

In the matter of the Canadian Anti-Doping Program;

**And in the matter of an anti-doping rule violation by David Freake 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 on May 26, 2019, in Ottawa, ON.
2. Mr. David Freake (“the athlete”) was selected for doping control. The sample provided by the athlete returned an adverse finding for the following prohibited substances: GW501516 metabolites, 2,4-Dinitrophenol and metabolite, and recombinant EPO. Further, a specified substance: Ephedrine, was also detected.
3. Following receipt of the CCES’ assertion of an anti-doping rule violation for the presence of GW501516 metabolites, 2,4-Dinitrophenol and metabolite, recombinant EPO, and Ephedrine, the athlete accepted the anti-doping rule violation and waived his right to a hearing.

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 Athletics Canada, and participates in the sport of Athletics. 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 CADP was issued for adoption by Canadian sport organizations on October 1, 2014, to be operational on January 1, 2015. Athletics Canada adopted the CADP on December 16, 2014. Therefore, as a member of Athletics Canada and/or as a participant in Athletics Canada sport activities, the athlete is subject to the Rules of the CADP.

Doping Control

7. On May 26, 2019, the CCES conducted an in-competition doping control session in Ottawa, ON. Testing was conducted on Athletics Canada athletes as part of the CCES' domestic test distribution plan, 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 4315872.
9. On May 28, 2019, 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 finding was received from the INRS on June 20, 2019. The Certificate of Analysis indicated the presence of GW501516 metabolites, 2,4-Dinitrophenol and metabolite, recombinant EPO, and Ephedrine.
11. GW501516 metabolites, 2,4-Dinitrophenol and metabolite, and recombinant EPO are classified as prohibited substances, and Ephedrine is classified as a specified substance on the 2019 WADA Prohibited List.
12. On July 18, 2019, the CCES formally asserted a violation against the athlete for the presence of multiple prohibited substances and a specified substance. A mandatory Provisional Suspension was also imposed against the athlete on this date.
13. In accordance with CADP Rule 10.2, the standard sanction for a doping violation involving the presence of any prohibited substance is a four (4) year period of ineligibility. Given the athlete's sample contained both prohibited and specified substances, the standard four (4) year sanction for a prohibited as described above was proposed by the CCES within its July 18, 2019 assertion.

Confirmation of Violation and Sanction

14. On October 11, 2019, in response to the CCES' assertion, the athlete waived his right to a hearing thereby accepting both the asserted violation and the four (4) year period of ineligibility proposed by the CCES.
15. Therefore, the four (4) year sanction formally commenced on October 11, 2019 and will conclude on October 10, 2023.
16. The CCES now considers this case closed.

Dated at Ottawa, Ontario this 20th day of October 2019.



Jeremy Luke
Senior Director, Sport Integrity
CCES