

**MEDIA RELEASE 16 October 2012**

**Powerlifter suspended for Methylhexaneamine Anti-Doping Violation**

The Sports Tribunal has suspended powerlifter, Nigel Cordes, for 18 months for testing positive for the prohibited substance 1, 3 dimethylpentylamine, also known as methylhexaneamine, after competing in the North Island Powerlifting Championships.

Mr Cordes admitted the violation and stated it was due to a caffeine based supplement he bought from his local sports nutrition store on their recommendation. He gave evidence that, at the time he bought it and later used it, he didn't know that it contained methylhexaneamine. He didn't check or make inquiries whether the supplement contained any prohibited substance. He sipped on the supplement during the day of competition to help him stay focussed through a long day. He listed on the drug testing form that he had been taking that particular supplement.

The mandatory penalty for this violation is two years' suspension. However the suspension period can be less than two years if the athlete can establish that the taking of the prohibited substance was not intended to enhance his or her sports performance.

The Tribunal noted the conflict in international doping cases over whether an athlete who takes a *product* for performance enhancing reasons, but doesn't know the product contains a prohibited substance, is able to satisfy the test of not taking the *prohibited substance* for performance enhancing reasons. In order to satisfy the test of not taking the *prohibited substance* for sports performance enhancing reasons, some cases have required the athlete to show they didn't take the *product* (even if they didn't know it contained a prohibited substance) to enhance their sports performance. Other cases accepted if the athlete can show that they didn't know the product contained a *prohibited substance*, they will be able to satisfy the test.

The Tribunal has been applying the second approach in its cases and considered it appropriate to continue doing so until the position is clarified by WADA. However, the Tribunal still has to be comfortably satisfied that the athlete didn't know of the presence of the prohibited substance in the supplement. While this question had been of concern to the Tribunal on the facts of this case it accepted on the evidence, particularly that Mr Cordes disclosed use of the supplement on the drug testing form, that he wasn't aware of the presence of methylhexaneamine in the supplement. He had established he hadn't taken the prohibited substance for the purpose of improving his performance and was eligible for a penalty of less than two years' suspension.

The Tribunal took into account that Mr Cordes had only been registered as a competitive powerlifter for a few months (although he had an association with powerlifting activities for several years) and had no prior direct experience of the Sports Anti-Doping Rules. However, the Tribunal considered he did not exercise reasonable care and was more at fault than other athletes in recent methylhexaneamine Tribunal cases who had received suspensions of 12 months. Unlike those athletes, who had made some inquiries about the supplements or other extenuating circumstances existed, Mr Cordes failed to take any effective steps to identify the ingredients of the product. The Tribunal therefore suspended him for 18 months and disqualified his second placing in the championships.

The decision in this case is available for download from the website of the Sports Tribunal ([www.sporttribunal.org.nz](http://www.sporttribunal.org.nz)). See *Drug Free Sport New Zealand v Nigel Cordes* (ST 04/12). Copies can also be obtained directly from Brent Ellis, Registrar, Sports Tribunal of New Zealand (telephone: 0800 55 66 80; e-mail: info@sporttribunal.org.nz).