

SUMMARY OF

CHANGES

UFC

EFFECTIVE AUGUST 2019



UFC Anti-Doping Program

2.1. Presence of a *Prohibited Substance* or its *Metabolites* or *Markers* in an *Athlete's Sample*

2.1.5. In the event an *Athlete* entering the *Program* voluntarily and promptly discloses to *USADA*, prior to testing by *USADA*, the *Use* or *Attempted Use* of any *Prohibited Substance* or *Prohibited Method* included on the *UFC Prohibited List*, then the presence or evidence of *Use* of such disclosed substance or method in an *Athlete's Sample*, shall not be considered an Anti-Doping Policy Violation if it is determined by *USADA* to have resulted from *Use* of the *Prohibited Substance* or *Prohibited Method* which occurred prior to the *Athlete* entering the *Program*.

2.5. Tampering or Attempted Tampering with any part of Doping Control

2.5.2. Absent a compelling justification, the failure to disclose to *USADA*, prior to entering the *Program*, the *Use*, *Attempted Use* or *Possession* within the previous one year of clomiphene, a *Non-Specified Method*, or a *Non-Specified Substance* prohibited at all times by the *UFC Prohibited List*. The past *Use*, *Attempted Use* or *Possession* of a *Prohibited Substance* or *Prohibited Method* shall not constitute a violation of these Policies if disclosed prior to entering the *Program*; however, the admission of such conduct shall subject the *Athlete* to the notice period requirements outlined in Article 5.7.4. Furthermore, unless the *Athlete's Use* of the substance or method in question was pursuant to a valid medical prescription or recommendation, such conduct may also be considered in sanctioning or counted as a violation for purposes of Article 10.7 if the *Athlete* subsequently commits an Anti-Doping Policy Violation.

3.2. Methods of Establishing Facts and Presumptions

3.2.1. Analytical methods or decision limits approved by *WADA* after consultation within the relevant scientific community and which have been the subject of peer review are presumed to be scientifically valid. *Decision Concentration Levels* set forth in the *UFC Prohibited List* shall not be subject to challenge.

4.1. Incorporation of the *UFC Prohibited List*

This Anti-Doping Policy hereby incorporates the *UFC Prohibited List*. Unless provided otherwise in the *UFC Prohibited List* and/or a revision thereof, the *UFC Prohibited List* and revisions shall go into effect under this Anti-Doping Policy three months after publication by *UFC* (or, to the extent applicable, *WADA*), without requiring any further action by *UFC*. All *Athletes* and other *Persons* shall be bound by the *UFC Prohibited List* and any revisions thereto, from the date they go into effect, without further formality. It is the responsibility of all *Athletes* and other *Persons* to familiarize themselves with the most up-to-date version of the *UFC Prohibited List* and all revisions thereto.

4.2. *Prohibited Substances* and *Prohibited Methods* Identified on the *UFC Prohibited List*

4.2.1. *Prohibited Substances* and *Prohibited Methods*

The *UFC Prohibited List* (which incorporates the *WADA Prohibited List* as further described therein) shall identify those *Prohibited Substances* and *Prohibited Methods* which are prohibited as doping at all times (both *In-Competition* and *Out-of-Competition*) because of their potential to enhance performance in future *Bouts* or their masking potential, and those substances and methods which are prohibited *In-Competition* only.

5.7. Notice Requirements for New *UFC Athletes* and Former *UFC Athletes* Returning to *UFC Competition*

5.7.4. A new or returning *Athlete* who admits or has an established and verifiable history of the *Use*, *Attempted Use* or *Possession* of clomiphene, a *Non-Specified Method*, or a *Non-Specified Substance* prohibited at all times by the *UFC Prohibited List* while the *Athlete* was not subject to an Anti-Doping Policy, shall not be permitted to compete in *UFC Bouts* until he/she has made him/herself available for *Testing* for a minimum period of six months before competing or one year after the *Athlete's* last established *Use*, whichever is shorter. At *USADA's* discretion, such *Athletes* may also be required to provide a minimum of two negative *Samples* during the minimum six-month notice period before being cleared for competition. This provision shall not apply in situations in which (i) the *Athlete's Use* of the *Prohibited Substance* or *Method* was pursuant to a valid *TUE* or (ii) *USADA* subsequently grants the *Athlete* a *TUE* for the substance or method in question.

6.1. Use of Accredited and Approved Laboratories

For purposes of Article 2.1, *Samples* shall be analyzed only in laboratories accredited or otherwise approved by *WADA*. The choice of the *WADA*-accredited or *WADA*-approved laboratory used for the *Sample* analysis shall be determined exclusively by *USADA*. For purposes other than Article 2.1, *USADA* may rely upon *Sample* analysis conducted elsewhere than at a *WADA* accredited or approved laboratory. Nothing in this Article shall prevent *USADA* from using other laboratories to conduct other types of forensic analysis (e.g. DNA testing or fingerprinting) or seeking the advice of outside experts.

7.1. Results Management for Tests Initiated by *USADA*

7.1.3. If the initial review of an *Adverse Analytical Finding* under Article 7.1.2 does not reveal an applicable *TUE* or entitlement to a *TUE*, as provided in the *UFC TUE* Policy, or departure that caused the *Adverse Analytical Finding*, or is below the *Decision Concentration Level* and will therefore be administered by *USADA* as an *Atypical Finding*, *USADA* shall, except in the case of *Atypical Findings*, promptly and simultaneously give written notice to the *Athlete* and *UFC*, and may also give notice to an *Athletic Commission*, if applicable. Written notice shall include the information described

in Article 14.1.1.1, as well as: (a) the *Adverse Analytical Finding*; (b) the Anti-Doping Policy violated; (c) the *Athlete's* right to promptly request the analysis of the *B Sample* or, failing such request, that the *B Sample* analysis may be deemed waived; (d) the scheduled date, time, and place for the *B Sample* analysis (which shall be scheduled within the time period specified in the *International Standard* for Laboratories) if the *Athlete* or *USADA* chooses to request an analysis of the *B Sample*; (e) the opportunity for the *Athlete* and/or the *Athlete's* representative to attend the *B Sample* opening and analysis within the time period specified in the *International Standard* for Laboratories if such analysis is requested; and (f) any *Provisional Suspension* imposed. If *USADA* decides not to bring forward the *Adverse Analytical Finding* as an Anti-Doping Policy Violation, it shall so notify the *Athlete*. *USADA* shall promptly provide the *Athlete* with an abbreviated *A Sample* documentation package. Upon receipt of the complete *A Sample* documentation package from the laboratory, *USADA* shall provide the complete *A Sample* documentation package to the *Athlete* containing all information required by the *International Standard* for Laboratories, unless the *Athlete's* case has been resolved by agreement between *USADA* and the *Athlete*.

- 7.1.7. If a *Prohibited Substance* or the *Use* of a *Prohibited Method* is identified (i.e., if the *B Sample* analysis confirms the presence of a *Prohibited Substance* or *Prohibited Method* in the *Sample* (except as contemplated by Article 2.1.3.1)), or the *B Sample* analysis is not requested or is waived (in accordance with this Anti-Doping Policy), the *Athlete* shall be given written notice of: (a) the Anti-Doping Policy Violation asserted; (b) the basis of that assertion, (c) the additional information set forth in Article 14.1.1.1; (d) the *Consequences* that *USADA* will seek to impose; (e) the *Athlete's* right within ten days of the notice, to request a hearing; and (f) that, if the *Athlete* does not request a hearing within the time limit indicated in subsection (e) of this Article, the *Consequences* will be imposed immediately. If not already provided to *Athlete*, once received by *USADA*, *USADA* shall promptly provide the *Athlete* with copies of the complete *A* and *B Sample* laboratory documentation packages that include all information required by the *International Standard* for Laboratories. *USADA* shall not be required to provide *B Sample* documentation if the *Athlete* waives analysis of its *B Sample*.
- 7.1.9. When a reported *Adverse Analytical Finding* is at a concentration below the *Decision Concentration Level* set forth in the *UFC Prohibited List*, the *Sample* shall be reviewed by *USADA* as an *Atypical Finding*. *USADA* may establish that such *Atypical Finding* is an Anti-Doping Policy Violation if, and only if, *USADA* establishes that the *Athlete* intentionally used or actually knew it used such *Prohibited Substance*

or *Prohibited Method*, or recklessly disregarded an obvious risk that such *Athlete* was using a *Prohibited Substance* or *Prohibited Method*.

7.2. Review of Atypical Findings

- 7.2.5.2. If *UFC* or *USADA* is asked by an *Athletic Commission* that has jurisdiction over an *Athlete* at the time of sample collection or jurisdiction over such *Athlete* with respect to a disciplinary or licensing hearing scheduled with the *Athlete* for which pending *Atypical Findings* are relevant or such a hearing is contemplated or disciplinary action by the *Athletic Commission* is being investigated, to disclose whether an *Athlete* licensed by the *Athletic Commission* has a pending *Atypical Finding*, *UFC* or *USADA* may so advise the *Athletic Commission* upon confirmation that such *Atypical Finding* has been disclosed to the applicable *Athlete*. *USADA* shall provide prior notice to *UFC* and *USADA* shall consult with *UFC* regarding whether the *Athletic Commission* has the requisite jurisdiction. If, following consultation, *USADA* disagrees with *UFC's* determination regarding jurisdiction of the *Athletic Commission*, and *USADA* desires to proceed with disclosure to the *Athletic Commission*, then, prior to such disclosure, and unless otherwise mutually agreed by *USADA* and *UFC*, *USADA* and *UFC* shall jointly submit the dispute on jurisdiction to the Arbitrator (which, as of the date of this Anti-Doping Policy, is McLaren Global Sport Solutions Inc.) for final determination by a single arbitrator in an expedited telephonic arbitration, and *USADA* and *UFC* will use their respective reasonable efforts to complete the arbitration, and instruct the Arbitrator to render a decision, within 48 hours of the dispute having been referred to the Arbitrator (the costs of such arbitration shall be borne by the non-prevailing party in such arbitration).
- 7.2.5.3. If an *Athletic Commission* that has requested test results and has jurisdiction over an *Athlete* at the time of sample collection or jurisdiction over such *Athlete* with respect to a disciplinary or licensing hearing scheduled with the *Athlete* for which the test results are relevant or such a hearing is contemplated or disciplinary action by the *Athletic Commission* is being investigated, and *USADA* is aware that a laboratory report of an *Adverse Analytical Finding* below a

Decision Concentration Level may be evidence of a violation of the rules or regulations of an *Athletic Commission*, *USADA* may give notice to the *Athletic Commission* with prior notice to the *UFC*, unless time is of the essence. *USADA* shall consult with *UFC* regarding whether the *Athletic Commission* has the requisite jurisdiction. If, following consultation, *USADA* disagrees with *UFC*'s determination regarding jurisdiction of the *Athletic Commission*, and *USADA* desires to proceed with disclosure to the *Athletic Commission*, then, prior to such disclosure, and unless otherwise mutually agreed by *USADA* and *UFC*, *USADA* and *UFC* shall jointly submit the dispute on jurisdiction to the Arbitrator (which, as of the date of this Anti-Doping Policy, is McLaren Global Sport Solutions Inc.) for final determination by a single arbitrator in an expedited telephonic arbitration, and *USADA* and *UFC* will use their respective reasonable efforts to complete the arbitration, and instruct the Arbitrator to render a decision, within 48 hours of the dispute having been referred to the Arbitrator (the costs of such arbitration shall be borne by the non-prevailing party in such arbitration). Results may also be provided with the prior written consent of the *UFC*.

8.1 Hearing

Any *Athlete* or other *Person* who is asserted to have committed an Anti-Doping Policy Violation shall have a right to a fair hearing before an impartial and independent hearing Panel as provided in the *UFC* Arbitration Rules. Decisions rendered pursuant to the *UFC* Arbitration Rules shall be final and binding and shall not be subject to appeal.

8.2 Waiver of Hearing

The right to a hearing may be waived either by the *Athlete* or *Person*'s express written consent or by the *Athlete* or other *Person*'s failure to challenge *USADA*'s assertion that an Anti-Doping Policy Violation has occurred as provided in *UFC*'s policies (provided that *USADA* has complied with all applicable notice provisions).

10.2 Ineligibility for Presence, Use or Attempted Use, or Possession of a Prohibited Substance or Prohibited Method

- 10.2.1 The period of *Ineligibility* shall be two years where the Anti-Doping Policy Violation involves a *Non-Specified Substance* or *Non-Specified Method*.
- 10.2.2 The period of *Ineligibility* shall be one year where the Anti-Doping Policy Violation involves a *Specified Substance* or *Specified Method*.

10.4 No Violation where there is No Fault or Negligence

- 10.4.1 If an *Athlete* or other *Person* establishes in an individual case that he or she bears *No Fault or Negligence*, then there shall be no violation of this Anti-Doping Policy, subject to the right of *UFC* or an *Athletic Commission* to disqualify bout results with the resulting consequences.
- 10.4.2 Without limitation of other evidentiary methods, an *Athlete* shall bear *No Fault or Negligence* in an individual case where the *Athlete*, by *Clear and Convincing Evidence*, demonstrates that the cause of the *Adverse Analytical Finding* was due to a (i) Contaminated Product or (ii) Certified Supplement. In such a case, there will be no Anti-Doping Policy Violation based on the *Adverse Analytical Finding* and the *Athlete* will not be permitted to compete in a *Bout* until, based on follow-up testing, the *Prohibited Substance* is no longer present in the *Athlete's Samples* (or below the applicable *Decision Concentration Level* for such *Prohibited Substance*, if any) or no appreciable performance advantage is obtained from the presence of the substance.

10.6 Elimination, Reduction, or Suspension of Period of Ineligibility or other Consequences for Reasons Other than Fault

- 10.6.2 *Full and Complete Cooperation*
 - 10.6.2.1 *USADA* in its sole discretion may suspend all or any part of the period of *Ineligibility* and other *Consequences* imposed in an individual case in which it has results management authority where the *Athlete* or other *Person* has provided *Full and Complete Cooperation*. The extent to which the otherwise applicable period of *Ineligibility* may be suspended or eliminated shall be based on the seriousness of the Anti-Doping Policy Violation and the significance of the *Full and Complete Cooperation* provided by the *Athlete* or other *Person*.
- 10.6.3 [INTENTIONALLY OMITTED]
- 10.6.4 Substances of Abuse: Rehabilitation in Lieu of, or to Reduce, *Ineligibility*
 - 10.6.4.1 Notwithstanding any other provision in this Article 10, (i) when a violation of Articles 2.1 or 2.2 involves a *Substance of Abuse* and (ii) the *Athlete* can establish by a preponderance of the evidence that the violation did not enhance, and was not intended to enhance, the *Athlete's* performance in a *Bout*, then, provided that the foregoing clauses (i) and (ii) are satisfied, the otherwise applicable period of *Ineligibility* may be reduced

or eliminated, as determined by *USADA* in its sole discretion based upon the *Athlete's* participation in a rehabilitation program as provided below.

10.6.5 *USADA's* discretionary decisions to eliminate or reduce, or not to eliminate or reduce, the otherwise applicable period of *Ineligibility* under Articles 10.6.1, 10.6.2 or 10.6.4 may be reviewed in a hearing or subject to appeal solely to the extent that the *Athlete* establishes in such hearing or appeal that such discretionary decision was retaliatory or otherwise biased against the *Athlete* due to the *Athlete's* views on the *Program*.

10.7 Multiple Violations

10.7.1 Subject to Article 10.7.3, for an *Athlete* or other *Person's* second Anti-Doping Policy Violation, the period of *Ineligibility* shall be the lesser of:

(a) the period of *Ineligibility* applicable to the first violation plus the period of *Ineligibility* for the second violation, not taking into account any reduction under Article 10.6 for either violation; or

(b) twice the period of *Ineligibility* for the second violation, not taking into account any reduction under Article 10.6.

10.7.3 *USADA* may, in its sole discretion, elect not to impose an enhanced sanction for a multiple violation in the event *USADA* has determined in *USADA's* sole and unreviewable discretion, it was unlikely that one or more of the *Athlete's* violations was intentional and/or based upon the *Athlete's* provision of significant *Substantial Assistance* or *Full and Complete Cooperation* as determined by *USADA*. Notwithstanding the prior sentence, the *Athlete* may challenge the imposition of an escalation of the period of *Ineligibility* under this Article 10.7, provided that the *Athlete* must demonstrate, by *Clear and Convincing Evidence*, that such second or third (or other applicable additional violation) was not intentional.

10.7.4 If the *Athlete* or other *Person* establishes by *Clear and Convincing Evidence* that its most recent Anti-Doping Policy violation was not intentional, then the *Athlete* or other *Person* shall not be subject to an enhancement under Article 10.7.

10.7.5 Additional Policies for Certain Potential Multiple Violations.

10.7.6 Multiple Anti-Doping Policy Violations during Ten-Year Period

For purposes of Article 10.7, each Anti-Doping Policy Violation must take place within the same ten-year period in order to be considered multiple violations.

10.10 [INTENTIONALLY OMITTED]

14.1. Information Concerning Adverse Analytical Findings, Atypical Findings, and Other Asserted Anti-Doping Policy Violations

14.1.1.1. Content of an Anti-Doping Policy Violation Notice to an *Athlete* or other *Person* notification of an Anti-Doping Policy Violation under Article 2.1 shall include, at a minimum: the *Athlete's* name and country, whether the violation was in connection with a particular *Bout*, whether the test was *In-Competition* or *Out-of-Competition*, the date of *Sample* collection, the analytical result reported by the laboratory, and other information as required by the *International Standard* for Testing and Investigations.

14.1.2. Notice of Anti-Doping Policy Violations

14.1.2.1. *USADA* will notify *UFC* of the assertion of an Anti-Doping Policy Violation simultaneously with notification to the *Athlete* or other *Person*. *USADA* will also notify *UFC* if *USADA* decides not to assert an *Adverse Analytical Finding* as an Anti-Doping Policy Violation (pending completion of *USADA's* investigation with respect to such *Adverse Analytical Finding*).

14.1.2.2. Notice of the assertion of an Anti-Doping Policy Violation may be given by *USADA* to any *Athletic Commission* provided the *Athletic Commission* has requested the results and the *Athletic Commission* has jurisdiction over an *Athlete* at the time of sample collection or jurisdiction over an *Athlete* with respect to a disciplinary or licensing hearing scheduled with the *Athlete* for which the test results are relevant or such a hearing is contemplated or disciplinary action by the *Athletic Commission* is being investigated. Results may also be provided with the written consent of the *UFC*. *USADA* shall provide prior notice to *UFC* and *USADA* shall consult with *UFC* regarding whether the *Athletic Commission* has the requisite jurisdiction. If, following consultation, *USADA* disagrees with *UFC's* determination regarding jurisdiction of the *Athletic Commission*, and *USADA* desires to proceed with disclosure to the *Athletic Commission*, then, prior to such disclosure, and unless otherwise mutually agreed by *USADA* and *UFC*, *USADA* and *UFC* shall jointly submit

the dispute on jurisdiction to the Arbitrator (which, as of the date of this Anti-Doping Policy, is McLaren Global Sport Solutions Inc.) for final determination by a single arbitrator in an expedited telephonic arbitration, and USADA and UFC will use their respective reasonable efforts to complete the arbitration, and instruct the Arbitrator to render a decision, within 48 hours of the dispute having been referred to the Arbitrator (the costs of such arbitration shall be borne by the non-prevailing party in such arbitration). USADA shall not have any responsibility for what the *Athletic Commission* does with that information.

14.3. Public Disclosure

14.3.4. If an *Athletic Commission* has requested testing results and has jurisdiction over an *Athlete* at the time of sample collection or has jurisdiction over such *Athlete* with respect to a disciplinary or licensing hearing scheduled or contemplated with the *Athlete* for which the test results are relevant or if USADA is advised such an *Athletic Commission* is conducting an investigation for which the results may be relevant, USADA may give notice to the *Athletic Commission*. USADA shall provide prior notice to UFC and USADA shall consult with UFC regarding whether such *Athletic Commission* has the requisite jurisdiction. If, following consultation, USADA disagrees with UFC's determination regarding jurisdiction of the *Athletic Commission*, and USADA desires to proceed with disclosure to the *Athletic Commission*, then, prior to such disclosure, and unless otherwise mutually agreed by USADA and UFC, USADA and UFC shall jointly submit the dispute on jurisdiction to the Arbitrator (which, as of the date of this Anti-Doping Policy, is McLaren Global Sport Solutions Inc.) for final determination by a single arbitrator in an expedited telephonic arbitration, and USADA and UFC will use their respective reasonable efforts to complete the arbitration, and instruct the Arbitrator to render a decision, within 48 hours of the dispute having been referred to the Arbitrator (the costs of such arbitration shall be borne by the non-prevailing party in such arbitration). Results may also be provided with the written consent of the UFC and pursuant to Articles 7.2.5.2, 7.2.5.3, and 14.1.2.2.

14.6. Sharing of Information in Connection with an Investigation

UFC or USADA may share confidential information with an *Athletic Commission*, any *Code Signatory Anti-Doping Organization* or law enforcement in connection with an investigation being conducted by UFC, USADA, an *Athletic Commission*, law enforcement or *Anti-Doping Organization*, in each case, provided that such entity or authority or body has requisite jurisdiction over the *Athlete*. For purposes of the foregoing, it is not necessary that the scope of jurisdiction among the various entities or bodies be identical or substantially similar. With respect to *Athletic Commissions*, USADA shall provide prior notice to UFC and USADA shall consult with UFC regarding whether the *Athletic Commission* has the requisite jurisdiction. If, following consultation, USADA disagrees with UFC's determination regarding jurisdiction of the *Athletic Commission*, and USADA desires to proceed with disclosure to the *Athletic Commission*, then, prior to such disclosure, and unless otherwise mutually agreed by USADA and UFC, USADA and UFC shall jointly submit the dispute on jurisdiction to the Arbitrator (which, as of the date of this Anti-Doping Policy, is McLaren Global Sport Solutions Inc.) for final determination by a single arbitrator in an expedited telephonic arbitration, and USADA and UFC will use their respective reasonable efforts to complete the arbitration, and instruct the Arbitrator to render a decision, within 48 hours of the dispute having been referred to the Arbitrator (the costs of such arbitration shall be borne by the non-prevailing party in such arbitration).

ARTICLE 19: [INTENTIONALLY OMITTED]

21.1 Roles and Responsibilities of Athletes

21.1.7 To use reasonable efforts to examine products to determine whether such products are *Contaminated Products* or *Certified Supplements*.

APPENDIX 1 DEFINITIONS

Adverse Analytical Finding: A report from a WADA-accredited laboratory or other WADA-approved laboratory that, consistent with the *International Standard* for Laboratories and related Technical Documents, identifies in a Sample the presence of a *Prohibited Substance* or its *Metabolites* or *Markers* (including elevated quantities of endogenous substances) or evidence of the *Use of a Prohibited Method*.

Contaminated Product: A product (other than a supplement) that either (i) contains a *Prohibited Substance* due to environmental or other innocent contamination, such as the contamination of water, food (including food that may have crossed applicable country borders notwithstanding laws or regulations in the country of origin or country of ingestion) or prescription medication or (ii) contains a *Prohibited Substance* that is not disclosed on the product label and all circumstances considered, a reasonable person using due care would not have suspected that there is a material risk that the product contains a *Prohibited Substance*.

Decision Concentration Level: See *Adverse Analytical Finding Results Management Decision Concentration Level*.

Full and Complete Cooperation: Where an *Athlete* demonstrates, as determined by USADA in its discretion, that he or she did not intend to commit the Anti-Doping Policy Violation to enhance its performance and has provided full, prompt and truthful responses and information (in each case, in all material respects) to all reasonable inquiries and requests for information regarding the applicable subject matter, which shall take into account as a mitigating factor admissions of an Anti-Doping Policy Violation, whether before notice of *Sample* collection or after. *Full and Complete Cooperation* shall in no case require an *Athlete* to, or consider whether an *Athlete* did, provide *Substantial Assistance*. *Full and Complete Cooperation* shall eliminate the possibility of sanction on account of *Aggravating Circumstances*.

Program: The UFC anti-doping program described in this Anti-Doping Policy.

UFC Prohibited List: The UFC list incorporated into this Anti-Doping Policy identifying the *Prohibited Substances* and *Prohibited Methods*.