



MEDIA RELEASE

ANTI-DOPING – CROSS-COUNTRY SKIING

THE COURT OF ARBITRATION FOR SPORT (CAS) DECISION IN THE CASE OF THERESE JOHAUG: 18-MONTH SUSPENSION

Lausanne, 22 August 2017 – The Court of Arbitration for Sport (CAS) has upheld the appeal filed by the International Skiing Federation (FIS), has set aside the decision issued by the Adjudication Committee of the Norwegian Olympic and Paralympic Committee and Confederation of Sport on 10 February 2017 and has issued a new decision in which Ms Johaug is suspended for a period of 18 months commencing on 18 October 2016.

During the period 4-15 September 2016, the Norwegian skier Therese Johaug used a cream (Trofodermin) purchased for her by a team doctor in Italy to treat acute sunburn on her lips. The active ingredients listed on the packaging included Clostebol acetate (0.5%), an anabolic agent listed on the World Anti-Doping Agency (WADA) Prohibited List and banned at all times, in and out of competition..

Ms Johaug underwent an out-of-competition doping control test on 16 September 2016 which revealed the presence of a metabolite of Clostebol. Further to an investigation, the Adjudication Committee of the Norwegian Olympic and Paralympic Committee and Confederation of Sport issued a decision on 10 February 2017 in which Ms Johaug was sanctioned with a period of ineligibility of 13 months beginning on 18 October 2016, the date on which she was provisionally suspended.

On 6 March 2017, the International Ski Federation (FIS) filed an appeal at the CAS requesting that the period of ineligibility imposed on Ms Johaug be reasonably extended, to between 16-20 months.

The case was handled by a Panel of CAS arbitrators: Mr Romano F. Subiotto QC, (UK/Belgium), President, Mr Markus Manninen (Finland) and Mr Jeffrey G. Benz (USA). A hearing was held at the CAS headquarters on 6 June 2017.

Having reviewed the matter in full, the Panel noted that Ms Johaug failed to conduct a basic check of the packaging, which not only listed a prohibited substance as an ingredient but also included clear doping cautionary warning. Such omissions resulted in an anti-doping rule violation inconsistent with her otherwise clean anti-doping record. Nevertheless, in order to ensure equality in applying anti-doping rules, the Panel highlighted that it was obliged to apply a proportionate sanction, consistent with the level of fault. For this reason, the Panel noted that, in such a situation of non-significant fault, the 2015 World Anti-doping Code provides for a suspension range of between 12 – 24 months and determined in the present case that a period of ineligibility of 18 months, commencing on 18 October 2016, was appropriate.