Adverse Analytical Finding (AAF) Checklist

Below are the basic steps all Anti-Doping Organizations (ADOs) shall routinely perform when in receipt of an Adverse Analytical Finding (AAF) report from a Laboratory.

1. Receipt of the Laboratory Analytical Result Record
   • Carefully read the Analytical Result Record and make sure that it contains all relevant information (Sample code, Athlete’s gender, date of Sample Collection Session, Testing Authority, Suitable Specific Gravity for Analysis, Suitable Volume of Urine for Analysis, etc.).
   • Make sure that you don’t miss any comment the Laboratory may have included.
   • Always verify the date of the Sample Collection Session, the date of receipt at the Laboratory and the date of analysis to immediately identify any unusual delays in the Sample transportation/storage or analytical process that should be investigated.
   • Don’t hesitate to seek further clarification from the Laboratory, if necessary.

2. Conducting the initial review
   • If you aren’t the Sample Collection Authority, make sure to obtain the Doping Control form as soon as possible upon receipt of the Analytical Result Record.
   • Verify that the Sample code on the Doping Control form matches the Sample code on the Analytical Result Record.
   • Laboratories usually allocate a different Sample code called an internal code – you must always refer to the Sample code.
   • If in doubt, verify the spelling of the name of the Athlete and nationality against any reliable database available in the sport in question.
   • Verify that the Doping Control form is completed correctly and includes the Athlete’s signature.
   • Carefully read and record any comment made by the Athlete in the declaration of medication/supplement box and in the general comment box of the Doping Control form.
   • Make sure that there is no Supplementary Report Form attached to the main Doping Control form.
   • In case the substance found is a glucocorticoids, verify the route of administration as it is prohibited only when administered by oral, intravenous, intramuscular or rectal routes.

Carefully verify with your ADO, or any other relevant ADO, if the Athlete has a Therapeutic Use Exemption (TUE) on file.

   • If this is the case, check that the TUE covers the Prohibited Substance in question and the date of the Sample Collection Session. Also validate that the concentration found in the Sample is consistent with the route of administration and dosage indicated on the TUE approval.
   • Make sure that any serious apparent departure from the relevant International Standard is properly investigated before proceeding further with the Results Management process.
   • If you have concerns about the Sample Collection Session procedure, don’t hesitate to contact the Doping Control Officer (DCO) in charge of the Sample Collection Session directly or through the Sample Collection Authority.

Reference: Results Management, Hearings and Decisions Guidelines 2014 v01
• If you have concerns regarding the Chain of Custody or storage conditions, you can ask the Sample Collection Authority to provide you with the Chain of Custody information or ask the Laboratory to confirm that the Sample, or batch in which it was received, was in good condition.

3. Notifying the Athlete of an AAF
   • Upon completion of the initial review, the Athlete should always be notified promptly in writing.
   • This notification can be combined with the “charge” letter as indicated in Results Management, Hearings and Decisions Guidelines (Section 3.4.3). This letter contains information about the AAF and the Athlete’s rights under the Code, including the right to provide an explanation and the right to B Sample analysis.
   • Ensure that the first notification contains all information mentioned in the template letter (see Results Management, Hearings and Decisions Guidelines, Templates A and B).
   • Indicate a clear deadline for (i) requesting B Sample analysis (e.g. 5 days) and (ii) provide an explanation in writing (e.g. 7 days).
   • The notification can be served by registered letter, courier, fax or e-mail. Send the notice directly to the Athlete through a secure means or through a reliable intermediary (e.g. his/her National Federation, agent, coach, legal representative or parents, if the Athlete is a Minor).

   You may refer to the postal or e-mail address(es) indicated by the Athlete on the Doping Control form or use the mailing address provided by the Athlete in his/her whereabouts information.
   • If you use the Athlete’s e-mail, activate any read receipt or delivery receipt feature available in your e-mail account to avoid any misunderstanding on whether or not the Athlete actually received the notice sent to him/her.
   • If the notification is sent to the National Federation, coach or legal representative, ensure that you receive a confirmation that the Athlete has been duly informed of the content of the notification and of his/her rights (see Template of Confirmation Receipt Form).
   • As the procedure is confidential at this point, you must ensure that only Persons in your ADO with a need-to-know have access to the AAF case.
   • The Doping Control form and Analytical Result Record must, at the minimum, be attached to the first notification letter.

4. Following up on the first notification
   B Sample analysis
   • B Sample analysis is a priority. Contact the Laboratory at the time of notification or immediately after to confirm one or more dates when the analysis can be scheduled.
   • Ensure that the Athlete has either expressly requested or expressly waived the right to his/her B Sample analysis. This issue should never be left unclear.
   • If the Athlete hasn’t requested B analysis by the deadline designated, it is recommended to write to them a second time to confirm that in the absence of a request from them, your ADO considers that they have waived their right to the B Sample analysis.
   • If the Athlete has requested the analysis of their B Sample, you must confirm to them by return:
     i. Where the Sample analysis will take place, with the full address and contact details of the Laboratory (the same that performed the A Sample analysis);
The date(s) proposed by the Laboratory – another deadline shall be indicated to choose or confirm the date(s) proposed by the Laboratory;

iii. Their right to attend the B Sample analysis or to be represented;

iv. That an independent surrogate will be appointed to witness the opening of the B Sample if he cannot attend or if he cannot send a representative;

v. The financial conditions; and

vi. His right to request the B Sample analysis Laboratory Documentation Package.

• An Athlete who has requested the analysis of their B Sample may seek a postponement of the B analysis. Whilst such requests may be granted on reasonable and objective grounds (visa, long travel, expert’s availability), your ADO is entitled to reject them should they be unjustified, unreasonable or should they result in delaying the B Sample analysis well beyond the initial deadline.

• Irrespective of whether or not the Athlete has requested the B Sample analysis, the results of the analysis shall be communicated to the Athlete and/or their representative(s).

Athletes’ explanation
• If the Athlete has provided an explanation within the designated time-line, you should immediately follow-up on any new issue raised in the explanation (e.g. alleged departure(s), medical explanation...).

• Even if the Prohibited Substance detected is not a Threshold Substance, you may ask the Laboratory to provide you with the concentration of the Prohibited Substance or the Metabolite found in the Athlete’s Sample, which could help assessing the plausibility of the Athlete’s explanation.

• If the Athlete has not filed an explanation within the designated deadline, this should be acknowledged.

• You may accept extensions of the deadline to provide an explanation, especially if the case is a complex one. However, this new deadline shall not apply to the deadline for requesting the B Sample analysis if the same deadline was initially granted.

• Except in exceptional circumstances, no more than one explanation shall be accepted at this stage of the proceedings knowing that the Athlete will have a further opportunity to file a full defense brief before the relevant hearing body at a later stage.

5. Formally charging the Athlete
• A formal notice of charge shall be sent to the Athlete in writing normally upon receipt of the B analysis results (if it has been conducted) and/or upon preliminary review of the Athlete’s explanation and all evidence on file. As indicated in Annex B (Section 3) as well as in Section 3.4.3 of the Results Management, Hearings and Decisions Guidelines, this letter can be sent earlier and combined with the AAF notification after the initial review.

• This notice shall clearly identify the ADRV(s) the Athlete is considered to have committed, the applicable Consequences and the Athlete’s right to a hearing and all related information (when, to whom and in what form should the request for a hearing be sent?).

• Before sending the notice of charge, the ADOs should systematically and carefully verify on ADAMS or any other reliable database, if the Athlete has committed any other ADRV(s) in the previous 10 years (statute of limitation).

• The Provisional Suspension could be imposed at this stage if it hasn’t been imposed already (see World Anti-Doping Code, Article 7.9).

• At this stage, the Athlete can be given the opportunity to admit the ADRV with all Consequences.
Annex M: Chart: Results Management Process — AAF

RESULTS MANAGEMENT PROCESS — ADVERSE ANALYTICAL FINDING (AAF)

AAF REPORT

IF TUE or departure

Initial review to check whether the Athlete has a TUE file or whether apparent departure(s) from ITH or ITL

DECISION NOT TO BRING CASE FORWARD

NOTIFICATION OF AAF TO ATHLETE

IF no TUE or departure

Notice to WADA, IF or NADO

APPEAL

Procedurally terminated if B analysis does not confirm AAF

B sample analysis

Reasonable deadline (e.g., 7 days) to provide an explanation and request B analysis

EXPLANATION

FORMAL NOTICE OF CHARGE

(IF not yet done at stage of 1st notification)

HEARING

APPEALS (IF APPLICABLE)

IF applicable

Non-international-level Athlete

National Appeal Body

Notice to WADA, IF or NADO

Publication (IF NO APPEALS)

CAS

Limited scope of review

Non-international-level Athlete

SWISS FEDERAL COURT

Reference: Results Management, Hearings and Decisions Guidelines 2014 v01