

In the matter of the Canadian Anti-Doping Program (CADP);

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

File Outcome Summary

Summary

1. The Canadian Centre for Ethics in Sport (CCES) conducted an in-competition sample collection session at the Canadian Powerlifting Union (CPU) Alberta Provincial Championships in Edmonton, AB.
2. Mr. Niko Somos (“the athlete”) was selected for doping control. The sample provided by the athlete returned an adverse finding for 1,3-dimethylbutylamine (DMBA) and Oxilofrine. Both are classified as prohibited substances on the 2017 World Anti-Doping Agency (WADA) Prohibited List. Further, both these substances are classified as “specified substances” pursuant to CADP Part C Rule 4.2.2.
3. Following receipt of the CCES’ assertion of an anti-doping rule violation for the presence of 1,3-dimethylbutylamine (DMBA) and Oxilofrine, the athlete admitted the violation in a timely fashion, waived his right to a hearing and accepted a two year period of ineligibility form sport.

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 July 9, 2017 the CCES conducted an in-competition doping control session at the CPU Alberta Provincial Championships in Edmonton, Alberta. 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 4039552.
9. On July 11, 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. On July 28, 2017, the CCES received a Certificate of Analysis for the athlete's sample (sample code 4039552) from the INRS which indicated the presence of 1,3-dimethylbutylamine (DMBA) and Oxilofrine.
11. 1,3-dimethylbutylamine (DMBA) and Oxilofrine are classified as prohibited substances (specified substances) on the 2017 WADA Prohibited List.
12. On August 29, 2017 the CCES formally asserted a violation against the athlete for the presence of two specified substances.
13. In accordance with CADP Rule 10.2.2, the standard sanction for an anti-doping rule violation involving the presence of a specified substance is a two (2) year period of ineligibility.

Confirmation of Violation and Sanction

14. On October 18, 2017, in response to the CCES' assertion, the athlete admitted to the anti-doping rule violation in a timely fashion in accordance with CADP Rule 10.11.2. The athlete further waived his right to a hearing on October 20, 2017 and accepted the two (2) year period of ineligibility proposed by the CCES.
15. When an athlete facing a period of ineligibility admits a violation in a timely fashion in accordance with CADP Rule 10.11.2, any sanction imposed may start as early as the date of sample collection which was July 9, 2017. Therefore, the 2-year sanction formally commenced on July 9, 2017 and will conclude on July 8, 2019.

16. The CCES now considers this case closed.

Dated at Ottawa, Ontario this 30th day of October, 2017.



Jeremy Luke
Senior Director, Sport Integrity, CCES