



International Federation of Bodybuilding and Fitness

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## **I.F.B.B. ANTI DOPING COMMISSION**

### **ADJUDICATION ABOUT THE CASE OF MR. JIM MANION FROM U.S.A.**

#### **1) THE FACTS**

- 1.1) The IFBB Anti Doping Commission [hereinafter ADC] has forwarded by electronic means, the October, 9th 2017, to Mr. Jim Manion, 'Letter of Notice of Asserted Anti Doping Rule Violation' (specifically, the article 2.9 of the current IFBB Anti Doping Rules, see the next point 1.2), concerning the same Mr. Manion.
- 1.2) In that letter, signed by the IFBB ADC Chairman, Prof. Mauricio De Arruda Campos, it was explained, *'inter alia'* that the IFBB ADC *'...has had recently knowledge and evidence'* that *'the March 28th, 2015 three Korean athletes named Jang Sung Yong, Lee Yae Lin and Wong Jong Seub have competed in the NPC ('National Physique Committee') U.S.A. sanctioned event called 'Phil Heath Classic' held in Houston, Texas, USA, while serving their ineligibility period imposed them by Korean Anti Doping Agency (KADA) due to Anti Doping Rule Violations (ADRV).Into details: the ineligibility period of Mr. Jang Sung Yong was from July 14th to July 13 2016; the ineligibility period of Mr. Lee Yae Lin was from June 13th 2014 to June 12th 2016; the ineligibility period of Mr. Wong Yong Seub was from August 19th 2010 to lifetime'*, that *'the June 10th, 2017 an Ecuadorian athlete named José Castillo has competed in the 'NPC' (National Physique Committee) USA sanctioned event called 'Miami Muscle Beach Championships' held in Miami, Florida, USA, while serving his ineligibility period imposed him by IPF (International Powerlifting Federation) Doping Hearing Panel, due to an Anti Doping Rule Violation (ADRV) Into detail: the ineligibility period of Mr. José Castillo is from July 11th 2015 to July 12th, 2023'*; that *'therefore, these athletes have committed the violation as settled in the article 10.12.1('Prohibition against participation during Ineligibility') of the current IFBB Anti Doping Rules and in the article 10.12.1 of the World Anti Doping Code'*; that *'at the time of violations committed by the aforesaid athletes, the NPC was the USA National Federation affiliated to the IFBB, [Mr. Manion was] 'its President (and as well, the IFBB Area Vice-President for North America', that [Mr. Manion] 'has abetted these violations, therefore [Mr. Manion has]committed the Anti Doping Rule Violation A,DRV, as settled in article 2.9 of the current IFBB Anti Doping Rules and article 2.9 of the current World Anti Doping Code (Complicity. Assisting, encouraging, aiding, abetting, conspiring, covering up or any other type of intentional complicity involving an anti doping rule violation, Attempted Anti Doping rule violation or violation of Article 10.12.1 by another person); that the IFBB ADC 'notifies and charges that [Mr. Manion has] committed the Anti Doping Rule Violation ['Complicity'],as settled in the article 2.9 of the current IFBB Anti Doping Rules and in the article 2.9 of the World Anti Doping Code abetting the participation in the NPC (National Physique Committee) USA sanctioned events named 'Phil Heath Classic' held in Houston Texas USA, the March 28th 2015 and 'Miami Muscle Beach Championships' held in Miami Florida, USA the June 10th 2017, athletes (Jang Sung Yong,*



*Lee Yae Lin, Wong Jong Seub in 'Phil Heath Vlassic', Josè Castillo in 'Miami Muscle Beach Championships' who were serving their ineligibility period due to Anti Doping Rule Violations; confirms, as per article 7.6.2 of the current IFBB Anti Doping Rules that [Mr. Manion is] Provisionally Suspended effective this date and pending the final decision in this case; informs [Mr. Manion] that pursuant to the article 16 of the current IFBB Anti Doping Rules and article 17 of the World Anti Doping Code, the anti Doping rule violation proceeding may commenced within ten years from the date of the asserted violation to have occurred; assigns [to Mr. Manion] the term of twenty one (21) days from the date of the present communication to forward to the IFBB Anti Doping Commission [his, of Mr. Manion] written defenses about the notified violation'.*

1.3) Mr. Manion hasn't provided to IFBB ADC any communication, explanation and/or written defenses about the notified violation.

## 2) IN LAW

2.1) In the present case, the IFBB Anti Doping Commission, in accordance with the articles 3.1 and 3.2 of the current IFBB Anti Doping Rules considers that Mr. Jim Manion has committed an Anti Doping Rule Violation (ADRV), **specifically, the violation settled by the provision 2.9 of the current IFBB Anti Doping Rules ('Complicity')**.

2.2) Mr. Jim Manion, at the time of the events explained in the point 1 above, 'the facts', was the President of the NPC [National Physique Committee U.S.A.], and as well the IFBB Area Vice President for North America.

2.3) In his capacity, (NPC-National Physique Committee USA- President and IFBB North America Vice President) he (Mr. Manion) has abetted the participation of the athletes Jang Sung Yong, Lee Yae Lin, Wong Jong Seub in the NPC (National Physique Committee USA) sanctioned event named 'Phil Heath Classic', held in Houston, Texas U.S.A. the March 28th, 2015 and the participation of the athlete Josè Castillo in the NPC (National Physique Committee USA) sanctioned event named 'Miami Muscle Beach Championships', held in Miami, Florida U.S.A. the June 10<sup>th</sup>, 2017, while all these athletes were serving an ineligibility period due to Anti Doping Rule Violation: he has habetted the violation by them, of the provision 10.12.1 of the current IFBB Anti Doping Rules and 10.12.1 of the World Anti Doping Code [*'Prohibition against participation during Ineligibility*]: so, he (Mr. Manion) has committed the violation of article 2.9 of the current IFBB Anti Doping Rules and 2.9 of the World Anti Doping Code [*'Complicity: Assisting, encouraging, aiding, abetting, conspiring, covering up or any other type of intentional complicity involving an anti-doping rule violation, Attempted anti-doping rule violation or violation of Article 10.12.1 by another Person'*]

2.4) Mr. Manion, hasn't contested at all the charge: not even he hasn't provided any communication, explanation and/or written defenses about the violation notified him



through the '*Letter of Notice of Asserted Anti Doping Rule Violation*' of the IFBB Anti Doping Commission, dated October 9<sup>th</sup>.

- 2.5) Pursuant to the article 10.3.4 of the current IFBB Anti Doping Rules and 10.3.4 of the World Anti Doping Code, the Ineligibility period settled for the violation of article 2.9 [*'Complicity'*] '*[...]shall be a minimum of two years up to four years, depending on the seriousness of the violation*'. Considered that Mr. Jim Manion, at the time of events, was NPC-National Physique Committee USA- President (and, as well, IFBB Area Vice President for North America), appears adequate measure to impose him the four years period of Ineligibility.
- 2.6) Mr. Jim Manion has committed multiple violations (the first one the year 2015, the second one in the year 2017) of the same Anti Doping Rule [article 2.9 '*Complicity*'], charged him through the October 9<sup>th</sup> 2017 '*Letter of Notice of Asserted Anti Doping Rule Violation*' [see the point 1.2 above 'the Facts']. In the case in question has to be applied the last paragraph of the article 10.7.4.1 of the current World Anti Doping Code [*'...the violations shall be considered together as one single first violation, and the sanction imposed shall be based on the violation that carries the more severe sanction*'].

#### **ON THESE GROUNDS**

The IFBB Anti Doping Commission **finds:**

- that Mr. Jim Manion, abetting the participation in the NPC ('National Physique Committee') U.S.A. sanctioned events named 'Phil Heath Classic', held in Houston Texas, U.S.A. the March 28<sup>th</sup>, 2015 and 'Miami Muscle Beach Championships' held in Miami, Florida U.S.A. the June 10<sup>th</sup>, 2017, athletes (Jang Sung Yong, Lee Yae Lin, Wong Jong Seub in 'Phil Heath Classic', José Castillo in 'Miami Muscle Beach Championships') who were serving their ineligibility period due to Anti-Doping Rule Violations, **did commit the violation settled in the article 2.9 of the current IFBB Anti Doping Rules and 2.9 of the current World Anti Doping Code** [*'Complicity: Assisting, encouraging aiding, abetting, covering up or any other type of intentional complicity involving an anti doping rule violation, Attempted anti-doping Rule violation or violation of Article 10.12.1 by another person'*]: in effect, the aforesaid athletes, participating in the quoted events during their ineligibility period due to ADRV's have violated the article 10.12.1 of the current IFBB Anti Doping Rules: '*Prohibition Against Participation during Ineligibility*';
- that, pursuant to the article 10.3.4 of the current IFBB Anti Doping Rules and 10.3.4 of the World Anti Doping Code '*for violations of Article 2.9, the period of Ineligibility imposed shall be a minimum of two years up to four years, depending of on the seriousness if the violation*': in the case in question appears adequate measure to impose to mr. Manion –who, at the time of the committed violations, was President of the NPC and, as well, the IFBB Vice President for North America- an ineligibility period of **four years**;



International Federation of Bodybuilding and Fitness

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- that, in the case in question, the article 10.7.4.1 of the current World Anti Doping Code applies;
- that, pursuant the article 10.11.3 of the current IFBB Anti Doping Rules and 10.11.3 of the current World Anti Doping Code, a credit for Provisional Suspension imposed through the '*Letter of Notice of Asserted Anti Doping Rule Violation*' dated October 9<sup>th</sup>, 2017 is granted to Mr. Manion.

**Is therefore decision of the IFBB Anti Doping Commission, that Mr. Jim Manion from U.S.A is imposed the four years ineligibility period –from November 30<sup>th</sup>, 2017 to October 10<sup>th</sup> 2021 inclusive- from every charge, office and activity, in his own country or in any country for the IFBB or any IFBB-recognized and/or affiliated Continental or National Federation.**

Pursuant to article 14.10.1 of the IFBB Constitution and 13.6 of the IFBB Anti Doping Rules, Mr. Manion has the right to appeal, said the appeal which must be filed with the IFBB Appeal Commission [at [headquarters@ifbb.com](mailto:headquarters@ifbb.com)], within twenty-one (21) days of the date of this adjudication, or the right of the appeal shall be lost: The appeal, by written submission only, will be heard by the IFBB Appeal Commission.

Las Rozas, Madrid, November 30th , 2017

Prof. Mauricio de Arruda Campos  
Anti-Doping Commission - Chairman

This document is composed of four (4) pages.

Copy to: World Anti-Doping Agency and to IFBB Head Office in Madrid