

MEDIA RELEASE

25 May 2006

The following is a summary of the decision of the Sports Disputes Tribunal of New Zealand in the case of **New Zealand Power Lifting Federation Inc v Mark Mete** (SDT/04/06). This is not the written decision of the Tribunal for the purposes of its rules.

Tribunal suspends power lifter for 3 months

The Sports Disputes Tribunal has suspended power lifter Mark Mete for 3 months for committing an anti-doping violation involving ephedrine.

Mr. Mete tested positive for ephedrine after competing in the 2005 New Zealand Bench Press Championships in Wellington on 17 September 2005. Mr Mete had won the events he competed in.

Circumstances of drug use

Mr. Mete admitted the violation, apologised and gave evidence that:

- he suffers from asthma and to treat this he takes a range of medications prescribed by his doctor
- these medications include asthma inhalers for which he had been granted a therapeutic use exemption
- recently his doctor prescribed him ephedrine tablets (ephedrine hydrochloride) to further help him manage his asthma
- he found that the ephedrine tablets helped his breathing and helped him complete cardio sessions but had little effect on his ability to lift weights
- he started taking the tablets 2 to 3 times a week whenever he did cardio sessions
- he took the tablets on the day of the competition.

Tribunal had to decide which anti-doping rules applied

An issue was whether the International Power Lifting Federation (IPF) Anti-Doping Rules or the New Zealand Power Lifting Federation (NZPF) Anti-Doping Code applied. There were important differences between the two sets of Rules:

- The IPF Rules are more modern and are essentially the same as the World Anti-Doping Code (WADA Code).
- Under the IPF Rules, the penalty for a first ephedrine violation is 2 years suspension (which can be significantly reduced if the athlete can show he or she did not intend to enhance sports performance).
- Under the NZPF Code, the maximum ban for a first ephedrine violation is 3 months.

NZPF had passed resolutions at an Annual General Meeting in 2004 to change their constitution and to adopt the WADA Code, which is essentially what appears in the IPF Rules, to replace their previous NZPF Rules.

However, NZPF has not formally adopted the IPF Rules and new constitution as yet. Nevertheless NZPF argued that the IPF Rules should apply as this is what they intended should happen.

The Tribunal's conclusions

The anti-doping rules that applied at the time when Mr. Mete committed the violation were those in the NZPF Code, which provide for a maximum period of 3 months' suspension for an ephedrine violation.

Counsel for Mr. Mete submitted that Mr Mete accepted that a penalty of 3 months' suspension was appropriate in the circumstances and the Tribunal agreed.

The Tribunal suspended Mr. Mete for 3 months and disqualified him from the events he competed in during the championships.

For further information, contact Brent Ellis, Registrar, Sports Disputes Tribunal of New Zealand (telephone: 0800 55 66 80; e-mail: info@sportstribunal.org.nz).