



International Federation of Bodybuilding and Fitness

I.F.B.B. ANTI DOPING COMMISSION
ADJUDICATION ABOUT THE CASE OF THE ATHLETE ALESSANDRO BALSAMO FROM ITALY

*The IFBB is a Signatory to the World Anti-Doping Agency ("WADA") Code and, by means of its Anti-Doping Rules, conforms to the Code. All Members of the IFBB, including members of IFBB Affiliated or Recognized Federations, are subject to the Anti-Doping Rules and Code. The Anti-Doping Rules and Code may be viewed at www.ifbb.com.

July 8th, 2019

Sent to electronic means to bettondello@libero.it

RE: ARNOLD CLASSIC AFRICA, JOHANNESBURG – SOUTH AFRICA, 16th/18th MAY 2019

1) THE FACTS

- 1.1) The IFBB Anti-Doping Commission [hereinafter, ADC] has received –through electronic means- a detailed report by the South African Institute for Drug Free Sport (SAIDS), dated May, 30th 2019, related to its activity during the event named 'Arnold Classic Africa', held in Johannesburg, South Africa the May 16th, 18th, 2019, concerning the Italian athlete Alessandro Balsamo.
- 1.2) In that report, it was essentially explained –'inter alia'- that the athlete Alessandro Balsamo had refused to undergo to the doping control, despite the notification coming from the Official in charge (DCO) from SAIDS.
- 1.3) As a consequence, the IFBB ADC has forwarded by electronic means, the June 25th, 2019 to the aforementioned athlete Alessandro Balsamo –through the Italian Federation- 'Letter of Notification- Asserted Anti-Doping Rule Violation' (specifically, the article 2.3, see the next point 1.4), concerning the same athlete.
- 1.4) In that letter, signed by the IFBB ADC Chairman, Prof. Mauricio de Arruda Campos, it was explained, 'inter alia', that the IFBB ADC "...has had knowledge and evidence -through the relevant report, received by South African Institute for Drug Free Sport (SAIDS) dated May 30th, 2019 that [the athlete Alessandro Balsamo] participating as competitor [in the 'Arnold Classic Africa, Johannesburg, South Africa, 16th/18th May 2019], on May, 18th, 2019 has "...refused to undergo to the doping control despite the notification coming from the Official in charge (DCO) of the SAIDS; that "this fact constitutes a serious breach of the current IFBB Anti Doping Rules (article 2.3) and the current World Anti Doping Code (Article 2.3: 'Evading, Refusing or Failing to Submit to Sample Collection)"; that "through the present communication [the IFBB ADC] notifies [to the athlete Alessandro Balsamo] the violation of the aforementioned article 2.3 of the current IFBB Anti Doping Rules and World Anti Doping Code"; that [the IFBB ADC confirms that the athlete Alessandro Balsamo is] "provisionally suspended, effective the May 18th, 2019 and pending the final decision in this case" and that [the ADC] "...in accordance with the article 8.3 of the current IFBB Anti Doping Rules, before making the final adjudication on the matter, assigns [to the athlete Alessandro Balsamo] "the period of ten days from today, Tuesday, June 25th, 2019 until 9pm of Madrid, Spain time of Friday, July 5th, 2019, in order [the athlete Alessandro Balsamo submits] to the IFBB Anti-Doping Commission .." his "... possible written defenses about the notified violation".



1.5) The athlete Alessandro Balsamo hasn't provided to the IFBB ADC any communication, explanation and/or written defenses about the notified violation.

2) IN LAW

2.1) The IFBB Anti Doping Commission, in accordance with the articles 3.1 and 3.2 of the current IFBB Anti Doping Rules, considers that the athlete Alessandro Balsamo has committed an Anti Doping Rule Violation [ADRV], **specifically the violation settled by the provision 2.3 of the current IFBB Anti Doping Rules 'Evading, Refusing or Failing to Submit to Sample Collection'**, as coordinated with the provision 10.3.1 of the same IFBB Anti Doping Rules.

2.2) The Anti-Doping Rule Violation –ADRV- committed by the athlete Alessandro Balsamo is proven by the report dated May, 30th, 2019 submitted by the SAIDS (South African Institute for Drug Free Sport) [see point 1.2 above, 'the facts']; moreover, the athlete himself hasn't submitted to the IFBB ADC any defense or any remark about the '*notified violation*'.

2.3) The article 2.3 of the current IFBB Anti-Doping Rules [*Evading, Refusing or Failing to Submit to Sample Collection*] states: "*[constitutes anti-doping rule violation] **Evading Sample Collection, or without compelling justification refusing or failing to submit to Sample Collection after notification, as authorized in these Rules or other applicable Anti-Doping Rules.***" The article 10.3.1 of the current IFBB Anti Doping Rules states: "*For violation of Article 2.3 [the present case] ..., the period of Ineligibility shall be four years unless in the case of failing to submit to Sample Collection the Athlete can establish that the commission of the anti-doping rule violation was not intentional [as defined in the Article 10.2.3], in which case the period of Ineligibility shall be two years*". The article 10.2.3 of the current IFBB Anti-Doping Rules, '*inter alia*' states: "*As used in Articles 10.2 and 10.3 the term 'intentional' is meant to identify those Athletes who cheat. The term, therefore, requires that the Athlete [...] engaged in conduct which he or she knew constituted an Anti-Doping Rule Violation or knew that there was a significant risk that the conduct might constitute or result in an anti-doping rule violation and manifestly disregarded that risk [...]*".

2.4) So, the athlete Alessandro Balsamo, refusing to be subjected to the doping control procedures without compelling justification, despite the notification coming from the Doping Control Officer in charge, has engaged in conduct which he knew constituted an ADRV [Anti Doping Rule Violation], in the case, the ADRV settled by the Article 2.3 of the current IFBB Anti Doping Rules and 2.3 of the current World Anti Doping Code "*Evading, Refusing or Failing to Submit to Sample Collection*".

2.5) In the case in question there is not any fact and/or circumstance (not even the athlete has provided any, see the previous point 1.5 above 'the Facts') that allows the IFBB ADC to consider the athlete's violation 'not intentional'.

2.6) Since the ADRV committed by the athlete Alessandro Balsamo is 'intentional' [as explained in the previous points 2.3, 2.4, 2.5 above], there isn't any ground to grant him a reduction of the Ineligibility period as established by the article 10.3.1 of the current IFBB Anti-Doping Rules.



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ON THESE GROUNDS

The IFBB Anti-Doping Commission **finds**:

- that the athlete Alessandro Balsamo **did commit** an Anti-Doping Rule Violation (ADRV) pursuant to the article 2.3 of the current IFBB Anti-Doping Rules and 2.3 of the current World Anti-Doping Code [*Evading, Refusing or Failing to Submit to Sample Collection*];
- that the sanction for such violation, settled by article 10.3.1 of the current IFBB Anti-Doping Rules is a period of Ineligibility of four (4) years;
- that there isn't any ground to grant the athlete Alessandro Balsamo a reduction of Ineligibility period as established by the aforesaid article 10.3.1 of the current IFBB Anti-Doping Rules;

Is therefore decision of the IFBB ADC that the athlete Alessandro Balsamo is imposed the four (4) years ineligibility period, from May 30th, 2019, to May 29th, 2023, inclusive.

In addition, the athlete is disqualified from the above named competition [*Arnold Africa*, Johannesburg, South Africa 17th/19th May, 2019], to include the forfeiture of any placings, titles, medals, points, certificates and/or prizes.

During the Ineligibility period, the athlete is prohibited from competing, giving a guest posing exhibition, presenting a seminar, coaching or training other member athletes, judging or otherwise officiating at a competition, organizing or assisting in the organization of competitions or other events, or acting in an administrative capacity, whether in his own country or in any country for the IFBB or any IFBB recognized and/or affiliated Continental or National Federations.

Pursuant to the article 14.10.1 of the IFBB Constitution and Article 13.6 of the IFBB Anti-Doping Rules, the Athlete has the right to appeal, said appeal which must be filed with the IFBB Appeal Commission [at headquarters@ifbb.com] within twenty-one (21) days of the date of this adjudication or the right of the appeal shall be lost. The appeal, by written submission only, will be heard by the IFBB Appeal Commission.

This adjudication is composed of 3 (three) pages

Prof. Mauricio de Arruda Campos
IFBB Anti-Doping Commission - Chairman