

DOPING HEARING PANEL DECISION

Decision delivered on 17 July 2016

Athlete:	Ms Ratchanok INTANON, Thailand
Date of Hearing:	Saturday 16 July 2016
Place of Hearing:	Videoconference in Six Locations
The Doping Hearing Panel:	Mr. Rune Bård Hansen (Chair) Dr. P.S.M. Chandran Prof. Dr. Toni Graf-Baumann
Athlete Representative:	Mr. Claude Ramoni, Attorney at Law
Expert Witness:	Professor Areerratt Suputtitada M.D

I - The Facts

1. On 15th May 2016, following her women's singles match on Day 1 of the TOTAL Thomas & Uber Cup Finals in Kunshan China, Ms. Ratchanok INTANON was selected for an in-competition doping control test. She provided a urine Sample (Sample code 6163305) which was collected by China Anti-Doping Agency (CHINADA). The Sample was sent to the WADA accredited, Tokyo Anti-Doping Laboratory (TADL) for analysis.
2. On 20th June 2016, BWF received a request from TADL to complete a Therapeutic Use Exemption (TUE) Enquiry Form to confirm whether or not a TUE was in place and also whether a confirmation analysis was required. The BWF confirmed with TADL on 23rd June that no TUE was in place and to proceed with necessary confirmation analysis.
3. The analysis conducted TADL recorded an Adverse Analytical Finding (AAF) and this was entered into the WADA ADAMS on 1 July 2016. The AAF was due to the presence of Triamcinolone Acetonide in Sample 6163305.
4. Triamcinolone Acetonide is listed under Class S9. Glucocorticoid and is a Specified Substance prohibited in-competition under the 2016 WADA Prohibited Substance List when

administered orally, intravenously, intramuscularly or rectally.

5. On 10 July 2016, the BWF notified the athlete of an AAF in Sample 6163305 and on 11 July 2016, the athlete waived her right to have the B Sample analyzed.
6. On 13 July 2016, the BWF Provisionally Suspended the athlete under Article 7.9.3 of the BWF Anti-Doping Regulations and an expedited hearing process was initiated.
7. On 14 July 2016, the BWF gave notice of the hearing date of Saturday 16 July 2016.

II - THE APPLICABLE REGULATIONS

8. The BWF Anti-Doping Regulations (1 January 2015) and the 2016 WADA Prohibited List apply in this case.
9. The Athlete was charged with a breach of Regulation 2.1.3 of the BWF Anti-Doping Regulations (BWF ADR), effective from 01 January 2015:

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

10. The athlete does not dispute the laboratory analysis and that Triamcinolone Acetonide was present in the urine sample collected on 15 May 2016.
11. The BWF Anti-Doping Regulations under Article 2.1.2 states that sufficient proof of an Anti-Doping Rule Violation is established by the presence of a prohibited substance in the player's sample:

"Sufficient proof of an anti-doping rule violation under Article 2.1 is established by any of the following: ***presence of a Prohibited Substance or its Metabolites or Markers in the Player's A Sample where the Player waives analysis of the B Sample and the B Sample is not analyzed;*** or, where the *Player's B Sample* is analyzed and the analysis of the *Player's B Sample* confirms the presence of the *Prohibited Substance* or its *Metabolites* or *Markers* found in the *Player's A Sample*; or, where the *Player's B Sample* is split into two bottles and the analysis of the

second bottle confirms the presence of the *Prohibited Substance* or its *Metabolites* or *Markers* found in the first bottle". [emphasis added].

However, the 2016 WADA Prohibited List on page 7 under Class S9. Glucocorticoids states that: "*All glucocorticoids are prohibited when administered by oral, intravenous, intramuscular or rectal routes*".

12. Glucocorticoids are therefore not prohibited when administered by all other routes of administration (whether in-competition or out-of-competition) such as intra-articular and/or intra-tendinous.

13. Under Article 2.1 of the BWF Anti-Doping Regulations, sufficient proof of an anti-doping rule violation is the "presence of a prohibited substance".

However in the context of the application of Class S9. Glucocorticoids "the presence of a prohibited substance" for the purposes of Article 2.1. applies only if such substance is administered in a prohibited way - by "oral, intravenous, intramuscular or rectal routes.

III - The Panel's Deliberations and Conclusions

How did Triamcinolone Acetonide enter the body of Ms Ratchanok INTANON?

14. The athlete's medical background and records of treatment were submitted to the Panel. This evidence together with the testimony from the expert witness established to the satisfaction of the Panel that the substance was administered on 13 May 2016, before the competition as part of on-going medical treatment of the athlete and that the route of administration of the substance was intra-tendinous.

Why did Ratchanok INTANON not apply for a TUE?

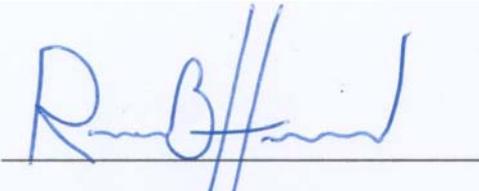
15. The Panel concludes that because the route of administration of the substance in the medical treatment process was intra-tendinous – an authorised administration route – no Therapeutic Use Exemption (TUE) was necessary.

Furthermore, documents submitted to the Panel from the WADA TUE Physicians Guidelines on Musculoskeletal Conditions stated that “It should be noted again that the use of GCs [glucocorticoids] invokes the TUE process only when these agents are administered via oral, rectal, intramuscular or intravenous routes. GC administration via all other routes is permitted without a TUE” (3A.101 Page2 – January 2015).

Conclusion

- 1. No Anti-Doping Rule Violation is committed by Ms Ratchanok INTANON.**
- 2. Each party shall bear its own legal costs and other expenses incurred in connection with this Doping Panel Hearing.**

This done and signed this 17 day of July 2016



Rune B. Hansen (Chair)

On behalf of Panel members - Dr. P.S.M. Chandran and Prof. Dr. Toni Graf-Baumann.
