

SUPPLEMENTS & SANCTIONS: A Cautionary Tale



IMAGINE: YOU HAVE TRAINED FOR YEARS TO ACHIEVE YOUR GOAL TO REPRESENT YOUR COUNTRY IN THE OLYMPIC GAMES. YOU HAVE LED A SPARTAN LIFE DEVOTED TO EXERCISE AND COMPETITION AND HAVE BEEN METICULOUS ABOUT YOUR HEALTH AND WHAT YOU PUT IN YOUR BODY.

You are in USADA's Out-of-Competition Testing program and have given a urine sample. However, your urine sample came back positive and you were suspended from competition for two years, taking you out of the running to represent the USA at the next Olympic Games.

This is the nightmare that unfolded for wrestler Nathan Piasecki in January of 2007. His dreams were crushed due to what could be considered an avoidable mistake.

Growing up in Minocqua, Wisconsin, competition was a part of Piasecki's life from an early age. After high school, he received a scholarship to Northern Michigan University where he pursued a degree in exercise science while training with the Greco-Roman wrestling team, becoming a three-time University Champion. He then received an invitation to train at the Olympic Training Center in Colorado Springs, Colorado, and jumped at the opportunity. Piasecki's training and commitment paid off when he made the 2006 National Team.

Supplements had always been a part of Piasecki's training and diet starting with multi-vitamins when he was a youth. In high school, he began taking protein shakes, and in college, creatine became a part of his regimen. While in Colorado Springs, he was introduced to sport-performance supplements by a person at a local supplement store.

Piasecki began buying his supplements at this store where other athletes were also customers and the

employees seemed knowledgeable about the supposed benefits of supplements. On his first visit, Piasecki recalls taking a USADA Wallet Card List of Prohibited Substances which was left at the store under the counter and referred to on his subsequent visits. Relying on information and advice from a store clerk with whom he felt he had developed a good relationship, Piasecki purchased a product called 6-OXO. He did not feel that the supplement contained anything that would cause a positive test and was reportedly reassured by the salesman that the supplement was permissible. The Web site for the product even describes it as "natural." However, these assurances did not prevent Piasecki from testing positive, taking him out of the running for the 2008 Olympic Team.

His positive test may well have resulted from the use of the over-the-counter supplement 6-OXO, which is produced by a company known as Ergopharm. 6-OXO is an agent with anti-estrogenic activity marketed around the world and over the Internet as a nutritional supplement. Anti-estrogenic agents are prohibited under the rules of Olympic sport because they are performance-enhancing and potentially unsafe for use. In addition, Piasecki discovered after having his supplements analyzed at a laboratory that the 6-OXO supplement was also contaminated with the anabolic agent DHEA, but it was determined that this was not the cause of his positive test.

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A publication dedicated to providing timely and accurate anti-doping information for those involved, and interested, in the Olympic and Paralympic Movement

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NATHAN PIASECKI

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Since his positive test, Piasecki has continued to train, but without supplements, and he reports that his training has been better than ever. "Before, I felt that supplements were something that I needed to take and were necessary for my training and success," Piasecki says. "However, after my positive test, I developed

a negative outlook on supplements. I stopped using them and realized, athletically, that I did not need them. If I could give a message to other athletes considering using sport-performance supplements, I would tell them that from my experience I never noticed any athletic benefits from taking supplements. Before my positive test, I thought that they were helping me. However, now that I have discontinued their use, I continue to train at the same level and intensity without a decline in my performance."

Unfortunately, Nathan Piasecki paid a heavy price for using the wrong over-the-counter supplement. Now, he is using his difficult personal experience to try to encourage other athletes not to make the same mistake. Hopefully, when Nathan has completed his two-year suspension, he will have another opportunity to make an Olympic Team. When he does return to competition, he has vowed that at least one thing will change – this time he will be supplement free.

AS AN ATHLETE, HOW CAN YOU LOWER YOUR RISK OF COMMITTING AVOIDABLE ANTI-DOPING RULE VIOLATIONS WITH THE USE OF SUPPLEMENTS?

1. Use the resources available to you. USADA has a number of resources regarding prohibited substances and nutrition along with several resources to assist you in determining the status of a medication or substance. Examples include:
 - Drug Reference Online – www.usada.org/dro
 - The Drug Reference Line (800) 233-0393
 - The Guide to Prohibited Substances & Methods of Doping – www.usada.org/go/prohibitedguide
 - Optimal Dietary Intake for Sport, a nutrition module – www.usada.org/go/nutrition
 - The Athlete Handbook – www.usada.org/go/athletehandbook
 - The USADA Wallet Card – www.usada.org/go/walletcard
2. Remember that athletes who take dietary supplements may test positive for a prohibited substance which may or may not be disclosed on the label. Strict liability applies and athletes who test positive will be sanctioned in accordance with applicable anti-doping rules.
3. As the supplement industry is highly unregulated, should you decide that you would benefit from a dietary or sport-performance supplement, be an informed consumer. Do research on the brand that you are interested in using. Does the manufacturing company make any other substances that may be on the prohibited list? Do they follow the Food & Drug Administration's Good Manufacturing Practices?
4. Remember that ingredients listed in supplement products can metabolize into prohibited substances that may or may not be listed on the label.

As a general reminder, USADA does not endorse any vitamin, mineral, amino acid, energy product or other supplement and cannot guarantee any supplement's purity or safety. All athletes should exercise caution as the use of dietary and sport-performance supplements is at the athlete's own risk of committing an anti-doping rule violation.

Introducing... Carl Swenson

Three-time Olympian Carl Swenson of Salt Lake City, Utah, was recently elected to the USADA Board of Directors. Swenson, who competed in cross country skiing at the 1994, 2002 and 2006 Olympic Winter Games, will serve as an athlete member on the 10-person board.

An 11-time U.S. National Champion in cross country skiing, Swenson competed for the U.S. Ski Team on the World Tour from 1995-2006, was captain of the U.S. Ski Team and Olympic teams in 2002 and 2006, and placed fifth at the 2003 World Championships. As a professional mountain biker, Swenson competed on the World Cup Tour from 1996-2004, represented the United States in five World Championships, earned a silver medal at the 1999 Pan American Games and was a U.S. National Champion in 2000. In addition to his athletic accomplishments, Swenson represented North America at International Ski Federation (FIS) meetings from 2004-2006 and was an athlete representative to the U.S. Ski and Snowboard Association Board of Directors in 2006-2007.

"We are extremely fortunate that Carl Swenson has agreed to join our board," said USADA Board of Directors Chair Dr. Ralph W. Hale, M.D. "Carl's experience as an elite athlete in two sports, plus his representation of his fellow skiers nationally and internationally, will benefit USADA and the thousands of athletes we serve in the pursuit of drug-free sport."

"I feel strongly about the fight against doping and this appointment to the USADA Board of Directors allows me to support that fight," says Swenson. "As an athlete, I was frustrated by all the rumors and scandals that surrounded our events. I knew athletes were doping because year after year they kept getting caught. However, it was difficult to speak out against doping when most of my information was based on rumors and speculation; general allegations and complaints can create the impression that doping is worse than it is, or just sound like an excuse coming from an athlete that did not do as well as he wanted."

"For me, competing required focus and meant having fun – time and emotion wasted on doping rumors took away from my focus and fun. As an athlete, I appreciated that USADA was at least doing something to make doping more difficult for the cheaters.

"Now that I am retired, I will continue to support USADA so that clean athletes can go about their competitions knowing that there is an effective agency in place that continues to make competition as stressful as possible for the dopers.

"My advice to athletes is to lead by example. Compete clean and support all anti-doping measures that will make life hard for the dopers. Focus on competing and try not to let the negative aspects of all the doping scandals affect your performance."

Swenson is currently attending the University of Utah S.J. Quinney School of Law and expects to complete his juris doctorate degree in May 2009. He previously earned a degree in political science at Dartmouth College, Hanover, New Hampshire.



QUICK HITTERS

A QUICK LOOK AT THE LATEST ANTI-DOPING INFORMATION FOR ATHLETES

OUT-OF-COMPETITION NEWS

I need to update my Athlete Location Form. What do I do?

Vegas Weekend! Just made the World Team! Road trip with friends!

Longing for a time when you can just grab a map, a backpack and bag of trail mix before heading off on your adventure? In order to help with your whereabouts requirements, USADA offers four convenient ways to update your schedule:

1. Submit an update through your online account at www.usada.org
2. E-mail USADA at update@usada.org (from your e-mail on file at USADA)
3. Send a text message to USADA to text@usada.org (from your phone on file)
4. Fax or mail a hard copy of your update to USADA

These on-file requirements are for security purposes and help ensure that the information on record for you is accurate. If you don't have an online account, submit your e-mail address to USADA and request one! There are many advantages to utilizing our online system:

- all whereabouts information submitted online may be accessed by you anytime, so you will never need to print your information and keep a hard copy for your records;
- many sections of the online ALF will auto-populate from quarter to quarter as long as you submit each quarter's ALF online;
- you will always have a record of USADA's receipt of your whereabouts information via the automatic confirmation numbers that you will receive upon submission.

Now that you know the different ways by which you can submit updates, what type of information must be included in your submission?

- **Dates** – those dates you will be away from your regular schedule, **including travel dates**. What date will you depart? How long will you remain at each location? What date will you return to your normal schedule?
- **Location** – At what address will you be located? If you will be at multiple locations, be sure to include all addresses and the specific dates that you will be at each address.
- **Scheduling information** – Will you be training while you are away? If you are working, what is the best time to attempt to locate you for testing? Is there a time of day that is NOT a good time to locate you?

We appreciate that on some spontaneous trips – and even for some well-planned travel to competitions – you may not know your accommodations or other specifics until you actually get there. We understand this and are willing to work with you. In this situation, send us what you do know, including tentative travel dates and expected destinations. As you acquire more detailed information, you can always send us additional updates. In the high tech world we live in today, you should be able to text, e-mail or access your USADA Online Account from nearly anywhere in the world. Just one more reason to ensure that your e-mail address/cell phone numbers are on file with USADA.

With these options for submitting updates, we hope that you will find it easier to leave for a planned or last-minute trip and relax knowing that your update has been received.

USADA'S ATHLETE NETWORK: ATHLETES TAKING A STAND FOR CLEAN SPORT

Call for Athletes! USADA Wants You!

Are you an athlete? Do you have a passion for clean sport? Do you want to be involved in sharing that passion with others? Would you like to get others to take a stand for clean sport? Are you energetic, passionate and comfortable speaking in front of groups? USADA is looking for athletes interested in promoting clean sport at outreach events and making presentations nationwide as a part of our newest venture in which we educate and spread the word about clean sport: The Athlete Network.

If you're interested in taking a stand for clean sport by being part of The Athlete Network, please contact Betsy Liebsch at USADA for further information. She can be reached via e-mail at bliebsch@usada.org or via telephone at (719) 785-2015.

Strict Liability

As consistently confirmed by the Court of Arbitration for Sport, 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.

What is strict liability?

The principle of strict liability is applied in situations where urine/blood samples collected from an athlete have produced adverse analytical results.

It means that each athlete is strictly liable for the substances found in his or her bodily specimen, and that an anti-doping rule violation occurs whenever a prohibited substance (or its metabolites or markers) is found in a bodily specimen, whether or not the athlete intentionally or unintentionally used a prohibited substance or was negligent or otherwise at fault.

Where does this principle come from?

Prior to the January 1, 2004, implementation of the World Anti-Doping Code (Code)—the core document that provides the framework for harmonized anti-doping policies, rules and regulations within sports organizations and among public authorities—, the principle of strict liability had been applied by the International Olympic Committee in its Anti-Doping Code as well as by the vast majority of pre-Code anti-doping sports rules. In accordance with WADA's stakeholders' wishes, the Code continues to apply the same principle.

This rule sounds severe. Is there any flexibility to take into consideration the circumstances or intention of the athlete?

Yes, there is flexibility when a sanction is being considered.

The rule is the starting point so that, while an anti-doping rule violation occurs regardless of the athlete's intention, there is flexibility in the sanctioning process to consider the circumstances.

How is this flexibility applied?

The standard/normative sanction for a first doping violation is two years, and a second violation calls for a lifetime sanction.

That standard for sanctions (two years and lifetime) can be lessened or enhanced based on several factors relating to the particular case, including:

- The type of doping violation
- The circumstances of the individual case (level or absence of fault or negligence)
- The substance in case of the detection of a prohibited substance
- Repetition of an anti-doping rule violation

How is the principle put into practice?

If the sample came from an in-competition test, then the results of the athlete for that competition are automatically invalidated. This rule helps to establish fairness for the other athletes in the competition.

As relates to subsequent sanctions (Art. 10.5 of the Code), the athlete has the possibility to avoid or reduce sanctions if he or she can establish to the satisfaction of the tribunal how the substance entered his or her system, demonstrate that he or she was not at fault or significant fault, or in certain circumstances did not intend to enhance his or her sport performance. This means that the burden of proof is on the athlete.

The strict liability principle set forth in the Code has been consistently upheld in the decisions of the CAS and the Swiss Federal Court.

Does strict liability call for automatic sanctions?

No. The determination of whether an anti-doping rule was violated is based on strict liability; however the imposition of a fixed period of ineligibility is not automatic.

Again, while the normative sanction for a first serious doping offence under the Code is two years, there exists the possibility to lessen or enhance the ban based on various matters including: the type of anti-doping violation, the substance (or quantity found for certain substances) in case of the detection of a prohibited substance, repetition of an anti-doping rule violation, as well as the circumstances where the burden of proof is on the athlete.

For more information on the Code and sanctions, visit the WADA Web site at www.wada-ama.org.



WHO SAID IT?

"Champions aren't made in the gyms. Champions are made from something they have deep inside them – a desire, a dream, a vision."

TECHNICALLY SPEAKING:

Changes to the Prohibited List...Effective January 1, 2008

The World Anti-Doping Agency (WADA) has published the 2008 Prohibited List. Below is a summary of updates to the list. For a full copy of the 2008 Prohibited List, visit the USADA Web site at www.usada.org/go/prohibitedlist. **The 2008 Prohibited List is effective from January 1, 2008.**

SUBSTANCES AND METHODS PROHIBITED AT ALL TIMES (IN- AND OUT-OF-COMPETITION)

S1. Anabolic Agents

Anabolic Steroids: WADA, International Federations (IFs) and National Anti-Doping Organizations are beginning to monitor the profile of steroids in individual athlete's over time. These profiles will change in an athlete with use of anabolic steroids and certain other performance-enhancing substances and such changes can create a suspicion of doping. The 2008 Prohibited List requires that any unusual pattern in a steroid screen be reported as an "atypical" result rather than as an "adverse analytical finding." A laboratory will still report an adverse analytical finding for an anabolic agent when the presence of an anabolic agent is proven by laboratory testing.

Other Anabolic Agents: The Selective Androgen Receptor Modulators (SARMs) are prohibited under this section. This new family of non-steroidal substances can be designed to be anabolic and have the potential to be used in doping.

S4. Hormone Antagonists and Modulators

Formerly titled "Agents with Anti-Estrogenic Activity."

Myostatin is a hormone normally produced by the body that controls (limits) muscle size – blocking the myostatin allows increased muscle size. Agents that will block (or reduce) the effect of the myostatin and thus allow additional muscle development have been added to the 2008 Prohibited List as substances in this category.

M2. Chemical and Physical Manipulation

The use of intravenous (IV) infusions continues to be prohibited; according to the 2008 Prohibited List an IV infusion may be administered only in "an acute medical situation" and must be followed immediately by the submission of a retroactive Therapeutic Use Exemption (TUE) to document the need for the infusion. This means that IV infusions may only be used for emergency medical situations and must be followed by the TUE submission to the proper authority.

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The Training Room

Athlete Support Personnel – A Complete Coach

"What you are as a person is far more important than what you are as a basketball player."

–John Wooden

Coaches have so much on their plate. You are relied upon to teach technique, motivate, mesh diverse personalities into one team and so much more.

How can there be room for anything else?

As a coach, you do not just teach the athlete; you teach the person. It is not enough to help your athletes reach their full potential athletically; you also strive to help each athlete reach full potential as a person.

You accomplish this before, during and after practices and competitions. You observe, teach and ask questions. You seek out those coachable moments, using athletic situations to teach life lessons.

Setting a clean-sport team culture is a part of this process. The coach's attitude sets the tone. You are the most important leader on the team. If you put a priority on clean sport, your team will follow. Conversely, if you are resistant to the policies and requirements, your team will follow.

What more can you do?

- Do you talk to your team about the dangers of dietary supplements?
- Do you refer them to USADA's Drug Reference resources for questions about medications?
- Do your athletes who use inhalers have Therapeutic Use Exemptions?
- Do you notice extreme physical changes or in results?
- Do you suspect drug abuse?

USADA is here to help you address these issues and support you in the fight for clean sport. E-mail us at educationnews@usada.org to receive a Pocket Guide designed for athlete support personnel. It has information about:

- your role and responsibilities related to the WADA Code
- the testing process
- out-of-competition rules
- prohibited substances and therapeutic use exemptions
- help with dietary supplements
- signs of sport-performance drug abuse
- additional resources for you, your staff and your athletes

Changes to the Prohibited List cont'd

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SUBSTANCES PROHIBITED IN PARTICULAR SPORTS

P2. Beta-blockers

The International Federation for Powerboating (IUM) has added beta-blockers to the list of substances prohibited in-competition.

Specified Substances

Propecia, Proscar (finasteride) and Avodart (dutasteride) are prohibited as masking agents for androgenic steroids. These alpha reductase inhibitors are now considered Specified Substances and have been added to that list.

IMPORTANT POINTS TO REMEMBER

1. Beta-2 agonists are prohibited both in- and out-of-competition. Salbutamol, salmeterol, formoterol and terbutaline may be used by inhalation following the submission of an Abbreviated Therapeutic Use Exemption (TUE). Albuterol (salbutamol) concentrations greater than 1000 ng/mL in the urine will result in an adverse analytical finding even if an Abbreviated TUE has been filed.
2. Glucocorticosteroids used as dermal (topical, iontophoresis, phonophoresis), eye drops, ear drops, nasal sprays and mouth (buccal) treatments are permitted and do not require an Abbreviated TUE.
3. Insulin use requires the submission of a Standard TUE.
4. Certain IFs have requirements for Abbreviated TUEs that are beyond the WADA Code requirements. Check the rules of your IF to determine any specific requirements that apply.
5. Use of gaseous (bottled) oxygen is prohibited.
6. The substances listed in the 2008 Monitoring List are not prohibited and their presence in the body will not result in a doping violation.

The 2008 Wallet Card and 2008 Guide to Prohibited Substances and Methods of Doping were mailed directly to all athletes in USADA's Out-of-Competition Testing program and all National Governing Bodies. Copies of these publications, which are effective as of January 1, 2008, can also be downloaded from USADA's Web site at:

- Wallet Card: www.usada.org/go/walletcard
- Guide to Prohibited Substances: www.usada.org/go/prohibitedguide

For more information, contact USADA at (719) 785-2000 or by e-mail at usada@usada.org.

Operation Raw Deal

In late September of this year, USADA partnered with the Drug Enforcement Administration to orchestrate a massive clean-up on illegal laboratories within the United States, in a series of raids identified as "Operation Raw Deal". It has been called the largest performance-enhancing drug crackdown in U.S. history, and it will greatly affect the performance-enhancing drug landscape in the U.S. and worldwide. Domestically, the primary targets were low-level American laboratories, oftentimes crude systems set up in people's homes. Concurrent to these U.S. raids, drug-enforcement officers launched similar raids in Belgium, Denmark, Germany, Sweden, Australia, Thailand, Mexico and Canada, shutting down a vast number of labs across Europe, the South Pacific and U.S. border countries. Within the U.S. alone, more than 50 laboratories were closed, 124 people arrested, 532 pounds of raw steroid substances were confiscated and more than \$6.5 million in cash was seized.

All of these laboratories across the world had one thing in common: the source of steroid and growth

hormone material was China. These international raids have turned the world's attention to these Chinese factories, placing pressure on the Chinese government to rein in these manufacturers. The U.S. government currently has an indictment out for the president and CEO of GeneScience, the biggest producer of growth hormone in China.

Besides curbing the supply of these performance-enhancing drugs around the world, drug-enforcement police have collected thousands of e-mails to and from these laboratories. Once these e-mails have been fully investigated, this evidence could lead to sanctions if elite athletes or other elite sport stakeholders are implicated.

"Operation Raw Deal" serves as yet another example of the fruitful relationship that USADA has with governmental agencies. Successful multi-agency endeavors such as this allow USADA to use all available means to continue leveling the playing field for all sports stakeholders here and abroad.

Answer to "Who Said It?"...

**Muhammad Ali,
American Boxer**

Muhammad Ali is a retired American boxer and retired three-time World Heavyweight Champion and winner of an Olympic Light-heavyweight gold medal. As an athlete, entertainer and humanitarian, he is one of the most recognizable sports figures known and loved around the world. For more information on Muhammad Ali, please visit www.ali.com.

TAKE A STAND AGAINST DOPING!

Contact USADA at (877) 752-9253 if you suspect the integrity of your sport is being compromised by doping.



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