

## SUMMARY – PROCEDURE TUE – THERAPEUTIC USE EXEMPTIONS

<b>What is a TUE</b>	A Therapeutic Use Exemption (TUE) is an authorization to take a Prohibited Substance for therapeutic purposes under well defined and restricted conditions. An application for a TUE shall be made in accordance with the International Standard for TUE.
<b>Consequences of a granted TUE</b>	<i>Prohibited Substance Metabolite Marker (Article 2.1), Use Attempt Use Prohibited Substance Prohibited Method Possession Prohibited Substance Prohibited Methods (Article 2.6) or Administration or Attempted Administration of a Prohibited Substance or Prohibited Method (Article 2.8) consistent with the provisions of an applicable therapeutic use exemption issued pursuant to the International Standard</i>
<b>Who can ask for a TUE</b>	<i>All Athlete</i> Conditions may request a therapeutic use exemption competing in International or National events.
<b>Athletes who have to receive the TUE from AIBA</b>	<i>Athletes</i> who have been identified and included in the AIBA International Registered Testing Pool for TUE at AIBA and . <b>may only obtain therapeutic use exemptions in accordance with the rules of AIBA.</b>
<b>Other Athletes not on the IRTP of AIBA</b>	May obtain the TUE from their National Federations or National Anti-Doping Organization
<b>All athletes competing in International Events organized by AIBA</b>	<i>International Event</i> <b>TUE from AIBA is required</b>
	The <i>athlete</i> should submit an application for a TUE no less than twenty-one (21) days before he/she needs the approval (for instance an <i>Event</i> ).
<b>How is the TUE granted by AIBA</b>	
<b>Evaluation criteria</b>	Requests shall be evaluated in accordance with the <i>International Standard for Therapeutic Use Exemptions</i> published by WADA and following the AIBA Anti-Doping Rules
	<ul style="list-style-type: none"> <li>▪ The athlete would experience significant health problems without taking the prohibited substance or method;</li> <li>▪ The therapeutic use of the substance would produce no additional enhancement of performance other than that which might be anticipated by a return to a state of normal health following the treatment of a legitimate medical condition; and</li> <li>▪ There is no reasonable therapeutic alternative to the use of the otherwise prohibited substance or method.</li> </ul>

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<p><i>Report to WADA regarding International level athletes included in the AIBA RTP</i></p>	<p>AIBA will promptly shall promptly report to WADA</p>
<p><i>WADA rights to review TUE</i></p>	<p>WADA <i>International-Level Athlete part of the AIBA RTP.</i> WADA <i>International Standard</i> WADA</p>
<p><i>Appeals to decisions regarding TUE</i></p>	<p><b>Appeals from Decisions Granting or Denying a Therapeutic Use Exemption</b> Decisions by reversing the grant or denial of a therapeutic use exemption may be appealed exclusively to CAS by the <i>Athlete</i> or the <i>Anti-Doping Organization</i></p>
<p><i>What has to be listed in the TUE application?</i></p>	<p><i>Method</i> <i>Prohibited Substance</i> <i>Prohibited</i></p> <p><i>Prohibited Substance</i> <i>Prohibited Method</i> <i>Athlete</i></p> <p><i>Prohibited Substance</i> <i>Prohibited Method</i></p>
<p><i>Decision from the TUEC</i></p>	<p>completed within thirty (30) days of receipt of all relevant documentation and will be conveyed in writing to the <i>Athlete</i>.</p>
<p><i>When is the TUE considered as granted?</i></p>	<p>A TUE will only be considered as granted following the receipt of a completed application form that must include all relevant documents. The application process must be dealt with in accordance with the principles of strict medical confidentiality.</p>
<p><i>In case of International Events</i></p>	<p>In case the TUE application is made in a reasonable time limit prior to an <i>Event</i> the TUEC should use its best endeavors to complete the TUE process before the start of the <i>Event</i>. Where a TUE has been</p>

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	<p>granted to an _____ in the _____, the _____ and _____ will be provided promptly with an approval which includes information pertaining to the duration of the exemption and any conditions associated with the TUE.</p>
	<p>If the decision regarding the granting of a TUE is reversed by WADA upon review, the reversal shall not apply retroactively and shall not disqualify the _____'s results during the period that the TUE had been granted and shall take effect no later than fourteen (14) days following notification of the decision to the _____</p>
<p><b>Major changes in the revised International Standard for TUE</b></p>	<p><b>A-TUE do not exist anymore starting 1.1.2009</b></p>
<p><b>Asthma (inhaled Beta-2 agonists and inhaled Glucocorticosteroids)</b></p>	<p style="text-align: center;"><i>Use</i></p> <p style="text-align: center;"><i>Use</i></p> <p style="text-align: center;"><i>Code and the AIBA Anti-Doping Rules</i></p> <p style="text-align: center;"><i>Testing</i></p> <p style="text-align: right;"><i>Doping Control</i></p>
	<p><i>Athlete</i> medical file justifying this <i>Use</i></p>
<p><b>For international-level athletes: included in the AIBA International RTP</b></p>	
<p><b>For athletes who are no part of the AIBA IRTP but are taking part in an AIBA international event</b></p>	
<p><b>Non-Inhaled, Non-Systemic Glucocorticosteroids (GCS)</b></p>	<p>_____ systemic GCS, the athlete must provide a minimum declaration that includes the diagnosis, the substance taken, and contact information of the medical doctor who administered the treatment. It is at the discretion of the ADO to ask for more than this minimum declaration. For topical use of GCS, neither a TUE nor a declaration is requested.</p>
<p><b>Declaration of Use Process</b></p>	<p>Some substances included on the List of _____ are used to treat medical conditions frequently encountered in the athlete population. For monitoring purposes, these substances, for which the route of administration is not prohibited, will require a</p>



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### GLOSSARY

#### **Adverse Analytical Finding (AAF)**

Report from a WADA-accredited laboratory or other WADA-approved testing entity that identifies in a doping control sample the presence of a prohibited substance or its metabolites or markers (including elevated quantities of endogenous substances) or evidence of the use of a prohibited method. An adverse analytical finding does not necessarily lead to an anti-doping rule violation, since an athlete may have a Therapeutic Use Exemption for this particular substance. An adverse analytical finding may also correspond to a measurement performed on an athlete as part of a longitudinal study.

#### **Anti-Doping Organization.**

Organization that is responsible for adopting and executing rules for initiating, implementing or enforcing any part of the doping control process. This includes, for example, the International Olympic Committee, the International Paralympic Committee, other major event organizations that conduct testing at their events, the World Anti-Doping Agency, International Sports Federations, and National Anti-Doping Organizations.

#### **Athlete.**

Any Person who participates in sport at the international level (as defined by each International Federation), the national level (as defined by each National Anti-Doping Organization, including but not limited to those Persons in its Registered Testing Pool), and any other competitor in sport who is otherwise subject to the jurisdiction of any Signatory or other sports organization accepting the Code. All provisions of the Code, including, for example, Testing, and TUE's must be applied to international and national-level competitors. Some National Anti-Doping Organizations may elect to test and apply anti-doping rules to recreational-level or masters competitors who are not current or potential national caliber competitors. National Anti-Doping Organizations are not required, however, to apply all aspects of the Code to such Persons. Specific national rules may be established for Doping Control for non-international-level or national-level competitors without being in conflict with the Code. Thus, a country could elect to test recreational-level competitors but not require TUE's or whereabouts information. In the same manner, a Major Event Organization holding an Event only for masters-level competitors could elect to test the competitors but not require advance TUE or whereabouts information. For purposes of Article 2.8 (Administration or Attempted Administration) and for purposes of anti-doping information and education, any Person who participates in sport under the authority of any Signatory, government, or other sports organization accepting the Code is an Athlete.

#### **Athlete Support Personnel.**

Any coach, trainer, manager, agent, team staff, official, medical, paramedical Personnel, parent or any other Person working with or, treating or assisting an Athlete participating in or preparing for sports n Competition.

#### **Athlete Whereabouts Information**

Information provided by or on behalf of an athlete which details the athlete's location on a daily basis in order to enable unannounced testing.

#### **Atypical Finding.**

A report from a laboratory or other WADA-approved entity which requires further investigation as provided by the International Standard for Laboratories or related Technical Documents prior to the determination of an Adverse Analytical Finding.

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### **Consequences of anti-doping rule violations.**

An Athlete's or other Person's violation of an anti-doping rule may result in one or more of the following: (a) Disqualification means the Athlete's results in a particular Competition or Event are invalidated, with all resulting consequences including forfeiture of any medals, points and prizes; (b) Ineligibility means the Athlete or other Person is barred for a specified period of time from participating in any Competition or other activity or funding as provided in Article 10.9; [and (c) Provisional Suspension means the Athlete or other Person is barred temporarily from participating in any Competition prior to the final decision at a hearing conducted under Article 8 (Right to a Fair Hearing).]

### **Doping Control.**

All steps and processes from test distribution planning through to ultimate disposition of any appeal including all steps and processes in between such as provision of whereabouts information, Sample collection and handling, laboratory analysis, TUE's, results management, and hearings.

### **Event.**

A series of individual Competitions conducted together under one ruling body (e.g., the Olympic Games, AIBA)

### **International Event.**

An Event where the AIBA International Boxing Association, or a Major Event Organization, or another international sport organization is the ruling body for the Event or appoints the technical officials for the Event.

### **International-Level Athlete.**

Athletes designated by AIBA as being within the AIBA International Registered Testing Pool.

### **International Standard.**

A standard adopted by WADA in support of the Code. Compliance with an International Standard (as opposed to another alternative standard, practice or procedure) shall be sufficient to conclude that the procedures addressed by the International Standard were performed properly. International Standards shall include any Technical Documents issued pursuant to the International Standard.

### **National Anti-Doping Organization. (NADO)**

The entity(ies) designated by each country as possessing the primary authority and responsibility to adopt and implement anti-doping rules, direct the collection of Samples, the management of test results, and the conduct of hearings, all at the national level. This includes an entity which may be designated by multiple countries to serve as regional Anti-Doping Organization for such countries. If this designation has not been made by the competent public authority(ies), the entity shall be the country's National Olympic Committee or its designee.

### **National Event.**

A sport Event involving international or national-level Athletes that is not an International Event.

### **National Federation.**

A national or regional entity which is a member of or is recognized by AIBA as the entity governing the AIBA's sport in that nation or region.

### **Prohibited List.**

The List identifying the Prohibited Substances and Prohibited Methods.

### **Prohibited Method.**

Any method so described on the Prohibited List.

### **Prohibited Substance.**

Any substance so described on the Prohibited List.

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### **Registered Testing Pool.**

The pool of top level Athletes established separately by each InterNational Federation and National Anti-Doping Organization who are subject to both In-Competition and Out-of-Competition Testing as part of that InterNational Federation's or National Anti-Doping Organization's test distribution plan.

### **Retroactive TUE.**

As defined in the International Standard for Therapeutic Use Exemptions.

### **Therapeutic Use Exemption (TUE)**

Permission granted to an athlete by an Anti-Doping Organization to use, for therapeutic purposes, a substance or method included in the Prohibited List.



## REVISED INTERNATIONAL STANDARD FOR THERAPEUTIC USE EXEMPTION (TUE)

### Therapeutic Use Exemption (TUE)

Athletes, like all others, may have illnesses or conditions that require them to take particular medications. If the medication an athlete is required to take to treat an illness or condition happens to fall under the WADA Prohibited List, a TUE may give that athlete the authorization to take the needed medicine.

### International Standards

International Standards are aimed at bringing harmonization among anti-doping organizations (ADOs) responsible for specific technical and operational parts of anti-doping programs. Adherence to the International Standards **is mandatory** for signatories to the World Anti-Doping Code (Code).

The main purpose of the International Standard for Therapeutic Use Exemption (ISTUE) is to ensure that the process of granting TUEs is harmonized across sports and countries.

The *World Anti-Doping Code* permits *Athletes* and their physicians to apply for therapeutic use exemptions (TUE) i.e. permission to use, for therapeutic purposes, substances or methods contained in the List of *Prohibited Substances or Methods* whose *Use* is otherwise prohibited.

The *International Standard* for TUE includes criteria for granting a TUE, confidentiality of information, the formation of Therapeutic Use Exemptions Committees and the TUE application process.

This Standard applies to all *Athletes* as defined by and subject to the *World Anti-Doping Code*.

**Major change as of 1.1.2009 – the concept of **Abbreviated TUE (A-TUE)** does not exist anymore in the new rules coming into force on 1.1.2009. Until 31.12.2008 – the old ISTUE are still applicable.**

### Reminder on the criteria for granting a TUE?

The criteria are:

- The athlete would experience significant health problems without taking the prohibited substance or method;
- The therapeutic use of the substance would produce no additional enhancement of performance other than that which might be anticipated by a return to a state of normal health following the treatment of a legitimate medical condition; and
- There is no reasonable therapeutic alternative to the use of the otherwise prohibited substance or method.



## Who grants TUEs?

The International Standard for Therapeutic Use Exemption (ISTUE) and the Code state that all International Federations (IFs) and National Anti-Doping Organizations (NADOs) must have a process in place whereby athletes with documented medical conditions can request a TUE, and have such request appropriately dealt with by a panel of independent physicians called the Therapeutic Use Exemption Committee (TUEC). AIBA is then responsible for granting or declining such applications.

### Excerpt of the AIBA Anti-Doping Rules – Effective 1.1.2009

#### *The AIBA TUE Panel*

“The AIBA TUE Panel shall be appointed by the Executive Committee on recommendation of the AIBA Medical Commission and shall consider requests for TUEs. Upon AIBA’s receipt of a TUE request, the Chair of the TUE Panel shall appoint three members of the TUE Panel (which may include the Chair) to consider such request. The TUE Panel member(s) so designated shall promptly evaluate such request in accordance with the *International Standard* for TUEs and render a decision on such request, which shall be the final decision of AIBA.” (*AIBA Anti-Doping Rules – Introduction*)

AIBA shall ensure, for International-Level Athletes or any other Athlete who is entered in an International Event, that a process is in place whereby Athletes with documented medical conditions requiring the Use of a Prohibited Substance or a Prohibited Method may request a TUE from AIBA.

Athletes who are identified to be part of the AIBA Registered Testing Pool may **only obtain therapeutic use exemptions in accordance with the rules of AIBA.**

AIBA has the obligation to publish on its Website the list of the Athletes on its RTP.

AIBA has also the obligation to publish a list of the AIBA International Events organized by AIBA. As mentioned before, all Athletes (even those who are not on the AIBA RTP) competing in any AIBA International Events need a TUE granted by AIBA.

International Federations and National Anti-Doping Organizations shall promptly report to WADA the granting of any TUE except as regards national-level Athletes who are not included in the AIBA Registered Testing Pool.

### Excerpt of the AIBA Anti-Doping Rules – Effective 1.1.2009



#### 4.4 Therapeutic Use

- 4.4.1** *Athletes* with a documented medical condition requiring the use of a Prohibited Substance or a *Prohibited Method* must first obtain a TUE. The presence of a Prohibited Substance or its *Metabolites* or *Markers* (Article 2.1), Use or Attempted Use of a Prohibited Substance or a *Prohibited Method* (Article 2.2), Possession of *Prohibited Substances* or *Prohibited Methods* (Article 2.6) or administration of a Prohibited Substance or *Prohibited Method* (Article 2.8) consistent with the provisions of an applicable TUE issued pursuant to the *International Standard* for Therapeutic Use Exemptions shall not be considered an anti-doping rule violation.
- 4.4.2** Subject to Article 4.4.3, *Athletes* included by AIBA in its *Registered Testing Pool* and other *Athletes* participating in any International Event must obtain a TUE from AIBA (regardless of whether the *Athlete* previously has received a TUE at the national level). The application for a TUE must be made as soon as possible (in the case of an *Athlete* in the *Registered Testing Pool*, this would be when he/she is first notified of his/her inclusion in the pool) and in any event (save in emergency situations) no later than 21 days before the *Athlete's* participation in the Event.
- 4.4.3** The only exception to Article 4.4.2 is that, in accordance with Article 7.13 of the *International Standard* for Therapeutic Use Exemptions, *Athletes* not in AIBA's *Registered Testing Pool* who inhale Glucocorticosteroids and/or formoterol, salbutamol, salmeterol or terbutaline to treat asthma or one of its clinical variants do not need a TUE in advance of participating in an International Event unless so specified by AIBA. Instead, if necessary, any such *Athlete* may apply for a Retroactive TUE after the Event in accordance with Article 7.13 of the *International Standard* for Therapeutic Use Exemptions and Article 7.1.3 of these Anti-Doping Rules.
- 4.4.4** TUE's granted by AIBA shall be reported to the *Athlete's National Federation* and to WADA. Other *Athletes* subject to Testing who need to use a Prohibited Substance or a *Prohibited Method* for therapeutic reasons must obtain a TUE from their *National Anti-Doping Organization* or other body designated by their *National Federation*, as required under the rules of the *National Anti-Doping Organization/other body*. *National Federations* shall promptly report any such TUE's to AIBA and WADA.
- 4.4.5** The AIBA Executive shall appoint a panel of physicians to consider requests for TUE's (the "TUE Panel"). Upon AIBA's receipt of a TUE request, the Chair of the TUE Panel shall appoint one or more members of the TUE Panel (which may include the Chair) to consider such request. The TUE Panel member(s) so designated shall promptly evaluate such



request in accordance with the *International Standard for Therapeutic Use Exemptions* and render a decision on such request, which shall be the final decision of AIBA.

- 4.4.6** WADA, at the request of an *Athlete* or on its own initiation, may review the granting or denial of any TUE by AIBA. If WADA determines that the granting or denial of a TUE did not comply with the *International Standard for Therapeutic Use Exemptions* in force at the time then WADA may reverse that decision. Decisions on TUE's are subject to further appeal as provided in Article 13.

**The AIBA TUE panel as decided at the last Medical Commission Meeting in Lausanne:**

- Dr Charles Butler
- Dr Hugo Rodriguez Papini
- Dr Angelika Fischer
- Dr Erno Kiss
- Dr Vagner Mortensen

**REVISED ISTUE ON ASTHMA (former A-TUE)**

It is acknowledged that some substances included on the List of *Prohibited Substances* are used to treat medical conditions frequently encountered in the athlete population. For monitoring purposes, these substances, for which the route of administration is not prohibited, will require a simple declaration of use. These are strictly limited to : ***Glucocorticosteroids used by non systemic routes, namely intraarticular, periarticular, peritendinous, epidural, intradermal injections and inhaled route.***

For the mentioned substances, the declaration of *Use* should be done by the *Athlete* at the same time as the *Use* starts. This declaration should mention the diagnosis, the name of the substance, the dose undertaken, the name and the contact details of the physician. In addition, the *Athlete* must declare the *Use* of the substance in question on the *Doping Control* form.

***Asthma (inhaled Beta-2 agonists and inhaled Glucocorticosteroids)***

All athletes needing to use inhaled Beta-2 agonists and inhaled Glucocorticosteroids for asthma must have a medical file and must declare these substances to AIBA and on the doping control form.

For international-level athletes:

- Athletes part of the AIBA RTP need an approved Standard TUE for asthma prior to using the substance.
- For athletes who are no part of the AIBA RTP but are taking part in an international event, it is at the discretion of AIBA either to deliver a TUE prior to the event or to provide a retroactive TUE in case of an adverse analytical finding (AAF). The granting of a retroactive TUE has to comply with the criteria set forth in the revised ISTUE. For national-level athletes:



- It is at the discretion of the NADO either to approve the TUE or to provide a retroactive TUE in case of an AAF. In any case, all athletes may request a TUE if they wish to do so.

### ***Non-Inhaled, Non-Systemic Glucocorticosteroids (GCS)***

In the case of non-inhaled, non-systemic GCS, the athlete must provide a minimum declaration that includes the diagnosis, the substance taken, and contact information of the medical doctor who administered the treatment. It is at the discretion of the Anti-Doping Organisation to ask for more than this minimum declaration.

### **Clearinghouse**

AIBA is required to provide WADA with all TUEs approved for *Athletes* who are part of a national or international *Registered Testing Pool*, and all supporting documentation.

The declarations of use should be available to WADA

The clearinghouse shall guarantee strict confidentiality of all the medical information.

### **Transitional provision**

Abbreviated Therapeutic Use Exemptions (ATUEs) delivered prior to December 31, 2008 shall remain governed by the 2005 TUE Standard. These ATUEs shall remain valid after January 1, 2009 until the earliest of:

- (i) The date on which they are cancelled by the competent TUEC following review in accordance with art. 8.6 of the 2005 TUE Standard ;
- (ii) Their expiry date as mentioned on the ATUE ;
- (iii) December 31, 2009.



## Excerpt of Article 4.0 of the ISTUE effective as of 1.1.2009 (International Standards for Therapeutic Use Exemption)

### 4.0 Criteria for Granting a Therapeutic Use Exemption

A therapeutic use exemption (TUE) may be granted to an *Athlete* permitting the *Use* of a *Prohibited Substance* or *Prohibited Method* contained in the *Prohibited List*. An application for a TUE will be reviewed by the Therapeutic Use Exemption Committee (TUEC). The TUEC will be appointed by an *Anti-Doping Organization*. An exemption will be granted only in strict accordance with the following criteria:

*[Comment: This Standard can apply to all Athletes as defined by and subject to the Code, i.e. able-bodied Athletes and Athletes with disabilities. This Standard will be applied according to an individual's circumstances. For example, an exemption that is appropriate for an Athlete with a disability may be inappropriate for other Athletes.]*

**4.1** The *Athlete* should submit an application for a TUE no less than twenty-one (21) days before he/she needs the approval (for instance an *Event*).

**4.2** The *Athlete* would experience a significant impairment to health if the *Prohibited Substance* or *Prohibited Method* were to be withheld in the course of treating an acute or chronic medical condition.

**4.3** The therapeutic *Use* of the *Prohibited Substance* or *Prohibited Method* would produce no additional enhancement of performance other than that which might be anticipated by a return to a state of normal health following the treatment of a legitimate medical condition. The *Use* of any *Prohibited Substance* or *Prohibited Method* to increase "low-normal" levels of any endogenous hormone is not considered an acceptable therapeutic intervention.

**4.4** There is no reasonable therapeutic alternative to the *Use* of the otherwise *Prohibited Substance* or *Prohibited Method*.

**4.5** The necessity for the *Use* of the otherwise *Prohibited Substance* or *Prohibited Method* cannot be a consequence, wholly or in part, of prior non-therapeutic *Use* of any substance from the *Prohibited List*.

**4.6** The TUE will be cancelled by the granting body, if:

- a. The *Athlete* does not promptly comply with any requirements or conditions imposed by the *Anti-Doping Organization* granting the exemption.
- b. The term for which the TUE was granted has expired.
- c. The *Athlete* is advised that the TUE has been withdrawn by the *Anti-Doping Organization*.

*[Comment: Each TUE will have a specified duration as decided upon by the TUEC. There may be cases when a TUE has expired or has been withdrawn and the Prohibited Substance subject to the TUE is still present in the Athlete's body. In such cases, the Anti-Doping Organization conducting the initial review of an adverse analytical finding will consider whether the finding is consistent with expiry or withdrawal of the TUE.]*



**4.7** An application for a TUE will not be considered for retroactive approval except in cases where: a. Emergency treatment or treatment of an acute medical condition was necessary, or b. due to exceptional circumstances, there was insufficient time or opportunity for an applicant to submit, or a TUEC to consider, an application prior to *Doping Control*, or c. the conditions set forth under 7.13 apply.

## **7.0 Therapeutic Use Exemption (TUE) Application Process**

**7.1** A TUE will only be considered following the receipt of a completed application form that must include all relevant documents. The application process must be dealt with in accordance with the principles of strict medical confidentiality.

**7.2** The TUE application form(s) can be modified by *Anti-Doping Organizations* to include additional requests for information, but no sections or items shall be removed.

**7.3** The TUE application form(s) may be translated into other language(s) by *Anti-Doping Organizations*, but English or French must remain on the application form(s).

**7.4** An *Athlete* may not apply to more than one *Anti-Doping Organization* for a TUE. The application must identify the *Athlete's* sport and, where appropriate, discipline and specific position or role.

**7.5** The application must list any previous and/or current requests for permission to use an otherwise *Prohibited Substance* or *Prohibited Method*, the body to whom that request was made, and the decision of that body.

**7.6** The application must include a comprehensive medical history and the results of all examinations, laboratory investigations and imaging studies relevant to the application. The arguments related to the diagnosis and treatment, as well as duration of validity, should follow the WADA "Medical Information to Support the Decisions of TUECs". For asthma, the specific requirement(s) set out in Annex 1 must be fulfilled.

**7.7** Any additional relevant investigations, examinations or imaging studies requested by the TUEC of the *Anti-Doping Organization* before approval will be undertaken at the expense of the applicant or his/her national sport governing body.

**7.8** The application must include a statement by an appropriately qualified physician attesting to the necessity of the otherwise *Prohibited Substance* or *Prohibited Method* in the treatment of the *Athlete* and describing why an alternative, permitted medication cannot, or could not, be used in the treatment of this condition.

**7.9** The dose, frequency, route and duration of administration of the otherwise *Prohibited Substance* or *Prohibited Method* in question must be specified. In case of change, a new application should be submitted.

**7.10** In normal circumstances, decisions of the TUEC should be completed within thirty (30) days of receipt of all relevant documentation and will be conveyed in writing to the *Athlete* by the relevant *Anti-Doping Organization*. In case of a TUE application made in a reasonable time limit prior to an *Event* the TUEC should use its best endeavors to complete the TUE process before the start of the *Event*. Where a TUE has been granted to an *Athlete* in the *Anti-Doping Organization Registered*



*Testing Pool*, the *Athlete* and WADA will be provided promptly with an approval which includes information pertaining to the duration of the exemption and any conditions associated with the TUE.

#### **7.11**

a. Upon receiving a request by an *Athlete* for review, the WADA TUEC will, as specified in Article 4.4 of the *Code*, be able to reverse a decision on a TUE denied by an *Anti-Doping Organization*. The *Athlete* shall provide to the WADA TUEC all the information for a TUE as submitted initially to the *Anti-Doping Organization* accompanied by an application fee. Until the review process has been completed, the original decision remains in effect. The process should not take longer than thirty (30) days following receipt of all the information by WADA. b. WADA can, on its own initiative, undertake a review at any time.

**7.12** If the decision regarding the granting of a TUE is reversed by WADA upon review, the reversal shall not apply retroactively and shall not disqualify the *Athlete's* results during the period that the TUE had been granted and shall take effect no later than fourteen (14) days following notification of the decision to the *Athlete*.

**7.13** The *Use* of inhaled Beta-2 Agonists: - The *Use* of inhaled formoterol, salbutamol, salmeterol, terbutaline reflects current clinical practice. The *Use* of these substances should be declared on ADAMS where reasonably feasible and in accordance with the *Code* as soon as the product is used and must as well be declared on the *Doping Control* form at the time of *Testing*. Failure to declare will be taken into account in the result management process in particular in case of application for a Retroactive TUE. - *Athletes* using the substances listed above by inhalation must have a medical file justifying this *Use* and meeting the minimum requirements outlined in Annex 1.

**Depending upon the category of the *Athlete*, the medical file will be evaluated as follows:**

- For all *Athletes* included in an International Federation *Registered Testing Pool* a regular TUE approved before the *Use* of the substance.
- For *Athletes* participating in an *International Event* but who are not included in an International Federation *Registered Testing Pool* either a TUE, or a Retroactive TUE in the case of an *Adverse Analytical Finding*, in accordance with the rule of the International Federation or of the *Major Event Organization*.
- For national-level *Athletes* who are not included in an International Federation *Registered Testing Pool*, whether or not they are part of a national *Registered Testing Pool*, either a TUE, or a Retroactive TUE in the case of an *Adverse Analytical Finding*, in accordance with the rules of the *National Anti-Doping Organization*.
- No Retroactive TUE will be granted if the requirements of Annex 1 are not met meaning that any *Adverse Analytical Finding* reported by the laboratory in these circumstances will result in an anti-doping rule violation.
- Any *Athlete* may apply for a TUE at any time if they wish.
- Any *Athlete* who has applied for a TUE or a Retroactive TUE and who was denied such TUE may not use the substance without the prior granting of a TUE (no Retroactive TUE will be permitted).