

Issued Decision

UK Anti-Doping and Mauricio Lara

Disciplinary Proceedings under the Anti-Doping Rules of the British Boxing Board of Control

This is an Issued Decision made by UK Anti-Doping Limited ('UKAD') pursuant to the Anti-Doping Rules (the 'ADR') of the British Boxing Board of Control ('BBBoC'). It concerns Anti-Doping Rule Violations ('ADRVs') committed by Mr Mauricio Lara and records the applicable Consequences.

Capitalised terms used in this Decision shall have the meaning given to them in the ADR unless otherwise indicated.

Background and Facts

1. The BBBoC is the national governing body for the sport of professional boxing in the United Kingdom. UKAD is the National Anti-Doping Organisation ('NADO') in the United Kingdom. The BBBoC has adopted, as its own ADR, the UK Anti-Doping Rules¹, which are issued by UKAD and are subject to updates made by UKAD, as necessary and in accordance with the World Anti-Doping Code.
2. Mr Lara is a 26 year-old professional boxer from Mexico. The BBBoC granted Mr Lara a Foreign Boxer licence to compete in a bout on 27 May 2023 against Leigh Wood at the AO Arena, Manchester. As a boxer licensed with the BBBoC and a participant in Competitions and other activities organised, convened, authorised, or recognised by the BBBoC, at all relevant times Mr Lara was subject to and bound to comply with the ADR. Pursuant to ADR Article 7.2, UKAD has Results Management responsibility in respect of all boxers that are subject to the jurisdiction of the BBBoC.
3. On 28 May 2023, UKAD collected a urine Sample from Mr Lara, In-Competition, after his bout against Mr Wood in Manchester.
4. Assisted by a UKAD Doping Control Officer ('DCO') in attendance, Mr Lara split the urine Sample in two separate bottles, which were given reference numbers A1177165 (the 'A Sample') and B1177165 (the 'B Sample').
5. Both Samples were transported to the World Anti-Doping Agency ('WADA') accredited laboratory in London, the Drug Control Centre, King's College London (the

¹ Version 1.0, in effect as from 1 January 2021

Laboratory'). The Laboratory analysed the A Sample in accordance with the procedures set out in WADA's International Standard for Laboratories.

6. Analysis of the A Sample returned an Adverse Analytical Finding ('AAF') for betamethasone at an estimated concentration of 383.1ng/mL.
7. Betamethasone is listed at S9 of the 2023 WADA Prohibited List as a Glucocorticoid. It is a Specified Substance that is prohibited In-Competition only, when administered by any injectable, oral or rectal route.
8. On 19 September 2023, UKAD sent Mr Lara an initial review letter, informing him of the AAF arising from analysis of his A Sample and inviting him to provide an explanation. On 5 October 2023, Mr Lara's promoter, Mr Juan Carlos Torres, provided UKAD with a doctor's letter with an English translation. The letter detailed that, on 12 May 2023, Mr Lara received an Out-of-Competition 8mg intramuscular injection of dexamethasone following an injury to his shoulder whilst sparring.
9. In line with WADA and UKAD's respective glucocorticoid policies, Mr Lara's case was referred to an independent scientific expert (in this case, Professor David Cowan) to review the pharmacokinetics of the AAF and the explanation provided on behalf of Mr Lara. Professor Cowan concluded that the administration of dexamethasone on 12 May 2023 does not account for the betamethasone in Mr Lara's Sample, which is an entirely different substance. Professor Cowan concluded that a more likely explanation was an intramuscular dose of betamethasone of 8mg, administered within the 24 hours prior to Sample collection (i.e., within the 24 hours prior to 12:22 am on 28 May 2023).
10. On 30 January 2024, UKAD wrote to Mr Lara, inviting him to confirm whether he had any other substance administered to him prior to Sample collection on 28 May 2023. UKAD did not receive a response to this correspondence.
11. On 7 March 2024, UKAD sent Mr Lara a letter (the 'Notice Letter'). The Notice Letter confirmed the imposition of a Provisional Suspension and formally notified Mr Lara in accordance with ADR Article 7.8 that he may have committed ADRVs pursuant to ADR Article 2.1 (Presence of a Prohibited Substance or its Metabolites or Markers in an Athlete's Sample), and/or ADR Article 2.2 (Use or attempted Use by an Athlete of a Prohibited Substance or a Prohibited Method).
12. UKAD did not receive a response to the Notice Letter.
13. On 11 April 2024, UKAD proceeded to issue Mr Lara with a Charge Letter in accordance with ADR Article 7.11.2. The Charge Letter asserted the commission of ADRVs pursuant to ADR Articles 2.1 and 2.2.

14. Between May and September 2024, Mr Torres corresponded with UKAD on behalf of Mr Lara. However, no further explanation (other than the intramuscular injection of dexamethasone) was advanced to explain the AAF.
15. On 25 November 2024, UKAD emailed Mr Lara to confirm that if it did not hear from the Athlete by 29 November 2024 it would proceed to circulate an Issued Decision imposing a two (2) year period of Ineligibility. That deadline passed without a response being received from Mr Lara or his promoter.

Admission and Consequences

16. ADR Article 2.1 provides that the following is an ADRV:

2.1 Presence of a Prohibited Substance or its Metabolites or Markers in an Athlete's Sample, unless the Athlete establishes that the presence is consistent with a TUE granted in accordance with Article 4.

17. ADR Article 2.2 provides that the following is an ADRV:

2.2 Use or Attempted Use by an Athlete of a Prohibited Substance or a Prohibited Method, unless the Athlete establishes that the Use or Attempted Use is consistent with a TUE granted in accordance with Article 4.

2.2.1 It is each Athlete's personal duty to ensure that no Prohibited Substance enters their body and that no Prohibited Method is Used. Accordingly, it is not necessary to demonstrate intent, Fault, negligence or knowing Use on the Athlete's part in order to establish an Anti-Doping Rule Violation for Use of a Prohibited Substance or a Prohibited Method; nor is the Athlete's lack of intent, Fault, negligence or knowledge a valid defence to an assertion that an Article 2.2 Anti-Doping Rule Violation of Use has been committed.

[...]

2.2.4 Out-of-Competition Use of a substance that is only prohibited In-Competition is not an Article 2.2 Anti-Doping Rule Violation. If, however, an Adverse Analytical Finding is reported for the presence of such substance or any of its Metabolites or Markers in a Sample collected In-Competition, that may amount to an Article 2.1 Anti-Doping Rule Violation.

18. ADR Article 10.2.2 provides:

10.2 Imposition of a Period of Ineligibility for the Presence, Use or Attempted Use, or Possession of a Prohibited Substance and/or a Prohibited Method

The period of Ineligibility for an Anti-Doping Rule Violation under Article 2.1, 2.2 or 2.6 that is the Athlete's or other Person's first anti-doping offence shall be as follows, subject to potential elimination, reduction or suspension pursuant to Article 10.5, 10.6 or 10.7:

10.2.1 *Save where Article 10.2.4(a) applies, the period of Ineligibility shall be four (4) years where:*

(a) The Anti-Doping Rule Violation does not involve a Specified Substance or a Specified Method, unless the Athlete or other Person can establish that the Anti-Doping Rule Violation was not intentional.

(b) The Anti-Doping Rule Violation involves a Specified Substance or a Specified Method and UKAD can establish that the Anti-Doping Rule Violation was intentional.

10.2.2 *If Article 10.2.1 does not apply, then (subject to Article 10.2.4(a)) the period of Ineligibility shall be two (2) years.*

19. The term In-Competition is defined within the ADR as follows:

In-Competition:

The period commencing at 11:59 p.m. on the day before a Competition in which the Athlete is scheduled to participate through the end of such Competition and the Sample collection process related to such Competition; provided, however, that WADA may approve, for a particular sport, an alternative definition if an International Federation provides a compelling justification that a different definition is necessary for its sport. Upon such approval by WADA, the alternative definition shall be followed by all Major Event Organisations for that particular sport. ADR Article 8.4.1 stipulates that the burden rests upon UKAD to establish the commission of the ADRVs charged to the comfortable satisfaction of the hearing panel.

20. In accordance with ADR Article 10.2.1(b), since this matter concerns a Specified Substance, the period of Ineligibility to be imposed shall be four (4) years, if UKAD can demonstrate to the comfortable satisfaction of a Panel that the ADRVs were 'intentional' (within the meaning of ADR Article 10.2.3). If UKAD is not able to prove that the ADRVs were intentional, the period of Ineligibility to be imposed shall be two (2) years in accordance with ADR Article 10.2.2.

21. Having considered the evidence in this case, UKAD is not in a position to assert that the ADRVs were 'intentional' (within the meaning of ADR Article 10.2.3).
22. In respect of Mr Lara's position that the Out-of-Competition 8mg intramuscular injection of dexamethasone he received on 12 May 2023 is responsible for the AAF, UKAD has carefully examined the scientific expert opinion of Professor Cowan. Professor Cowan is clear that the administration of dexamethasone on 12 May 2023 does not account for the AAF, as it is an entirely different substance. As Mr Lara has not been able to evidence how betamethasone entered his system, UKAD does not consider there to be any basis for Mr Lara to receive a reduction to the applicable two (2) year period of Ineligibility under the ADR.
23. For the purposes of imposing a sanction, the ADRVs will be considered together as a single first violation, pursuant to ADR Article 10.9.4 which states as follows:

10.9.4 Additional rules for certain potential multiple offences:

(a) For the purposes of imposing sanctions under Article 10.9, except as provided in Articles 10.9.4(b) and 10.9.4(c) an Anti-Doping Rule Violation will only be considered a second (or third, as applicable) Anti-Doping Rule Violation if UKAD can establish that the Athlete or other Person committed the additional Anti-Doping Rule Violation after they received notice, or after UKAD or its designee made a reasonable attempt to give notice, of the first (or the second, as applicable) Anti-Doping Rule Violation. Otherwise, the first and second Anti-Doping Rule Violations (or the second and third Anti-Doping Rule Violations as applicable shall be considered as one single first Anti-Doping Rule Violation, and the sanction imposed shall be based on the Anti-Doping Rule Violation that carries the most severe sanction...

24. The applicable period of Ineligibility in this case is two (2) years.

Commencement of period of Ineligibility

25. ADR Article 10.13 requires that the period of Ineligibility starts on the date the Ineligibility is accepted or otherwise imposed where there is no hearing.
26. However, ADR Article 10.13.2 allows credit to be given against the total period of Ineligibility to be served where an Athlete has been provisionally suspended and has respected the terms of that Provisional Suspension.
27. Mr Lara has been subject to a Provisional Suspension from the date of the Notice Letter, 7 March 2024, and as far as UKAD is aware, Mr Lara has respected the terms of that Provisional Suspension (insofar as he has not participated in any World Anti-Doping Code-compliant sport). Therefore, affording Mr Lara credit for the time he has spent provisionally suspended, his period of Ineligibility is deemed to have commenced on 7 March 2024 and will end at 11:59pm on 6 March 2026.

Status during Ineligibility

28. During the period of Ineligibility, in accordance with ADR Article 10.14.1, Mr Lara shall not be permitted to participate in any capacity (or assist any Athlete participating in any capacity) in a Competition, Event or other activity (other than authorised anti-doping education or rehabilitation programmes) organised, convened, authorised or recognised by:
- a) The BBBoC;
 - b) Any Signatory;
 - c) Any club or other body that is a member of, or affiliated to, or licensed by, a Signatory or a Signatory's member organisation;
 - d) Any professional league or any international or national-level Event organisation; or
 - e) Any elite or national-level sporting activity funded by a governmental agency.
29. Mr Lara may return to train with a team or to use the facilities of a Signatory's club or member organisation during the last two months of his period of Ineligibility (i.e., from 11.59pm on 6 January 2026) pursuant to ADR Article 10.14.4(b).

Disqualification

30. ADR Article 9.1 provides as follows:

Disqualification of Competition results as a consequence of an Anti-Doping Rule Violation committed in connection with or arising out of an In-Competition test

An Anti-Doping Rule Violation in Individual Sports in connection with or arising out of an In-Competition test automatically leads to Disqualification of the results obtained in the Competition in question, with all resulting consequences, including forfeiture of any medals, titles, points and prizes.

31. Pursuant to the above, the result of Mr Lara in his bout against Mr Wood on 27 May 2023 is automatically disqualified.

Summary

32. For the reasons given above, UKAD has issued this Decision in accordance with ADR Article 7.12.2, and records that:
- a) Mr Lara has committed ADRVs pursuant to ADR Articles 2.1 and 2.2;

- b) In accordance with ADR Article 10.9.4(a), the ADRVs are considered as a single first violation for the purposes of imposing a sanction;
 - c) A period of Ineligibility of two (2) years is imposed pursuant to ADR Article 10.2.2;
 - d) Acknowledging Mr Lara's Provisional Suspension, the period of Ineligibility is deemed to have commenced on 7 March 2024 and will expire at 11.59pm on 6 March 2026;
 - e) The result of Mr Lara in his bout on 27 May 2023 is automatically disqualified; and
 - f) Mr Lara's status during the period of Ineligibility shall be as detailed in ADR Article 10.14.
33. Mr Lara, the BBBoC, and WADA have a right to appeal against this Decision or any part of it in accordance with ADR Article 13.4.
34. This Decision will be publicly announced via UKAD's website in accordance with ADR Article 8.5.3 and ADR Article 10.15.

30 January 2025