

MEDIA RELEASE

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Sports Tribunal suspends body builder for 2 years

The Sports Tribunal has suspended body builder Ann Holt for 2 years for committing an anti-doping violation.

Ms Holt tested positive for the prohibited substance benzylpiperazine (BZP) while competing at the Wellington Body Building Championships on 21 April 2007.

Ms Holt admitted the violation and stated the positive result was due to her using a product she purchased at a local health store. She used the product to elevate her mood, energy and well-being rather than to enhance sports performance. She stated that she knew the product contained BZP (which was stated on the product label) but did not realise that BZP was a prohibited stimulant.

Principles applied

Unless a defendant can establish the defences of “no fault or negligence” or “no significant fault or negligence”, the mandatory penalty for a first anti-doping violation involving a positive test for BZP is a 2 year suspension.

Tribunal’s conclusions

The Tribunal had considerable sympathy for Ms Holt in the circumstances of the case.

However, the Tribunal noted previous cases showing that:

- there is a strict duty on athletes to ensure they do not take prohibited substances and
- it will only be in truly exceptional cases when an athlete can show no significant fault or negligence.

The Tribunal found it impossible to disregard that at the time she bought the product the presence of BZP in it was clearly visible and known by her. The Tribunal concluded that the use of a product, in which BZP was labelled as an ingredient, represented a degree of carelessness and she could not rely on the no significant fault or negligence exception.

The Tribunal therefore suspended Ms Holt for the mandatory 2 year period from participating in sport. The suspension was back-dated to commence from 21 April 2007.

The full decision in this case will be made available for download from the website of the Sports Tribunal (www.sportstribunal.org.nz). See *New Zealand Federation of Body Builders Inc v Ann Holt* (ST 08/07). Copies of the decision can also be obtained directly from Brent Ellis, Registrar, Sports Tribunal of New Zealand (telephone: 0800 55 66 80; e-mail: info@sportstribunal.org.nz).