysis and laboratory accreditation currently found in the Olympic Movement Anti-Doping Code 1999 ("OMADC"). International Standards, while expressly incorporated into the Code by reference, will, in consultation with the Signatories and governments, be developed by experts and set forth in separate technical documents. It is important that the technical experts be able to make timely changes to the International Standards without requiring any amendment of the Code or individual stakeholder rules and regulations.*

All applicable International Standards will be in place by January 1, 2004.

Models of Best Practice Comment: *WADA will prepare model anti-doping rules and regulations tailored to the needs of each of the major groups of Signatories (e.g., International Federations for individual sports.*

FUNDAMENTAL RATIONALE FOR THE WORLD ANTI-DOPING *CODE*

Anti-doping programs seek to preserve what is intrinsically valuable about sport. This intrinsic value is often referred to as "the spirit of sport"; it is the essence of Olympism; it is how we play true. The spirit of sport is the celebration of the human spirit, body and mind, and is characterized by the following values:

- Ethics, fair play and honesty.
- Health.
- Excellence in performance.
- Character and education.
- Fun and joy.
- Teamwork.
- Dedication and commitment.
- Respect for rules and laws.
- Respect for self and other participants.
- Courage.
- Community and solidarity.

Doping is fundamentally contrary to the spirit of sport.

International Federations for team sports, National Anti-Doping Organizations, etc.). These model rules and regulations will conform with and be based on the Code, will be state of the art examples of best practices and will contain all of the detail (including reference to International Standards) necessary to conduct an effective anti-doping program.

These model rules and regulations will provide alternatives from which stakeholders may select. Some stakeholders may choose to adopt the model rules and regulations and other models of best practices verbatim. Others may decide to adopt the models with modifications. Still other stakeholders may choose to develop their own rules and regulations consistent with the general principles and specific requirements set forth in the Code.

Other model documents for specific parts of the anti-doping work may be developed based on generally recognized stakeholder needs and expectations. This could include models for national anti-doping programs, results management, Testing (beyond the specific requirements set forth in the International Standard for Testing), education programs, etc. All Models of Best Practice will be reviewed and approved by WADA before they are included in the World Anti-Doping Program.

PART ONE

DOPING CONTROL

INTRODUCTION

Part One of the *Code* sets forth specific anti-doping rules and principles that are to be followed by organizations responsible for adopting, implementing or enforcing anti-doping rules within their authority - - e.g., the International Olympic Committee, International Paralympic Committee, International Federations, *Major Event Organizations*, and *National Anti-Doping Organizations*. All of these organizations are collectively referred to as *Anti-Doping Organizations*.

Part One of the *Code* does not replace, or eliminate the need for, comprehensive anti-doping rules adopted by each of these *Anti-Doping Organizations*. While some provisions of Part One of the *Code* must be incorporated essentially verbatim by each *Anti-Doping Organization* in its own anti-doping rules, other provisions of Part One establish mandatory guiding principles that allow flexibility in the formulation of rules by each *Anti-Doping Organization* or establish requirements that must be followed by each *Anti-Doping Organization* but need not be repeated in its own anti-doping rules. The following Articles, as applicable to the scope of anti-doping activity which the *Anti-Doping Organization* performs, must be incorporated into the rules of each *Anti-Doping Organization* without any substantive changes (allowing for necessary non-substantive editing

Introduction Comment: *For example it is critical to harmonization that all Signatories base their decisions on the same list of anti-doping rule violations, the same burdens of proof and impose the same Consequences for the same anti-doping rule violations. These substantive rules must be the same whether a hearing takes place before an International Federation, at the national level or before CAS. On the other hand, it is not necessary for effective harmonization to force all Signatories to use one single results management and hearing process. At present, there are many different, yet equally effective processes for results management and hearings within different International Federations and different national bodies. The Code does not require absolute uniformity in results management and hearing procedures; it does, however, require that the diverse approaches of the Signatories satisfy principles stated in the Code.*

With respect to Article 13, subpart 13.2.2 is not included in the provisions required to be adopted essentially verbatim, as 13.2.2 establishes mandatory guiding principles that allow some flexibility in the formulation of rules by the Anti-Doping Organization.

changes to the language in order to refer to the organization's name, sport, section numbers, etc.): Articles 1 (Definition of Doping), 2 (Anti-Doping Rule Violations), 3 (Proof of Doping), 9 (Automatic *Disqualification* of Individual Results), 10 (Sanctions on Individuals), 11 (*Consequences* to Teams), 13 (Appeals) with the exception of 13.2.2, 17 (Statute of Limitations) and Definitions.

Anti-doping rules, like competition rules, are sport rules governing the conditions under which sport is played. *Athletes* accept these rules as a condition of participation. Anti-doping rules are not intended to be subject to or limited by the requirements and legal standards applicable to criminal proceedings or employment matters. The policies and minimum standards set forth in the *Code* represent the consensus of a broad spectrum of stakeholders with an interest in fair sport and should be respected by all courts and adjudicating bodies.

Participants shall be bound to comply with the anti-doping rules adopted in conformance with the *Code* by the relevant *Anti-Doping Organizations*. Each *Signatory* shall establish rules and procedures to ensure that all *Participants* under the authority of the *Signatory* and its member organizations are informed of and agree to be bound by anti-doping rules in force of the relevant *Anti-Doping Organizations*.

Participants Comment: *By their participation in sport, Athletes are bound by the competitive rules of their sport. In the same manner, Athletes and Athlete Support Personnel should be bound by anti-doping rules based on Article 2 of the Code by virtue of their agreements for membership, accreditation, or participation in sports organizations or sports events subject to the Code. Each Signatory, however, shall take the necessary steps to ensure that all Athletes and Athlete Support Personnel within its authority are bound by the relevant Anti-Doping Organization's anti-doping rules.*

ARTICLE 1: DEFINITION OF DOPING

Doping is defined as the occurrence of one or more of the anti-doping rule violations set forth in Article 2.1 through Article 2.8 of the *Code*.

ARTICLE 2: ANTI-DOPING RULE VIOLATIONS

The following constitute anti-doping rule violations:

2.1 The presence of a *Prohibited Substance* or its *Metabolites* or *Markers* in an *Athlete's* bodily *Specimen*.

2.1.1 It is each *Athlete's* personal duty to ensure that no *Prohibited Substance* enters his or her body. *Athletes* are responsible for any *Prohibited Substance* or its *Metabolites* or *Markers* found to be present in their bodily *Specimens*. Accordingly, it is not necessary that intent, fault, negligence or knowing *Use* on the *Athlete's* part be demonstrated in order to establish an anti-doping violation under Article 2.1.

2 Comment: The purpose of Article 2 is to specify the circumstances and conduct which constitute violations of anti-doping rules. Hearings in doping cases will proceed based on the assertion that one or more of these specific rules have been violated. Most of the circumstances and conduct on this list of violations can be found in some form in the OMADC or other existing anti-doping rules.

2.1.1 Comment: For purposes of anti-doping violations involving the presence of a Prohibited Substance (or its Metabolites or Markers), the Code adopts the rule of strict liability which is found in the OMADC and the vast majority of existing anti-doping rules. Under the strict liability principle, an anti-doping rule violation occurs whenever a Prohibited Substance is found in an Athlete's bodily Specimen. The violation occurs whether or not the Athlete intentionally or unintentionally used a Prohibited Substance or was negligent or otherwise at fault. If the positive Sample came from an In-Competition test, then the results of that Competition are automatically invalidated (Article 9 (Automatic Disqualification of Individual Results)). However, the Athlete then has the possibility to avoid or reduce sanctions if the Athlete can demonstrate that he or she was not at fault or significant fault. (Article 10.5 (Elimination or Reduction of Period of Ineligibility Based on Exceptional Circumstances).

The strict liability rule for the finding of a Prohibited Substance in an Athlete's Specimen, with a possibility that sanctions may be modified based on specified criteria, provides a reasonable balance between effective anti-doping enforcement for the benefit of all "clean" Athletes and fairness in the exceptional circumstance where a Prohibited Substance entered an Athlete's system through no fault or negligence on the Athlete's part. It is important to emphasize that while the determination of whether the anti-doping rule has been violated is based on strict liability, the imposition of a fixed period of Ineligibility is not automatic.

The rationale for the strict liability rule was well stated by the Court of Arbitration for Sport in the case of Quigley v. UIT.

"It is true that a strict liability test is likely in some sense to be unfair in an individual case, such as that of Q., where the Athlete may have taken medication as the result of mislabeling or faulty advice for which he or she is not responsible - particularly in the circumstances of sudden illness in a foreign country. But it is also in some sense "unfair" for an Athlete to get food poisoning on the eve of an important competition. Yet in neither case will the rules of the competition be altered to undo the unfairness. Just as the competition will not be postponed to await the Athlete's recovery, so the prohibition of banned substances will not be lifted in recognition of its accidental absorption. The vicissitudes of competition, like those of life generally, may create many types of unfairness, whether by accident or the negligence of unaccountable Persons, which the law cannot repair.

Furthermore, it appears to be a laudable policy objective not to repair an accidental unfairness to an individual by creating an intentional unfairness to the whole body of other competitors. This is what would happen if banned performance-enhancing substances were tolerated when absorbed inadvertently. Moreover, it is likely that even intentional abuse would in many cases escape sanction for lack of proof of guilty intent. And it is certain that a requirement of intent would invite costly litigation that may well cripple federations - particularly those run on modest budgets - in their fight against doping."

2.1.3 Comment: For example, the Prohibited List might provide that a T/E ratio greater than 6:1 is doping unless a longitudinal analysis of prior or subsequent test results by the Anti-Doping Organization demonstrates a naturally elevated ratio or the Athlete otherwise establishes that the elevated ratio is the result of a physiological or pathological condition.

2.1.2 Excepting those substances for which a quantitative reporting threshold is specifically identified in the *Prohibited List*, the detected presence of any quantity of a *Prohibited Substance* or its *Metabolites* or *Markers* in an *Athlete's Sample* shall constitute an anti-doping rule violation.

2.1.3 As an exception to the general rule of Article 2.1, the *Prohibited List* may establish special criteria for the evaluation of *Prohibited Substances* that can also be produced endogenously.

2.2 *Use* or *Attempted Use* of a *Prohibited Substance* or a *Prohibited Method.*

2.2.1 The success or failure of the *Use* of a *Prohibited Substance* or *Prohibited Method* is not material. It is sufficient that the *Prohibited Substance* or *Prohibited Method* was *Used* or *Attempted* to be *Used* for an anti-doping rule violation to be committed.

2.3 Refusing, or failing without compelling justification, to submit to *Sample* collection after notification as authorized in applicable anti-doping rules or otherwise evading *Sample* collection.

2.2.1 Comment: *The prohibition against "Use" has been expanded from the text in the OMADC to include Prohibited Substances as well as Prohibited Methods. With this inclusion there is no need to specifically delineate "admission of Use" as a separate anti-doping rule violation. "Use" can be proved, for example, through admissions, third party testimony or other evidence.*

Demonstrating the "Attempted Use" of a Prohibited Substance requires proof of intent on the Athlete's part. The fact that intent may be required to prove this particular anti-doping rule violation does not undermine the strict liability principle established for violations of Article 2.1 and Use of a Prohibited Substance or Prohibited Method.

An Athlete's Out-of-Competition Use of a Prohibited Substance that is not prohibited Out-of-Competition would not constitute an anti-doping rule violation.

2.3 Comment: *Failure or refusal to submit to Sample collection after notification is prohibited in almost all existing anti-doping rules. This Article expands the typical rule to include "otherwise evading Sample collection" as prohibited conduct. Thus, for example, it would be an anti-doping rule violation if it were established that an Athlete was hiding from a Doping Control official who was attempting to conduct a test. A violation of "refusing or failing to submit to Sample collection" may be based on either intentional or negligent conduct of the Athlete, while "evading" Sample collection contemplates intentional conduct by the Athlete.*

2.4 Violation of applicable requirements regarding *Athlete* availability for *Out-of-Competition Testing* including failure to provide required whereabouts information and missed tests which are declared based on reasonable rules.

2.5 *Tampering*, or *Attempting* to tamper, with any part of *Doping Control.*

2.6 *Possession* of *Prohibited Substances* and *Methods:*

2.6.1 *Possession* by an *Athlete* at any time or place of a substance that is prohibited in *Out-of-Competition Testing* or a *Prohibited Method* unless the *Athlete* establishes that the *Possession* is pursuant to a therapeutic use exemption granted in accordance with Article 4.4 (Therapeutic *Use*) or other acceptable justification.

2.6.2 *Possession* of a substance that is prohibited in *Out-of-Competition Testing* or a *Prohibited Method* by *Athlete Support Personnel* in connection with an *Athlete*, *Competition* or training, unless the *Athlete Support Personnel* establishes that the *Possession* is pursuant to a therapeutic use exemption granted to an *Athlete* in accordance with Article 4.4 (Therapeutic *Use*) or other acceptable justification.

2.4 Comment: *Unannounced Out-of-Competition Testing is at the core of effective Doping Control. Without accurate Athlete location information such Testing is inefficient and sometimes impossible. This Article, which is not typically found in most existing anti-doping rules, requires Athletes that have been identified for Out-of-Competition Testing to be responsible for providing and updating information on their whereabouts so that they can be located for No Advance Notice Out-of-Competition Testing. The "applicable requirements" are set by the Athlete's International Federation and National Anti-Doping Organization in order to allow some flexibility based upon varying circumstances encountered in different sports and countries. A violation of this Article may be based on either intentional or negligent conduct by the Athlete.*

2.5 Comment: *This Article prohibits conduct which subverts the Doping Control process but which would not be included in the typical definition of Prohibited Methods. For example, altering identification numbers on a Doping Control form during Testing or breaking the B Bottle at the time of B Sample analysis.*

2.7 *Trafficking* in any *Prohibited Substance* or *Prohibited Method*.

2.8 Administration or *Attempted* administration of a *Prohibited Substance* or *Prohibited Method* to any *Athlete*, or assisting, encouraging, aiding, abetting, covering up or any other type of complicity involving an anti-doping rule violation or any *Attempted* violation.

ARTICLE 3: PROOF OF DOPING

3.1 Burdens and Standards of Proof.

The *Anti-Doping Organization* shall have the burden of establishing that an anti-doping rule violation has occurred. The standard of proof shall be whether the *Anti-Doping Organization* has established an anti-doping rule violation to the comfortable satisfaction of the hearing body bearing in mind the seriousness of the allegation which is made. This standard of proof in all cases is greater than a mere balance of probability but less than proof beyond a reasonable doubt. Where the *Code* places the burden of proof upon the *Athlete* or other *Person* alleged to have committed an anti-doping rule violation to rebut a presumption or establish specified facts or circumstances, the standard of proof shall be by a balance of probability.

3.2 Methods of Establishing Facts and Presumptions.

Facts related to anti-doping rule violations may be established by any reliable means, including admissions. The following rules of proof shall be applicable in doping cases:

*3.1 **Comment**: This standard of proof required to be met by the Anti-Doping Organization is comparable to the standard which is applied in most countries to cases involving professional misconduct. It has also been widely applied by courts and tribunals in doping cases. See, for example, the CAS decision in N., J., Y., W. v. FINA, CAS 98/208, 22 December 1998.*

3.2.1 *WADA*-accredited laboratories are presumed to have conducted *Sample* analysis and custodial procedures in accordance with the *International Standard* for laboratory analysis. The *Athlete* may rebut this presumption by establishing that a departure from the *International Standard* occurred.

If the *Athlete* rebuts the preceding presumption by showing that a departure from the *International Standard* occurred, then the *Anti-Doping Organization* shall have the burden to establish that such departure did not cause the *Adverse Analytical Finding*.

3.2.2 Departures from the *International Standard* for *Testing* which did not cause an *Adverse Analytical Finding* or other anti-doping rule violation shall not invalidate such results. If the *Athlete* establishes that departures from the *International Standard* occurred during *Testing* then the *Anti-Doping Organization* shall have the burden to establish that such departures did not cause the *Adverse Analytical Finding* or the factual basis for the anti-doping rule violation.

*3.2.1 **Comment**: The burden is on the Athlete to establish, by a preponderance of the evidence, a departure from the International Standard. If the Athlete does so, the burden shifts to the Anti-Doping Organization to prove to the comfortable satisfaction of the hearing body that the departure did not change the test result.*

ARTICLE 4: THE PROHIBITED LIST

4.1 Publication and Revision of the *Prohibited List*.

WADA shall, as often as necessary and no less often than annually, publish the *Prohibited List* as an *International Standard*. The proposed content of the *Prohibited List* and all revisions shall be provided in writing promptly to all *Signatories* and governments for comment and consultation. Each annual version of the *Prohibited List* and all revisions shall be distributed promptly by *WADA* to each *Signatory* and government and shall be published on *WADA*'s website, and each *Signatory* shall take appropriate steps to distribute the *Prohibited List* to its members and constituents. The rules of each *Anti-Doping Organization* shall specify that, unless provided otherwise in the *Prohibited List* or a revision, the *Prohibited List* and revisions shall go into effect under the *Anti-Doping Organization's* rules three months after publication of the *Prohibited List* by *WADA* without requiring any further action by the *Anti-Doping Organization*.

4.2 *Prohibited Substances* and *Prohibited Methods* Identified on the *Prohibited List*.

The *Prohibited List* shall identify those *Prohibited Substances* and *Prohibited Methods* which are prohibited as doping at all times (both In-*Competition* and *Out-of-Competition*) because of their potential to enhance performance in future *Competitions* or their masking potential and those substances and methods which are prohibited *In-Competition* only. Upon the recommendation of an International Federation, the *Prohibited List* may be expanded by *WADA* for that particular sport. *Prohibited Substances* and *Prohibited Methods* may be included in the *Prohibited List* by general category (e.g., anabolic agents) or by specific reference to a particular substance or method.

4.3 Criteria for Including Substances and Methods on the *Prohibited List*.

WADA shall consider the following criteria in deciding whether to include a substance or method on the *Prohibited List*.

4.3.1 A substance or method shall be considered for inclusion on the *Prohibited List* if *WADA* determines that the substance or method meets any two of the following three criteria:

4.3.1.1 Medical or other scientific evidence, pharmacological effect or experience that the substance or method has the potential to enhance or enhances sport performance;

__4.1 Comment:__ The Prohibited List will be revised and published on an expedited basis whenever the need arises. However, for the sake of predictability, a new list will be published every year whether or not changes have been made. The virtue of the IOC practice of publishing a new list every January is that it avoids confusion over which list is the most current. To address this issue, WADA will always have the most current Prohibited List published on its website.

It is anticipated that revised anti-doping rules adopted by Anti-Doping Organizations pursuant to the Code will not go into effect until January 1, 2004 with the publication of the first Prohibited List adopted by WADA. The OMADC will continue to be applicable until the Code is accepted by the International Olympic Committee.

__4.2 Comment:__ There will be one Prohibited List. The substances which are prohibited at all times would include masking agents and those substances which, when used in training, may have long term performance enhancing effects such as anabolics. All substances and methods on the Prohibited List are prohibited In-Competition. This distinction between what is tested for In-Competition and what is tested for Out-of-Competition is carried over from the OMADC. There will be only one document called the "Prohibited List." WADA may add additional substances or methods to the Prohibited List for particular sports (e.g. the inclusion of beta-blockers for shooting) but this will also be reflected on the single Prohibited List. Having all Prohibited Substances on a single list will avoid some of the current confusion related to identifying which substances are prohibited in which sports. Individual sports are not permitted to seek exemption from the basic list of Prohibited Substances (e.g. eliminating anabolics from the Prohibited List for "mind sports"). The premise of this decision is that there are certain basic doping agents which anyone who chooses to call himself or herself an Athlete should not take.

4.3.1.2 Medical or other scientific evidence, pharmacological effect, or experience that the *Use* of the substance or method represents an actual or potential health risk to the *Athlete*;

4.3.1.3 *WADA*'s determination that the *Use* of the substance or method violates the spirit of sport described in the Introduction to the *Code*.

4.3.2 A substance or method shall also be included on the *Prohibited List* if *WADA* determines there is medical or other scientific evidence, pharmacological effect or experience that the substance or method has the potential to mask the *Use* of other *Prohibited Substances* and *Prohibited Methods*.

4.3.2 ***Comment:*** *A substance shall be considered for inclusion on the Prohibited List if the substance is a masking agent or meets two of the following three criteria: (1) it has the potential to enhance or enhances sport performance; (2) it represents a potential or actual health risk; or (3) it is contrary to the spirit of sport. None of the three criteria alone is a sufficient basis for adding a substance to the Prohibited List. Using the potential to enhance performance as the sole criteria would include, for example, physical and mental training, red meat, carbohydrate loading and training at altitude. Risk of harm would include smoking. Requiring all three criteria would also be unsatisfactory. For example the use of genetic transfer technology to dramatically enhance sport performance should be prohibited as contrary to the spirit of sport even if it is not harmful. Similarly, the potentially unhealthy abuse of certain substances without therapeutic justification based on the mistaken belief they enhance performance is certainly contrary to the spirit of sport regardless of whether the expectation of performance enhancement is realistic.*

4.3.3 *WADA's* determination of the *Prohibited Substances* and *Prohibited Methods* that will be included on the *Prohibited List* shall be final and shall not be subject to challenge by an *Athlete* or other *Person* based on an argument that the substance or method was not a masking agent or did not have the potential to enhance performance, represent a health risk, or violate the spirit of sport.

4.4 Therapeutic *Use*

WADA shall adopt an *International Standard* for the process of granting therapeutic use exemptions.

Each International Federation shall ensure, for *International-Level Athletes* or any other *Athlete* who is granted and gives responsibility for granting or denying exemptions to the International Federations for International-Level Athletes and to the National Anti-Doping Organizations for national-level Athletes (that are not also International-Level Athletes) and other Athletes subject to Doping Control under the Code.

4.3.3 ***Comment:*** *The question of whether a substance meets the criteria in Article 4.3 (Criteria for Including Substances and Methods on the Prohibited List) in a particular case cannot be raised as a defense to an anti-doping rule violation. For example, it cannot be argued that the Prohibited Substance detected would not have been performance enhancing in that particular sport. Rather, doping occurs when a substance on the Prohibited List is found in an Athlete's bodily Specimen. The same principle is found in the OMADC.*

4.4 ***Comment:*** *It is important that the processes for granting therapeutic use exemptions become more harmonized. Athletes who use medically prescribed Prohibited Substances may be subject to sanctioning unless they have previously obtained a therapeutic use exemption. However, currently many sporting bodies have no rules permitting therapeutic use exemptions; others follow unwritten policies; and only a few have written policies incorporated into their anti-doping rules. This Article seeks to harmonize the basis upon which therapeutic use exemptions will be*

Examples of commonly prescribed Prohibited Substances which might be specifically addressed in the International Standard for therapeutic use exemptions are medications prescribed for acute severe asthma and inflammatory bowel disease. When a therapeutic use exemption has been denied or granted in contravention of the International Standard, that decision may be submitted to WADA for review as provided in the International Standard and thereafter appealed as provided in Article 13.3 (Appeals). If the granting of a therapeutic use exemption is reversed, the reversal shall not apply retroactively and shall not disqualify the Athlete's results during the time that the therapeutic use exemption was in effect.

entered in an *International Event*, that a process is in place whereby *Athletes* with documented medical conditions requiring the *Use* of a *Prohibited Substance* or a *Prohibited Method* may request a therapeutic use exemption. Each *National Anti-Doping Organization* shall ensure, for all *Athletes* within its jurisdiction that are not *International-Level Athletes*, that a process is in place whereby *Athletes* with documented medical conditions requiring the *Use* of a *Prohibited Substance* or a *Prohibited Method* may request a therapeutic use exemption. Such requests shall be evaluated in accordance with the *International Standard* on therapeutic use. International Federations and *National Anti-Doping Organizations* shall promptly report to *WADA* the granting of therapeutic use exemptions to any *International-Level Athlete* or national-level *Athlete* that is included in his or her *National Anti-Doping Organization's Registered Testing Pool*.

WADA, on its own initiative, may review the granting of a therapeutic use exemption to any *International-Level Athlete* or national-level *Athlete* that is included in his or her *National Anti-Doping Organization's Registered Testing Pool*. Further, upon the request of any such *Athlete* that has been denied a therapeutic use exemption, *WADA* may review such denial. If *WADA* determines that such granting or denial of a therapeutic use exemption did not comply with the *International Standard* for therapeutic use exemptions, *WADA* may reverse the decision.

4.5 Monitoring Program

WADA, in consultation with other *Signatories* and governments, shall establish a monitoring program regarding substances which are not on the *Prohibited List*, but which *WADA* wishes to monitor in order to detect patterns of misuse in sport. *WADA* shall publish, in advance of any *Testing*, the substances that will be monitored. Laboratories will report the instances of reported *Use* or detected presence of these substances to

WADA periodically on an aggregate basis by sport and whether the *Samples* were collected *In-Competition* or *Out-of-Competition*. Such reports shall not contain additional information regarding specific *Samples*. *WADA* shall make available to International Federations and *National Anti-Doping Organizations*, on at least an annual basis, aggregate statistical information by sport regarding the additional substances. *WADA* shall implement measures to ensure that strict anonymity of individual *Athletes* is maintained with respect to such reports. The reported use or detected presence of the monitored substances shall not constitute a doping violation.

ARTICLE 5: *TESTING*

5.1 Test Distribution Planning. *Anti-Doping Organizations* conducting *Testing* shall in coordination with other *Anti-Doping Organizations* conducting *Testing* on the same *Athlete* pool:

5.1.1 Plan and implement an effective number of *In-Competition* and *Out-of-Competition* tests. Each International Federation shall establish a *Registered Testing Pool* for *International-Level Athletes* in its sport, and each *National Anti-Doping Organization* shall establish a national *Registered Testing Pool* for *Athletes* in its country. The national-level pool shall include *International-Level Athletes* from that country as well as other national-level *Athletes*. Each International Federation and *National Anti-Doping Organization* shall plan and conduct *In-Competition* and *Out-of-Competition Testing* on its *Registered Testing Pool*.

5.1.2 Make *No Advance Notice Testing* a priority.

5.1.3 Conduct *Target Testing*.

5.1.3 Comment: *Target Testing is specified because random Testing, or even weighted random Testing, does not ensure that all of the appropriate Athletes will be tested. (For example: world class Athletes, Athletes whose*

5.2 Standards for *Testing*

Anti-Doping Organizations conducting *Testing* shall conduct such *Testing* in conformity with the *International Standard* for *Testing*.

ARTICLE 6: ANALYSIS OF *SAMPLES*

Doping Control Samples shall be analyzed in accordance with the following principles:

6.1 *Use* of Approved Laboratories

Doping Control Samples shall be analyzed only in *WADA*-accredited laboratories or as otherwise approved by *WADA*. The choice of the *WADA*-accredited laboratory (or other method approved by *WADA*) used for the *Sample* analysis shall be determined exclusively by the *Anti-Doping Organization* responsible for results management.

6.2 Substances Subject to Detection

Doping Control Samples shall be analyzed to detect *Prohibited Substances* and *Prohibited Methods* identified on the *Prohibited List* and other substances as may be directed by *WADA* pursuant to Article 4.5 (Monitoring Program).

6.3 Research on *Samples*

No *Sample* may be used for any purpose other than the detection of substances (or classes of substances) or methods on the *Prohibited List*, or as otherwise identified

performances have dramatically improved over a short period of time. Athletes whose coaches have had other Athletes test positive, etc.).

Obviously, Target Testing must not be used for any purpose other than legitimate Doping Control. The Code makes it clear that Athletes have no right to expect that they will be tested only on a random basis. Similarly, it does not impose any reasonable suspicion or probable cause requirement for Target Testing.

***5.2 Comment:** The required methods and processes for the various types of In-Competition and Out-of-Competition Testing will be described in greater detail in the International Standard for Testing.*

***6.1 Comment:** The phrase "or other method approved by WADA" is intended to cover, for example, mobile blood Testing procedures which WADA has reviewed and considers to be reliable.*

by *WADA* pursuant to Article 4.5 (Monitoring Program), without the *Athlete's* written consent.

6.4 Standards for *Sample* Analysis and Reporting

Laboratories shall analyze *Doping Control Samples* and report results in conformity with the *International Standard* for laboratory analysis.

ARTICLE 7: RESULTS MANAGEMENT

Each *Anti-Doping Organization* conducting results management shall establish a process for the pre-hearing administration of potential anti-doping rule violations that respects the following principles:

7.1 Initial Review Regarding *Adverse Analytical Findings*

Upon receipt of an *A Sample Adverse Analytical Finding*, the *Anti-Doping Organization* responsible for results management shall conduct a review to determine whether: (a) an applicable therapeutic use exemption has been granted, or (b) there is any apparent departure from the *International Standards* for *Testing* or laboratory analysis that undermines the validity of the *Adverse Analytical Finding*.

7.2 Notification After Initial Review

If the initial review under Article 7.1 does not reveal an applicable therapeutic use exemption or departure that undermines the validity of the *Adverse Analytical Finding*,

***7 Comment:** Various of the Signatories have created their own approaches to results management for Adverse Analytical Findings. While the various approaches have not been entirely uniform, many have proven to be fair and effective systems for results management. The Code does not supplant each of the Signatories' results management systems. This Article does, however, specify basic principles in order to ensure the fundamental fairness of the results management process which must be observed by each Signatory. The specific anti-doping rules of each Signatory shall be consistent with these basic principles.*

***7.2 Comment:** The Athlete has a right to request a prompt B Sample analysis regardless of whether follow-up investigation may be required under Articles 7.3 or 7.4.*

the *Anti-Doping Organization* shall promptly notify the *Athlete*, in the manner set out in its rules, of: (a) the *Adverse Analytical Finding*; (b) the anti-doping rule violated, or, in a case under Article 7.3, a description of the additional investigation that will be conducted as to whether there is an anti-doping rule violation; (c) the *Athlete's* right to promptly request the analysis of the B *Sample* or, failing such request, that the B *Sample* analysis may be deemed waived; (d) the right of the *Athlete* and/or the *Athlete's* representative to attend the B *Sample* opening and analysis if such analysis is requested; and (e) the *Athlete's* right to request copies of the A and B *Sample* laboratory documentation package which includes information as required by the *International Standard* for laboratory analysis.

7.3 Further Review of *Adverse Analytical Finding* Where Required by *Prohibited List*

The *Anti-Doping Organization* or other reviewing body established by such organization shall also conduct any follow-up investigation as may be required by the *Prohibited List*. Upon completion of such follow-up investigation, the *Anti-Doping Organization* shall promptly notify the *Athlete* regarding the results of the follow-up investigation and whether or not the *Anti-Doping Organization* asserts that an anti-doping rule was violated.

7.4 Review of Other Anti-Doping Rule Violations

The *Anti-Doping Organization* or other reviewing body established by such organization shall conduct any follow-up investigation as may be required under applicable anti-doping policies and rules adopted pursuant to the *Code* or which the *Anti-Doping Organization* otherwise considers appropriate. The *Anti-Doping Organization* shall promptly give the *Athlete* or other *Person* subject to sanction notice,

7.4 Comment: *As an example, an International Federation typically would notify the Athlete through the Athlete's national sports federation.*

in the manner set out in its rules, of the anti-doping rule which appears to have been violated, and the basis of the violation.

7.5 Principles Applicable to *Provisional Suspensions*

A *Signatory* may adopt rules, applicable to any *Event* for which the *Signatory* is the ruling body or for any team selection process for which the *Signatory* is responsible, permitting *Provisional Suspensions* to be imposed after the review and notification described in Articles 7.1 and 7.2 but prior to a final hearing as described in Article 8 (Right to a Fair Hearing). Provided, however, that a *Provisional Suspension* may not be imposed unless the *Athlete* is given either: (a) an opportunity for a *Provisional Hearing* either before imposition of the *Provisional Suspension* or on a timely basis after imposition of the *Provisional Suspension*; or (b) an opportunity for an expedited hearing in accordance with Article 8 (Right to a Fair Hearing) on a timely basis after imposition of a *Provisional Suspension*.

If a *Provisional Suspension* is imposed based on an A *Sample Adverse Analytical Finding* and a subsequent B *Sample* analysis does not confirm the A *Sample* analysis, then the *Athlete* shall not be subject to any further disciplinary action and any sanction previously imposed shall be rescinded. In circumstances where the *Athlete* or the *Athlete's* team has been removed from a *Competition* and the subsequent B *Sample* analysis does not confirm the A *Sample* finding, if, without otherwise affecting the *Competition*, it is still possible for the *Athlete* or team to be reinserted, the *Athlete* or team may continue to take part in the *Competition*.

7.5 Comment: *This Article continues to permit the possibility of a Provisional Suspension before a final decision at a hearing under Article 8 (Right to a Fair Hearing). Provisional Suspensions have been authorized in the OMADC and by the rules of many International Federations. However, before a Provisional Suspension can be unilaterally imposed by an Anti-Doping Organization, the internal review specified in the Code must first be completed. In addition, a Signatory imposing a Provisional Suspension is required to give the Athlete an opportunity for a Provisional Hearing*

ARTICLE 8: RIGHT TO A FAIR HEARING

Each *Anti-Doping Organization* with responsibility for results management shall provide a hearing process for any *Person* who is asserted to have committed an anti-doping rule violation. Such hearing process shall address whether an anti-doping violation was committed and, if so, the appropriate *Consequences*. The hearing process shall respect the following principles:

- a timely hearing;
- fair and impartial hearing body;
- the right to be represented by counsel at the *Person's* own expense;
- the right to be fairly and timely informed of the asserted anti-doping rule violation;
- the right to respond to the asserted anti-doping rule violation and resulting *Consequences*;

either before or promptly after the imposition of the Provisional Suspension, or an expedited final hearing under Article 8 promptly after imposition of the Provisional Suspension. The Athlete has a right to appeal under Article 13.2. As an alternative to the process for imposing a Provisional Suspension under this Article, the Anti-Doping Organization may always elect to forego a Provisional Suspension and proceed directly to the final hearing utilizing an expedited process under Article 8.

In the rare circumstance where the B Sample analysis does not confirm the A Sample finding, the Athlete that had been provisionally suspended will be allowed, where circumstances permit, to participate in subsequent Competitions during the Event. Similarly, depending upon the relevant rules of the International Federation in a Team Sport, if the team is still in Competition, the Athlete may be able to take part in future Competitions.

***8 Comment:** This Article contains basic principles relative to ensuring a fair hearing for Persons asserted to have violated anti-doping rules. This Article is not intended to supplant each Signatory's own rules for hearings but rather to ensure that each Signatory provides a hearing process consistent with these principles.*

- the right of each party to present evidence, including the right to call and question witnesses (subject to the hearing body's discretion to accept testimony by telephone or written submission);
- the *Person's* right to an interpreter at the hearing, with the hearing body to determine the identity, and responsibility for the cost, of the interpreter; and
- a timely, written, reasoned decision;

Hearings held in connection with *Events* may be conducted by an expedited process as permitted by the rules of the relevant *Anti-Doping Organization* and the hearing body.

ARTICLE 9: AUTOMATIC *DISQUALIFICATION* OF INDIVIDUAL RESULTS

An anti-doping rule violation in connection with an *In-Competition* test automatically leads to *Disqualification* of the individual result obtained in that *Competition* with all resulting consequences, including forfeiture of any medals, points and prizes.

The reference to CAS as an appellate body in Article 13 does not prevent a Signatory from also specifying CAS as the initial hearing body.

For example a hearing could be expedited on the eve of a major Event where the resolution of the anti-doping rule violation is necessary to determine the Athlete's eligibility to participate in the Event or during an Event where the resolution of the case will affect the validity of the Athlete's results or continued participation in the Event.

***9 Comment:** This principle is found in the OMADC. When an Athlete wins a gold medal with a Prohibited Substance in his or her system, that is unfair to the other Athletes in that Competition regardless of whether the gold medallist was at fault in any way. Only a "clean" Athlete should be allowed to benefit from his or her competitive results.*

For Team Sports, see Article 11 (Consequences to Teams).

ARTICLE 10: SANCTIONS ON INDIVIDUALS

10.1 *Disqualification* of Results in *Event* During which an Anti-Doping Rule Violation Occurs

An anti-doping rule violation occurring during or in connection with an *Event* may, upon the decision of the ruling body of the *Event*, lead to *Disqualification* of all of the *Athlete's* individual results obtained in that *Event* with all consequences, including forfeiture of all medals, points and prizes, except as provided in Article 10.1.1.

10.1.1 If the *Athlete* establishes that he or she bears *No Fault or Negligence* for the violation, the *Athlete's* individual results in the other *Competitions* shall not be *Disqualified* unless the *Athlete's* results in *Competitions* other than the *Competition* in which the anti-doping rule violation occurred were likely to have been affected by the *Athlete's* anti-doping rule violation.

10.2 *Imposition* of *Ineligibility* for *Prohibited Substances* and *Prohibited Methods*

Except for the specified substances identified in Article 10.3, the period of *Ineligibility* imposed for a violation of Articles 2.1 (presence of *Prohibited Substance* or its *Metabolites* or *Markers*), 2.2 (*Use* or *Attempted Use* of *Prohibited Substance* or *Prohibited Method*) and 2.6 (*Possession* of *Prohibited Substances* and *Methods*) shall be:

- First violation: Two (2) years' *Ineligibility*.
- Second violation: Lifetime *Ineligibility*.

However, the *Athlete* or other *Person* shall have the opportunity in each case, before a period of *Ineligibility* is imposed, to establish the basis for eliminating or reducing this sanction as provided in Article 10.5

10.3 Specified Substances

The *Prohibited List* may identify specified substances which are particularly susceptible to unintentional anti-doping rules violations because of their general availability in medicinal products or which are less likely to be successfully abused as doping agents. Where an *Athlete* can establish that the *Use* of such a specified

10.1 Comment: *Whereas Article 9 (Automatic Disqualification of Individual Results) Disqualifies the result in a single Competition in which the Athlete tested positive (e.g., the 100 meter backstroke), this Article may lead to Disqualification of all results in all races during the Event (e.g., the FINA World Championships).*

Factors to be included in considering whether to Disqualify other results in an Event might include, for example, the severity of the Athlete's anti-doping rule violation and whether the Athlete tested negative in the other Competitions.

10.2 Comment: *Harmonization of sanctions has been one of the most discussed and debated areas of anti-doping. Arguments against requiring harmonization of sanctions are based on differences between sports including for example the following: in some sports the Athletes are professionals making a sizable income from the sport and in others the Athletes are true amateurs; in those sports where an Athlete's career is short (e.g. artistic gymnastics) a two year Disqualification has a much more significant effect on the Athlete than in sports where careers are traditionally much longer (e.g. equestrian and shooting); in individual sports, the Athlete is better able to maintain competitive skills through solitary practice during Disqualification than in other sports where practice as part of a team is more important. A primary argument in favor of harmonization is that it is simply not right that two Athletes from the same country who test positive for the same Prohibited Substance under similar circumstances should receive different sanctions only because they participate in different sports. In addition, flexibility in sanctioning has often been viewed as an unacceptable opportunity for some sporting bodies to be more lenient with dopers. The lack of harmonization of sanctions has also frequently been the source of jurisdictional conflicts between International Federations and National Anti-Doping Organizations.*

The consensus of the World Conference on Doping in Sport held in Lausanne in February 1999 supported a two year period of Ineligibility for a first serious anti-doping rule violation followed with a lifetime ban for a second violation. This consensus was reflected in the OMADC.

10.3 Comment: *This principle is carried over from the OMADC and allows, for example, some flexibility in disciplining Athletes who test positive as a result of the inadvertent use of a cold medicine containing a prohibited stimulant. "Reduction" of a sanction under Article 10.5.2 applies only to a second or third violation because the sanction for a first*

substance was not intended to enhance sport performance, the period of *Ineligibility* found in Article 10.2 shall be replaced with the following:

- *First violation:* At a minimum, a warning and reprimand and no period of *Ineligibility* from future *Events*, and at a maximum, one (1) year's *Ineligibility*.
- *Second violation:* Two (2) years' *Ineligibility*.
- *Third violation:* Lifetime *Ineligibility*.

However, the *Athlete* or other *Person* shall have the opportunity in each case, before a period of *Ineligibility* is imposed, to establish the basis for eliminating or reducing (in the case of a second or third violation) this sanction as provided in Article 10.5.

10.4 *Ineligibility* for Other Anti-Doping Rule Violations

The period of *Ineligibility* for other anti-doping rule violations shall be:

10.4.1 For violations of Article 2.3 (refusing or failing to submit to *Sample* collection) or Article 2.5 (*Tampering* with *Doping Control*), the *Ineligibility* periods set forth in Article 10.2 shall apply.

10.4.2 For violations of Articles 2.7 (*Trafficking*) or 2.8 (administration of *Prohibited Substance* or *Prohibited Method*), the period of *Ineligibility* imposed shall be a minimum of four (4) years up to

violation already builds in sufficient discretion to allow consideration of the Person's degree of fault.

10.4.2 Comment: *Those who are involved in doping Athletes or covering up doping should be subject to sanctions which are more severe than the Athletes who test positive. Since the authority of sport organizations is generally limited to Ineligibility for credentials, membership and other sport benefits, reporting Athlete Support Personnel to competent authorities is an important step in the deterrence of doping.*

lifetime *Ineligibility*. An anti-doping rule violation involving a *Minor* shall be considered a particularly serious violation, and, if committed by *Athlete Support Personnel* for violations other than specified substances referenced in Article 10.3, shall result in lifetime *Ineligibility* for such *Athlete Support Personnel*. In addition, violations of such Articles which also violate non-sporting laws and regulations, may be reported to the competent administrative, professional or judicial authorities.

10.4.3 For violations of Article 2.4 (whereabouts violation or missed test), the period of *Ineligibility* shall be at a minimum 3 months and at a maximum 2 years in accordance with the rules established by the *Anti-Doping Organization* whose test was missed or whereabouts requirement was violated. The period of *Ineligibility* for subsequent violations of Article 2.4 shall be as established in the rules of the *Anti-Doping Organization* whose test was missed or whereabouts requirement was violated.

10.5 Elimination or Reduction of Period of *Ineligibility* Based on Exceptional Circumstances.

10.5.1 *No Fault or Negligence*

If the *Athlete* establishes in an individual case involving an anti-doping rule violation under Article

10.4.3 Comment: *The whereabouts and missed test policies of different Anti-Doping Organizations may vary considerably, particularly at the outset as these policies are being put into place. Thus, considerable flexibility has been provided for sanctioning these anti-doping rule violations. Those Anti-Doping Organizations with more sophisticated policies including built in safeguards, and those organizations with longer track records of Athlete experience with a whereabouts policy, could provide for Ineligibility periods at the longer end of the specified range*

10.5.1 Comment: *Article 10.5.1 applies only to violations under Articles 2.1 and 2.2 (presence and Use of Prohibited Substances) because fault or negligence is already required to establish an anti-doping rule violation under other anti-doping rules.*

2.1 (presence of *Prohibited Substance* or its *Metabolites* or *Markers*) or *Use* of a *Prohibited Substance* or *Prohibited Method* under Article 2.2 that he or she bears *No Fault or Negligence* for the violation, the otherwise applicable period of *Ineligibility* shall be eliminated. When a *Prohibited Substance* or its *Markers* or *Metabolites* is detected in an Athlete's Specimen in violation of Article 2.1 (presence of *Prohibited Substance*), the *Athlete* must also establish how the *Prohibited Substance* entered his or her system in order to have the period of *Ineligibility* eliminated. In the event this Article is applied and the period of *Ineligibility* otherwise applicable is eliminated, the anti-doping rule violation shall not be considered a violation for the limited purpose of determining the period of *Ineligibility* for multiple violations under Articles 10.2, 10.3 and 10.6.

10.5.2 *No Significant Fault or Negligence*

This Article 10.5.2 applies only to anti-doping rule violations involving Article 2.1 (presence of *Prohibited Substance* or its *Metabolites* or *Markers*), *Use* of a *Prohibited Substance* or

10.5.2 Comment: *The trend in doping cases has been to recognize that there must be some opportunity in the course of the hearing process to consider the unique facts and circumstances of each particular case in imposing sanctions. This principle was accepted at the World Conference on Doping in Sport 1999 and was incorporated into the OMADC which provides that sanctions can be reduced in "exceptional circumstances." The Code also provides for the possible reduction or elimination of the period of Ineligibility in the unique circumstance where the Athlete can establish that he or she had No Fault or Negligence, or No Significant Fault or Negligence, in connection with the violation. This approach is consistent with basic principles of human rights and provides a balance between those Anti-Doping Organizations that argue for a much narrower exception, or none at all, and those that would reduce a two year suspension based on a range of other factors even when the Athlete was admittedly at fault. These Articles apply only to the imposition of sanctions; they are not applicable to the determination of whether an anti-doping rule violation has occurred.*

Prohibited Method under Article 2.2, failing to submit to *Sample* collection under Article 2.3, or administration of a *Prohibited Substance* or *Prohibited Method* under Article 2.8. If an *Athlete* establishes in an individual case involving such violations that he or she bears *No Significant Fault or Negligence*, then the period of *Ineligibility* may be reduced, but the reduced period of *Ineligibility* may not be less than one-half of the minimum period of *Ineligibility* otherwise applicable. If the otherwise applicable period of *Ineligibility* is a lifetime, the reduced period under this section may be no less than 8 years. When a *Prohibited Substance* or its *Markers* or *Metabolites* is detected in an *Athlete's Specimen* in violation of Article 2.1 (presence of *Prohibited Substance*), the *Athlete* must also establish how the *Prohibited Substance* entered his or her system in order to have the period of *Ineligibility* reduced.

Article 10.5 is meant to have an impact only in cases where the circumstances are truly exceptional and not in the vast majority of cases.

To illustrate the operation of Article 10.5, an example where No Fault or Negligence would result in the total elimination of a sanction is where an Athlete could prove that, despite all due care, he or she was sabotaged by a competitor. Conversely, a sanction could not be completely eliminated on the basis of No Fault or Negligence in the following circumstances: (a) a positive test resulting from a mislabeled or contaminated vitamin or nutritional supplement (Athletes are responsible for what they ingest (Article 2.1.1) and have been warned against the possibility of supplement contamination); (b) the administration of a prohibited substance by the Athlete's personal physician or trainer without disclosure to the Athlete (Athletes are responsible for their choice of medical personnel and for advising medical personnel that they cannot be given any prohibited substance); and (c) sabotage of the Athlete's food or drink by a spouse, coach or other person within the Athlete's circle of associates (Athletes are responsible for what they ingest and for the conduct of those persons to whom they entrust access to their food and drink). However, depending on the unique facts of a particular case, any of the referenced illustrations could result in a reduced sanction based on No Significant Fault or Negligence. (For example, reduction may well be appropriate in illustration (a) if the Athlete clearly establishes that the cause of the positive test was contamination in a common multiple vitamin purchased from a source with no connection to

10.5.3 *Athlete's* Substantial Assistance in Discovering or Establishing Anti-Doping Rule Violations by *Athlete Support Personnel* and Others.

An *Anti-Doping Organization* may also reduce the period of *Ineligibility* in an individual case where the *Athlete* has provided substantial assistance to the *Anti-Doping Organization* which results in the *Anti-Doping Organization* discovering or establishing an anti-doping rule violation by another *Person* involving *Possession* under Article 2.6.2 (*Possession* by *Athlete Support Personnel*), Article 2.7 (*Trafficking*), or Article 2.8 (administration to an *Athlete*). The reduced period of *Ineligibility* may not, however, be less than one-half of the minimum period of *Ineligibility* otherwise applicable. If the otherwise applicable period of *Ineligibility* is a lifetime, the reduced period under this section may be no less than 8 years.

10.6 Rules for Certain Potential Multiple Violations

10.6.1 For purposes of imposing sanctions under Articles 10.2, 10.3 and 10.4, a second anti-doping rule violation may be considered for purposes of imposing sanctions only if the *Anti-Doping Organization* can establish that the *Athlete* or other *Person* committed the second anti-doping rule violation after the *Athlete* or other *Person* received notice, or after the *Anti-Doping Organization* made a reasonable *Attempt* to give notice, of the first anti-doping rule violation; if the *Anti-Doping Organization* cannot establish this, the violations shall be considered as one single first violation, and the sanction imposed shall be based on the violation that carries the more severe sanction.

Prohibited Substances and the Athlete exercised care in not taking other nutritional supplements.)

Article 10.5.2 applies only to the identified anti-doping rule violations because these violations may be based on conduct that is not intentional or purposeful. Violations under Article 2.4 (whereabouts information and missed tests) are not included, even though intentional conduct is not required to establish these violations, because the sanction for violations of Article 2.4 (from three months to two years) already builds in sufficient discretion to allow consideration of the Athlete's degree of fault.

10.6.1 Comment: *Under this Article, an Athlete testing positive a second time before notice of the first positive test would only be sanctioned on the basis of a single anti-doping rule violation.*

10.6.2 Where an *Athlete*, based on the same *Doping Control*, is found to have committed an anti-doping rule violation involving both a specified substance under Article 10.3 and another *Prohibited Substance* or *Prohibited Method*, the *Athlete* shall be considered to have committed a single anti-doping rule violation, but the sanction imposed shall be based on the *Prohibited Substance* or *Prohibited Method* that carries the most severe sanction.

10.6.3 Where an *Athlete* is found to have committed two separate anti-doping rule violations, one involving a specified substance governed by the sanctions set forth in Article 10.3 (Specified Substances) and the

10.6.3 Comment: *Article 10.6.3 deals with the situation where an Athlete commits two separate anti-doping rule violations, but one of the violations involves a specified substance governed by the lesser sanctions of Article 10.3. Without this Article in the Code, the second offense arguably could be governed by: the sanction applicable to a second violation for the Prohibited Substance involved in the second violation, the sanction applicable to a second offense for the substance involved in the first violation, or a combination of the sanctions applicable to the two offenses. This Article imposes a combined sanction calculated by adding together the sanctions for a first offense under 10.2 (two years) and a first offense under 10.3 (up to one year). This provides the same sanction to the Athlete that commits a first violation under 10.2 followed by a second violation involving a specified substance, and the Athlete that commits a first violation involving a specified substance followed by a second violation under 10.2. In both cases, the sanction shall be from two years to three years' Ineligibility.*

other involving a *Prohibited Substance* or *Prohibited Method* governed by the sanctions set forth in Article 10.2 or a violation governed by the sanctions in Article 10.4.1, the period of *Ineligibility* imposed for the second offense shall be at a minimum two years' *Ineligibility* and at a maximum three years' *Ineligibility*. Any *Athlete* found to have committed a third anti-doping rule violation involving any combination of specified substances under Article 10.3 and any other anti-doping rule violation under 10.2 or 10.4.1 shall receive a sanction of lifetime *Ineligibility*.

10.7 *Disqualification* of Results in *Competitions* Subsequent to *Sample* Collection

In addition to the automatic *Disqualification* of the results in the *Competition* which produced the positive *Sample* under Article 9 (Automatic *Disqualification* of Individual Results), all other competitive results obtained from the date a positive *Sample* was collected (whether *In-Competition* or *Out-of-Competition*), or other doping violation occurred, through the commencement of any *Provisional Suspension* or *Ineligibility* period, shall, unless fairness requires otherwise, be *Disqualified* with all of the resulting consequences including forfeiture of any medals, points and prizes.

10.8 Commencement of *Ineligibility* Period

The period of *Ineligibility* shall start on the date of the hearing decision providing for *Ineligibility* or, if the hearing is waived, on the date *Ineligibility* is accepted or otherwise imposed. Any period of *Provisional Suspension* (whether imposed or voluntarily accepted) shall be credited against

10.8 Comment: *Currently, many Anti-Doping Organizations start the two-year period of Ineligibility at the time a hearing decision is rendered. Those Anti-Doping Organizations also frequently invalidate results retroactively to the date a positive Sample was collected. Other Anti-Doping Organizations simply start the two-year suspension on the date the positive Sample was collected. The OMADC, as clarified by its Explanatory Document, does not mandate either approach. The approach provided in the Code gives Athletes a strong disincentive to drag out the hearing process while they compete in the interim. It also encourages them to voluntarily accept Provisional Suspensions pending a hearing. On the other hand, the body imposing the sanction can start the sanction running before the date the hearing decision is reached so that an Athlete is not penalized by delays in the Doping Control process which are not his or her fault, for example, inordinate delay by the laboratory in reporting a positive test or delays in scheduling the hearing caused by the Anti-Doping Organization.*

the total period of *Ineligibility* to be served. Where required by fairness, such as delays in the hearing process or other aspects of *Doping Control* not attributable to the *Athlete*, the body imposing the sanction may start the period of *Ineligibility* at an earlier date commencing as early as the date of *Sample* collection.

10.9 Status During *Ineligibility*

No *Person* who has been declared *Ineligible* may, during the period of *Ineligibility*, participate in any capacity in a *Competition* or activity (other than authorized anti-doping education or rehabilitation programs) authorized or organized by any *Signatory* or *Signatory's* member organization. In addition, for any anti-doping rule violation not involving specified substances described in Article 10.3, some or all sport-related financial support or other sport-related benefits received by such *Person* will be withheld by *Signatories*, *Signatories'* member organizations and governments. A *Person* subject to a period of *Ineligibility* longer than four years may, after completing four years of the period of *Ineligibility*,

10.9 Comment: *The rules of some Anti-Doping Organizations only ban an Athlete from "competing" during a period of Ineligibility. For example, an Athlete in those sports could still coach during the Ineligibility period. This Article adopts the position set forth in the OMADC that an Athlete who is made ineligible for doping should not participate in any capacity in an authorized Event or activity during the Ineligibility period. This would preclude, for example, practicing with a national team, or acting as a coach or sport official. Sanctions in one sport will also be recognized by other sports (see Article 15.4). This article would not prohibit the Person from participating in sport on a purely recreational level.*

participate in local sport events in a sport other than the sport in which the *Person* committed the anti-doping rule violation, but only so long as the local sport event is not at a level that could otherwise qualify such *Person* directly or indirectly to compete in (or accumulate points toward) a national championship or *International Event*.

10.10 Reinstatement *Testing*

As a condition to regaining eligibility at the end of a specified period of *Ineligibility*, an *Athlete* must, during any period of *Provisional Suspension* or *Ineligibility*, make him or herself available for *Out-of-Competition Testing* by any *Anti-Doping Organization* having testing jurisdiction, and must, if requested, provide current and accurate whereabouts information. If an *Athlete* subject to a period of *Ineligibility* retires from sport and is removed from *Out-of-Competition Testing* pools and later seeks reinstatement, the *Athlete* shall not be eligible for reinstatement until the *Athlete* has notified relevant *Anti-Doping Organizations* and has been subject to *Out-of-Competition Testing* for a period of time equal to the period of *Ineligibility* remaining as of the date the *Athlete* had retired.

ARTICLE 11 *CONSEQUENCES* TO TEAMS

Where more than one team member in a *Team Sport* has been notified of a possible anti-doping rule violation under Article 7 in connection with an *Event*, the Team shall be subject to *Target Testing* for the *Event*. If more than one team member in a *Team Sport* is found to have committed an anti-doping rule violation during the *Event*, the team may be subject to *Disqualification* or other disciplinary action. In sports which are not *Team Sports* but

10.10 Comment: *On a related issue, the Code does not establish a rule, but rather leaves it to the various Anti-Doping Organizations to establish their own rules, addressing eligibility requirements for Athletes who are not ineligible and retire from sport while included in an Out-of-Competition pool and then seek to return to active participation in sport.*

where awards are given to teams, *Disqualification* or other disciplinary action against the team when one or more team members have committed an anti-doping rule violation shall be as provided in the applicable rules of the International Federation.

ARTICLE 12 SANCTIONS AGAINST SPORTING BODIES

Nothing in this *Code* precludes any *Signatory* or government accepting the *Code* from enforcing its own rules for the purpose of imposing sanctions on another sporting body over which the *Signatory* or government has authority.

ARTICLE 13 APPEALS

13.1 Decisions Subject to Appeal

Decisions made under the *Code* or rules adopted pursuant to the *Code* may be appealed as set forth below in Articles 13.2 through 13.4. Such decisions shall remain in effect while under appeal unless the appellate body orders otherwise. Before an appeal is commenced, any post-decision review provided in the *Anti-Doping Organization's* rules must be exhausted, provided that such review respects the principles set forth in Article 13.2.2 below.

13.2 Appeals from Decisions Regarding Anti-Doping Rule Violations, *Consequences*, and *Provisional Suspensions*

A decision that an anti-doping rule violation was committed, a decision imposing *Consequences* for an anti-doping rule violation, a decision that no anti-doping rule violation was committed, a decision that an *Anti-Doping Organization* lacks jurisdiction to rule on an alleged anti-doping rule violation or its *Consequences*,

12 Comment: *This Article makes it clear that the Code does not restrict whatever disciplinary rights between organizations may otherwise exist.*

13.1 Comment: *The comparable OMADC Article is broader in that it provides that any dispute arising out of the application of the OMADC may be appealed to CAS.*

and a decision to impose a *Provisional Suspension* as a result of a *Provisional Hearing* or in violation of Article 7.5 may be appealed exclusively as provided in this Article 13.2.

13.2.1 Appeals Involving *International-Level Athletes*

In cases arising from competition in an *International Event* or in cases involving *International-Level Athletes*, the decision may be appealed exclusively to the Court of Arbitration for Sport ("CAS") in accordance with the provisions applicable before such court.

13.2.2 Appeals Involving National-Level *Athletes*

In cases involving national-level *Athletes*, as defined by each *National Anti-Doping Organization*, that do not have a right to appeal under Article 13.2.1, the decision may be appealed to an independent and impartial body in accordance with rules established by the *National Anti-Doping Organization*. The rules for such appeal shall respect the following principles:

- A timely hearing;
- Fair, impartial and independent hearing body;
- The right to be represented by counsel at the *Person's* own expense; and
- A timely, written, reasoned decision.

13.2.3 *Persons* Entitled to Appeal

In cases under Article 13.2.1, the following parties shall have the right to appeal to CAS: (a) the *Athlete* or other *Person* who is the subject of the decision being appealed; (b) the other party to the case in which the decision was rendered; (c) the relevant International Federation and any other *Anti-Doping Organization* under whose rules a sanction could have been imposed; (d) the International Olympic Committee or International Paralympic Committee, as applicable, where the decision may have an effect in relation to the Olympic Games or Paralympic Games, including decisions affecting eligibility for the Olympic Games or Paralympic Games; and (e) *WADA*. In cases under Article 13.2.2, the parties having the right to appeal to the national-level reviewing body shall be as provided in the *National Anti-Doping Organization's* rules but, at a minimum, shall include: (a) the *Athlete* or other *Person* who is the subject of the decision being appealed; (b) the other party to the case in which the decision was rendered; (c) the relevant International Federation; and (d) *WADA*. For cases under Article 13.2.2, *WADA* and the International Federation shall also have the right to appeal to CAS with respect to the decision of the national-level reviewing body.

Notwithstanding any other provision herein, the only *Person* that may appeal from a *Provisional Suspension* is the *Athlete* or other *Person* upon whom the *Provisional Suspension* is imposed.

13.3 Appeals from Decisions Granting or Denying a Therapeutic *Use* Exemption

Decisions by *WADA* reversing the grant or denial of a therapeutic use exemption may be appealed exclusively to CAS by the *Athlete* or the *Anti-Doping Organization* whose decision was reversed. Decisions by *Anti-Doping Organizations* other than *WADA* denying therapeutic use exemptions, which are not reversed by *WADA*, may be appealed by *International-Level Athletes* to CAS and by

13.2.1 Comment: CAS decisions are final and binding except for any review required by law applicable to the annulment or enforcement of arbitral awards.

13.2.2 Comment: An Anti-Doping Organization may elect to comply with this Article by giving its national-level Athletes the right to appeal directly to CAS.

other *Athletes* to the national level reviewing body described in Article 13.2.2. If the national level reviewing body reverses the decision to deny a therapeutic use exemption, that decision may be appealed to CAS by *WADA*.

13.4 Appeals from Decisions Imposing *Consequences* under Part Three of the *Code*

With respect to *consequences* imposed under Part Three (Roles and Responsibilities) of the *Code*, the entity upon which *consequences* are imposed under Part Three of the *Code* shall have the right to appeal exclusively to CAS in accordance with the provisions applicable before such court.

13.5 Appeals from Decisions Suspending or Revoking Laboratory Accreditation

Decisions by *WADA* to suspend or revoke a laboratory's *WADA* accreditation may be appealed only by that laboratory with the appeal being exclusively to CAS.

ARTICLE 14 CONFIDENTIALITY AND REPORTING

The *Signatories* agree to the principles of coordination of anti-doping results, public transparency and accountability and respect for the privacy interests of individuals alleged to have violated anti-doping rules as provided below:

14.1 Information Concerning *Adverse Analytical Findings* and Other Potential Anti-Doping Rule Violations

An *Athlete* whose *Sample* has resulted in an *Adverse Analytical Finding*, or an *Athlete* or other *Person* who may

13.5 Comment: *The object of the Code is to have anti-doping matters resolved through fair and transparent internal processes with a final appeal. Anti-doping decisions by Anti-Doping Organizations are made transparent in Article 14. Specified Persons and organizations, including WADA, are then given the opportunity to appeal those decisions. Note, that the definition of interested Persons and organizations with a right to appeal under Article 13 does not include Athletes, or their federations, who might benefit from having another competitor disqualified.*

have violated an anti-doping rule, shall be notified by the *Anti-Doping Organization* with results management responsibility as provided in Article 7 (Results Management). The *Athlete's National Anti-Doping Organization* and International Federation and *WADA* shall also be notified not later than the completion of the process described in Articles 7.1 and 7.2. Notification shall include: the *Athlete's* name, country, sport and discipline within the sport, whether the test was *In-Competition* or *Out-of-Competition*, the date of *Sample* collection and the analytical result reported by the laboratory. The same *Persons* and *Anti-Doping Organizations* shall be regularly updated on the status and findings of any review or proceedings conducted pursuant to Articles 7 (Results Management), 8 (Right to a Fair Hearing) or 13 (Appeals), and, in any case in which the period of *Ineligibility* is eliminated under Article 10.5.1 (*No Fault or Negligence*), or reduced under Article 10.5.2 (*No Significant Fault or Negligence*), shall be provided with a written reasoned decision explaining the basis for the elimination or reduction. The recipient organizations shall not disclose this information beyond those persons within the organization with a need to know until the *Anti-Doping Organization* with results management responsibility has made public disclosure or has failed to make public disclosure as required in Article 14.2 below.

14.2 Public Disclosure

The identity of *Athletes* whose *Samples* have resulted in *Adverse Analytical Findings*, or *Athletes* or other *Persons* who were alleged by an *Anti-Doping Organization* to have violated other anti-doping rules, may be publicly disclosed by the *Anti-doping Organization* with results management responsibility no earlier than completion of the administrative review described in Articles 7.1 and 7.2. No later than twenty days after it has been determined in a hearing in accordance with Article 8 that an anti-doping rule violation has occurred, or such hearing has been

waived, or the assertion of an anti-doping rule violation has not been timely challenged, the *Anti-Doping Organization* responsible for results management must publicly report the disposition of the anti-doping matter.

14.3 *Athlete* Whereabouts Information

Athletes who have been identified by their International Federation or *National Anti-Doping Organization* for inclusion in an *Out-of-Competition Testing* pool shall provide accurate, current location information. The International Federations and *National Anti-Doping Organizations* shall coordinate the identification of *Athletes* and the collecting of current location information and shall submit it to *WADA*. *WADA* shall make this information accessible to other *Anti-Doping Organizations* having authority to test the *Athlete* as provided in Article 15. This information shall be maintained in strict confidence at all times; shall be used exclusively for purposes of planning, coordinating or conducting *Testing*; and shall be destroyed after it is no longer relevant for these purposes.

14.4 Statistical Reporting

Anti-Doping Organizations shall, at least annually, publish publicly a general statistical report of their *Doping Control* activities with a copy provided to *WADA*.

14.5 *Doping Control* Information Clearing House

WADA shall act as a central clearing house for *Doping Control Testing* data and results for *International-Level Athletes* and national-level *Athletes* that have been included in their *National Anti-Doping Organization's Registered Testing Pool*. To facilitate coordinated test distribution planning and to avoid unnecessary duplication in *Testing* by the various *Anti-Doping Organizations*, each *Anti-Doping Organization* shall report all *In-Competition* and *Out-of-Competition* tests on such *Athletes* to the *WADA* clearinghouse as soon as possible after such tests have been conducted. *WADA* shall make this information accessible to the *Athlete*, the *Athlete's* National Federation, *National Olympic Committee* or National

Paralympic Committee, *National Anti-Doping Organization*, International Federation, and the International Olympic Committee or International Paralympic Committee. Private information regarding an *Athlete* shall be maintained by *WADA* in strict confidence. *WADA* shall, at least annually, publish statistical reports summarizing such information.

ARTICLE 15: CLARIFICATION OF *DOPING CONTROL* RESPONSIBILITIES

15.1 *Event Testing*

The collection of *Samples* for *Doping Control* does and should take place at both *International Events* and National *Events*. However, only a single organization should be responsible for initiating and directing *Testing* during an *Event*. At *International Events*, the collection of *Doping Control Samples* shall be initiated and directed by the international organization which is the ruling body for the *Event* (e.g., the IOC for the Olympic Games, the International Federation for a World Championship, and PASO for the Pan American Games). If the international organization decides not to conduct any *Testing* at such an *Event*, the *National Anti-Doping Organization* for the country where the *Event* occurs may, in coordination with and with the approval of the international organization or *WADA*, initiate and conduct such *Testing*. At National *Events*, the collection of *Doping Control Samples* shall be initiated and directed by the designated *National Anti-Doping Organization* of that country.

15 Comment: *To be effective, the anti-doping effort must involve many Anti-Doping Organizations conducting strong programs at both the international and national levels. Rather than limiting the responsibilities of one group in favor of the exclusive competency of the other, the Code manages potential problems associated with overlapping responsibilities, first by creating a much higher level of overall harmonization and second, by establishing rules of precedence and cooperation in specific areas.*

15.1 Comment: *The Anti-Doping Organization "initiating and directing testing" may, if it chooses, enter into agreements with other organizations to which it delegates responsibility for Sample collection or other aspects of the Doping Control process.*

15.2 *Out-of-Competition Testing*

Out-of-Competition Testing is and should be initiated and directed by both international and national organizations. *Out-of-Competition Testing* may be initiated and directed by: (a) *WADA*; (b) the IOC or IPC in connection with the Olympic Games or Paralympic Games; (c) the *Athlete's* International Federation; (d) the *Athlete's National Anti-Doping Organization; or (e)* the *National Anti-Doping Organization* of any country where the *Athlete* is present. *Out-of-Competition Testing* should be coordinated through *WADA* in order to maximize the effectiveness of the combined *Testing* effort and to avoid unnecessary repetitive *Testing* of individual *Athletes*.

15.3 Results Management, Hearings and Sanctions

Except as provided in Article 15.3.1 below, results management and hearings shall be the responsibility of and shall be governed by the procedural rules of the *Anti-Doping Organization* that initiated and directed *Sample* collection (or, if no *Sample* collection is involved, the organization which discovered the violation). Regardless of which organization conducts results management or hearings, the principles set forth in Articles 7 and 8 shall be respected and the rules identified in the Introduction to Part One to be incorporated without substantive change must be followed.

15.3.1 Results management and the conduct of hearings for an anti-doping rule violation arising from a test by, or discovered by, a *National Anti-Doping Organization* involving an *Athlete* that is not a citizen or resident of that country shall be administered as directed by the rules of the applicable International Federation. Results management and the conduct of hearings from a test by the International Olympic Committee, the International Paralympic Committee, or a *Major Event Organization*, shall be referred to the applicable International Federation as far as sanctions beyond *Disqualification* from the *Event* or the results of the *Event*.

15.4 Mutual Recognition

Subject to the right to appeal provided in Article 13, the *Testing*, therapeutic use exemptions and hearing results or other final adjudications of any *Signatory* which are consistent with the *Code* and are within that *Signatory's* authority, shall be recognized and respected by all other *Signatories*. *Signatories* may recognize the same actions of other bodies which have not accepted the *Code* if the rules of those bodies are otherwise consistent with the *Code*.

ARTICLE 16: DOPING CONTROL FOR ANIMALS COMPETING IN SPORT

16.1 In any sport that includes animals in competition, the International Federation for that sport shall establish and implement anti-doping rules for the animals included in that sport. The anti-doping rules shall include a list of *Prohibited Substances*, appropriate *Testing* procedures and a list of approved laboratories for *Sample* analysis.

15.2 Comment: *Additional authority to conduct Testing may be authorized by means of bilateral or multilateral agreements among Signatories and governments.*

15.3 Comment: *In some cases, the procedural rules of the Anti-Doping Organization which initiated and directed the Sample collection may specify that results management will be handled by another organization (e.g., the Athlete's national federation). In such event, it shall be the Anti-Doping Organization's responsibility to confirm that the other organization's rules are consistent with the Code.*

15.3.1 Comment: *No absolute rule is established for managing results and conducting hearings where a National Anti-Doping Organization tests a foreign national athlete over whom it would have had no jurisdiction but for the Athlete's presence in the National Anti-Doping Organization's country. Under this Article, it is left to the International Federation to determine under its own rules whether, for example, management of the case should be referred to the Athlete's National Anti-Doping Organization, remain with the Anti-Doping Organization that collected the Sample, or be taken over by the International Federation.*

16.2 With respect to determining anti-doping rule violations, results management, fair hearings, *Consequences*, and appeals for animals involved in sport, the International Federation for that sport shall establish and implement rules that are generally consistent with Articles 1, 2, 3, 9, 10, 11, 13 and 17 of the *Code*.

ARTICLE 17: STATUTE OF LIMITATIONS

No action may be commenced against an *Athlete* or other *Person* for a violation of an anti-doping rule contained in the *Code* unless such action is commenced within eight years from the date the violation occurred.

17 Comment: *This does not restrict the Anti-Doping Organization from considering an earlier anti-doping violation for purposes of the sanction for a subsequent violation that occurs more than eight years later. In other words, a second violation ten years after a first violation is considered a second violation for sanction purposes.*

PART TWO

EDUCATION & RESEARCH

ARTICLE 18: EDUCATION

18.1 Basic Principle and Primary Goal

The basic principle for information and education programs shall be to preserve the spirit of sport as described in the Introduction to the *Code*, from being undermined by doping. The primary goal shall be to dissuade *Athletes* from using *Prohibited Substances* and *Prohibited Methods*.

18.2 Program and Activities

Each *Anti-Doping Organization* should plan, implement and monitor information and education programs. The programs should provide *Participants* with updated and accurate information on at least the following issues:

- Substances and methods on the *Prohibited List*
- Health consequences of doping
- *Doping Control* procedures
- *Athletes'* rights and responsibilities

The programs should promote the spirit of sport in order to establish an anti-doping environment which influences behavior among *Participants*.

Athlete Support Personnel should educate and counsel *Athletes* regarding anti-doping policies and rules adopted pursuant to the *Code*.

18.3 Coordination and Cooperation

All *Signatories* and *Participants* shall cooperate with each other and governments to coordinate their efforts in anti-doping information and education.

ARTICLE 19: RESEARCH

19.1 Purpose of Anti-Doping Research

Anti-doping research contributes to the development and implementation of efficient programs within *Doping Control* and to anti-doping information and education.

19.2 Types of Research

Anti-doping research may include, for example, sociological, behavioral, juridical and ethical studies in addition to medical, analytical and physiological investigation.

19.3 Coordination

Coordination of anti-doping research through *WADA* is encouraged. Subject to intellectual property rights, copies of anti-doping research results should be provided to *WADA*.

19.4 Research Practices

Anti-doping research shall comply with internationally recognized ethical practices.

19.5 Research Using *Prohibited Substances* and *Prohibited Methods*

Research efforts should avoid the administration of *Prohibited Substances* or *Prohibited Methods* to *Athletes*.

19.6 Misuse of Results

Adequate precautions should be taken so that the results of anti-doping research are not misused and applied for doping.

PART THREE

ROLES & RESPONSIBILITIES

ARTICLE 20: ADDITIONAL ROLES AND RESPONSIBILITIES OF *SIGNATORIES*

20.1 Roles and Responsibilities of the International Olympic Committee

20.1.1 To adopt and implement anti-doping policies and rules for the Olympic Games which conform with the *Code*.

20.1.2 To require as a condition of recognition by the International Olympic Committee, that International Federations within the Olympic Movement are in compliance with the *Code*.

20.1.3 To withhold some or all Olympic funding of sport organizations that are not in compliance with the *Code*.

20.1.4 To take appropriate action to discourage non-compliance with the *Code* as provided in Article 23.5.

20.1.5 To authorize and facilitate the *Independent Observer Program*.

20.2 Roles and Responsibilities of the International Paralympic Committee

20.2.1 To adopt and implement anti-doping policies and rules for the Paralympic Games which conform with the *Code*.

20.2.2 To require as a condition of recognition by the International Paralympic Committee, that National Paralympic Committees within the Olympic Movement are in compliance with the *Code*.

20 Comment: *Responsibilities for Signatories and Participants are addressed in various articles in the Code and the responsibilities listed in this part are additional to these responsibilities.*

20.2.3 To withhold some or all Paralympic funding of sport organizations that are not in compliance with the *Code*.

20.2.4 To take appropriate action to discourage non-compliance with the *Code* as provided in Article 23.5.

20.2.5 To authorize and facilitate the *Independent Observer Program*.

20.3 Roles and Responsibilities of International Federations

20.3.1 To adopt and implement anti-doping policies and rules which conform with the *Code*.

20.3.2 To require as a condition of membership that the policies, rules and programs of National Federations are in compliance with the *Code*.

20.3.3 To require all *Athletes* and *Athlete Support Personnel* within their jurisdiction to recognize and be bound by anti-doping rules in conformance with the *Code*.

20.3.4 To require *Athletes* who are not regularly members of the International Federation or one of its member National Federations to be available for *Sample* collection and provide accurate and up-to-date whereabouts information if required by the conditions for eligibility established by the International Federation or, as applicable, the *Major Event Organization*.

20.3.5 To monitor the anti-doping programs of National Federations.

20.3.4 Comment: *This would include, for example, Athletes from professional leagues.*

20.3.6 To take appropriate action to discourage non-compliance with the *Code* as provided in Article 23.5.

20.3.7 To authorize and facilitate the *Independent Observer* program at *International Events*.

20.3.8 To withhold some or all funding to its member National Federations that are not in compliance with the *Code*.

20.4 Roles and Responsibilities of *National Olympic Committees* and National Paralympic Committees

20.4.1 To ensure that their anti-doping policies and rules conform with the *Code*.

20.4.2 To require as a condition of membership or recognition that National Federations' anti-doping policies and rules are in compliance with the applicable provisions of the *Code*.

20.4.3 To require *Athletes* who are not regular members of a National Federation to be available for *Sample* collection and provide accurate and up-to-date whereabouts information on a regular basis if required during the year before the Olympic Games as a condition of participation in the Olympic Games.

20.4.4 To cooperate with their *National Anti-Doping Organization*.

20.4.5 To withhold some or all funding, during any period of his or her *Ineligibility*, to any *Athlete* or *Athlete Support Personnel* who has violated anti-doping rules.

20.4.6 To withhold some or all funding to its member or recognized National Federations that are not in compliance with the *Code*.

20.5 Roles and Responsibilities of *National Anti-Doping Organizations*

20.5.1 To adopt and implement anti-doping rules and polices which conform with the *Code*.

20.5.2 To cooperate with other relevant national organizations and other *Anti-Doping Organizations*.

20.5.3 To encourage reciprocal testing between *National Anti-Doping Organizations*.

20.5.4 To promote anti-doping research.

20.6 Roles and Responsibilities of *Major Event Organizations*

20.6.1 To adopt and implement anti-doping policies and rules for their *Events* which conform with the *Code*.

20.6.2 To take appropriate action to discourage non-compliance with the *Code* as provided in Article 23.5.

20.6.3 To authorize and facilitate the *Independent Observer Program*.

20.7 Roles and Responsibilities of *WADA*

20.7.1 To adopt and implement policies and procedures which conform with the *Code*.

20.7.2 To monitor the processing of *Adverse Analytical Findings*.

20.7.3 To approve *International Standards* applicable to the implementation of the *Code*.

20.7.4 To accredit laboratories to conduct *Sample* analysis or to approve others to conduct *Sample* analysis.

20.7.5 To develop and approve Models of Best Practice.

20.7.6 To promote, conduct, commission, fund and coordinate anti-doping research.

20.7.7 To conduct an effective *Independent Observer Program*.

20.7.8 To conduct *Doping Controls* as authorized by other *Anti-Doping Organizations*.

ARTICLE 21: ROLES AND RESPONSIBILITIES OF *PARTICIPANTS*

21.1 Roles and Responsibilities of *Athletes*

21.1.1 To be knowledgeable of and comply with all applicable anti-doping policies and rules adopted pursuant to the *Code*.

21.1.2 To be available for *Sample* collection.

21.1.3 To take responsibility, in the context of anti-doping, for what they ingest and use.

21.1.4 To inform medical personnel of their obligation not to *Use Prohibited Substances* and *Prohibited Methods* and to take responsibility to make sure that any medical treatment received does not violate anti-doping policies and rules adopted pursuant to the *Code*.

21.2 Roles and Responsibilities of *Athlete Support Personnel*

21.2.1 To be knowledgeable of and comply with all anti-doping policies and rules adopted pursuant to the *Code* and which are applicable to them or the *Athletes* whom they support.

21.2.2 To cooperate with the *Athlete Testing* program.

21.2.3 To use their influence on *Athlete* values and behavior to foster anti-doping attitudes.

ARTICLE 22: INVOLVEMENT OF GOVERNMENTS

Each government's commitment to the *Code* will be evidenced by its signing a Declaration on or before the first day of the Athens Olympic Games to be followed by a process leading to a convention or other obligation to be implemented as appropriate to the constitutional and administrative contexts of each government on or before the first day of the Turin Winter Olympic Games.

It is the expectation of the *Signatories* that the Declaration and the convention or other obligation will reflect the following major points:

22.1 Affirmative measures will be undertaken by each government in support of anti-doping in at least the following areas:

- Support for national anti-doping programs;
- The availability of *Prohibited Substances* and *Prohibited Methods*;
- Facilitate access for *WADA* to conduct *Out-of-Competition Doping Controls*;
- The problem of nutritional supplements which contain undisclosed *Prohibited Substances*; and
- Withholding some or all financial support from sport organizations and *Participants* that are not in compliance with the *Code* or applicable anti-doping rules adopted pursuant to the *Code*.

22 Comment: *Most governments cannot be parties to, or be bound by, private non-governmental instruments such as the Code. For that reason, governments are not asked to be Signatories to the Code. However, the effort to combat doping through the coordinated and harmonized program reflected in the Code is very much a joint effort between the sport movement and governments. An example of one type of obligation referred to above is the convention discussed in the Final Communiqué of the UNESCO Round Table of Ministers and Senior Officials Responsible for Physical Education and Sport held in Paris on 9/10 January 2003.*

22.2 All other governmental involvement with anti-doping will be brought into harmony with the *Code*.

22.3 Ongoing compliance with the commitments reflected in the convention or other obligation will be monitored as determined in consultation between *WADA* and the applicable government(s).

PART FOUR

ACCEPTANCE, COMPLIANCE, MODIFICATION & INTERPRETATION

ARTICLE 23: ACCEPTANCE, COMPLIANCE AND MODIFICATION

23.1 Acceptance of the *Code*

23.1.1 The following entities shall be *Signatories* accepting the *Code*: *WADA*, The International Olympic Committee, International Federations, The International Paralympic Committee, *National Olympic Committees*, National Paralympic Committees, *Major Event Organizations*, and *National Anti-Doping Organizations*. These entities shall accept the *Code* by signing a declaration of acceptance upon approval by each of their respective governing bodies.

23.1.2 Other sport organizations that may not be under the control of a *Signatory* may, upon *WADA's* invitation, also accept the *Code*.

23.1.3 A list of all acceptances will be made public by *WADA*.

23.2 Implementation of the *Code*

23.2.1 The *Signatories* shall implement applicable *Code* provisions through policies, statutes, rules or regulations according to their authority and within their relevant spheres of responsibility.

23.1.1 Comment: *Each accepting Signatory will separately sign an identical copy of the standard form common declaration of acceptance and deliver it to WADA. The act of acceptance will be as authorized by the organic documents of each organization. For example, an International Federation by its Congress and WADA by its Foundation Board.*

23.1.2 Comment: *Those professional leagues that are not currently under the jurisdiction of any government or International Federation will be encouraged to accept the Code.*

23.2.2 In implementing the *Code*, the *Signatories* are encouraged to use the Models of Best Practice recommended by *WADA*.

23.3 Acceptance and Implementation Deadlines

23.3.1 *Signatories* shall accept and implement the *Code* on or before the first day of the Athens Olympic Games.

23.3.2 The *Code* may be accepted after the above-referenced deadlines; however, *Signatories* shall not be considered in compliance with the *Code* until they have accepted the *Code* (and that acceptance has not been withdrawn).

23.4 Monitoring Compliance with the *Code*

23.4.1 Compliance with the *Code* shall be monitored by *WADA* or as otherwise agreed by *WADA*.

23.4.2 To facilitate monitoring, each *Signatory* shall report to *WADA* on its compliance with the *Code* every second year and shall explain reasons for noncompliance.

23.4.3 *WADA* shall consider explanations for non-compliance and, in extraordinary situations, may recommend to the International Olympic Committee, International Paralympic Committee, International Federations, and *Major Event Organizations* that they provisionally excuse the non-compliance.

23.4.3 Comment: *WADA recognizes that amongst Signatories and governments, there will be significant differences in anti-doping experience, resources, and the legal context in which anti-doping activities are carried out. In considering whether an organization is compliant, WADA will consider these differences.*

23.4.4 *WADA* shall, after dialogue with the subject organization, make reports on compliance to the International Olympic Committee, the International Paralympic Committee, International Federations, and *Major Event Organizations*. These reports shall also be made available to the public.

23.5 Consequences of Noncompliance with the *Code*

23.5.1 Noncompliance with the *Code* by either the government or *National Olympic Committee* of a country may result in consequences with respect to Olympic Games, Paralympic Games, World Championships or the *Events* of *Major Event Organizations* as determined by the ruling body for each *Event*. The imposition of such consequences may be appealed by the *National Olympic Committee* or government to CAS pursuant to Article 13.4.

23.6 Modification of the *Code*

23.6.1 *WADA* shall be responsible for overseeing the evolution and improvement of the *Code*. *Athletes* and all *Signatories* and governments shall be invited to participate in such process.

23.6.2 *WADA* shall initiate proposed amendments to the *Code* and shall ensure a consultative process to both receive and respond to recommendations and to facilitate review and feedback from *Athletes*, *Signatories* and governments on recommended amendments.

23.6.3 Amendments to the *Code* shall, after appropriate consultation, be approved by a two-thirds majority of the *WADA* Foundation Board including a majority of both the public sector and Olympic Movement members casting votes. Amendments shall, unless provided otherwise, go into effect three months after such approval.

23.6.4 *Signatories* shall implement any applicable amendment to the *Code* within one year of approval by the *WADA* Foundation Board.

23.7 Withdrawal of Acceptance of the *Code*

23.7.1 *Signatories* may withdraw acceptance of the *Code* after providing *WADA* six-month's written notice of their intent to withdraw.

ARTICLE 24: INTERPRETATION OF THE *CODE*

24.1 The official text of the *Code* shall be maintained by *WADA* and shall be published in English and French. In the event of any conflict between the English and French versions, the English version shall prevail.

24.2 The comments annotating various provisions of the *Code* are included to assist in the understanding and interpretation of the *Code*.

24.3 The *Code* shall be interpreted as an independent and autonomous text and not by reference to the existing law or statutes of the *Signatories* or governments.

24.4 The headings used for the various Parts and Articles of the *Code* are for convenience only and shall not be deemed part of the substance of the *Code* or to affect in any way the language of the provisions to which they refer.

24.5 The *Code* shall not apply retrospectively to matters pending before the date the *Code* is accepted by a Signatory and implemented in its rules.

24.6 APPENDIX I Definitions shall be considered an integral part of the *Code*.

24.5 Comment: *For example, conduct which is an anti-doping rule violation described in the Code, but which is not a violation under an International Federation's pre-Code rules, would not be a violation until the International Federation's rules are changed.*

Pre-Code anti-doping rule violations would continue to count as "First violations" or "Second violations" for purposes of determining sanctions under Article 10 for subsequent post-Code violations.

APPENDIX 1

DEFINITIONS

Adverse Analytical Finding: A report from a laboratory or other approved *Testing* entity that identifies in a *Specimen* the presence of a *Prohibited Substance* or its *Metabolites* or *Markers* (including elevated quantities of endogenous substances) or evidence of the *Use* of a *Prohibited Method*.

Anti-Doping Organization: A *Signatory* that is responsible for adopting rules for initiating, implementing or enforcing any part of the *Doping Control* process. This includes, for example, the International Olympic Committee, the International Paralympic Committee, other *Major Event Organizations* that conduct *Testing* at their *Events*, *WADA*, International Federations, and *National Anti-Doping Organizations*.

Athlete: For purposes of *Doping Control*, any *Person* who participates in sport at the international level (as defined by each International Federation) or national level (as defined by each *National Anti-Doping Organization*) and any additional *Person* who participates in sport at a lower level if designated by the *Person's National Anti-Doping Organization*. For purposes of anti-doping information and education, any *Person* who participates in sport under the authority of any *Signatory*, government, or other sports organization accepting the *Code*.

Athlete Support Personnel: Any coach, trainer, manager, agent, team staff, official, medical or para-medical personnel working with or treating *Athletes* participating in or preparing for sports competition.

Athlete Comment: *This definition makes it clear that all international and national-calibre athletes are subject to the anti-doping rules of the Code, with the precise definitions of international and national level sport to be set forth in the anti-doping rules of the International Federations and National Anti-Doping Organizations, respectively. At the national level, anti-doping rules adopted pursuant to the Code shall apply, at a minimum, to all persons on national teams and all persons qualified to compete in any national championship in any sport. The definition also allows each National Anti-Doping Organization, if it chooses to do so, to expand its anti-doping control program beyond national-calibre athletes to athletes at lower levels of competition. Athletes at all levels of competition should receive the benefit of anti-doping information and education.*

Attempt: Purposely engaging in conduct that constitutes a substantial step in a course of conduct planned to culminate in the commission of an anti-doping rule violation. Provided, however, there shall be no anti-doping rule violation based solely on an *Attempt* to commit a violation if the *Person* renunciates the attempt prior to it being discovered by a third party not involved in the *Attempt*.

Code: The World Anti-Doping *Code*.

Competition: A single race, match, game or singular athletic contest. For example, the finals of the Olympic 100-meter dash. For stage races and other athletic contests where prizes are awarded on a daily or other interim basis the distinction between a *Competition* and an *Event* will be as provided in the rules of the applicable International Federation.

Consequences of Anti-Doping Rules Violations: An *Athlete's* or other *Person's* violation of an anti-doping rule may result in one or more of the following: (a) ***Disqualification*** means the *Athlete's* results in a particular *Competition* or *Event* are invalidated, with all resulting consequences including forfeiture of any medals, points and prizes; (b) ***Ineligibility*** means the *Athlete* or other *Person* is barred for a specified period of time from participating in any *Competition* or other activity or funding as provided in Article 10.9; and (c) ***Provisional Suspension*** means the *Athlete* or other *Person* is barred temporarily from participating in any *Competition* prior to the final decision at a hearing conducted under Article 8 (Right to a Fair Hearing).

Disqualification: See *Consequences of Anti-Doping Rules Violations* above.

Doping Control: The process including test distribution planning, *Sample* collection and handling, laboratory analysis, results management, hearings and appeals.

Event: A series of individual *Competitions* conducted together under one ruling body (e.g., the Olympic Games, FINA World Championships, or Pan American Games).

In-Competition: For purposes of differentiating between *In-Competition* and *Out-of-Competition Testing*, unless provided otherwise in the rules of an International Federation or other relevant *Anti-Doping Organization*, an *In-Competition* test is a test where an *Athlete* is selected for testing in connection with a specific *Competition*.

Independent Observer Program: A team of observers, under the supervision of *WADA*, who observe the *Doping Control* process at certain *Events* and report on observations. If *WADA* is testing *In-Competition* at an *Event*, the observers shall be supervised by an independent organization.

Ineligibility: See *Consequences of Anti-Doping Rules Violations* above.

International Event: An *Event* where the International Olympic Committee, the International Paralympic Committee, an International Federation, a *Major Event Organization*, or another international sport organization is the ruling body for the *Event* or appoints the technical officials for the *Event*.

International-Level Athlete: *Athletes* designated by one or more International Federations as being within the *Registered Testing Pool* for an International Federation.

International Standard: A standard adopted by *WADA* in support of the *Code*. Compliance with an *International Standard* (as opposed to another alternative standard, practice or procedure) shall be sufficient to conclude that the procedures addressed by the *International Standard* were performed properly.

In-Competition Comment: *The distinction between "In-Competition" and "Out-of-Competition" testing is significant because the full Prohibited List is only tested for "In-Competition." Prohibited stimulants, for example, are not tested for Out-of-Competition because they have no performance enhancing benefit unless they are in the Athlete's system while the Athlete is actually competing. So long as the prohibited stimulant has cleared the Athlete's system at the time the Athlete competes, it makes no difference whether that stimulant could have been found in the Athlete's urine the day before or the day after the Competition.*

Major Event Organizations: This term refers to the continental associations of *National Olympic Committees* and other international multi-sport organizations that function as the ruling body for any continental, regional or other *International Event*.

Marker: A compound, group of compounds or biological parameters that indicates the *Use* of a *Prohibited Substance* or *Prohibited Method*.

Metabolite: Any substance produced by a biotransformation process.

Minor: A natural *Person* who has not reached the age of majority as established by the applicable laws of his or her country of residence.

National Anti-Doping Organization: The entity(ies) designated by each country as possessing the primary authority and responsibility to adopt and implement anti-doping rules, direct the collection of *Samples*, the management of test results, and the conduct of hearings, all at the national level. If this designation has not been made by the competent public authority(ies), the entity shall be the country's *National Olympic Committee* or its designee.

National Event: A sport *Event* involving international or national-level *Athletes* that is not an *International Event*.

National Olympic Committee: The organization recognized by the International Olympic Committee. The term *National Olympic Committee* shall also include the National Sport Confederation in those countries where the National Sport Confederation assumes typical *National Olympic Committee* responsibilities in the anti-doping area.

No Advance Notice: A *Doping Control* which takes place with no advance warning to the *Athlete* and where the *Athlete* is continuously chaperoned from the moment of notification through *Sample* provision.

No Fault or Negligence: The *Athlete's* establishing that he or she did not know or suspect, and could not reasonably have known or suspected even with the exercise of utmost caution, that he or she had *Used* or been administered the *Prohibited Substance* or *Prohibited Method*.

No Significant Fault or Negligence: The *Athlete's* establishing that his or her fault or negligence, when viewed in the totality of the circumstances and taking into account the criteria for *No Fault or Negligence*, was not significant in relationship to the anti-doping rule violation.

Out-of-Competition: Any *Doping Control* which is not *In-Competition*.

Participant: Any *Athlete* or *Athlete Support Personnel*.

Person: A natural *Person* or an organization or other entity.

Possession: The actual, physical possession, or the constructive possession (which shall be found only if the *Person* has exclusive control over the *Prohibited Substance/Method* or the premises in which a *Prohibited Substance/Method* exists); provided, however, that if the *Person* does not have exclusive control over the *Prohibited Substance/Method* or the premises in which a *Prohibited Substance/Method* exists, constructive possession shall only be found if the *Person* knew about the presence of the *Prohibited Substance/Method* and intended to exercise control over it. Provided, however, there shall be no anti-doping rule violation based solely on *possession* if, prior to receiving

Possession Comment: *Under this definition, steroids found in an Athlete's car would constitute a violation unless the Athlete establishes that someone else used the car; in that event, the Anti-Doping Organization must establish that, even though the Athlete did not have exclusive control over the car, the Athlete knew about the steroids and intended to have control over the steroids. Similarly, in the example of steroids found in a home medicine cabinet under the joint control of an Athlete and spouse, the Anti-Doping Organization must establish that the Athlete knew the steroids were in the cabinet and that the Athlete intended to exercise control over the steroids.*

notification of any kind that the *Person* has committed an anti-doping rule violation, the *Person* has taken concrete action demonstrating that the *Person* no longer intends to have *Possession* and has renounced the *Person's* previous *Possession*.

Prohibited List: The List identifying the *Prohibited Substances* and *Prohibited Methods*.

Prohibited Method: Any method so described on the *Prohibited List*.

Prohibited Substance: Any substance so described on the *Prohibited List*.

Provisional Hearing: For purposes of Article 7.5, an expedited abbreviated hearing occurring prior to a hearing under Article 8 (Right to a Fair Hearing) that provides the *Athlete* with notice and an opportunity to be heard in either written or oral form.

Provisional Suspension: See *Consequences* above.

Publicly Disclose or Publicly Report: To disseminate or distribute information to the general public or persons beyond those persons entitled to earlier notification in accordance with Article 14.

Registered Testing Pool: The pool of top level *Athletes* established separately by each International Federation and *National Anti-Doping Organization* who are subject to both *In-Competition* and *Out-of-Competition Testing* as part of that International Federation's or Organization's test distribution plan.

Sample Specimen: Any biological material collected for the purposes of *Doping Control*.

Registered Testing Pool Comment: *Each International Federation shall clearly define the specific criteria for inclusion of Athletes in its Registered Testing Pool. For example, the criteria could be a specified world ranking cut-off, a specified time standard, membership on a national team, etc.*

Signatories: Those entities signing the *Code* and agreeing to comply with the *Code*, including the International Olympic Committee, International Federations, International Paralympic Committee, *National Olympic Committees*, National Paralympic Committees, *Major Event Organizations*, *National Anti-Doping Organizations*, and *WADA*.

Tampering: Altering for an improper purpose or in an improper way; bringing improper influence to bear; interfering improperly to alter results or prevent normal procedures from occurring.

Target Testing: Selection of *Athletes* for *Testing* where specific *Athletes* or groups of *Athletes* are selected on a non-random basis for *Testing* at a specified time.

Team Sport: A sport in which the substitution of players is permitted during a *Competition*.

Testing: The parts of the *Doping Control* process involving test distribution planning, *Sample* collection, *Sample* handling, and *Sample* transport to the laboratory.

Trafficking: To sell, give, administer, transport, send, deliver or distribute a *Prohibited Substance* or *Prohibited Method* to an *Athlete* either directly or through one or more third parties, but excluding the sale or distribution (by medical personnel or by *Persons* other than an *Athlete's Support Personnel*) of a *Prohibited Substance* for genuine and legal therapeutic purposes.

Use: The application, ingestion, injection or consumption by any means whatsoever of any *Prohibited Substance* or *Prohibited Method*.

WADA: The World Anti-Doping Agency.

Coni

Norme sportive antidoping

Documento tecnico attuativo del Programma Mondiale Antidoping WADA

Standard Internazionali

ALLEGATO AL REGOLAMENTO ATTIVITÀ ANTIDOPING APPROVATO DAL CONSIGLIO NAZIONALE DEL C.O.N.I.
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WORLD
ANTI-DOPING
AGENCY

The World Anti-Doping Code

INTERNATIONAL STANDARD FOR TESTING

version 3.0

June 2003

PREAMBLE

World Anti-Doping Code *International Standard* for *Testing* is a mandatory *International Standard* developed as part of the World Anti-Doping Program.

The *International Standard* for *Testing* is extracted from the proposed ISO International Standard for Doping Control (ISO ISDC) which is being prepared by an expert group within the International Anti-Doping Arrangement (IADA) and *WADA*. The ISO ISDC is based on the IADA International Standard for Doping Control (ISDC)/ISO PAS 18873 (1999). *WADA* supports and is an active partner with IADA in developing the Proposed ISO ISDC to a full ISO standard. The ISO process is expected to be completed in mid 2004.

Version 1.0 of the *International Standard* for *Testing* was circulated to *Signatories* and governments for review and comments in November 2002. Version 2.0 was based on the comments and proposals received from *Signatories* and governments.

All *Signatories* and governments were consulted and have had the opportunity to review and provide comments on version 2.0. This draft version 3.0 will be presented for approval to the *WADA* Executive Committee on June 7th 2003.

The official text of the *International Standard* for *Testing* shall be maintained by *WADA* and shall be published in English and French. In the event of any conflict between the English and French versions, the English version shall prevail.

TABLE OF CONTENT

PART ONE: INTRODUCTION, *CODE* PROVISIONS AND DEFINITIONS

1.0 Introduction and scope

The main purpose of *International Standard* for *Testing* is to plan for effective *Testing* and to maintain the integrity and identity of the *Samples*, from notifying the *Athlete* to transporting *Samples* for analysis.

The *International Standard* for *Testing* includes standards for test distribution planning, notification of *Athletes*, preparing for and conducting *Sample* collection, security/post test administration and transport of *Samples*.

The *International Standard* for *Testing*, including all annexes, is mandatory for all *Signatories* to the *Code*.

The World Anti-Doping Program encompasses all of the elements needed in order to ensure optimal harmonization and best practice in international and national anti-doping programs. The main elements are: the *Code* (Level 1), *International Standards* (Level 2), and Models of Best Practice (Level 3).

In the introduction to the *Code,* the purpose and implementation of the *International Standards* are summarized as follows:

> "*International Standards* for different technical and operational areas within the anti-doping program will be developed in consultation with the *Signatories* and governments and approved by *WADA*. The purpose of the *International Standards* is harmonization among *Anti-Doping Organizations* responsible for specific technical and operational parts of the anti-doping programs. Adherence to the *International Standards* is mandatory for compliance with the *Code*. The *International Standards* may be revised from time to time by the *WADA* Executive Committee after reasonable consultation with the *Signatories* and governments. Unless provided otherwise in the *Code*, *International Standards* and all revisions shall become effective on the date specified in the *International Standard* or revision."

The standards included in the *International Standard* for *Testing* are extracted from the ISO International Standard for Doping Control (ISO ISDC), which also includes management and support processes for *Testing* activities

Definitions specified in the *Code* are written in italics. Additional definitions specific to the *International Standard* for *Testing* are underlined.

2.0 *Code* Provisions

The following articles in the *Code* directly address the *International Standard* for *Testing*:

***Code* Article 2 Anti-Doping Rule Violations:**
2.3 Refusing, or failing without compelling justification, to submit to *Sample* collection after notification as authorized in applicable anti-doping rules or otherwise evading *Sample* collection.

2.4 Violation of applicable requirements regarding *Athlete* availability for *Out-of-Competition Testing* including failure to provide required whereabouts information and missed tests which are declared based on reasonable rules.

2.5 *Tampering*, or *Attempting* to tamper, with any part of *Doping Control*.

2.8 Administration or *Attempted* administration of a *Prohibited Substance* or *Prohibited Method* to any *Athlete*, or assisting, encouraging, aiding, abetting, covering up or any other type of complicity involving an anti-doping rule violation or any *Attempted* violation.

***Code* Article 3 Proof of Doping:**
3.2.2 Departures from the *International Standard* for *Testing* which did not cause an *Adverse Analytical Finding* or other anti-doping rule violation shall not invalidate such results. If the *Athlete* establishes that departures from the *International Standard* occurred during *Testing* then the *Anti-Doping Organization* shall have the burden to establish that such departures did not cause the *Adverse Analytical Finding* or the factual basis for the anti-doping rule violation.

***Code* Article 5 *Testing*:**
5.1 Test Distribution Planning. *Anti-Doping Organizations* conducting *Testing* shall in coordination with other *Anti-Doping Organizations* conducting *Testing* on the same *Athlete* pool:

5.1.1 Plan and implement an effective number of *In-Competition* and *Out-of-Competition* tests. Each International Federation shall establish a *Registered Testing Pool* for *International-Level Athletes* in its sport, and each *National Anti-Doping Organization* shall establish a national *Registered Testing Pool* for *Athletes* in its country. The national-level pool shall include *International-Level Athletes* from that country as well as other national-level *Athletes*. Each International Federation and *National Anti-Doping Organization* shall plan and conduct *In-Competition* and *Out-of-Competition Testing* on its *Registered Testing Pool*.

5.1.2 Make *No Advance Notice Testing* a priority.

5.1.3 Conduct *Target Testing*.

5.2 Standards for *Testing*. *Anti-Doping Organizations* conducting *Testing* shall conduct such *Testing* in conformity with the *International Standard* for *Testing*.

Code Article 7 Results Management:

7.3 Further Review of *Adverse Analytical Finding* Where Required by *Prohibited List.* The *Anti-Doping Organization* or other reviewing body established by such organization shall also conduct any follow-up investigation as may be required by the *Prohibited List.* Upon completion of such follow-up investigation, the *Anti-Doping Organization* shall promptly notify the *Athlete* regarding the results of the follow-up investigation and whether or not the *Anti-Doping Organization* asserts that an anti-doping rule was violated.

Code Article 10 Sanctions on Individuals:

10.10 Reinstatement *Testing.* As a condition to regaining eligibility at the end of a specified period of *Ineligibility*, an *Athlete* must, during any period of *Provisional Suspension* or *Ineligibility*, make him or herself available for *Out-of-Competition Testing* by any *Anti-Doping Organization* having *Testing* jurisdiction, and must, if requested, provide current and accurate whereabouts information. If an *Athlete* subject to a period of *Ineligibility* retires from sport and is removed from *Out-of-Competition Testing* pools and later seeks reinstatement, the *Athlete* shall not be eligible for reinstatement until the *Athlete* has notified relevant *Anti-Doping Organizations* and has been subject to *Out-of-Competition Testing* for a period of time equal to the period of *Ineligibility* remaining as of the date the *Athlete* had retired.

Code Article 14 Confidentiality and Reporting:

14.3 *Athlete* Whereabouts Information. *Athletes* who have been identified by their International Federation or *National Anti-Doping Organization* for inclusion in an *Out-of-Competition Testing* pool shall provide accurate, current location information. The International Federations and *National Anti-Doping Organizations* shall coordinate the identification of *Athletes* and the collecting of current location information and shall submit it to *WADA*.

WADA shall make this information accessible to other *Anti-Doping Organizations* having authority to test the *Athlete* as provided in Article 15. This information shall be maintained in strict confidence at all times; shall be used exclusively for purposes of planning, coordinating or conducting *Testing*; and shall be destroyed after it is no longer relevant for these purposes.

14.5 *Doping Control* Information Clearing House. *WADA* shall act as a central clearing house for *Doping Control Testing* data and results for *International-Level Athletes* and national-level *Athletes* that have been included in their *National Anti-Doping Organization's Registered Testing* Pool. To facilitate coordinated test distribution planning and to avoid unnecessary duplication in *Testing* by the various *Anti-Doping Organizations*, each *Anti-Doping Organization* shall report all *In-Competition* and *Out-of-Competition* tests on such *Athletes* to the *WADA* clearinghouse as soon as possible after such tests have been conducted. *WADA* shall make this information accessible to the *Athlete*, the *Athlete's* National Federation, *National Olympic Committee* or National Paralympic Committee, *National Anti-Doping Organization*, International Federation, and the International Olympic Committee or International Paralympic Committee. Private information regarding an *Athlete* shall be maintained by *WADA* in strict confidence. *WADA* shall, at least annually, publish statistical reports summarizing such information.

Code Article 15 Clarification of *Doping Control* Responsibilities:

15.1 *Event Testing.* The collection of *Samples* for *Doping Control* does and should take place at both *International Events* and National *Events*. However, only a single organization should be responsible for initiating and directing *Testing* during an *Event*. At *International Events*, the collection of *Doping Control Samples* shall be initiated and directed by the

international organization which is the ruling body for the *Event* (e.g., the IOC for the Olympic Games, the International Federation for a World Championship, and PASO for the Pan American Games). If the international organization decides not to conduct any *Testing* at such an *Event*, the *National Anti-Doping Organization* for the country where the *Event* occurs may, in coordination with and with the approval of the international organization or *WADA*, initiate and conduct such *Testing*. At National *Events*, the collection of *Doping Control Samples* shall be initiated and directed by the designated *National Anti-Doping Organization* of that country.

15.2 ***Out-of-Competition Testing.*** *Out-of-Competition Testing* is and should be initiated and directed by both international and national organizations. *Out-of-Competition Testing* may be initiated and directed by: (a) *WADA*; (b) the IOC or IPC in connection with the Olympic Games or Paralympic Games; (c) the *Athlete's* International Federation; (d) the *Athlete's National Anti-Doping Organization*; or (e) the *National Anti-Doping Organization* of any country where the *Athlete* is present. *Out-of-Competition Testing* should be coordinated through *WADA* in order to maximize the effectiveness of the combined *Testing* effort and to avoid unnecessary repetitive *Testing* of individual *Athletes*.

15.4 Mutual Recognition. Subject to the right to appeal provided in Article 13, the *Testing*, therapeutic use exemptions and hearing results or other final adjudications of any *Signatory* which are consistent with the *Code* and are within that *Signatory's* authority, shall be recognized and respected by all other *Signatories*. *Signatories* may recognize the same actions of other bodies which have not accepted the *Code* if the rules of those bodies are otherwise consistent with the *Code*.

3.0 Terms and definitions

3.1 Defined terms from the *Code*

Adverse Analytical Finding: A report from a laboratory or other approved *Testing* entity that identifies in a *Specimen* the presence of a *Prohibited Substance* or its *Metabolites* or *Markers* (including elevated quantities of endogenous substances) or evidence of the *Use* of a *Prohibited Method*.

Anti-Doping Organization: A *Signatory* that is responsible for adopting rules, for initiating, implementing or enforcing any part of the *Doping Control* process. This includes, for example, the International Olympic Committee, the International Paralympic Committee, other *Major Event Organizations* that conduct *Testing* at their *Events*, *WADA*, International Federations, and *National Anti-Doping Organizations*.

Athlete: For purposes of *Doping Control*, any *Person* who participates in sport at the international level (as defined by each International Federation) or national level (as defined by each *National Anti-Doping Organization*) and any additional *Person* who participates in sport at a lower level if designated by the *Person's National Anti-Doping Organization*. For purposes of anti-doping information and education, any *Person* who participates in sport under the authority of any *Signatory*, government, or other sports organization accepting the *Code*.

Code: The World Anti-Doping *Code*.

Competition: A single race, match, game or singular athletic contest. For example, the finals of the Olympic 100-meter dash. For stage races and other athletic contests where prizes are awarded on a daily or other interim basis, the distinction between a *Competition* and an *Event* will be as provided in the rules of the applicable International Federation.

Consequences of Anti-Doping Rules Violations: An *Athlete*'s or other *Person's* violation of an anti-doping rule may result in one or more of the following: (a) *Disqualification* means the *Athlete's* results in a particular *Competition* or *Event* are invalidated, with all resulting consequences including forfeiture of any medals, points and prizes; (b) *Ineligibility* means the *Athlete* or other *Person* is barred for a specified period of time from participating in any *Competition* or other activity or funding as provided in Article 10.9; and (c) *Provisional Suspension* means the *Athlete* or other Person is barred temporarily from participating in any *Competition* prior to the final decision at a hearing conducted under Article 8 (Right to a Fair Hearing).

Doping Control: The process including test distribution planning, *Sample* collection and handling, laboratory analysis, results management, hearings and appeals.

Event: A series of individual *Competitions* conducted together under one ruling body (e.g., the Olympic Games, FINA World Championships, or Pan American Games).

In-Competition: For purposes of differentiating between *In-Competition* and *Out-of-Competition Testing*, unless provided otherwise in the rules of an International Federation or other relevant *Anti-Doping Organization*, an *In-Competition* test is a test where an *Athlete* is selected for *Testing* in connection with a specific *Competition.*

Independent Observer Program: A team of observers, under the supervision of *WADA*, who observe the *Doping Control* process at certain *Events* and report on observations. If *WADA* is *Testing In-Competition* at an *Event*, the observers shall be supervised by an independent organization.

Ineligibility: See *Consequences of Anti-Doping Rules Violations* above.

International Event: An *Event* where the International Olympic Committee, the International Paralympic Committee, an International Federation, a *Major Event Organization,* or another international sport organization is the ruling body for the *Event* or appoints the technical officials for the *Event.*

International-Level Athlete: *Athletes* designated by one or more International Federations as being within the *Registered Testing Pool* for an International Federation.

International Standard: A standard adopted by *WADA* in support of the *Code*. Compliance with an *International Standard* (as opposed to another alternative standard, practice or procedure) shall be sufficient to conclude that the procedures addressed by the *International Standard* were performed properly.

Minor: A natural *Person* who has not reached the age of majority as established by the applicable laws of his or her country of residence.

National Anti-Doping Organization: The entity(ies) designated by each country as possessing the primary authority and responsibility to adopt and implement anti-doping rules, direct the collection of *Samples*, the management of test results, and the conduct of hearings, all at the national level. If this designation has not been made by the competent public authority (ies), the entity shall be the country's *National Olympic Committee* or its designee.

National Olympic Committee: The organization recognized by the International Olympic Committee. The term *National Olympic Committee* shall also include the National Sport Confederation in those countries where the National Sport Confederation assumes typical *National Olympic Committee* responsibilities in the anti-doping area.

No Advance Notice: A *Doping Control* which takes place with no advance warning to the *Athlete* and where the *Athlete* is continuously chaperoned from the moment of notification through *Sample* provision.

Out-of-Competition: Any *Doping Control* which is not *In-Competition*.

Prohibited List: The List identifying the *Prohibited Substances* and *Prohibited Methods*.

Provisional Suspension: See *Consequences* above.

Registered Testing Pool: The pool of top level *Athletes* established separately by each International Federation and *National Anti-Doping Organization* who are subject to both *In-Competition* and *Out-of-Competition Testing* as part of that International Federation's or Organization's test distribution plan.

Sample/Specimen: Any biological material collected for the purposes of *Doping Control*.

Signatories: Those entities signing the *Code* and agreeing to comply with the *Code*, including the International Olympic Committee, International Federations, International Paralympic Committee, *National*

Olympic Committees, National Paralympic Committees, *Major Event Organizations*, *National Anti-Doping Organizations*, and *WADA.*

Target Testing: Selection of *Athletes* for *Testing* where specific *Athletes* or groups of *Athletes* are selected on a non-random basis for *Testing* at a specified time.

Testing: The parts of the *Doping Control* process involving test distribution planning, *Sample* collection, *Sample* handling, and *Sample* transport to the laboratory.

WADA: The World Anti-Doping Agency.

3.2 Defined Terms from the *International Standard* for *Testing*

Blood Collection Official: An official who is qualified to and has been authorized by the *ADO* to collect a blood *Sample* from an *Athlete.*

Chain of Custody: The sequence of individuals or organizations who have the responsibility for a *Sample/specimen* from the provision of the sample/specimen until the *Sample/specimen* has been received for analysis.

Chaperone: An official who is trained and authorized by the *ADO* to carry out specific duties including notification of the *Athlete* selected for *Sample* collection, accompanying and observing the *Athlete* until arrival at the Doping Control Station, and/or witnessing and verifying the provision of the *Sample* where the training qualifies him/her to do so.

Doping Control Officer: An official who has been trained and authorised by the ADO with delegated responsibility for the on-site management of a Sample Collection Session.

Doping Control Station: The location where the Sample Collection Session will be conducted.

Failure to Comply: A term used to describe *Anti-Doping Rule Violations* in Articles 2.3, 2.4, 2.5 and 2.8 of the Code.

Sample Collection Equipment: Containers or apparatus used to directly collect or hold the *Athlete's Specimen* at any time during the *Sample* collection process. *Sample* Collection Equipment shall, as a minimum, consist of:

- For urine *Sample* collection:
  - Collection vessels for collecting the urine *Sample* as it leaves the *Athlete's* body;
  - Sealable and tamper-evident bottles and lids for securing the urine *Sample*;

- For blood *Sample* collection:
  - Needles for collecting the blood *Sample*;
  - Blood tubes with sealable and tamper-evident devices for holding the blood *Sample*.

Sample Collection Personnel: A collective term for qualified officials authorised by the *ADO* who may carry out or assist with duties during the *Sample* Collection Session.

Sample Collection Session: All of the sequential activities that directly involve the *Athlete* from notification until the *Athlete* leaves the Doping Control Station after having provided his/her *Sample/s*.

Weighted: A ranking method of selecting *Athletes* using criteria where the ranking is based on the potential risk of doping and possible doping patterns.

PART TWO: STANDARDS FOR *TESTING*

4.0 Planning

4.1 Objective

The objective is to plan and implement an effective distribution of *Athlete* tests.

4.2 General

Planning starts with establishing criteria for *Athletes* to be included in a *Registered Testing Pool* and ends with selecting *Athletes* for *Sample* collection.

The main activities are information gathering, risk evaluation, and developing, monitoring, evaluating and modifying the test distribution plan.

4.3 Requirements for establishing the *Registered Testing Pool*

4.3.1 The *Anti-Doping Organization* (ADO) shall define and document the criteria for *Athletes* to be included in a *Registered Testing Pool*. This shall include as a minimum:

- For International Federations (IFs):
  Athletes who compete at a high level of international competition, and

- For *National Anti-Doping Organizations*:
  Athletes who are part of national teams in Olympic and Paralympic sports and recognised national federations.

The criteria shall be reviewed at least annually and updated if required.

4.3.2 The *ADO* shall include *Athletes* under their authority in *the Registered Testing Pool* who are serving periods of *Ineligibility* or *Provisional Suspensions* as *Consequences of Anti-Doping Rules Violations*.

4.3.3 The *Registered Testing Pool* shall be reviewed and updated regularly to reflect changes in *Athletes'* competing levels to ensure additions to or removals from the pool as required.

4.4 Requirements for collecting *Athlete* whereabouts information for the purposes of Out of Competition Testing

4.4.1 The *ADO* shall define procedures and/or systems for:

a) Collecting, maintaining and monitoring sufficient whereabouts information to ensure that *Sample* collection can be planned and conducted at *No Advance Notice* for all *Athletes* included in the *Registered Testing Pool,* and

b) When *Athletes* fail to provide accurate and timely whereabouts information, taking appropriate action to ensure the information stays up to date and complete.

4.4.2 As a minimum the following *Athlete* whereabouts information shall be collected:

a) Name
b) Sport/discipline,
c) Home address
d) Contact phone numbers
e) Training times and venues
f) Training camps
g) Travel plans
h) Competition schedule
I) Disability if applicable, including the requirement for third party involvement in notification.

4.5 Requirements for test distribution planning

4.5.1 The *ADO* shall, as a minimum, evaluate the potential risk of doping and possible doping pattern for each sport and/or discipline based on:

a) Physical demands of the sport and possible performance enhancing effect that doping may elicit;

b) Available doping analysis statistics;

c) Available research on doping trends;

d) Training periods and *Competition* season.

4.5.2 The *ADO* shall develop and document a test distribution plan based on information determined in 4.5.1, the number of *Athletes* per sport/discipline in the *Registered Testing Pool* and the evaluation outcomes of previous test distribution planning cycles.

4.5.3 The *ADO* shall allocate the number of *Sample* collections by type of *Sample* collection for each sport/discipline, including *No Advance Notice*, *Out-of-Competition*, *In-Competition*, blood and urine *Sample* collection, as required to achieve effective deterrence.

4.5.4 The *ADO* shall establish a system whereby the test distribution plan is reviewed and, if necessary, updated on a regular basis in order to incorporate new information and take into account *Sample* collection from *Athletes* in the *Registered Testing Pool* by other *ADOs*.

4.5.5 The *ADO* shall establish a system for maintaining test distribution planning data. Such data shall be used to assist with determining whether modifications to the plan are necessary. This information shall include as a minimum:

For each test:

a) The sport/discipline;

b) The country represented by the *Athlete* (if applicable);

c) The type of *Sample* collection (*No Advance Notice, Out-of-Competition, In-Competition* or advance notice);

d) The date of *Sample* collection; and

e) The country in which the *Sample* collection occurred.

In addition, for each *Adverse Analytical Finding*:

a) Dates of *Sample* collection and analysis;

b) Class of substance/s found;

c) Actual substance/s detected;

d) *Sanctions of Anti-Doping Rules Violations*, if any.

4.5.6 The ADO shall ensure that the athlete support personnel shall not be involved in the test distribution planning for their athletes.

4.5.7 In planning and conducting tests at *International Event, and where the relevant IF does not have a doping control program that complies with this standard,* the *National Anti-Doping Organization* shall be the preferred *Sample* collection supplier.

4.6 Requirements for selection of *Athletes*

4.6.1 In accordance with the number of *Sample* collections allocated to each sport/discipline in the test distribution plan, the *ADO* shall select *Athletes* for *Sample* collection using *Target Testing*, Weighted and random selection methods.

4.6.2 As a minimum, the *ADO* shall consider *Target Testing Athletes* based on the following information:

a) Injury;

b) Withdrawal or absence from expected *Competition*;

c) Going into or coming out of retirement;

d) Behaviour indicating doping;

e) Sudden major improvements in performance;

f) Changes in *Athlete* whereabouts information that can indicate a potential increase in the risk of doping, including moving to a remote location;

g) *Athlete* sport performance history;

h) Details of past *Doping Controls*;

i) *Athlete* reinstatement after a period of *Ineligibility*; and

j) Reliable information from a third party.

4.6.3 An *ADO* may select *Athletes under their authority* for *Sample* collection who are not included in the *Registered Testing Pool* defined in 4.3.1 and 4.3.2.

4.6.4 Where the *ADO* authorises a Doping Control Officer (DCO) to select *Athletes* for *Sample* collection, the *ADO* shall provide selection criteria to the DCO in accordance with the test distribution plan.

4.6.5 Following the selection of an *Athlete* for *Sample* collection and prior to notification of the *Athlete*, the *ADO* and/or DCO shall ensure *Athlete* selection decisions are disclosed only to those who need to know in order to ensure the *Athlete* can be notified and tested on a *No Advance Notice* basis.

5.0 Notification of Athletes

5.1 Objective

To ensure that the selected *Athlete* is notified, the rights of the *Athlete* are maintained, there are no opportunities to manipulate the *Sample* to be provided and the notification is documented.

5.2 General

Notification of *Athletes* starts when the *ADO* initiates the notification of the selected *Athlete* and ends when the *Athlete* arrives at the Doping Control Station or when the *Athlete's* possible failure to comply is brought to the *ADO's* attention.

The main activities are:

a) Appointment of DCOs, Chaperones and other *Sample* Collection Personnel;

b) Locating the *Athlete* and confirming his/her identity;

c) Informing the *Athlete* that he/she has been selected to provide a *Sample* and of his/her rights and responsibilities;

d) For *No Advance Notice Sample* collection, continuously chaperoning the *Athlete* from the time of notification to the arrival at the designated Doping Control Station; and

e) Documenting the notification.

5.3 Requirements prior to notification of *Athletes*

5.3.1 *No Advance Notice* shall be the notification method for *Out-of-Competition Sample* collection whenever possible.

5.3.2 To conduct or assist with *Sample* Collection Sessions, the *ADO* shall appoint and authorise *Sample* Collection Personnel who have been trained for their assigned responsibilities, who do not have a conflict of interest in the outcome of the *Sample* collection, and who are not *Minors*.

5.3.3 *Sample* Collection Personnel shall have official identification that is provided and controlled by the *ADO*. The minimum identification requirement is an official card/document naming the *ADO* through which they have been authorised. For DCOs, additional identification requirements shall include their name, their photograph and the card's/document's expiry date. For Blood Collection Officials additional identification requirements include evidence of their professional training in the collection of blood *Samples*.

5.3.4 The *ADO* shall establish criteria to validate the identity of an *Athlete* selected to provide a *Sample*. This ensures the selected *Athlete* is the *Athlete* who is notified.

5.3.5 The *ADO*, DCO or Chaperone, as applicable, shall establish the location of the selected *Athlete* and plan the approach and timing of notification, taking into consideration the specific circumstances of the sport/*Competition* and the situation in question.

5.3.6 For *Out-of-Competition Sample* collection, the *ADO* shall establish criteria to ensure that reasonable attempts are made to notify *Athletes* of their selection for *Sample* collection.

5.3.7 Reasonable attempts shall be defined by the *ADO* and at a minimum shall consider alternative times of day/evening and alternative locations over a specified period of time from the initial notification attempt.

5.3.8 The *ADO* shall establish a system for logging *Athlete* notification attempt/s and outcome/s.

5.3.9 The *Athlete* shall be the first one notified that he/she has been selected for *Sample* collection except where prior contact with a third party is required as specified in 5.3.10.

5.3.10 The *ADO*/DCO/Chaperone, as applicable, shall consider whether a third party is required to be notified prior to notification of the *Athlete* when the *Athlete* is a *Minor*, where required by an *Athlete's* disability as provided for in Annex B - Modifications for *Athletes* with disabilities, or in situations where an interpreter is required for the notification.

5.3.11 If the *Athlete* can not be contacted after having made reasonable attempts using the information supplied in 4.4.2 and logging the attempts in accordance with 5.3.8, the DCO or *ADO*, as applicable, shall institute Annex A – Investigating a possible failure to comply.

5.3.12 The *ADO* shall not re-schedule or change a *Sample* collection from *No Advance Notice* to advance notice except where an unexpected situation forces the need for an advanced notice *Sample* collection. Any such decision shall be recorded.

5.3.13 Notification for advance notice *Sample* collection shall be by any means that indicates the *Athlete* received the notice.

5.4 Requirements for notification of *Athletes*

5.4.1 When initial contact is made, the *ADO*, DCO or Chaperone, as applicable, shall ensure that the *Athlete* and/or a third party if required in accordance with 5.3.10, is informed:

a) That the *Athlete* is required to undergo a *Sample* collection;

b) Of the authority under which the *Sample* collection is to be conducted;

c) Of the type of *Sample* collection and any conditions that need to be adhered to prior to the *Sample* collection;

d) Of the *Athlete's* rights, including the right to:

   i. Have a representative and, if required, an interpreter;

   ii. Ask for additional information about the *Sample* collection process;

   iii. Request a delay in reporting to the Doping Control Station for valid reasons; and

   iv. Request modifications as provided for in Annex B – Modifications for *Athletes* with disabilities.

e) Of the *Athlete's* responsibilities, including the requirement to:

i. Remain within sight of the DCO/Chaperone at all times from the first moment of in-person notification by the DCO/Chaperone until the completion of the *Sample* collection procedure;

ii. Produce identification in accordance with 5.3.4; and

iii. Comply with *Sample* collection procedures and the possible consequences of failure to comply; and

iv. Report to the Doping Control Station, unless delayed for valid reasons, as soon as possible and within 60 minutes of notification for a *No Advance Notice Sample* collection and 24 hours of receipt of notification for an advance notice *Sample* collection.

f) Of the location of the Doping Control Station.

5.4.2 When in-person contact is made, the DCO/Chaperone shall:

a) From this time until the *Athlete* leaves the Doping Control Station at the end of his/her *Sample* Collection Session, keep the *Athlete* under observation at all times.

b) Identify themselves to the *Athlete* using their official *ADO* identification card/document;

c) Confirm the *Athlete's* identity as per the criteria established in 5.3.4. Any failure to confirm the identity of the *Athlete* shall be documented. In such cases, the DCO responsible for conducting the *Sample* Collection Session shall decide whether it is appropriate to report the situation in accordance with Annex A – Investigating a possible failure to comply.

5.4.3 The Chaperone/DCO shall then have the *Athlete* sign an appropriate form to acknowledge and accept the notification. If the *Athlete* refuses to sign that he/she has been notified or evades the notification, the Chaperone/DCO shall inform the *Athlete* of the consequences of failing to comply if possible, and the Chaperone (if not the DCO) shall immediately report all relevant facts to the DCO. When possible the DCO shall continue to collect a *Sample*. The DCO shall document the facts and report the circumstances to the *ADO*. The DCO and *ADO* shall follow the steps prescribed in Annex A – Investigating a possible failure to comply.

5.4.4 The DCO/Chaperone shall consider any reasonable request by the *Athlete* to delay reporting to the Doping Control Station within 60 mins of acknowledgement and acceptance of notification and approve or reject such requests as appropriate in accordance with 5.4.5 and 5.4.6. The DCO shall document the reasons for any such delay that may require further investigation by the *ADO*. The first urine *Sample* post notification shall be collected.

5.4.5 A DCO may accept a request from an *Athlete* to delay reporting to the Doping Control Station beyond 60 mins, and/or once the athlete arrives at the Doping Control Station and wishes to leave if the *Athlete*

can be continuously chaperoned during the delay and if the request relates to the following activities:

a) Participation in a victory ceremony;
b) Fulfilment of media commitments;
c) Competing in further *competitions*;
d) Performing a warm down;
e) Obtaining necessary medical treatment;
f) Locating a representative and/or interpreter.

The DCO shall document the reasons for delay in reporting to the Doping Control Station and/or reasons for leaving the Doping Control Station once arriving that may require further investigation by the *ADO*.

5.4.6 A DCO/Chaperone shall reject a request for delay from an *Athlete* if it will not be possible for the *Athlete* to be continuously chaperoned.

5.4.7 When an *Athlete* notified of an advance notice *Sample* collection does not report to the Doping Control Station at the designated time, the DCO shall use his/her judgement whether to attempt to contact the *Athlete*. At a minimum, the DCO shall wait 30 minutes after the appointed time before departing. If the *Athlete* still has not reported by the time the DCO departs, the DCO shall follow the requirements of Annex A – Investigating a possible failure to comply.

5.4.8 If the *Athlete* reports to the Doping Control Station after the minimum waiting time and prior to the DCO's departure, the DCO shall decide as to whether to process a possible failure to comply. If at all possible the DCO shall proceed with collecting a *Sample*, and shall document the details of the delay in the *Athlete* reporting to the Doping Control Station.

5.4.9 If, while keeping the *Athlete* under observation, *Sample* Collection Personnel observe any matter with potential to compromise the test, the circumstances shall be reported to and documented by the DCO. If deemed appropriate by the DCO, the DCO shall follow the requirements of Annex A – Investigating a possible failure to comply.

6.0 Preparing for the Sample Collection Session

6.1 Objective

To prepare for the *Sample* Collection Session in a manner that ensures that the session can be conducted efficiently and effectively.

6.2 General

Preparing for the *Sample* Collection Session starts with the establishment of a system for obtaining relevant information for effective conduct of the session and ends when it is confirmed that the *Sample* Collection Equipment conforms to the specified criteria.

The main activities are:

a) Establishing a system for collecting details regarding the *Sample* Collection Session;

b) Establishing criteria for who may be authorised to be present during a *Sample* Collection Session;

c) Ensuring that the Doping Control Station meets the minimum criteria prescribed in 6.3.2;

d) Ensuring that *Sample* Collection Equipment used by the *ADO* meets the minimum criteria prescribed in 6.3.4.

6.3 Requirements for preparing for the *Sample* Collection Session

6.3.1 The *ADO* shall establish a system for obtaining all the information necessary to ensure that the *Sample* Collection Session can be conducted effectively, including special requirements to meet the needs of *Athletes* with disabilities as provided in Annex B – Modifications for *Athletes* with disabilities.

6.3.2 The DCO shall use a Doping Control Station which, at a minimum, ensures the *Athlete's* privacy and is used solely as a Doping Control Station for the duration of the *Sample* Collection Session. The DCO shall record any significant deviations from these criteria.

6.3.3 The *ADO* shall establish criteria for who may be authorised to be present during the *Sample* Collection Session in addition to the *Sample* Collection Personnel. At a minimum the criteria shall include:

a) An *Athlete's* entitlement to be accompanied by a representative and/or interpreter during the *Sample* Collection Session except when the *Athlete* is passing a urine *Sample.*

b) A *Minor Athlete's* entitlement, and the witnessing DCO/Chaperone's entitlement to have a representative observe the Chaperone when the *Minor Athlete* is passing a urine *Sample*, but without the representative directly observing the passing of the *Sample* unless requested to do so by the *Minor Athlete*.

c) An *Athlete* with a disability's entitlement to be accompanied by a representative as provided for in Annex B - Modifications for *Athletes* with disabilities.

d) A *WADA* Independent Observer where applicable under the *Independent Observer Program*. The *WADA* Independent Observer shall not directly observe the passing of a urine *Sample*.

6.3.4 The DCO shall only use *Sample* Collection Equipment systems that are authorised by the *ADO,* which at a minimum, shall meet the following criteria. They shall:

a) Have a unique numbering system incorporated into all bottles, containers, tubes or any other item used to seal the *Athlete's Sample*;

b) Have a sealing system that is tamper evident;

c) Ensure the identity of the *Athlete* is not evident from the equipment itself;

d) Ensure that all equipment is clean and sealed prior to use by the *Athlete.*

7.0 Conducting the Sample Collection Session

7.1 Objective

To conduct the *Sample* Collection Session in a manner that ensures the integrity, security and identity of the *Sample* and respects the privacy of the *Athlete.*

7.2 General

The *Sample* Collection Session starts with defining overall responsibility for the conduct of the *Sample* Collection Session and ends once the *Sample* collection documentation is complete.

The main activities are:

a) Preparing for collecting the *Sample*;

b) Collecting the *Sample;* and

c) Documenting the *Sample* collection.

7.3 Requirements prior to *Sample* collection

7.3.1 The *ADO* shall be responsible for the overall conduct of the *Sample* Collection Session with specific responsibilities delegated to the DCO.

7.3.2 The DCO shall ensure that the *Athlete* is informed of his/her rights and responsibilities as specified in 5.4.1.

7.3.3 The DCO shall provide the *Athlete* with the opportunity to hydrate.

7.3.4 The *Athlete* shall only leave the Doping Control Station under continuous observation by the DCO/Chaperone and with the approval of the DCO. The DCO shall consider any reasonable request by the *Athlete* to leave the Doping Control Station, as specified in 5.4.5 and 5.4.6, until the *Athlete* is able to provide a *Sample*.

7.3.5 If the DCO gives approval for the *Athlete* to leave the Doping Control Station, the DCO shall agree with the *Athlete* on:

a) The purpose of the *Athlete* leaving the Doping Control Station; and

b) The time of return (or return upon completion of an agreed activity).

The DCO shall document this information and the actual time of the *Athlete's* departure and return.

7.4 Requirements for *Sample* collection

7.4.1 The DCO shall collect the *Sample* from the *Athlete* according to the following protocol/s for the specific type of *Sample* collection:

a) Annex C: Collection of urine *Samples*

b) Annex D: Collection of blood *Samples*

7.4.2 Any behaviour by the *Athlete* and/or persons associated with the *Athlete* or anomalies with potential to compromise the *Sample* collection shall be recorded. If appropriate, the *ADO* and/or DCO, as applicable, shall institute Annex A – Investigating a possible failure to comply.

7.4.3 If there are doubts as to the origin or authenticity of the *Sample*, the *Athlete* shall be asked to provide an additional *Sample*. If the *Athlete* refuses to provide an additional *Sample* the DCO shall institute Annex A – Investigating a possible failure to comply.

7.4.4 The DCO shall provide the *Athlete* with the opportunity to document any concerns he/she may have about how the session was conducted.

7.4.5 In conducting the *Sample* Collection Session the following information shall be recorded as a minimum:

a) Date, time and type of notification (*No Advance Notice*, advance notice, *In-Competition or Out-of-Competition*);

b) Date and time of *Sample* provision;

c) The name of the *Athlete*;

d) The date of birth of the *Athlete;*

e) The gender of the *Athlete*;

f) The *Athlete's* home address and telephone number;

g) The *Athlete's* sport and discipline;

h) The *Sample* code number;

i) The name and signature of the Chaperone who witnessed the urine *Sample* provision;

j) The name and signature of the Blood Collection Official who collected the blood *Sample*, where applicable;

k) Required laboratory information on the *Sample;*

l) Medications and supplements taken and recent blood transfusion details if applicable, within the timeframe specified by the lab as declared by the *Athlete;*

m) Any irregularities in procedures;

n) *Athlete* comments or concerns regarding the conduct of the session, if provided;

o) The name and signature of the *Athlete*;

p) The name and signature of the *Athlete's* representative, if required; and

q) The name and signature of the DCO.

7.4.6 The *Athlete* and DCO shall sign appropriate documentation to indicate their satisfaction that the documentation accurately reflects the details of the *Athlete's Sample* Collection Session, including any concerns recorded by the *Athlete.* The *Athlete's* representative shall sign on behalf of the *Athlete* if the *Athlete* is a *Minor.* Other persons present who had a formal role during the *Athlete's Sample* Collection Session may sign the documentation as a witness of the proceedings.

7.4.7 The DCO shall provide the *Athlete* with a copy of the records of the Sample Collection Session that have been signed by the *Athlete*.

8.0 Security/Post test administration

8.1 Objective

To ensure that all *Samples* collected at the Doping Control Station and *Sample* collection documentation are securely stored prior to their departure from the Doping Control Station.

8.2 General

Post test administration begins when the *Athlete* has left the Doping Control Station after providing his/her *Sample/s*, and ends with preparation of all of the collected *Samples* and documentation for transport.

8.3 Requirements for Security/post test administration

8.3.1 The *ADO* shall define criteria ensuring that any sealed *Sample* will be stored in a manner that protects its integrity, identity and security prior to transport from the Doping Control Station. The DCO shall ensure that any sealed *Sample* is stored in accordance with these criteria.

8.3.2 Without exception, all *Samples* collected shall be sent for analysis to a *WADA* accredited laboratory or as otherwise approved by *WADA*.

8.3.3 The *ADO*/DCO shall develop a system to ensure that the documentation for each sealed *Sample* is completed and securely handled.

8.3.4 The *ADO* shall develop a system to ensure that, where required, instructions for the type of analysis to be conducted are provided to the *WADA* accredited laboratory or as otherwise approved by *WADA*.

9.0 Transport of Samples and documentation

9.1 Objective

a) To ensure that *Samples* and related documentation arrive at the *WADA* accredited laboratory or as otherwise approved by *WADA* in proper condition to do the necessary analysis, and

b) To ensure the *Sample* Collection Session documentation is sent by the DCO to the *ADO* in a secure and timely manner.

9.2 General

Transport starts when the sealed *Samples* and documentation leave the Doping Control Station and ends with the confirmed receipt of the *Samples* and *Sample* collection documentation at their intended destinations.

The main activities are arranging for the secure transport of *Samples* and related documentation to the *WADA* accredited laboratory or as otherwise approved by *WADA*, and arranging for the secure transport of *Sample* collection documentation to the *ADO*.

9.3 Requirements for transport of *Samples* and documentation

9.3.1 The *ADO* shall authorise a transport system that ensures *Samples* and documentation will be transported in a manner that protects their integrity, identity and security.

9.3.2 The *ADO* shall develop a system for recording the Chain of Custody of the *Samples* and *Sample* collection documentation which includes confirming that both the *Samples* and *Sample* collection documentation have arrived at their intended destinations.

9.3.3 Sealed *Samples* shall always be transported to the *WADA* accredited laboratory or as otherwise approved by *WADA*, using the *ADO's* authorised transport method as soon as practicable after the completion of the *Sample* Collection Session.

9.3.4 Documentation identifying the *Athlete* shall not be included with the *Samples* or documentation sent to the *WADA* accredited laboratory or as otherwise approved by *WADA*.

9.3.5 The DCO shall send all relevant *Sample* Collection Session documentation to the *ADO* using the *ADO's* authorised transport method as soon as practicable after the completion of the *Sample* Collection Session.

9.3.6 Chain of Custody shall be checked by the *ADO* if receipt of either the *Samples* with accompanying documentation or *Sample* collection documentation is not confirmed at their intended destination or a *Sample's* integrity or identity may have been compromised during transport. In this instance, the *ADO* shall consider whether the *Sample* should be voided.

PART THREE: ANNEXES

Annex A - Investigating a possible failure to comply

A.1 Objective

To ensure that any matters occurring before, during or after a *Sample* Collection Session that may lead to a determination of a failure to comply are assessed, acted upon and documented.

A.2 Scope

Investigating a possible failure to comply begins when the *ADO* or a DCO becomes aware of a matter with the potential to compromise an *Athlete*'s test and ends when the *ADO* takes appropriate follow-up action based on the outcomes of its investigation into the possible failure to comply.

A.3 Responsibility

A.3.1 The *ADO* is responsible for ensuring that:

a) Any matters with the potential to compromise an Athlete's test are assessed to determine if a possible failure to comply has occurred;

b) All relevant information, including information from the immediate surroundings when applicable, is obtained as soon as possible or when practicable to ensure that all knowledge of the matter can be reported and be presented as possible evidence; and

c) Appropriate documentation is completed to report any possible failure to comply.

A.3.2 *Sample* Collection Personnel are responsible for reporting to the DCO any matter with the potential to compromise a test, and the DCO is responsible for reporting such matters to the *ADO*.

A.4 Requirements

A.4.1 Any matters with the potential to compromise the test shall be reported as soon as practicable.

A.4.2 If the matter has potential to compromise the test, the *Athlete* shall be notified if possible:

a) Of the possible consequences;

b) That a possible failure to comply will be investigated by the *ADO* and appropriate follow-up action will be taken.

A.4.3 The necessary information about the possible failure to comply shall be obtained from all relevant sources as soon as possible and recorded.

A.4.4 If possible, the *Athlete*'s *Sample* Collection Session shall be completed.

A.4.5 The *ADO* shall establish a system for ensuring that the outcomes of its investigation into the possible failure to comply are considered for results management action and, if applicable, for further planning and *Testing*.

Annex B - Modifications for *Athletes* with disabilities

B.1 Objective

To ensure that the special needs of *Athletes* with disabilities are provided as much as possible in relation to the provision of a *Sample*.

B.2 Scope

The scope of determining whether modifications need to be considered starts with identification of situations where *Sample* collection involves *Athletes* with disabilities and ends with the necessary modifications to *Sample* collection procedures and equipment as possible for these *Athletes*.

B.3 Responsibility

The *ADO* has responsibility for ensuring, when possible, that the DCO has any information and *Sample* Collection Equipment necessary to conduct a *Sample* Collection Session with an *Athlete* with a disability. The DCO has responsibility for the *Sample* collection.

B.4 Requirements

B.4.1 All aspects of notification and *Sample* collection for *Athletes* with disabilities shall be carried out in accordance with the standard notification and *Sample* collection procedures unless modifications are necessary due to the *Athlete*'s disability.

B.4.2 In planning or arranging *Sample* collection, the *ADO* and DCO shall consider whether there will be any *Sample* collection for *Athletes* with disabilities that may require modifications to the standard procedures for notification or *Sample* collection, including *Sample* Collection Equipment and facilities.

B.4.3 The DCO shall have the authority to make modifications as the situation requires when possible and as long as such modifications will not compromise the identity, security or integrity of the *Sample*.

B.4.4 For *Athletes* with a physical disability or a sensorial disability, the *Athlete* can be assisted by the *Athlete*'s representative or *Sample* Collection Personnel during the *Sample* Collection Session where authorised by the *Athlete* and agreed to by the DCO.

B.4.5 For *Athletes* with an intellectual disability, the *ADO* or DCO shall determine whether the *Athlete* must have a representative at the *Sample* Collection Session and the nature of the assistance that the representative must provide. Additional assistance can be provided by the representative or *Sample* Collection Personnel during the *Sample* Collection Session where authorised by the *Athlete* and agreed to by the DCO.

B.4.6 The DCO can decide that alternative *Sample* Collection Equipment or facilities will be used when required to enable the *Athlete* to provide the *Sample* as long as the *Sample*'s identity, security and integrity will not be affected.

B.4.7 *Athletes* who are using urine collection or drainage systems are required to eliminate existing urine from such systems before providing a urine *Sample* for analysis.

B.4.8 The DCO will record modifications made to the standard *Sample* collection procedures for *Athletes* with disabilities, including any applicable modifications specified in the above actions.

Annex C - Collection of urine *Samples*

C.1 Objective

To collect an *Athlete*'s urine *Sample* in a manner that ensures:

a) Consistency with relevant principles of internationally recognised standard precautions in healthcare settings so that the health and safety of the *Athlete* and *Sample* Collection Personnel are not compromised;

b) The *Sample* is of a quality and quantity that meets laboratory guidelines;

c) The *Sample* is clearly and accurately identified; and

d) The *Sample* is securely sealed.

C.2 Scope

The collection of a urine *Sample* begins with ensuring the *Athlete* is informed of the *Sample* collection requirements and ends with discarding any residual urine remaining at the end of the *Athlete's Sample* Collection Session.

C.3 Responsibility

The DCO has the responsibility for ensuring that each *Sample* is properly collected, identified and sealed. The DCO/Chaperone has the responsibility for directly witnessing the passing of the urine *Sample*.

C.4 Requirements

C.4.1 The DCO shall ensure that the *Athlete* is informed of the requirements of the *Sample* collection, including any modifications as provided for in Annex B – Modifications for *Athletes* with disabilities.

C.4.2 The DCO shall ensure that the *Athlete* is offered a choice of appropriate equipment for collecting the *Sample*. If the nature of an *Athlete*'s disability requires that he/she must use additional or other equipment as provided for in Annex B – Modifications for *Athletes* with disabilities, the DCO shall inspect that equipment to ensure that it will not affect the identity or integrity of the *Sample*.

C.4.3 The DCO shall instruct the *Athlete* to select a collection vessel.

C.4.4 When the *Athlete* selects a collection vessel and for selection of all other *Sample* Collection Equipment that directly holds the urine *Sample*, the DCO will instruct the *Athlete* to check that all seals on the selected equipment are intact and the equipment has not been tampered with. If the *Athlete* is not satisfied with the selected equipment, he/she may select another. If the *Athlete* is not satisfied with any of the equipment available for the selection, this shall be recorded by the DCO.

If the DCO does not agree with the *Athlete*'s opinion that all of the equipment available for the selection is unsatisfactory, the DCO shall instruct the *Athlete* to proceed with the *Sample* Collection Session. If the DCO agrees with the reasons put forward by the *Athlete* that all of the equipment available for the selection is unsatisfactory, the DCO shall terminate the collection of the *Athlete*'s urine *Sample* and this shall be recorded by the DCO.

C.4.5 The *Athlete* shall retain control of the collection vessel and any *Sample* provided until the *Sample* is sealed, unless assistance is required by an *Athlete*'s disability as provided for in Annex B – Modifications for *Athlete*s with disabilities.

C.4.6 The DCO/Chaperone who witnesses the passing of the *Sample* shall be of the same gender as the *Athlete* providing the *Sample*.

C.4.7 The DCO/Chaperone and *Athlete* shall proceed to an area of privacy to collect a *Sample*.

C.4.8 The DCO/Chaperone shall witness the *Sample* leaving the *Athlete*'s body and record the witnessing in writing.

C.4.9 The DCO shall use the relevant laboratory's specifications to verify, in full view of the *Athlete*, that the volume of the urine *Sample* satisfies the laboratory's requirements for analysis.

C.4.10 Where the volume of urine is insufficient, the DCO shall conduct a partial *Sample* collection procedure as prescribed in Annex E – Urine *Samples* – insufficient volume.

C.4.11 The DCO shall instruct the *Athlete* to select a *Sample* collection kit containing A and B bottles in accordance with C.4.4.

C.4.12 Once a *Sample* collection kit has been selected, the DCO and the *Athlete* shall check that all code numbers match and that this code number is recorded accurately by the DCO.

If the *Athlete* or DCO finds that the numbers are not the same, the DCO shall instruct the *Athlete* to choose another kit in accordance with C.4.4. The DCO shall record the matter.

C.4.13 The *Athlete* shall pour the relevant laboratory's prescribed minimum volume of urine into the B bottle, and then fill the A bottle as much as possible. The *Athlete* shall then fill the B bottle as much as possible with the remaining urine. The *Athlete* shall ensure that a small amount of urine is left in the collection vessel.

C.4.14 The *Athlete* shall seal the bottles as directed by the DCO. The DCO shall check, in full view of the *Athlete*, that the bottles have been properly sealed.

C.4.15 The DCO shall use the relevant laboratory's guidelines for pH and specific gravity to test the residual urine in the collection vessel to determine if the *Sample* is likely to meet the laboratory guidelines. If it is

not, then the DCO shall follow Annex F - Urine *Samples* - *Samples* that do not meet laboratory pH and specific gravity guidelines.

C.4.16 The DCO shall ensure any residual urine that will not be sent for analysis is discarded in full view of the *Athlete*.

Annex D - Collection of blood Samples

D.1 Objective

To collect an *Athlete*'s blood *Sample* in a manner that ensures:

a) The health and safety of the *Athlete* and *Sample* Collection Personnel are not compromised;

b) The *Sample* is of a quality and quantity that meets the relevant analytical guidelines;

c) The *Sample* is clearly and accurately identified; and

d) The *Sample* is securely sealed.

D.2 Scope

The collection of a blood *Sample* begins with ensuring the *Athlete* is informed of the *Sample* collection requirements and ends with properly storing the *Sample* prior to dispatch for analysis at the *WADA* accredited laboratory or as otherwise approved by *WADA*.

D.3 Responsibility

D.3.1 The DCO has the responsibility for ensuring that:

a) Each *Sample* is properly collected, identified and sealed; and

b) All *Samples* have been properly stored and dispatched in accordance with the relevant analytical guidelines.

D.3.2 The Blood Collection Official has the responsibility for collecting the blood *Sample*, answering related questions during the provision of the *Sample*, and proper disposal of used blood sampling equipment not required for completing the *Sample* Collection Session.

D.4 Requirements

D.4.1 Procedures involving blood shall be consistent with relevant principles of internationally recognised standard precautions in health care settings.

D.4.2 Blood *Sample* Collection Equipment shall consist of, either an A sample tube, or an A sample tube and a B sample tube. If the sample collection consists solely of blood then a B sample shall be collected and used as a confirmation if required.

D.4.3 The DCO shall ensure that the *Athlete* is informed of the requirements of the *Sample* collection, including any modifications as provided for in Annex B – Modifications for *Athlete*s with disabilities.

D.4.4 The DCO/Chaperone and *Athlete* shall proceed to the area where the *Sample* will be provided.

D.4.5 The DCO shall ensure the *Athlete* is offered comfortable conditions including being in a relaxed position for at least 10 minutes prior to providing a *Sample*.

D.4.6 The DCO shall instruct the *Athlete* to select the *Sample* collection kit/s required for collecting the *Sample* and to check that the selected equipment has not been tampered with and the seals are intact. If the *Athlete* is not satisfied with a selected kit, he/she may select another. If the *Athlete* is not satisfied with any kits and no others are available, this shall be recorded by the DCO.

If the DCO does not agree with the *Athlete*'s opinion that all of the available kits are unsatisfactory, the DCO shall instruct the *Athlete* to proceed with the *Sample* Collection Session.

If the DCO agrees with the reasons put forward by the *Athlete* that all available kits are unsatisfactory, the DCO shall terminate the collection of the *Athlete*'s blood *Sample* and this shall be recorded by the DCO.

D.4.7 When a *Sample* collection kit has been selected, the DCO and the *Athlete* shall check that all code numbers match and that this code number is recorded accurately by the DCO.

If the *Athlete* or DCO finds that the numbers are not the same, the DCO shall instruct the *Athlete* to choose another kit in accordance with D.4.5. The DCO shall record the matter.

D.4.8 The Blood Collection Official shall clean the skin with a sterile disinfectant wipe or swab in a location unlikely to adversely affect the *Athlete* or his/her performance and, if required, apply a tourniquet. The Blood Collection Official shall take the blood *Sample* from a superficial vein into the final collection container. The tourniquet, if applied, shall be immediately removed after the venipuncture has been made.

D.4.9 The amount of blood removed shall be adequate to satisfy the relevant analytical requirements for the *Sample* analysis to be performed.

D.4.10 If the amount of blood that can be removed from the *Athlete* at the first attempt is insufficient, the Blood Collection Official shall repeat the procedure. Maximum attempts shall be three. Should all attempts fail, then the Blood Collection Official shall inform the DCO. The DCO shall terminate the collection of the blood *Sample* and record this and the reasons for terminating the collection.

D.4.11 The Blood Collection Official shall apply a dressing to the puncture site/s.

D.4.12 The Blood Collection Official shall dispose of used blood sampling equipment not required for completing the *Sample* Collection Session.

D.4.13 The *Athlete* shall seal his/her *Sample* into the *Sample* collection kit as directed by the DCO. In full view of the *Athlete*, the DCO shall check that the sealing is satisfactory.

D.4.14 The sealed *Sample* shall be kept at a cool, but not freezing, temperature prior to analysis at the Doping Control Station or dispatch for analysis at the *WADA* accredited laboratory or as otherwise approved by *WADA*.

Annex E - Urine *Samples* - Insufficient volume

E.1 Objective

To ensure that where an insufficient volume of urine is provided, appropriate procedures are followed.

E.2 Scope

The procedure begins with informing the *Athlete* that the *Sample* is of insufficient volume and ends with the provision of a *Sample* of sufficient volume.

E.3 Responsibility

The DCO has the responsibility for declaring the *Sample* volume insufficient and for collecting the additional *Sample*/s to obtain a combined *Sample* of sufficient volume.

E.4 Requirements

E.4.1 If the *Sample* collected is of insufficient volume, the DCO shall inform the *Athlete* that a further *Sample* shall be collected to meet the relevant laboratory's volume requirements.

E.4.2 The DCO shall instruct the *Athlete* to select partial *Sample* Collection Equipment in accordance with C.4.4.

E.4.3 The DCO shall then instruct the *Athlete* to open the relevant equipment, pour the insufficient *Sample* into the container and seal it as directed by the DCO. The DCO shall check, in full view of the *Athlete*, that the container has been properly sealed.

E.4.4 The DCO and the *Athlete* shall check that the equipment code number, and the volume and identity of the insufficient *Sample* are recorded accurately by the DCO. Either the *Athlete* or the DCO shall retain control of the sealed partial *Sample*.

E.4.5 While waiting to provide an additional *Sample*, the *Athlete* shall remain under continuous observation and be given the opportunity to hydrate.

E.4.6 When the *Athlete* is able to provide an additional *Sample*, the procedures for collection of the *Sample* shall be repeated as prescribed in Annex C – Collection of urine *Samples* until a sufficient volume of urine will be provided by combining the initial and additional *Sample*/s.

E.4.7 When the DCO is satisfied that a sufficient volume of urine has been provided, the DCO and *Athlete* shall check the integrity of the seal/s on the partial *Sample* container/s containing the previously provided insufficient *Sample*/s. Any irregularity with the integrity of the seal/s will

be recorded by the DCO and investigated according to Annex A – Investigating a possible failure to comply.

E.4.8 The DCO shall then direct the *Athlete* to break the seal/s and combine the *Samples*, ensuring that additional *Samples* are added sequentially to the first *Sample* collected until the required volume is met.

E.4.9 The DCO and *Athlete* shall then continue with C.4.11.

Annex F - Urine Samples - Samples that do not meet laboratory pH or specific gravity guidelines

F.1 Objective

To ensure that when the urine *Sample* does not meet the contracted laboratory pH or specific gravity guidelines, appropriate procedures are followed.

F.2 Scope

The procedure begins with the DCO informing the *Athlete* that a further *Sample* is required and ends with the collection of a *Sample* that meets laboratory pH and specific gravity guidelines or appropriate follow-up action by the *ADO* if required.

F.3 Responsibility

The *ADO* is responsible for establishing criteria for the number of additional *Samples* to be collected at the *Athlete*'s *Sample* Collection Session. If the additional *Sample/s* collected do not meet the relevant laboratory's guidelines for analysis, the *ADO* is responsible for scheduling a new *Sample* Collection Session for the *Athlete* and, if required, taking subsequent appropriate action.

The DCO is responsible for collecting additional *Sample/s* in accordance with the *ADO*'s criteria.

F.4 Requirements

F.4.1 The *ADO* shall establish criteria for the number of additional *Samples* to be collected by the DCO when the DCO determines that an *Athlete*'s *Sample* is unlikely to meet the relevant laboratory's pH or specific gravity guidelines.

F.4.2 The DCO shall inform the *Athlete* that he/she is required to provide a further *Sample*.

F.4.3 While waiting to provide an additional *Sample*, the *Athlete* shall remain under continuous observation.

F.4.4 When the *Athlete* is able to provide an additional *Sample*, the DCO shall repeat the procedures for collection of the *Sample* as prescribed in Annex C – Collection of urine *Sample* and in accordance with the *ADO*'s criteria for the number of additional *Samples* to be collected as established in F.4.1.

F.4.5 The DCO shall record that the *Samples* collected belong to a single *Athlete* and the order in which the *Samples* were provided.

F.4.6 The DCO shall then continue with C.4.16.

F.4.7 If it is determined by the relevant laboratory that all of the *Athlete's Samples* do not meet the laboratory's pH and specific gravity requirements for analysis and this is not related to natural causes, the *ADO* shall schedule another *Sample* Collection Session for the *Athlete* as *Target Testing* as soon as possible.

F.4.8 If the *Target Testing Sample* Collection Session also results in *Samples* that do not meet the laboratory's pH and/or specific gravity requirements for analysis, the *ADO* shall investigate a possible anti-doping rule violation.

Annex G - Sample Collection Personnel Requirements

G.1 Objective

To ensure that Sample Collection Personnel have no conflict of interest and have adequate qualifications and experience to conduct *Sample* collection sessions.

G.2 Scope

Sample Collection Personnel requirements starts with the development of the necessary competencies for Sample Collection Personnel and ends with the provision of identifiable accreditation.

G.3 Responsibility

The *ADO* has the responsibility for all activities defined in this Annex G.

G.4 Requirements - Qualifications and Training

G.4.1 The *ADO* shall determine the necessary competence and qualification requirements for the positions of Doping Control Officer, Chaperone and Blood Collection Official. The *ADO* shall develop duty statements for all Sample Collection Personnel that outline their respective responsibilities. As a minimum:

a) Sample Collection Personnel shall be of adult age.
b) Blood Collection Officials shall have adequate qualifications and practical skills required to perform blood collection from a vein.

G.4.2 The *ADO* shall ensure that Sample Collection Personnel that have an interest in the outcome of the collection or testing of a *Sample* from any *Athlete* who might provide a *Sample* at a session are not appointed to that *Sample* collection session. Sample Collection Personnel are deemed to have an interest in the collection of a *Sample* if they are:

a) Involved in the planning of the sport for which testing is being conducted; or
b) Related to, or involved in the personal affairs of any *Athlete* who might provide a *Sample* at that session.

G.4.3 The *ADO* shall establish a system that ensures that Sample Collection Personnel are adequately qualified and trained to carry out their duties.

G.4.4 The training program for Chaperones and Blood Collection Officiers as a minimum shall include studies of all relevant requirements of the testing process and familiarization of relevant standard precautions in healthcare settings.

G.4.5 The training program for Doping Control Officers as a minimum shall include:

a) Comprehensive theoretical training in different types of testing activities relevant to the Doping Control Officer position;
b) One observation of all doping control activities related to requirements in this standard, preferably on site;
c) The satisfactory performance of one complete *Sample* collection on site under observation by a qualified Doping Control Officer or similar. The requirement related to actual passing of *Sample* shall not be included in the on site observations.

G.4.6 The *ADO* shall maintain records of education, training, skills and experience.

G.5 Requirements - Accreditation, re-accreditation and delegation

G.5.1 The *ADO* shall establish a system for accrediting and re-accrediting Sample Collection Personnel.

G.5.2 The *ADO* shall ensure that *Sample* Collection Personnel have completed the training program and are familiar with the requirements in this testing standard before granting accreditation.

G.5.3 Accreditation shall only be valid for a maximum of two years. *Sample* Collection Personnel shall be required to repeat a full training program if they have not participated in *Sample* collection activities within the year prior to re-accreditation.

G.5.4 Only Sample Collection Personnel that have an accreditation recognised by the ADO shall be authorised by the ADO to conduct *Sample* collection activities on behalf of the ADO.

G.5.5 Doping Control Officers may personally perform any activities involved in the *Sample* Collection Session, with the exception of blood collection unless particularly qualified, or they may direct a Chaperone to perform specified activities that fall within the scope of the Chaperone's authorised duties.

WORLD
ANTI-DOPING
AGENCY

The World Anti-Doping Code

INTERNATIONAL STANDARD FOR THERAPEUTIC USE EXEMPTIONS

In force January 1st, 2005

PREAMBLE

The World Anti-Doping Code *International Standard* for Therapeutic Use Exemptions (TUE) is a level 2 mandatory *International Standard* developed as part of the World Anti-Doping Program.

The basis for the development of the *International Standard* for TUE has been a review of various procedures and protocols of International Federations, the IOC, National Anti-Doping Organizations and relevant sections in the revised International Standard for Doping Control (ISDC). A broad WADA expert reference group reviewed, discussed and prepared the document.

The official text of the *International Standard* for Therapeutic Use Exemption shall be maintained by WADA and shall be published in English and French. In the event of any conflict between the English and French versions, the English version shall prevail.

The *International Standard* for TUE will come into effect on January 1st, 2005.

TABLE OF CONTENTS

PART ONE: INTRODUCTION, CODE PROVISIONS AND DEFINITIONS

1.0 Introduction and Scope

The purpose of the *International Standard* for TUE is to ensure that the process of granting therapeutic use exemptions is harmonized across sports and countries.

The *Code* permits *Athletes* and their physicians to apply for Therapeutic Use Exemptions i.e. permission to use, for therapeutic purposes, substances or methods contained in the *List of Prohibited Substances or Methods* whose use is otherwise prohibited.

The *International Standard* for TUE includes criteria for granting a TUE, confidentiality of information, the formation of Therapeutic Use Exemptions Committees and the TUE application process.

This standard applies to all *Athletes* as defined by and subject to the *Code* i.e. able-bodied *Athletes* and *Athletes* with disabilities.

The World Anti-Doping Program encompasses all of the elements needed in order to ensure optimal harmonization and best practice in international and national anti-doping programs. The main elements are: the *Code* (Level 1), *International Standards* (Level 2), and Models of Best Practice (Level 3).

In the introduction to the *Code*, the purpose and implementation of the *International Standards* are summarized as follows:

> "*International Standards* for different technical and operational areas within the anti-doping program will be developed in consultation with the *Signatories* and governments and approved by *WADA*. The purpose of the *International Standards* is harmonization among *Anti-Doping Organizations* responsible for specific technical and operational parts of the anti-doping programs. Adherence to the *International Standards* is mandatory for compliance with the *Code*. The *International Standards* may be revised from time to time by the *WADA* Executive Committee after reasonable consultation with the *Signatories* and governments. Unless provided otherwise in the *Code*, *International Standards* and all revisions shall become effective on the date specified in the International Standard or revision. ."

Compliance with an *International Standard* (as opposed to another alternative standard, practice or procedure) shall be sufficient to conclude that the procedures covered by the *International Standard* were performed properly.

Definitions specified in the *Code* are written in italics. Additional definitions specific to the *International Standard* for TUE are underlined.

2.0 *Code* Provisions

The following articles of the *Code* directly address the *International Standard* for TUE:

***Code* Article 4.4 Therapeutic Use.**
WADA shall adopt an *International Standard* for the process of granting therapeutic use exemptions.

Each International Federation shall ensure, for *International-Level Athletes* or any other *Athlete* who is entered in an *International* Event, that a process is in place whereby *Athletes* with documented medical conditions requiring the *Use* of a *Prohibited Substance* or a *Prohibited Method* may request a therapeutic use exemption. Each *National Anti-Doping Organization* shall ensure, for all *Athletes* within its jurisdiction that are not *International-Level Athletes*, that a process is in place whereby *Athletes* with documented medical conditions requiring the *Use* of a *Prohibited Substance or* a *Prohibited Method* may request a therapeutic use exemption. Such requests shall be evaluated in accordance with the *International Standard* on therapeutic use. *International Federations* and *National Anti-Doping Organizations* shall promptly report to *WADA* the granting of therapeutic use exemptions to any *International-Level Athlete* or national-level *Athlete* that is included in his or her *National Anti-Doping Organization's Registered Testing Pool.*

WADA, on its own initiative, may review the granting of a therapeutic use exemption to any *International-Level Athlete* or national-level *Athlete* that is included in his or her *National Anti-Doping Organization's Registered Testing Pool.* Further, upon the request of any such *Athlete* that has been denied a therapeutic use exemption, *WADA* may review such denial. If *WADA* determines that such granting or denial of a therapeutic use exemption did not comply with the *International Standard* for therapeutic use exemptions, *WADA* may reverse the decision."

***Code* Article 13.3 Appeals from Decisions Granting or Denying a Therapeutic Use Exemption.**
Decisions by *WADA* reversing the grant or denial of a therapeutic use exemption may be appealed to CAS by the *Athlete* or the *Anti-Doping Organization* whose decision was reversed. Decisions by *Anti-Doping Organizations* denying therapeutic use exemptions, which are not reversed by *WADA*, may be appealed by *International-Level Athletes to CAS* and by other *Athletes* to the national level reviewing body described in Article 13.2.2. If the national level reviewing body reverses the decision to deny a therapeutic use exemption, that decision may be appealed to CAS by *WADA*."

***Code* Article 14.5 *Doping Control* Information Clearing House.**
WADA shall act as a central clearing house for *Doping Control Testing* data and results for *International-Level Athletes* and national-level *Athletes* that have been included in their *National Anti-Doping Organization's Registered Testing Pool.* To facilitate coordinated test distribution planning and to avoid unnecessary duplication in *Testing* by the various *Anti-Doping Organizations*, each *Anti-Doping Organization* shall report all *In-Competition* and *Out-of-Competition* tests on such *Athletes* to the *WADA* clearinghouse as soon as possible after such tests have been conducted.

WADA shall make this information accessible to the *Athlete*, the *Athlete's* National Federation, *National Olympic Committee* or National Paralympic Committee, *National Anti-Doping Organization*, International Federation, and the International Olympic Committee or International Paralympic Committee. Private information regarding an *Athlete* shall be maintained by *WADA* in strict confidence. *WADA* shall, at least annually, publish statistical reports summarizing such information.

***Code* Article 15.4 Mutual Recognition.**
Subject to the right to appeal provided in Article 13, the *Testing*, therapeutic use exemptions and hearing results or other final adjudications of any *Signatory* which are consistent with the *Code* and are within that *Signatory's* authority, shall be recognized and respected by all other *Signatories*. *Signatories* may recognize the same actions of other bodies which have not accepted the *Code* if the rules of those bodies are otherwise consistent with the *Code*."

3.0 Terms and definitions

3.1 Defined terms from the Code

Anti-Doping Organization: A *Signatory* that is responsible for adopting rules for, initiating, implementing or enforcing any part of the *Doping Control* process. This includes, for example, the International Olympic Committee, the International Paralympic Committee, other *Major Event Organizations* that conduct *Testing* at their *Events*, *WADA*, International Federations, and *National Anti-Doping Organizations.*

Athlete: For purposes of *Doping Control*, any *Person* who participates in sport at the international level (as defined by each International Federation) or national level (as defined by each *National Anti-Doping Organization*) and any additional *Person* who participates in sport at a lower level if designated by the *Person*'s *National Anti-Doping Organization*. For purposes of anti-doping information and education, any *Person* who participates in sport under the authority of any *Signatory*, government, or other sports organization accepting the *Code*.

Code: The World Anti-Doping Code.

Doping Control: The process including test distribution planning, *Sample* collection and handling, laboratory analysis, results management, hearings and appeals.

Event: A series if individual Competitions conducted together under one ruling body (e.g., the Olympic Games, FINA World Championships or Pan American Games).

In-Competition: For purposes of differentiating between *In-competition* and *Out-of-Competition Testing*, unless provided otherwise in the rules of an International Federation or other relevant *Anti-Doping Organization*, an *In-*

Competition test is a test where an *Athlete* is selected for *testing* in connection with a specific Competition.

International-Level Athletes: *Athletes* designated by one or more International Federations as being within the *Registered Testing Pool* for an International Federation.

International Standards: A standard adopted by *WADA* in support of the *Code*. Compliance with an *International Standard* (as opposed to another alternative standard, practice or procedure) shall be sufficient to conclude that the procedures addressed by the *International Standard* were performed properly.

National Anti-Doping Organization: The entity(ies) designated by each country as possessing the primary authority and responsibility to adopt and implement anti-doping rules, direct the collection of *Samples*, the management of test results, and the conduct of hearings, all at the national level. If this designation has not been made by the competent public authority (ies), the entity shall be the country's National Olympic Committee or its designee.

Out-of-Competition: Any *Doping Control* which is not *In-Competition*.

Prohibited List: The List identifying the *Prohibited Substances* and *Prohibited Methods*.

Prohibited Method: Any method so described on the *Prohibited List*.

Prohibited Substance: Any substance so described on the *Prohibited List*.

Registered Testing Pool: The pool of top level *Athletes* established separately by each International Federation and *National Anti-Doping Organization* who are subject to both *In-Competition* and *Out-of-Competition Testing* as part of that International Federation's or Organization's test distribution plan.

Signatories: Those entities signing the *Code* and agreeing to comply with the *Code*, including the International Olympic Committee, International Federations, International Paralympic Committee, *National Olympic Committees*, National Paralympic Committees, *Major Event Organizations*, *National Anti-Doping Organizations*, and *WADA*.

Testing: The parts of the *Doping Control* process involving test distribution planning, *Sample* collection, *Sample* handling, and *Sample* transport to the laboratory.

WADA: The World Anti-Doping Agency

3.2 Defined terms from the *International Standard* for TUE

Therapeutic: Of or relating to the treatment of a medical condition by remedial agents or methods; or providing or assisting in a cure.

TUE: Therapeutic Use Exemption

ATUE: Abbreviated process for Therapeutic Use Exemption described under Section 8 of International Standard for TUE.

TUEC: Therapeutic Use Exemption Committee is the Panel established by the relevant *Anti-Doping Organization.*

WADA TUEC: *WADA* Therapeutic Use Exemption Committee is the Panel established by *WADA*.

PART TWO: STANDARDS FOR GRANTING THERAPEUTIC USE EXEMPTIONS

4.0 Criteria for Granting a Therapeutic Use Exemption

A Therapeutic Use Exemption (TUE) may be granted to an *Athlete* permitting the use of a *Prohibited Substance* or *Prohibited Method* contained in the *Prohibited List*. An application for a TUE will be reviewed by a Therapeutic Use Exemption Committee (TUEC). The TUEC will be appointed by an *Anti-Doping Organization*. An exemption will be granted only in strict accordance with the following criteria:

[Comment: This standard applies to all Athletes as defined by and subject to the Code i.e. able-bodied athletes and athletes with disabilities. This Standard will be applied according to an individual's circumstances. For example, an exemption that is appropriate for an athlete with a disability may be inappropriate for other athletes.]

4.1 The *Athlete* should submit an application for a TUE no less than 21 days before participating in an *Event*.

4.2 The *Athlete* would experience a significant impairment to health if the *Prohibited Substance* or *Prohibited Method* were to be withheld in the course of treating an acute or chronic medical condition.

4.3 The therapeutic use of the *Prohibited Substance* or *Prohibited Method* would produce no additional enhancement of performance other than that which might be anticipated by a return to a state of normal health following the treatment of a legitimate medical condition. The use of any *Prohibited Substance* or *Prohibited Method* to increase "low-normal" levels of any endogenous hormone is not considered an acceptable therapeutic intervention.

4.4 There is no reasonable therapeutic alternative to the use of the otherwise *Prohibited Substance* or *Prohibited Method*.

4.5 The necessity for the use of the otherwise *Prohibited Substance* or *Prohibited Method* cannot be a consequence, wholly or in part, of prior non-therapeutic use of any substance from the *Prohibited List*.

4.6 The TUE will be cancelled by the granting body, if

a. The *Athlete* does not promptly comply with any requirements or conditions imposed by the *Anti-Doping Organization* granting the exemption.

b. The term for which the TUE was granted has expired.

c. The *Athlete* is advised that the TUE has been withdrawn by the *Anti-Doping Organization.*

[Comment: Each TUE will have a specified duration as decided upon by the TUEC. There may be cases when a TUE has expired or has been withdrawn and the prohibited substance subject to the TUE is still present in the Athlete's body. In such cases, the Anti-Doping Organization conducting the initial review of an adverse finding will consider whether the finding is consistent with expiry or withdrawal of the TUE.]

4.7 An application for a TUE will not be considered for retroactive approval except in cases where:

a. Emergency treatment or treatment of an acute medical condition was necessary, or

b. Due to exceptional circumstances, there was insufficient time or opportunity for an applicant to submit, or a TUEC to consider, an application prior to *Doping Control*.

[*Comment: Medical Emergencies or acute medical situations requiring administration of an otherwise Prohibited Substance or Prohibited Method before an application for a TUE can be made, are uncommon. Similarly, circumstances requiring expedited consideration of an application for a TUE due to imminent competition are infrequent. Anti-Doping Organizations granting TUEs should have internal procedures which permit such situations to be addressed.****]***

5.0. Confidentiality of information

5.1 The applicant must provide written consent for the transmission of all information pertaining to the application to members of the TUEC and, as required, other independent medical or scientific experts, or to all necessary staff involved in the management, review or appeal of TUEs.

Should the assistance of external, independent experts be required, all details of the application will be circulated without identifying the *Athlete* involved in the *Athlete*'s care. The applicant must also provide written consent for the decisions of the TUEC to be distributed to other relevant *Anti-Doping Organizations* under the provisions of the *Code*.

5.2 The members of the TUECs and the administration of the *Anti-Doping Organization* involved will conduct all of their activities in strict confidence. All members of a TUEC and all staff involved will sign confidentiality agreements. In particular they will keep the following information confidential:

a. All medical information and data provided by the *Athlete* and physician(s) involved in the *Athlete*'s care.

b. All details of the application including the name of the physician(s) involved in the process.

Should the *Athlete* wish to revoke the right of the TUEC or the *WADA* TUEC to obtain any health information on his/her behalf, the *Athlete* must notify his/her medical practitioner in writing of the fact. As a consequence of such a decision, the *Athlete* will not receive approval for a TUE or renewal of an existing TUE.

6.0 Therapeutic Use Exemption Committees (TUECs)

TUECs shall be constituted and act in accordance with the following guidelines:

6.1 TUECs should include at least three physicians with experience in the care and treatment of *Athletes* and a sound knowledge of clinical, sports and exercise medicine. In order to ensure a level of independence of decisions, a majority of the members of the TUEC should not have any official responsibility in the *Anti-doping organization*. All members of a TUEC will sign a conflict of interest agreement. In applications involving *Athletes* with disabilities, at least one TUEC member must possess specific experience with the care and treatment of *Athletes* with disabilities.

6.2 TUECs may seek whatever medical or scientific expertise they deem appropriate in reviewing the circumstances of any application for a TUE.

6.3 The *WADA* TUEC shall be composed following the criteria set out in article 6.1. The *WADA* TUEC is established to review on its own initiative TUE decisions granted by *Anti-Doping Organizations*. As specified in article 4.4 of the *Code,* the *WADA* TUEC, upon request by *Athletes* who have been denied TUEs by an *Anti-Doping Organization* will review such decisions with the power to reverse them.

7.0 Therapeutic Use Exemption (TUE) Application Process

7.1 A TUE will only be considered following the receipt of a completed application form that must include all relevant documents (see appendix 1 – TUE form). The application process must be dealt with in accordance with the principles of strict medical confidentiality.

7.2 The TUE application form(s), as set out in appendix 1, can be modified by *Anti-Doping Organizations* to include additional requests for information, but no sections or items shall be removed.

7.3 The TUE application form(s) may be translated into other language(s) by *Anti-Doping Organizations*, but English or French must remain on the application form(s).

7.4 An *Athlete* may not apply to more than one *Anti-Doping Organization* for a TUE. The application must identify the *Athlete*'s sport and, where appropriate, discipline and specific position or role.

7.5 The application must list any previous and/or current requests for permission to use an otherwise *Prohibited Substance* or *Prohibited Method*, the body to whom that request was made, and the decision of that body.

7.6 The application must include a comprehensive medical history and the results of all examinations, laboratory investigations and imaging studies relevant to the application.

7.7 Any additional relevant investigations, examinations or imaging studies requested by TUEC of the *Anti-Doping Organization* will be undertaken at the expense of the applicant or his/her national sport governing body.

7.8 The application must include a statement by an appropriately qualified physician attesting to the necessity of the otherwise *Prohibited Substance* or *Prohibited Method* in the treatment of the *Athlete* and describing why an alternative, permitted medication cannot, or could not, be used in the treatment of this condition.

7.9 The dose, frequency, route and duration of administration of the otherwise *Prohibited Substance* or *Prohibited Method* in question must be specified.

7.10 Decisions of the TUEC, should be completed within 30 days of receipt of all relevant documentation and will be conveyed in writing to the *Athlete* by the relevant *Anti-Doping Organization*. Where a TUE has been granted to an *Athlete* in the *Anti-Doping Organization Registered Testing Pool*, the *Athlete* and *WADA* will be provided promptly with an approval which includes information pertaining to the duration of the exemption and any conditions associated with the TUE.

7.11 a. Upon receiving a request by an *Athlete* for review, as specified in article 4.4. of the Code, the *WADA* TUEC will, as specified in article 4.4 of the *Code,* be able to reverse a decision on a TUE granted by an *Anti-Doping Organization*. The *Athlete* shall provide to the *WADA* TUEC all the information for a *TUE* as submitted initially to the *Anti-Doping Organization* accompanied by an application fee. Until the review process has been completed, the original decision remains in effect.

The process should not take longer than 30 days following receipt of the information by *WADA*.

b. *WADA* can undertake a review at any time. The *WADA* TUEC will complete its review within 30 days.

7.12 If the decision regarding the granting of a TUE is reversed on review, the reversal shall not apply retroactively and shall not disqualify the *Athlete*'s results during the period that the TUE had been granted and shall take effect no later than 14 days following notification of the decision to the *Athlete*.

8.0 Abbreviated Therapeutic Use Exemption (ATUE) Application Process

8.1 It is acknowledged that some substances included on the *List of Prohibited Substances* are used to treat medical conditions frequently encountered in the *Athlete* population. In such cases, a full application as detailed in section 4, and section 7, is unnecessary. Accordingly an abbreviated process of the TUE is established.

8.2 The *Prohibited Substances* or *Prohibited Methods* which may be permitted by this abbreviated process are strictly limited to the following:
Beta-2 agonists (formoterol, salbutamol, salmeterol and terbutaline) by inhalation, and glucocorticosteroids by non-systemic routes.

8.3 To use one of the substances above, the *Athlete* shall provide to the *Anti-Doping Organization* a medical notification justifying the therapeutic necessity. Such medical notification, as contained in Appendix 2, shall describe the diagnosis, name of the drug, dosage, route of administration and duration of the treatment.
When applicable any tests undertaken in order to establish the diagnosis should be included (without the actual results or details).

8.4 The abbreviated process includes:

a. Approval for use of *Prohibited Substances* subject to the abbreviated process is effective upon receipt of a complete notification by the *Anti-Doping Organization.* Incomplete notifications must be returned to the applicant.

b. On receipt of a complete notification, the *Anti-Doping Organization* shall promptly advise the *Athlete*. As appropriate, the *Athlete*'s IF, NF and NADO shall also be advised. The *Anti-Doping Organization* shall advise WADA only upon receipt of a notification from an *International-level Athlete.*

c. A notification for an ATUE will not be considered for retroactive approval except:

- In emergency treatment or treatment of an acute medical condition was necessary, or

- Due to exceptional circumstances, there was insufficient time or opportunity for an applicant to submit, or a TUEC to receive, an application prior to *Doping Control.*

8.5 a. A review by the TUEC or the *WADA* TUEC can be initiated at any time during the duration of an ATUE.

b. If an *Athlete* requests a review of a subsequent denial of an ATUE, the *WADA* TUEC will have the ability to request from the *Athlete* additional medical information as deemed necessary, the expenses of which should be met by the *Athlete*.

8.6 An ATUE may be cancelled by the TUEC or *WADA* TUEC at any time. The *Athlete*, his/her IF and all relevant *Anti-Doping Organizations* shall be notified immediately.

8.7 The cancellation shall take effect immediately following notification of the decision to the *Athlete*. The *Athlete* will nevertheless be able to apply under section 7 for a TUE.

9.0 Clearinghouse

9.1 *Anti-Doping Organizations* are required to provide *WADA* with all TUEs, and all supporting documentation, issued under section 7.

9.2 With respect to ATUEs, *Anti-Doping Organizations* shall provide *WADA* with medical applications submitted by *International-level Athletes* issued under section 8.4

9.3 The Clearinghouse shall guarantee strict confidentiality of all the medical information.

Identification of Anti-Doping Organization

(Logo or Name of the ADO)

Appendix 1

Therapeutic Use Exemptions
TUE

Please complete all sections <u>in capital letters or typing</u>

1. Athlete Information

Surname: ..... Given Names: .....

Female ❑ Male ❑ Date of Birth (d/m/y): .....

Address: .....

City: ..... Country: ..... Postcode: .....

Tel.: ..... E-mail: .....

(with international code)

Sport: ..... Discipline/Position: .....

International or National Sport Organization: .....

If athlete with disability, indicate disability: .....

2. Medical information

Diagnosis with sufficient medical information (see note 1):

.....

.....

.....

.....

If a permitted medication can be used to treat the medical condition, provide clinical justification for the requested use of the prohibited medication

.....

.....

.....

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3. Medication details

Prohibited substance(s): ***Generic name***	**Dose**	**Route**	**Frequency**
1.			
2.			
3.			

Intended duration of treatment: (*Please tick appropriate box*)	once only ❑ emergency ❑ or duration (week/month): .....

Have you submitted any previous TUE application: **yes** ❑ **no** ❑

For which substance? .....

To whom?.....When?.....

Decision: Approved ❑ Not approved ❑

4. Medical practitioner's declaration

I certify that the above-mentioned treatment is medically appropriate and that the use of alternative medication not on the prohibited list would be unsatisfactory for this condition.

Name:.....

Medical speciality: .....

Address: .....

Tel.:..... **Fax:** .....

E-mail: .....

Signature of Medical Practitioner: .....**Date:** .....

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5. Athlete's declaration

I, ... certify that the information under 1. is accurate and that I am requesting approval to use a Substance or Method from the WADA Prohibited List. I authorize the release of personal medical information to the Anti-Doping Organization (ADO) as well as to WADA staff, to the WADA TUEC (Therapeutic Use Exemption Committee) and to other ADO under the provisions of the Code. I understand that if I ever wish to revoke the right of these organizations to obtain my health information on my behalf, I must notify my medical practitioner and my ADO in writing of that fact.

Athlete's signature: ..... **Date: .....**

Parent's/Guardian's signature: ..... **Date: .....**
(if the athlete is a minor or has a disability preventing him/her to sign this form, a parent or guardian shall sign together with or on behalf of the athlete)

6. Note:

Note 1	Diagnosis *Evidence confirming the diagnosis must be attached and forwarded with this application. The medical evidence should include a comprehensive medical history and the results of all relevant examinations, laboratory investigations and imaging studies. Copies of the original reports or letters should be included when possible. Evidence should be as objective as possible in the clinical circumstances and in the case of non-demonstrable conditions independent supporting medical opinion will assist this application.*

Incomplete Applications will be returned and will need to be resubmitted.

Please submit the completed form to the ADO and keep a copy for your records.

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Identification of Anti-Doping Organization

(Logo or Name of the ADO)

Appendix 2

Abbreviated Therapeutic Use Exemptions ATUE

Please complete all sections <u>in capital letters or typing</u>

beta-2 agonists by inhalation ❑	**glucocorticosteroids by non-systemic routes *** ❑

*** All routes other than orally, rectally, intravenously and intramuscularly. Dermatological glucocorticosteroids do not require any TUE**

1. Athlete Information

Surname: ..... Given Names: .....

Female ❑ Male ❑ Date of Birth (d/m/y): .....

Address: .....

City: ..... Country : ..... Postcode: .....

Tel.: ..... E-mail : .....
(with international code)

Sport: ..... Discipline/Position: .....

International or National Sporting Organization: .....

2. Medical information

Diagnosis: .....

.....

.....

.....

N.B. Any ATUE may be reviewed at any time, by the ADO and/or WADA

STRICTLY CONFIDENTIAL

Prohibited substance(s): ***Generic name***	Dose	Route	Frequency
1.			
2.			
3.			
Intended duration of treatment: *(Please tick appropriate box)*	once only ❑ emergency ❑ or duration (week/month):		

3. Medical practitioner's and athlete's declaration

I certify that the above-mentioned treatment is medically appropriate and that the use of alternative medications not on the Prohibited List would be unsatisfactory for this condition.

Name: .....

Medical Speciality: .....

Address: .....

Tel.: ..... **Fax:** .....

E-mail: .....

Signature of Medical Practitioner: ..... **Date:** .....

I, ... certify that the information under 1. is accurate and that I am requesting approval to use a Substance or Method from the WADA Prohibited List. I authorize the release of personal medical information to the Anti-Doping Organization (ADO) as well as to WADA staff, to the WADA TUEC (Therapeutic Use Exemption Committee) and to other ADO under the provisions of the Code. I understand that if I ever wish to revoke the right of these organizations to obtain my health information on my behalf, I must notify my medical practitioner and my ADO in writing of that fact.

Athlete's signature: ..... **Date:** .....

Parent's/Guardian's signature: ..... **Date:** .....
(if the athlete is a minor or has a disability preventing him/her to sign this form, a parent or guardian shall sign together with or on behalf of the athlete)

Incomplete Applications will be returned and need to be resubmitted.

Please submit the completed form to the ADO and keep a copy for your records.

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Identification of Anti-Doping Organization

(Logo or Name of the ADO)

TUE Committee Decision

Please complete all sections <u>in capital letters or typing</u>

<u>Constitution of TUE Committee</u>:

Chairman: .....

Member: .....

Member: .....

Member: .....

Member: .....

Member: .....

<u>Athlete's information</u>:

Name: .....

File number: .....

Substance: .....

<u>TUEC Decision</u>:

Grant ❒ Refusal ❒

In case of refusal, reasons: .....

.....

.....

Date of decision: .....Date of expiration: .....

This is a model for ADOs

WORLD
ANTI-DOPING
AGENCY

The World Anti-Doping Code

INTERNATIONAL STANDARD FOR LABORATORIES

Version 4.0

August 2004

PREAMBLE

The World Anti-Doping *Code International Standard* for Laboratories is a mandatory level 2 *International Standard* developed as part of the World Anti-Doping Program.

The basis for the *International Standard* for Laboratories is the relevant Sections in the Olympic Movement Anti-Doping *Code*. An expert group, together with a *WADA* Laboratory Accreditation Committee, has prepared the document and drafts have been circulated for initial review and comment from all IOC accredited doping Laboratories and the IOC Sub-Commission on Doping and Biochemistry of Sport.

Version 1.0 of the *International Standard* for Laboratories was circulated to *Signatories,* governments and accredited laboratories for review and comments in November 2002. Version 2.0 was based on the comments and proposals received from these stakeholders.

All *Signatories,* governments and Laboratories were consulted and have had the opportunity to review and provide comments to version 2.0. This draft version 3.0 was presented for approval to the *WADA* Executive Committee on June 7th 2003.

The *International Standard* for Laboratories will come into effect on January 1st 2004.

Currently, Laboratories are accredited by the International Olympic Committee (IOC). As part of the transition of the program from existing IOC accreditation to *WADA* accreditation, accreditation bodies shall require the Laboratories to which they grant and maintain accreditation to comply with the requirements of the *International Standard* for Laboratories and ISO/IEC 17025 by January 1st, 2004. For Laboratories moving from IOC to *WADA* accreditation (see Section 4.1.7), an internal audit before January 1st, 2004 shall be deemed compliant with the *International Standard* for Laboratories. The next ISO surveillance or re-accreditation audit conducted by the national accrediting body in 2004 shall document compliance with the *International Standard* for Laboratories. Laboratories seeking initial *WADA* accreditation shall have an on-site accreditation audit by their national accrediting body compliant with this standard before receiving *WADA* accreditation.

The official text of the *International Standard* for Laboratories shall be maintained by *WADA* and shall be published in English and French. In the event of any conflict between the English and French versions, the English version shall prevail.

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PART ONE: INTRODUCTION, *CODE* PROVISIONS AND DEFINITIONS

1.0 Introduction, Scope and References

The main purpose of the *International Standard* for Laboratories is to ensure laboratory production of valid test results and evidentiary data and to achieve uniform and harmonized results and reporting from all accredited *Doping Control* Laboratories.

The *International Standard* for Laboratories includes requirements for *WADA* accreditation of doping laboratories, operating standards for laboratory performance and description of the accreditation process.

The *International Standard* for Laboratories, including all Annexes and Technical Documents, is mandatory for all *Signatories* to the *Code*.

The World Anti-Doping Program encompasses all of the elements needed in order to ensure optimal harmonization and best practice in international and national anti-doping programs. The main elements are: the *Code* (Level 1), *International Standards* (Level 2), and Models of Best Practice (Level 3).

In the introduction to the World Anti-Doping *Code (Code),* the purpose and implementation of *the* International *Standards* are summarized as follows:

> "*International Standards* for different technical and operational areas within the anti-doping program will be developed in consultation with the *Signatories* and governments and approved by *WADA*. The purpose of the *International Standards* is harmonization among *Anti-Doping Organizations* responsible for specific technical and operational parts of the anti-doping programs. Adherence to the *International Standards* is mandatory for compliance with the *Code*. The *International Standards* may be revised from time to time by the *WADA* Executive Committee after reasonable consultation with the *Signatories* and governments. Unless provided otherwise in the *Code*, *International Standards* and all revisions shall become effective on the date specified in the *International Standard* or revision."

Compliance with an *International Standard* (as opposed to another alternative standard, practice or procedure) shall be sufficient to conclude that the procedures covered by the *International Standard* were performed properly.

This document sets out the requirements for *Doping Control* Laboratories that wish to demonstrate that they are technically competent, operate an effective quality management system, and are able to produce forensically valid results. *Doping Control Testing* involves the detection, identification, and in some cases demonstration of the presence greater than a threshold concentration of drugs and other substances deemed to be prohibited by the list of *Prohibited Substances* and *Prohibited Methods* (*The Prohibited List*) in human biological fluids or tissues.

The Laboratory accreditation framework consists of two main elements: Part Two of the standard: the Laboratory accreditation requirements and operating standards; and Part Three: the Annexes and Technical Documents. Part Two describes the requirements necessary to obtain *WADA* recognition and the procedures involved to fulfill the requirements. It also contains an application of the ISO/IEC 17025 standard to the field of *Doping Control*. The purpose of this section of the document is to facilitate consistent application and assessment of the ISO/IEC 17025 and the specific *WADA* requirements for *Doping Control* by accreditation bodies that operate in accordance with ISO/IEC Guide 58. The *International Standard* also sets forth the requirements for *Doping Control* Laboratories when adjudication results as a consequence of an *Adverse Analytical Finding*

Part Three of the Standard includes all Annexes. Annex A describes the *WADA* Proficiency Testing Program, including performance criteria necessary to maintain good standing in proficiency testing. Annex B describes the ethical standards required for continued *WADA* recognition of the Laboratory. Annex C is a list of Technical Documents. Technical Documents are issued, modified, and deleted by *WADA* from time to time and provide direction to the Laboratories on specific technical issues. Once promulgated, Technical Documents become part of the *International Standard* for Laboratories. The incorporation of the provisions of the Technical Documents into the Laboratory's quality management system is mandatory for *WADA* accreditation.

In order to harmonize the accreditation of Laboratories to the requirements of ISO/IEC 17025 and the *WADA*-specific requirements for recognition, it is expected that national accreditation bodies will use this standard, including the annexes, as a reference document in their accreditation audit process.

Terms defined in the *Code*, which are included in this standard, are written in italics. Terms, which are defined in this standard, are underlined.

References

These following references were consulted in the development of this document. The specific requirements and concepts of these documents do not supersede or otherwise change the requirements stated in the *International Standard* for Laboratories

A2LA, 2001. Proficiency Testing Requirement for Accredited Testing and Calibration Laboratories.

EA-03/04 (August 2001). Use of Proficiency Testing as a Tool for Accreditation in Testing

Eurachem Proficiency Testing Mirror Group (2000). Selection, Use and Interpretation of Proficiency Testing (PT) Schemes by Laboratories.

Eurachem/CITAC Guide, 2nd Edition (2000) Quantifying Uncertainty in Analytical Measurement.

European Union Decision 2002/657/EC Official Journal of the European Communities 17.8.2002; L 221: 8-36.

ISO/IEC 17025:1999. General requirements for the competence of testing and calibration laboratories.

International Laboratory Accreditation Cooperation (ILAC) Document G-7:1996. Accreditation Requirements and Operating Criteria for Horseracing Laboratories.

ILAC Document G-15:2001. Guidance for Accreditation to ISO/IEC 17025

ILAC Document G-17:2002. Introducing the Concept of Uncertainty of Measurement in Testing in Association with the Application of the Standard ISO/IEC 17025.

ILAC Document G-19:2002. Guideline for Forensic Science Laboratories

ILAC Document P-10:2002. ILAC Policy on Traceability of Measurement Results.

National Clinical Chemistry Laboratory Standards Document C-43A, 2002 [ISBN 1-56238-475-9]. "Gas Chromatography/Mass Spectrometry (GC/MS) Confirmation of Drugs; Approved Guideline."

Olympic Movement Anti-Doping Code (1999)

Society of Forensic Toxicology and American Academy of Forensic Sciences, Toxicology Section, 2002 (Draft). Forensic Toxicology Laboratory Guidelines.

Substance Abuse and Mental Health Services Administration (SAMHSA), United States Department of Health and Human Services (DHHS), 2001. Mandatory Guidelines for Federal Workplace Drug Testing Programs and Notice of Proposed Revisions (Federal Register 2001; 66: 43876-43882).

World Anti-Doping Code

2.0 Code Provisions

The following articles in the *Code* directly address the *International Standard* for Laboratories:

***Code* Article 3.2 Methods of Establishing Facts and Presumptions**

3.2.1 *WADA*-accredited Laboratories are presumed to have conducted *Sample* analysis and custodial procedures in accordance with the *International Standard* for laboratory analysis. The *Athlete* may rebut this presumption by establishing that a departure from the *International Standard* occurred. If the *Athlete* rebuts the preceding presumption by showing that a departure from the *International Standard* occurred, then the *Anti-Doping Organization* shall have the burden to establish that such departure did not cause the *Adverse Analytical Finding*.

***Code* Article 6 Analysis of Samples**

Doping Control Samples shall be analyzed in accordance with the following principles:

6.1 Use of Approved Laboratories *Doping Control Samples* shall be analyzed only in *WADA*-accredited laboratories or as otherwise approved by *WADA*. The choice of the *WADA*-accredited laboratory (or other method approved by *WADA*) used for the *Sample* analysis shall be determined exclusively by the *Anti-Doping Organization* responsible for results management.

[Comment: The phrase "or other method approved by WADA" is intended to cover, for example, mobile blood Testing procedures which WADA has reviewed and considers to be reliable.]

6.2 Substances Subject to Detection. *Doping Control Samples* shall be analyzed to detect *Prohibited Substances and Prohibited Methods* identified on the *Prohibited List* and other substances as may be directed by *WADA* pursuant to Article 4.5 (Monitoring Program).

6.3 Research on *Samples*. No *Sample* may be used for any purpose other than the detection of substances (or classes of substances) or methods on the *Prohibited List*, or as otherwise identified by *WADA* pursuant to Article 4.5 (Monitoring Program), without the *Athlete's* written consent.

6.4 Standards for *Sample* Analysis and Reporting. Laboratories shall analyze *Doping Control Samples* and report results in conformity with the *International Standard* for Laboratories analysis.

***Code* Article 13.5 Appeals from Decisions Suspending or Revoking Laboratory Accreditation**

Decisions by *WADA* to suspend or revoke a Laboratory's *WADA* accreditation may be appealed only by that Laboratory with the appeal being exclusively to CAS.

***Code* Article 14.1 Information Concerning *Adverse Analytical Findings* and Other Potential Anti-Doping Rule Violations.** An *Athlete* whose *Sample* has resulted in an *Adverse Analytical Finding*, or an *Athlete* or other *Person* who may have violated an anti-doping rule, shall be notified by the *Anti-Doping Organization* with results management responsibility as provided in Article 7 (Results Management). The *Athlete*'s *National Anti-Doping Organization* and International Federation and *WADA* shall also be notified not later than the completion of the process described in Articles 7.1 and 7.2. Notification shall include: the *Athlete's* name, country, sport and discipline within the sport, whether the test was *In-Competition* or *Out-of-Competition*, the date of *Sample* collection and the analytical result reported by the laboratory. The same *Persons* and *Anti-Doping Organizations* shall be regularly updated on the status and findings of any review or proceedings conducted pursuant to Articles 7 (Results Management), 8 (Right to a Fair Hearing) or 13 (Appeals), and, in any case in which the period of *Ineligibility* is eliminated under Article 10.5.1 (*No Fault or Negligence*), or reduced under Article 10.5.2 (*No Significant Fault or Negligence*), shall be provided with a written reasoned decision explaining the basis for the elimination or reduction. The recipient organizations shall not disclose this information beyond those *Persons* within the organization with a need to know until the *Anti-Doping Organization* with

results management responsibility has made public disclosure or has failed to make public disclosure as required in Article 14.2.

3.0 Terms and definitions

3.1 Code defined Terms

Adverse Analytical Finding: A report from a Laboratory or other approved *Testing* entity that identifies in a *Specimen* the presence of a *Prohibited Substance* or its *Metabolites* or *Markers* (including elevated quantities of endogenous substances) or evidence of the *Use* of a *Prohibited Method*.

Anti-Doping Organization: A *Signatory* that is responsible for adopting rules for, initiating, implementing or enforcing any part of the *Doping Control* process. This includes, for example, the International Olympic Committee, the International Paralympic Committee, *Major Event Organizations* that conduct *Testing* at their *Events*, *WADA*, International Federations, and *National Anti-Doping Organizations.*

Athlete: For purposes of *Doping Control*, any *Person* who participates in sport at the international level (as defined by each International Federation) or national level (as defined by each *National Anti-Doping Organization*) and any additional *Person* who participates in sport at a lower level if designated by the *Person's National Anti-Doping Organization*. For purposes of anti-doping information and education, any *Person* who participates in sport under the authority of any *Signatory*, government, or other sports organization accepting the *Code*.

Code: The World Anti-Doping Code.

Doping Control: The process including test distribution planning, *Sample* collection and handling, Laboratory analysis, results management, hearings and appeals.

Event: A series of individual *Competitions* conducted together under one ruling body (e.g., the Olympic Games, FINA World Championships, or Pan American Games).

In-competition: For purposes of differentiating between *In-competition* and *Out-of-Competition Testing*, unless provided otherwise in the rules of an International Federation or other relevant *Anti-Doping Organization*, an *In-Competition* test is a test where an *Athlete* is drawn for *Testing* in connection with a specific *Competition*.

International Standard: A standard adopted by *WADA* in support of the *Code*. Compliance with an *International Standard* (as opposed to another alternative standard, practice or procedure) shall be sufficient to conclude that the procedures covered by the *International Standard* were performed properly.

Marker: A compound, group of compounds or biological parameters that indicates the *Use* of a *Prohibited Substance* or *Prohibited Method.*

Metabolite: Any substance produced by a biotransformation process.

National Anti-Doping Organization: The entity(ies) designated by each country as possessing the primary authority and responsibility to adopt and implement anti-doping rules, direct the collection of *Samples*, the management of test results, and the conduct of hearings, all at the national level. If this designation has not been made by the competent public authority(ies), the entity shall be the country's *National Olympic Committee* or its designee.

National Olympic Committee: The organization recognized by the International Olympic Committee. The term *National Olympic Committee* shall also include the National Sport Confederation in those countries where the National Sport Confederation assumes typical *National Olympic Committee* responsibilities in the anti-doping area.

Out-of-Competition: Any *Doping Control* which is not *In-competition*.

Person: A natural person or an organization or other entity.

Prohibited List: The List identifying the *Prohibited Substances* and *Prohibited Methods*.

Prohibited Method: Any method so described on the *Prohibited List*.

Prohibited Substance: Any substance so described on the *Prohibited List*.

Publicly Disclose or Publicly Report: To disseminate or distribute information to the general public or *Persons* beyond those *Persons* entitled to earlier notification in accordance with Article 14.

Sample/Specimen: Any biological material collected for the purposes of *Doping Control*.

Signatories: Those entities signing the *Code* and agreeing to comply with the *Code*, including the International Olympic Committee, International Federations, International Paralympic Committee, *National Olympic Committees*, National Paralympic Committees, *Major Event Organizations*, *National Anti-Doping Organizations*, and *WADA*.

Testing: The parts of the *Doping Control* process involving test distribution planning, *Sample* collection, *Sample* handling, and *Sample* transport to the Laboratory.

Use: The application, ingestion, injection or consumption by any means whatsoever of any *Prohibited Substance* or *Prohibited Method*.

WADA: The World Anti-Doping Agency.

3.2 Defined Terms from the *International Standard* for Laboratories

Aliquot: A portion of the *Sample* of biological fluid or tissue (e.g., urine, blood, etc.) obtained from the *Athlete* used in the testing process.

Certified Reference Material: Reference Material, accompanied by a certificate, one or more whose property values are certified by a procedure which establishes its traceability to an accurate realization of the unit in which the property values are expressed, and for which each certified value is accompanied by an uncertainty at a stated level of confidence.

Confirmation Procedure: An analytical test procedure whose purpose is to identify the presence of a specific *Prohibited Substance* in a *Sample*. [*Comment: A Confirmation Procedure may also indicate a quantity of Prohibited Substance greater than a threshold value or quantify the amount of a Prohibited Substance in a Sample.*]

Flexible Accreditation: Approval for a Laboratory to make restricted modifications in the scope of the accreditation without the involvement of the national accreditation body before the modifications are implemented

Intermediate Precision, s_{Zi}: Variation in results observed when one or more factors, such as time, equipment, and operator are varied within a Laboratory with i denoting the number of factors varied.

Laboratory Internal Chain of Custody: Documentation of the sequence of *Persons* in possession of the *Sample* and any portions of the *Sample* taken for *Testing*. *[Comment: Laboratory Internal Chain of Custody is generally documented by a written record of the date, location, action taken, and the individual performing an action with a Sample or Aliquot.]*

Laboratory: An accredited laboratory applying test methods and processes to provide evidentiary data for the detection and, if applicable, quantification of a Threshold Substance on the *Prohibited List* in urine and other biological *Samples*.

Laboratory Documentation Packages: The material produced by the Laboratory to support the finding of an *Adverse Analytical Finding* as set forth in the *WADA* Technical Document for Laboratory Documentation Packages.

Minimum Required Performance Limit: A concentration of a *Prohibited Substance* or *Metabolite* of a *Prohibited Substance* or *Marker* of a *Prohibited Substance* or *Method* that a doping Laboratory is expected to reliably detect in the routine daily operation of the Laboratory. See Technical Document Minimum Required Performance Limits for Detection of *Prohibited Substances*.

Non-threshold Substance: A substance listed on the *Prohibited List* for which the documentable detection of any amount is considered an anti-doping rule violation.

Presumptive Analytical Finding: The status of a *Sample* test result for which there is an adverse screening test, but a confirmation test has not been performed.

Reference Collection: A collection of samples of known origin that may be used in the determination of the identity of an unknown substance. For example, a well characterized sample obtained from a verified administration study in which scientific documentation of the identity of *Metabolite(s)* can be demonstrated.

Reference Material: Material or substance one or more of whose properties are sufficiently homogeneous and well established to be used for the calibration of an apparatus, the assessment of a measurement method or for assigning values to materials.

Repeatability, s_r: Variability observed within a laboratory, over a short time, using a single operator, item of equipment, etc.

Reproducibility, s_R: Variability obtained when different laboratories analyze the same *Sample*.

Revocation: The permanent withdrawal of a Laboratory's *WADA* accreditation.

Screening Procedure: An analytical test procedure whose purpose is to identify those *Samples* which are suspicious with respect to containing a *Prohibited Substance* or *Metabolite* or *Marker* of a *Prohibited Method* and which require additional confirmation testing.

Split Sample: Division of a *Sample* taken for testing into two portions at collection, usually designated "A" and "B."

Suspension: The temporary withdrawal of a Laboratory's *WADA* accreditation.

Testing Authority: The International Olympic Committee, World Anti-Doping Agency, International Federation, National Sport Organization, *National Anti-Doping Organization*, *National Olympic Committee*, *Major Event Organization*, or other authority defined by the *Code* responsible for *Sample* collection and transport either *In-Competition* or *Out-of-Competition* and/or for management of the test result.

Threshold Substance: A substance listed in the *Prohibited List* for which the detection of an amount in excess of a stated threshold is considered an *Adverse Analytical Finding*.

PART TWO: LABORATORY ACCREDITATION REQUIREMENTS AND OPERATING STANDARDS

4.0 Requirements for WADA accreditation

4.1 Initial *WADA* accreditation

This section describes the specific requirements for the initial *WADA* accreditation of the laboratory. All the requirements must be fulfilled in order to obtain an initial *WADA* accreditation. For some of the requirements, the laboratory has to demonstrate compliance during the probationary period and for other requirements compliance will be checked and controlled based on an accreditation audit (ref. 5.1, 5.2 and 5.3).

4.1.1 ISO/IEC 17025

The laboratory shall be accredited by a relevant national accreditation body according to ISO/IEC 17025 with primary reference to the interpretations and applications of the ISO/IEC 17025 requirements as they are described in Application of ISO/IEC 17025 to the Analysis of *Doping Control Samples* (Section 5). The ISO/IEC 17025 accreditation must be obtained before the initial *WADA* accreditation will be given.

4.1.2 Letter of support

The laboratory shall provide an official letter of support from the relevant national public authority responsible for the national anti-doping program, if any, or a similar letter of support from the *National Olympic Committee* or *National Anti-Doping Organization*. The letter of support shall contain as a minimum:

- Guarantee of sufficient financial support annually for a minimum of 3 years
- Guarantee of sufficient numbers of *Samples* annually for 3 years
- Guarantee of provision of necessary analytical facilities and instrumentation, where applicable

In addition, any explanation of exceptional circumstances shall be given due consideration by *WADA*. The three year letter of support does not in any way require exclusive support for only one laboratory.

Letters of support from international sport organizations such as International Federations could also be provided in addition to the above mentioned letters.

If the laboratory as an organization is linked to host organizations, (e.g. universities, hospitals...) an official letter of support from the host organizations shall be provided which should include the following information:

- Documentation of the administrative support for the laboratory
- Financial support for the laboratory, if relevant

- Support for the research and development activities
- Guarantee of provision of necessary analytical facilities and instrumentation

4.1.3 Code of Ethics

The laboratory shall sign and comply with the provision in the Code of Ethics (Annex B) which are relevant for a laboratory in the probationary period.

4.1.4 Proficiency testing program

During the probationary period the laboratory shall successfully analyze at a minimum four sets of proficiency testing samples containing at a minimum five samples per set.

The final accreditation test shall assess both the scientific competence and the capability of the laboratory to manage multiple *Samples*.

4.1.5 Sharing of knowledge

The laboratory shall demonstrate during the probationary period its willingness and ability to share knowledge with other *WADA* Accredited Laboratories. A description of this sharing is provided in the Code of Ethics (Annex B).

4.1.6 Research

The laboratory shall demonstrate in its budget an allocation to research and development activities in the field of *Doping Control* of at least 7% of the annual budget for the initial 3-year period. The research activities can either be conducted by the laboratory or in cooperation with other *WADA*-accredited Laboratories or other research organizations.

4.1.7 Initial accreditation of Laboratories holding IOC accreditation

Laboratories accredited by the IOC in 2003 and which successfully complete the joint 2003 IOC/*WADA* re-accreditation test and at a minimum conduct an internal audit against Section 5 of the *Internal Standard* for Laboratories will receive *WADA* accreditation in 2004. The *International Standards* for Laboratories requirements will be fully in effect on January 1st, 2004. Laboratories that are downgraded or fail the 2003 IOC/*WADA* re-accreditation test will have their accreditation suspended or revoked by *WADA* in accordance with Section 6.4.8. Laboratories which have applied for, but have not received, IOC accreditation will complete their probationary period under the *International Standards* for Laboratories.

4.2 Maintaining *WADA* Accreditation

This section describes the specific requirements for a *WADA* re-accreditation of the Laboratory.

4.2.1 ISO/IEC 17025 accreditation

The Laboratory shall document a valid accreditation from the national accreditation body according to ISO/IEC 17025 with primary reference to the interpretations and applications of the ISO/IEC 17025 requirements as described in the Application of ISO/IEC 17025 to Analysis of *Doping Control Samples* (Section 5).

4.2.2 Flexible Accreditation

WADA accredited Laboratories may add or modify scientific methods or add analytes without the need for approval by the body that completed the ISO/IEC 17025 accreditation of that Laboratory. Any analytical method or procedure must be properly selected and validated and included in the scope of the Laboratory at the next ISO audit if the method is used for analysis of *Doping Control Samples*.

4.2.3 Letter of support

The Laboratory shall provide a renewed official letter of support from the relevant national public authority responsible for the national anti-doping program, if any, or a similar letter of support from the *National Olympic Committee* or *National Anti-Doping Organization* in years in which the Laboratory undergoes an ISO re-accreditation audit. The renewed letter of support shall contain as a minimum:

- Guarantee of sufficient financial support annually for a minimum of 3 years
- Guarantee of sufficient numbers of *Samples* annually
- Guarantee of provision of necessary analytical facilities and instrumentation, where applicable

Any explanation of exceptional circumstances shall be given due consideration by *WADA*. The letter of support does not in any way require exclusive support for only one Laboratory.

Letters of support from international sport organizations such as International Federations could also be provided in addition to the above mentioned letters.

If the Laboratory as an organization is linked to host organizations (e.g. university, hospital...), an official letter of support from the host organizations shall be renewed for each year in which the Laboratory undergoes a ISO re-accreditation audit and shall include the following information:

- Documentation of the administrative support for the Laboratory
- Financial support for the Laboratory, if relevant
- Guarantee of provision of necessary analytical facilities and instrumentation
- Support for the research activities

4.2.4 Minimum number of *testing Samples*

The Laboratory shall periodically provide, at the request of *WADA* a report documenting all test results reported in a format to be specified by *WADA*.

In order to maintain proficiency, *WADA*-accredited Laboratories are required to analyze a minimum of 1500 *Doping Control Samples* per year that are provided by a Testing Authority. If the Laboratory fails to analyze this number of *Samples*, accreditation will be suspended or revoked, dependent on the circumstances.

4.2.5 Proficiency testing program

The Laboratories are required to successfully participate in the *WADA* Proficiency Testing program. The program is described in more detail in Annex A.

4.2.6 Reporting

The Laboratory shall simultaneously report to *WADA* and the relevant International Federation all *Adverse Analytical Findings* that have been reported to a Testing Authority. All reporting shall be in accord with the confidentiality requirements of the *Code*.

4.2.7 Code of Ethics

The Laboratory shall provide documentation of compliance with the provisions of the Code of Ethics (Annex B) relevant for a *WADA* accredited Laboratory. The Laboratory Director shall send a letter of compliance to *WADA* every year.

4.2.8 Sharing of knowledge

The Laboratory shall demonstrate their willingness and ability to share knowledge with other *WADA* Accredited Laboratories. A description of this sharing is provided in the Code of Ethics (Annex B).

4.2.9 Research

The Laboratory shall maintain an updated 3-year plan for research and development in the field of *Doping Control*, including an annual budget in this area.

The Laboratory should document the publication of results of the research in relevant scientific papers in the peer-reviewed literature. These documents shall be made available to *WADA* upon request. The Laboratory may also demonstrate a research program by documenting successful or pending applications for research grants.

4.3 Special Requirements for Major *Events*

The Laboratory support for the Olympic Games and other major *Events* may be such that the accredited Laboratory facilities are not adequate. This may require re-location of the Laboratory to a new facility, the addition of personnel, or the acquisition of additional equipment. The Laboratory Director of the *WADA*-accredited Laboratory designated to perform the testing shall be responsible to ensure that the quality management system is maintained.

4.3.1 Satellite facility of an accredited Laboratory

If the Laboratory is required to move or extend its operation temporarily to a new physical location, the Laboratory must demonstrate a valid ISO/IEC 17025 accreditation with primary compliance with the Application of ISO/IEC 17025 to the Analysis of *Doping Control Samples* for the new facility ("satellite facility").

Any methods or equipment unique to the satellite facility must be validated prior to the satellite facility accreditation audit. Any changes to methods or other procedures in the quality manual must also be validated prior to the audit.

4.3.2 Personnel

The Laboratory shall report to *WADA* any senior personnel (e.g., certifying scientists, quality system management staff, supervisors, etc.) temporarily working in the Laboratory. The Laboratory Director shall ensure that these personnel are adequately trained in the methods, policies, and procedures of the Laboratory. Particular emphasis should be given to the Code of Ethics and the confidentiality of the results management process. Adequate documentation of training of these temporary employees should be maintained by the Laboratory.

4.3.3 Proficiency testing

WADA may, at its sole discretion, submit proficiency testing samples to the Laboratory for analysis. The samples shall be analyzed by the same methods used in the testing of *Samples* from a Testing Authority. These samples may be part of the ISO/IEC 17025 audit in conjunction with the national accrediting body. Failure(s) to successfully complete the proficiency test will be considered by *WADA* in deciding whether to accredit the Laboratory. In the event of an unacceptable report, the Laboratory shall document the changes instituted to remedy the failure.

The proficiency testing process should include any additional personnel that are added to the staff for the major *Event*. The samples should be analyzed using the protocols and procedures that will be used for analysis of *Samples* for the *Event*.

4.3.4 Reporting

The Laboratory shall document that the reporting of test results maintains confidentiality.

5.0 Application of ISO 17025 to the Analysis of Doping Control Samples

5.1 Introduction and Scope

This section of the document is intended as an application as described in Annex B.4 (Guidelines for establishing applications for specific fields) of ISO/IEC 17025 for the field of *Doping Control.* Any aspect of testing or management not specifically discussed in this document shall be governed by ISO/IEC 17025 and, where applicable, by ISO 9001. The application focuses on the specific parts of the processes that are critical with regard to the quality of the laboratory's performance as a *Doping Control* Laboratory. These processes have been determined to be critical to the defined ISO 17025 criteria and are therefore determined to be significant in the evaluation and accreditation process.

This section introduces the specific performance standards for a *Doping Control* Laboratory. The conduct of testing is considered a process within the definitions of ISO 9001. Performance standards are defined according to a process model where the *Doping Control* Laboratory practice is structured into three main categories of processes:

- Analytical and technical processes
- Management processes
- Support processes

Wherever possible, the application will follow the format of the ISO 17025 document. The concepts of the quality management system, continuous improvement, and customer satisfaction included in ISO 9001 have been included.

5.2 Analytical and Technical Processes

5.2.1 Receipt of *Samples*

5.2.1.1 *Samples* may be received by any method authorized by *the International Standard* for Testing.

5.2.1.2 The transport container shall first be inspected and any irregularities recorded.

5.2.1.3 The name and signature (or other means of identification and recording) of the *Person* delivering or transferring custody of the shipped *Samples*, the date, the time of receipt, and the name and signature of the Laboratory representative receiving the *Samples*, shall be documented as part of the Laboratory Internal Chain of Custody record.

5.2.2 Handling of *Samples*

5.2.2.1 The Laboratory shall have a system to uniquely identify the *Samples* and associate each *Sample* with the collection document or other external chain of custody.

5.2.2.2 The Laboratory shall have Laboratory Internal Chain of Custody procedures to maintain control of and accountability for *Samples* from receipt through final disposition of the *Samples*. The procedures must incorporate the concepts presented in the *WADA* Technical Document for Laboratory Internal Chain of Custody (Annex C).

5.2.2.3 The Laboratory shall observe and document conditions that exist at the time of receipt that may impact on the integrity of a *Sample* report. For example, irregularities noted by the Laboratory should include, but are not limited to:

- *Sample* tampering is evident.
- *Sample* is not sealed with tamper-resistant device or seal upon receipt.
- *Sample* is without a collection form (including *Sample* identification code) or a blank form is received with the *Sample*.

- *Sample* identification is unacceptable. For example, the number on the bottle does not match the *Sample* identification number on the form.
- *Sample* volume is extremely low

5.2.2.4 The Laboratory should notify and seek advice from the Testing Authority regarding rejection and testing of *Samples* for which irregularities are noted.

5.2.2.5 The Laboratory shall retain the A and B *Sample*(s) for a minimum of three (3) months after the Testing Authority receives a negative report. The *Samples* shall be retained frozen under appropriate conditions.

Samples with irregularities shall be held frozen for a minimum of three (3) months following the report to the Testing Authority.

5.2.2.6 The Laboratory shall retain the *Sample(s)* with an *Adverse Analytical Finding* for a minimum of three (3) months after the Testing Authority receives the final analytical (A or B *Sample*) report. The *Sample* shall be stored frozen under appropriate conditions during the long term storage.

5.2.2.7 If the Laboratory has been informed by the Testing Authority that the analysis of a *Sample* is challenged or disputed, the *Sample* shall be retained frozen under appropriate conditions and all the records pertaining to the *Testing* of that *Sample* shall be stored until completion of any challenges.

5.2.2.8 The Laboratory shall maintain a policy pertaining to retention, release, and disposal of *Samples* or Aliquots.

5.2.2.9 The Laboratory shall maintain custody information on the transfer of *Samples*, or portions thereof to another Laboratory.

5.2.3 Sampling and Preparation of Aliquots for Testing

5.2.3.1 The Laboratory shall maintain Laboratory Internal Chain of Custody procedures for control of and accountability for all Aliquots from preparation through disposal. The procedures must incorporate the concepts presented in the *WADA* Technical Document for Laboratory Internal Chain of Custody.

5.2.3.2 Before the initial opening of a *Sample* bottle, the device used to ensure integrity of the *Sample* (e.g., security tape or a bottle sealing system) shall be inspected and the integrity documented.

5.2.3.3 The Aliquot preparation procedure for any Screening Procedure or Confirmation Procedure shall ensure that no risk of contamination of the *Sample* or Aliquot exists.

5.2.4 Testing

5.2.4.1 Urine integrity testing

5.2.4.1.1 The Laboratory must have a written policy establishing the procedures and criteria for *Sample* integrity tests.

5.2.4.1.2 The Laboratory should note any unusual condition of the urine – for example: color, odor, or foam. Any unusual conditions should be recorded and included as part of the report to the Testing Authority.

5.2.4.1.3 The Laboratory shall test for the pH and specific gravity as urine integrity parameters on the "A" *Sample*. Other tests may be performed if requested by the Testing Authority and approved by *WADA*

5.2.4.2 Urine screen testing

5.2.4.2.1 The Screening Procedure(s) shall detect the *Prohibited Substance*(s) or *Metabolite(s)* of *Prohibited Substance*(s), or *Marker*(s) of the *Use* of a *Prohibited Substance* or *Method* for all substances listed in the *Out-of-Competition* or *In-competition* Section of the *Prohibited List as appropriate* for which there is a *WADA*-accepted screening method. *WADA* may make specific exceptions to this section.

5.2.4.2.2 The Screening Procedure shall be performed with a *WADA*-accepted validated method that is appropriate for the substance or method being tested. The criteria for accepting a screening result and allowing the testing of the *Sample* to proceed must be scientifically valid.

5.2.4.2.3 All screening assays shall include negative and positive controls in addition to the *Samples* being tested.

5.2.4.2.4 For analytes that must exceed a threshold for reporting as an *Adverse Analytical Finding*, appropriate controls shall be included in the screening assay. Screening Procedures for Threshold Substances are not required to meet quantitative or uncertainty requirements.

5.2.4.3 Urine confirmation testing

All Confirmation Procedures must be documented and meet applicable uncertainty requirements. The objective of a Confirmation Procedure is to ensure the identification and/or quantification and to exclude any technical deficiency in the Screening Procedure. Since the objective of the confirmation assay is to accumulate additional information regarding an adverse finding, a Confirmation Procedure should have greater selectivity/discrimination than a Screening Procedure.

5.2.4.3.1 "A" *Sample* Confirmation

5.2.4.3.1.1 Presumptive identification from a Screening Procedure of a *Prohibited Substance*, *Metabolite*(s) of a *Prohibited Substance*, or *Marker*(s) of the *Use* of a *Prohibited Substance* or *Method* must be confirmed using a second Aliquot(s) taken from the original "A" *Sample*.

5.2.4.3.1.2 Mass spectrometry coupled to either gas or liquid chromatography is the method of choice for confirmation of *Prohibited Substances*, *Metabolite*(s) of a *Prohibited Substance*, or *Marker*(s) of the *Use* of a *Prohibited Substance* or *Method*. GC/MS or HPLC/MS are acceptable for both Screening Procedures and Confirmation Procedures for a specific analyte.

5.2.4.3.1.3 Immunoassay for confirmation of prohibited proteins, peptides, mimetics, and analogues or *Marker*(s) of their *Use* is permitted. The immunoassay used for confirmation must use a procedure with a different antibody that should recognise a different epitope of the peptide/protein than the assay used for screening.

5.2.4.3.1.4 The Laboratory must have a policy to define those circumstances where the confirmation testing of an "A" *Sample* may be repeated (e.g., batch quality control failure). Each repeat confirmation must be documented and be completed on a new Aliquot of the "A" *Sample*.

5.2.4.3.1.5 The Laboratory is not required to confirm every *Prohibited Substance* that is identified by the Screening Procedures. The decision on the prioritization on order of confirmation(s) should be made in cooperation with the Testing Authority and the decision documented. In addition, no Certificate of Analysis or final written Test Report incorporating a Presumptive Analytical Finding shall be issued.

5.2.4.3.2 "B" *Sample* Confirmation

5.2.4.3.2.1 In those cases where confirmation of a *Prohibited Substance*, *Metabolite(s)* of a *Prohibited Substance*, or *Marker*(s) of the *Use* of a *Prohibited Substance* or *Method* is requested in the "B" *Sample*, the "B" *Sample* analysis should occur as soon as possible and should be completed within thirty (30) days of notification of an "A" *Sample Adverse Analytical Finding.*

5.2.4.3.2.2 The "B" *Sample* confirmation must be performed in the same Laboratory as the "A" *Sample* confirmation. A different

analyst must perform the "B" analytical procedure. The same individual(s) that performed the "A" analysis may perform instrumental set up and performance checks and verify results.

5.2.4.3.2.3 The B *Sample* result must confirm the A *Sample* identification for the *Adverse Analytical Finding* to be valid. The mean value for the B *Sample* finding for Threshold Substances is required to exceed that threshold including consideration of uncertainty.

5.2.4.3.2.4 The *Athlete and/or a* representative, a representative of the entity responsible for *Sample* collection or results management, a representative of the *National Olympic Committee*, National Sport Federation, International Federation, and a translator shall be authorized to attend the "B" confirmation.

In the absence of all of the above persons, the Testing Authority or the Laboratory shall appoint a surrogate (independent witness) to verify that the "B" *Sample* container shows no signs of tampering and that the identifying numbers match that on the collection documentation.

The Laboratory Director may limit the number of individuals in Controlled Zones of the Laboratory based on safety or security considerations.

The Laboratory Director may remove, or have removed by proper authority, any *Athlete* or representative that is interfering in the testing process. Any behavior resulting in removal should be reported to the Testing Authority and may be considered anti-*doping rule violation in accordance with Article 2.5 of the Code*, "*Tampering*, or *Attempting* to tamper, with any part of *Doping Control*".

5.2.4.3.2.5 Aliquots taken for analysis must be taken from the original "B" *Sample*.

5.2.4.3.2.6 The Laboratory must have a policy to define those circumstances when confirmation testing of the "B" *Sample* may be repeated. Each repeat confirmation should be performed on a new Aliquot of the "B" *Sample*.

5.2.4.3.2.7 If the "B" *Sample* confirmation does not provide analytical findings that confirm the "A" *Sample* result, the *Sample* shall be considered negative and the Testing Authority notified of the new analytical finding.

5.2.4.4 Alternative biological matrices screening and confirmatory testing

5.2.4.4.1 Unless otherwise defined, this application applies only to the analysis of urine *Samples*. Blood, plasma, and serum are acceptable matrices for testing in certain circumstances. Specific requirements for the testing of these matrices are not included in the scope of this document and will be promulgated separately.

5.2.4.4.2 Any testing results of hair, nails, oral fluid or other biological material shall not be used to counter *Adverse Analytical Findings* from urine.

5.2.5 Results Management

5.2.5.1 Review of results

5.2.5.1.1 A minimum of two certifying scientists must independently review all *Adverse Analytical Findings* before a report is issued. The review process shall be documented.

5.2.5.1.2 At a minimum, the review shall include:

- Laboratory Internal Chain of Custody documentation
- Urine integrity data
- Validity of the analytical screening and confirmation data and calculations
- Quality control data
- Completeness of documentation supporting the reported analytical findings

5.2.5.1.3 When an *Adverse Analytical Finding* is rejected, the reason(s) must be documented.

5.2.6 Documentation and Reporting

5.2.6.1 The Laboratory must have documented procedures to ensure that it maintains a coordinated record related to each *Sample* analyzed. In the case of an *Adverse Analytical Finding*, the record must include the data necessary to support the conclusions reported (as set forth in the Technical Document, Laboratory Documentation Packages) In general, the record should be such that in the absence of the analyst, another competent analyst could evaluate what tests had been performed and interpret the data.

5.2.6.2 Each step of testing shall be traceable to the staff member who performed that step.

5.2.6.3 Significant variance from the written procedure shall be documented as part of the record (e.g., memorandum for the record).

5.2.6.4 Where instrumental analyses are conducted, the operating parameters for each run shall be recorded.

5.2.6.5 Reporting of "A" *Sample* results should occur within ten (10) working days of receipt of the *Sample*. The reporting time required for specific competitions may be substantially less than ten days. The reporting time may be modified by agreement between the Laboratory and the Testing Authority.

5.2.6.6 The Laboratory Certificate of Analysis or Test Report shall include, in addition to the items stipulated in ISO 17025, the following:

- *Sample* identification number
- Laboratory identification number (if any)
- Status of test (*Out of competition/In-competition*)
- Name of competition and/or sport
- Date of receipt of *Sample*
- Date of report
- Type of sample (urine, blood, etc.)
- Test results
- Signature of certifying individual
- Other information as specified by the Testing Authority.

5.2.6.7 The Laboratory is not required to measure or report a concentration for *Prohibited Substances* for a non-threshold analyte. The Laboratory should report the actual *Prohibited Substance*(s), *Metabolite*(s) of the *Prohibited Substance*(s) or *Method*(s), or *Marker*(s) detected in the *Sample*.

5.2.6.8 For Threshold Substances, the Laboratory report should establish that the *Prohibited Substance* or its *Metabolite(s)* or *Marker(s)* of a *Prohibited Method* is present at a concentration greater than the threshold concentration taking into consideration the uncertainty in concluding that the concentration in the *Sample* exceeds the threshold. The estimate of uncertainty should not be included on the Certificate of Analysis or Test Report but must be included in Laboratory Documentation Packages.

5.2.6.9 The Laboratory shall have a policy regarding the provision of opinions and interpretation of data. An opinion or interpretation may be included in the Certificate of Analysis or Test Report provided that the opinion or interpretation is clearly identified as such. The basis upon which the opinion has been made shall be documented.

Note: An opinion or interpretation may include, but not be limited to, recommendations on how to use results, information related to the pharmacology, metabolism and pharmacokinetics of a substance, and whether an observed result is consistent with a set of reported conditions.

5.2.6.10 In addition to reporting to the Testing Authority, the Laboratory shall simultaneously report any *Adverse Analytical Findings* to *WADA* and the responsible International Federation. In the case where the sport or *Event* is not associated with an International Federation (e.g., college sports) or the *Athletes* are not members of an International Federation, the Laboratory is required to report *Adverse Analytical Findings* only to *WADA*. All reporting shall be in accord with the confidentiality requirements of the *Code*.

5.2.6.11 The Laboratory shall report quarterly to *WADA*, in a format specified by *WADA* , a summary of the results of all tests performed. No information that could link an *Athlete* with an individual result will be included. The report will include a summary of any *Samples* rejected for testing and the reason for the rejection.

When the clearinghouse is in place, the Laboratory shall simultaneously report to *WADA* all information reported to the Testing Authority, according to the requirements listed in Section 5.2.6.6, in lieu of the paragraph above. The information will be used to generate summary reports.

5.2.6.12 Laboratory Documentation Packages shall contain material specified in the *WADA* Technical Document on Laboratory Documentation Packages.

5.2.6.13 *Athlete* confidentiality is a key concern for all Laboratories engaged in *Doping Control* cases. Confidentiality requires extra safeguards given the sensitive nature of these tests.

5.2.6.13.1 Testing Authority requests for information must be made in writing to the Laboratories.

5.2.6.13.2 *Adverse Analytical Findings* shall not be provided by telephone.

5.2.6.13.3 Information sent by a facsimile is acceptable if the security of the receiving facsimile machine has been verified and procedures are in place to ensure that the facsimile has been transmitted to the correct facsimile number.

5.2.6.13.4 Unencrypted email is not authorized for any reporting or discussion of *Adverse Analytical Findings* if the *Athlete* can be identified or if any information regarding the identity of the *Athlete* is included. The Laboratory shall also provide any information requested by *WADA* in conjunction with the Monitoring Program, as set forth in Article 4.5 of the *Code*.

5.3 Quality Management Processes

5.3.1 Organization

5.3.1.1 Within the framework of ISO/IEC 17025, the Laboratory shall be considered a testing laboratory (and not a calibration laboratory).

5.3.1.2 The Laboratory (Scientific) Director shall have the responsibilities of the Chief Executive, unless otherwise noted.

5.3.2 Quality Policy and Objectives

5.3.2.1 The Quality Policy and implementation shall meet the requirements of ISO/IEC 17025 Section 4.2 Quality Management System and shall include a quality manual that describes the quality system.

5.3.2.2 A single staff member should be appointed as the Quality Manager and should have responsibility and authority to implement and ensure compliance with the quality system.

5.3.3 Document Control

The control of documents that make up the Quality Management System shall meet the requirements of ISO/IEC 17025 Section 4.3 Document Control

5.3.3.1 The Laboratory Director (or designee) shall approve the Quality Manual and all other documents used by staff members in completing testing.

5.3.3.2 The Quality Management System shall ensure that the contents of *WADA* Technical Documents are incorporated into the appropriate manuals by the effective date and that training is provided and documented. If this is not possible, *WADA* should be contacted with a written request for an extension.

5.3.4 Review of requests, tenders, and contracts

Review of legal documents or agreements related to testing must meet the requirements of ISO/IEC 17025 Section 4.4.

The Laboratory shall ensure that the Testing Authority is informed concerning the tests that can be performed on *Samples* submitted for analysis.

5.3.5 Subcontracting of tests

A *WADA*-accredited Laboratory must perform all work with its own personnel and equipment within its accredited facility. In the case of specific technologies that may not be available in the Laboratory (e.g., GC/C/IRMS, Isoelectric focusing [EPO/NESP]), a *Sample* may be transferred to another *WADA*-accredited Laboratory in which the technology is within the scope of analysis.

In exceptional circumstances, *WADA* may elect to grant specific authorization for subcontracting part of the tasks. In such cases, assurance of maintaining the level of quality and the appropriate chain of custody throughout the entire process is the responsibility of the Laboratory Director of the *WADA*-accredited Laboratory.

5.3.6 Purchasing of services and supplies

5.3.6.1 Chemicals and reagents
Chemicals and reagents must be suitable for the purpose and be of established purity. Reference purity documentation must be obtained when available and retained in the quality system documents.

In the case of rare or difficult to obtain reagents, Reference Materials, or Reference Collections, particularly for use in qualitative methods, the expiration date of the solution can be extended if adequate documentation exists that no significant deterioration has occurred.

5.3.6.2 Waste disposal shall be in accord with national laws and other relevant regulations. This includes biohazard materials, chemicals, controlled substances, and radioisotopes, if used.

5.3.6.3 Environmental health and safety policies should be in place to protect the staff, the public, and the environment.

5.3.7 Service to the client

5.3.7.1 Service to clients shall be handled in accord with ISO/IEC 17025 Section 4.7.

5.3.7.2 Ensuring responsiveness to *WADA*
The Laboratory Director or his designee must:

- Ensure adequate communication.
- Report to *WADA* any unusual circumstances or information with regard to testing programs, patterns of irregularities in *Specimens*, or potential *Use* of new substances.
- Provide complete and timely explanatory information to *WADA* as appropriate and as requested to provide quality accreditation.

5.3.7.3 Ensuring Testing Authority focus

5.3.7.3.1 The Laboratory Director shall be familiar with the Testing Authority rules and the *Prohibited List*.

5.3.7.3.2 The Laboratory Director should interact with the Testing Authority with respect to specific timing, report information, or other support needs. These interactions should include, but are not limited to, the following:

- Communicate with the Testing Authority concerning any significant question of testing needs or any unusual circumstance in the testing process (including delays in reporting).
- Act without bias regarding the national affiliation of the Testing Authority.
- Provide complete and timely explanations to the Testing Authority when requested or when there is a potential for misunderstanding the Test Report or Certificate of Analysis.
- Provide evidence and/or expert testimony on any test result or report produced by the Laboratory as required in administrative, arbitration, or legal proceedings.
- Respond to any comment or complaint submitted by a Testing Authority or *Anti-Doping Organization* concerning the Laboratory and its operation.

5.3.7.3.3 The Laboratory shall monitor Testing Authority satisfaction. There should be documentation that the Testing Authority concerns have been incorporated into the Laboratory Quality Management System, where appropriate.

5.3.7.3.4 The Laboratory shall develop a system, as required by ISO 17025, for monitoring key indicators of Laboratory service.

5.3.8 Complaints

Complaints shall be handled in accord with ISO/IEC 17025 Section 4.8.

5.3.9 Control of nonconforming testing work

5.3.9.1 The Laboratory shall have policies and procedures that shall be implemented when any aspect of its testing or a result from its testing does not comply to set procedures.

5.3.9.2 Documentation of any non-compliance or deviation from procedure or protocol involving a *Sample* testing shall be kept as part of the permanent record of that *Sample*.

5.3.10 Corrective action

Corrective action shall be taken in accord with ISO/IEC 17025 Section 4.10.

5.3.11 Preventive action

Preventive action shall be taken in accord with ISO/IEC 17025 Section 4.11.

5.3.12 Control of records

5.3.12.1 Technical Records

5.3.12.1.1 Analytical records on negative *Samples*, including Laboratory Internal Chain of Custody documentation and medical information (T/E ratio, steroid profiles, and blood parameters), must be

retained in secure storage for at least two (2) years. Relevant records on *Samples* with irregularities or rejected *Samples* must be retained in secure storage for at least two (2) years.

5.3.12.1.2 All analytical records on *Specimens* with an *Adverse Analytical Finding* must be retained in secure storage at least five (5) years, unless otherwise specified by the Testing Authority or by contract.

5.3.12.1.3 The raw data supporting all analytical results must be retained in secure storage for five (5) years.

5.3.13 Internal Audits

5.3.13.1 Internal audits shall be completed in accordance with the requirements of ISO/IEC 17025 Section 4.13.

5.3.13.2 Internal Audit responsibilities may be shared amongst personnel provided that any *Person* does not audit his/her own area.

5.3.14 Management Reviews

5.3.14.1 Management reviews will be conducted to meet the requirements of ISO/IEC 17025 Section 4.14.

5.3.14.2 *WADA* will publish, from time to time, specific technical recommendations in a Technical Document. Implementation of the technical recommendations described in the Technical Documents is mandatory and should occur by the effective date.

Technical Documents supersede any previous publication on a similar topic, or if applicable, this document. The document in effect will be that Technical Document whose effective date most recently precedes that of *Sample* receipt date. The current version of the Technical Document will be available on *WADA*'s website.

5.4 Support processes

5.4.1 General

General support shall be provided in accord with ISO/IEC 17025.

5.4.2 Personnel

5.4.2.1 Every person employed by, or under contract to, the Laboratory must have a personnel file accessible for auditors. The file must contain copies of the resumé, or qualification form, a description of the job, and documentation of initial and ongoing training. The Laboratory must maintain appropriate confidentiality of personal information.

5.4.2.2 All personnel should have a thorough knowledge of their responsibilities including the security of the Laboratory, confidentiality of results, Laboratory Internal Chain of Custody protocols, and the standard operating procedures for any method that they perform.

5.4.2.3 The Laboratory Director is responsible for ensuring that Laboratory personnel are adequately trained and have experience necessary to perform their duties. The certification should be documented in the individual's personnel file.

5.4.2.4 The *Doping Control* Laboratory must have a qualified person as the Laboratory Director to assume professional, organizational, educational, and administrative responsibility. The Laboratory Director qualifications are:

- Ph.D. or equivalent in one of the natural sciences or Training comparable to a Ph.D. in one of the natural sciences such as a medical or scientific degree with appropriate experience or training.
- Experience with the analysis of biological material for substances used in doping.
- Appropriate training or experience in forensic applications of *Doping Control*.

5.4.2.5 The *Doping Control* Laboratory must have qualified personnel to serve as Certifying Scientist(s) to review all pertinent data, quality control results, and to attest to the validity of the Laboratory's test reports. The qualifications are:

- Bachelors Degree in Medical Technology, Chemistry, Biology, or related natural science or equivalent. Documented experience of 8 years or more in a *Doping Control* Laboratory is equivalent to a Bachelor's degree for this position.
- Experience in the analysis of doping materials in biological fluids.
- Experience in the use of relevant analytical techniques such as chromatography, immunoassay, and Gas Chromatography/Mass Spectrometry.

5.4.2.6 Supervisory personnel should have a thorough understanding of the Quality Control procedures; the review, interpretation, and reporting of test results; maintenance of Laboratory Internal Chain of Custody; and proper remedial action to be taken in response to analytical problems. The qualifications for supervisor are:

- Bachelors Degree in Medical Technology, Chemistry, Biology, or related natural science or equivalent. Documented experience of 5 years or more in a *Doping Control* Laboratory is equivalent to a Bachelor's degree for this position.

- Experience in relevant analytical testing including the analysis of *Prohibited Substances* in biological material.
- Experience in the use of analytical techniques such as chromatography, immunoassay, and Gas Chromatography/Mass Spectrometry.
- Ability to ensure compliance with quality management systems and quality assurance processes.

5.4.3 Accommodation and environmental conditions

5.4.3.1 Environmental Control

5.4.3.1.1 Maintain appropriate electrical services

5.4.3.1.1.1 The Laboratory shall ensure that adequate electrical service is available so that there is no interruption or compromise of stored data.

5.4.3.1.1.2 All computers, peripherals, and communication devices should be supported in such a way that service is not likely to be interrupted.

5.4.3.1.1.3 The Laboratory shall have policies in place to ensure the integrity of refrigerated and/or frozen stored samples in the event of an electrical failure.

5.4.3.1.2 The Laboratory shall have a written safety policy and compliance with Laboratory safety policies shall be enforced.

5.4.3.1.3 The storage and handling of controlled substances must comply with applicable national legislation.

5.4.3.2 Security of the facility

5.4.3.2.1 The Laboratory shall have a policy for the security of its facilities, which may include a threat and risk assessment.

5.4.3.2.2 Three levels of access should be considered in the quality manual or threat assessment plan:

- Reception zone. An initial point of control beyond which unauthorized individuals must be escorted.
- Common operational zones.
- Controlled zones. Access to these areas should be monitored and records maintained of access by visitors.

5.4.3.2.3 The Laboratory shall restrict access to Controlled Zones to only authorized persons. A staff member should be assigned as the

security officer who has overall knowledge and control of the security system.

5.4.3.2.4 Unauthorized persons must be escorted within Controlled Zones. A temporary authorization may be issued to individuals requiring access to the Controlled Zones such as auditing teams and individuals performing service or repair.

5.4.3.2.5 It is advisable to have a separate Controlled Zone for *Sample* receipt and Aliquot preparation.

5.4.4 Test Methods and Method Validation

5.4.4.1 Selection of Methods
Standard methods are generally not available for *Doping Control* analyses. The Laboratory shall develop, validate, and document in-house methods for compounds present on the *Prohibited List* and for related substances. The methods shall be selected and validated so they are fit for the purpose.

5.4.4.1.1 Non-threshold Substances
Laboratories are not required to measure or report a concentration for Non-threshold Substances.

The Laboratory must develop as part of the method validation process acceptable standards for identification of *Prohibited Substances*. (See the Technical Document on Identification Criteria for Qualitative Assays)

The Laboratory must demonstrate the ability to achieve the Minimum Required Performance Limits using a representative substance or substances if the appropriate standards are available. In case a Reference Collection is used for identification, an estimate of the limit of detection for the method must be provided by assessing a representative substance.

5.4.4.1.2 Threshold Substances
The Laboratory must develop methods with an acceptable uncertainty near the threshold concentration. The method must be capable of documenting both the relative concentration and the identity of the *Prohibited Substance* or *Metabolite(s)* or *Marker(s)*.

Confirmation methods for Threshold Substances must be performed on three Aliquots from the "A" bottle and three Aliquots from the "B" bottle, if the "B" sample confirmation is performed. If insufficient Sample volume exists to analyze three Aliquots, the maximum number of Aliquots that can be prepared should be analyzed. *Adverse Analytical Finding* decisions shall be based on the mean of the measured

concentrations and include consideration of uncertainty with the coverage factor, k, reflecting the number of Aliquots analyzed and a level of confidence of 95%. Reports and documentation, where necessary, shall report the mean concentration.

5.4.4.1.3 Minimum Required Performance Limit
For both Non-threshold and Threshold Substances, the Laboratory will be required to meet a Minimum Required Performance Limit for detection, identification, and demonstration that a substance exceeds the threshold (if required).

5.4.4.2 Validation of Methods

5.4.4.2.1 Confirmation methods for Non-threshold Substances must be validated. Examples of factors relevant to determining if the method is fit for the purpose are:

- Specificity. The ability of the assay to detect only the substance of interest must be determined and documented. The assay must be able to discriminate between compounds of closely related structures.

- Identification capability. Since the results for Non-threshold substances are not quantitative, the Laboratory should establish criteria for ensuring that identification of a substance representative of the class of *Prohibited Substances* can be repeatedly identified and detected as present in the sample at a concentration near the MRPL.

- Robustness. The method must be determined to produce the same results with respect to minor variations in analytical conditions. Those conditions that are critical to reproducible results must be controlled.

- Carryover. The conditions required to eliminate carryover of the substance of interest from sample to sample during processing or instrumental analysis must be determined and implemented.

- Matrix interferences. The method should avoid interference in the detection of *Prohibited Substances* or their *Metabolites* or *Markers* by components of the sample matrix.

- Standards. Reference standards should be used for identification, if available. If there is no reference standard

available, the use of data or sample from a validated Reference Collection is acceptable.

5.4.4.2.2 Confirmation methods for Threshold Substances must be validated. Examples of factors relevant to determining if the method is fit for the purpose are:

- Specificity. The ability of the assay to detect only the substance of interest must be determined and documented. The assay must be able to discriminate between compounds of closely related structures.

- Intermediate Precision. The method must allow for the reliable repetition of the results at different times and with different operators performing the assay. Intermediate Precision at the threshold must be documented.

- Robustness. The method must be determined to produce the same results with respect to minor variations in analytical conditions. Those conditions that are critical to reproducible results must be controlled.

- Carryover. The conditions required to eliminate carryover of the substance of interest from sample to sample during processing or instrumental analysis must be determined and implemented

- Matrix interferences. The method must limit interference in the measurement of the amount of *Prohibited Substances* or their *Metabolites* or *Markers* by components of the sample matrix.

- Standards. Reference standards should be used for quantification, if available. If there is no reference standard available, the use of data or sample from a validated Reference Collection is acceptable.

- Minimum Required Performance Limits (*MRPL*). The Laboratory must demonstrate that it can detect representative compounds of each prohibited class at defined MRPLs. The Laboratory should also determine the limit of detection and limit of quantification if the MRPL is close to these limits.

- Linearity must be documented at 50% to 200% of the threshold value, unless otherwise stipulated in a Technical Document.

5.4.4.3 Estimate of Uncertainty of Method

In most cases an identification of a *Prohibited Substance*, its *Metabolite(s)* or *Marker(s)*, is sufficient to report an *Adverse Analytical Finding*. Thus, quantitative uncertainty as defined in ISO/IEC 17025 does not apply. In the identification of a compound by GC/MS or HPLC/MS, there are qualitative measures that substantially decrease the uncertainty of identification.

In the case of a Threshold Substance, uncertainty in both the identification and the finding that the substance is present in an amount greater than the threshold concentration must be addressed.

5.4.4.3.1 Uncertainty in identification

The appropriate analytical characteristics must be documented for a particular assay. The Laboratory must establish criteria for identification of a compound at least as strict as those stated in any relevant Technical Document.

5.4.4.3.2 Uncertainty in establishing that a substance exceeds a threshold.

The purpose of threshold reporting in *Doping Control* is to establish that the *Prohibited Substance* or its *Metabolite*(s) or *Marker*(s) are present at a concentration greater than the threshold value. The method, including selection of standards and controls, and report of uncertainty should be designed to fit the purpose.

5.4.4.3.2.1 Uncertainty of quantitative results, particularly at the threshold value, should be addressed during the validation of the assay through measurement of Repeatability, Intermediate Precision and bias, where possible.

5.4.4.3.2.2 The expression of uncertainty should use the expanded uncertainty using a coverage factor, k, to reflect a level of confidence of 95 %. The expression of uncertainty may also take the form of a one-sided t-test at a level of confidence of 95 %.

5.4.4.3.2.3 Uncertainty may be further addressed in Technical Documents in order to reflect the purpose of analysis for the specific substances.

5.4.4.4 Control of Data

5.4.4.4.1 Data and Computer Security

5.4.4.4.1.1 Access to computer terminals, computers, or other operating equipment shall be controlled by physical access and by multiple levels of access controlled by

passwords or other means of employee recognition and identification. These include, but are not limited to account privileges, user identification codes, disk access, and file access control.

5.4.4.4.1.2 The operating software and all files shall be backed up on a regular basis and a current copy kept off site at a secure location.

5.4.4.4.1.3 The software shall prevent the changing of results unless there is a system to document the person doing the editing and that editing can be limited to users with proper level of access.

5.4.4.4.1.4 All data entry, recording of reporting processes and all changes to reported data shall be recorded with an audit trail. This shall include the date and time, the information that was changed, and the individual performing the task.

5.4.5 Equipment

5.4.5.1 A List of available equipment is to be established and maintained.

5.4.5.2 As part of a quality system, the Laboratories shall operate a program for the maintenance and calibration of equipment according to ISO 17025 Section 5.5.

5.4.5.3 General service equipment that is not used for making measurements should be maintained by visual examination, safety checks, and cleaning as necessary. Calibrations are only required where the setting can significantly change the test result. A maintenance schedule shall be established for items such as fume hoods, centrifuges, evaporators, etc, which are used in the test method.

5.4.5.4 Equipment or volumetric devices used in measuring shall have periodic performance checks along with servicing, cleaning, and repair.

5.4.5.5 Qualified subcontracted vendors may be used to service, maintain, and repair measuring equipment.

5.4.5.6 All maintenance, service, and repair of equipment must be documented.

5.4.6 Measurement Traceability

5.4.6.1 Reference Standards
Few of the available reference drug and drug *Metabolite*(s) are traceable to national or international standards. When available, reference drug or drug *Metabolite*(s) traceable to a national standard or certified by a body of recognized status, such as USP, BP, Ph.Eur. or WHO, should be used. When available, a certificate of analysis or authenticity shall be obtained.

When a reference standard is not certified, the Laboratory shall verify its identity and purity by comparison with published data or by chemical characterization.

5.4.6.2 Reference Collections
A collection of samples or isolates may be obtained from a biological matrix following an authentic and verifiable administration of a *Prohibited Substance* or *Method*, providing that the analytical data are sufficient to justify the identity of the relevant chromatographic peak or isolate as a *Prohibited Substance* or *Metabolite* of a *Prohibited Substance* or *Marker* of a *Prohibited Substance* or Method

5.4.7 Assuring the quality of test results

5.4.7.1 The Laboratory must participate in the *WADA* Proficiency Testing Program.

5.4.7.2 The Laboratory shall have in place a quality assurance system, including the submission of blind quality control samples, that challenges the entire scope of the testing process (i.e, sample receipt and accessioning through result reporting).

5.4.7.3 Analytical performance should be monitored by operating quality control schemes appropriate to the type and frequency of testing performed by the Laboratory. The range of quality control activities includes:

- Positive and negative controls analyzed in the same analytical run as the Presumptive *Adverse Analytical Finding Sample*.
- The use of deuterated or other internal standards or standard addition.
- Comparison of mass spectra or ion ratios from selected ion monitoring (SIM) to a Reference Material or Reference Collection sample analyzed in the same analytical run
- Confirmation of the "A" and "B" Split Samples.

- Quality control charts using appropriate control limits (e.g., ± 20% of the target value) depending on the analytical method employed.
- The quality control procedures should be documented in the Laboratory.

6.0 Process of *WADA* Accreditation

This section describes the technical and financial requirements the laboratory must fulfill in the process of being accredited by *WADA*. The description of the steps in the accreditation process is linked to the defined requirement presented in Section 4.

6.1 Applying for a *WADA* Laboratory Accreditation

6.1.1 Submit Application Form

The laboratory must fill in the necessary information in the Application Form as provided by *WADA* and deliver this to *WADA* with the required documentation and applicable fee. The Application shall be signed by the Laboratory Director and, if relevant, by the Director of the host organization.

6.1.2 Description of Laboratory

As preparations for an initial visit by *WADA*, the laboratory shall complete a questionnaire provided by *WADA* and submit it to *WADA* no later than four weeks after the receipt of the questionnaire. The following information shall be submitted through the questionnaire:

- List of staff and their qualifications
- Description of physical facilities, including a description of the security considerations for *Samples* and records
- List of proposed and actual instrumental resources and equipment
- List of available Reference Materials or standards, or plans to acquire Reference Materials or standards, including properly validated biological *Sample* Reference Collections
- Financial or business plan for the laboratory

WADA may require an update of this documentation during the process of accreditation.

6.1.3 Provide a letter of support

According to 4.1.2 the laboratory shall provide necessary letters of support containing the required information from the relevant national public authorities, or *National Olympic Committee*, or *National Anti-Doping Organization.*

6.1.4 Conduct Initial visit

If necessary, *WADA* shall conduct an initial visit (2-3 days) to the laboratory at the laboratory's expense. The purpose of this visit is to clarify issues with regard to the accreditation process and the defined requirements in *the International Standard* for

Laboratories and to obtain information about different aspects of the laboratory relevant for the accreditation.

6.1.5 Issue final report and recommendation

Within eight (8) weeks after the initial visit or the receipt of the questionnaire, *WADA* will complete and submit a report to the laboratory. In the report *WADA* will make the necessary recommendations concerning giving the laboratory status as a *WADA* Probationary laboratory or if this is not the case, identifying needed improvements in order to be a *WADA* Probationary laboratory.

6.2 Preparing for *WADA* Laboratory Accreditation

A probationary period shall be defined for a *WADA* Probationary Laboratory. The period will range from 12 to 24 months depending on the status of the laboratory with regard to the defined requirements (refer to Section 4.1). The main purpose of this period is that the laboratory shall prepare for initial accreditation. During this period, *WADA* will provide appropriate feedback to assist the laboratory in improving the quality of its testing process. In this period the laboratory shall:

6.2.1 Obtain ISO 17025 accreditation

The laboratory shall prepare and establish the required documentation and system according to the requirements in Application of ISO 17025 to Analysis of *Doping Control Sample* (Section 5) and the ISO 17025. Based on this, the laboratory shall initiate and prepare for the accreditation process by consulting with a relevant national accreditation body. An audit team consisting of representatives from a national accreditation body, including independent technical assessors recommended by *WADA* will audit the laboratory. Copies of the Audit Report shall be sent to *WADA*. The laboratory has to correct any identified non-conformities within defined time-frames and document this accordingly. Copies of the documentation of the correction of the non-conformities should be sent to *WADA*.

6.2.2 Participate in the *WADA* Proficiency Testing Program

The laboratory must complete a minimum of one year of successful participation in the *WADA* Proficiency Testing program prior to achieving initial accreditation. (See Annex A for description of the Proficiency Testing program.)

As a final proficiency test, the laboratory shall analyze 20-50 urine *Samples* in the presence of a *WADA* representative. Costs associated with the *WADA* on-site visit shall be at the laboratory's expense. The laboratory shall successfully identify and/or document a concentration in excess of the threshold of all of *the Prohibited Substances*, *Metabolite*(s) of *Prohibited Substances*, or *Marker*(s) of *Prohibited Substances* or Methods within five (5) days of the laboratory opening the *Samples*. The laboratory shall provide a Certificate of Analysis for each of the *Samples* in the proficiency test. For negative *Samples*, *WADA* may request all or a portion of the negative screening data. For each of the *Samples* for which there is an *Adverse Analytical Finding*, the laboratory shall provide a Laboratory Documentation Package. This data shall be submitted within two (2) weeks of submission of the initial report.

6.2.3 Implement Code of Ethics

The laboratory shall communicate the Code of Ethics (Annex B) to all employees and ensure understanding of and commitment to the different aspects of the Code of Ethics.

6.2.4 Plan and implement research activities

The laboratory shall develop a plan for its research and development activities in the field of *Doping Control* within a 3 year period including a budget. At least two research and development activities shall be initiated and implemented within the probationary period.

6.2.5 Plan and implement sharing of knowledge

The laboratory shall prepare and convey information and knowledge on at least two specific issues to the other *WADA* accredited Laboratories within the probationary period.

6.3 Obtaining *WADA* Accreditation

6.3.1 Participate in a *WADA* accreditation audit

In the last phase of the probationary period *WADA* will prepare in cooperation with the laboratory a final *WADA* accreditation audit. Representatives of *WADA* will audit compliance of the defined requirements in the Application of ISO 17025 to Analysis of *Doping Control Samples* (Section 5) and the practice and documentation of the laboratory. If *WADA* has participated in the initial ISO audit, the final *WADA* audit may be a document audit. Otherwise, the audit can be conducted together with the national accreditation body or separately if more practical. Should an on-site audit take place by *WADA*, the associated cost shall be at the laboratory's expense. Based on the audit, *WADA* will issue an Audit Report and submit this to the laboratory. If needed, the laboratory will have to correct identified non-compliances within defined time-frames and report these to *WADA*.

6.3.2 *WADA* report and recommendation

Based on the relevant documentation from the laboratory, any *WADA* technical advisor feedback, and the relevant accreditation body (Audit Report), *WADA* will make a final report including a recommendation concerning the accreditation of the laboratory. The report and recommendation will be submitted to the *WADA* Executive Committee for approval. In case that the recommendation is that the laboratory should not be accredited, the laboratory will have a maximum of six (6) months to correct and improve specific parts of their operation, at which time a further report will be made by *WADA*.

6.3.3 Issue and publication of Accreditation certificate

A certificate signed by a duly authorized representative of *WADA* shall be issued in recognition of an accreditation. Such certificate shall specify the name of the Laboratory and the period for which the certificate is valid. Certificates may be

issued after the effective date, with retroactive effect. A list of accredited Laboratories will be published annually by *WADA*.

6.4 Maintaining *WADA* Accreditation

6.4.1 Provide a new letter of support

Letter(s) of Support from a national public authority or *National Olympic Committee or National Anti-Doping Organization* responsible for a national *Doping Control* program or an International Federation responsible for an international *Doping Control* program shall be required in years in which there is an ISO 17025 re-accreditation audit.

A letter of support from the host organization renewing its commitment to the Laboratory shall also be required in conjunction with each ISO 17025 re-accreditation audit.

6.4.2 Document annual number of tests

The Laboratory shall periodically report the results of all tests performed to *WADA* in a specified format. *WADA* will monitor *Sample* test volume performed by the Laboratory. If the number of *Samples* falls below 1500 per year, *WADA* Laboratory accreditation will be suspended or revoked in accordance with Section 6.4.8.

6.4.3 Flexible Accreditation

WADA accredited Laboratories may add or modify scientific methods or add analytes to its scope of work without the need for approval by the body that completed the ISO/IEC 17025 accreditation of that Laboratory. Any analytical method or procedure must be properly selected and validated and included in the scope of the Laboratory at the next ISO audit if use is continued.

6.4.4 Document Compliance with the *WADA* Laboratory Code of Ethics

The Laboratory Director must send a letter of compliance to *WADA* every year.
The Laboratory may be asked to provide documentation of compliance with the provisions of the Code of Ethics (Annex B).

6.4.5 Document implemented research activities

The Laboratory must supply an annual progress report to *WADA* documenting research and development results in the field of *Doping Control* and dissemination of the results. The Laboratory should also relate research and development plans for the next year.

6.4.6 Document implemented sharing of knowledge

The Laboratory must supply an annual report sharing of knowledge with all other *WADA*-accredited Laboratories.

6.4.7 Participate in *WADA*/ISO periodical audits and the re-accreditation audit

WADA reserves the right to inspect and audit the Laboratory at any time. The notice of the audit/inspection will be made in writing to the Laboratory Director. In exceptional circumstances, the audit/inspection may be unannounced.

6.4.7.1 *WADA*/ISO Re-accreditation audit

The Laboratory must receive ISO/IEC 17025 accreditation including compliance with the Application of ISO 17025 for Analysis of *Doping Control Samples* (Section 5 of this document). The audit team may include a *WADA* Consultant to augment the auditing team selected by the national accrediting body for the re-accreditation audit.

Copies of the audit summary report as well as the Laboratory responses must be sent to *WADA*. The Laboratory shall also provide a copy of the ISO 17025 certificate obtained from the national certifying body.

6.4.7.2 ISO Periodical audit

In years when a periodical ISO/IEC 17025 audit is required, the Laboratory shall provide *WADA* with a copy of any external audits and evidence of corrective actions for any non-compliance.

6.4.8 *WADA* report and recommendation

WADA will annually review Laboratory compliance with the requirements listed in Sections 4 and 5. With the exception of re-accreditation and other required on-site audits, the annual review will consist of a documentation audit. *WADA* may require documentation from the Laboratory. Failure of the Laboratory to provide information requested in evaluating performance by the specified date shall be considered a refusal to cooperate and result in Suspension or Revocation of accreditation.

WADA will consider the overall performance of the Laboratory in making decisions regarding continued accreditation. Applicant Laboratory performance on aspects of the standards described in Section 5 (such as turn-around times, Documentation Package contents, and feedback from client organizations) may be considered in this auditing.

6.4.8.1 Maintenance of accreditation

In the event that the Laboratory has maintained satisfactory performance, *WADA* will recommend to the *WADA* Executive Committee that the Laboratory be re-accredited.

6.4.8.2 Suspension of accreditation

Whenever *WADA* has reason to believe that Suspension may be required and that immediate action is necessary in order to protect the interests of *WADA* and the Olympic movement, *WADA* may immediately suspend a Laboratory's accreditation. If necessary, such decision may be taken by the Chairman of the *WADA* Executive Committee.

Examples of actions that could result in Suspension of accreditation include:

- Suspension of ISO 17025 accreditation;
- failure to take appropriate corrective action after an unsatisfactory performance;
- lack of compliance with any of the requirements or standards listed in *WADA International Standard* for Laboratories (including Annex A. Proficiency Testing);
- failure to cooperate with *WADA* or the relevant Testing Authority in providing documentation;
- failure to comply with the *WADA* Laboratory Code of Ethics.

WADA may recommend a Suspension of accreditation at any time based on the results of the Proficiency Testing program.

The period and terms of Suspension shall be proportionate to the seriousness of the non-compliance(s) or lack of performance and the need to ensure accurate and reliable drug testing of *Athletes*. A period of Suspension shall be up to 6 months, during which time any non-compliance must be corrected. If the non-compliance is not corrected during the Suspension period, the Laboratory accreditation will be revoked.

In the case of a non-compliance *WADA* may suspend the Laboratory from performing analyses for any *Prohibited Substances*. If *WADA* determines that the non-compliance is limited to a class of *Prohibited Substances*, *WADA* may limit the suspension to analysis for the class of compounds in which the non-compliance occurred.

6.4.8.3 Revocation of accreditation

The *WADA* Executive Committee revokes accreditation of any Laboratory accredited under these provisions if *WADA* determines that Revocation is necessary to ensure the full reliability and accuracy of drug tests and the accurate reporting of test results. Revocation of accreditation may be based on, but not limited to, the following considerations:

- Loss of ISO 17025 accreditation;
- Unsatisfactory performance in analyzing and reporting results of drug tests
- Unsatisfactory participation in performance evaluations or Laboratory on-site audits;
- Failure to take appropriate corrective action following an unsatisfactory performance either in *Testing* or in a proficiency test;
- A material violation of this standard or other condition imposed on the Laboratory by *WADA*;

- Failure to correct a lack of compliance with any of the requirements or standards listed in *WADA International Standard* for Laboratories (including Annex A. Proficiency Testing) during a Suspension period;
- Failure to cooperate with *WADA* or the relevant Testing Authority during the Suspension phase;
- A serious violation of the Code of Ethics;
- Conviction of any key personnel for any criminal offence committed that is related to the operation of the Laboratory; or
- Any other cause that materially affects the ability of the Laboratory to ensure the full reliability and accuracy of drug tests and the accurate reporting of results.

A Laboratory whose accreditation has been revoked is ineligible to perform testing *of Doping Control Samples* for any Testing Authority.

If a Laboratory whose accreditation has been revoked should seek accreditation, it shall begin the process as a new laboratory as described in Section 4.1, unless there are exceptional circumstances or justifications as determined solely by *WADA*. In the case of exceptional circumstances, *WADA* shall determine what steps shall be followed prior to granting a new accreditation.

6.4.9 Notification

6.4.9.1 Written Notice

When a Laboratory is suspended or *WADA* seeks to revoke accreditation, *WADA* must immediately serve the Laboratory with written notice of the Suspension or proposed Revocation by facsimile mail, personal service, or registered or certified mail, return receipt requested. This notice shall state the following:

1) The reason for Suspension or proposed Revocation;
2) The terms of the Suspension or proposed Revocation; and
3) The period of Suspension.

6.4.9.2 Effective Date

A Suspension is immediately effective. A proposed Revocation is effective 30 calendar days after the date on the written notice or, if review is requested, upon *WADA*'s decision to uphold the proposed Revocation. A Laboratory who has received notice that its accreditation is in the process of being revoked shall be suspended until the Revocation is made final or is rescinded by *WADA*. If *WADA* decides not to uphold the Suspension or proposed Revocation, the Suspension is terminated immediately and any proposed Revocation shall not take place.

6.4.9.3 Public Notice

WADA will immediately notify all relevant national public authorities, *National Anti-Doping Organizations*, *National Olympic Committees*, International Federations, and the IOC of the name and address of any Laboratory that has had its accreditation suspended or revoked, and the name of any Laboratory that has had its Suspension lifted.

WADA will provide to any Testing Authority, upon written request, *WADA*'s written decision which upholds or denies the Suspension or proposed Revocation.

6.4.10 Re-accreditation Costs

On an annual basis, *WADA* will invoice the Laboratory for a portion of the costs associated with the re-accreditation process. The Laboratory shall assume the travel and accommodation expenses of the *WADA* representative(s) in the event of on-site inspections.

6.4.11 Issue and publication of Accreditation certificate

If maintenance of accreditation is approved, the Laboratory shall receive a certificate signed by a duly authorized representative of *WADA* issued in recognition of such accreditation. Such certificate shall specify the name of the Laboratory and the period for which the certificate shall be valid. Certificates may be issued after the effective date, with retroactive effect.

6.5 Accreditation Requirements for Satellite Facilities for Major *Events*

In general, the reporting time requirements for a major *Event* require that the Laboratory facility be at the location in proximity to the competition such that *Samples* can be delivered by *Event Doping Control* staff. This may require re-location of an existing Laboratory for a period of time sufficient to validate operations at the satellite facility and perform the testing for the *Event*.

In extraordinary circumstances, *Samples* may be transferred to an existing Laboratory facility. There must be agreement between the *Major Event Organization* and *WADA* regarding whether testing requirements such as turn-around time and the *Athlete* rights are met for in any eventuality. If the Laboratory is functioning within its regular facility, the requirements stated below with respect to facilities do not apply. The Laboratory will, however, be required to report on staffing, equipment, and *Sample* transport issues.

The Laboratory shall be responsible for providing *WADA* with regular updates on the progress of the testing facilities.

6.5.1 Participate in an initial *WADA*/ISO visit/inspection

WADA may visit the Laboratory facility as soon as it is available to determine whether the facility is adequate. Expenses related to such a visit shall be at the Laboratory's expense. Particular emphasis will be placed on the adequacy of security

considerations, the physical layout of the space to ensure that adequate separation of various parts of the Laboratory are maintained, and to provide a preliminary review of other key support elements.

6.5.2 Document ISO/IEC 17025 accreditation of the satellite facility

At least one month prior to the major *Event*, the Laboratory must provide documentation that the national accrediting body has provided ISO/IEC accreditation for the satellite facility in compliance with the Application of ISO/IEC 17025 to the Analysis of *Doping Control Samples* (Section 5). *WADA* may require that a *WADA* consultant be present at the national accrediting body audit of the satellite facility. *WADA*'s expenses associated with such audit, will be at the Laboratory's expense.

6.5.3 Complete a Pre-*Event* Report on Facilities and Staff

At least one (1) month prior to the *Event*, the Laboratory must report:

- List of Laboratory staff
- List of staff scientists not normally employed by the Laboratory (if required)
- Training plan for new staff scientists
- List of instrumental resources and equipment
- Procedure manual specific to the satellite facility including analytical methods
- Summary of results management process including criteria for determining positive and negative results
- Methods of reporting test results in a secure manner to the appropriate authorities

Any changes that occur prior to the *Event* should be immediately reported to *WADA*.

Even if the testing is to be done at the Laboratory's regular facility, the Pre-*Event* Report must be completed, particularly in regard to personnel changes and any additional equipment.

6.5.4 Participate in *WADA* accreditation audit

WADA may choose to perform an independent on-site audit or a document audit of the satellite facility. Should an on-site audit take place, *WADA* expenses related to the audit will be at the Laboratory's expense. This audit may include analysis of a set of proficiency testing samples. The full complement of staff must be in attendance. Particular emphasis will be placed on involvement of new staff members to assess their competence.

6.5.5 Review the reports and correct identified non-conformities

The Laboratory Director must address and correct any identified non-compliances. The audit report and documentation of the corrective actions must be submitted to *WADA*.

6.5.6 Issue and publication of a temporary and limited Accreditation certificate

Based on the documentation provided, *WADA* shall make a decision regarding accreditation of the Laboratory. In the event that accreditation is awarded, *WADA* shall issue an accreditation for the period of the *Event* and an appropriate time before and after the actual competition.

6.5.7 Monitoring and assessment during the *Event*

WADA may choose at its sole discretion to have an observer in the Laboratory during the *Event*. The Laboratory Director is expected to provide full cooperation to the observer.

WADA, in conjunction with the *Major Event Organization*, will submit double blind proficiency testing samples to the Laboratory.

In the event of a false positive, the Laboratory will immediately cease testing for the class of *Prohibited Substances and Methods*. The Laboratory shall apply corrective actions within 12 hours of notification of the false positive. All *Samples* analyzed prior to the false positive will be re-analyzed for the class of *Prohibited Substances and Methods* for which the non-compliance occurred. The results of the investigation and analysis will be presented to *WADA* within 24 hours unless otherwise agreed in writing.

In the event of a false negative, the Laboratory will be required to investigate the root cause and apply corrective actions within 24 hours of notification of the false negative result. A representative group of *Samples* in appropriate number to ensure that the risk of false negatives is minimal will be re-analyzed for the class of *Prohibited Substances and Methods* for which the non-compliance occurred. The results of the investigation and analysis will be presented to *WADA* within 48 hours unless otherwise agreed in writing.

7.0 Requirements for supporting an *Adverse Analytical Finding* in the Adjudication Process

This section describes the relevant procedures to be followed where an *Athlete* challenges an *Adverse Analytical Finding* in a hearing as provided for by the *Code*.

7.1 Laboratory Documentation Package

In support of any *Adverse Analytical Finding* the Laboratory is required to provide the Laboratory Documentation Package described in detail in the Technical Document on Laboratory Documentation Packages.

The Laboratory is not required to provide any documentation not specifically included in the Laboratory Documentation Package. Therefore, the Laboratory is not required to support an *Adverse Analytical Finding* by producing, either to the Testing Authority

or in response to discovery requests related to the hearing, standard operating procedures, general quality management documents (e.g., ISO compliance documents) or any other documents not specifically required by Technical Document on Laboratory Documentation Packages. References in the *International Standard* for Laboratories to ISO requirements are for general quality control purposes only and have no applicability to any adjudication of any specific *Adverse Analytical Finding.*

PART THREE: ANNEXES

ANNEX A - *WADA* PROFICIENCY TESTING PROGRAM

The *WADA* Proficiency Testing (PT) Program is designed to evaluate Laboratory proficiency and to improve test result uniformity between Laboratories, and to provide educational opportunities for the *WADA*-accredited Laboratories. The purpose of the individual PT sample will determine its composition and form.

1. Probationary period

The Proficiency Testing (PT) program is a part of the initial evaluation of a Laboratory seeking accreditation. In addition to providing samples as part of quarterly PT samples, the *WADA* will provide upon request samples from past PT rounds in order to allow the applicant Laboratory with an opportunity to evaluate its performance against the recorded performance of accredited Laboratories.

All procedures associated with the handling and testing of the PT samples by the Laboratory are, to the greatest extent possible, to be carried out in a manner identical to that applied to routine Laboratory *Samples*, unless otherwise specified. No effort should be made to optimize instrument (e.g., change multipliers or chromatographic columns) or method performance prior to analyzing the PT samples unless it is a scheduled maintenance activity. Methods or procedures used in routine testing should be employed.

Successful participation in 12-24 months of PT sample rounds is required before a Laboratory is eligible to be considered for accreditation. The PT samples shall occur at least quarterly and will consist of a minimum of five (5) samples per challenge. At least four (4) PT samples will contain Threshold Substances. Blank and adulterated samples may also be included.

2. Maintenance/Re-accreditation period

After accreditation, Laboratories shall be challenged with at least five (5) PT samples each quarter. Each year at least two (2) samples will contain Threshold Substances. Blank and adulterated samples may be included.

All procedures associated with the handling and testing of the PT samples by the Laboratory are, to the greatest extent possible, to be carried out in a manner identical to that applied to routine Laboratory *Samples*, unless otherwise specified. No effort should be made to optimize instrument (e.g., change multipliers or chromatographic columns) or method performance prior to analyzing the PT samples unless it is a scheduled maintenance activity. Methods or procedures not used in routine testing should not be employed.

2.1 Open PT Samples
The Laboratory may be directed to analyze a PT sample for a specific *Prohibited Substance*. In general, this approach is used for educational purposes or for data gathering.

2.2 Blind PT Samples
The Laboratory will be aware that the sample is a PT sample, but will not be aware of the content of the sample. Performance on blind PT samples is to be at the same level as for the open or non-blind PT samples.

2.3 Reporting – Open and Blind Proficiency Samples
The Laboratory should report the results of open and blind PT samples to *WADA* in the same manner as specified for routine *Samples*. For some samples or PT sample sets, additional information may be requested from the Laboratory.

2.4 Double Blind Proficiency Sample
The Laboratory will receive PT sample sets which are indistinguishable from normal testing samples. The samples may consist of blank, adulterated or positive samples. These samples may be used to assess turn-around time, compliance with documentation package requirements, and other non-analytical performance criteria as well as Laboratory proficiency.

3. Proficiency Test Sample Composition

3.1 Description of the Drugs
PT samples contain those *Prohibited Substances*, *Metabolite*(s) of *Prohibited Substances*, and *Marker*(s) of *Prohibited Substances and Methods* which each accredited Laboratory must be prepared to assay in concentrations that allow detection of the analytes by commonly used screening techniques. These are generally concentrations that might be expected in the urine of drug users. For some analytes, the sample composition may consist of the parent drug as well as major *Metabolites*. The actual composition of the PT samples supplied to different Laboratories in a particular PT sample may vary but, within any annual period, all Laboratories participating are expected to have analyzed the same total set of samples.

A sample may contain more than one *Prohibited Substance*, *Metabolite(s)*, or *Marker* of a *Prohibited Substance or Method*. A PT sample will not contain more than three substances or their *Metabolite(s)*, or *Markers* of *Prohibited Substances or Methods*. It is possible that the sample will contain multiple *Metabolites* of a single substance, which would represent the presence of a single *Prohibited Substance*. All *Metabolites* detected should be reported according to the Laboratory's standard operating procedures.

3.2 Concentrations
PT samples may be spiked with *Prohibited Substances* and/or their *Metabolites* or may be from authentic administration studies. For Threshold Substances, the

concentration in the sample will be guided by, but not limited to, one of the following criteria:

i) at least 20 percent above the threshold for either the initial assay or the confirmatory test, depending on which is to be evaluated;

ii) near or below the threshold limit for special purposes. In this case, the Laboratory would be directed to analyze the *Sample* for a particular *Prohibited Substance* as part of an educational challenge and will not be considered for evaluation for the purposes of the PT program.

For Non-threshold Substances, the concentration will be guided by, but not limited to, one of the following criteria:

i) the *Prohibited Substance* and/or its major *Metabolite(s)* will be present in quantities greater than the Minimum Required Performance Limit;
ii) the *Prohibited Substance* and/or its major *Metabolite(s)* will be present near the limit of detection for special purposes. In this case, the Laboratory would be directed to analyze the sample for a particular *Prohibited Substance* as part of an educational challenge and will not be considered for evaluation for the purposes of the PT program.

These concentrations and drug types may be changed periodically in response to factors such as changes in detection technology and patterns of drug use.

Negative samples do not contain concentrations of any of the target drugs above the Minimum Required Performance Limit when analyzed by the normally used methods.

3.3 Blank or Adulterated *Samples*

PT samples include those that do not contain prohibited drugs or samples which have been deliberately adulterated by the addition of extraneous substances designed to dilute the sample, degrade the analyte or to mask the analyte during the analytical determination.

4. Evaluation of Proficiency Testing Results

4.1 Evaluation of Quantitative Results

When a quantitative determination has been reported, the results can be scored based on the true or consensus value of the sample analyzed and a standard deviation which may be set either by the group results or according to the expected precision of the measurement. The z-score is calculated using the equation

$$z=\frac{\bar{x}-\hat{x}}{\delta}$$

Where x is the value found

$\hat{x}$ is the assigned value

δ is the target value for standard deviation

The target relative standard deviation will be set in such a way that an absolute z-score between two (2) and three (3) is deemed **questionable** performance. A z-score greater than three (3) is deemed **unacceptable** performance.

In addition, re-scaled sum of score (RSZ) and re-scaled sum of squared scores (RSSZ) will be calculated. While the z score gives an estimate of bias, the RSZ, by retaining the sign of the biases, will reflect consistent systematic bias. The RSSZ, by eliminating the possibility that positive and negative bias will cancel, provides another indicator of bias. The RSZ and RSSZ are calculated by the equations

$$RSZ = \sum \frac{z}{\sqrt{m}}$$

$$RSSZ = \sum \frac{z^2}{m}$$

where m is the number of tests.

4.2 Probationary Period

4.2.1 Any false positive reported automatically disqualifies a Laboratory from further consideration for accreditation. The Laboratory will be eligible for reinstatement upon providing documentation that satisfies *WADA* that remedial and preventative actions have been implemented.

4.2.2 An applicant Laboratory is to achieve an overall grade level of 90 percent for PT samples required during the probationary period, i.e., it must correctly identify and confirm 90 percent of the total drug challenges (qualitative including adulterated samples).

4.2.3 An applicant Laboratory is to obtain satisfactory Z-scores for any quantitative results reported based on the mean of three replicate determinations. For the purposes of accreditation a quantitative result is required for threshold drugs. The relative standard deviation is to be commensurate with the validation data.

Any Laboratory that fails to achieve a satisfactory score for at least 90% of the quantitative determinations during the probationary period will be disqualified from further consideration. If the Laboratory receives fewer than 10 samples for quantitation in the year, the Laboratory may be allowed a single unsatisfactory result in the quantitative portion of the PT program during a 12 month period. The Laboratory will be eligible for reinstatement upon providing documentation that satisfies *WADA* that remedial and preventative actions have been implemented.

4.3 Maintenance and Re-Accreditation Period

4.3.1 No false positive drug identification is acceptable for any drug and the following procedures are to be followed when dealing with such a situation:

i) The Laboratory is immediately informed of a false positive error by the *WADA*.

ii) The Laboratory is to provide the *WADA* with a written explanation of the reasons for the error within five (5) working days. This explanation is to include the submission of all quality control data from the batch of samples that included the false positive sample if the error is deemed to be technical/scientific.

iii) The *WADA* shall review the Laboratory's explanation promptly and decide what further action, if any, to take.

iv) If the error is determined to be an administrative error (clerical, sample mix-up, etc), the *WADA* may direct the Laboratory to take corrective action to minimize the occurrence of the particular error in the future and, if there is reason to believe the error could have been systematic, may require the Laboratory to review and re-analyze previously run *Samples*.

v) If the error is determined to be a technical or methodological error, the Laboratory may be required to re-test all *Samples* analyzed positive by the Laboratory from the time of final resolution of the error back to the time of the last satisfactory proficiency test round. A statement signed by the Laboratory Director shall document this re-testing. The Laboratory may also be required to notify all clients whose results may have been affected of the error as part of its quality management system. Depending on the type of error that caused the false positive, this retesting may be limited to one analyte, a class of *Prohibited Substances or Methods*, or may include any prohibited drug. The Laboratory shall immediately notify the *WADA* if any result on a *Sample* that has been reported to a client is detected as a false positive. *WADA* may suspend or revoke the Laboratory's accreditation. However, if the case is one of a less serious error for which effective corrections have already been made, thus reasonably assuring that the error will not occur again, the *WADA* may decide to take no further action.

vi) During the time required to resolve the error, the Laboratory remains accredited but has a designation indicating that a false positive result is pending resolution. If the *WADA* determines that the Laboratory's accreditation must be suspended or revoked, the Laboratory's official status becomes "Suspended" or "Revoked" until the Suspension or Revocation is lifted or any process complete.

4.3.2 An accredited Laboratory must correctly identify 100 percent of the *Prohibited Substances* to pass the round of PT samples. It must correctly identify and confirm 100 percent of the total PT samples (qualitative including adulterated samples).

4.3.3 An accredited Laboratory is to obtain satisfactory Z-scores for any quantitative results reported based on the mean of three replicate determinations. For the purposes of accreditation a quantitative result is required for threshold drugs.

The relative standard deviation is to be commensurate with the validation data.

Any Laboratory that fails to achieve a satisfactory score for quantitative determinations will be deemed to have failed that sample challenge. The Laboratory must achieve a satisfactory score on 90% of the quantitative samples during the year. If the Laboratory receives fewer than 10 samples for quantitation in the year, the Laboratory may be allowed a single unsatisfactory result in the quantitative portion of the PT program during a 12 month period.

4.4 Laboratories failing a proficiency test round are informed immediately by *WADA*. Laboratories must take and report corrective action within 30 calendar days to *WADA*. Laboratories may otherwise be advised by *WADA* to take corrective action for a given reason or to change a corrective action which has previously been reported to *WADA*. The corrective action reported to *WADA* must be implemented in the routine operation of the Laboratory. Repeated failures of the same type will result in *WADA* requiring corrective action.

Laboratories failing two consecutive rounds of the PT scheme will be immediately suspended. The Laboratory is required to provide documentation of corrective action with 10 working days of notification of Suspension. Failure to do so will result in immediate Revocation of the accreditation. Lifting of the Suspension occurs only when corrective action has been taken and reported to the *WADA*. The *WADA* may choose, at its sole discretion, to submit additional PT samples to the Laboratory or to require that the Laboratory be re-audited, at the expense of the Laboratory after having furnished satisfactory results for another proficiency testing round.

4.5 *WADA* is to evaluate the annual performance of all accredited Laboratories.

ANNEX B - LABORATORY CODE OF ETHICS

1. Confidentiality

The heads of Laboratories, their delegates and Laboratory staff shall not discuss or comment to the media on individual results prior to the completion of any adjudication without consent of the organization that supplied sample to the Laboratory and the organization that is asserting the *Adverse Analytical Finding* in adjudication.

2. Research

Laboratories are entitled to participate in research programs provided that the Laboratory director is satisfied with the *bona fide* nature and the programs have received proper ethical (e.g. human subjects) approval.

2.1. Research in Support of *Doping Control*

The Laboratories are expected to develop a program of research and development to support the scientific foundation of *Doping Control*. This research may consist of the development of new methods or technologies, the pharmacological characterization of a new doping agent, the characterization of a masking agent or method, and other topics relevant to the field of *Doping Control*.

2.2. Human subjects

The Laboratories must follow the Helsinki Accords and any applicable national standards as they relate to the involvement of human subjects in research.

Voluntary informed consent must also be obtained from human subjects in any drug administration studies for the purpose of development of a Reference Collection or proficiency testing materials.

2.3. Controlled substances

The Laboratories are expected to comply with the relevant national laws regarding the handling and storage of controlled (illegal) substances.

3. Testing

3.1. Competitions

The Laboratories shall only accept and analyze *Samples* originating from known sources within the context of *Doping Control* programs conducted in competitions organized by national and international sports governing bodies. This includes national and international federations, *National Olympic Committees*, national associations, universities, and other similar organizations. This rule applies to Olympic and non-Olympic sports.

Laboratories should exercise due diligence to ascertain that the *samples* are collected according to the World Anti-Doping *Code International Standard* for

Testing or the International Standard for Doping Control (ISO/PAS 18873), or similar guidelines. These guidelines must include collection of Split Samples; appropriate *Sample* container security considerations; and formal chain of custody conditions.

3.2. *Out-of-competition*

The Laboratories shall accept *Samples* taken during training (or *Out-of-competition*) only if the following conditions are simultaneously met:

(a) That the *Samples* have been collected and sealed under the conditions generally prevailing in competitions themselves as in Section 3.1 above;
(b) If the collection is a part of an anti-doping program; and
(c) If appropriate sanctions will follow a positive case.

Laboratories shall not accept *Samples*, for the purposes of either screening or identification, from commercial or other sources when the conditions in the above paragraph are not simultaneously met.

Laboratories shall not accept *Samples* from individual *Athletes* on a private basis or from individuals or organizations acting on their behalf.

These rules apply to Olympic and non-Olympic sports.

3.3. Clinical or Forensic

Occasionally the Laboratory is requested to analyze a *Sample* for a banned drug or endogenous substance allegedly coming from a hospitalized or ill *Person* in order to assist a physician in the diagnostic process. Under this circumstance, the Laboratory director must explain the pre-testing issue to the requester and agree subsequently to analyze the *Sample* only if a letter accompanies the *Sample* and explicitly certifies that the *Sample* is for medical diagnostic or therapeutic purposes.

The letter must also explain the medical reason for the test.

Work to aid in forensic investigations may be undertaken but due diligence should be exercised to ensure that the work is requested by an appropriate agency or body. The Laboratory should not engage in testing or expert testimony that would call into question the integrity of the individual or the scientific validity of work performed in the anti-doping program.

3.4. Other Testing

If the Laboratory accepts *Samples* from an entity that is not a Testing Authority recognized by the World Anti-Doping *Code*, it is the responsibility of the Laboratory Director to ensure that any *Adverse Analytical Finding* will be processed according to the *Code* and that the results cannot be used in any way by an *Athlete* or associated *Person* to avoid detection.

The Laboratory should not engage in testing that undermines or is detrimental to the anti-doping program of *WADA*. The Laboratory should not provide results that in any way suggests endorsement of products or services for *Athletes* or sports authorities. The Laboratory should not provide testing services in defense of an *Athlete* in a *Doping Control* adjudication.

3.5. Sharing of Information and Resources

3.5.1 New Substances

The *WADA*-accredited Laboratories for *Doping Control* shall inform *WADA* when they detect a new or suspicious doping agent.

When possible, the Laboratories shall share information regarding the detection of potentially new or rarely detected doping agents

3.5.2 Sharing of Knowledge

Sharing of knowledge shall consist of, but not be limited to, dissemination of information about new *Prohibited Substances and Methods* and their detection within sixty (60) days of discovery. This can occur by participation in scientific meetings, publication of results of research, sharing of specific details of methodology necessary for detection, and working with *WADA* to distribute information by preparation of a reference substance or biological excretion study or information regarding the chromatographic retention behaviour and mass spectra of the substance or its *Metabolites*. The Laboratory director or staff shall participate in developing standards for best practice and enhancing uniformity of testing in the *WADA*-accredited Laboratory system. An example of the latter would be in establishing reporting standards for determination of an *Adverse Analytical Finding*.

4. Conduct Detrimental to the Anti-Doping Program

The Laboratory personnel shall not engage in conduct or activities that undermine or are detrimental to the anti-doping program of *WADA*, an International Federation, a *National Anti-Doping Organization*, a *National Olympic Committee*, a *Major Event Organization* Committee, or the International Olympic Committee. Such conduct could include, but is not limited to, conviction for fraud, embezzlement, perjury, etc. that would cast doubt on the integrity of the anti-doping program.

No Laboratory employee or consultant shall provide counsel, advice or information to *Athletes* or others regarding techniques or methods to mask detection of, alter metabolism of, or suppress excretion of a *Prohibited Substance* or *Marker* of a *Prohibited Substance* or Method in order to avoid an *Adverse Analytical Finding*. No Laboratory staff shall assist an *Athlete* in avoiding collection of a *Sample*. This paragraph does not prohibit presentations to educate *Athletes*, students, or others concerning anti-doping programs and *Prohibited Substances* or *Methods*.

ANNEX C - LIST OF TECHNICAL DOCUMENTS

Title	Document Number	Version Number	Effective Date
Laboratory Internal Chain of Custody	TD2003LCOC	1.2	Jan 1, 2004
Laboratory Documentation Packages	TD2003LDOC	1.3	Jan 1, 2004
Minimum Required Performance Limits for Detection of Prohibited Substances	TD2004MRPL	1.0	Feb15,2004
Identification Criteria for Qualitative Assays Incorporating Chromatography and Mass Spectrometry	TD2003IDCR	1.2	Jan 1, 2004
Reporting Norandrosterone Findings	TD2004NA	1.0	Aug13, 2004
Reporting and Evaluation Guidance for Testosterone, Epitestosterone, T/E Ratio and other Endogenous Steroids	TD2004EAAS	1.0	Aug13, 2004
Harmonization of the Method for the Identification of Epoetin Alfa and Beta (EPO) and Darbepoetin Alfa (NESP) by IEF-Double Blotting and Chemiluminescent Detection	TD2004EPO	1.0	*In progress*
Measurement of Uncertainty for Anti-Doping Analysis			*Future*
Reporting Guidance for Gas Chromatography/Combustion/ Isotope Ratio Mass Spectrometry			*Future*
Reporting Guidance for Salbutamol and other Beta-2 Agonists			*Future*

Coni

Norme sportive antidoping

Documento tecnico attuativo del Programma Mondiale Antidoping WADA

Lista delle sostanze vietate e dei metodi proibiti

ALLEGATO AL REGOLAMENTO ATTIVITÀ ANTIDOPING APPROVATO DAL CONSIGLIO NAZIONALE DEL C.O.N.I.
CON DELIBERAZIONE N° 1341 DEL 30 GIUGNO 2005

http://www.coni.it/antidoping

WORLD
ANTI-DOPING
AGENCY

The World Anti-Doping Code

THE 2005 PROHIBITED LIST

INTERNATIONAL STANDARD

The official text of the *Prohibited List* shall be maintained by *WADA* and shall be published in English and French. In the event of any conflict between the English and French versions, the English version shall prevail.

This List shall come into effect on 1 January 2005.

THE 2005 PROHIBITED LIST
WORLD ANTI-DOPING CODE

Valid 1 January 2005

The use of any drug should be limited to medically justified indications

SUBSTANCES AND METHODS PROHIBITED AT ALL TIMES (IN- AND OUT-OF-COMPETITION)

PROHIBITED SUBSTANCES

S1. ANABOLIC AGENTS

Anabolic agents are prohibited.

1. Anabolic Androgenic Steroids (AAS)

a. Exogenous* AAS, including:

18α-homo-17β-hydroxyestr-4-en-3-one; bolasterone; boldenone; boldione; calusterone; clostebol; danazol; dehydrochloromethyl-testosterone; delta1-androstene-3,17-dione; delta1-androstenediol; delta1-dihydro-testosterone; drostanolone; ethylestrenol; fluoxymesterone; formebolone; furazabol; gestrinone; 4-hydroxytestosterone; 4-hydroxy-19-nortestosterone; mestanolone; mesterolone; metenolone; methandienone; methandriol; methyldienolone; methyltrienolone; methyltestosterone; mibolerone; nandrolone; 19-norandrostenediol; 19-norandrostenedione; norbolethone; norclostebol; norethandrolone; oxabolone; oxandrolone; oxymesterone; oxymetholone; quinbolone; stanozolol; stenbolone; tetrahydrogestrinone; trenbolone and other substances with a similar chemical structure or similar biological effect(s).

b. Endogenous** AAS:

androstenediol (androst-5-ene-3β,17β-diol); androstenedione (androst-4-ene-3,17-dione); dehydroepiandrosterone (DHEA); dihydrotestosterone; testosterone.

and the following metabolites and isomers:

5α-androstane-3α,17α-diol; 5α-androstane-3α,17β-diol; 5α-androstane-3β,17α-diol;, 5α-androstane-3β,17β-diol; androst-4-ene-3α,17α-diol; androst-4-ene-3α,17β-diol; androst-4-ene-3β,17α-diol; androst-5-ene-3α,17α-diol; androst-5-ene-3α,17β-diol; androst-5-ene-3β,17α-diol; 4-androstenediol (androst-4-ene-3β,17β-diol); 5-androstenedione (androst-5-ene-3,17-dione); epi-dihydrotestosterone; 3α-hydroxy-5α-androstan-17-one; 3β-hydroxy-5α-androstan-17-one; 19-norandrosterone; 19-noretiocholanolone.

Where a *Prohibited Substance* (as listed above) is capable of being produced by the body naturally, a *Sample* will be deemed to contain such *Prohibited Substance* where the concentration of the *Prohibited Substance* or its metabolites or markers and/or any other relevant ratio(s) in the *Athlete*'s *Sample* so deviates from the range of values normally found in humans that it is unlikely to be consistent with normal endogenous production. A *Sample* shall not be deemed to contain a *Prohibited Substance* in any such case where the *Athlete* proves by evidence that the concentration of the *Prohibited Substance* or its metabolites or markers and/or the relevant ratio(s) in the *Athlete*'s *Sample* is attributable to a physiological or pathological condition. In all cases, and at any concentration, the laboratory will report an *Adverse Analytical Finding* if, based on any reliable analytical method, it can show that the *Prohibited Substance* is of exogenous origin.

If the laboratory result is not conclusive and no concentration as referred to in the above paragraph is found, the relevant *Anti-Doping Organization* shall conduct a further investigation if there are serious indications, such as a comparison to reference steroid profiles, for a possible *Use* of a *Prohibited Substance*.

If the laboratory has reported the presence of a T/E ratio greater than four (4) to one (1) in the urine, further investigation is obligatory in order to determine whether the ratio is due to a physiological or pathological condition, except if the laboratory reports an *Adverse Analytical Finding* based on any reliable analytical method, showing that the *Prohibited Substance* is of exogenous origin.

In case of an investigation, it will include a review of any previous and/or subsequent tests. If previous tests are not available, the *Athlete* shall be tested unannounced at least three times within a three month period.

Should an *Athlete* fail to cooperate in the investigations, the *Athlete*'s *Sample* shall be deemed to contain a *Prohibited Substance*.

2. Other Anabolic Agents, including but not limited to:

Clenbuterol, zeranol, zilpaterol.

For purposes of this section:
** "exogenous" refers to a substance which is not capable of being produced by the body naturally.*
*** "endogenous" refers to a substance which is capable of being produced by the body naturally.*

S2. HORMONES AND RELATED SUBSTANCES

The following substances, including other substances with a similar chemical structure or similar biological effect(s), and their releasing factors, are prohibited:

1. **Erythropoietin (EPO);**
2. **Growth Hormone (hGH), Insulin-like Growth Factor (IGF-1), Mechano Growth Factors (MGFs);**
3. **Gonadotrophins (LH, hCG);**
4. **Insulin;**
5. **Corticotrophins.**

Unless the *Athlete* can demonstrate that the concentration was due to a physiological or pathological condition, a *Sample* will be deemed to contain a *Prohibited Substance* (as listed above) where the concentration of the *Prohibited Substance* or its metabolites and/or relevant ratios or markers in the *Athlete*'s *Sample* so exceeds the range of values normally found in humans so that it is unlikely to be consistent with normal endogenous production.

The presence of other substances with a similar chemical structure or similar biological effect(s), diagnostic marker(s) or releasing factors of a hormone listed above or of any other finding which indicate(s) that the substance detected is of exogenous origin, will be reported as an *Adverse Analytical Finding*.

S3. BETA-2 AGONISTS

All beta-2 agonists including their D- and L-isomers are prohibited. Their use requires a Therapeutic Use Exemption.

As an exception, formoterol, salbutamol, salmeterol and terbutaline, when administered by inhalation to prevent and/or treat asthma and exercise-induced asthma/broncho-constriction require an abbreviated Therapeutic Use Exemption.

Despite the granting of a Therapeutic Use Exemption, when the Laboratory has reported a concentration of salbutamol (free plus glucuronide) greater than 1000 ng/mL, this will be considered as an *Adverse Analytical Finding* unless the athlete proves that the abnormal result was the consequence of the therapeutic use of inhaled salbutamol.

S4. AGENTS WITH ANTI-ESTROGENIC ACTIVITY

The following classes of anti-estrogenic substances are prohibited:

1. **Aromatase inhibitors including, but not limited to, anastrozole, letrozole, aminogluthetimide, exemestane, formestane, testolactone.**

2. **Selective Estrogen Receptor Modulators (SERMs) including, but not limited to, raloxifene, tamoxifen, toremifene.**

3. **Other anti-estrogenic substances including, but not limited to, clomiphene, cyclofenil, fulvestrant.**

S5. DIURETICS AND OTHER MASKING AGENTS

Diuretics and other masking agents are prohibited.

Masking agents include but are not limited to:

Diuretics*, epitestosterone, probenecid, alpha-reductase inhibitors (e.g. **finasteride, dutasteride), plasma expanders** (e.g. **albumin, dextran, hydroxyethyl starch).**

Diuretics include:

acetazolamide, amiloride, bumetanide, canrenone, chlortalidone, etacrynic acid, furosemide, indapamide, metolazone, spironolactone, thiazides (e.g. bendroflumethiazide, chlorothiazide, hydrochlorothiazide), triamterene, and other substances with a similar chemical structure or similar biological effect(s).

* A Therapeutic Use Exemption is not valid if an *Athlete*'s urine contains a diuretic in association with threshold or sub-threshold levels of a *Prohibited Substance*(s).

PROHIBITED METHODS

M1. ENHANCEMENT OF OXYGEN TRANSFER

The following are prohibited:

a. Blood doping, including the use of autologous, homologous or heterologous blood or red blood cell products of any origin, other than for medical treatment.

b. Artificially enhancing the uptake, transport or delivery of oxygen, including but not limited to perfluorochemicals, efaproxiral (RSR13) and modified haemoglobin products (e.g. haemoglobin-based blood substitutes, microencapsulated haemoglobin products).

M2. CHEMICAL AND PHYSICAL MANIPULATION

The following is prohibited:

Tampering, or attempting to tamper, in order to alter the integrity and validity of *Samples* collected in *Doping Controls*.

These include but are not limited to intravenous infusions*, catheterisation, and urine substitution.

* Except as a legitimate acute medical treatment, intravenous infusions are prohibited.

M3. GENE DOPING

The non-therapeutic use of cells, genes, genetic elements, or of the modulation of gene expression, having the capacity to enhance athletic performance, is prohibited.

SUBSTANCES AND METHODS PROHIBITED IN-COMPETITION

In addition to the categories S1 to S5 and M1 to M3 defined above, the following categories are prohibited in competition:

PROHIBITED SUBSTANCES

S6. STIMULANTS

The following stimulants are prohibited, including both their optical (D- and L-) isomers where relevant:

Adrafinil, amfepramone, amiphenazole, amphetamine, amphetaminil, benzphetamine, bromantan, carphedon, cathine*, clobenzorex, cocaine, dimethylamphetamine, ephedrine, etilamphetamine, etilefrine, famprofazone, fencamfamin, fencamine, fenetylline, fenfluramine, fenproporex, furfenorex, mefenorex, mephentermine, mesocarb, methamphetamine, methylamphetamine, methylenedioxyamphetamine, methylenedioxymethamphetamine, methylephedrine**, methylphenidate, modafinil, nikethamide, norfenfluramine, parahydroxyamphetamine, pemoline, phendimetrazine, phenmetrazine, phentermine, prolintane, selegiline, strychnine**, and other substances with a similar chemical structure or similar biological effect(s)***.

* **Cathine** is prohibited when its concentration in urine is greater than 5 micrograms per milliliter.
** Each of **ephedrine** and **methylephedrine** is prohibited when its concentration in urine is greater than 10 micrograms per milliliter.
*** The substances included in the 2005 Monitoring Program (bupropion, caffeine, phenylephrine, phenylpropanolamine, pipradrol, pseudoephedrine, synephrine) are not considered as Prohibited Substances.

NOTE: Adrenaline associated with local anaesthetic agents or by local administration (e.g. nasal, ophthalmologic) is not prohibited.

S7. NARCOTICS

The following narcotics are prohibited:

buprenorphine, dextromoramide, diamorphine (heroin), fentanyl and its derivatives, hydromorphone, methadone, morphine, oxycodone, oxymorphone, pentazocine, pethidine.

S8. CANNABINOIDS

Cannabinoids (e.g. hashish, marijuana) are prohibited.

S9. GLUCOCORTICOSTEROIDS

All glucocorticosteroids are prohibited when administered orally, rectally, intravenously or intramuscularly. Their use requires a Therapeutic Use Exemption approval.

All other routes of administration require an abbreviated Therapeutic Use Exemption.

Dermatological preparations are not prohibited.

SUBSTANCES PROHIBITED IN PARTICULAR SPORTS

P1. ALCOHOL

Alcohol (ethanol) is prohibited *in-Competition* only, in the following sports. Detection will be conducted by analysis of breath and/or blood. The doping violation threshold for each Federation is reported in parenthesis.

- Aeronautic (FAI) (0.20 g/L)
- Archery (FITA) (0.10 g/L)
- Automobile (FIA) (0.10 g/L)
- Billiards (WCBS) (0.20 g/L)
- Boules (CMSB) (0.10 g/L)
- Karate (WKF) (0.10 g/L)
- Modern Pentathlon (UIPM) (0.10 g/L) for disciplines involving shooting
- Motorcycling (FIM) (0.00 g/L)
- Skiing (FIS) (0.10 g/L)

P2. BETA-BLOCKERS

Unless otherwise specified, beta-blockers are prohibited *in-Competition* only, in the following sports.

- Aeronautic (FAI)
- Archery (FITA) (also prohibited *out-of-competition*)
- Automobile (FIA)
- Billiards (WCBS)
- Bobsleigh (FIBT)
- Boules (CMSB)
- Bridge (FMB)
- Chess (FIDE)
- Curling (WCF)
- Gymnastics (FIG)
- Motorcycling (FIM)
- Modern Pentathlon (UIPM) for disciplines involving shooting
- Nine-pin bowling (FIQ)
- Sailing (ISAF) for match race helms only
- Shooting (ISSF) (also prohibited *out-of-competition*)
- Skiing (FIS) in ski jumping & free style snow board
- Swimming (FINA) in diving & synchronised swimming
- Wrestling (FILA)

Beta-blockers include, but are not limited to, the following:

acebutolol, alprenolol, atenolol, betaxolol, bisoprolol, bunolol, carteolol, carvedilol, celiprolol, esmolol, labetalol, levobunolol, metipranolol, metoprolol, nadolol, oxprenolol, pindolol, propranolol, sotalol, timolol.

SPECIFIED SUBSTANCES*

"Specified Substances"* are listed below:

Ephedrine, L-methylamphetamine, methylephedrine;
Cannabinoids;
All inhaled Beta-2 Agonists, except clenbuterol;
Probenecid;
All Glucocorticosteroids;
All Beta Blockers;
Alcohol.

* *"The Prohibited List may identify specified substances which are particularly susceptible to unintentional anti-doping rule violations because of their general availability in medicinal products or which are less likely to be successfully abused as doping agents."* A doping violation involving such substances may result in a reduced sanction provided that the *"...Athlete can establish that the Use of such a specified substance was not intended to enhance sport performance..."*