

In the matter of the Canadian Anti-Doping Program;

**And in the matter of an anti-doping rule violation by Francois Gagné asserted by
the Canadian Centre for Ethics in Sport;**

File Outcome Summary

Summary

1. The Canadian Centre for Ethics in Sport (CCES) conducted in-competition sample collection at the Canadian Central Powerlifting Championships in Quebec City, QC.
2. Mr. Francois Gagné (“the athlete”) was selected for doping control. The sample provided by the athlete returned an adverse finding for Nandrolone, Testosterone, Drostanolone and Oxandrolone (S.1 Anabolic Agents), all prohibited substances.
3. The athlete failed to dispute the asserted violation within the timelines outlined within the Canadian Anti-Doping Program (CADP) and as a result was deemed to have admitted that he committed the asserted violation, waived his right to a hearing and accepted the proposed consequences.

Jurisdiction

4. The CCES is an independent not-for-profit organization incorporated under the federal laws of Canada that promotes ethical conduct in all aspects of sport in Canada. The CCES also maintains and carries out the CADP, including providing anti-doping services to national sport organizations and their members.
5. As Canada’s national anti-doping organization, the CCES is in compliance with the World Anti-Doping Code (Code) and its mandatory International Standards. The CCES has implemented the Code and its mandatory International Standards through the CADP, the domestic rules which govern this proceeding. The purpose of the Code and of the CADP is to protect the rights of athletes to fair competition.
6. The athlete is a member of and participates in the sport of Powerlifting with the CPU. According to Part C, Rule 1.3 of the CADP, the CADP provisions apply to all members of, and participants in the activities of, sport organizations adopting it. The CPU adopted the CADP on July 25, 2016. Therefore, as a member of CPU and/or as a participant in CPU sport activities, the athlete is subject to the Rules of the CADP.

Doping Control

7. On August 20, 2017 the CCES conducted an in-competition doping control session at the Canadian Central Championships in Quebec City, QC. Testing at this doping control session was conducted on participating CPU athletes, all pursuant to the CADP.
8. The athlete was notified for doping control and, together with the Doping Control Officer (DCO) from the CCES, completed the sample collection process. The athlete's sample code number was 4042304.
9. On August 22, 2017 the athlete's sample was received by World Anti-Doping Agency (WADA) accredited laboratory, the INRS-Institut Armand-Frappier (INRS), in Laval, QC.

Results Management

10. The adverse analytical findings were received from the WADA accredited laboratory on September 22, 2017. The Certificate of Analysis indicated the presence of Nandrolone, Testosterone, Drostanolone, and Oxandrolone.
11. On October 5, 2017 the athlete accepted a Voluntary Provisional Suspension.
12. On October 19, 2017, the CCES formally asserted a violation against the athlete for the presence of four prohibited substances.
13. In accordance with CADP Rule 10.2.1, the standard sanction for an intentional doping violation involving the presence of a prohibited substance (non-specified substance), regardless of the number of substances detected, is a four (4) year period of ineligibility. The CCES proposed the standard four (4) year sanction within its assertion of October 19, 2017.

Confirmation of Violation and Sanction

14. Rule 7.10.2 of the CADP states:

7.10.2 Alternatively, if the Athlete or other Person against whom an anti-doping rule violation is asserted fails to dispute that assertion within the deadline specified in the notice sent by the CCES asserting the violation, then he/she shall be deemed to have admitted the violation, to have waived a hearing, and to have accepted the Consequences that are mandated by the Rules or (where some discretion as to Consequences exists under the Rules) that have been offered by CCES.

15. In accordance with CADP Rule 7.10.2, which was specifically referenced within the assertion letter, the CCES informed the athlete on October 19, 2017 that, should the

athlete take no further action to dispute the asserted violation within 30 days of his last participation in the results management process (by November 20, 2017), he would be deemed to have waived his right to a hearing in accordance with CADP Rule 7.10.2 and thereby would have accepted the four (4) year sanction proposed by the CCES.

16. As no further action was taken by the athlete to dispute the asserted violation, the CCES relies on the provisions contained in CADP Rule 7.10.2. Accordingly, effective November 20, 2017 by reason of the deemed Waiver, an anti-doping rule violation has been confirmed against the athlete for the presence of the identified prohibited substances. In accordance with CADP Rule 10.2.1 the sanction for this violation is a four (4) year period of ineligibility. In light of the accepted Voluntary Provisional Suspension the athlete's period of ineligibility commenced on October 5, 2017 and concludes on October 4, 2021.

17. The CCES now considers this case closed.

Dated at Ottawa, Ontario this 8^h day of December, 2017.



Jeremy Luke
Senior Director, Sport Integrity, CCES