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Yulia Efimova asked WADA and IOC to investigate the activities of the Salt Lake City laboratory in connection with unprofessional and negligent results of analyzing the doping sample

The leader of the Russian swimming, four-time World champion and bronze medalist of the Olympic Games 2012 Yulia Efimova, who has become a part of the global «meldonium scandal», sent a letter on 09 June 2016 to WADA and the IOC with request to investigate the activity of the anti-doping laboratory in Salt Lake City (USA). The incompetent and negligent persons who work in the laboratory disrupt the preparing of Yulia Efimova to the Olympic Games in Rio 2016 and jeopardized her appearance in Rio. The agents of Yulia Efimova – Anna Mitkova and Andrey Mitkov reported the details of this story.

Yulia Efimova sent the letter to WADA, and also the copies to the IOC (IOC Medical and Scientific Director Richard Budgett and IOC Director of Legal Affairs Howard M. Stupp) and to FINA.

Yulia Efimova expressed in the letter the following:

«As an extremely exceptional situation has occurred, I have no other choice but to contact WADA directly in order to get an explanation and ask for some further urgent directions in regard of the result management of my meldonium-positive samples and, consequently, my chances to appear in Rio 2016».

In the letter Yulia Efimova also described her situation. In the period of time from 15 February till 05 March 2016 she has provided 5 doping samples. Four samples were reported to be positive on meldonium – the doping sample from 15 February (was analyzed by the laboratory in Montreal, Canada), the samples collected on 24 February, 03 March and 05 March (were analyzed by the laboratory in Los Angeles, US). And the doping sample collected on 02 March was analyzed in the laboratory in Salt Lake City and unexpectedly was reported to be negative.

FINA imposed the provisional suspension on Efimova on 14 of March, and she wasn't able to compete and train with her coach in the USA.

Yulia Efimova tells as follows:

«I was continually asking the FINA Anti-Doping and later the FINA Doping Panel's Chairman, Mr. Robert Fox, esq., to request more scientific information about the meldonium's performance-enhancing capabilities, its properties, its pharmacokinetics, etc., as well as to request additional information at the Salt Lake City laboratory which quite surprisingly reported negative result for meldonium in my sample of 02 March 2016».

In reply on the request of Yulia Efimova by email of 02 April 2016 Salt Lake City laboratory's director, Dr. Daniel Eichner, has confirmed that they «were indeed screening for meldonium on sample 1582651. We were running all necessary positive and negative controls for this work. The sample is negative for meldonium».

By letter of 08 April 2016 FINA Doping Panel Chairman has enclosed this laboratory's information, and assumed additionally that «I suspect that this reply satisfies your request».

WADA published the official notice on 11 April 2016 – Notice on Meldonium. Based on that Notice Efimova requested FINA on 13 April 2016 to lift the provisional suspension imposed on her, as all doping samples had concentration of meldonium lower than 1000 ng/mL.

On 15 April the FINA Doping Panel Chairman has nevertheless decided to maintain the provisional suspension. Due to the following:

- «- one of the tests [sample provided on 02 March 2016 and analyzed in Salt Lake City lab] were negative and yielded no adverse analytical finding after 1 March 2016;
- no explanation was provided for the reasons why the test carried out on the sample taken on 2 March 2016 was negative, yet the other tests before and after the test carried out on 2 March were positive;
- pursuant to FINA DC 3.2.1, WADA-accredited laboratories are presumed to have conducted Sample analysis and custodial procedures in accordance with the International Standard for Laboratories and as such the laboratories are credible and reliable means of establishing an anti-doping rule violation;
- the fact that there is a negative test result in the midst of 4 positive test results prima facie point to ingestion of the prohibited substance after 01 January 2016;

- in light of the Notice, positive testing results after a negative result would prima facie point to intake of the prohibited substance after 01 January 2016».

It is clear that the main reason for the FINA Doping Panel Chairman to refuse Efimova to lift the provisional suspension was the negative doping sample collected on 02 March 2016, which was analyzed by the laboratory in Salt Lake City.

Yulia Efimova discovered the effects of that decision to maintain the provisional suspension:

«As I was provisionally suspended when the Russian Swimming Championship started (16 April 2016), I could not enjoy my chance to qualify for the Rio Olympics through Russian Swimming Championship. Moreover, due to the stress suffered by me because of the maintaining of my provisional suspension, I had a serious illness (purulent angina) after which I had to rehabilitate for almost a month. My coach (David Salo) has immediately informed me that our coach-athlete relations were terminated, and this by itself put the whole preparation process for the coming Olympics into jeopardy as well».

On 20 May 2016 the FINA Doping Panel's Chairman suddenly lifted the provisional suspension from Yulia Efimova, when the latter has received a WADA communication of the same date, informing of some reanalysis at Salt Lake City laboratory being requested. The WADA Science Dept also informed the FINA that a provisional suspension was not mandatory in case of Yulia Efimova.

On 03 June 2016 FINA, with the USADA letter, informed Yulia Efimova that WADA-accredited laboratory in Salt Lake City «has amended their initial negative result report, and has reported that your A Sample contains meldonium».

It turns out to be that if the laboratory in Salt Lake City has not reported the doping sample collected on 02 of March 2016 to be negative, the situation could be extremely different. If the FINA Doping Panel Chairman lifted the provisional suspension on Yulia Efimova on 15 of April, she could participate in the Russian Swimming Championship and qualify in a regular order for the Rio Olympic Games.

Yulia Efimova writes in the letter as follows:

«So the Salt Lake City laboratory has somehow «amended» their result, but it cannot help me to turn back time and to take part in Russian Swimming Championship on 16 April 2016, and to qualify for the Olympics without fulfilling any additional criteria».

It is evident that this WADA-accredited laboratory was acting NOT in accordance with the ISL 2015 and this laboratory is not able to provide any credible and reliable analytical finding. They even confirmed the negative result after the due request of the anti-doping organization (FINA), when some reasonable doubts related to the first result obtained have appeared, expressly stating that they «were indeed screening for meldonium on sample 1582651. We were running all necessary positive and negative controls for this work. The sample is negative for meldonium».

Yulia Efimova continues:

«These careless actions made by the Salt Lake City laboratory not only violated the «International Standard for Laboratories» (ISL) 2015 provisions, but also caused irreparable harm to me, since due to the laboratory's false-negative result my provisional suspension was not lifted in time, and I lost my chance to qualify for the Olympics through Russian national Championship. It means that this is not just a «false-negative result», but it should be considered as «false-positive result» when evaluating the Salt Lake City laboratory's violation the ISL 2015».

Yulia Efimova has provided all the documents and asked WADA and the IOC:

- «- levy an immediate suspension on Salt Lake City laboratory, pursuant to ISL 2015 and ISL June 2016;
- announce immediately a full-scale investigation of the Salt Lake City laboratory's recent activities and practice, including the re-test of its negative and positive results obtained, and appoint a truly independent commission which is to be given a broad mandate to get to the bottom of the laboratory's misconduct while seeing that impartiality and transparency prevail;
- report publicly the findings of an independent commission upon completion of the investigation, as this investigative work should be considered as a matter of priority for clean sport, and to make available all pertinent evidence».

Yulia Efimova also addressed to WADA:

«It is evident that after my false-negative sample story came to the surface, one may not trust all and every results obtained by the Salt Lake City laboratory's staff, at least screening results related to meldonium. The only way to restore this confidence leads through the overall investigation of all Salt Lake City lab's activities which results in a criminal or disciplinary body discovering or bringing forward a criminal offense or the breach of professional rules committed by

incompetent and guilty or negligent persons within the laboratory who in fact jeopardized my appearance in Rio 2016. I would be grateful for the expeditious directions in this regard».