

DECISION OF THE ATHLETICS INTEGRITY UNIT IN THE CASE OF MS ANA LUCIA JOSÉ TIMA

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. Ms Ana Lucia José Tima ("the **Athlete**") is a 33-year-old triple jumper (and International Level Athlete for the purposes of the ADR¹) from the Dominican Republic.²
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 ANTI-DOPING RULE VIOLATIONS

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

[...]

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

¹ Pursuant to Rule 1.4.4(a) ADR

² <https://worldathletics.org/athletes/dominican-republic/ana-lucia-jose-tima-14369521>

5. On 15 November 2022, the Athlete provided a urine Sample Out-Of-Competition in Santo Domingo, Dominican Republic, which was given code 7124415 (the “**Sample**”).
6. On 1 December 2022, the World Anti-Doping Agency (“**WADA**”) accredited laboratory in Montreal, Canada (the “**Laboratory**”) reported an Adverse Analytical Finding in the Sample based on the presence of Enobosarm³ and metabolites of GW501516⁴ (the “**Adverse Analytical Finding**”).
7. The AIU reviewed the Adverse Analytical Finding in accordance with Article 5 of the International Standard for Results Management (“**ISRM**”) and determined that:
 - 7.1. the Athlete did not have a Therapeutic Use Exemption (“**TUE**”) that had been granted (or that would be granted) for the Enobosarm and/or the GW501516 metabolites found in the Sample; and
 - 7.2. 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.
8. Therefore, on 12 December 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 and of the imposition of an immediate Provisional Suspension. The AIU requested that the Athlete provide an explanation for the Adverse Analytical Finding.
9. The Athlete was also informed of her rights, *inter alia*, to request the B Sample analysis, to request copies of the Laboratory Documentation Package (“**LDP**”) supporting the Adverse Analytical Finding and to admit the Anti-Doping Rule Violations and potentially benefit from a one-year reduction in the period of Ineligibility pursuant to Rule 10.8.1 ADR.
10. On 18 December 2022, the Athlete informed the AIU that she wished to exercise her right to the B Sample analysis and to obtain a copy of the LDP. She also requested that her deadline to provide an explanation for the Adverse Analytical Finding be stayed pending the completion of the B Sample analysis.
11. On 20 December 2022, the AIU agreed to the suspension of the Athlete’s deadline to provide an explanation for the Adverse Analytical Finding pending the result of the B Sample analysis. The AIU also confirmed the costs for the B Sample analysis and for producing the LDP and asked the Athlete to confirm her request in view of the costs.
12. On 22 December 2022, the Athlete wrote to the AIU confirming her requests for the B Sample analysis and a copy of the LDP for the A-sample.
13. On 7 February 2023, the Athlete and her legal counsel attended the opening and analysis of the B Sample via video conference.

³ Also known as S-22 or Ostarine.

⁴ Specifically, GW501516 sulfone and GW501516 sulfoxide.

14. On 10 February 2023, the AIU informed the Athlete that the B Sample analysis had confirmed the Adverse Analytical Finding reported in the A Sample.
15. On 17 February 2023, the AIU provided the Athlete with the LDP for the A Sample. The AIU confirmed that the stayed deadline was reinstated and requested the Athlete to provide an explanation for the Adverse Analytical Finding.
16. On 3 March 2023, the Athlete provided an explanation for the Adverse Analytical Finding to the AIU. In summary, the Athlete asserted that medication she had received during and after knee surgery in December 2021 could possibly explain the Adverse Analytical Finding.
17. Following review of the explanation, on 9 March 2023, the AIU informed the Athlete that none of the medications related to her knee surgery could have caused the Adverse Analytical Finding because (i) the medications did not include either Enobosarm or GW501516, and (ii) all but one of the medications were ingested by the Athlete over 10 months before the Doping Control on 15 November 2022⁵. The AIU afforded the Athlete until 16 March 2023 to submit any further explanation that she might wish to provide for the Adverse Analytical Finding.
18. On 16 March 2023, the Athlete provided an additional explanation to the AIU. The Athlete admitted that at the end of January 2022 she had purchased a product containing Enobosarm and GW501516 upon advice that it would aid her recovery following her knee surgery. The Athlete further explained that she had used the product for approximately two weeks.
19. On 24 March 2023, following a request from the AIU for clarification of the Athlete's ingestion of the product, the Athlete confirmed that she had started using the product on 21 January 2022 and stopped using it by the first or second week in February. The Athlete confirmed that she consumed the product daily, twice per day.
20. On 31 March 2023, the Athlete sent to the AIU pictures of the product she had been using. These images showed that the Athlete had in fact used two different products from (i) a bottle labelled "CARDARINE GW-501516 60ML. 10 MG/ML" and (ii) a bottle labelled "OSTARINE MK-2866 60ML. 20MG/ML".
21. The AIU sought further expert opinion from an independent scientific expert concerning the Athlete's asserted ingestion of the two products in relation to the Adverse Analytical Finding. The expert concluded that it was extremely unlikely that the Athlete's ingestion in late January and early February 2022 could have caused the Adverse Analytical Finding in the Sample collected on 15 November 2022.
22. On 2 May 2023, the Athlete returned an Admission of Anti-Doping Rule Violations and Acceptance of Consequences Form signed to confirm that she admitted to Anti-Doping Rule

⁵ The AIU obtained an expert opinion from an independent scientific expert who concluded that the Athlete's ingestion of the medication fell outside of the detection window for Enobosarm and the metabolites of GW501516 as detected in the Sample.

Violations including the Presence of Enobosarm and GW501516 and the Use (on multiple occasions)⁶ of Enobosarm and GW501516.

CONSEQUENCES

23. This is the Athlete's first Anti-Doping Rule Violation.
24. Rule 10.2 ADR specifies that the period of Ineligibility for an Anti-Doping Rule Violation under Rule 2.1 or Rule 2.2 shall be as follows:
- “10.2.1 Save where Rule 10.2.4 applies, the period of Ineligibility will be four years where:*
- (a) The anti-doping rule violation does not involve a Specified Substance or a Specified Method, unless the Athlete or other Person can establish that the anti-doping rule violation was not intentional.*
 - (b) The anti-doping rule violation involves a Specified Substance or a Specified Method and the Integrity Unit can establish that the anti-doping rule violation was intentional.”*
25. Enobosarm is a Prohibited Substance under the WADA 2022 Prohibited List under the category *S1 Anabolic Agents*. It is a Non-Specified Substance prohibited at all times.
26. GW501516 is a Prohibited Substance under the WADA 2022 Prohibited List under the category *S4 Hormone and Metabolic Modulators*. It is a Non-Specified Substance prohibited at all times.
27. The period of Ineligibility to be imposed is therefore a period of four (4) years, unless the Athlete demonstrates that the Anti-Doping Rule Violations were not intentional.
28. The Athlete has not demonstrated that the Anti-Doping Rule Violations were not intentional. Therefore, the mandatory period of Ineligibility is a period of Ineligibility of four (4) years.
29. However, Rule 10.8.1 ADR provides that an athlete potentially subject to an asserted period of Ineligibility of four (4) years may benefit from a one (1)-year reduction in the period of Ineligibility based on an early admission and acceptance of sanction:
- “10.8.1 One year reduction for certain anti-doping rule violations based on early admission and acceptance of sanction.*
- Where the Integrity Unit notifies an Athlete or other Person of an anti-doping rule violation charge that carries an asserted period of Ineligibility of four (4) or more years (including any period of Ineligibility asserted under Rule 10.4), if the Athlete or other Person admits the violation and accepts the asserted period of Ineligibility no later than 20 days after receiving the Notice of Charge, the Athlete or other Person may receive a one (1) year reduction in the period of Ineligibility asserted by the Integrity Unit. Where the Athlete or other Person receives the one (1) year reduction in the asserted period of Ineligibility under this Rule 10.8.1, no further reduction in the asserted period of Ineligibility will be allowed under any other Rule.”*

⁶ The Athlete's Use on multiple occasions was established by (i) the Athlete's explanation admitting to Use of Enobosarm and GW501516 in early 2022 and (ii) the presence of Enobosarm and GW501516 in the Sample on 15 November 2022, which was not explained by the Athlete's admitted Use earlier in 2022.

30. The Athlete was notified of the Adverse Analytical Finding and that this may result in Anti-Doping Rule Violations under Rule 2.1 and/or Rule 2.2 and a period of Ineligibility of four (4) years on 12 December 2022⁷.
31. On 2 May 2023, the AIU received an Admission of Anti-Doping Rule Violations and Acceptance of Consequences Form signed by the Athlete in which the Athlete admitted to Anti-Doping Rule Violations and accepted the specified Consequences.
32. The Athlete shall therefore receive a one (1) year reduction in the asserted period of Ineligibility pursuant to Rule 10.8.1 based on early admission and acceptance of sanction.
33. On the basis that the Athlete has admitted the Anti-Doping Rule Violations under Rule 2.1 ADR and Rule 2.2 ADR, in accordance with Rule 10.2.1 ADR and the application of Rule 10.8.1 ADR, the AIU confirms by this decision the following Consequences for a first Anti-Doping Rule Violation:
 - 33.1. a period of Ineligibility of three (3) years commencing on 12 December 2022 (the date of Provisional Suspension); and
 - 33.2. disqualification of the Athlete's results since 21 January 2022⁸, with all resulting Consequences, including the forfeiture of any titles, awards, medals, points, prizes and appearance money.
34. The Athlete has accepted the above Consequences for her Anti-Doping Rule Violations and has expressly waived her right to have those Consequences determined by the Disciplinary Tribunal at a hearing.

PUBLICATION

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

RIGHTS OF APPEAL

36. This decision constitutes the final decision of the AIU pursuant to Rule 8.5.6 ADR.
37. Further to Rule 13.2.3 ADR, WADA and the Federacion Dominicana de Medicina del Deporte ("**FEDOMEDE**") 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.
38. If an appeal is filed against this decision by WADA or FEDOMEDE, the Athlete will be entitled to exercise her right of cross-appeal in accordance with Rule 13.2.4 ADR.

Monaco, 4 July 2023

⁷ This Notice of Allegation of Anti-Doping Rule Violations was issued to the Athlete in accordance with Article 5.1.2 of the ISRM, prior to a Notice of Charge issued in accordance with Article 7 of the ISRM. Considering the Athlete's admission and acceptance of Consequences on 2 May 2023, no Notice of Charge was ever issued.

⁸ The date of the Athlete's first admitted Use of Enobosarm and GW501516 according to her explanation.