

**Result Management Committee**

**THE PROPOSED DECISION OF  
HEARING PANEL**

**Between  
Vietnam Anti-doping and Sports Medicine Center (VADA)**

**And**

**Mr. PHAM KHAC HY**

**Hearing Panel:**

**Prof. Le Quy Phuong, Doctor - Chairman**

**Mr. Ly Duc Tu - Member**

## **Jurisdiction**

1. This case by Vietnam National Anti-Doping Rules (compliance with WADA Code 2021, the Panel is of the view the applicable rules would be the **VADA Rules (Rules)**).
2. **Vietnam Anti-Doping and Sports Medicine Center (VADA)** was the Testing Authority, Sample Collection Authority and Result Management Authority.
3. Appointment of the hearing panel was made pursuant to Article 8.1.2.1 of the VADA Rules. For the purpose of this hearing, two members were appointed as follows:

Prof. Le Quy Phuong, Doctor - Chairman

Mr. Ly Duc Tu - Member

## **Background**

4. **Ta Dinh Thai ("Athlete")**, date of birth 6<sup>th</sup> October 1981, is Vietnamese athlete. His sports and discipline is Bodybuilding/Bodybuilding. He was managed by Vietnam Weightlifting and Bodybuilding Federation.
6. **VADA** was assigned to be the Testing Authority, Sample Collection Authority and Result Management Authority of OOCT in 2022.
7. The athlete was tested on 10<sup>th</sup> April 2022. The Doping Control Officer (DCO) of the test was **Mr. Nguyen Thi Ngoc Ly**, the Chaperones were **Nguyen Viet Tuan** (for notification and for witness). His sample code is **7028503**. All the procedures were stipulated by the **World Anti-Doping Agency's (WADA)** International Standards for Testing 2021. All samples were sealed by the Athlete in the presence of DCO **Mr. Thi Ngoc Ly**.
8. All information on athlete's sample was recorded in the Doping Control Form. The Athlete declared he used biotech usd, balckburn, liversupport in the Medication Information. The Athlete had no comment on the Doping Control Session.
9. The movement of the sample was recorded accurately on the Chain of Custody Form. A report was also provided by the Lead DCO on 11<sup>th</sup> April 2022.
10. The sample was transferred to the Laboratory on 14<sup>th</sup> April 2022. The sample was analyzed by the WADA-accredited laboratory, National Doping Control 9<sup>th</sup> May 2022 (Lab Reference #L220666), showed the presence of Prohibited Substance as below:

- **S1.1 Anabolic Androgenic Steroids / Drostanolone metabolite**

11. This substance is in the S1.1 Anabolic Androgenic Steroids of WADA's 2022 Prohibited List.
12. The Athlete has, therefore, committed an **Anti-Doping Rule Violation (ADRV)** of Article 2.1 and 2.2 of the VADA Rules.
13. On 1<sup>st</sup> June 2022, the Athlete was notified that his urine sample was Adverse Analytical Finding (AAF) via email. The first notification stated that:
  - a. Athlete has right to send his explanation;
  - b. Athlete has right to request B-sample opening to confirm the A Sample results or to waive that right.
14. The deadline for the athlete was on 6<sup>th</sup> June 2022.
15. The Athlete did not send the B-sample opening request and any explanation to VADA
16. VADA sent the Notice of charge to the Athlete on 20<sup>th</sup> August 2022, in which states that:
  - Give the consequences will be applied to Athlete;
  - Athlete has right to admit his asserted ADRV and accept the proposed Consequences;
  - Athlete has right to request a hearing;
17. The athlete did not send the Hearing Request and to admit his asserted ADRV and accept the proposed Consequences

### **Anti-Doping Proceeding**

18. Result Management Committee files proceedings alleging a violation of Article 2.1 and 2.2 of Rules, evidenced by the presence of Prohibited Substance in the sample collected on 10<sup>th</sup> April 2022 and the usage of Prohibited substance by the Athlete.
19. Definition of Article 2.1 of VADA Rules: **Presence of a Prohibited Substance or its Metabolites or Markers in an Athlete's Sample**, and Article 2.2: **Use or Attempted Use by an Athlete of a Prohibited Substance or a Prohibited Method.**
20. The analysis of the sample confirmed the presence of Drostanolone metabolite. According to the Prohibited list 2022 of WADA Drostanolone metabolite is the Non-Specified Substances, which is in S1.1 Anabolic Androgenic Steroids, being prohibited at all time.

21. In the notice of charge, the Athlete was Provisionally Suspended since 1<sup>st</sup> June 2022 (the day of VADA sent the first notification).

### **Proposed Sanction**

22. Our records indicate that you have No prior ADRVs; athlete's AAF substance was a Non-Specified Substance. The athlete did not send the Hearing Request and to admit his asserted ADRV and accept the proposed Consequences, therefore in the event that the asserted ADRVs are upheld, VADA will seek the following proposed Consequences:
- 22.1. A period of Ineligibility of **four [04] years** by athlete's IF or NF under VADA Rules 10.2.1;
- 22.2. Public disclosure pursuant to Article 14.3 of VADA Anti-Doping Rules;

### **Conclusion**

23. In conclusion, the Panel propose a period of ineligibility of **four [04] years** backdate to commence from **10<sup>th</sup> April 2022**, and means athlete is ineligible to participate in sport until **10<sup>th</sup> April 2026**.

### **Appeal**

24. The Athlete has 21 (twenty-one) days to appeal from the date the athlete is notified of the hearing decision as set forth in Article 13.6.2 of VADA Rules.

2<sup>nd</sup> December 2022

Hearing Panel



Prof. Le Quy Phuong, Doctor – Chairman

cc:

- Vietnam Weightlifting and Bodybuilding Federation, email:
- WADA Result Management / E-mail : [rm@wada-ama.org](mailto:rm@wada-ama.org)