



MEDIA RELEASE

SWIMMING - DOPING

APPEAL OF DANISH SWIMMER MADSGLASNER UPHELD BY THE COURT OF ARBITRATION FOR SPORT (CAS)

Lausanne, 4 February 2014 – The Court of Arbitration for Sport (CAS) has admitted the appeal filed by the Danish swimmer Mads Glasner against an element of the decision taken by the FINA Doping Panel on 14 June 2013 (the FINA Decision). As a consequence, the disqualification of the athlete from the men's 1500m freestyle final of the World Swimming Championships (25m) in Istanbul, where he won the gold medal, is annulled.

In December 2012, the athlete took part in the 11th FINA World Swimming Championships (25m) in Istanbul. The athlete took the bronze medal in the men's 400m freestyle final on 14 December 2012 and subsequently underwent an in-competition doping control test. Two days later, on 16 December 2012, the athlete was awarded the gold medal in the men's 1500m freestyle final and underwent another in-competition doping control test. The test conducted on 14 December 2012 showed the presence of *phenpromethamine*, a specified stimulant which is prohibited in-competition, whereas the test conducted on 16 December 2012 was negative for all prohibited substances.

Further to a request from the athlete, the laboratory tested his sample for the presence of *levmetamfetamine* and came to the final conclusion that the prohibited substance present in the sample was in fact *levmetamfetamine*, a specified stimulant which is prohibited in-competition, and not *phenpromethamine*. Having established this fact, the athlete was able to explain the presence of the substance based on the accidental mislabelling of an American Vicks Inhaler with the cover of a Danish Vicks Inhaler: two very similar looking products but with different chemical compositions. The athlete explained that he had used the inhaler on 14 December 2012 believing it to be the Danish version which he knew not to contain any prohibited substances. However, he had in fact used the American product. The FINA Doping Panel found that the athlete had committed an anti-doping rule violation and declared him ineligible for three months, commencing on 19 March 2013, and annulled all results achieved by the swimmer from 14 December 2012 onwards including forfeiture of medals and prizes.



In his appeal to the CAS, the athlete did not contest the presence of the substance nor the automatic disqualification of his results in the 14 December 2012 race (and the forfeiture of his bronze medal), nor the three-month suspension. Instead, the object of his appeal to the CAS was to annul the element of the FINA Decision which concerned the disqualification of his results, and therefore his gold medal, in the 16 December 2012 competition and to request that FINA issue a corrective press release.

The case was referred to Sole Arbitrator, Prof. Ulrich Haas (Germany), who issued his decision on the basis of the parties' written submissions.

The Sole Arbitrator found that according to the applicable rules there was no reason to disqualify the results of the athlete of 16 December 2012. Accordingly, the athlete's appeal is admitted and the FINA Decision is set aside insofar as it refers to competitive results other than those obtained by Mads Glasner on 14 December 2012. The Sole Arbitrator also ordered FINA to issue the corrective press release requested by the swimmer.