



## MEDIA RELEASE

### CYCLING - DOPING

#### ALBERTO CONTADOR FOUND GUILTY OF AN ANTI-DOPING RULE VIOLATION BY THE COURT OF ARBITRATION FOR SPORT (CAS): SUSPENSION OF TWO YEARS

*Lausanne, 6 February 2012* – The Court of Arbitration for Sport (CAS) has rendered its decision in the arbitration between the World Anti-Doping Agency (WADA) & the Union Cycliste Internationale (UCI) and the Spanish cyclist Alberto Contador & the Spanish Cycling Federation (RFEC): the CAS has partially upheld the appeals filed by WADA and the UCI and has found Alberto Contador guilty of a doping offence. As a consequence, Alberto Contador is sanctioned with a two-year period of ineligibility starting retroactively on 25 January 2011, minus the period of the provisional suspension served in 2010-2011 (5 months and 19 days). The suspension should therefore come to an end on 5 August 2012.

On 21 July 2010, a rest day following the 16th stage of the 2010 Tour de France, Alberto Contador underwent a doping test. The analyses of the urine samples ("A" and "B") revealed the presence of clenbuterol, a prohibited substance classified as an anabolic agent on the 2010 WADA list of prohibited substances. On 8 November 2010, following an investigation, the UCI requested the RFEC to initiate disciplinary proceedings against Alberto Contador. On 25 January 2011, the RFEC proposed a suspension of one year to Alberto Contador who refused it. On 14 February 2011, the RFEC decided to exonerate Alberto Contador of any sanction.

On 24 March 2011, the UCI filed an appeal with the CAS, followed by another appeal filed by WADA on 29 March 2011. Both entities requested the CAS to annul the decision of the RFEC and to impose on the Athlete a period of ineligibility of two years from the date of the CAS award. The UCI also requested that a fine be imposed on the Athlete.

A first hearing was scheduled by the CAS on 6, 7 and 8 June 2011 but was cancelled at the request of the parties. A new hearing was fixed on 1, 2 and 3 August 2011 and was again postponed at the request of the parties. Finally, a hearing took place in Lausanne from 21 to 24 November 2011, in the presence of the parties, their representatives, witnesses and experts. The witnesses and experts announced by the parties and for which a witness statement had been previously filed were heard by the Panel.

The CAS Panel, composed of Mr Efraim Barak, Israel (President), Mr Quentin Byrne-Sutton, Switzerland, and Prof. Ulrich Haas, Germany, decided on the issue of the period of ineligibility



only. The Panel after review of the 4000-page file and thorough deliberations, noted first that it was not disputed by the parties that Alberto Contador tested positive with clenbuterol and thereby committed an anti-doping rule violation. Neither was it disputed that, in order for the Athlete to avoid a two-year sanction, he had to establish, on a balance of probability a) how the Prohibited Substance entered his body and 2) that he committed no fault or negligence, or no significant fault or negligence.

Alberto Contador alleged that the presence of clenbuterol in his system originated from eating contaminated meat. The UCI and WADA submitted that it was more likely that the adverse analytical finding of the Athlete was caused by a blood transfusion or by the ingestion of a contaminated food supplement than by the consumption of contaminated meat.

The Panel found that there were no established facts that would elevate the possibility of meat contamination to an event that could have occurred on a balance of probabilities. Unlike certain other countries, notably outside Europe, Spain is not known to have a contamination problem with clenbuterol in meat. Furthermore, no other cases of athletes having tested positive to clenbuterol allegedly in connection with the consumption of Spanish meat are known.

The Panel concluded that both the meat contamination scenario and the blood transfusion scenario were, in theory, possible explanations for the adverse analytical findings, but were however equally unlikely. In the Panel's opinion, on the basis of the evidence adduced, the presence of clenbuterol was more likely caused by the ingestion of a contaminated food supplement.

Therefore, and considering that none of the conditions for eliminating or reducing the period of ineligibility were met, on the basis of the UCI Anti-Doping Regulations, the Panel decided to sanction Alberto Contador with a two-year period of ineligibility. The Panel decided to fix the starting date of the suspension on 25 January 2011, which is the date on which the RFEC proposed to suspend Alberto Contador for one year. Furthermore, in accordance with the applicable regulations, the 2010 Tour de France results achieved by Alberto Contador are disqualified as well as the results obtained in all competitions in which he participated after 25 January 2011.

The Panel will rule in a separate award and at a later stage on the request filed by UCI to impose a fine of at least EUR 2'485'000.- on Alberto Contador.

The full award with the grounds is published on the CAS website (<http://www.tas-cas.org/recent-decision>).