Content

1) Textbook ABP Case

2) ADRV with an ABP twist
UKAD for BCF/UCI vs Jonathan Tieman-Locke

Parties:

- **Athlete:** Road Cyclist

- **Passport Custodian:** Union Cycliste Internationale (UCI) / Cycling Anti-Doping Foundation (CADF)

- **Prosecution:** UK Anti-Doping (UKAD) on behalf of British Cycling Federation/UCI
ABP - 5 samples

22 Sept. 12
• **ABP sample 1** collected by CADF during UCI World Road Championships in the scope of a mission targeting all participants (regardless of RTP inclusion)
  • Sample was found “abnormal”; 1st sample of the longitudinal profile

Oct. 12
• APMU/Expert recommended target testing
  • Inclusion of athlete in UCI RTP to collect whereabouts information

29 Nov. 12 - 12 Feb. 2013
• **4 ABP samples** i-c and ooc collected by CADF

Mar. 13 - Sept. 13
• Consensus amongst 3 Experts
  • ABP documentation package compiled
  • Issuance of **Athlete Passport Finding**
Sample 1: key abnormality

- HGB concentration: 17.9 g/dL
- RET%: 0.15%
- OFF Score of 155.8

Experts’ Initial Statement - APF

- “It is highly likely that this athlete’s profile is the result of the use of a prohibited substance and/or method and unlikely that it is the result of any other cause”
Athlete’s explanation

- Alcohol consumption/dehydration
- Aspirin, paracetamol, chloramphenicol
- Altitude training
- Negative urine tests days prior and after an abnormal ABP sample
Urine / ABP samples - September 2012

14 Sept.
• Urine sample (ESA: no) IC = negative

15 Sept.
• Urine sample (ESA: no) IC = negative

16 Sept.
• Urine sample (ESA: no) IC = negative

22 Sept.
• ABP sample OOC = abnormal

23 Sept.
• Urine sample (ESA: yes) IC = negative
### septembre 2012

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**EXPERTS SCENARIO:** Abnormal value of 22.09 would be explained by use or discontinuation of an erythropoietic stimulant when the athlete possibly stopped the use approximately 10-14 days prior sample 1°

**URINE SAMPLE:** EPO: not screened

**BP BLOOD SAMPLE:** ABNORMAL VALUE (not screened for EPO)

*Note: The chart includes dates and possible sample collections with annotations regarding urine and blood samples.*
Experts Final Statement

“The most abnormal features in the present passport are the very low Ret levels paired with high Hb in sample 1. […]”

Such pattern is pathognomonic for the use and discontinuation of an erythropoietic stimulant, where the athlete possibly stopped the use approximately 10-14 days prior to sample 1.

The negative urine tests of the athlete during September are not surprising and expected, given that the observed hematological constellation indicates the discontinuation of the substance.”
National Anti-Doping Panel - UK Sport Resolution

• Consensus from both sides that Sample 1 values were “widely abnormal”

• Main dispute on the cause for the abnormality: Doping vs Alcohol binge
National Anti-Doping Panel Decision - 15 July 2014

• ADRV for Use art 2.2 confirmed

• 2-year suspension as per 2009 WADC

• Disqualification of 2012 Tour of Britain and UCI Road World Championships

• Fine
ADRV with an ABP twist
CAS 2016/A/4828 Carlos Ivan Oyarzun vs. UCI, PASO, CNOC

Parties

• **Athlete**: Road Cyclist

• **TA**: Pan American Sports Organization (PASO) as Major Event Organization

• **RMA**: UCI
Sample Collection - PASO

  - 1 urine sample
  - 1 ABP sample
Potential ADRV for Presence 2.1

• AAF for FG-4592
  – S2. “Peptide Hormones, Growth, Factors, Related Substances and Mimetics”
  – Molecule is in test phase at the time
  – Known to stimulate production of red cells
B Confirmation: Issue

• B sample analysis confirms the presence of FG-5492

HOWEVER

• Athlete not afforded the opportunity to attend the opening of the B-sample
Further prosecution

- AAF transferred to UCI for the results management of consequences beyond the exclusion from the 2015 Pan-American Games
Assessment

• ADRV for Presence (2.1): probably not

• ADRV for Use (2.2): maybe?

ABP sample collected the same day?
Potential ADRV for Use 2.2

Art. 2.2 Use or Attempted Use by an Athlete of a Prohibited Substance or a Prohibited Method

Comment to Article 2.2: It has always been the case that Use or Attempted Use of a Prohibited Substance or Prohibited Method may be established by any reliable means. As noted in the Comment to Article 3.2, unlike the proof required to establish an anti-doping rule violation under Article 2.1, Use or Attempted Use may also be established by other reliable means such as admissions by the Athlete, witness statements, documentary evidence, conclusions drawn from longitudinal profiling, including data collected as part of the Athlete Biological Passport, or other analytical information which does not otherwise satisfy all the requirements to establish “Presence” of a Prohibited Substance under Article 2.1.

For example, Use may be established based upon reliable analytical data from the analysis of an A Sample (without confirmation from an analysis of a B Sample) or from the analysis of a B Sample alone where the Anti-Doping Organization provides a satisfactory explanation for the lack of confirmation in the other Sample.]
APMU/ Expert Review - “blind”

- ABP blood profile submitted for review by 1 APMU Expert
  - APMU Expert not informed of the AAF

**Conclusion**: “suspicious” & “request for further data”
APMU Expert Review - Take II

- APMU Expert informed of AAF for FG-4592

Conclusion:

“the above described hematological variations are suspicious and that these suspicious changes are fully consistent, on temporal, physiological and scientific based, with the use of FG-4592”
• Analytical Reliability of A & B and ABP sample not put into question

• ABP Sample values collected the same day consistent with FG-4592 use based on:
  – APMU Expert report
  – Additional independent expert’s opinion

• FG-4592 in clinical trial at the time
Sanction

• ADRV for Use art. 2.2 confirmed

• 4-year suspension

• Disqualification of Pan-American Games 2015
Thank you!

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