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FOR IMMEDIATE RELEASE

**FIS MEDIA INFO****CAS decision on Cross-Country Skier Martin Johnsrud Sundby**

The Court of Arbitration for Sport (CAS) has upheld an appeal by the World Anti-Doping Agency (WADA) against Norwegian Cross-Country Skier Martin Johnsrud Sundby and the International Ski Federation (FIS) against a Decision of the FIS Doping Panel of 4 September 2015, by decision of 11 July 2016. The case concerned the inhalation of salbutamol which is a standard therapy against asthma symptoms.

A WADA accredited laboratory had reported adverse analytical findings on samples taken on 13 December 2014 in Davos SUI and on 8 January 2015 in Toblach ITA, which exceeded the applicable reporting limits. Rule S.3 of the WADA Prohibited List exceptionally allows presence of salbutamol in excess of the reporting limits, if the athlete can demonstrate that the abnormal result was the consequence of the use of the therapeutic inhaled dose up to the maximum of 1600 micrograms over 24 hours.

In the appealed decision, the independent FIS Doping Panel had held that Rule S.3 of the WADA Prohibited List was not clear and did not provide for the various ways of administration of salbutamol. While the medication is normally applied by a handheld metric dose inhaler (MDI), the athlete used a nebulizer to administer the prescribed salbutamol for the treatment of his asthma, which requires a higher labelled dosage than the MDI and thereby exceeded the allowed maximum dose. The FIS Doping Panel had therefore found that the athlete had not committed an anti-doping rule violation when he used a nebulizer as a legitimate means to administer salbutamol instead of a metric dose inhaler (MDI)

The CAS found however that the epithet "inhaled" was meant to distinguish inhalation from other mechanics of inhalation like ingestion or injection and did not refer to the stage of administration (e.g. the amount that comes out of the device or which was eventually delivered to the athlete's mouth or lungs). The allowed dose must be understood as the dose prescribed by the doctor, i.e. the "labelled" or "nominal" dose. Any higher dose, e.g. because of the need to use a nebulizer, requires a Therapeutic Use Exemption (TUE). When the tests were conducted in December 2014 and January 2015, the athlete was not in possession of a TUE and therefore found guilty of an anti-doping rule violation.

When determining the sanction, the CAS acknowledged in the athlete's favour that he had not intentionally broken the rules, that he has a medical condition requiring the administration of salbutamol and that he had used salbutamol by nebulizer as prescribed by his team doctor, as he had done so before without any problems. On the other hand, the CAS noted that the anti-doping rules required a strict observance and that the prescription of the team doctor as to the use of the nebulizer to administer salbutamol outside of a hospital was arguably questionable from a medical point of view as well as the fact that the athlete and his team doctor had not made any enquiry of WADA, FIS or the manufacturer whether inhalation by a nebulizer would still require a TUE under the revised anti-doping rules.

As a consequence, the CAS sanctioned Martin Johnsrud Sundby with a period of ineligibility of 2 months starting from 11 July 2016 and as required by the anti-doping rules the results in Davos (13 December 2014) and Toblach (8 January 2015) have been disqualified, with all resulting consequences, including forfeiture of any medals, points and prizes. The results of the FIS Cross-Country World Cup and Tour de Ski 2015 will be recalculated and the new standings published in a separate communication.

FIS fully shares the view of the CAS that Martin Johnsrud Sundby is not to be considered as an intentional doping offender but that his sanctions result from the strict application of the anti-doping rules and the WADA Prohibited List as a consequence of his reliance on questionable medical advice to administer salbutamol outside a hospital.

### **About FIS**

FIS is the governing body for international skiing and snowboarding, [founded in 1924](#) during the first Olympic Games in Chamonix, France. Recognized by the International Olympic Committee (IOC), FIS manages the Olympic disciplines of [Alpine Skiing](#), [Cross-Country Skiing](#), [Ski Jumping](#), [Nordic Combined](#), [Freestyle Skiing](#) and [Snowboarding](#), including setting the international competition rules. Through its 128 member nations, more than 7'500 FIS ski and snowboard competitions are staged annually. Specific initiatives are undertaken by FIS to promote snow activities as a healthy leisure recreation, [notably for the young](#). For more information, please visit [www.fis-ski.com](http://www.fis-ski.com).