

In the matter of the Canadian Anti-Doping Program;

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

File Outcome Summary

Summary

1. The Canadian Centre for Ethics in Sport (CCES) conducted an Out-of-Competition Sample collection session on March 3, 2023, in Waterloo, ON at the Canadian Football League Regional combine.
2. Mr. Donovan Burgmaier (“the Athlete”) was selected for Doping Control. The Sample provided by the Athlete returned an Adverse Analytical Finding (AAF) for Dehydrochlormethyltestosterone metabolite (4 α -chloro-18-nor-17 β -hydroxymethyl,17 α -methyl-5 α -androst-13-en-3 α -ol) (“DHCMT”), a non-specified Prohibited Substance.
3. Following receipt of the CCES’s Notice of Charge asserting an anti-doping rule violation (ADRV) for the presence and Use of DHCMT, the Athlete signed an Early Admission and Acceptance Form, thereby admitting the ADRV, waiving his right to a hearing and accepting all applicable Consequences.
4. The Athlete is currently serving two consecutive three (3) year periods of Ineligibility resulting from his previous violations for presence and admitted Use, which were treated as a single violation in accordance with CADP Rule 10.9.3.2. Consequently, in accordance with CADP Rule 10.9.1.1(b)(ii), the CCES asserted that the sanction for this violation was an eight (8) year period of Ineligibility, in addition to any other applicable Consequences under the CADP.

Jurisdiction

5. 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 implements the Canadian Anti-Doping Program (CADP), including providing anti-doping services to national Sport Organizations and their members.
6. As Canada’s National Anti-Doping Organization, the CCES is in compliance with the World Anti-Doping Code (“the Code”) and its mandatory International Standards. The CCES has implemented the Code and the 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.
7. The Athlete is a member of and participates in the activities of U SPORTS. According to CADP Rule 1.3, the CADP provisions apply to all members of, and Participants in activities of Sport Organizations adopting it. The CADP was issued for adoption by Canadian Sport Organizations on October 26, 2020. U SPORTS adopted the CADP on January 27, 2021. Therefore, as a Participant in U SPORTS activities, the Athlete is subject to the CADP.

Doping Control

8. On March 3, 2023, the CCES conducted an Out-of-Competition Sample collection session in Waterloo, ON. Testing was conducted on U SPORTS athletes as part of the CCES's domestic test distribution plan, all pursuant to the CADP.
9. The Athlete was notified that he had been selected for Doping Control and, together with the doping control officer from the CCES, completed the Sample collection process. The Athlete's Sample code number was 7089150.
10. On March 7, 2023, the Athlete's Sample was received for analysis by the INRS Centre Armand-Frappier Santé Biotechnologie ("the INRS"), a World Anti-Doping Agency (WADA) accredited laboratory in Laval, Quebec.

Results Management

11. The AAF was reported by the INRS on March 22, 2023. The Certificate of Analysis indicated the presence of DHCMT.
12. DHCMT is classified as a non-specified Prohibited Substance on WADA's 2023 Prohibited List.
13. The CCES commenced an initial review into the Athlete's AAF and issued a notification of a potential ADRV on May 2, 2023.
14. Subsequently, on May 4, 2023, in response to the CCES's Notification letter, the Athlete requested the opening of his B Sample. On May 12, 2023, the INRS reported, through a Certificate of Analysis, that the Athlete's B Sample analysis confirmed the presence of DHCMT.
15. On July 17, 2023, the CCES formally issued a Notice of Charge asserting an ADRV against the Athlete for the presence and Use of a Prohibited Substance. In accordance with CADP Rule 10.9.1.1(b)(ii), the CCES further asserted that the sanction for this second violation is an eight (8) year period of ineligibility.

Confirmation of Violation and Sanction

16. In accordance with CADP Rule 10.8.1, as part of the July 17, 2023, Notice of Charge, the CCES informed the Athlete that should they exercise their option to sign the Early Admission and Acceptance Form, they would receive a one (1) year reduction of the eight (8) year period of ineligibility asserted by the CCES.
17. On August 6, 2023, the Athlete signed and submitted the Early Admission and Acceptance Form to the CCES. Accordingly, effective August 6, 2023, a second ADRV has been confirmed against the Athlete for the presence and Use of the identified Prohibited Substance. In accordance with CADP Rules 10.8.1, 10.9.1.1(b)(ii) and 10.13 the sanction for this violation is a seven (7) year period of Ineligibility which shall commence on January 26,

2028 (the date his current period of Ineligibility concludes) and conclude on January 25, 2035.

18. The CCES now considers this case closed.

Dated at Ottawa, Ontario this 23rd day of August 2023.



Kevin Bean
Executive Director, Sport Integrity
CCES