

A GUIDE TO THERAPEUTIC USE EXEMPTIONS (TUEs)

Please note that this document should be read in conjunction with the "Applications for Therapeutic Use Exemptions (TUEs)" flowchart.

WHAT IS A THERAPEUTIC USE EXEMPTION (TUE)?

Under the World Anti Doping Code ("WADC"), an anti doping rule violation is committed if a Prohibited Substance is found in a sample taken from an athlete. However, it is possible that an athlete may need to take a Prohibited Substance for legitimate medicinal purposes.

A TUE is a formal exemption granted by an Anti Doping Organisation which confirms that the Anti Doping Organisation accepts that the substance is being taken for therapeutic purposes. An application for a TUE is made in a standard format, including information from the athlete's doctor, and is considered by a Medical Committee which decides whether or not to grant the TUE. If the athlete obtains a TUE from the appropriate Anti Doping Organisation he or she will not be liable for a positive test where the therapeutic substance is found in a sample.

I AM TAKING A DRUG PRESCRIBED BY MY DOCTOR FOR MEDICAL REASONS – WHAT SHOULD I DO?

The first thing to do is to find out if the drug is a Prohibited Substance under the WADC. The current list of prohibited substances (the "Prohibited List") can be found on the World Anti-Doping Agency website at <http://www.wada-ama.org/en/#> or you can search UK Sport's interactive guidance documents available at <http://www.100percentme.co.uk/1162212006.747/1229598406.699/?PHPSESSID=9a8274ec11c501d0e8e01b6a8523f254> to check your medication to see if it is prohibited. If you find that the substance *is* prohibited, you should first discuss with your doctor whether other medication is available which will have the same therapeutic effect but is not prohibited. If this is not the case and you must take the Prohibited Substance, you will either have to stop taking the drug or you must obtain a TUE.

HOW DO I OBTAIN A TUE?

You will need to put in a formal request for a TUE to the appropriate Anti Doping Organisation.

For normal competition purposes (different rules may apply for the Olympic Games) riders in the International Registered Testing Pool and riders who are participating in any International Event must apply to the FEI as the appropriate Anti-Doping Organisation (you will have been notified by the FEI if you are in the International Registered Testing Pool). You can download the FEI TUE application form from

http://www.fei.org/Athletes_AND_Horses/Medication_Control_AND_Antidoping/Athletes/Documents/TUE_Standard_2009_Final_031008.pdf.

If you do not compete internationally you must apply to UK Sport as the appropriate Anti Doping Organisation for your TUE. You can download the UK Sport TUE application form from

<http://www.100percentme.co.uk/1162215951.406/?PHPSESSID=fe1287b3ed074bd313cda390c90fb2fd>

In each case your doctor will have to complete the relevant sections of the TUE.

WILL MY TUE GRANTED BY UK SPORT BE SUFFICIENT FOR INTERNATIONAL PURPOSES?

No. The FEI have expressly said that they will not accept TUEs granted by a National Anti Doping Organisation such as UK Sport. So, if you have previously competed nationally using a TUE granted by UK Sport, you will have to apply for a new TUE from the FEI as soon as you begin to compete at international level.

HOW LONG DOES A TUE APPLICATION TAKE?

If a TUE is to be valid for a competition the rules state that you must apply for it at least 21 days before you compete. To be safe we would advise you to apply **at least** 30 days in advance of competition.

You will need to supply supporting documentation including a full medical history and details of all relevant investigations. In the case of asthma and its clinical variants, specific supporting clinical examinations are required which may take some time to carry out. These are detailed in Annex 2 of the 2009 International Standard for Therapeutic Use Exemptions (see www.wada.ama.org). You must always allow sufficient time to gather the supporting information.

WHAT ABOUT RETROACTIVE TUES?

A Retroactive TUE is granted **after** an anti doping test has taken place and exempts an athlete for liability for a positive finding despite the fact that it is obtained after the event. **Such Retroactive TUEs are only available in limited circumstances.**

At international level, the FEI will allow a rider who is not in the International Registered Testing Pool to apply for a Retroactive TUE after a test has been taken only in the case where the Prohibited Substance being used is an inhaled glucocorticosteroid, or formoterol, salbutamol, salmeterol or terbutaline used to treat asthma or one of its clinical variants. If you are taking a substance other than those listed here, you will **not** be able to obtain a Retroactive TUE and must apply in advance.

Riders in the International Registered Testing Pool must apply for **all** TUEs in advance.

At national level, UK Sport allows athletes who are not part of either the National Registered Testing Pool or Domestic Pool to make a retroactive application for a TUE for any Prohibited Substance no later than 10 days after an anti doping test has taken place. If you are in the National Registered Testing Pool or the Domestic Pool you will have been informed of your inclusion by the BEF.

You should note that there is no guarantee that an application for a Retroactive TUE will be successful. If you are using a Prohibited Substance and would need to apply for a Retroactive TUE should you be tested, we would advise that you check with your doctor that the criteria and medical evidence required for the approval of the TUE can be met **before you use the Prohibited Substance.**

WHAT IS A DECLARATION OF USE?

Athletes are no longer required to apply for a TUE for non-systemic glucocorticosteroids (inhaled or locally injected) but must make a Declaration of Use as soon as use begins, and must declare the details of the glucocorticosteroid in the relevant section of the paperwork when an anti doping test takes place.

National athletes must declare their use of glucocorticosteroids at <https://declaration.ukспорт.gov.uk>.

International athletes must declare their use of glucocorticosteroids to the FEI. The FEI contact is Daniele Gutowski (Daniele.Gutowski@fei.org).

WHERE CAN I FIND FURTHER INFORMATION?

National competitors should log on to UK Sport's 100% ME website - <http://www.100percentme.co.uk/1162215951.406/?PHPSESSID=fe1287b3ed074bd313cda390c90fb2fd>.

International competitors should log on to the FEI's website - http://www.fei.org/Athletes_AND_Horses/Medication_Control_AND_Antidoping/Athletes/Pages/Information.aspx.

THIS GUIDE IS PRODUCED FOR INFORMATION PURPOSES ONLY TO ASSIST UNDERSTANDING OF THE TUE PROCESS. FOR FURTHER DETAILED INFORMATION, PLEASE REFER TO THE FEI AND / OR UK SPORT.