



INTERNATIONAL BOBSLEIGH & SKELETON FEDERATION

## Sanction for Jazmine Fenlator-Victorian

The International Bobsleigh & Skeleton Federation (IBSF) has concluded an Agreement with Jazmine Fenlator-Victorian regarding the Consequences of an Anti-Doping Rule Violation (ADRV) established by the IBSF. The Agreement shall be deemed to be a decision made under the IBSF Anti-Doping Rules within the meaning of Article 13 IBSF Anti-Doping Rules (“IBSF ADR”).

According to the Agreement:

- Ms Fenlator-Victorian accepts that she committed an ADRV (clenbuterol was identified in her sample A/B 3823629 collected in-competition at the IBSF World Cup event of 13 January 2018 in St. Moritz, which resulted in a corresponding AAF being reported).
- The IBSF accepts that the source of clenbuterol was a contaminated nutritional supplement taken by the Athlete prior to the competition of 13 January 2018.
  - The Athlete provided credible evidence about the source of clenbuterol.
  - The IBSF double-checked the Athlete’s assertion by an analysis of unopened boxes of the nutritional supplement by a laboratory, that confirmed the presence of clenbuterol in the analyzed capsules from two separate packages.
  - The IBSF was satisfied by the Athlete’s explanation about her endeavors to avoid any ADRV. It also noted the very small quantity of the prohibited substance found in the Sample and considered the fact that the Athlete’s next doping control sample, provided on 25 January 2018, did not result in an AAF. The ADHP therefore concluded that, in agreement with the Athlete’s explanation, the likely source of clenbuterol in her Sample was the nutritional supplement.
- The IBSF concluded that the Athlete had committed an ADRV but established no significant fault, given that (a) the detected prohibited substance came from a contaminated supplement, (b) she checked the product information/ingredients before use, and (c) she declared the product on the DCF. The IBSF therefore found a period of ineligibility of one (1) year, against which the period of provisional suspension already served shall be credited, appropriate under the circumstances. When determining the Consequences of the ADRV, the IBSF relied on Art. 10.5.1 ADR: “In cases where the Athlete or other Person can establish No Significant Fault or Negligence and that the detected Prohibited Substance came from a Contaminated



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Product, then the period of Ineligibility shall be, at a minimum, a reprimand and no period of Ineligibility, and at a maximum, two years Ineligibility, depending on the Athlete's or other Person's degree of Fault."

- The parties agreed on a sanction consisting of a period of ineligibility of 12 months, commencing on 8 March 2019, against which the period of provisional suspension served since 8 March 2018 shall be credited. The results which Ms Fenlator-Victorian achieved at the IBSF World Cup in St. Moritz on 13 January 2013 shall be disqualified, with all of the resulting consequences. However, the IBSF found that, while disqualification of the results of the competition in which the positive Sample was provided is a mandatory Consequence of the AAF, fairness requires that her subsequent results before the date of provisional suspension shall not be disqualified, especially also since the following doping control sample (provided on 25 January 2018) resulted in a negative finding.