



International Federation of Sleddog Sports

**Anti-Doping Rules
(Dogs participating in Sled Dog Sports)**

Version September 2008

**According to and in Conformity with the
World Anti-Doping Code**

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Based on the 2009 Revised *Code*

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INTRODUCTION

Preface

At the IFSS General Assembly held on 3-5 October 2008 in Vancouver, Canada, the IFSS adopted the revised (2009) World Anti-Doping Code (the “Code”). These Anti-Doping Rules for *Dogs* participating in *Sled Dog Sports* are adapted and implemented in conformance with the IFSS’ responsibilities under the Code, and are in furtherance of the IFSS’ continuing efforts to eradicate doping in the sled dog sports.

Anti-Doping Rules, like *Competition* rules, are sport rules governing the conditions under which sport is played. *Athletes* and other *Persons* accept these rules as a condition of participation and shall be bound by them. These sport-specific rules and procedures, aimed at enforcing anti-doping principles in a global and harmonized manner, are distinct in nature and, therefore, not intended to be subject to or limited by any national requirements and legal standards applicable to criminal proceedings or employment matters. When reviewing the facts and the law of a given case, all courts, arbitral tribunals and other adjudicating bodies should be aware of and respect the distinct nature of the anti-doping rules in the Code and the fact that these rules represent the consensus of a broad spectrum of stakeholders around the world with an interest in fair sport.

Fundamental Rationale for the Code and IFSS’ Anti-Doping Rules for Dogs participating in Sled Dog Sports

Anti-doping programs seek to preserve what is intrinsically valuable about sport. This intrinsic value is often referred to as “the spirit of sport”; it is the essence of Olympism; it is how we play true. In *Sled Dog Sports*, the care and protection of the *Dogs* that participate are also major issues. The spirit of sport is the celebration of the human spirit, body and mind, and for *Sled Dog Sports* it is also sharing the joy and work with the *Dogs*. All of this is characterized by the following values:

- Ethics, fair play and honesty
- Health and welfare the *Dogs* participating in *Sled Dog Sports*
- Excellence in performance
- Character and education
- Fun and joy
- Teamwork – humans and *Dogs* combining together to perform
- Dedication and commitment
- Respect for rules and laws
- Respect for one’s self, one’s *Dogs* and other participants and their *Dogs*
- Courage
- Community and solidarity

Doping is fundamentally contrary to the spirit of sport.

Scope

These Anti-Doping Rules for *Dogs* participating in *Sled Dog Sports* shall apply to the IFSS, the *Founding* and *Associate Members* of IFSS, each *National Federation* of the IFSS, and each *Participant* in the activities of the IFSS or any of its *National Federations* by virtue of the *Participant's* membership, accreditation, or participation in the IFSS, its *National Federations*, *Founding Members* or *Associate Members* or their activities or *Events*.

It is the responsibility of each *National Federation* to ensure that all national level *Testing* on the *National Federation's Athletes' Dogs* complies with these Anti-Doping Rules. In some countries, the *National Federation* itself will be conducting the *Doping Control* described in these Anti-Doping Rules. In other countries, many of the *Doping Control* responsibilities of the *National Federation* have been delegated or assigned by statute or agreement to a *National Anti-Doping Organization*. In those countries, references in these Anti-Doping Rules to the *National Federation* shall apply, as appropriate, to the *National Anti-Doping Organization*.

These Anti-Doping Rules for *Dogs* participating in *Sled Dog Sports* shall apply to all *Doping Controls* on *Dogs* over which the IFSS, its *Founding* and *Associate Members* and its *National Federations* have jurisdiction.

Article 1 DEFINITION OF DOPING IN DOGS PARTICIPATING IN SLED DOG SPORTS

Doping is defined as the occurrence of one or more of the anti-doping rule violations set forth in Article 2.1 through Article 2.8 of these Anti-Doping Rules.

Article 2 ANTI-DOPING RULE VIOLATIONS

Athletes and other *Persons* shall be responsible for knowing what constitutes an anti-doping rule violation and the substances and methods which have been included on the *Prohibited List for Dogs*.

The following constitute anti-doping rule violations¹:

2.1 The presence of a *Prohibited Substance* or its *Metabolites* or *Markers* in an *Athlete's Dog's Sample*.

2.1.1 It is each *Athlete's* personal duty to ensure that no *Prohibited Substance* enters his or her *Dog's* body. *Athletes* are responsible for any *Prohibited Substance* or its *Metabolites* or *Markers* found to be present in their *Dogs' Samples*. Accordingly, it is not necessary that intent, fault, negligence or knowing *Use* on the *Athlete's* part be demonstrated in order to establish an anti-doping violation under Article 2.1.²

2.1.2 Sufficient proof of an anti-doping rule violation under Article 2.1 is established by either of the following:

- presence of a *Prohibited Substance* or its *Metabolites* or *Markers* in the *Athlete's Dog's A Sample* where the *Athlete* waives analysis of the *B Sample* and the *B Sample* is not analyzed;
- or, where the *Athlete's Dog's B Sample* is analyzed and the analysis of the *Athlete's B Sample* confirms the presence of the *Prohibited Substance* or its *Metabolites* or *Markers* found in the *Athlete's Dog's A Sample*.³

2.1.3 Excepting those substances for which a quantitative threshold is specifically identified in the *Prohibited List for Dogs*, the presence of any quantity of a *Prohibited Substance* or its *Metabolites* or *Markers* in an *Athlete's Dog's Sample* shall constitute an anti-doping rule violation.

¹ Comment to Article 2: The purpose of Article 2 is to specify the circumstances and conduct which constitute violations of anti-doping rules. Hearings in doping cases will proceed based on the assertion that one or more of these specific rules has been violated.

² Comment to Article 2.1.1: For purposes of anti-doping violations involving the presence of a *Prohibited substance* (or its *Metabolites* or *Markers*), the IFSS Anti-Doping Rules adopt the rule of strict liability which was found in the Olympic Movement Anti-Doping Code ("OMADC") and the vast majority of pre-Code anti-doping rules. Under the strict liability principle, an *Athlete* is responsible, and an anti-doping rule violation occurs, whenever a *Prohibited Substance* is found in an *Athlete's Dog's Sample*. The violation occurs whether or not the *Athlete* or other *Person* intentionally or unintentionally *Used* a *Prohibited Substance* on the *Dog* or was negligent or otherwise at fault. If the positive *Sample* came from an *In-Competition* test, then the results of that *Competition* are automatically invalidated (Article 9: Automatic Disqualification of Individual Results.) However, the *Athlete* then has the possibility to avoid or reduce sanctions if the *Athlete* can demonstrate that he or she was not at fault or significant fault (Article 10.5 : Elimination or Reduction of Period of Ineligibility Based on Exceptional Circumstances) or in certain circumstances did not intend to enhance his or her *Dog's* sport performance (Article 10.4 : Elimination or Reduction of the Period of Ineligibility for Specified Substances under Specific Circumstances.)

The strict liability rule for the finding of a *Prohibited Substance* in an *Athlete's Dog's Sample*, with a possibility that sanctions may be modified based on specified criteria, provides a reasonable balance between effective anti-doping enforcement for the benefit of all *Athletes* whose *Dogs* are "clean" and fairness in the exceptional circumstance where a *Prohibited Substance* entered an *Athlete's Dog's* system through *No Fault or Negligence* or *No Significant Fault or Negligence* on the *Athlete's* part. It is important to emphasize that while the determination of whether the anti-doping rule has been violated is based on strict liability, the imposition of a fixed period of *Ineligibility* is not automatic. The strict liability principle set forth in *International Federation Anti-Doping Rules* has been consistently upheld in the decisions of CAS.

³ Comment to Article 2.1.2: The IFSS may in its discretion choose to have the *B Sample* analyzed even if the *Athlete* does not request the analysis of the *B Sample*.

2.1.4 As an exception to the general rule of Article 2.1, the *Prohibited List for Dogs* or *International Standards* may establish special criteria for the valuation of *Prohibited Substances* that can also be produced endogenously in *Dogs* participating in *Sled Dog Sports*.

2.2 Use by any Athlete's Dog(s) In-Competition of any Prohibited Method or Prohibited Substance, or Use by any Athlete's Dog(s) Out-of-Competition of any Prohibited Method or any Prohibited Substance that is prohibited Out-of-Competition.^{4, 5}

2.2.1 It is each *Athlete's* personal duty to ensure that no *Prohibited Substance* enters his or her *Dog's* body. Accordingly, it is not necessary that intent, fault, or negligence on the *Athlete's* part, or knowledge by the *Athlete* of his or her *Dog's Use*, be demonstrated in order to establish an anti-doping rule violation for *Use* of a *Prohibited Substance* or a *Prohibited Method*.⁶

2.3 Refusing or failing without compelling justification to make an Athlete's Dog or Dogs available for Sample collection after notification as authorized in these Anti-Doping Rules or otherwise evading *Sample* collection.⁷

2.4 Violation of applicable requirements regarding the availability of the Athlete's Dog(s) for Out-of-Competition Testing as per the indications set out in the International Standards for Testing, including failure to file the *Dog(s)* whereabouts information as per Article 11.3 of the *International Standard for Testing* (a "Filing Failure") and failure by the *Athlete* to make

⁴ Comment to Article 2.2: The Anti-Doping Rules for human athletes stipulate in Article 2.2 "Use or Attempted Use". The term "Attempted Use" implies that the *Athlete* may deliberately attempt to utilize, apply, ingest, inject, or consume a *Prohibited Substance or Method*. This is not the case for *Dogs*, who as animals do not themselves, knowingly or otherwise, deliberately take or apply any "Substances or Methods" whatsoever. Attempted *Use* is accordingly not a violation of these *Anti-Doping Rules* for *Dogs* participating in *Sled Dog Sports*.

However, *Use* by an *Athlete's Dog* remains an anti-doping violation by the *Athlete*. Although the term "Use" can connote an active role for the user, as defined in these anti-doping rules, "Use" means "utilization on, application to, injection to, ingestion, absorption or consumption by an *Athlete's Dog*...of a *Prohibited Substance* or *Prohibited Method*." In cases in which a violation of article 2.1 has not been established, but where sufficient evidence exists to show that an *Athlete's Dog* has, for instance, ingested, consumed, or been injected with a *Prohibited Substance*, such *Use* constitutes an anti-doping rule violation by the *Athlete*.

If the *Use* occurred *In-Competition*, then the results of that *Competition* are automatically invalidated (Article 9: Automatic Disqualification of Individual Results.) However, the *Athlete* then has the possibility to avoid or reduce sanctions if the *Athlete* can demonstrate that he or she was not at fault or significant fault (Article 10.5 : Elimination or Reduction of Period of Ineligibility Based on Exceptional Circumstances) or in certain circumstances did not intend to enhance his or her *Dog's* sport performance (Article 10.4 : Elimination or Reduction of the Period of Ineligibility for Specified Substances under Specific Circumstances.)

It is important to distinguish between *Use* under Article 2.2 and *Administration* under Article 2.8. In the former case, the violation and its consequences are imputable to the *Athlete* whose *Dog* used the *Prohibited Substance*. In the latter case, the violation and its consequences rest with the *Person* having administered the *Prohibited Substance* to an *Athlete's Dog*.

⁵ Comment to Article 2.2: As noted in Article 3 (Proof of Doping), *Use by an Athlete's Dog(s)* may be established by any reliable means. Unlike the proof required to establish an anti-doping rule violation under Article 2.1, *Use* may also be established by other reliable means such as admissions by the *Athlete* or the *Athlete's Support Personnel*, witness statements, documentary evidence, conclusions drawn from longitudinal profiling, or other analytical information which does not otherwise satisfy all the requirements to establish "Presence" of a *Prohibited Substance* under Article 2.1. For example, *Use* may be established based upon reliable analytical data from the analysis of an *A Sample* (without confirmation from an analysis of a *B Sample*) or from the analysis of a *B Sample* alone where the IFSS provides a satisfactory explanation for the lack of confirmation in the other *Sample*.

⁶ Comment to Article 2.2.1: Demonstrating the "Attempted *Use*" of a *Prohibited Substance* requires proof of intent on the *Athlete's* or another *Person's* part. The fact that intent may be required to prove this particular anti-doping rule violation does not undermine the strict liability principle established for violations of Article 2.1 and violations of Article 2.2 in respect of *Use* of a *Prohibited Substance* or *Prohibited Method*. "*Use*" of a *Prohibited Substance or Method* by an *Athlete's Dog(s)* constitutes an anti-doping rule violation unless such substance is prescribed by a Veterinarian for required medical treatment and care of the *Dog(s)* and *Use* takes place *Out-of-Competition*. (However, the presence of a *Prohibited Substance* or its *Metabolites* or *Markers* in a *Dog's Sample* collected *In-Competition* will be a violation of Article 2.1 Presence of a *Prohibited Substance* or its *Metabolites* or *Markers* regardless of when that substance might have been *Used*.)

⁷ Comment to Article 2.3: Failure or refusal to submit to *Sample* collection after notification was prohibited in almost all pre-Code anti-doping rules. This Article expands the typical pre-Code rule to include "otherwise evading *Sample* collection" as prohibited conduct. Thus, for example, it would be an anti-doping rule violation if it were established that an *Athlete* or other *Person* was hiding, or hiding the *Athlete's Dog(s)* from a *Doping Control* official in order to evade notification or *Testing*. A violation of "refusing or failing to make a *Dog* or *Dogs* available for *Sample* collection" may be based on either intentional or negligent conduct of the *Athlete* or other *Person*, while "evading" *Sample* collection contemplates intentional conduct by the *Athlete* or other *Person*.

his/her *Dog(s)* available for Testing at the declared whereabouts in accordance with Article 11.4 of the *International Standard for Testing* (a “Missed Test”). Any combination of three Missed Tests and/or Filing Failures committed within an eighteen-month period, as declared by the IFSS or any other *Anti-Doping Organization* with jurisdiction over an *Athlete*, shall constitute an anti-doping rule violation.⁸

2.5 Tampering or Attempted Tampering with any part of Doping Control with respect to an Athlete’s Dog.⁹

2.6 Possession of Substances and Methods that are Prohibited for Dogs participating in Sled Dog Sports

2.6.1 Possession by an *Athlete In-Competition* of any *Prohibited Method* or any *Prohibited Substance*, or Possession by an *Athlete Out-of-Competition* of any *Prohibited Method* or any *Prohibited Substance* which is prohibited in *Out-of-Competition Testing* unless the *Athlete* establishes that the Possession is pursuant to a therapeutic use exemption (“TUE”) that may have been granted his/her *Dog(s)* in accordance with Article 4.4 (Therapeutic Use) or other acceptable justification.

2.6.2 Possession by *Athlete Support Personnel In-Competition* of any *Prohibited Method* or any *Prohibited Substance*, or Possession by *Athlete Support Personnel Out-of-Competition* of any *Prohibited Method* or any *Prohibited Substance* which is prohibited *Out-of-Competition*, in connection with an *Athlete’s Dog(s)*, *Competition* or training, unless the *Athlete Support Personnel* establishes that the Possession is pursuant to a TUE that may have been granted to an *Athlete’s Dogs(s)* in accordance with Article 4.4 (Therapeutic Use) or other acceptable justification.^{10, 11}

2.7 Trafficking or Attempted Trafficking in any Prohibited Substance or Prohibited Method

2.8 Administration or Attempted Administration to any Athlete’s Dog In-Competition of any Prohibited Method or Prohibited Substance, or Administration or Attempted Administration to any Athlete’s Dog Out-of-Competition of any Prohibited Method or any Prohibited Substance that is prohibited Out-of-Competition or assisting, encouraging, aiding, abetting, covering up or any other type of complicity involving an anti-doping rule violation or any Attempted anti-doping rule violation.¹²

⁸ Comment to Article 2.4: Separate whereabouts filing failures and missed tests declared under the rules of the IFSS or any other *Anti-Doping Organization* with authority to declare a *Dog’s* whereabouts filing failures and missed tests as per the *International Standard for Testing* shall be combined in applying this Article. In appropriate circumstances, missed tests or filing failures may also constitute an anti-doping rule violation under Article 2.3 or Article 2.5.

⁹ Comment to Article 2.5: This Article prohibits conduct which subverts the *Doping Control* process but which would not otherwise be included in the definition of *Prohibited Methods*. For example, altering identification numbers on a *Dog’s Doping Control* form during *Testing*, breaking the B Bottle at the time of B *Sample* analysis or providing fraudulent information to the IFSS.]

¹⁰ Comment to Articles 2.6.1 and 2.6.2: Acceptable justification would not include, for example, buying or possessing a *Prohibited Substance* for purposes of giving it to a friend or relative, except under justifiable medical circumstances where that *Person* had a physician’s prescription, e.g., buying Insulin for a diabetic child. For the purpose of these rules concerning *Dogs* participating in *Sled Dog Sports*, the possession of *Substances* and *Methods* that are not on the *Prohibited List* for human *Athletes* and that are destined for human use only, will not be considered a violation under Article 2.6 of these rules. However, this tolerance alone will in no way reduce the strict liability of the *Athlete* should one of the abovementioned substances and methods result in an *Adverse Analytical Finding* for his/her *Dog(s)*.

¹¹ Comment to Article 2.6.2: Acceptable justification would include, for example, a team doctor or veterinarian carrying *Prohibited Substances* for dealing with acute and emergency situations.

¹² Comment to Article 2.8: The *Code* does not make it an anti-doping rule violation for an *Athlete* or other *Person* to work or associate with *Athlete Support Personnel* who are serving a period of *Ineligibility*. However, the IFSS may adopt its own specific policy which prohibits such conduct.

ARTICLE 3 PROOF OF DOPING IN *DOGS* PARTICIPATING IN *SLED DOG SPORTS*

3.1 Burden and Standards of Proof

IFSS and its *National Federations* shall have the burden of establishing that an anti-doping rule violation has occurred. The standard of proof shall be whether IFSS or its *National Federation* has established an anti-doping rule violation to the comfortable satisfaction of the hearing panel bearing in mind the seriousness of the allegation which is made. This standard of proof in all cases is greater than a mere balance of probability but less than proof beyond a reasonable doubt. Where these rules place the burden of proof upon the *Athlete* or other *Person* alleged to have committed an anti-doping rule violation to **rebut** a presumption or establish specific circumstances, the standard of proof shall be by a balance of probability except as provided in Articles 10.4 and 10.6, where the *Athlete* must satisfy a higher burden of proof.¹³

3.2 Methods of establishing facts and Presumptions¹⁴

Facts relating to anti-doping rules violations may be established by any reliable means, including admissions. The following rules of proof shall be applicable in doping cases involving *Dogs* participating in *Sled Dog Sports*:

3.2.1 IFSS-accredited laboratories are presumed to have conducted *Sample* analysis and custodial procedures in accordance with the *International Standard* for Laboratories. The *Athlete* or other *Person* may **rebut** this presumption by establishing that a departure from the *International Standard* occurred which could reasonably have caused the *Adverse Analytical Finding*.

If the *Athlete* or other *Person* **rebuts** the preceding presumption by showing that a departure from the *International Standard* occurred which could reasonably have caused the *Adverse Analytical Finding*, then the IFSS or its *National Federation* shall have the burden to establish that such departure did not cause the *Adverse Analytical Finding*.¹⁵

3.2.2 Departures from any other *International Standard* or other anti-doping rule or policy which did not cause an *Adverse Analytical Finding* or other anti-doping rule violation shall not invalidate such results. If the *Athlete* or other *Person* establishes that a departure from another *International Standard* or other antidoping rule or policy which could reasonably have caused the *Adverse Analytical Finding* or other anti-doping rule violation occurred, then the IFSS or its *National Federation* shall have the burden to establish that such a departure did not cause the *Adverse Analytical Finding* or the factual basis for the antidoping rule violation.

3.2.3 The facts established by a decision of a court or professional disciplinary tribunal of competent jurisdiction which is not the subject of a pending appeal shall be **irrebuttable** evidence against the *Athlete* or other *Person* to whom the decision pertained of those facts

¹³ Comment to Article 3.1: This standard of proof required to be met by the IFSS or its *National Federation* is comparable to the standard which is applied in most countries to cases involving professional misconduct. It has also been widely applied by courts and hearing panels in doping cases. See, for example, the CAS decision in N., J., Y., W. v. FINA, CAS 98/208, 22 December 1998.]

¹⁴ Comment to Article 3.2: For example, the IFSS or its *National Federation* may establish an anti-doping rule violation under Article 2.2 *Use* of a *Prohibited Substance* or *Prohibited Method* based on the *Athlete's* admissions, the credible testimony of third *Persons*, reliable documentary evidence, reliable analytical data from either an *Athlete's Dog's* A or B *Sample* as provided in the Comments to Article 2.2, or conclusions drawn from the profile of a series of the *Athlete's Dog's* blood or urine *Samples*.

¹⁵ Comment to Article 3.2.1: The burden is on the *Athlete* or other *Person* to establish, by a balance of probability, a departure from the *International Standard* that could reasonably have caused the *Adverse Analytical Finding*. If the *Athlete* or other *Person* does so, the burden shifts to the IFSS or its *National Federation* to prove to the comfortable satisfaction of the hearing panel that the departure did not cause the *Adverse Analytical Finding*.

unless the *Athlete* or other *Person* establishes that the decision violated principles of natural justice.

3.2.4 The hearing panel in a hearing on an anti-doping rule violation may draw an inference adverse to the *Athlete* or other *Person* who is asserted to have committed an anti-doping rule violation based on the *Athlete's* or other *Person's* refusal, after a request made in a reasonable time in advance of the hearing, to appear at the hearing (either in person or telephonically as directed by the tribunal) and to answer questions either from the hearing panel or from the *Anti-Doping Organization* asserting the anti-doping rule violation.¹⁶

ARTICLE 4 THE PROHIBITED LIST FOR DOGS

4.1 Incorporation of the *Prohibited List* for Dogs

These Anti-Doping Rules incorporate the *Prohibited List* applicable to *Dogs* participating in *Sled Dog Sports*, which is published and revised by the IFSS in conformity with the procedures followed by *WADA* for publication and revision of its own *Prohibited List* as described in Article 4.1 of the *Code*, adapted as required. The IFSS will ensure that each *National Federation*, *Founding Member* and *Associate Member* has access to the current *Prohibited List* for *Dogs*, and each *National Federation*, *Founding Member* and *Associate Member* shall ensure that the current *Prohibited List* for *Dogs* is available to its members and constituents.¹⁷

4.2 *Prohibited Substances* and *Prohibited Methods* Identified on the *Prohibited List* for *Dogs*

4.2.1 *Prohibited Substances* and *Prohibited Methods* for *Dogs*

Unless provided otherwise in the *Prohibited List* for *Dogs* and/or a revision, the *Prohibited List* for *Dogs* and revisions shall go into effect under these Anti-Doping Rules immediately after publication of said *Prohibited List* for *Dogs* by the IFSS. As described in Article 4.2 of the *Code*, the IFSS may, upon the recommendation of its Anti-Doping Committee, expand the *Prohibited List* for *Dogs* or do so for certain disciplines within the *Sled Dog Sports*. The IFSS Anti-Doping Committee may, upon the recommendation of the IFSS Veterinary Committee, establish a monitoring program as described in Article 4.5 of the *Code* and may recommend that the IFSS include additional *Substances* and *Methods* that have the potential for abuse on *Dogs* participating in *Sled Dog Sports*. The IFSS Council shall make the final decision on such requests.¹⁸

4.2.2 Specified Substances

For purposes of the application of Article 10 (Sanctions on Individuals), all *Prohibited Substances* shall be "Specified Substances" except:

- (a) substances in the classes of anabolic agents and hormones, and,

¹⁶ Comment to Article 3.2.4: Drawing an adverse inference under these circumstances has been recognized in numerous CAS decisions.

¹⁷ Comment to Article 4.1: The *Prohibited List* applicable to *Dogs* participating in *Sled Dog Sports* will be revised and published on an expedited basis whenever the need arises. However, for the sake of predictability, a new *Prohibited List* for *Dogs* will be published every year whether or not changes have been made. The *Prohibited List* in force for *Dogs* is available on IFSS' website at www.sleddogsport.com. The *Prohibited List* for *Dogs* is an integral part of these *Anti-Doping Rules*.

¹⁸ Comment to Article 4.2.1: There will be only one "*Prohibited List* applicable to *Dogs* participating in *Sled Dog Sports*". The substances which are prohibited at all times would include masking agents and those substances which, when *Administered* to a *Dog* in training, may have long term performance enhancing effects such as anabolics. All substances and methods on the *Prohibited List* for *Dogs* are prohibited *In-Competition*. *Out-of-Competition Use* (Article 2.2) of a *Substance* which is only prohibited *In-Competition* is not an anti-doping rule violation unless an *Adverse Analytical Finding* for the *Substance* or its *Metabolites* is reported for a *Sample* collected *In-Competition* (Article 2.1). The IFSS may add additional substances or methods to the *Prohibited List* for *Dogs*, for specific disciplines, but this will also be reflected on the single *Prohibited List* for *Dogs*. A particular discipline is not permitted to seek exemption from the basic list of *Prohibited Substances* (e.g. eliminating anabolics from the *Prohibited List* for human "mind sports"). The premise of this decision is that there are certain basic doping agents which anyone who chooses to call himself or herself an *Athlete* should not administer to his/her *Dog(s)*.

(b) those stimulants and hormone antagonists and modulators so identified on the *Prohibited List for Dogs*.

Prohibited Methods shall not be Specified Substances.

4.2.3 New Classes of *Prohibited Substances*

In the event the IFSS expands the *Prohibited List for Dogs* by adding a new class of *Prohibited Substances* in accordance with Article 4.1 of the *Code*, IFSS Anti-Doping Committee, after consultation with the IFSS Veterinary Committee, shall determine whether any or all *Prohibited Substances* within the new class of *Prohibited Substances* shall be considered Specified Substances under Article 4.2.2.

4.3 Criteria for Including Substances and Methods on the *Prohibited List for Dogs*

As provided in Article 4.3.3 of the *Code*, the IFSS's determination of the *Prohibited Substances* and *Prohibited Methods* that will be included on the *Prohibited List for Dogs* and the classification of substances into categories on this *Prohibited List* is final and shall not be subject to challenge by an *Athlete* or other *Person* based on an argument that the substance or method was not a masking agent or did not have the potential to enhance a *Dog's* performance, represent a health risk for the *Dog* or violate the spirit of sport. Nor can it be justifiably argued that a *Prohibited Substance* or *Prohibited Method* is necessary to protect a *Dog* from a recognized risk of physical deterioration during an *Event*. The cause of the risk itself must be sought and eliminated; or the *Dog* must be withdrawn from the *Event*. A major principle in the *Sled Dog Sports* has always been that no *Dog* must be made to perform beyond the limit of its natural capacity by any artificial means whatsoever.¹⁹

4.4 Therapeutic Use

Not applicable for Dogs participating in Sled Dog Sports under the present Anti-Doping Rules.

The IFSS may decide to include Therapeutic Use Exemptions in conformity with the International Standard for Therapeutic Use Exemptions, after sufficient study in the field of Sled Dog Sports has been carried out.

ARTICLE 5 TESTING OF DOGS PARTICIPATING IN SLED DOG SPORTS

5.1 Authority to Test

The *Dogs* of all *Athletes* under the jurisdiction of a *National Federation* shall be subject to *In-Competition Testing* by the IFSS, the *Athlete's National Federation*, and any other *Anti-Doping Organization* responsible for *Testing* at a *Competition* or *Event* in which they participate.

The Dogs of all *Athletes* under the jurisdiction of a *National Federation*, including *Athletes* serving a period of ineligibility or a *Provisional Suspension*, shall be subject to *Out-of Competition Testing* at any time or place, with or without advance notice, by the IFSS, the WADA, the *Athlete's National Federation*, the *National Anti-Doping Organization* of any country where the *Athlete* is present, and the IOC during Olympic Games and the IPC during Paralympic Games. Target testing will be made a priority.²⁰

¹⁹ Comment to Article 4.3: The question of whether a substance meets the criteria in Article 4.3 (Criteria for Including *Substances* and *Methods* on the *Prohibited List for Dogs*) in a particular case cannot be raised as a defence to an antidoping rule violation. For example, it cannot be argued that the *Prohibited Substance* detected would not have been performance enhancing for a *Dog* in that particular sport. Rather, doping occurs when a substance on the *Prohibited List for Dogs* is found in an *Athlete's Dog's Sample*. Similarly, it cannot be argued that a substance listed in the class of anabolic agents does not belong in that class.

²⁰ Comment to Article 5.1: Target *Testing* is specified because random *Testing*, or even weighted random *Testing*, does not ensure that all of the appropriate *Athletes' Dogs* will be tested (e.g., the *Dogs* of world-class *Athletes*, *Athletes* whose performances have dramatically improved over a short period of time, *Athletes* whose coaches have had other *Athletes' Dogs* test positive, etc.). Obviously, Target *Testing* must not be used for any purposes other than legitimate *Doping Control*. The *Code* makes it clear that *Athletes* have no right to expect that their *Dogs* will be tested only on a random basis. Similarly, it does not impose any reasonable suspicion or probable cause requirement for Target *Testing*.

5.2 Responsibility for *Testing* Conducted by the IFSS

The IFSS Anti-Doping Committee shall be responsible for drawing up a test distribution plan for *Dogs* participating in *Sled Dog Sports* in accordance with Article 4 of the *International Standards for Testing*, and for the implementation of that plan, including overseeing all *Testing* conducted by or on behalf of IFSS. *Testing* may be conducted by qualified persons so authorized by the IFSS.

5.3 Testing Standards

Testing conducted on *Dogs* by the IFSS and its *National Federations* shall be in substantial conformity with the *International Standards for Testing* in force at the time of *Testing*.

5.3.1 Blood (or other non-urine) *Samples* may be used to detect *Prohibited Substances* or *Prohibited Methods* present in *Dogs* participating in *Sled Dog Sports* for screening procedure purposes, or for longitudinal hematological profiling (“the passport”). If the blood *Sample* is collected for screening only, it will have no other consequences for the *Athlete* other than to identify his/her *Dog(s)* for a urine test under these anti-doping rules. In these circumstances, the IFSS may decide at its own discretion which blood parameters are to be measured in the screening *Sample* and what levels of those parameters will be used to indicate that an *Athlete’s Dog(s)* should be selected for a urine test. If however, the *Sample* is collected for longitudinal hematological profiling (“the passport”), it may be used for anti-doping purposes in accordance with Article 2.2 of the *Code*.

5.4 Coordination of *Testing*

IFSS and its *National Federations* shall promptly report completed tests through the WADA clearinghouse to avoid unnecessary duplication in *Testing* carried out on *Dogs* participating in *Sled Dog Sports*.

5.5 Athlete’s *Dog(s)* Whereabouts Requirements

5.5.1 Each *Athlete* identified by the IFSS for its *Registered Testing Pool* as per the IFSS Anti-Doping Rules (Human Athletes), Article 5.5.1, shall: (a) advise the IFSS, on a quarterly basis, of the whereabouts of all *Dogs* participating in or in training for his/her teams, in the manner set out in Article 11.3 of the *International Standard for Testing*; (b) update that information as necessary in accordance with Article 11.4.2 of the *International Standard for Testing*, so that it remains accurate and complete at all times; and (c) ensure that his/her *Dog(s)* are made available for *Testing* at such whereabouts, in accordance with Article 11.4 of the *International Standard for Testing*.

5.5.2 An *Athlete’s* failure to advise the IFSS of his/her *Dog(s)’* whereabouts shall be deemed a Filing Failure for purposes of Article 2.4 where the conditions of Article 11.3.5 of the *International Standard for Testing* are met.

5.5.3 An *Athlete’s* failure to have his/her *Dog(s)* made available for *Testing* at the *Dog(s)* declared whereabouts shall be deemed a Missed Test for purposes of Article 2.4 where the conditions of Article 11.4.3 of the *International Standard for Testing* are met.

5.5.4 Each *National Federation* shall also ensure that the whereabouts requirements of the *International Standard for Testing* shall also apply to the *Dogs* of the *Athletes* in its national *Registered Testing Pool*. Where those *Athletes* are also in the IFSS’ *Registered Testing Pool*, the IFSS and the *National Federation* will agree (with the assistance of WADA if required) on which of them will take responsibility for receiving *Dog* whereabouts filings from the *Athlete* and sharing it with the other (and with other *Anti-Doping Organizations*) in accordance with Article 5.5.5.

5.5.5 Whereabouts information provided pursuant to Articles 5.5.1 and 5.5.4 shall be shared with *WADA* and other *Anti-Doping Organizations* having jurisdiction to test an *Athlete's Dog(s)* in accordance with Articles 11.7.1(d) and 11.7.3(d) of the *International Standard for Testing*, under the strict condition that it be used only for *Doping Control* purposes.

5.6 Retirement and Return to Competition

5.6.1 All the *Dogs* participating in or being trained for the team of an *Athlete* who has been identified by the IFSS for inclusion in the IFSS' *Registered Testing Pool* shall continue to be subject to these Anti-Doping Rules *Dogs* participating in *Sled Dog Sports*, including the obligation to comply with the whereabouts requirements of the *International Standard for Testing* unless the *Athlete* gives written notice that he or she has retired or until he or she no longer satisfies the criteria for inclusion in the IFSS' *Registered Testing Pool* and has been so informed by the IFSS.

5.6.2 An *Athlete* who has given notice of retirement to the IFSS may not resume competing unless he or she notifies the IFSS at least six months before he or she expects to return to competition and makes his/her *Dog(s)* available for unannounced *Out-of-Competition Testing*, including (if requested) complying with the whereabouts requirements of the *International Standard for Testing*, at any time during the period before actual return to competition.

5.6.3 *National Federations/National Anti-Doping Organizations* may establish similar requirements for retirement and returning to competition for *Athletes* in the national *Registered Testing Pool*.

5.7 Selection of Dogs to be Tested

5.7.1 At *International Events*, the IFSS Anti-Doping Committee shall determine the number of finishing placement tests, random tests and target tests to be performed.

5.7.1.1 The following *Dogs* shall be tested at an *International Event*:

- One or more *Dog(s)* of the *Athletes* finishing in one of the top three placements in selected disciplines in the *Event*.
- At minimum, one or more *Dog(s)* of one other *Athlete* competing in the *Event*, selected at random.

5.7.2 At *National Events*, each *National Federation* shall determine the number of *Dogs* selected for *Testing* in each *Competition* and the procedures for selecting the *Dogs for Testing*.

5.7.3 In addition to the selection procedures set forth in Articles 5.7.1 and 5.7.2 above, the IFSS Anti-Doping Committee at *International Events*, and the *National Federation* at *National Events*, may also select individual *Dogs* or entire *Dog* teams for *Target Testing* so long as such *Target Testing* is not used for any purpose other than legitimate *Doping Control* purposes.

5.7.4 *Dogs* shall be selected for *Out-of-Competition Testing* by the IFSS Anti-Doping Commission and by *National Federations* through a process that substantially complies with the *International Standard for Testing* in force at the time of selection.

5.8 *National Federations* and the organizing committees for *National Federation Events* shall provide access to *Independent Observers* at *Events* as directed by the IFSS.

ARTICLE 6 ANALYSIS OF SAMPLES TAKEN FROM DOGS PARTICIPATING IN SLED DOG SPORTS

Doping Control Samples collected from *Dogs* participating in *Sled Dog Sports* under these Anti-Doping Rules shall be analyzed in accordance with the following principles:

6.1 Use of Approved Laboratories

The IFSS shall send *Doping Control Samples* collected from *Dogs* for analysis only to IFSS-accredited laboratories or as otherwise approved by IFSS. The choice of the IFSS-accredited laboratory (or other laboratory or method approved by IFSS) used for the *Sample* Analysis shall be exclusively determined by the IFSS.²¹

6.2 Purpose of Collection and Analysis of Samples

Samples taken from *Dogs* shall be analyzed to detect *Prohibited Substances* and *Prohibited Methods* identified on the *Prohibited List for Dogs* and other substances as may be directed by the IFSS pursuant to any Monitoring Program established as described in Article 4.5 of the *Code* or to assist the IFSS in profiling relevant parameters in an *Athlete's Dog's* urine, blood or other matrix, including DNA or genomic profiling, for anti-doping purposes.²²

6.3 Research on Samples taken from Dogs participating in Sled Dog Sports.

No *Sample* may be used for any purpose other than as described in Article 6.2 without the *Athlete's* written consent. If the *Athlete* is a minor, the written consent of his or her legal guardian must also be obtained. *Samples* used (with the consent the *Athlete*) for purposes other than Article 6.2 shall have any means of identification removed so that they cannot be traced back to a particular *Athlete* or his/her *Dog*.

6.4 Standard for Sample Analysis and Reporting

Laboratories shall analyze *Doping Control Samples* and report results in conformity with the *International Standard for Laboratories*.

6.5 Retesting Samples

A *Sample* may be reanalyzed for the purposes described in Article 6.2 at any time exclusively at the direction of the IFSS or WADA. The circumstances and conditions for retesting *Samples* shall conform to the requirements of the *International Standard for Laboratories*.²³

ARTICLE 7 RESULTS MANAGEMENT

7.1 Results Management for Tests Initiated by the IFSS on Dogs participating in Sled Dog Sports.

Results management for Tests on *Dogs* participating in *Sled Dog Sports* initiated by the IFSS (including tests performed by another Anti-Doping Organization pursuant to any agreement with IFSS) shall proceed as set forth below:

7.1.1 The results from all analyses must be sent to the IFSS in encoded form, in a report signed by an authorized representative of the laboratory. All communication must be conducted in confidentiality, and should be in conformity with *ADAMS*, a database

²¹ Comment to Article 6.1: Violations of Article 2.1 (Presence of a *Prohibited Substance* or its *Metabolites* or *Markers* in an *Athlete's Dog's Sample*) may be established only by *Sample* analysis performed by an IFSS-approved laboratory or another laboratory specifically authorized by IFSS. Violations of other Articles may be established using analytical results from other laboratories so long as the results are reliable.

²² Comment to Article 6.2: For example, relevant profile information could be used to direct *Target Testing* or to support an anti-doping rule violation proceeding under Article 2.2 (*Use* of a *Prohibited Substance*), or both.

²³ Comment to Article 6.5: Although this Article is new, *Anti-Doping Organizations* have always had the authority to reanalyze *Samples*. *The International Standard for Laboratories* or a new technical document which is made a part of the *International Standard* will harmonize the protocol for such retesting.

management tool developed by WADA. ADAMS is consistent with data privacy statutes and norms applicable to WADA and other organizations using it.

7.1.2 Upon receipt of an *Adverse Analytical Finding* in a *Dog's A Sample*, the IFSS Anti-Doping Committee Chair shall conduct a review to determine whether:

- (a) the *Adverse Analytical Finding* is consistent with an applicable TUE pursuant to Article 4.4 of these rules or (b) there is any apparent departure from the *International Standard for Testing* or *International Standard for Laboratories* that caused the *Adverse Analytical Finding*.

7.1.3 Not applicable for Dogs participating in Sled Dog Sports

7.1.4 If the initial review of an *Adverse Analytical Finding* under Article 7.1.2 does not reveal an applicable TUE pursuant to Article 4.4 of these Rules or a departure from the *International Standard for Testing* or the *International Standard for Laboratories* that caused the *Adverse Analytical Finding*, the IFSS shall promptly notify the *Athlete* of:

- (a) the *Adverse Analytical Finding* for his *Dog*, indicating the *Dog's Intra-dermal Identification* (microchip) Number,
- (b) the anti-doping rule violated;
- (c) the *Athlete's* right to request the analysis of the *Dog's B Sample* within ten (10) days or, failing such request, that the *B Sample* analysis may be deemed waived;
- (d) the scheduled date, time and place for the *B Sample* analysis (which shall be within the time period specified in the *International Standard for Laboratories*) if the *Athlete* or the IFSS chooses to request an analysis of the *B Sample*;
- (e) the opportunity for the *Athlete* and/or the *Athlete's* representative to attend the *B Sample* opening and analysis at the scheduled date, time and place if such analysis is requested; and
- (f) the *Athlete's* right to request copies of the *Dog's A and B Sample* laboratory documentation package which includes information as required by the *International Standard for Laboratories*.

The IFSS shall also notify the *Athlete's National Federation* and WADA. If the IFSS decides not to bring forward the *Adverse Analytical Finding* as an anti-doping rule violation, it shall so notify the *Athlete*, the *Athlete's National Federation*, the *Athlete's National Anti-Doping Organization*, and WADA.

7.1.5 Where requested by the *Athlete* or the IFSS, arrangements shall be made for *Testing* the *Dog's B Sample* within the time period specified in the *International Standard for Testing*. An *Athlete* may accept the *Dog's A Sample* analytical results by waiving the requirement for *B Sample* analysis. The IFSS may nonetheless elect to proceed with the *B Sample* analysis.

7.1.6 The *Athlete* and/or his representative shall be allowed to be present at the analysis of the *Dog's B Sample* within the time period specified in the *International Standard for Laboratories*. Also a representative of the *Athlete's National Federation* as well as a representative of the IFSS shall be allowed to be present.

7.1.7 If the *Dog's B Sample* proves negative, then (unless the IFSS takes the case forward as an anti-doping rule violation under Article 2.2) the entire test shall be considered negative and the *Athlete*, his *National Federation*, and the IFSS shall be so informed.

7.1.8 If a *Prohibited Substance* or the *Use* of a *Prohibited Method* is identified, the findings shall be reported to the *Athlete*, his *National Federation*, his *National Anti-Doping Organization*, and to the IFSS.

7.1.9 For apparent anti-doping rule violations that do not involve *Adverse Analytical Findings*, the IFSS shall conduct any necessary follow-up investigation and, at such time

as it is satisfied that an anti-doping rule violation has occurred, it shall then promptly notify the *Athlete* of the anti-doping rule which appears to have been violated, and the basis of the violation.

7.2 Results Management for Atypical Findings in *Dogs* participating in *Sled Dog Sports*.

7.2.1 As provided in the *International Standards*, in certain circumstances laboratories are directed to report the presence of *Prohibited Substances* that may also be produced endogenously in *Dogs* as *Atypical Findings* that should be investigated further.

7.2.2 If a laboratory reports an *Atypical Finding* in respect of a *Sample* collected from an *Athlete's Dog* by or on behalf of the IFSS, the IFSS Anti-Doping Committee Chair shall conduct a review to determine whether:

- (a) the *Atypical Finding* is consistent with an applicable TUE that has been granted pursuant to Article 4.4 of these Rules, or
- (b) there is any apparent departure from the *International Standard for Testing* or *International Standard for Laboratories* that caused the *Atypical Analytical Finding*.

7.2.3 If the initial review of an *Atypical Finding* under Article 7.2.2 reveals an applicable TUE pursuant to Article 4.4 of these Rules or a departure from the *International Standard for Testing* or the *International Standard for Laboratories* that caused the *Atypical Finding*, the entire test shall be considered negative and the *Athlete*, his *National Federation*, and the IFSS shall be so informed.

7.2.4 If the initial review of an *Atypical Finding* under Article 7.2.2 does not reveal an applicable TUE as per Article 4.4, or a departure from the *International Standard for Testing* or the *International Standard for Laboratories* that caused the *Atypical Finding*, the IFSS shall conduct the follow-up investigation required by the *International Standards*. If, once that investigation is completed, it is concluded that the *Atypical Finding* should be considered an *Adverse Analytical Finding*, the IFSS shall pursue the matter in accordance with Article 7.1.3.

7.2.5 The IFSS will not provide notice of an *Atypical Finding* in a *Dog* until it has completed its investigation and has decided whether it will bring the *Atypical Finding* forward as an *Adverse Analytical Finding* unless one of the following circumstances exists:

- (a) If the IFSS determines the *Dog's B Sample* should be analyzed prior to the conclusion of its follow-up investigation, it may conduct the *B Sample* analysis after notifying the *Athlete*, with such notice to include a description of the *Atypical Finding* and the information described in Article 7.1.3(c) to (f).
- (b) If the IFSS receives a request, either from a *Major Event Organization* shortly before one of its *International Events* or from a sports organization responsible for meeting an imminent deadline for selecting team members for an *International Event*, to disclose whether any *Athlete*, who is identified on a list provided by the *Major Event Organization* or sports organization, has a pending *Atypical Finding* for any of his/her *Dogs*, the IFSS shall so identify any such *Athlete* after first providing notice of the *Atypical Finding* to the *Athlete*.

7.3 Results Management for Tests on *Dogs* Initiated During Other *International Sled Dog Events*

Results management and the conduct of hearings from a test of a *Dog* by the International Olympic Committee, the International Paralympic Committee, or a *Major Event Organization*, shall be managed, as far as sanctions beyond *Disqualification* from the *Event* or the results of the *Event*, by the IFSS.

7.4 Results Management for Tests on Dogs initiated by National Federations

Results management conducted by *National Federations* shall be consistent with the general principles for effective and fair results management which underlie the detailed provisions set forth in Article 7.

Results of all *Doping Controls* carried out on *Dogs* participating in *Sled Dog Sports* shall be reported to the IFSS and to the *National Anti-Doping Organization* within 14 days of the conclusion of the *National Federation's* results management process. Any apparent anti-doping rule violation by an *Athlete* who is a member of that *National Federation* shall be promptly referred to an appropriate hearing panel established pursuant to the rules of the *National Federation* or national law. Apparent anti-doping rule violations by *Athletes* who are members of another *National Federation* shall be referred to the *Athlete's National Federation* for hearing.

7.5 Results Management for Athlete's Dogs Whereabouts Violations

7.5.1 Results management in respect of an apparent *Filing Failure* concerning the *Dog(s)* of an *Athlete* in the IFSS *Registered Testing Pool* shall be conducted by the IFSS in accordance with Article 11.6.2 of the *International Standard for Testing* (unless it has been agreed in accordance with Article 5.5.4 that the *National Federation* or *National Anti-Doping Organization* shall take such responsibility).

7.5.2 Results management in respect of an apparent Missed Test by an *Athlete* in the IFSS *Registered Testing Pool* as a result of an attempt to test the *Athlete's Dog(s)* by or on behalf of the IFSS shall be conducted by the IFSS in accordance with Article 11.6.3 of the *International Standard for Testing*. Results management in respect of an apparent Missed Test by such *Athlete* as a result of an attempt to test the *Athlete's Dog(s)* by or on behalf of another *Anti-Doping Organization* shall be conducted by that other *Anti-Doping Organization* in accordance with Article 11.7.6(c) of the *International Standard for Testing*.

7.5.3 Where, in any eighteen-month period, an *Athlete* in the IFSS *Registered Testing Pool* is declared for his *Dog(s)* to have three Filing Failures, or three Missed Tests, or any combination of Filing Failures or Missed Tests adding up to three in total, whether under these Anti-Doping Rules or under the rules of any other *Anti-Doping Organization*, the IFSS shall bring them forward as an apparent antidoping rule violation.

7.6 Provisional Suspensions

7.6.1 If analysis of a *Dog's A Sample* has resulted in an *Adverse Analytical Finding* for a *Prohibited Substance* that is not a Specified Substance, and a review in accordance with Article 7.1.2 does not reveal an applicable TUE as per Article 4.4 or a departure from the *International Standard for Testing* or the *International Standard for Laboratories* that caused the *Adverse Analytical Finding*, the IFSS shall *Provisionally Suspend* the *Athlete* pending the hearing panel's determination of whether he/she has committed an antidoping rule violation.

7.6.2 In any case not covered by Article 7.6.1 where the IFSS decides to take the matter forward as an apparent anti-doping rule violation in accordance with the foregoing provisions of this Article 7, the IFSS Chief Executive Officer, after consultation with the IFSS Anti-Doping Committee Chair and the IFSS Council, may *Provisionally Suspend* the *Athlete* pending the hearing panel's determination of whether he/she has committed an anti-doping rule violation.

7.6.3 Where a *Provisional Suspension* is imposed, whether pursuant to Article 7.6.1 or Article 7.6.2, the *Athlete* shall be given either:

- (a) an opportunity for a *Provisional Hearing* before imposition of the *Provisional Suspension* or on a timely basis after imposition of the *Provisional Suspension*; or

(b) an opportunity for an expedited hearing in accordance with Article 8 (Right to a Fair Hearing) on a timely basis after imposition of a *Provisional Suspension*.

National Federations shall impose *Provisional Suspensions* in accordance with the principles set forth in this Article 7.6.

7.6.4 If a *Provisional Suspension* is imposed based on an *Adverse Analytical Finding* with respect to a *Dog's A Sample*, and any subsequent analysis of the *Dog's B Sample* does not confirm the *Dog's A Sample* analysis, then the *Athlete* shall not be subject to any further *Provisional Suspension* on account of a violation of Article 2.1 of the *Code* (Presence of a *Prohibited Substance* or its *Metabolites* or *Markers*).

In circumstances where the *Athlete* (or the *Athlete's* team as may be the case as per Article 11 of these rules) has been removed from a *Competition* based on a violation of Article 2.1 and the subsequent *B Sample* analysis does not confirm the *A Sample* finding, if, without otherwise affecting the *Competition*, it is still possible for the *Athlete* or team to be reinserted, the *Athlete* or team may continue to take part in the *Competition*.²⁴

7.7 Retirement from Sport

If an *Athlete* or other *Person* retires while a results management process is underway, the IFSS retains jurisdiction to complete its results management process. If an *Athlete* or other *Person* retires before any results management process has begun and the IFSS would have had results management jurisdiction over the *Athlete* or other *Person* at the time the *Athlete* or other *Person* committed an anti-doping rule violation, the IFSS has jurisdiction to conduct results management.²⁵

ARTICLE 8 RIGHT TO A FAIR HEARING

8.1 When it appears, following the results management process described in Article 7, that these Anti-Doping Rules have been violated, the *Athlete* or other *Person* involved shall be brought before a disciplinary panel of the *Athlete* or other *Person's National Federation* for a hearing to adjudicate whether a violation of these Anti-Doping Rules occurred and if so what *Consequences* should be imposed. The hearing process shall respect the following principles:

- a timely hearing;
- fair and impartial hearing panel;
- the right to be represented by counsel at the *Person's* own expense;
- the right to be informed in a fair and timely manner of the asserted antidoping rule violation;
- the right to respond to the asserted anti-doping rule violation and resulting *Consequences*;

²⁴ Comment to Article 7.6: Before a *Provisional Suspension* can be unilaterally imposed by an *Anti-Doping Organization*, the internal review specified in the *Code* must first be completed. In addition, a *Signatory* imposing a *Provisional Suspension* is required to give the *Athlete* an opportunity for a *Provisional Hearing* either before or promptly after the imposition of the *Provisional Suspension*, or an expedited final hearing under Article 8 promptly after imposition of the *Provisional Suspension*. The *Athlete* has a right to appeal under Article 13.2. In the rare circumstance where the *B Sample* analysis does not confirm the *A Sample* finding, the *Athlete* who had been provisionally suspended will be allowed, where circumstances permit, to participate in subsequent *Competitions* during the *Event*. Similarly, depending upon the relevant rules of the *International Federation* in a *Team Sport*, if the team is still in *Competition*, the *Athlete* may be able to take part in future *Competitions*.

Athletes shall receive credit for a *Provisional Suspension* against any period of *Ineligibility* which is ultimately imposed as provided in Article 10.10.3.

²⁵ Comment to Article 7.7: Conduct by an *Athlete* or other *Person* before the *Athlete* or other *Person* was subject to the jurisdiction of any *Anti-Doping Organization* would not constitute an anti-doping rule violation but could be a legitimate basis for denying the *Athlete* or other *Person* membership in a sports organization.

- the right of each party to present evidence, including the right to call and question witnesses (subject to the hearing panel's discretion to accept testimony by telephone or written submission);
- the *Person's* right to an interpreter at the hearing, with the hearing panel to determine the identity, and responsibility for the cost of the interpreter; and
- a timely, written, reasoned decision, specifically including an explanation of the reason(s) for any period of *Ineligibility*.

8.2 Hearings pursuant to this Article shall be completed expeditiously and in all cases within three months of the completion of the Results Management process described in Article 7. Hearings held in connection with *Events* may be conducted by an expedited process.²⁶ If the completion of the hearing is delayed beyond three months, the IFSS may elect, if the *Athlete* is an *International Level Athlete*, to bring the case directly to a single arbitrator from the Court of Arbitration for Sport. The case before the Court of Arbitration for Sport shall be handled in accordance with the Court of Arbitration for Sport appeal procedure without reference to any time limit for appeal. If the completion of the hearing is delayed beyond three months, and the *Athlete* is not an *International Level Athlete*, the IFSS may elect to bring the case directly to the national level appellate body referenced in Article 13.2.2. In either case, the hearing shall proceed at the responsibility of and the expense of the *National Federation*. In either case the appeal from such decision shall be to the Court of Arbitration for Sport.

8.3 *National Federations* shall keep the IFSS fully informed as to the status of pending cases and the results of all hearings.

8.4 The IFSS shall have the right to attend hearings as an observer.

8.5 The *Athlete* or other *Person* may forego a hearing by acknowledging the violation of these Anti-Doping Rules and accepting *Consequences* consistent with Articles 9 and 10 as proposed by the *National Federation*. The right to a hearing may be waived either expressly or by the *Athlete's* or other *Person's* failure to challenge the *National Federation's* assertion that an Antidoping rule violation has occurred within the period of time as prescribed in the *National Federation's* Anti-Doping Rules. Where no hearing occurs, the *National Federation* shall submit to the persons described in Article 13.2.3 a reasoned decision explaining the action taken.

8.6 Decisions by *National Federations*, whether as the result of a hearing or the *Athlete* or other *Person's* acceptance of *Consequences*, may be appealed as provided in Article 13.

8.7 Hearing decisions by the *National Federation* shall not be subject to further administrative review at the national level except as provided in Article 13 or as required by applicable national law.

ARTICLE 9 AUTOMATIC DISQUALIFICATION OF INDIVIDUAL RESULTS

A violation of these Anti-Doping Rules in *Individual Sports* in connection with an *In-Competition* test automatically leads to *Disqualification* of the result obtained in that *Competition* with all resulting consequences, including forfeiture of any medals, points and prizes.²⁷

²⁶ Comment to Article 8.2: For example, a hearing could be expedited on the eve of a major *Event* where the resolution of the anti-doping rule violation is necessary to determine the *Athlete's* eligibility to participate in the *Event* or during an *Event* where the resolution of the case will affect the validity of the *Athlete's* results or continued participation in the *Event*.

²⁷ Comment to Article 9: When an *Athlete* wins a medal with a *Prohibited Substance* in his or her *Dog(s)* system(s), this is unfair to the other *Athletes* in that *Competition* regardless of whether the medallist was at fault in any way. Only an *Athlete* with "clean" *Dogs* should be allowed to benefit from his or her competitive results.

In relay events, disqualification or other disciplinary action against the relay team when one or more team members have committed an anti-doping rule violation shall be as provided in Article 11 (Consequences to *Teams*).of these Anti-doping Rules.

ARTICLE 10 SANCTIONS ON INDIVIDUALS

10.1 *Disqualification of Results in Event during which an Anti-Doping Rule Violation Occurs*

An *Anti-Doping Rule* violation occurring during or in connection with an *Event* may lead to *Disqualification* of all of the *Athlete's* individual results obtained in that *Event* with all consequences, including forfeiture of all medals, points and prizes, except as provided in Article 10.1.1.²⁸

10.1.1 If the *Athlete* establishes that he or she bears *No Fault or Negligence* for the violation, the *Athlete's* individual results in the other *Competition* shall not be *Disqualified* unless the *Athlete's* results in *Competition* other than the *Competition* in which the anti-doping rule violation occurred were likely to have been affected by the *Athlete's* anti-doping rule violation.

10.2 *Ineligibility for Presence, Use, or Possession of Prohibited Substances and Prohibited Methods*

Unless the conditions for eliminating or reducing the period of *Ineligibility*, as provided in Articles 10.4 and 10.5, or the conditions for increasing the period of *Ineligibility*, as provided in Article 10.6, are met, the period of *Ineligibility* imposed on an *Athlete* for a violation of Article 2.1 (Presence of *Prohibited Substance* or its *Metabolites* or *Markers* in an *Athlete's Dog's Sample*), Article 2.2 (*Use* by any *Athlete's Dog(s)* of *Prohibited Substance* or *Prohibited Method*) or imposed on an *Athlete* or *Athlete Support Personnel* for a violation of Article 2.6 (*Possession of Prohibited Substances and Methods*) shall be as follows:

First violation: Two (2) years' *Ineligibility*.²⁹

10.3 *Ineligibility for Other Anti-Doping Rule Violations*

The period of *Ineligibility* for violations of these Anti-Doping Rules other than as provided in Article 10.2 shall be as follows:

10.3.1 For violations of Article 2.3 (Refusing or failing to make *Dogs* available for *Sample* collection) or Article 2.5 (*Tampering with Doping Control*), the *Ineligibility* period imposed on the *Athlete* shall be two (2) years unless the conditions provided in Article 10.5, or the conditions provided in Article 10.6, are met.

10.3.2 For violations of Article 2.7 (*Trafficking*) or Article 2.8 (Administration of *Prohibited Substance* or *Prohibited Method or Complicity*), the period of *Ineligibility* imposed on the Person having committed the violation shall be a minimum of four (4) years up to lifetime

²⁸ Comment to Article 10.1: Whereas Article 9 (Automatic *Disqualification* of Individual Results) *Disqualifies* the result in a single *Competition* in which the *Athlete's Dog(s)* tested positive, this Article may lead to *Disqualification* of all results in all races during the *Event*. Factors to be included in considering whether to *Disqualify* other results in an *Event* might include, for example, the severity of the *Athlete's* anti-doping rule violation and whether the *Athlete's Dog(s)* tested negative in the other *Competitions*.

²⁹ Comment to Article 10.2: Harmonization of sanctions has been one of the most discussed and debated areas of anti-doping. Harmonization means that the same rules and criteria are applied to assess the unique facts of each case. Arguments against requiring harmonization of sanctions are based on differences between sports including, for example, the following: in some sports the *Athletes* are professionals making a sizable income from the sport and in others the *Athletes* are true amateurs; in those sports where an *Athlete's* career is short (e.g., artistic gymnastics) a two year *Disqualification* has a much more significant effect on the *Athlete* than in sports where careers are traditionally much longer (e.g., equestrian and shooting); in *Individual Sports*, the *Athlete* is better able to maintain competitive skills through solitary practice during *Disqualification* than in other sports where practice as part of a team is more important. A primary argument in favor of harmonization is that it is simply not right that two *Athletes* from the same country whose *Dogs* test positive for the same *Prohibited Substance* under similar circumstances should receive different sanctions only because they participate in different sports. In addition, flexibility in sanctioning has often been viewed as an unacceptable opportunity for some sporting bodies to be more lenient with dopers. The lack of harmonization of sanctions has also frequently been the source of jurisdictional conflicts between *International Federations* and *National Anti-Doping Organizations*.

Ineligibility unless the conditions provided in Article 10.5 are met. In addition, significant violations of such Articles which also violate non-sporting laws and regulations shall be reported to the competent administrative, professional or judicial authorities.³⁰

10.3.3 For violations of Article 2.4 (Filing Failures and/or Missed Tests), the period of *Ineligibility* shall be at a minimum one (1) year and at a maximum two (2) years based on the *Athlete's* degree of fault.³¹

10.4 Elimination or Reduction of the Period of *Ineligibility* for Specified Substances under Specific Circumstances

Where an *Athlete* or other *Person* can establish how a Specified Substance entered his or her *Dog's* body or came into his or her possession and that such Specified Substance was not intended to enhance the *Dog's* sport performance or mask the *Use* of a performance-enhancing substance, the period of *Ineligibility* found in Article 10.2 shall be replaced with the following:

First violation: At a minimum, a reprimand and no period of *Ineligibility* from future *Events*, and at a maximum, two (2) years of *Ineligibility*.

To justify any elimination or reduction, the *Athlete* or other *Person* must produce corroborating evidence in addition to his or her word which establishes to the comfortable satisfaction of the hearing panel the absence of intent to enhance the *Dog's* sport performance or mask the *Use* of a performance enhancing substance. The *Athlete* or other *Person's* degree of fault shall be the criterion considered in assessing any reduction of the period of *Ineligibility*.³²

10.5 Elimination or Reduction of Period of *Ineligibility* Based on Exceptional Circumstances

10.5.1 No Fault or Negligence

If an *Athlete* establishes in an individual case that he or she bears *No Fault or Negligence*, the otherwise applicable period of *Ineligibility* shall be eliminated. When a *Prohibited Substance* or its *Markers* or *Metabolites* is detected in an *Athlete's Dog's Sample* in violation of Article 2.1 (presence of *Prohibited Substance*), the *Athlete* must also establish how the *Prohibited Substance* entered his or her *Dog's* system in order to have the period of *Ineligibility* eliminated. In the event this Article is applied and the period of *Ineligibility*

³⁰ Comment to Article 10.3.2: Those who are involved in doping *Athletes' Dogs* or covering up doping should be subject to sanctions which are more severe than the *Athletes* whose *Dogs* test positive. Since the authority of sport organizations is generally limited to *Ineligibility* for credentials, membership and other sport benefits, reporting *Athlete Support Personnel* to competent authorities is an important step in the deterrence of doping.

³¹ Comment to Article 10.3.3: The sanction under Article 10.3.3 shall be two years where all three filing failures or missed tests are inexcusable. Otherwise, the sanction shall be assessed in the range of two years to one year, based on the circumstances of the case.

³² Comment to Article 10.4: Specified Substances as now defined in Article 4.2.2 are not necessarily less serious agents for purposes of sports doping than other *Prohibited Substances* (for example, a stimulant that is listed as a Specified Substance could be very effective on an *Athlete's Dog* in competition); for that reason, an *Athlete* who does not meet the criteria under this Article would receive a two-year period of *Ineligibility* and could receive up to a four-year period of *Ineligibility* under Article 10.6. However, there is a greater likelihood that Specified Substances, as opposed to other *Prohibited Substances*, could be susceptible to a credible, nondoping explanation.

This Article applies only in those cases where the hearing panel is comfortably satisfied by the objective circumstances of the case that the *Athlete* in *Using* a *Prohibited Substance* on his or her *Dog* did not intend to enhance his or her *Dog's* sport performance. Examples of the type of objective circumstances which in combination might lead a hearing panel to be comfortably satisfied of no performance-enhancing intent would include: the fact that the nature of the Specified Substance or the timing of its ingestion would not have been beneficial to the *Dog*; the *Athlete's* open *Use* or disclosure of his or her *Use* of the Specified Substance to the *Dog*; and a contemporaneous veterinary records file substantiating the non-sport-related prescription for the Specified Substance. Generally, the greater the potential performance-enhancing benefit, the higher the burden on the *Athlete* to prove lack of intent to enhance the *Dog's* sport performance.

While the absence of intent to enhance sport performance must be established to the comfortable satisfaction of the hearing panel, the *Athlete* may establish how the Specified Substance entered the *Dog's* body by a balance of probability. In assessing the *Athlete's* or other *Person's* degree of fault, the circumstances considered must be specific and relevant to explain the *Athlete's* or other *Person's* departure from the expected standard of behavior. Thus, for example, the fact that an *Athlete* would lose the opportunity to earn large sums of money during a period of *Ineligibility* or the fact that the *Athlete* only has a short time left in his or her career or the timing of the sporting calendar would not be relevant factors to be considered in reducing the period of *Ineligibility* under this Article. It is anticipated that the period of *Ineligibility* will be eliminated entirely in only the most exceptional cases.

otherwise applicable is eliminated, the anti-doping rule violation shall not be considered a violation for the limited purpose of determining the period of *Ineligibility* for multiple violations under Article 10.7.

10.5.2 No Significant Fault or Negligence

If an *Athlete* or other *Person* establishes in an individual case that he or she bears *No Significant Fault or Negligence*, then the period of *Ineligibility* may be reduced, but the reduced period of *Ineligibility* may not be less than one-half of the period of *Ineligibility* otherwise applicable. If the otherwise applicable period of *Ineligibility* is a lifetime, the reduced period under this section may be no less than 8 years. When a *Prohibited Substance* or its *Markers* or *Metabolites* is detected in an *Athlete's Dog's Sample* in violation of Article 2.1 (Presence of *Prohibited Substance* or its *Metabolites* or *Markers*), the *Athlete* must also establish how the *Prohibited Substance* entered his or her *Dog's* system in order to have the period of *Ineligibility* reduced.³³

10.5.3 Substantial Assistance in Discovering or Establishing Anti-Doping Rule Violations

The IFSS Chief Executive may, after consultation with the IFSS Council and prior to a final appellate decision under Article 13 or the expiration of the time to appeal, suspend a part of the period of *Ineligibility* imposed in an individual case where the *Athlete* or other *Person* has provided *Substantial Assistance* to an *Anti-Doping Organization*, criminal authority or professional disciplinary body which results in the *Anti-Doping Organization* discovering or establishing an anti-doping rule violation by another *Person* or which results in a criminal or disciplinary body discovering or establishing a criminal offence or the breach of professional rules by another *Person*. After a final appellate decision under Article 13 or the expiration of time to appeal, the IFSS may only suspend a part of the applicable period of *Ineligibility* with the approval of WADA. The extent to which the otherwise applicable period of *Ineligibility* may be suspended shall be based on the seriousness of the anti-doping rule violation committed by the *Athlete* or other *Person* and the significance of the *Substantial Assistance* provided by the *Athlete* or other *Person* to the effort to eliminate doping in sport. No more than three-quarters of the otherwise applicable period of *Ineligibility* may be suspended. If the otherwise applicable period of *Ineligibility* is a lifetime,

³³ Comment to Articles 10.5.1 and 10.5.2: IFSS's Anti-Doping Rules provide for the possible reduction or elimination of the period of *Ineligibility* in the unique circumstance where the *Athlete* can establish that he or she had *No Fault or Negligence*, or *No Significant Fault or Negligence*, in connection with the violation. This approach is consistent with basic principles of human rights and provides a balance between those *Anti-Doping Organizations* that argue for a much narrower exception, or none at all, and those that would reduce a two year suspension based on a range of other factors even when the *Athlete* was admittedly at fault. These Articles apply only to the imposition of sanctions; they are not applicable to the determination of whether an anti-doping rule violation has occurred. Article 10.5.2 may be applied to any anti-doping violation even though it will be especially difficult to meet the criteria for a reduction for those anti-doping rule violations where knowledge is an element of the violation. Articles 10.5.1 and 10.5.2 are meant to have an impact only in cases where the circumstances are truly exceptional and not in the vast majority of cases. To illustrate the operation of Article 10.5.1, an example where *No Fault or Negligence* would result in the total elimination of a sanction is where an *Athlete* could prove that, despite all due care, his or her *Dog(s)* was(were) sabotaged by a competitor. Conversely, a sanction could not be completely eliminated on the basis of *No Fault or Negligence* in the following circumstances: (a) a positive test resulting from a mislabeled or contaminated vitamin or nutritional supplement (*Athletes* are responsible for what their *Dogs* ingest (Article 2.1.1) and have been warned against the possibility of supplement contamination); (b) the administration of a *Prohibited Substance* to the *Athlete's Dog* by the *Dog's* usual veterinarian without disclosure to the *Athlete* (*Athletes* are responsible for their choice of veterinarians and for advising veterinarians that their *Dogs* cannot be given any *Prohibited Substance*); and (c) sabotage of the *Athlete's Dog's* food or drink by a spouse, coach or other person within the *Athlete's* circle of associates (*Athletes* are responsible for what their *Dogs* ingest and for the conduct of those persons to whom they entrust access to their *Dogs'* food and drink). However, depending on the unique facts of a particular case, any of the referenced illustrations could result in a reduced sanction based on *No Significant Fault or Negligence*. (For example, reduction may well be appropriate in illustration (a) if the *Athlete* clearly establishes that the cause of the positive test was contamination in a common multiple vitamin purchased from a source with no connection to *Prohibited Substances* and the *Athlete* exercised care in not administering other nutritional supplements to the *Dog*.) For purposes of assessing the *Athlete* or other *Person's* fault under Articles 10.5.1 and 10.5.2, the evidence considered must be specific and relevant to explain the *Athlete* or other *Person's* departure from the expected standard of behavior. Thus, for example the fact that an *Athlete* would lose the opportunity to earn large sums of money during a period of *Ineligibility* or the fact that the *Athlete* only has a short time left in his or her career or the timing of the sporting calendar would not be relevant factors to be considered in reducing the period of *Ineligibility* under this Article. While minors are not given special treatment per se in determining the applicable sanction, certainly youth and lack of experience are relevant factors to be assessed in determining the *Athlete* or other *Person's* fault under Article 10.5.2, as well as Articles 10.4 and 10.5.1. Article 10.5.2 should not be applied in cases where Articles 10.3.3 or 10.4 apply, as those Articles already take into consideration the *Athlete* or other *Person's* degree of fault for purposes of establishing the applicable period of *Ineligibility*.

the non-suspended period under this Article must be no less than 8 years. If the IFSS suspends any part of the period of *Ineligibility* under this Article, it shall promptly provide a written justification for its decision to each *Anti-Doping Organization* having a right to appeal the decision. If the IFSS subsequently reinstates any part of the suspended period of *Ineligibility* because the *Athlete* or other *Person* has failed to provide the *Substantial Assistance* which was anticipated, the *Athlete* or other *Person* may appeal the reinstatement pursuant to Article 13.2.³⁴

10.5.4 Admission of an Anti-Doping Rule Violation in the Absence of Other Evidence

Where an *Athlete* or other *Person* voluntarily admits the commission of an anti-doping rule violation before having received notice of a *Sample* collection which could establish an anti-doping rule violation (or, in the case of an anti-doping rule violation other than Article 2.1, before receiving first notice of the admitted violation pursuant to Article 7) and that admission is the only reliable evidence of the violation at the time of admission, then the period of *Ineligibility* may be reduced, but not below one-half of the period of *Ineligibility* otherwise applicable.³⁵

³⁴ Comment to Article 10.5.3: The cooperation of *Athletes*, *Athlete Support Personnel* and other *Persons* who acknowledge their mistakes and are willing to bring other anti-doping rule violations to light is important to clean sport. Factors to be considered in assessing the importance of the *Substantial Assistance* would include, for example, the number of individuals implicated, the status of those individuals in the sport, whether a scheme involving *Trafficking* under Article 2.7 or *complicity* under Article 2.8 is involved and whether the violation involved a substance or method which is not readily detectable in *Testing*. The maximum suspension of the *Ineligibility* period shall only be applied in very exceptional cases. An additional factor to be considered in connection with the seriousness of the anti-doping rule violation is any performance-enhancing benefit which the *Dog* of the *Person* providing *Substantial Assistance* may be likely to still have. As a general matter, the earlier in the results management process the *Substantial Assistance* is provided, the greater the percentage of the period of *Ineligibility* may be suspended. If the *Athlete* or other *Person* who is asserted to have committed an anti-doping rule violation claims entitlement to a suspended period of *Ineligibility* under this Article in connection with the *Athlete* or other *Person's* waiver of a hearing under Article 8.3 (Waiver of Hearing), the IFSS shall determine whether a suspension of a portion of the period of *Ineligibility* is appropriate under this Article. If the *Athlete* or other *Person* claims entitlement to a suspended period of *Ineligibility* before the conclusion of a hearing under Article 8 on the anti-doping rule violation, the hearing panel shall determine whether a suspension of a portion of the period of *Ineligibility* is appropriate under this Article at the same time the hearing panel decides whether the *Athlete* or other *Person* has committed an anti-doping rule violation. If a portion of the period of *Ineligibility* is suspended, the decision shall explain the basis for concluding the information provided was credible and was important to discovering or proving the anti-doping rule violation or other offence. If the *Athlete* or other *Person* claims entitlement to a suspended period of *Ineligibility* after a final decision finding an anti-doping rule violation has been rendered and is not subject to appeal under Article 13, but the *Athlete* or other *Person* is still serving the period of *Ineligibility*, the *Athlete* or other *Person* may apply to the IFSS to consider a suspension in the period of *Ineligibility* under this Article. Any such suspension of the period of *Ineligibility* shall require the approval of WADA. If any condition upon which the suspension of a period of *Ineligibility* is based is not fulfilled, the IFSS shall reinstate the period of *Ineligibility* which would otherwise be applicable. Decisions rendered by the IFSS under this Article may be appealed pursuant Article 13.2. This is the only circumstance under the IFSS's Anti-Doping Rules where the suspension of an otherwise applicable period of *Ineligibility* is authorized.

³⁵ Comment to Article 10.5.4: This Article is intended to apply when an *Athlete* or other *Person* comes forward and admits to an anti-doping rule violation in circumstances where no *Anti-Doping Organization* is aware that an anti-doping rule violation might have been committed. It is not intended to apply to circumstances where the admission occurs after the *Athlete* or other *Person* knows he or she is about to be caught.

10.5.5 Where an *Athlete* or Other *Person* Establishes Entitlement to Reduction in Sanction under More than One Provision of this Article

Before applying any reductions under Articles 10.5.2, 10.5.3 or 10.5.4, the otherwise applicable period of *Ineligibility* shall be determined in accordance with Articles 10.2, 10.3, 10.4 and 10.6. If the *Athlete* or other *Person* establishes entitlement to a reduction or suspension of the period of *Ineligibility* under two or more of Articles 10.5.2, 10.5.3 or 10.5.4, then the period of *Ineligibility* may be reduced or suspended, but not below one-quarter of the otherwise applicable period of *Ineligibility*.³⁶

³⁶ Comment to Article 10.5.5: The appropriate sanction is determined in a sequence of four steps. First, the hearing panel determines which of the basic sanctions (Article 10.2, Article 10.3, Article 10.4 or Article 10.6) applies to the particular Antidoping rule violation. In a second step, the hearing panel establishes whether there is a basis for elimination or reduction of the sanction (Articles 10.5.1 through 10.5.4). Note, however, not all grounds for elimination or reduction may be combined with the provisions on basic sanctions. For example, Article 10.5.2 does not apply in cases involving Articles 10.3.3 or 10.4, since the hearing panel, under Articles 10.3.3 and 10.4, will already have determined the period of *Ineligibility* based on the *Athlete* or other *Person's* degree of fault. In a third step, the hearing panel determines under Article 10.5.5 whether the *Athlete* or other *Person* is entitled to a reduction under more than one provision of Article 10.5. Finally, the hearing panel decides on the commencement of the period of *Ineligibility* under Article 10.9. The following four examples demonstrate the proper sequence of analysis:

Example 1.

Facts: An *Adverse Analytical Finding* involves the presence of an anabolic steroid in a *Dog's Sample*; the *Athlete* promptly admits the anti-doping rule violation as alleged; the *Athlete* establishes *No Significant Fault* (Article 10.5.2); and the *Athlete* provides important *Substantial Assistance* (Article 10.5.3).

Application of Article 10:

1. The basic sanction would be two years under Article 10.2. (Aggravating circumstances (Article 10.6) would not be considered because the *Athlete* promptly admitted the violation. Article 10.4 would not apply because a steroid is not a Specified Substance.)
2. Based on *No Significant Fault* alone, the sanction could be reduced up to one-half of the two years. Based on *Substantial Assistance* alone, the sanction could be reduced up to three-quarters of the two years.
3. Under Article 10.5.5, in considering the possible reduction for *No Significant Fault* and *Substantial Assistance* together, the most the sanction could be reduced is up to three-quarters of the two years. Thus, the minimum sanction would be a six-month period of *Ineligibility*.
4. Under Article 10.9.2, because the *Athlete* promptly admitted the anti-doping rule violation, the period of *Ineligibility* could start as early as the date of *Sample* collection, but in any event the *Athlete* would have to serve at least one-half of the *Ineligibility* period (minimum three months) after the date of the hearing decision.

Example 2.

Facts: An *Adverse Analytical Finding* involves the presence of an anabolic steroid in a *Dog's Sample*; aggravating circumstances exist and the *Athlete* is unable to establish that he did not knowingly commit the anti-doping rule violation; the *Athlete* does not promptly admit the anti-doping rule violation as alleged; but the *Athlete* does provide important *Substantial Assistance* (Article 10.5.3).

Application of Article 10:

1. The basic sanction would be between two and four years *Ineligibility* as provided in Article 10.6.
2. Based on *Substantial Assistance*, the sanction could be reduced up to three-quarters of the maximum four years.
3. Article 10.5.5 does not apply.
4. Under Article 10.9.2, the period of *Ineligibility* would start on the date of the hearing decision.

Example 3.

Facts: An *Adverse Analytical Finding* involves the presence of a Specified Substance in the *Dog's Sample*; the *Athlete* establishes how the *Specified Substance* entered his *Dog's* body and that he had no intent to enhance his *Dog's* sport performance; the *Athlete* establishes that he had very little fault; and the *Athlete* provides important *Substantial Assistance* (Article 10.5.3).

Application of Article 10:

1. Because the *Adverse Analytical Finding* involved a Specified Substance and the *Athlete* has satisfied the other conditions of Article 10.4, the basic sanction would fall in the range between a reprimand and two years *Ineligibility*. The hearing panel would assess the *Athlete's* fault in imposing a sanction within that range. (Assume for the sake of illustration in this example that the panel would otherwise impose a period of *Ineligibility* of eight months.)
2. Based on *Substantial Assistance*, the sanction could be reduced up to three-quarters of the eight months. (No less than two months.) [*No Significant Fault* (Article 10.2) would not be applicable because the *Athlete's* degree of fault was already taken into consideration in establishing the eight-month period of *Ineligibility* in step 1.]
3. Article 10.5.5 does not apply.
4. Under Article 9.2, because the *Athlete* promptly admitted the anti-doping rule violation, the period of *Ineligibility* could start as early as the date of *Sample* collection, but in any event, the *Athlete* would have to serve at least half of the *Ineligibility* period after the date of the hearing decision. (Minimum one month.)

Example 4.

Facts: An *Athlete* who has never had an *Adverse Analytical Finding* for one of his *Dogs* or been confronted with an anti-doping rule violation spontaneously admits that he intentionally used multiple *Prohibited Substances* to enhance his *Dog's* performance. The *Athlete* also provides important *Substantial Assistance* (Article 10.5.3).

Application of Article 10:

1. While the intentional *Use* of multiple *Prohibited Substances* to enhance a *Dog's* performance would normally warrant consideration of aggravating circumstances (Article 10.6), the *Athlete's* spontaneous admission means that Article 10.6 would not apply. The fact that the *Athlete's Use* of *Prohibited Substances* was intended to enhance his *Dog's* performance would also eliminate the application of Article 10.4 regardless of whether the *Prohibited Substances Used* were *Specified Substances*. Thus, Article 10.2 would be applicable and the basic period of *Ineligibility* imposed would be two years.
2. Based on the *Athlete's* spontaneous admissions (Article 10.5.4) alone, the period of *Ineligibility* could be reduced up to one-half of the two years. Based on the *Athlete's Substantial Assistance* (Article 10.5.3) alone, the period of *Ineligibility* could be reduced up to three-quarters of the two years.
3. Under Article 10.5.5, in considering the spontaneous admission and *Substantial Assistance* together, the most the sanction could be reduced would be up to three-quarters of the two years. (The minimum period of *Ineligibility* would be six months.)
4. If Article 10.5.4 was considered by the hearing panel in arriving at the minimum six month period of *Ineligibility* at step 3, the period of *Ineligibility* would start on the date the hearing panel imposed the sanction. If, however, the hearing panel did not consider the application of Article 10.5.4 in reducing the period of *Ineligibility* in step 3, then under Article 10.9.2, the commencement of the period of *Ineligibility* could be started as early as the date the anti-doping rule violation was committed, provided that at least half of that period (minimum of three months) would have to be served after the date of the hearing decision.

10.6 Aggravating Circumstances Which May Increase the Period of Ineligibility

If the IFSS establishes in an individual case involving an anti-doping rule violation other than violations under Article 2.7 (*Trafficking*) and 2.8 (*Administration and Complicity*) that aggravating circumstances are present which justify the imposition of a period of *Ineligibility* greater than the standard sanction, then the period of *Ineligibility* otherwise applicable shall be increased up to a maximum of four years unless the *Athlete* or other *Person* can prove to the comfortable satisfaction of the hearing panel that he did not knowingly violate the anti-doping rule. An *Athlete* or other *Person* can avoid the application of this Article by admitting the anti-doping rule violation as asserted promptly after being confronted with the anti-doping rule violation by the IFSS.³⁷

10.7 Multiple Violations

10.7.1 Second Anti-Doping Rule Violation

For an *Athlete's* or other *Person's* first anti-doping rule violation, the period of *Ineligibility* is set forth in Articles 10.2 and 10.3 (subject to elimination, reduction or suspension under Articles 10.4 or 10.5, or to an increase under Article 10.6). For a second anti-doping rule violation the period of *Ineligibility* shall be within the range set forth in the table below.

Second Violation	RS	FFMT	NSF	St	AS	TRA
First Violation						
RS	1-4	2-4	2-4	4-6	8-10	10-life
FFMT	1-4	4-8	4-8	6-8	10-life	life
NSF	1-4	4-8	4-8	6-8	10-life	life
St	2-4	6-8	6-8	8-life	life	life
AS	4-5	10-life	10-life	life	life	life
TRA	8-life	life	Life	life	life	life

Definitions for purposes of the second anti-doping rule violation table:

RS (Reduced sanction for Specified Substance under Article 10.4): The anti-doping rule violation was or should be sanctioned by a reduced sanction under Article 10.4 because it involved a Specified Substance and the other conditions under Article 10.4 were met.

FFMT (Filing Failures and/or Missed Tests): The anti-doping rule violation was or should be sanctioned under Article 10.3.3 (Filing Failures and/or Missed Tests).

NSF (Reduced sanction for *No Significant Fault or Negligence*): The anti-doping rule violation was or should be sanctioned by a reduced sanction under Article 10.5.2 because *No Significant Fault or Negligence* under Article 10.5.2 was proved by the *Athlete*.

St (Standard sanction under Articles 10.2 or 10.3.1): The anti-doping rule violation was or should be sanctioned by the standard sanction of two years under Article 10.2 or 10.3.1.

³⁷ Comment to Article 10.6: Examples of aggravating circumstances which may justify the imposition of a period of *Ineligibility* greater than the standard sanction are: the *Athlete* or other *Person* committed the anti-doping rule violation as part of a *Dog* doping plan or scheme, either individually or involving a conspiracy or common enterprise to commit anti-doping rule violations; the *Athlete* or other *Person* Administered to a *Dog* or possessed multiple *Prohibited Substances* or *Prohibited Methods* or Administered or possessed a *Prohibited Substance* or *Prohibited Method* on multiple occasions; a normal *Dog* would be likely to have the performance-enhancing effects of the anti-doping rule violation(s) beyond the otherwise applicable period of *Ineligibility* of the *Dog* or the *Athlete*; the *Athlete* or *Person* engaged in deceptive or obstructing conduct to avoid the detection or adjudication of an anti-doping rule violation. For the avoidance of doubt, the examples of aggravating circumstances described in this Comment to Article 10.6 are not exclusive and other aggravating factors may also justify the imposition of a longer period of *Ineligibility*. Violations under Article 2.7 (*Trafficking or Attempted Trafficking*) and 2.8 (*Administration or Attempted Administration...*) are not included in the application of Article 10.6 because the sanctions for these violations (from four years to lifetime *Ineligibility*) already build in sufficient discretion to allow consideration of any aggravating circumstance.

AS (Aggravated sanction): The anti-doping rule violation was or should be sanctioned by an aggravated sanction under Article 10.6 because the *Anti-Doping Organization* established the conditions set forth under Article 10.6 or 10.8.

TRA (*Trafficking or Attempted Trafficking and Administration or Attempted administration*): The anti-doping rule violation was or should be sanctioned by a sanction under Article 10.3.2.^{38 39}

10.7.2 Application of Articles 10.5.3 and 10.5.4 to Second Anti-Doping Rule Violation

Where an *Athlete* or other *Person* who commits a second anti-doping rule violation establishes entitlement to suspension or reduction of a portion of the period of *Ineligibility* under Article 10.5.3 or Article 10.5.4, the hearing panel shall first determine the otherwise applicable period of *Ineligibility* within the range established in the table in Article 10.7.1, and then apply the appropriate suspension or reduction of the period of *Ineligibility*. The remaining period of *Ineligibility*, after applying any suspension or reduction under Articles 10.5.3 and 10.5.4, must be at least one-fourth of the otherwise applicable period of *Ineligibility*.

10.7.3 Third Anti-Doping Rule Violation

A third anti-doping rule violation will always result in a lifetime period of *Ineligibility*, except if the third violation fulfills the condition for elimination or reduction of the period of *Ineligibility* under Article 10.4 or involves a violation of Article 2.4 (Filing Failures and/or and Missed Tests). In these particular cases, the period of *Ineligibility* shall be from eight (8) years to life ban.

10.7.4 Additional Rules for Certain Potential Multiple Violations

- For purposes of imposing sanctions under Article 10.7, an Antidoping rule violation will only be considered a second violation if the IFSS (or its *National Federation*) can establish that the *Athlete* or other *Person* committed the second anti-doping rule violation after the *Athlete* or other *Person* received notice pursuant to Article 7 (Results Management), or after the IFSS (or its *National Federation*) made reasonable efforts to give notice, of the first anti-doping rule violation. If the IFSS (or its *National Federation*) cannot establish this, the violations shall be considered together as one single first violation, and the sanction imposed shall be based on the violation that carries the more severe sanction; however, the occurrence of multiple violations may be considered as a factor in determining Aggravating Circumstances (Article 10.6).
- If, after the resolution of a first anti-doping rule violation, the IFSS discovers facts involving an anti-doping rule violation by the *Athlete* or other *Person* which occurred prior to notification regarding the first violation, then the IFSS shall impose an additional sanction based on the sanction that could have been imposed if the two violations would have been adjudicated at the same time. Results in all *Competitions* dating back to the earlier anti-doping rule violation will be *Disqualified* as provided in

³⁸ Comment to Article 10.7.1: The table is applied by locating the *Athlete* or other *Person's* first anti-doping rule violation in the left-hand column and then moving across the table to the right to the column representing the second violation. By way of example, assume an *Athlete* receives the standard period of *Ineligibility* for a first violation under Article 10.2 and then commits a second violation for which he receives a reduced sanction for a Specified Substance under Article 10.4. The table is used to determine the period of *Ineligibility* for the second violation. The table is applied to this example by starting in the left-hand column and going down to the fourth row which is "St" for standard sanction, then moving across the table to the first column which is "RS" for reduced sanction for a Specified Substance, thus resulting in a 2-4 year range for the period of *Ineligibility* for the second violation. The *Athlete* or other *Person's* degree of fault shall be the criterion considered in assessing a period of *Ineligibility* within the applicable range.

³⁹ Comment to Article 10.7.1 RS Definition: See Article 18.7 with respect to application of Article 10.7.1 to pre-Code anti-doping rule violations.

Article 10.9. To avoid the possibility of a finding of Aggravating Circumstances (Article 10.6) on account of the earlier-in-time but later-discovered violation, the *Athlete* or other *Person* must voluntarily admit the earlier anti-doping rule violation on a timely basis after notice of the violation for which he or she is first charged. The same rule shall also apply when the IFSS discovers facts involving another prior violation after the resolution of a second anti-doping rule violation.⁴⁰

10.7.5 Multiple Anti-Doping Rule Violations during an Eight-Year Period

For purposes of Article 10.7, each anti-doping rule violation must take place within the same eight (8) year period in order to be considered multiple violations.

10.8 Death of a *Dog* resulting from an Anti-Doping Rules Violation

10.8.1 In the event of the death of a *Dog* participating in an *International* or *National Event*, the IFSS, or its *National Federation*, or the *National Anti-Doping Organization*, will immediately request a necropsy to be performed on the *Dog* and an examination carried out, including the collection of blood and urine *Samples* for analysis as per Article 6 of these Rules, in order to determine the cause of death and whether an Anti-doping rules violation occurred. The IFSS, or the *National Federation*, shall also undertake an investigation to collect any further facts in relation to circumstances pertaining to the *Dog's* death.

10.8.2 If the *Sample* analysis concludes that an alleged rules violation as per Article 2.1 (*Presence of Prohibited Substances*), or per Article 2.2 (*Use of Prohibited Substances or Methods*) or 2.8 (*Administration or Complicity*) took place, and the necropsy concludes that said rules violation was a primary or aggravating factor in the *Dog's* death at the *Event*, the case shall be handled as per Articles 2, 3, 7, 8, 9, 10, 11 and 12 of these *Anti-Doping Rules* for *Dogs* participating in *Sled Dog Sports*. The maximum sanction for the *Athlete* or *Persons* involved will be *Ineligibility* for life.

10.8.3 If the hearing panel provided for in Article 8 of these rules concludes to its comfortable satisfaction bearing in mind the seriousness of the allegation that an Antidoping rules violation as per Article 2.1, 2.2 or 2.8 has taken place, and that Articles 10.5.1 (*No Fault or Negligence*) or 10.5.2 (*No Significant Fault or Negligence*) have not been established, then the *Athlete* and any other *Person* involved in the Rules violation as per Articles 2.1, 2.2, and 2.8, will be declared ineligible for participation in *Sled Dog Sports* events for life. Decisions rendered by the IFSS under this Article may be appealed pursuant to Article 13.2.⁴¹

10.9 Disqualification of Results in Competitions Subsequent to Sample Collection or Commission of an Anti-Doping Rule Violation

In addition to the automatic *Disqualification* of the results in the *Competition* which produced the positive *Sample* under Article 9 (*Automatic Disqualification of Individual Results*), all other competitive results obtained from the date a positive *Sample* was collected (whether *In-Competition* or *Out-of-Competition*), or other anti-doping rule violation occurred, through the beginning of any *Provisional Suspension* or *Ineligibility* period, shall, unless fairness requires otherwise, be *Disqualified* with all of the resulting consequences including forfeiture of any medals, points and prizes.

⁴⁰ Comment to Article 10.7.4: In a hypothetical situation, an *Athlete* commits an anti-doping rule violation on January 1, 2008 which the IFSS does not discover until December 1, 2008. In the meantime, the *Athlete* commits another anti-doping rule violation on March 1, 2008 and the *Athlete* is notified of this violation by the IFSS on March 30, 2008 and a hearing panel rules on June 30, 2008 that the *Athlete* committed the March 1, 2008 anti-doping rule violation. The later-discovered violation which occurred on January 1, 2008 will provide the basis for *Aggravating Circumstances* because the *Athlete* did not voluntarily admit the violation in a timely basis after the *Athlete* received notification of the later violation on March 30, 2008.

⁴¹ Any *Person* who calls himself or herself an *Athlete* and who participates in a sport involving animals must consider the animal's health and welfare as a top priority. The death of a *Dog* at an *Event*, if attributable to an Antidoping rules violation, is a grievous aggravating factor and in this case, the IFSS or the *National Federation* or the *National Anti-doping Organization* may, depending on the outcome of the investigations and possible hearing, be compelled to report the case to competent national administrative, professional or judicial authorities.

10.9.1 As a condition of regaining eligibility after being found to have committed an anti-doping rule violation, the *Athlete* must first repay all prize money forfeited under this Article.

10.9.2 Allocation of Forfeited Prize Money

Forfeited prize money shall be allocated first to reimburse the collection expenses incurred by the *Anti-Doping Organization* in order to perform the necessary steps to collect the prize money back, then to reimburse the expenses incurred by the *Anti-Doping Organization* in order to conduct results management in the case, with the balance, if any, allocated in accordance with the IFSS's specific rules.⁴²

10.10 Beginning of *Ineligibility* Period

Except as provided below, the period of *Ineligibility* shall start on the date of the hearing decision providing for *Ineligibility* or, if the hearing is waived, on the date *Ineligibility* is accepted or otherwise imposed.

10.10.1 Delays Not Attributable to the *Athlete* or other *Person*

Where there have been substantial delays in the hearing process or other aspects of *Doping Control* not attributable to the *Athlete* or other *Person*, the IFSS or *Anti-Doping Organization* imposing the sanction may start the period of *Ineligibility* at an earlier date beginning as early as the date of *Sample* collection or the date on which another anti-doping rule violation last occurred.

10.10.2 Timely Admission

Where the *Athlete* promptly (which, in all events, means before the *Athlete* competes again) admits the anti-doping rule violation after being confronted with the anti-doping rule violation by IFSS, the period of *Ineligibility* may start as early as the date of *Sample* collection or the date on which another anti-doping rule violation last occurred. In each case, however, where this Article is applied, the *Athlete* or other *Person* shall serve at least one-half of the period of *Ineligibility* going forward from the date the *Athlete* or other *Person* accepted the imposition of a sanction, the date of a hearing decision imposing a sanction, or the date the sanction is otherwise imposed.⁴³

10.10.3 If a *Provisional Suspension* is imposed and respected by the *Athlete*, then the *Athlete* shall receive a credit for such period of *Provisional Suspension* against any period of *Ineligibility* which may ultimately be imposed.

10.10.4 If an *Athlete* voluntarily accepts, in writing, a *Provisional Suspension* from the IFSS and thereafter refrains from competing, the *Athlete* shall receive a credit for such period of voluntary *Provisional Suspension* against any period of *Ineligibility* which may ultimately be imposed. A copy of the *Athlete's* voluntary acceptance of a *Provisional Suspension* shall be provided promptly to each party entitled to receive notice of a potential anti-doping rule violation under Article 14.1.⁴⁴

10.10.5 No credit against a period of *Ineligibility* shall be given for any time period before the effective date of the *Provisional Suspension* or voluntary *Provisional Suspension*

⁴² Comment to Article 10.9.2: Nothing in the IFSS' Anti-Doping Rules precludes *Athletes* competing with clean *Dogs* or other *Persons* who have suffered a prejudice due to the actions of a *Person* who has committed an anti-doping rule violation from pursuing any right which they would otherwise have to seek damages from such *Person*.

⁴³ Comment to Article 10.10.2: This Article shall not apply where the period of *Ineligibility* already has been reduced under Article 10.5.4 (Admission of an Anti-Doping Rule Violation in the Absence of Other Evidence).

⁴⁴ Comment to Article 10.10.4: An *Athlete's* voluntary acceptance of a *Provisional Suspension* is not an admission by the *Athlete* and shall not be used in any way as to draw an adverse inference against the *Athlete*.

regardless of whether the *Athlete* elected not to compete or was suspended by his or her team.⁴⁵

10.11 Status of the Athlete during *Ineligibility*

10.11.1 Prohibition against Participation during *Ineligibility*

No *Athlete* or other *Person* who has been declared *Ineligible* may, during the period of *Ineligibility*, participate in any capacity in an *Event* or activity (other than authorized anti-doping education or rehabilitation programs) authorized or organized by the IFSS or any *National Federation* or a club or other member organization of the IFSS or any *National Federation*, or in *Competitions* authorized or organized by any professional league or any international or national level *Event* organization.⁴⁶

An *Athlete* or other *Person* subject to a period of *Ineligibility* longer than four years may, after completing four years of the period of *Ineligibility*, participate in local sport events in a sport other than sports subject to the jurisdictions of the IFSS and its *National Federations*, but only so long as the local sport event is not at a level that could otherwise qualify such *Person* directly or indirectly to compete in (or accumulate points toward) a national championship or *International Event*.

An *Athlete* or other *Person* subject to a period of *Ineligibility* shall remain subject to *Testing*.

10.11.2 Violation of the Prohibition of Participation during *Ineligibility*

Where an *Athlete* or other *Person* who has been declared *Ineligible* violates the prohibition against participation during *Ineligibility* described in Article 10.11.1, the results of such participation shall be *Disqualified* and the period of *Ineligibility* which was originally imposed shall start over again as of the date of the violation of the Prohibition. The new period of *Ineligibility* may be reduced under Article 10.5.2 if the *Athlete* or other *Person* establishes he or she bears *No Significant Fault or Negligence* for violating the prohibition against participation. The determination of whether an *Athlete* or other *Person* has violated the prohibition against participation, and whether a reduction under Article 10.5.2 is appropriate, shall be made by the IFSS.⁴⁷

10.11.3 Withholding of Financial Support during *Ineligibility*

In addition, for any anti-doping rule violation not involving a reduced sanction for *Specified Substances* as described in Article 10.4, some or all sport-related financial support or other sport-related benefits received by such *Person* will be withheld by the IFSS and its *National Federations*.

⁴⁵ Comment to Article 10.10: The text of Article 10.10 has been revised to make clear that delays not attributable to the *Athlete*, timely admission by the *Athlete* and *Provisional Suspension* are the only justifications for starting the period of *Ineligibility* earlier than the date of the hearing decision. This amendment corrects inconsistent interpretation and application of the previous text.

⁴⁶ Comment to Article 10.11.1: For example, an ineligible *Athlete* cannot participate in a training camp, exhibition or practice organized by his or her *National Federation* or by a club which is a member of that *National Federation*. Further, an ineligible *Athlete* may not compete in a non-*Signatory* professional league (e.g., the National Hockey League, the National Basketball Association, etc.), *Events* organized by a non-*Signatory International Event* organization or a non-*Signatory* national-level event organization without triggering the consequences set forth in Article 10.11.2. Sanctions in one sport will also be recognized by other sports (see Article 15).

⁴⁷ Comment to Article 10.11.2: If an *Athlete* or other *Person* is alleged to have violated the prohibition against participation during a period of *Ineligibility*, the IFSS shall determine whether the *Athlete* violated the prohibition and, if so, whether the *Athlete* or other *Person* has established grounds for a reduction in the restarted period of *Ineligibility* under Article 10.5.2. Decisions rendered by the IFSS under this Article may be appealed pursuant to Article 13.2. Where an *Athlete Support Personnel* or other *Person* substantially assists an *Athlete* in violating the prohibition against participation during *Ineligibility*, the IFSS may appropriately impose sanctions under its own disciplinary rules for such assistance.

10.12 Ineligibility of *Dogs* participating in *Sled Dog Sports*⁴⁸

10.12.1 Any *Dog* who has been the object of an Anti-Doping Rules violation under Article 2.1 (Presence of *Prohibited Substances*) or Article 2.2 (*Use*) of these rules, shall upon recommendation of the IFSS Veterinary Committee be declared ineligible for participation in *Sled Dog Sports Events*, for a period corresponding to the time estimated for natural and complete elimination of the *Substance* from its body or the effects of the *Method Used*.

10.12.2 If in the opinion of the IFSS Veterinary Committee the *Prohibited Substances* present in the *Dog's Sample*, or the *Prohibited Substances* or *Methods* that were *Used* on the *Dog*, could have lifelong performance-enhancing effects, or have caused a discernible risk of permanent damage to the *Dog's* health, the IFSS will declare that *Dog Ineligible* for participation in *Sled Dog Sports* for the remainder of the *Dog's* life.

10.12.3 The period of *Ineligibility* of the *Dog* will begin on the date on which the Anti-Doping Rules violation occurred or was detected. The IFSS may require the *Dog* to remain available for *Out-of-Competition Testing* during its period of *Ineligibility*.

10.13 Status of the *Dog* during *Ineligibility*

10.13.1 Prohibition against a *Dog's* Participation during *Ineligibility*

No *Dog* who has been declared *Ineligible* for participation in *Sled Dog Sports* may, during the period of *Ineligibility*, participate in any manner in an *Event* or activity authorized or organized by the IFSS or any *National Federation* or a club or other member organization of the IFSS or any *National Federation*, or in *Competitions* authorized or organized by any professional league or any international or national level *Event* organization.

A *Dog* subject to a period of *Ineligibility* shall, irrespective of any *Ineligibility* imposed on the *Athlete*, remain subject to *Testing* and is subject to Reinstatement *testing* under the conditions prescribed in Paragraph 1 of Article 10.14.2.⁴⁹

10.13.2 Violation of the Prohibition of a *Dog's* Participation during *Ineligibility*

If a *Dog* undergoing a period of *Ineligibility* is entered in an *Event* or activity in violation of 10.13.1, the *Athlete* or *Person* responsible for the *Dog's Ineligibility*, and as the case may be the *Athlete* or *Person* responsible for the violation of the *Dog's* period of *ineligibility*, will be subject to disciplinary action under the IFSS' own disciplinary rules. The determination of whether an *Athlete* or other *Person* has violated the prohibition against a *Dog's* participation, and whether a reduction under Article 10.5.2 is appropriate, shall be made by the IFSS.

10.14 Reinstatement *Testing*

10.14.1 Reinstatement of the *Athlete*

As a condition to regaining eligibility at the end of a specified period of *Ineligibility*, an *Athlete* must, during any period of *Provisional Suspension* or *Ineligibility*, make his or her *Dog(s)* available for *Out-of-Competition Testing* by the IFSS, the applicable *National Federation*, and any other *Anti-Doping Organization* having *Testing* jurisdiction, and must

⁴⁸ Comment on Article 10.12: While the fault and consecutive consequences of Antidoping rules violations can only be attributed to a *Person*, the IFSS considers it is also necessary to ensure that the *Dog's* health and welfare are protected in these Rules through the application of an appropriate period of *Ineligibility* after which, and even if the *Athlete* involved in the rules violation is still under a period of *Ineligibility*, it can reasonably be considered possible to safely reinstate the *Dog* to participate in *Sled Dog Sports*, for example with another *Athlete*.

⁴⁹ Comment to Article 10.13.1: For example, an ineligible *Dog* may accompany an *Athlete* or other *Person* to, but cannot participate in the sports activities of, a training camp, exhibition or practice organized by his or her *National Federation* or by a club which is a member of that *National Federation*. Further, an ineligible *Dog* may not compete in *Events* organized by a non-*Signatory International Event* organization or a non-*Signatory* national-level event organization without triggering the consequences set forth in Article 10.13.2. Sanctions in one *Dog* sport will also be recognized by other *Dog* sports (see Article 15).

comply with the whereabouts requirements of Article 11 of the *International Standard for Testing*.

If an *Athlete* subject to a period of *Ineligibility* retires from sport and is removed from *Registered Testing* pools and later seeks reinstatement, the *Athlete* shall not be eligible for reinstatement until the *Athlete* has notified the IFSS and the applicable *National Federation* and his *Dog(s)* has/have been subject to *Out-of- Competition Testing* for a period of time equal to the longer of (a) the period set forth in Article 5.6 and (b) period of *Ineligibility* remaining as of the date the *Athlete* had retired.

During such remaining period of *Ineligibility*, a minimum of two (2) tests must be conducted on the *Athlete's Dog(s)* with at least three months between each test. The *National Federation* shall be responsible for conducting the necessary tests, but tests by any *Anti-Doping Organization* may be used to satisfy the requirement. The results of such tests shall be reported to the IFSS. In addition, immediately prior to the end of the period of *Ineligibility*, the IFSS may request that the *Athlete's Dog(s)* undergo *Testing* for the *Prohibited Substances and Methods* that are prohibited in *Out-of-Competition Testing*. Once the period of an *Athlete's Ineligibility* has expired, and the *Athlete* has fulfilled the conditions of reinstatement, then the *Athlete* will become automatically re-eligible and no application by the *Athlete* or by the *Athlete's National Federation* will then be necessary.

10.14.2 Reinstatement of Dogs

The IFSS may require a *Dog* which has been subject to a period of *Ineligibility* as per Article 10.12 of these Rules to undergo *Testing* for *Prohibited Substances and Methods* prior to the end of its period of *Ineligibility*. The *National Federation* shall be responsible for conducting the necessary tests, but tests by any *Anti-Doping Organization* may be used to satisfy the requirement. The results of such tests shall be reported to the IFSS.

Once the period of a *Dog's Ineligibility* has expired, and the *Dog* has fulfilled the conditions of reinstatement, then the *Dog* will become automatically re-eligible for participation in *Sled Dog Sports Events* and no application by the *Athlete* or by the *Athlete's National Federation* will then be necessary.

ARTICLE 11 CONSEQUENCES TO TEAMS

11.1 If a member of a Relay team is found to have committed a violation of these Anti-Doping Rules during an *Event*, the relay team shall be *Disqualified* from the *Event*.

ARTICLE 12 SANCTIONS AND COSTS ASSESSED AGAINST NATIONAL FEDERATIONS

12.1 The IFSS Chief Executive, after consultation with the IFSS Council, has the authority to withhold some or all funding or other non financial support to *National Federations* that are not in compliance with these *Anti-Doping Rules* for *Dogs* participating in *Sled Dog Sports*.

12.2 *National Federations* shall be obligated to reimburse the IFSS for all costs (including but not limited to laboratory fees, hearing expenses and travel) related to a violation of these *Anti-Doping Rules* committed by an *Athlete* or other *Person* affiliated with that *National Federation*.

12.3 The IFSS may elect to take additional disciplinary action against *National Federations* with respect to recognition, the eligibility of its officials and athletes to participate in *International Events* and fines based on the following:

12.3.1 Four or more violations of these Anti-Doping Rules for *Dogs* participating in *Sled Dog Sports* (other than violations involving Articles 2.5 and 10.3) are committed by

Athletes or other *Persons* affiliated with a *National Federation* within a 12-month period in testing conducted on *Dogs* by the IFSS or *Anti-Doping Organizations* other than the *National Federation* or its *National Anti-Doping Organization*. In such event the IFSS may at its discretion elect to:

- (a) ban all officials from that *National Federation* for participation in any IFSS activities for a period of up to two years and/or
- (b) fine the *National Federation* an amount of up to one thousand US Dollars (\$1000.00)⁵⁰

12.3.1.1 If four or more violations of these Anti-Doping Rules (other than violations involving Articles 2.5 and 10.3) are committed in addition to the violations described and sanctioned in Article 12.3.1 by *Athletes* or other *Persons* affiliated with a *National Federation* within a 12-month period in testing conducted on *Dogs* by the IFSS or *Anti-Doping Organizations* other than the *National Federation* or its *National Anti-Doping Organization*, then the IFSS may also suspend that *National Federation's* membership for a period of up to 4 years.

12.3.2 More than one *Athlete* or other *Person* from a *National Federation* commits a violation of these *Anti-Doping Rules* for *Dogs* participating in *Sled Dog Sports* during an *International Event*. In such event the IFSS may fine that *National Federation* an amount of up to one thousand US Dollars (\$1000.00).

12.3.3 A *National Federation* has failed to make diligent efforts to keep the IFSS informed about an *Athlete's Dog's* whereabouts after receiving a request for that information from the IFSS. In such event the IFSS may fine the *National Federation* an amount of up to two hundred and fifty US Dollars (\$250.00) per *Athlete* in addition to all of the IFSS' costs incurred in *Testing* that *National Federation's Athlete's Dogs*.

ARTICLE 13 APPEALS

13.1 Decisions Subject to Appeal

Decisions made under these Anti-Doping Rules for *Dogs* participating in *Sled Dog Sports* may be appealed as set forth below in Article 13.2 through 13.4 or as otherwise provided in these Anti-Doping Rules. Such decisions shall remain in effect while under appeal unless the appellate body orders otherwise. Before an appeal is filed any post-decision review authorized in these rules must be exhausted (except as provided in Article 13.1.1).

13.1.1 WADA Not Required to Exhaust Internal Remedies

Where *WADA* has a right to appeal under Article 13 and no other party has appealed a final decision within the IFSS or its *National Federation's* process, *WADA* may appeal such decision directly to *CAS* without having to exhaust other remedies in the IFSS or its *National Federation's* process.⁵¹

13.2 Appeals from Decisions Regarding *Anti-Doping Rule Violations, Consequences, and Provisional Suspensions*

May be appealed exclusively as provided in this Article 13.2:

⁵⁰ Commentary to Article 12.3.1: For purposes of this Rule, any fine paid pursuant to Rule 12.3.2 shall be credited against any fine assessed.

⁵¹ Comment to Article 13.1.1: Where a decision has been rendered before the final stage of the IFSS' process (for example, a first hearing) and no party elects to appeal that decision to the next level of the IFSS' process (e.g., the IFSS Council), then *WADA* may bypass the remaining steps in the IFSS' internal process and appeal directly to *CAS*.

- a) a decision that an anti-doping rule violation was committed;
- b) a decision imposing *Consequences* for an anti-doping rule violation, or a decision that no anti-doping rule violation was committed;
- c) a decision that an anti-doping rule violation proceeding cannot go forward for procedural reasons (including, for example, prescription);
- d) a decision under Article 10.11.2 or 10.13.2 (prohibition of participation during *Ineligibility*);
- e) a decision that the IFSS or its *National Federation* lacks jurisdiction to rule on an alleged anti-doping rule violation or its *Consequences*;
- f) a decision by any *National Federation* not to bring forward an *Adverse Analytical Finding* or an *Atypical Finding* as an anti-doping rule violation, or a decision not to go forward with an anti-doping rule violation after an investigation under Article 7.4;
- g) and a decision to impose a *Provisional Suspension* as a result of a *Provisional Hearing* or otherwise in violation of Article 7.4

Notwithstanding any other provision of these rules, the only *Person* that may appeal a *Provisional Suspension* is the *Athlete* or other *Person* upon whom the *Provisional Suspension* is imposed.

13.2.1 Appeals Involving *International-Level Athletes*

In cases arising from competition in an *International Event* or in cases involving *International-Level Athletes*, the decision may be appealed exclusively to CAS in accordance with the provisions applicable before such court.⁵²

13.2.2 Appeals Involving National-Level *Athletes*

In cases involving *Athletes* who do not have a right to appeal under Article 13.2.1, each *National Federation* shall have in place an appeal procedure that respects the following principles: a timely hearing, a fair and impartial hearing panel; the right to be represented by a counsel at the person's expense; and a timely, written, reasoned decision. The IFSS' rights of appeal with respect to these cases are set forth in Article 13.2.3 below.⁵³

13.2.3 *Persons* Entitled to Appeal

In cases under Article 13.2.1, the following parties shall have the right to appeal to CAS:

- a) the *Athlete* or other *Person* who is the subject of the decision being appealed;
- b) the other party to the case in which the decision was rendered;
- c) the IFSS and any other *Anti-Doping Organization* under whose rules a sanction could have been imposed;
- d) the International Olympic Committee or International Paralympic Committee, as applicable, where the decision may have an effect in relation to the Olympic Games or Paralympic Games, including decisions affecting eligibility for the Olympic Games or Paralympic Games;
- e) *WADA*.

In cases under Article 13.2.2, the parties having the right to appeal to the national-level reviewing body shall be as provided in the *National Federation's* rules but, at a minimum, shall include the following parties:

- a) the *Athlete* or other *Person* who is the subject of the decision being appealed;
- b) the other party to the case in which the decision was rendered;
- c) the IFSS;
- d) *WADA*.

⁵² Comment to Article 13.2.1: CAS decisions are final and binding except for any review required by law applicable to the annulment or enforcement of arbitral awards.

⁵³ Comment to Article 13.2.2: The IFSS may elect to comply with this Article by giving its national-level *Athletes* the right to appeal directly to CAS.

For cases under Article 13.2.2, *WADA* and the IFSS shall also have the right to appeal to CAS with respect to the decision of the national-level reviewing body.

13.3 Failure to Render a Timely Decision by the IFSS and its *National Federations*

Where, in a particular case, the IFSS or its *National Federations* fail to render a decision with respect to whether an anti-doping rule violation was committed within a reasonable deadline set by *WADA*, *WADA* may elect to appeal directly to CAS as if the IFSS or its *National Federations* had rendered a decision finding no anti-doping rule violation. If the CAS panel determines that an anti-doping rule violation was committed and that *WADA* acted reasonably in electing to appeal directly to CAS, then *WADA*'s costs and attorneys fees in prosecuting the appeal shall be reimbursed to *WADA* by the IFSS or its *National Federations*.⁵⁴

13.4 Appeals from Decisions Granting or Denying a Therapeutic Use Exemption

Not applicable for Dogs participating in Sled Dog Sports under the present Anti-Doping Rules (Article 4.4)

13.5 Appeal from Decisions Pursuant to Article 12

Decisions by the IFSS pursuant to Article 12 may be appealed exclusively to CAS by the *National Federation*.

13.6 Deadline for Filing Appeals

The deadline for filing an appeal to CAS shall be twenty-one (21) days from the date of receipt of the decision by the appealing party. The above notwithstanding, the following shall apply in connection with appeals filed by a party entitled to appeal but which was not a party to the proceedings having lead to the decision subject to appeal:

- a) Within ten (10) days from notice of the decision, such party/ies shall have the right to request from the body having issued the decision a copy of the file on which such body relied;
- b) If such a request is made within the ten-day period, then the party making such request shall have twenty-one (21) days from receipt of the file to appeal to CAS.

The above notwithstanding, the filing deadline for an appeal or intervention filed by *WADA* shall be the later of:

- (a) Twenty-one (21) days after the last day on which any other party in the case could have appealed, or
- (b) Twenty-one (21) days after *WADA*'s receipt of the complete file relating to the decision.

⁵⁴ Comment to Article 13.3: Given the different circumstances of each anti-doping rule violation investigation and results management process, it is not feasible to establish a fixed time period for the IFSS to render a decision before *WADA* may intervene by appealing directly to CAS. Before taking such action, however, *WADA* will consult with the IFSS and give the IFSS an opportunity to explain why it has not yet rendered a decision. Nothing in this rule prohibits the IFSS from also having rules which authorize it to assume jurisdiction for matters in which the results management performed by one of its *National Federations* has been inappropriately delayed.

ARTICLE 14 NATIONAL FEDERATIONS' INCORPORATION OF IFSS RULES, REPORTING AND RECOGNITION

14.1 Incorporation of the IFSS Anti-Doping Rules for *Dogs* participating in *Sled Dog Sports*

All IFSS *National Federations*, *Founding Members* and *Associate Members* shall comply with these Anti-Doping Rules for *Dogs* participating in *Sled Dog Sports*. Each *National Federation* shall establish Anti-Doping Rules for *Dogs* participating in *Sled Dog Sports* that are compliant with the *Code* and which incorporate wherever possible, either directly or by reference, the present IFSS rules. All *National Federations* shall include in their regulations the procedural rules necessary to effectively implement these Anti-Doping Rules. Each *National Federation* shall obtain the written acknowledgement and agreement, in the form attached as Appendix 1, of all *Athletes* subject to *Doping Control* and *Athlete Support Personnel* for such *Athletes*. Notwithstanding whether or not the required form has been signed, the Rules of each *National Federation* shall specifically provide that all *Athletes*, *Athlete Support Personnel* and other *Persons* under the jurisdiction of the *National Federation* shall be bound by these Anti-Doping Rules for *Dogs* participating in *Sled Dog Sports*.

14.2 Statistical Reporting

14.2.1 *National Federations* shall report to the IFSS Anti-Doping Committee for April 30th of every year the results of all *Doping Controls* within their jurisdiction sorted by *Athlete* and identifying each date on which the *Athlete's Dog(s)* was/were tested, the entity conducting the test, and whether the test was *In-Competition* or *Out-of-Competition*. The IFSS may periodically publish *Testing* data received from *National Federations* as well as comparable data from *Testing* under the IFSS' jurisdiction.

14.2.2 The IFSS shall publish annually a general statistical report of its *Doping Control* activities during the calendar year with a copy provided to WADA.

14.3 Doping Control Information Clearinghouse

When a *National Federation* has received an *Adverse Analytical Finding* on one of its *Athlete's Dogs* it shall report the following information to the IFSS and WADA within fourteen (14) days of the process described in Article 7.1.2 and 7.1.3:

- the *Athlete's* name, country, sport and discipline within the sport,
- whether the test was *In-Competition* or *Out-of-Competition*,
- the date of *Sample* collection and
- the analytical result reported by the laboratory.

The *National Federation* shall also regularly update the IFSS and WADA on the status and findings of any review or proceedings conducted pursuant to Article 7 (*Results Management*), Article 8 (*Right to a Fair Hearing*) or Article 13 (*Appeals*), and comparable information shall be provided to the IFSS and WADA within 14 days of the notification described in Article 7.1.9, with respect to other violations of these Anti-Doping Rules. In any case in which the period of *Ineligibility* is eliminated under Article 10.5.1 (*No Fault or Negligence*) or reduced under Article 10.5.2 (*No Significant Fault or Negligence*), the IFSS and WADA shall be provided with a written reasoned decision explaining the basis for the elimination or reduction. Neither the IFSS nor WADA shall disclose this information beyond those persons within their organizations with a need to know until the *National Federation* has made public disclosure or has failed to make public disclosure as required in Article 14.4 below.

14.4 Public Disclosure

14.4.1 Neither the IFSS nor its *National Federation* shall publicly identify *Athletes* whose *Dogs' Samples* have resulted in *Adverse Analytical Findings*, or who were alleged to have

violated other Articles of these Anti-Doping Rules until it has been determined in a hearing in accordance with Article 8 that an anti-doping rule violation has occurred, or such hearing has been waived in writing, or the assertion of an anti-doping rule violation has not been timely challenged, or the *Athlete* has been *Provisionally Suspended*. Once a violation of these Anti-Doping Rules has been established, it shall be publicly reported within 20 days. The IFSS or its *National Federation* must also report within 20 days appeal decisions on an antidoping rule violation. The IFSS or its *National Federation* shall also, within the time period for publication, send all hearing and appeal decisions to *WADA*.

14.4.2 In any case where it is determined, after a hearing or appeal, that the *Athlete* or other *Person* did not commit an anti-doping rule violation, the decision may be disclosed publicly only with the consent of the *Athlete* or other *Person* who is the subject of the decision. The IFSS or its *National Federation* shall use reasonable efforts to obtain such consent, and if consent is obtained, shall publicly disclose the decision in its entirety or in such redacted form as the *Athlete* or other *Person* may approve.

14.4.3 Neither the IFSS nor its *National Federation* or IFSS-accredited laboratory, nor any official of either, shall publicly comment on the specific facts of a pending case (as opposed to general description of process and science) except in response to public comments attributed to the *Athlete*, other *Person* or their representatives.

14.5 Recognition of Decisions by IFSS and *National Federations*

Any decision of the IFSS or a *National Federation* regarding a violation of these Anti-Doping Rules for *Dogs* participating in *Sled Dog Sports* shall be recognized by all *National Federations*, which shall take all necessary action to render such results effective.

ARTICLE 15 RECOGNITION OF DECISIONS BY OTHER ORGANISATIONS

Subject to the right to appeal provided in Article 13, the *Testing*, TUE's (as per Article 4.4 of these Rules) and hearing results or other final adjudications of any *Signatory* to the *Code* which are consistent with the *Code* and are within the *Signatory's* authority, shall be recognized and respected by the IFSS, its *National Federations*, *Founding Members* and *Associate Members*. The IFSS and its *National Federations* may recognize the same actions of other bodies which have not accepted the *Code* if the rules of those bodies are otherwise consistent with the *Code*.⁵⁵

ARTICLE 16 STATUTE OF LIMITATIONS

No action may be undertaken under these Anti-Doping Rules for *Dogs* participating in *Sled Dog Sports* against an *Athlete* or other *Person* for a violation of an anti-doping rule contained in these Anti-Doping Rules unless such action is initiated within eight years from the date the violation occurred.

ARTICLE 17 IFSS COMPLIANCE REPORTS TO WADA

The IFSS will report to *WADA* on the IFSS compliance with the *Code* every second year and shall explain reasons for any non-compliance.

⁵⁵ Comment to Article 15: Where the decision of a body that has not accepted the *Code* is in some respects *Code* compliant and in other respects not *Code* compliant, the IFSS or its *National Federation* should attempt to apply the decision in harmony with the principles of the *Code*. For example, if in a process consistent with the *Code* a non-*Signatory* has found an *Athlete* to have committed an anti-doping rule violation on account of the presence of a *Prohibited Substance* in his *Dog's* body but the period of *Ineligibility* applied to the *Athlete* is shorter than the period provided for in the *Code*, then the IFSS or its *National Federation* should recognize the finding of an anti-doping rule violation and they should conduct a hearing consistent with Article 8 to determine whether the longer period of *Ineligibility* provided in the *Code* should be imposed.

ARTICLE 18 AMENDMENT AND INTERPRETATION OF ANTI-DOPING RULES

18.1 These Anti-Doping Rules for *Dogs* participating in *Sled Dog Sports* may be amended from time to time by the IFSS General Assembly upon proposal from the IFSS Council or the IFSS Anti-Doping Committee.

18.2 Except as provided in Article 18.5, these Anti-Doping Rules shall be interpreted as an independent and autonomous text and not by reference to existing law or statutes.

18.3 The headings used for the various Parts and Articles of these Anti-Doping Rules for *Dogs* participating in *Sled Dog Sports* are for convenience only and shall not be deemed part of the substance of these Anti-Doping Rules or to affect in any way the language of the provisions to which they refer.

18.4 The INTRODUCTION and the APPENDIX I DEFINITIONS shall be considered integral parts of these Anti-Doping Rules for *Dogs* participating in *Sled Dog Sports*.

18.5 These Anti-Doping Rules for *Dogs* participating in *Sled Dog Sports* have been adopted pursuant to the applicable provisions of the *Code* and shall be interpreted in a manner that is consistent with applicable provisions of the *Code*. The comments annotating various provisions of the *Code* may, where applicable, assist in the understanding and interpretation of these Anti-Doping Rules.

18.6 Notice to an *Athlete* or other *Person* who is a member of a *National Federation* may be accomplished by proven delivery of the notice to the *National Federation*.

18.7 These Anti-Doping Rules for *Dogs* participating in *Sled Dog Sports* shall come into full force and effect on 1 January 2009 (the "*Effective Date*"). They shall not apply retrospectively to matters pending before the Effective Date; provided, however, that:

18.7.1 Any case pending prior to the Effective Date, or brought after the Effective Date based on an anti-doping rule violation that occurred prior to the Effective Date, shall be governed by the predecessor to these Anti-Doping Rules for *Dogs* participating in *Sled Dog Sports* in force at the time of the Antidoping rule violation, subject to any application of the principle of *lex mitior* by the hearing panel determining the case.

18.7.2 Any Article 2.4 *Dog* whereabouts violation (whether a filing failure or a missed test) declared by the IFSS under rules in force prior to the Effective Date that has not expired prior to the Effective Date and that would qualify as a whereabouts violation under Article 11 of the *International Standard for Testing* shall be carried forward and may be relied upon, prior to expiry, as one of the three Filing Failures and/or Missed Tests giving rise to an anti-doping rule violation under Article 2.4 of these Anti-Doping Rules.⁵⁶ Unless otherwise stated by the IFSS, however:

- a) a filing failure that is carried forward in this manner may only be combined with post-Effective Date Filing Failures;
- b) a missed test that is carried forward in this manner may only be combined with post-Effective Date Missed Tests; and
- c) a filing failure or missed test declared by any *Anti-Doping Organization* other than the IFSS and a *National Federation* prior to the Effective Date may not be combined with any Filing Failure or Missed Test declared under these Anti-Doping Rules.

18.7.3 Where a period of *Ineligibility* of an *Athlete* or *Person* imposed by the IFSS under rules in force for *Dogs* participating in *Sled Dog Sports* prior to the Effective Date has not

⁵⁶ Note: where existing whereabouts violations are carried over to the new regime, any restrictions under the old rules on combining those whereabouts violations with other whereabouts violations must also be carried over.

yet expired as of the Effective Date, the *Person* who is *Ineligible* may apply to the IFSS for a reduction in the period of *Ineligibility* in light of the amendments made to the *Code* as from the Effective Date.

Where a period of *Ineligibility* of a *Dog* imposed by the IFSS under rules in force prior to the Effective Date has not yet expired as of the Effective Date, the *Athlete* training or responsible for the *Dog* that is *Ineligible* may apply to the IFSS for a reduction in the period of *Ineligibility* in light of the amendments made to the *Code* as from the Effective Date.

To be valid, such application must be made before the period of *Ineligibility* has expired.

18.7.4 Subject always to Article 10.7.5, anti-doping rule violations on *Dogs* committed under rules in force prior to the Effective Date shall be taken into account as prior offences for purposes of determining sanctions under Article 10.7. Where such pre-Effective Date anti-doping rule violation involved a substance that would be treated as a Specified Substance under these Anti-Doping Rules, for which a period of *Ineligibility* of less than two years was imposed, such violation shall be considered a Reduced Sanction violation for purposes of Article 10.7.1.

APPENDIX 1 – DEFINITIONS

Adverse Analytical Finding: A report from a laboratory or other approved *Testing* entity that identifies in a *Dog's Sample* the presence of a *Prohibited Substance* or its *Metabolites* or *Markers* (including elevated quantities of endogenous substances) or evidence of the *Use* of a *Prohibited Method*.

Anti-Doping Organization: A *Signatory* that is responsible for adopting rules for initiating, implementing or enforcing any part of the *Doping Control* process. This includes, for example, the International Olympic Committee, the International Paralympic Committee, and other *Major Event Organizations* that conduct *Testing* at their *Events*, WADA, International Federations, and *National Anti-Doping Organizations*.

Associate Members: Groups or associations sympathizing with sleddog sports may be granted associate membership, provided said groups or associations have aims and objects declared to be and agreed by the Council as being beneficial to the aims and objectives of IFSS.

Athlete: Any *Person* who participates in sport at the international level (as defined by each International Federation), the national level (as defined by each *National Anti-Doping Organization*, including but not limited to those *Persons* in its *Registered Testing Pool*), and any other competitor in sport who is otherwise subject to the jurisdiction of any *Signatory* or other sports organization accepting the *Code*. All provisions of the *Code*, including, for example, *Testing*, and TUE's must be applied to international and national-level competitors. Some *National Anti-Doping Organizations* may elect to test and apply anti-doping rules to recreational-level or masters competitors who are not current or potential national caliber competitors. *National Anti-Doping Organizations* are not required, however, to apply all aspects of the *Code* to such *Persons*. Specific national rules may be established for Doping Control for non-international-level or national-level competitors without being in conflict with the *Code*. Thus, a country could elect to test recreational-level competitors but not require TUE's or whereabouts information. In the same manner, a *Major Event Organization* holding an *Event* only for masters-level competitors could elect to test the competitors but not require advance TUE or whereabouts information. For purposes of Article 2.8 (*Administration* and *Attempted Administration*) and for purposes of anti-doping information and education, any *Person* who participates in sport under the authority of any *Signatory*, government, or other sports organization accepting the *Code* is an *Athlete*.⁵⁷

Athlete Support Personnel: Any coach, trainer, manager, agent, team staff, official, medical, paramedical, or veterinary personnel, parent or any other *Person* working with, treating or assisting an *Athlete* with his or her *Dog(s)* participation in or preparation for *Competition* in Sled Dog Sports.

Attempt: Purposely engaging in conduct that constitutes a substantial step in a course of conduct planned to culminate in the commission of an anti-doping rule violation. Provided, however, there shall be no anti-doping rule violation based solely on an *Attempt* to commit a violation if the *Person* renounces the *Attempt* prior to it being discovered by a third party not involved in the *Attempt*.

Atypical Finding (Dogs): A report from a laboratory or other IFSS-approved entity which requires further investigation as provided by the *International Standard* for Laboratories or related Technical Documents prior to the determination of an *Adverse Analytical Finding*.

CAS: The Court of Arbitration for Sport.

Code: The World Anti-Doping Code.

⁵⁷ Comment to *Athlete*: This definition makes it clear that all international and national-caliber athletes are subject to the anti-doping rules of the *Code*, with the precise definitions of international and national level sport to be set forth in the anti-doping rules of the International Federations and *National Anti-Doping Organizations*, respectively. At the national level, anti-doping rules adopted pursuant to the *Code* shall apply, at a minimum, to all persons on national teams and all persons qualified to compete in any national championship in any sport. That does not mean, however, that all such *Athletes* must be included in a *National Anti-Doping Organization's Registered Testing Pool*. The definition also allows each *National Anti-Doping Organization*, if it chooses to do so, to expand its anti-doping control program beyond national-caliber athletes to competitors at lower levels of competition. *Competitors* at all levels of competition should receive the benefit of anti-doping information and education.

Competition: A single race, match, game or singular athletic contest. For example, a basketball game or the finals of the Olympic 100-meter dash in athletics. IFSS stage races where prizes are awarded on a daily or other interim basis will be considered as *Events* for which the intervals used for calculating winners and awarding prizes are considered the individual *Competitions*.

Consequences of anti-doping rule violations: An *Athlete's* or other *Person's* violation of an anti-doping rule may result in one or more of the following: (a) *Disqualification* means the *Athlete's* results in a particular *Competition* or *Event* are invalidated, with all resulting consequences including forfeiture of any medals, points and prizes; (b) *Ineligibility* means the *Athlete* or other *Person* or *Dog* is barred for a specified period of time from participating in any *Competition* or other activity or funding as provided in Article 10; and (c) *Provisional Suspension* means the *Athlete* or other *Person* is barred temporarily from participating in any *Competition* prior to the final decision at a hearing conducted under Article 8 (Right to a Fair Hearing).

Disqualification: See *Consequences of anti-doping rule violations*, above.

Dog: a *Dog* participating with an *Athlete* in one of the *Sled Dog Sports* disciplines

Doping Control: All steps and processes from test distribution planning through to ultimate disposition of any appeal including all steps and processes in between such as provision of whereabouts information, sample collection and handling, laboratory analysis, TUE's, results management and hearings.

Event: A series of individual *Competitions* conducted together under one ruling body (e.g., the Olympic Games, FINA World Championships, or Pan American Games).

Event Period: The time between the beginning and end of an *Event*, as established by the ruling body of the *Event*.

Founding Members: The two international race-giving organizations (European Sled Dog Racing Association – ESDRA and International Sled Dog Racing Association – ISDRA) which joined together to form the IFSS in 1985.

In-Competition: Unless provided otherwise in the rules of an International Federation or other relevant *Anti-Doping Organization*, “*In-Competition*” means the period commencing twelve hours before a *Competition* in which the *Athlete's Dog* is scheduled to participate through the end of such *Competition* and the *Sample* collection process related to such *Competition*.

Independent Observer Program: A team of observers, under the supervision of *WADA*, who observe and may provide guidance on the *Doping Control* process at certain *Events* and report on their observations.

Individual Sport: Any sport that is not a *Team Sport*.

Ineligibility: See *Consequences of Anti-Doping Rule Violations* above. Also applicable in the present Anti-Doping Rules for *Dogs* participating in *Sled Dog Sports*, under Articles 10.12 and 10.13, the purpose of which are to protect the *Dog's* health and welfare.

International Event: An *Event* where the International Olympic Committee, the International Paralympic Committee, an International Federation, a *Major Event Organization*, or another international sport organization is the ruling body for the *Event* or appoints the technical officials for the *Event*.

International-Level Athlete: *Athletes* who, as well as their *Dogs* are designated by one or more International Federations as being within the *Registered Testing Pool* for an International Federation.

International Standard: A standard adopted by *WADA* in support of the *Code*. Compliance with an *International Standard* (as opposed to another alternative standard, practice or procedure) shall be sufficient to conclude that the procedures addressed by the *International Standard* were performed properly. *International Standards* shall include any Technical Documents issued pursuant to the *International Standard*.

Major Event Organizations: The continental associations of *National Olympic Committees* and other international multi-sport organizations that function as the ruling body for any continental, regional or other *International Event*.

Marker: A compound, group of compounds or biological parameter(s) that indicates the *Use* of a *Prohibited Substance* or *Prohibited Method*.

Metabolite: Any substance produced by a biotransformation process.

Minor: A natural *Person* who has not reached the age of majority as established by the applicable laws of his or her country of residence.

National Anti-Doping Organization: The entity(ies) designated by each country as possessing the primary authority and responsibility to adopt and implement Antidoping rules, direct the collection of *Samples*, the management of test results, and the conduct of hearings, all at the national level. This includes an entity which may be designated by multiple countries to serve as regional *Anti-Doping Organization* for such countries. If this designation has not been made by the competent public authority(ies), the entity shall be the country's *National Olympic Committee* or its designee.

National Event: A sport *Event* involving international or national-level *Athletes* that is not an *International Event*.

National Federation: A national or regional entity which is a member of or is recognized by the IFSS as the entity governing the *Sled Dog Sports* in that nation or region.

National Olympic Committee: The organization recognized by the International Olympic Committee. The term *National Olympic Committee* shall also include the National Sport Confederation in those countries where the National Sport Confederation assumes typical *National Olympic Committee* responsibilities in the anti-doping area.

No Advance Notice: A *Doping Control* which takes place with no advance warning to the *Athlete* and where the *Athlete's Dog* is continuously chaperoned from the moment of notification through *Sample* provision.

No Fault or Negligence: The *Athlete's* establishing that he or she did not know or suspect, and could not reasonably have known or suspected even with the exercise of utmost caution, that that his/her *Dog* had *Used* or been *Administered* the *Prohibited Substance* or *Prohibited Method*.

No Significant Fault or Negligence: The *Athlete's* establishing that his or her fault or negligence, when viewed in the totality of the circumstances and taking into account the criteria for *No Fault or Negligence*, was not significant in relationship to the anti-doping rule violation.

Out-of-Competition: Any *Doping Control* on a *Dog* which is not *In-Competition*.

Participant: Any *Athlete* or *Athlete Support Personnel*.

Person: A natural *Person* or an organization or other entity.

Possession: The actual, physical possession, or the constructive possession (which shall be found only if the person has exclusive control over the *Prohibited Substance/Method* or the premises in which a *Prohibited Substance/Method* exists); provided, however, that if the person does not have exclusive control over the *Prohibited Substance/Method* or the premises in which a *Prohibited Substance/Method* exists, constructive possession shall only be found if the person knew about the presence of the *Prohibited Substance/Method* and intended to exercise control over it. Provided, however, there shall be no anti-doping rule violation based solely on possession if, prior to receiving notification of any kind that the *Person* has committed an anti-doping rule violation, the *Person* has taken concrete action demonstrating that the *Person* never intended to have possession and has renounced possession by

explicitly declaring it to an *Anti-Doping Organization*. Notwithstanding anything to the contrary in this definition, the purchase (including by any electronic or other means) of a *Prohibited Substance* or *Prohibited Method* constitutes possession by the *Person* who makes the purchase.⁵⁸

Prohibited List for Dogs: For the purpose of these rules, the List identifying the *Prohibited Substances* and *Prohibited Methods* for *Dogs* participating in *Sled Dog Sports*.

Prohibited Method: Any method so described on the *Prohibited List for Dogs*.

Prohibited Substance: Any substance so described on the *Prohibited List for Dogs*.

Provisional Hearing: For purposes of Article 7.6, an expedited abbreviated hearing occurring prior to a hearing under Article 8 (Right to a Fair Hearing) that provides the *Athlete* with notice and an opportunity to be heard in either written or oral form.

Provisional Suspension: See *Consequences* above.

Publicly Disclose or Publicly Report: To divulge or distribute information to the general public or persons beyond those persons entitled to earlier notification in accordance with Article 14.

Registered Testing Pool: For the purpose of these rules, the pool of top level *Athletes* established separately by each International Federation and *National Anti-Doping Organization* whose *Dogs* are subject to both *In-Competition* and *Out-of-Competition Testing* as part of that *International Federation's* or *National Anti-Doping Organization's* test distribution plan.

Retroactive TUE: As defined in the *International Standard* for Therapeutic Use Exemptions. Not applicable for *Dogs* participating in *Sled Dog Sports* under the present Rules. *The IFSS may decide to include Therapeutic Use Exemptions in conformity with the International Standards for Therapeutic Use Exemptions, after sufficient study in the field of sled dog sports has been carried out.*

Sample: Any biological material collected from a *Dog* participating in *Sled Dog Sports* for the purposes of *Doping Control*.⁵⁹

Signatories: Those entities signing the *Code* and agreeing to comply with the *Code*, including the International Olympic Committee, International Federations, International Paralympic Committee, National Olympic Committees, National Paralympic Committees, *Major Event Organizations*, *National Anti-Doping Organizations*, and WADA.

Sled Dog Sports: Sports in which an *Athlete* and his/her *Dog(s)* combine together as an equipage to perform in cross-country type races or other *Events*, on or off snow. *Sled Dog Sports* include the following disciplines:

- “Nome-style”: On-snow disciplines in which an *Athlete* drives a sled pulled by a team of 2 or more *Dogs*, over distances from 4 or more kilometers that are determined by the size of the teams in the competition class for that discipline (2, 4, 6, or 8 dogs maximum; Unlimited [7 or more dogs]; Middle Distance; Long Distance; Stage races.)
- “Nordic Style”: On-snow disciplines in which an *Athlete* on skis, connected by a cord to a team of from one to four *Dog(s)* covers distances determined by the size of the team and the nature of the discipline:

⁵⁸ Comment to *Possession*: Under this definition, steroids found in an *Athlete's* car would constitute a violation unless the *Athlete* establishes that someone else used the car; in that event, the *Anti-Doping Organization* must establish that, even though the *Athlete* did not have exclusive control over the car, the *Athlete* knew about the steroids and intended to have control over the steroids. Similarly, in the example of steroids found in a home medicine cabinet under the joint control of an *Athlete* and spouse, the *Anti-Doping Organization* must establish that the *Athlete* knew the steroids were in the cabinet and that the *Athlete* intended to exercise control over the steroids.

⁵⁹ Comment to *Sample*: It has sometimes been claimed that the collection of blood samples violates the tenets of certain religious or cultural groups. It has been determined that there is no basis for any such claim.

- pulka: the *Athlete* skis behind a small sledge (“pulk”) to which the *Athlete* is connected by a line and which is pulled by the *Dog or Dogs*
 - skijoring: the *Athlete* skis behind his *Dog or Dogs*, to whom he is directly connected by a line
 - combined pulka/skijoring: The *Athlete* and his/her *Dog* cover a shorter distance twice, once with a pulk and after a changeover, once skijoring.
- Off-Snow: *Sled Dog Sports* disciplines performed in conditions where there is no snow. The *Athlete* either runs behind his or her *Dog* to which he/she is connected by a line (cani-cross), or rides a bicycle or pedals a scooter behind the *Dog* to who he/she is connected by a line (Bikejoring and Scooter classes) or drives a specially-designed cart pulled by a team of from 2 to 8 *Dogs* (*Roller* classes). Each competition class has a specific distance in function of the type of class and number of dogs.

Specified Substances: As defined in Article 4.2.2.

Substantial Assistance: For purposes of Article 10.5.3, a *Person* providing *Substantial Assistance* must: (1) fully disclose in a signed written statement all information he or she possesses in relation to anti-doping rule violations, and (2) fully cooperate with the investigation and adjudication of any case related to that information, including, for example, presenting testimony at a hearing if requested to do so by an *Anti-Doping Organization* or hearing panel. Further, the information provided must be credible and must comprise an important part of any case which is initiated or, if no case is initiated, must have provided a sufficient basis on which a case could have been brought.

Tampering: Altering for an improper purpose or in an improper way; bringing improper influence to bear; interfering improperly; obstructing, misleading or engaging in any fraudulent conduct to alter results or prevent normal procedures from occurring; or providing fraudulent information to an *Anti-Doping Organization*.

Target Testing: Selection of *Dogs* for *Testing* where the *Dog(s)* of a specific *Athlete* is/are selected on a non-random basis for *Testing* at a specified time.

Team Sport: A sport in which the substitution of players is permitted during a *Competition*.

Testing: The steps in the *Doping Control* process involving test distribution planning, *Sample* collection, *Sample* handling, and *Sample* transport to the laboratory.

Trafficking: Selling, giving, transporting, sending, delivering or distributing a *Prohibited Substance* or *Prohibited Method* (either physically or by any electronic or other means) by an *Athlete*, *Athlete Support Personnel* or any other *Person* subject to the jurisdiction of an *Anti-Doping Organization* to any third party; provided, however, this definition shall not include the actions of bona fide medical personnel involving a *Prohibited Substance* used for genuine and legal therapeutic purposes or other acceptable justification, and shall not include actions involving *Prohibited Substances* which are not prohibited in *Out-of-Competition Testing* unless the circumstances as a whole demonstrate such *Prohibited Substances* are not intended for genuine and legal therapeutic purposes.

TUE.: As defined in Article 4.4.1 of the IFSS Anti-Doping Rules (Human Athletes). Not applicable for *Dogs* participating in *Sled Dog Sports* under the present Rules. *The IFSS may decide to include Therapeutic Use Exemptions in conformity with the International Standards for Therapeutic Use Exemptions, after sufficient study in the field of sled dog sports has been carried out.*

TUE Panel: As defined in Article 4.4.5 of the IFSS Anti-Doping Rules (Human Athletes). Not applicable for *Dogs* participating in *Sled Dog Sports* under the present rules. *The IFSS may decide to include Therapeutic Use Exemptions in conformity with the International Standards for Therapeutic Use Exemptions, after sufficient study in the field of sled dog sports has been carried out.*

UNESCO Convention: The International Convention against Doping in Sport adopted by the 33rd session of the UNESCO General Conference on 19 October 2005 including any and all amendments adopted by

the States Parties to the Convention and the Conference of Parties to the International Convention against Doping in Sport.

Use: *Use by an Athlete's Dog* is, for the purpose of these rules, the injection, infusion, application, administration or distribution in any manner (for example, topical, oral, nasal...) of a chemical or other related substance or nutriment to an *Athlete's Dog*, or the use or application of a method on a *Dog*, or the ingestion, absorption or consumption by a *Dog* of any substance which is on the *Prohibited List of Substances and Methods for Dogs*. It is immaterial whether or not there is the intent to improve or otherwise affect the *Dog's* physical performance or to mask the *Use* of such *Substances* or *Methods* on the *Dog*.

It is important to distinguish between *Use* under Article 2.2 and *Administration* under Article 2.8. In the former case, the violation and its consequences are imputable to the *Athlete* whose *Dog* used the *Prohibited Substance*. In the latter case, the violation and its consequences rest with the *Person* having administered the *Prohibited Substance* to an *Athlete's Dog*. (Please also see footnote 4 of these rules.)

WADA: The World Anti-Doping Agency.

APPENDIX 2 - Acknowledgment and Agreement

I, as a member of [National Federation] and/or a participant in a [National Federation or IFSS] authorized or recognized event, hereby acknowledge and agree as follows:

1. I have received and had an opportunity to review all the IFSS Anti-Doping Rules including those for *Dogs* participating in *Sled Dog Sports*.
2. I consent and agree to comply with and be bound by all of the provisions of the IFSS Anti-Doping Rules, including but not limited to, all amendments to these Anti-Doping Rules and all International Standards incorporated in these Anti-Doping Rules.
3. I acknowledge and agree that [National Federation] and IFSS have jurisdiction to impose sanctions as provided in the IFSS Anti-Doping.
4. I also acknowledge and agree that any dispute arising out of a decision made pursuant to the IFSS Anti-Doping Rules, after exhaustion of the process expressly provided for in the IFSS Anti-Doping Rules, may be appealed exclusively as provided in Article 13 of the IFSS Anti-Doping Rules to an appellate body for final and binding arbitration, which in the case of International-Level Athletes is the Court of Arbitration for Sport.
5. I acknowledge and agree that the decisions of the arbitral appellate body referenced above shall be final and enforceable, and that I will not bring any claim, arbitration, lawsuit or litigation in any other court or tribunal.
6. I have read and understand this Acknowledgement and Agreement.

Date

Print Name (Last Name, First Name)

Date of Birth
(Day/Month/Year)

Signature (or, if a minor, signature of
legal guardian)



International Federation of Sleddog Sports

List of IFSS-Accredited Laboratories for the Analysis of Samples taken from Dogs Participating in Sleddog Sports (as per Article 16 of the WADA Code)

- **Laboratoire des Courses Hippiques (LCH)**

15 rue du Paradis
F-91370 Verrières le Buisson, France
Tél : (+33 1) 69 75 28 28
Director: Dr Yves Bonnaire

- **TRAVLAB**

Equine Drug Research Laboratory
National Veterinary Institute
Dep. of Chemistry
SE-751 89 Uppsala, Sweden
Tel.: +46 18 67 40 00
Fax: +46 18 67 40 99