

INTERNATIONAL OLYMPIC COMMITTEE

IOC DISCIPLINARY COMMISSION DECISION

REGARDING MR NICHOLAS DELPOPOLO BORN ON 8 FEBRUARY 1989, ATHLETE, UNITED STATES OF AMERICA, JUDO

1. On 30 July 2012, Mr. Nicholas Delpopolo (hereinafter the "**Athlete**") competed in the men's 73 kg Judo event upon the occasion of the 2012 London Olympic Games (hereafter the "**London Olympic Games**"), where he placed 7th.
2. The Athlete was requested on 30 July 2012, in London, at approximately 3:15 p.m., immediately following the completion of his participation in the above-mentioned event, to provide a urine sample for a doping control.
3. Pursuant to Article 6.2.1 of the *IOC Anti-Doping Rules Applicable to the Games of the XXX Olympiad, London 2012* (the "**Rules**"), Dr. Patrick Schamasch (the "**IOC Medical Director**"), as representative of the Chairman of the IOC Medical Commission, was informed at approximately 12:09 p.m. on Thursday, 2 August 2012 by the Head of the WADA Accredited Laboratory in Harlow, of an adverse analytical finding on the A sample of the above-noted urine.
4. Pursuant to Article 6.2.2 of the *Rules*, the IOC Medical Director determined that the above-noted A sample belonged to the Athlete, and verified that it did in fact give rise to an adverse analytical finding. He also determined that there was no apparent departure from the International Standards for Testing or the International Standards for Laboratories that undermined the validity of the adverse analytical finding.
5. Pursuant to Article 6.2.3 of the *Rules*, the IOC Medical Director immediately informed the IOC President, Dr. Jacques Rogge, of the existence of the adverse analytical finding and the essential details available to him concerning the case.
6. Pursuant to Article 6.2.5 of the *Rules*, the IOC President, by letter dated 3 August 2012, promptly set up a Disciplinary Commission, consisting of:
 - Thomas Bach (Chairman)
 - Denis Oswald
 - Frank Fredericks

The IOC President also informed the Disciplinary Commission that, pursuant to Rule 59.2.4 of the Olympic Charter and Article 6.1.6. of the *Rules*, the decision of the Disciplinary Commission in this case would constitute the decision of the IOC.

The IOC President has in this case decided that the procedure may be extended beyond the 24-hour time-limit as per Article 6.2.14 of the *Rules*.

7. The analytical report of the laboratory analysis of the A sample, issued by the WADA Accredited Laboratory in Harlow, dated 30 July 2012, indicated the presence of **11-nor-delta-9-tetrahydrocannabinol-9-carboxylic acid** of exogenous origin.
8. Pursuant to Article 6.2.6 of the *Rules*, by notification letter dated 3 August 2012 to the Athlete, to the Chef de Mission of the United States Olympic Committee (hereafter the "**USOC**"), Teresa Edwards, to the International Judo Federation (hereafter the "**IJF**") and to the Head of the Independent Observers' Programme, the IOC President advised them of the above-mentioned adverse analytical finding and of the time, date and place of the hearing of the Disciplinary Commission regarding this case.

9. The Athlete requested the analysis of the B sample, which occurred on Saturday 4 August 2012, at approximately 10:00 a.m. (UK time), at the WADA Accredited Laboratory in Harlow, in the presence of the Athlete's representative, Mr. Bill Moreau.
10. On 6 August 2012, the IOC received from the USOC a written statement from the Athlete, which was addressed to the USOC.
11. In such written statement, which was dated 5 August 2012, the Athlete acknowledged that his drug test conducted on 30 July 2012 at the London Olympic Games returned as positive for marijuana. The Athlete accepted the disqualification of his result from the men's 73 kg Judo event of the London Olympic Games, and declared that he would return his Olympic identity and accreditation card, and leave London to return to his home in the USA on 7 August 2012. The Athlete also explained that his positive test was caused by his inadvertent consumption of food (prior to his leaving for the London Olympic Games) that he did not realize had been baked with marijuana. The Athlete apologized to the USOC, his teammates and his fans and indicated that he was embarrassed by this mistake. The Athlete further indicated that he waived his right to be heard before the Disciplinary Commission.
12. The USOC indicated that it had nothing to add to the Athlete's declaration and waived its right to a hearing of the Disciplinary Commission.
13. Given that the Athlete and USOC waived their right to have a hearing, the Disciplinary Commission did not hold a hearing in this case.
14. The IJF declared that it would not make a submission and took note that there would be no hearing.
15. The Head of the Independent Observer Program acknowledged that there would be no hearing.
16. After reviewing the file, including the above-noted written statement from the Athlete, the Disciplinary Commission unanimously concluded that the Athlete had committed an anti-doping rule violation pursuant to Article 2.1 of the World Anti-Doping Code (hereafter the "**Code**") and Articles 2 and 12 of the *Rules* in that there was the presence of the prohibited substance, **11-nor-delta-9-tetrahydrocannabinol-9-carboxylic acid**, in his body.
17. In view of the above, and pursuant to Article 7.1 of the *Rules*, the Disciplinary Commission decided that the Athlete is disqualified from the men's 73 kg Judo event in which he participated at the London Olympic Games.

CONSIDERING the above, pursuant to the Olympic Charter and, in particular, Rule 59.2.1 thereof, and pursuant to the *IOC Anti-Doping Rules applicable to the Games of the XXX Olympiad, London 2012* and in particular, Articles 1.2, 2 and 7 thereof and pursuant to the World Anti-Doping Code and, in particular, Articles 2.1 and 10 thereof:

THE DISCIPLINARY COMMISSION OF THE
INTERNATIONAL OLYMPIC COMMITTEE
DECIDES

- I. The Athlete, Mr. Nicholas Delpopolo, United States of America, Judo:
 - (i) is disqualified from the men's 73 kg Judo event of the 2012 London Olympic Games where he placed 7th;

- (ii) shall have his diploma in the above-mentioned event withdrawn; and
 - (iii) shall have his Olympic identity and accreditation card cancelled and withdrawn immediately.
- II. The IJF is requested to modify the results of the above-mentioned event accordingly and to consider any further action within its own competence.
 - III. The USOC is ordered to return to the IOC, as soon as possible, the diploma awarded to the Athlete in relation to the above-mentioned event.
 - IV. The IOC administration is requested to reallocate the diplomas to the athletes that finished behind Mr. Delpopolo in the above-mentioned event, in which Mr. Delpopolo placed 7th at the 2012 London Olympic Games.
 - V. This decision shall enter into force immediately.

London, 6 August 2012

The IOC Disciplinary Commission

Thomas BACH
Chairman

Denis Oswald

Frank Fredericks