

DECISION OF THE ATHLETICS INTEGRITY UNIT IN THE CASE OF MR FERNANDO FERREIRA

INTRODUCTION

1. World Athletics has established the Athletics Integrity Unit ("**AIU**") whose role is to protect the integrity of the sport of Athletics, including fulfilling World Athletics' obligations as a Signatory to the World Anti-Doping Code ("the "**Code**"). World Athletics has delegated implementation of the World Athletics Anti-Doping Rules ("**ADR**") to the AIU, including but not limited to the following activities in relation to International-Level Athletes: Testing, Investigations, Results Management, Hearings, Sanctions and Appeals.
2. Mr Fernando Ferreira ("the **Athlete**") is a 27-year-old Brazilian high jumper¹.
3. This decision is issued by the AIU pursuant to Rule 8.5.6 ADR, which provides as follows:

"8.5.6 In the event that the Athlete or other Person either (i) admits the violation and accepts the proposed Consequences or (ii) is deemed to have admitted the violation and accepted the Consequences as per Rule 8.5.2(f), the Integrity Unit will promptly:

- (a) issue a decision confirming the commission of the violation(s) and the imposition of the specified Consequences (including, if applicable, a justification for why the maximum potential sanction was not imposed);*
- (b) Publicly Report that decision in accordance with Rule 14;*
- (c) send a copy of the decision to the Athlete or other Person and to any other party that has a right, further to Rule 13, to appeal the decision (and any such party may, within 15 days of receipt, request a copy of the full case file pertaining to the decision)."*

THE ATHLETE'S COMMISSION OF AN ANTI-DOPING RULE VIOLATION

4. Rule 2 ADR sets out that the following shall constitute an Anti-Doping Rule Violation:

"2.1 Presence of a Prohibited Substance or its Metabolites or Markers in an Athlete's Sample"
5. On 28 August 2022, the Athlete provided a urine Sample, In-Competition, at the 'True Athletes Classics' held in Leverkusen, Germany, which was given code 1032104 (the "**Sample**").
6. On 14 September 2022, the World Anti-Doping Agency ("**WADA**") accredited laboratory in Cologne, Germany (the "**Laboratory**") reported an Adverse Analytical Finding in the Sample

¹ <https://worldathletics.org/athletes/brazil/fernando-ferreira-14530402>

for the presence of Carboxy-THC at an approximate concentration of 332 ng/mL² (the “**Adverse Analytical Finding**”).

7. Natural and synthetic tetrahydrocannabinols (“**THCs**”) (including Carboxy-THC) are identified as being prohibited according to the WADA 2022 Prohibited List under the category “*S8: Cannabinoids*”³. They are Specified Substances prohibited In-Competition only. THC is also specified as being a Substance of Abuse⁴.
8. The AIU reviewed the Adverse Analytical Finding in accordance with Article 5 of the International Standard for Results Management (“**ISRM**”) and determined that:
 - 8.1. the Athlete did not have a Therapeutic Use Exemption (“**TUE**”) that had been granted (or that would be granted) for the Carboxy-THC found in the Sample; and
 - 8.2. there was no apparent departure from the International Standard for Testing and Investigations (“**ISTI**”) or from the International Standard for Laboratories (“**ISL**”) that could reasonably have caused the Adverse Analytical Finding.
9. Therefore, on 19 September 2022, the AIU notified the Athlete of the Adverse Analytical Finding in accordance with Article 5.1.2.1 of the ISRM, including that the Adverse Analytical Finding may result in Anti-Doping Rule Violations pursuant to Rule 2.1 ADR and/or Rule 2.2 ADR.
10. The Athlete was also informed that, under Rule 10.2.4 ADR, if he was able to establish that the ingestion or Use of a Substance of Abuse such as THC occurred Out-of-Competition and was unrelated to sport performance, then the period of Ineligibility shall be three (3) months Ineligibility, which may be further reduced to one (1) month, if he were to satisfactorily complete a Substance of Abuse treatment program approved by the AIU.
11. On 26 September and 4 October 2022, the Athlete wrote to the AIU and explained *inter alia* that he had ingested cannabis around two (2) days before the Competition for recreational purposes.
12. On 19 October 2022, the Athlete was informed that:
 - 12.1. following review of his explanation, the AIU was satisfied that he had established that his ingestion of cannabis occurred Out-of-Competition and was unrelated to sport performance⁵.

² The Specific gravity of the Sample was 1.020.

³ Carboxy-THC is a Threshold Substance. In accordance with the WADA Technical Document TD2022DL, a finding of Carboxy-THC in a sample with a concentration greater than the Decision Limit of 180 ng/mL (198 ng/mL after correction for the Specific gravity) is an Adverse Analytical Finding.

⁴ See Section 8 of the WADA 2022 Prohibited List. Pursuant to Rule 4.2.3, Substances of Abuse are substances that are identified in the WADA 2022 Prohibited List because they are frequently abused in society outside of the context of sport.

⁵ The AIU had previously sought an opinion from an independent scientific expert who confirmed that the Adverse Analytical Finding for Carboxy-THC is consistent with the use of Cannabis described by the Athlete.

- 12.2. in accordance with Rule 10.2.4 ADR, the applicable period of Ineligibility was a period of three (3) months, which may be further reduced to one (1) month, if he were to satisfactorily complete a Substance of Abuse treatment program approved by the AIU.
 - 12.3. he could accept a period of Ineligibility of three (3) months, alternatively, notify the AIU that he would complete a Substance of Abuse treatment program approved by the AIU to reduce the period of Ineligibility to one (1) month.
13. On 16 November 2022, the Athlete wrote to the AIU and confirmed that he admitted the Anti-Doping Rule Violation pursuant to Rule 2.1 ADR and accepted a period of Ineligibility of three (3) months. The Athlete enclosed a signed Admission of Anti-Doping Rule Violation and Acceptance of Consequences Form.

CONSEQUENCES

14. This is the Athlete's first Anti-Doping Rule Violation.
15. On the basis that the Athlete has admitted the Anti-Doping Rule Violation under Rule 2.1 ADR, in accordance with Rule 10.2.4 ADR, the AIU confirms by this decision the following Consequences for a first Anti-Doping Rule Violation:
- 15.1. a period of Ineligibility of three (3) months commencing on 16 November 2022; and
 - 15.2. disqualification of the Athlete's results on 28 August 2022, with all resulting Consequences, including the forfeiture of any titles, awards, medals, points prizes and appearance money.
16. The Athlete has accepted the above Consequences for his Anti-Doping Rule Violation and has expressly waived his right to have those Consequences determined by the Disciplinary Tribunal at a hearing.

PUBLICATION

17. In accordance with Rule 8.5.6(b) ADR, the AIU shall publicly report this decision on the AIU's website.

RIGHTS OF APPEAL

18. This decision constitutes the final decision of the AIU pursuant to Rule 8.5.6 ADR.
19. Further to Rule 13.2.3 ADR, WADA and the Autoridade Brasileira de Controle de Dopagem ("**ABCD**") have a right of appeal against this decision to the Court of Arbitration for Sport in Lausanne, Switzerland, in accordance with the procedure set out at Rule 13.6.1 ADR.
20. If an appeal is filed against this decision by WADA or ABCD, the Athlete will be entitled to exercise his right of cross-appeal in accordance with Rule 13.2.4 ADR.

Monaco, 9 December 2022