EFFECTIVE AUGUST 2019

ANTI-DOPING POLICY

UFC

EFFECTIVE AUGUST 2019

USADA

UFC Anti-Doping Program
PROGRAM OBJECTIVES

This Anti-Doping Policy is a central and integral part of UFC's efforts to protect the health and safety of its Athletes, and their right to compete on a level playing field. UFC's goal for this Anti-Doping Policy is to be the best, most effective and progressive anti-doping program in all of professional sport.

This Anti-Doping Policy is modeled on the World Anti-Doping Code (the “Code”) and, except as provided otherwise herein, should be interpreted and applied in a manner consistent with the Code.

This Anti-Doping Policy consists of sport rules governing the conditions under which UFC sport is conducted. It is distinct in nature from criminal and civil laws, and is not intended to be subject to or limited by any national requirements and legal standards applicable to criminal or civil proceedings. When reviewing the facts and the law of any given case, all judicial or other adjudicating bodies should be aware of and respect the distinct nature of this Anti-Doping Policy and the fact that the Code upon which it is based represents the consensus of a broad spectrum of stakeholders around the world as to what is necessary to protect and ensure fair sport. UFC may delegate all or any part of its responsibilities and authority under this Program to the United States Anti-Doping Agency, other Anti-Doping Organizations, or other third-party providers of anti-doping services. Other than where express rights are reserved or delegated to UFC, references to UFC in this Program shall include USADA, other Anti-Doping Organizations, or third-party anti-doping service providers to which UFC has made a delegation.

SCOPE AND APPLICATION OF THE POLICY

This Anti-Doping Policy shall apply to UFC and its officials, employees and independent contractors, and each Participant in a UFC Bout. It also applies to the following: Athletes, Athlete Support Personnel, and other Persons, each of whom is deemed, as a condition of his/her contract with UFC, license with any Athletic Commission, accreditation and/or participation in a UFC Bout or by the preparation of Athletes for participation in any UFC Bout, to have agreed to be bound by this Anti-Doping Policy, and to have submitted to the authority of UFC and USADA to enforce this Anti-Doping Policy and to have submitted to the jurisdiction of the hearing panel specified in Article 8 to hear and determine cases brought under this Anti-Doping Policy. More specifically, this Anti-Doping Policy shall apply to:

A. All Athletes under contract (i.e., have executed a Promotional Agreement) with UFC, from the effective date of their contract until the earlier of the termination of their contract with UFC or such time as they give notice to UFC in writing of their retirement from competition; (for the avoidance of doubt, if an Athlete returns to UFC under the same or a new Promotional Agreement, this Anti-Doping Policy shall apply to such Athlete); and

B. All Athlete Support Personnel who are directly working with, treating or assisting an Athlete in a Professional or Sport Related Capacity or who have been identified by an Athlete to UFC or USADA as an Athlete Support Person.

Any Athlete, Athlete Support Person, or other Person who commits an Anti-Doping Policy Violation while subject to this Anti-Doping Policy shall remain subject to this Anti-Doping Policy for purposes of results management and Consequences (to the extent applicable) after the relationship which originally gave rise to UFC’s or USADA’s authority has ceased.
ARTICLE 1: DEFINITION OF DOPING

Doping is defined as the occurrence of one or more of the Anti-Doping Policy Violations set forth in Article 2.1 through Article 2.10 of this Anti-Doping Policy.

ARTICLE 2: ANTI-DOPING POLICY VIOLATIONS

The purpose of Article 2 is to specify the circumstances and conduct which constitute Anti-Doping Policy Violations. Hearings in doping cases will proceed based on the assertion by USADA that one or more of these specific policies has been violated.

Athletes or other Persons subject to this Anti-Doping Policy shall be responsible for knowing what constitutes an Anti-Doping Policy Violation and the substances and methods included on the UFC Prohibited List.

The following constitute Anti-Doping Policy Violations:

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

2.1.1. It is each Athlete’s personal duty to ensure that no Prohibited Substance enters his or her body. Athletes are responsible for any Prohibited Substance or its Metabolites or Markers found to be present in their Samples. Accordingly, it is not necessary that intent, Fault, negligence or knowing Use on the Athlete’s part be demonstrated in order to establish an Anti-Doping Policy Violation under Article 2.1 (subject to the other express provisions of this Anti-Doping Policy that do incorporate concepts of intent, knowledge, Fault, No Fault or Negligence or other evidentiary standards).

2.1.2. Sufficient proof of an Anti-Doping Policy Violation under Article 2.1 is established by any of the following: presence of a Prohibited Substance or its Metabolites or Markers in the Athlete’s A Sample where, after notice to the Athlete is provided in Article 7, the B Sample is not analyzed (including due to the Athlete’s waiver of its right to have to the B Sample analyzed); or, where the Athlete’s B Sample is analyzed and the analysis of the Athlete’s B Sample confirms the presence of the Prohibited Substance or its Metabolites or Markers found in the Athlete’s A Sample or in the conditions described in the WADA International Standard For Laboratories, where the Athlete’s B Sample is split into two bottles and the analysis of the second bottle confirms the presence of the Prohibited Substance or its Metabolites or Markers found in the first bottle.

2.1.3. Except for those substances for which a quantitative threshold or Decision Concentration Level is specifically identified in the UFC Prohibited List, and as provided in Articles 2.1.3.1 and 2.1.3.2, the presence of any quantity of a Prohibited Substance or its Metabolites or Markers in an Athlete’s Sample shall constitute an Anti-Doping Policy Violation.

2.1.3.1 Solely for those Prohibited Substances for which a Decision Concentration Level is specifically identified in the UFC Prohibited List, if the A or B Sample is below the applicable Decision Concentration Level, then such finding shall be treated as an Atypical Finding under this Anti-Doping Policy.

2.1.3.2 Solely for those Prohibited Substances for which a Decision Concentration Level is specifically identified in the UFC Prohibited List, if both of the Athlete’s A and B Samples are at or above the applicable Decision Concentration Level, then the Athlete shall not be permitted to challenge, in a hearing or otherwise, that the Athlete’s A and/or B Sample was below the applicable Decision Concentration Level (provided that, this provision shall not limit the Athlete’s right to challenge, in a hearing or otherwise, whether the Prohibited Substance was present in the Athlete’s A and/or B Samples).

2.1.4. As an exception to the general rule of Article 2.1, the International Standards and WADA Technical Documents or the UFC Prohibited List may establish special criteria for the evaluation of specific Prohibited Substances and Prohibited Methods.

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.

2.2. Use or Attempted Use by an Athlete of a Prohibited Substance or a Prohibited Method

2.2.1. It is each Athlete’s personal duty to ensure that no Prohibited Substance enters his or her body and that no Prohibited Method is Used. Accordingly, except as specifically provided otherwise in this Anti-Doping Policy, it is not necessary that intent, Fault, negligence or knowing Use on the Athlete’s part be demonstrated in order to establish an Anti-Doping Policy Violation for Use of a Prohibited Substance or a Prohibited Method (subject to the other express provisions of this Anti-Doping Policy that do incorporate concepts of intent, knowledge, Fault, Negligence and other standards).

2.2.2. The success or failure of the Use or Attempted Use of a Prohibited Substance or Prohibited Method is not material. It is sufficient that the Prohibited Substance or Prohibited Method was Used or Attempted to be Used for an Anti-Doping Policy Violation to be committed.

2.3. Evading, Refusing or Failing to Submit to Sample Collection

Intentionally evading Sample collection, or without compelling justification, intentionally refusing or intentionally or negligently failing to submit to Sample collection after notification as authorized in this Anti-Doping Policy.

2.4. Whereabouts Failures

Any combination of three Whereabouts Failures within a twelve-month period as defined in the Whereabouts Policy developed by UFC.
2.5. Tampering or Attempted Tampering with any part of Doping Control

Conduct which subverts the Doping Control process but which would not otherwise be included in the definition of Prohibited Methods: Without limitation, Tampering shall include the following:

2.5.1. Intentionally interfering or attempting to interfere with a Doping Control official, providing fraudulent information to UFC or USADA, or intimidating or attempting to intimidate a potential witness.

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.

2.6. Possession of a Prohibited Substance or a Prohibited Method

2.6.1. Possession by an Athlete In-Competition of any Prohibited Substance or any Prohibited Method, or Possession by an Athlete Out-of-Competition of any Prohibited Substance or any Prohibited Method which is prohibited Out-of-Competition unless the Athlete establishes that the Possession is consistent with a Therapeutic Use Exemption (“TUE”) granted in accordance with Article 4.4 or other acceptable justification.

2.6.2. Possession by an Athlete Support Person In-Competition of any Prohibited Substance or any Prohibited Method, or Possession by an Athlete Support Person Out-of-Competition of any Prohibited Substance or any Prohibited Method which is prohibited Out-of-Competition in connection with an Athlete, competition or training, unless the Athlete Support Person establishes that the Possession is consistent with a TUE granted to an Athlete in accordance with Article 4.4 or other acceptable justification.

2.7. Trafficking or Attempted Trafficking in any Prohibited Substance or Prohibited Method

2.8. Administration or Attempted Administration to any Athlete, In-Competition of any Prohibited Substance or Prohibited Method, or Administration or Attempted Administration to any Athlete Out-of-Competition of any Prohibited Substance or any Prohibited Method that is prohibited Out-of-Competition.

2.9. Complicity

Assisting, encouraging, aiding, abetting, conspiring, covering up or any other type of intentional complicity involving (a) an Anti-Doping Policy Violation, Attempted Anti-Doping Policy Violation or violation of Article 10.12.1 by another Person; or (b) conduct committed by an individual who is not subject to this Anti-Doping Policy, which would otherwise have constituted an Anti-Doping Policy Violation.

2.10. Prohibited Association

Association by an Athlete or other Person in a Professional or Sport Related Capacity with any Athlete Support Person who:

2.10.1. If subject to the authority of UFC, USADA, another Anti-Doping Organization or Athletic Commission, is serving a period of Ineligibility; or

2.10.2. If not subject to the authority of UFC, USADA another Anti-Doping Organization or Athletic Commission, has been convicted or found in a criminal, disciplinary or professional proceeding to have engaged in conduct which would have constituted a violation of this Anti-Doping Policy if this Anti-Doping Policy had been applicable to such Person. The disqualifying status of such Person shall be in force for the longer of six years from the criminal, professional or disciplinary decision or the duration of the criminal, disciplinary or professional sanction imposed; or

2.10.3. Is serving as a front or intermediary for an individual described in Articles 2.10.1 or 2.10.2.

In order for this provision to apply, it is necessary that the Athlete or other Person has previously been advised in writing by USADA of the Athlete Support Person’s disqualifying status and the potential Consequence of prohibited association and that the Athlete or other Person can reasonably avoid the association. USADA shall also use reasonable efforts to advise the Athlete Support Person who is the subject of the notice to the Athlete or other Person that the Athlete Support Person may, within 15 days, come forward to USADA to explain that the criteria described in Articles 2.10.1 and 2.10.2 do not apply to him or her. Notwithstanding Article 17, this Article applies even when the Athlete Support Person’s disqualifying conduct occurred prior to the Program Start Date provided in Article 20.5.

The burden shall be on the Athlete or other Person to establish that any association with Athlete Support Personnel described in Article 2.10.1 or 2.10.2 is not in a Professional or Sport Related Capacity.

ARTICLE 3: PROOF OF DOPING

3.1. Burdens and Standards of Proof

USADA shall have the burden of establishing that an Anti-Doping Policy Violation has occurred. The standard of proof shall be whether USADA has established an Anti-Doping Policy Violation with Clear and Convincing evidence. Where this Anti-Doping Policy places the burden of proof upon the Athlete or other Person alleged to have committed an Anti-Doping Policy Violation to rebut a presumption or establish specified facts or circumstances, the standard of proof shall be by a preponderance of the evidence except as otherwise provided herein.
3.2. Methods of Establishing Facts and Presumptions

Facts related to Anti-Doping Policy Violations may be established by any reliable means, including admissions. The following rules of proof shall be applicable in doping cases:

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.

3.2.2. WADA-accredited laboratories, and other laboratories approved by WADA, are presumed to have conducted Sample analysis and custodial procedures in accordance with the International Standard for Laboratories. The Athlete or other Person may rebut this presumption by establishing that a departure from the International Standard for Laboratories occurred which could reasonably have caused the Adverse Analytical Finding. If the Athlete or other Person rebuts the preceding presumption by showing that a departure from the International Standard for Laboratories occurred which could reasonably have caused the Adverse Analytical Finding, then USADA shall have the burden to establish that such departure did not cause the Adverse Analytical Finding.

3.2.3. Departures from any other International Standard or other Anti-Doping Policy or rule set forth in this Anti-Doping Policy which did not cause an Adverse Analytical Finding or other Anti-Doping Policy Violation shall not invalidate such evidence or results. If the Athlete or other Person establishes a departure from another International Standard or other Anti-Doping Policy or rule which could reasonably have caused an Anti-Doping Policy Violation based on an Adverse Analytical Finding or other Anti-Doping Policy Violation, then USADA shall have the burden to establish that such departure did not cause the Adverse Analytical Finding or the factual basis for the Anti-Doping Policy Violation.

3.2.4. The facts established by a decision of a court or professional disciplinary tribunal of competent jurisdiction which is not the subject of a pending appeal shall be irrefutable evidence against the Athlete or other Person to whom the decision pertained of those facts unless the Athlete or other Person establishes that the decision violated principles of natural justice.

3.2.5. The hearing panel in a hearing on an Anti-Doping Policy Violation may draw a reasoned inference adverse to the Athlete or other Person who is asserted to have committed an Anti-Doping Policy Violation based on the Athlete’s or other Person’s refusal, after a written request made in a reasonable time in advance of the hearing, to appear at the hearing (either in person or telephonically as directed by the hearing panel) and to answer questions from the hearing panel or USADA.

3.2.6. The presumptions set forth in Article 3.2.1 and 3.2.2 may be rebutted by an Athlete or other Person as provided in Article 3.1.
4.4.2. All Athletes Using or intending to Use a Prohibited Substance or Prohibited Method must seek a TUE from USADA or its designee pursuant to the TUE Policy developed by UFC.

4.4.3. Any Athlete subject to UFC or USADA authority as provided in the scope of this Anti-Doping Policy who obtains a TUE from an Athletic Commission or other Anti-Doping Organization shall promptly provide USADA with a copy of the TUE and all documentation submitted in support of the TUE. USADA shall also have the right to request additional documentation and evaluation from the Athlete. USADA shall, within 21 days of USADA’s receipt of a request for a TUE, documentation supporting the TUE, and any additional information requested by USADA, notify the Athlete that it is either granting or denying the TUE.

4.4.4. Requests for TUEs should be submitted in accordance with the following timeline: (a) at least 21 days in advance of the Athlete’s intended Use of the prohibited medication when the Athlete is not scheduled to participate in a Bout; (b) at least 90 days in advance of the Athlete’s intended Use when the Athlete is scheduled to participate in any Bout more than 90 days in the future; or (c) as soon as practicable when the Athlete is scheduled to participate in a Bout with less than 90 days advance notice. USADA will consider late filed or applications for retroactive TUEs; however, in such instances, the Athlete may be charged up to the full cost for processing the TUE application where such late filing, in the determination of USADA, is not attributed to factors outside the Athlete’s control.

4.4.5. Expiration, Cancellation, Withdrawal or Reversal of a TUE

4.4.5.1. A TUE granted pursuant to this Anti-Doping Policy: (a) shall expire automatically at the end of any term for which it was granted, without the need for any further notice or other formality; (b) may be cancelled if the Athlete does not promptly comply with any requirements or conditions imposed by the TUE Committee upon grant of the TUE; or (c) may be withdrawn by the TUE Committee if it is subsequently determined that the criteria for grant of a TUE are not in fact met.

4.4.5.2. In such event, the Athlete shall not be subject to any Consequences based on his/her Use or Possession or Administration of the Prohibited Substance or Prohibited Method in question in accordance with the TUE prior to the effective date of expiry, cancellation, withdrawal or reversal of the TUE. The review pursuant to Article 7.2 of any subsequent Adverse Analytical Finding shall include consideration of whether such finding is consistent with Use of the Prohibited Substance or Prohibited Method prior to that date, in which event no Anti-Doping Policy Violation shall be asserted.

4.4.6. Coordination with Athletic Commissions

UFC or USADA will attempt to coordinate TUE applications with applicable Athletic Commissions. UFC Athletes are on notice, however, that because UFC and USADA do not control Athletic Commission decisions to recognize a UFC TUE or to grant their own TUEs, UFC Athletes should not use any substance or method prohibited by an Athletic Commission unless they are certain that an Athletic Commission TUE is in place. In addition, any Athlete who obtains a TUE from an Athletic Commission or other Anti-Doping Organization, will still need to apply for a UFC TUE.

4.4.7. Appeal of a TUE Application Denied by UFC

USADA’s denial of a TUE application may be appealed pursuant to the UFC Arbitration Rules after exhaustion of the administrative review provided in this Anti-Doping Policy and in any TUE Policy adopted by UFC or its designee.

ARTICLE 5: TESTING AND INVESTIGATIONS

5.1. Purpose of Testing and Investigations

Testing and investigations by USADA, or UFC in cooperation with USADA, shall only be undertaken for anti-doping purposes. They shall be conducted in conformity with the provisions of the International Standard for Testing and Investigations and any specific protocols of UFC supplementing or modifying that International Standard.

5.1.1. Testing shall be undertaken to obtain analytical evidence as to the Athlete’s compliance (or non-compliance) with the prohibitions set forth in this Anti-Doping Policy on the presence/Use of a Prohibited Substance or Prohibited Method. Test distribution planning, Testing, post-Testing activity and all related activities conducted by USADA shall be in conformity with the International Standard for Testing and Investigations unless otherwise modified by a UFC protocol. USADA shall determine the number and type of tests to be performed, in accordance with the criteria established by the International Standard for Testing and Investigations and this Anti-Doping Policy. Unless otherwise modified by a UFC protocol, provisions of the International Standard for Testing and Investigations shall apply automatically in respect of all such Testing.

5.1.2. Investigations shall be undertaken:

5.1.2.1. in relation to Adverse Analytical Findings, Atypical Findings, Atypical Passport Findings and Adverse Passport Findings, in accordance with Articles 7.1, 7.2 and 7.3 respectively, gathering intelligence or evidence (including, in particular, analytical evidence) in order to determine whether an Anti-Doping Policy Violation has occurred under Article 2.1 and/or Article 2.2; and

5.1.2.2. in relation to other indications of potential Anti-Doping Policy Violations, in accordance with Articles 7.4 and 7.5, gathering intelligence or evidence (including, in particular, non-analytical evidence) in order to determine whether an Anti-Doping Policy Violation has occurred under any of Articles 2.2 to 2.10.

5.1.3. USADA and UFC may obtain, assess and process anti-doping intelligence from all available sources, to inform the development of an effective, intelligent and proportionate test distribution plan, to plan Target Testing,
to form the basis of an investigation into a possible Anti-Doping Policy Violation(s) and/or to bring cases based on evidence of the violation of anti-doping rules.

5.2. Authority to conduct Testing

5.2.1. USADA shall have In-Competition and Out-of-Competition Testing authority over all of the Athletes identified in this Anti-Doping Policy (under the heading “Scope and Application of the Policy”).

5.2.2. USADA may require any Athlete over whom it has Testing authority (including any Athlete serving a period of Ineligibility) to provide a Sample at any time and at any place.

5.3. Bout Testing

5.3.1. Unless otherwise required by an Athletic Commission, at UFC Bouts, the collection of Samples shall be initiated and directed by USADA or its designee.

5.4. Test Distribution Planning

Consistent with the International Standard for Testing and Investigations, USADA shall develop and implement an effective, intelligent and proportionate test distribution plan, including consideration of types of Testing, types of Samples collected, and types of Sample analysis.

5.5. Coordination of Testing

USADA may coordinate Testing with Athletic Commissions or other Anti-Doping Organizations conducting Testing of the same Athletes.

5.6. Athlete Whereabouts Information

Athletes shall provide their whereabouts information to USADA as required by the Whereabouts Policy developed by UFC.

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

5.7.1. An Athlete who has not previously competed in UFC, may not compete in UFC Bouts until he/she has executed a Promotional Agreement with UFC and made him/herself available for Testing for a minimum period of one month before his/her first UFC Bout. Where the conditions set forth in Article 5.7.6 below are satisfied, the foregoing rule shall not prevent a new UFC Athlete from participating in a Bout less than one month after entering into a Promotional Agreement with UFC.

5.7.2. An Athlete who ceases to have a contractual relationship with UFC due to UFC-Initiated Inactivity, may not resume competing in UFC Bouts until he/she has entered into a new Promotional Agreement with UFC and has made him/herself available for Testing for a period of one month before returning to competition. Where the conditions set forth in Article 5.7.6 below are satisfied, the foregoing rule shall not prevent a returning UFC Athlete from participating in a Bout less than one month after entering into a new Promotional Agreement with UFC.

5.7.3. An Athlete who gives notice of retirement to UFC, or has otherwise ceased to have a contractual relationship with UFC due to Athlete-Initiated Inactivity, may not resume competing in UFC Bouts until he/she has given UFC written notice of his/her intent to resume competing and has made him/herself available for Testing for a period of six months before returning to competition. UFC may grant an exemption to the six-month written notice rule in exceptional circumstances or where the strict application of that rule would be manifestly unfair to an Athlete.

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 clenbuterol, 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.

5.7.5. If an Athlete retires from UFC competition while subject to a period of Ineligibility, the Athlete shall not resume competing in UFC Bouts or competitions approved or sanctioned by an Athletic Commission until the Athlete has given six months prior written notice (or notice equivalent to the period of Ineligibility remaining as of the date the Athlete retired, if that period was longer than six months) to UFC of his/her intent to resume competing and has made him/herself available for Testing throughout the notice period. Similarly, if an Athlete is retired at the time a period of Ineligibility is imposed, then the Athlete’s sanction shall be tolled until such time he/she provides written notice of his/her intent to resume competing and makes him/herself available for Testing.

5.7.6. The one-month notice period requirement for an Athlete subject to Articles 5.7.1 and 5.7.2 shall be waived automatically where he/she is named to a Fight Card as a replacement for an Athlete who was withdrawn from the Fight Card due to loss of eligibility, injury or other event not reasonably foreseeable to UFC.

ARTICLE 6: ANALYSIS OF SAMPLES

Samples shall be analyzed in accordance with the following principles:

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
preclude 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.

6.2. Purpose of Analysis of Samples

Samples shall be analyzed to detect Prohibited Substances and Prohibited Methods and other substances as may be directed by WADA pursuant to the Monitoring Program described in Article 4.5 of the Code; or to assist USADA in profiling relevant parameters in an Athlete’s urine, blood or other matrix, including DNA or genomic profiling; or for any other legitimate anti-doping purpose. Samples may be collected and stored for future analysis.

6.3. Research on Samples

No Sample may be used for research before the Athlete’s written consent has been given. Samples used for purposes other than Article 6.2 shall have any means of identification removed such that they cannot be traced back to a particular Athlete.

6.4. Standards for Sample Analysis and Reporting

Laboratories shall analyze Samples and report results in conformity with the International Standard for Laboratories.

6.4.1. As provided in the International Standard for Laboratories, laboratories at their own initiative and expense may analyze Samples for Prohibited Substances or Prohibited Methods not specified by USADA. Results from any such analysis shall be reported and have the same validity and consequence as any other analytical result.

6.5. Further Analysis of Samples

Any Sample may be stored and subject to further analysis by USADA at any time before both the A and B Sample analytical results (or A Sample result where B Sample analysis has been waived in accordance with this Anti-Doping Policy or will not be performed) have been communicated by USADA to the Athlete as the asserted basis for an Anti-Doping Policy Violation. Further analysis of Samples shall conform to the requirements of the International Standard for Laboratories. Samples may be stored and subjected to further analysis for the purpose of Article 6.2 at any time exclusively at the discretion of USADA. Further analysis of Samples shall conform to the requirements of the International Standard for Laboratories.

ARTICLE 7: RESULTS MANAGEMENT

USADA or its designee shall have exclusive results management authority for any Anti-Doping Policy Violation asserted under these policies.

7.1. Results Management for Tests Initiated by USADA

Results management for tests initiated by USADA or its designee shall proceed as set forth below:

7.1.1. The results from all analyses must be sent to USADA in encoded form, in a report signed by an authorized representative of the laboratory. All communication must be conducted confidentially.

7.1.2. Upon receipt of an A Sample Adverse Analytical Finding, USADA shall conduct a review to determine whether: (a) the Adverse Analytical Finding is consistent with a TUE that has been or will be granted as provided in the UFC TUE Policy, or (b) there is any apparent departure from the International Standard for Testing and Investigations or International Standard for Laboratories that caused the Adverse Analytical Finding.

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.

7.1.4. Where requested by the Athlete or USADA, arrangements shall be made for Testing the B Sample within the time period specified in the International Standard for Laboratories, or such longer time as may be reasonably required under the circumstances without undue delay. An Athlete may accept the A Sample analytical results by waiving the requirement for B Sample analysis. If waived by the Athlete, USADA may nonetheless elect to proceed with the B Sample analysis.

7.1.5. The Athlete and/or his or her representative shall be allowed to be present at the analysis of the B Sample, which shall take place within the time period specified in the International Standard for Laboratories, or such longer time as may be reasonably required under the circumstances without undue delay. Also, a representative of USADA shall be allowed to be present.

7.1.6. If the B Sample proves negative, then, unless USADA takes the case forward as an Anti-Doping Policy Violation under Article 2.2, the entire Test shall be considered negative and the Athlete and UFC shall be so informed.
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.

7.1.8. Written notice to an Athlete or other Person, for all purposes of this Anti-Doping Policy, shall be effective when delivered by overnight courier to the Athlete or other Person’s most recent mailing address on file with USADA or the UFC legal department or by email to the Athlete or other Person’s most recent email address on file with USADA or the UFC legal department. Actual notice may be accomplished by any other means.

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

7.2.1. As provided in the International Standard for Laboratories, in some circumstances laboratories are directed to report the presence of certain other Prohibited Substances, as Atypical Findings, i.e., as findings that are subject to further investigation.

7.2.2. Upon receipt of an Atypical Finding, USADA shall conduct a review to determine whether: (a) an applicable TUE has been granted or will be granted as provided in the UFC TUE Policy, or (b) there is any apparent departure from the International Standard for Testing and Investigations or International Standard for Laboratories that caused the Atypical Finding.

7.2.3. If the review of an Atypical Finding under Article 7.2.2 reveals an applicable TUE or a departure from the International Standard for Testing and Investigations or the International Standard for Laboratories that caused the Atypical Finding, the entire Test shall be considered negative for purposes of Article 2.1 and the Athlete shall be so informed.

7.2.4. If that review does not reveal an applicable TUE or a departure from the International Standard for Testing and Investigations or the International Standard for Laboratories that caused the Atypical Finding, USADA shall conduct the required investigation or cause it to be conducted. After the investigation is completed, if the Atypical Finding will be brought forward as an Adverse Analytical Finding, the Athlete shall be notified in accordance with Article 7.1.7.

7.2.5. USADA will not provide notice of an Atypical Finding until it has completed its investigation and has decided whether it will bring the Atypical Finding forward as an Adverse Analytical Finding unless one of the following circumstances exists:

7.2.5.1. If USADA determines the B Sample should be analyzed prior to the conclusion of its investigation, it may conduct the B Sample analysis after giving written notice to the Athlete, with such notice to include a description of the Atypical Finding and the information described in Article 7.1.3(d) to (f).

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.

7.3. Review of Atypical Passport Findings and Adverse Passport Findings

USADA may provide Athlete Biological Passport information to and receive Athlete Biological Passport information from other Anti-Doping Organizations.

Review of Atypical Passport Findings and Adverse Passport Findings shall take place as provided in the International Standard for Testing and Investigations and International Standard for Laboratories. At such time as USADA is satisfied that an Anti-Doping Policy Violation has occurred, it shall promptly give written notice to the Athlete, as provided in Article 7.1.7, as applicable.

7.4. Review of Whereabouts Failures

USADA shall review potential Whereabouts Failures, as defined in UFC’s Whereabouts Policy. At such time as USADA is satisfied that an Article 2.4 Anti-Doping Policy Violation has occurred, it shall promptly give written notice to the Athlete, providing information identified in Article 7.1.7, as applicable.

7.5. Review of Other Potential Anti-Doping Policy Violations Not Covered by Articles 7.1 – 7.4

USADA shall conduct any follow-up investigation required into any potential Anti-Doping Policy Violation not covered by Articles 7.1- 7.4. At such time as USADA is satisfied that an Anti-Doping Policy Violation has occurred, it shall promptly give written notice to the Athlete or other Person, providing information identified in Article 7.1.7, as applicable.

7.6. Identification of Prior Anti-Doping Policy Violations

Before giving an Athlete or other Person written notice of an asserted Anti-Doping Policy Violation as provided above, USADA shall attempt to determine whether any prior Anti-Doping Policy Violation exists.

7.7. Provisional Suspensions

7.7.1. Optional Provisional Suspension: USADA may impose a Provisional Suspension on an Athlete or other Person against whom an Anti-Doping Policy Violation is asserted at any time after the review and notification described in Article 7.1 and prior to the final hearing as described in Article 8.

7.7.2. Where a Provisional Suspension is imposed pursuant to Article 7.7.1, the Athlete or other Person shall be given either: (a) an opportunity for a Provisional Hearing either before or on a timely basis after imposition of the Provisional Suspension; or (b) an opportunity for an expedited final hearing in accordance with Article 8 on a timely basis after imposition of the Provisional Suspension.

7.7.2.1. Provisional Hearings shall be conducted by a single arbitrator and heard via conference call within the time frame specified by USADA. The sole issue to be determined by the Arbitrator at such a hearing will be whether USADA’s decision that a Provisional Suspension should be imposed shall be upheld.

7.7.2.2. USADA’s decision to impose a Provisional Suspension shall be upheld if probable cause exists for USADA to proceed with a charge of an Anti-Doping Policy Violation against the Athlete. It shall not be necessary, however, for any B Sample analysis to have been completed in order to establish probable cause.

7.7.2.3. The Provisional Suspension may also be lifted if the Athlete demonstrates to USADA or to the Arbitrator that his/her violation is likely to have resulted from the Use of a Contaminated Product.

7.7.3. If a Provisional Suspension is imposed based on an A Sample Adverse Analytical Finding and subsequent analysis of the B Sample does not confirm the A Sample analysis, then the Athlete shall not be subject to any further Provisional Suspension on account of a violation of Article 2.1.

7.7.4. In all cases where an Athlete or other Person has been notified of an Anti-Doping Policy Violation but a Provisional Suspension has not been imposed on him or her, the Athlete or other Person shall be offered the opportunity to accept a Provisional Suspension voluntarily pending the resolution of the matter.

7.8. Resolution without a Hearing

7.8.1. An Athlete or other Person against whom an Anti-Doping Policy Violation is asserted may admit that violation at any time, expressly waive a hearing, and accept the Consequences that have been offered by USADA.

7.8.2. Alternatively, if the Athlete or other Person against whom an Anti-Doping Policy Violation is asserted fails to dispute that assertion within the reasonable deadline specified in the notice sent by USADA asserting the violation, then the Athlete or other Person shall be deemed to have admitted the violation, to have waived a hearing, and to have accepted the Consequences that have been offered by USADA.
7.9. Retirement or Termination of UFC Contract

If an Athlete retires or ceases to be under contract with UFC while USADA is conducting the results management process, including the investigation of any Adverse Analytical Finding, Atypical Finding, Atypical Passport Finding, or potential non-analytical violation, USADA retains jurisdiction to complete its results management process. If an Athlete retires or ceases to be under contract with UFC before any results management process has begun, and USADA had results management authority over the Athlete at the time the Athlete committed an Anti-Doping Policy Violation, USADA has authority to conduct results management in respect of that Anti-Doping Policy Violation. If USADA had results management authority over Athlete Support Personnel or another Person at the time they committed an Anti-Doping Policy Violation, USADA has authority to conduct results management in respect of that Anti-Doping Policy Violation.

ARTICLE 8: RIGHT TO A FAIR, IMPARTIAL AND INDEPENDENT HEARING

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).

ARTICLE 9: [INTENTIONALLY OMITTED]

ARTICLE 10: SANCTIONS ON INDIVIDUALS

10.1 Disqualification of Results for an Anti-Doping Policy Violation in Connection with a Bout

An Anti-Doping Policy Violation occurring or present during, or in connection with, a Bout may, upon the decision of UFC, lead to Disqualification of all of the Athlete’s results obtained in that Bout with all Consequences, including, without limitation, forfeiture of title, ranking, purse or other compensation, except as provided in Article 10.1.1.

Factors to be included in considering whether to Disqualify an Athlete’s results might include, for example, the seriousness of the Athlete’s Anti-Doping Policy Violation and the Athlete’s degree of Fault.

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

The period of Ineligibility for a violation of Articles 2.1, 2.2 or 2.6 shall be as follows, subject to potential reduction or suspension pursuant to Articles 10.4, 10.5 or 10.6 or potential increase in the period of Ineligibility under Article 10.2.3:

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.

10.2.3 The period of Ineligibility may be increased up to an additional two years where Aggravating Circumstances are present.

10.3 Ineligibility for Other Anti-Doping Policy Violations

The period of Ineligibility for Anti-Doping Policy Violations other than as provided in Article 10.2 shall be as follows, unless Article 10.6 is applicable:

10.3.1 For violations of Article 2.3 or Article 2.5, the period of Ineligibility shall be a minimum of two years and a maximum of four years.

10.3.2 For violations of Article 2.4, the period of Ineligibility shall be two years, subject to reduction down to a minimum of six months, depending on the Athlete’s degree of Fault. The flexibility between two years and six months of Ineligibility in this Article is not available to Athletes where a pattern of last-minute whereabouts changes or other conduct raises a serious suspicion that the Athlete was trying to avoid being available for Testing.

10.3.3 For violations of Article 2.7 or 2.8, the period of Ineligibility shall be a minimum of four years up to lifetime Ineligibility, depending on the seriousness of the violation. An Article 2.7 or Article 2.8 violation involving a Minor shall be considered a particularly serious violation and, if committed by Athlete Support Personnel for violations other than for Specified Substances, shall result in lifetime Ineligibility for the Athlete Support Personnel. In addition, violations of Article 2.7 or 2.8 which may also violate non-sporting laws and regulations, may be reported to the competent administrative, professional or judicial authorities.

10.3.4 For violations of Article 2.9, the period of Ineligibility imposed shall be a minimum of two years, up to four years, depending on the seriousness of the violation.

10.3.5 For violations of Article 2.10, the period of Ineligibility shall be two years, subject to reduction down to a minimum of nine months, depending on the Athlete or other Person’s degree of Fault and other circumstances of the case.
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.

10.5  Reduction of the Period of Ineligibility based on degree of Fault

10.5.1 Reduction of sanctions for Specified Substances or Specified Method for Violations of Article 2.1, 2.2 or 2.6. Where the Anti-Doping Policy Violation involves a Specified Substance or Specified Method, then the period of Ineligibility shall be, at a minimum, a reprimand and no period of Ineligibility, and at a maximum, the period of Ineligibility set forth in Article 10.2 depending on the Athlete’s or other Person’s degree of Fault.

10.5.2 Other Anti-Doping Policy Violations

For Anti-Doping Policy Violations not described in Article 10.5.1, subject to further reduction or elimination as provided in Article 10.6, the otherwise applicable period of Ineligibility may be reduced based on the Athlete or other Person’s degree of Fault.

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

10.6.1 Substantial Assistance in Discovering or Establishing Anti-Doping Policy Violations

10.6.1.1 USADA in its sole discretion may suspend all or 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 Substantial Assistance to USADA or another Anti-Doping Organization, criminal authority or professional disciplinary body which results in: (i) USADA or another Anti-Doping Organization discovering or bringing forward an Anti-Doping Policy Violation by another Person and the information provided by the Person providing Substantial Assistance is made available to USADA, or (ii) which results in a criminal or disciplinary body discovering or bringing forward a criminal offense or the breach of professional rules committed by another Person and the information provided by the Person providing Substantial Assistance is made available to USADA. The extent to which the otherwise applicable period of Ineligibility and other Consequences imposed may be suspended or eliminated shall be based on the seriousness of the Anti-Doping Policy Violation committed by the Athlete or other Person and the significance of the Substantial Assistance provided by the Athlete or other Person to the effort to eliminate doping in sport. If the Athlete or other Person fails to continue to cooperate and to provide the complete and credible Substantial Assistance upon which a suspension of the period of Ineligibility or other Consequences was based, USADA shall reinstate the original period of Ineligibility and other Consequences.

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.

10.6.4.2 Completion by the Athlete, at the Athlete’s sole cost, of a certified, accredited and independent substance abuse treatment program may result in a reduced or eliminated period of Ineligibility, as determined by USADA in its sole discretion. The reduction or elimination of the period of Ineligibility shall at all times be subject to the Athlete’s full and satisfactory completion of such substance abuse treatment program. To the extent that the Athlete does not complete such substance abuse treatment program in accordance with the foregoing sentence, the Athlete’s otherwise applicable period of Ineligibility shall be automatically imposed (subject to receiving
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.

The period of Ineligibility established above may then be further reduced by the application of Article 10.6.

10.7.2 Subject to Article 10.7.3, a third Anti-Doping Policy Violation will result in a period of Ineligibility of a minimum of double the period of Ineligibility which would apply if it were a second violation up to a lifetime Ineligibility.

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

10.7.5.1 For purposes of imposing sanctions under Article 10.7, an Anti-Doping Policy Violation will only be considered a second violation if USADA can establish that the Athlete or other Person committed the second violation after the Athlete or other Person received notice pursuant to Article 7, or after USADA made reasonable efforts to give written notice of the first Anti-Doping Policy Violation (and/or all prior violations, as applicable). If USADA cannot establish this, the violations shall be considered together as a single first violation, and the sanction imposed shall be based on the violation that carries the more severe sanction.

10.7.5.2 If, after the imposition of a sanction for a first Anti-Doping Policy Violation, USADA discovers facts involving an Anti-Doping Policy Violation by the Athlete or other Person which occurred prior to notification regarding the first Anti-Doping Policy Violation, then USADA shall impose an additional sanction based on the sanction that could have been imposed if the two violations had been adjudicated at the same time. Results in all Bouts dating back to the earlier Anti-Doping Policy Violation will be subject to Disqualification as provided in Article 10.8.

10.7.5.3 Decisions made either before or after the Effective date of this Anti-Doping Policy by an Athletic Commission or other Anti-Doping Organization, finding that an Athlete or other Person violated a rule involving Prohibited Substances or Prohibited Methods or committed an Anti-Doping Policy Violation may be considered in sanctioning or counted as a violation under this Article where the process was fair and the violation would also be a violation of these policies. Where such offense would not also constitute a violation under this Anti-Doping Policy, then the offense shall not count as a violation for purposes of Article 10.7.

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.

10.8 Disqualification of Results in Bouts Subsequent to Sample Collection or Commission of an Anti-Doping Policy Violation

In addition to the Disqualification of the results of a Bout under Article 10.1, all other competitive results of the Athlete obtained from the date an Anti-Doping Policy Violation occurred, through the commencement of any Provisional Suspension or Ineligibility period, may, unless fairness requires otherwise, be Disqualified by UFC with all of the resulting Consequences including, without limitation, forfeiture of any title, ranking, purse, or other compensation.

10.9 Allocation of Forfeited Compensation

Unless required otherwise by an Athletic Commission, forfeited compensation shall, at UFC’s discretion, be applied to offset the costs of the Program or given to anti-doping research.

10.10 [INTENTIONALLY OMITTED]
10.11 Commencement of Ineligibility Period

Except as provided below, the period of Ineligibility shall start on the date of the final hearing decision providing for Ineligibility or, if the hearing is waived or there is no hearing in accordance with this Anti-Doping Policy, on the date Ineligibility is accepted or otherwise imposed.

10.11.1 Delays Not Attributable to the Athlete or other Person

Where there have been substantial delays in the hearing process or other aspects of Doping Control not attributable to the Athlete or other Person, USADA may start the period of Ineligibility at an earlier date commencing as early as the date of Sample collection or the date on which another Anti-Doping Policy Violation last occurred. All Bout results achieved during the period of Ineligibility, including retroactive Ineligibility, may be Disqualified by UFC.

10.11.2 Timely Admission

Where the Athlete or other Person promptly (which, in all cases, for an Athlete means before the Athlete competes in a Bout again) admits the Anti-Doping Policy Violation after being confronted with the Anti-Doping Policy Violation by USADA, the period of Ineligibility may start as early as the date of Sample collection or the date on which another Anti-Doping Policy Violation last occurred. In each case, however, where this Article is applied, the Athlete or other Person shall serve at least one-half of the period of Ineligibility going forward from the date the Athlete or other Person accepted the imposition of a sanction, the date of a hearing decision imposing a sanction, or the date the sanction is otherwise imposed.

10.11.3 Credit for Provisional Suspension or Period of Ineligibility Served

10.11.3.1 If a Provisional Suspension is imposed on, or voluntarily accepted by, an Athlete or other Person and that Provisional Suspension is respected, then the Athlete or other Person shall receive a credit for such period of Provisional Suspension against any period of Ineligibility which may ultimately be imposed.

10.11.3.2 No credit against a period of Ineligibility shall be given for any time period before the effective date of the Provisional Suspension, or suspension by any Athletic Commission, regardless of whether the Athlete elected not to compete.

10.12 Status during Ineligibility

10.12.1 Prohibition against Participation during Ineligibility

No Athlete or other Person who has been declared Ineligible may, during the period of Ineligibility, participate in any capacity in connection with a UFC Bout, or any match or competition sanctioned or licensed by an Athletic Commission, or participate in any capacity in a competition or activity (other than authorized anti-doping education or rehabilitation programs) authorized or organized by any Code Signatory, Signatory’s member organization, or a club or other member organization of a Signatory’s member organization. An Athlete subject to a period of Ineligibility shall remain subject to Testing in accordance with this Anti-Doping Policy.

10.12.2 Violation of the Prohibition of Participation during Ineligibility

Where an Athlete or other Person who has been declared Ineligible violates the prohibition against participation during Ineligibility described in Article 10.12.1, the results of such participation shall be Disqualified and a new period of Ineligibility equal in length up to the original period of Ineligibility shall be added to the end of the original period of Ineligibility. The new period of Ineligibility may be adjusted based on USADA’s assessment of the Athlete or other Person’s degree of Fault and other circumstances of the case.

Where an Athlete Support Person or other Person assists a Person in violating the prohibition against participation during Ineligibility, USADA shall impose sanctions for a violation of Article 2.9 for such assistance.

10.13 Automatic Publication of Sanction

A mandatory part of each sanction shall include automatic publication, as provided in Article 14.3

ARTICLE 11: [INTENTIONALLY OMITTED]

ARTICLE 12: [INTENTIONALLY OMITTED]

ARTICLE 13: [INTENTIONALLY OMITTED]

ARTICLE 14: CONFIDENTIALITY AND REPORTING

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


Notice to Athletes or other Persons of Anti-Doping Policy Violations asserted against them shall occur as provided under Articles 7 and 14.1.1.1 of this Anti-Doping Policy.

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.

Notice of Anti-Doping Policy Violations other than under Article 2.1 shall include, at a minimum: the policy violated, the basis of the asserted violation, whether the violation was in connection with a particular Bout, and the Athlete’s or other Person’s rights to challenge the asserted violation in accordance with this Anti-Doping Policy. The failure to properly identify the Bout[s], if any, with which a violation may be connected shall not invalidate the notice or effect the Disqualification of results under this Anti-Doping Policy.
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.

14.1.2.3. To the extent that **USADA** or any laboratory used by **USADA** discloses any analytical results to **WADA**, then such disclosure shall be on an anonymous basis (to the extent practicable or unless such information is otherwise public) and shall not include any other information that can be reasonably used to determine the identity of the **Athlete** or other **Person** whose results are being disclosed.

14.1.3. **Status Reports**

When **USADA** has given notice of an Anti-Doping Policy Violation under Article 14.1.2, **UFC** shall provide a written explanation of the resolution of the matter to any **Athletic Commission** or **Anti-Doping Organization** which has been notified.

14.2. [INTENTIONALLY OMITTED]

14.3. **Public Disclosure**

14.3.1. The identity of any **Athlete** or other **Person** who is asserted by **USADA** to have committed an Anti-Doping Policy Violation, as well as the factual basis of the assertion, may be **Publicly Disclosed** by **UFC** (but not by **USADA** without **UFC**’s prior express written consent) after notice to the **Athlete** or other **Person** has been provided in accordance with Articles 7.1.3, 7.2.4, 7.3, 7.4, and 7.5.

14.3.2. No later than twenty days after a decision has been rendered in a hearing in accordance with Article 8 or the right to a hearing has been waived, or the assertion of an Anti-Doping Policy Violation has not been timely challenged, **UFC** shall **Publicly Report** the disposition of the matter, including the Anti-Doping Policy violated, the name of the **Athlete** or other **Person** committing the violation, the **Prohibited Substance** or **Prohibited Method** involved (if any), and the **Consequences** imposed.

14.3.3. Publication shall be accomplished at a minimum by placing the required information on the **UFC** anti-doping website (www.UFC.USADA.org) and leaving the information up for the longer of one month or the duration of any period of **Ineligibility** or by publishing it through other means.

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 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.

14.3.5. In any case where it is determined, after a hearing, that the **Athlete** or other **Person** did not commit an Anti-Doping Policy Violation, the decision may, unless the Anti-Doping Policy Violation has previously been **Publicly Disclosed**, only be **Publicly Disclosed** by **UFC** with the consent of the **Athlete** or other **Person** who is the subject of the decision.

14.3.6. Neither **USADA** nor any **WADA**-accredited laboratory, or official of either, shall publicly comment on the specific facts of any pending case as opposed to general description of process and science.
14.3.7. The mandatory Public Reporting required in Article 14.3.2 shall not be required where the Athlete or other Person who has been found to have committed an Anti-Doping Policy Violation is a Minor. Any optional Public Reporting in a case involving a Minor shall be proportionate to the facts and circumstances of the case.

14.3.8. Notwithstanding Articles 14.3.4, 14.3.5 or 14.3.6 either UFC or USADA may (i) respond proportionally to public comments made about any decision, or action taken, under this Anti-Doping Policy, or (ii) provide testimony or other information to an Athletic Commission or other governmental regulatory, legislative or administrative body, or law enforcement, in each case, provided that such entity or authority or body has requisite jurisdiction over the Athlete. 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).

14.4. Statistical Reporting

UFC may publish general statistical reports of its Doping Control activities. UFC may also publish reports showing the name of any Athletes tested and the date of each Testing.

14.5. Data Privacy

14.5.1 UFC and USADA may collect, store, process or disclose personal information relating to Athletes and other Persons where necessary and appropriate to conduct its anti-doping activities under the International Standards (including specifically the International Standard for the Protection of Privacy and Personal Information) and this Anti-Doping Policy.

14.5.2 Any Athlete who submits information including personal data to UFC, USADA or any Person in accordance with this Anti-Doping Policy shall be deemed to have agreed, pursuant to applicable data protection laws and otherwise, that such information may be collected, processed, disclosed and used by UFC, USADA or such Person for the purposes of the implementation of this Anti-Doping Policy and as permitted or authorized by this Anti-Doping Policy, in accordance with the International Standard for the Protection of Privacy and Personal Information.

14.5.3 No data submitted or acquired as a result of any application for a TUE, Sample collection or analysis or anti-doping investigation shall be considered medical information or health care information.

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 15: APPLICATION AND RECOGNITION OF DECISIONS

15.1 Testing, hearing results or other final adjudications of any Athletic Commission or other Anti-Doping Organization which are consistent with this Anti-Doping Policy and are within that party’s authority shall be recognized and respected by UFC.

15.2 It is the expectation of UFC, and Athletes, Athlete Support Personnel, and other Persons subject to this Anti-Doping Policy that any decision of UFC or USADA regarding a violation of this Anti-Doping Policy will be recognized by all Athletic Commissions, other promoters whose competitions are approved or licensed by Athletic Commissions, and other Anti-Doping Organizations, which shall take all necessary action to render UFC’s or USADA’s decision effective.

ARTICLE 16: [INTENTIONALLY OMITTED]

ARTICLE 17: STATUTE OF LIMITATIONS

No Anti-Doping Policy Violation proceeding may be commenced against an Athlete or other Person unless he or she has been notified of the Anti-Doping Policy Violation as provided in Article 7, or notification has been reasonably attempted, within ten years from the date the violation is asserted to have occurred.

ARTICLE 18: EDUCATION

UFC and USADA shall plan, implement, evaluate and monitor information, education and prevention programs for doping-free sport and shall support active participation by Athletes and Athlete Support Personnel in such programs.
ARTICLE 20: AMENDMENT AND INTERPRETATION OF THESE ANTI-DOPING POLICIES

20.1 This Anti-Doping Policy, and the UFC Prohibited List, may be amended from time to time by UFC. Unless otherwise indicated, any amendments shall go into effect 30 days after publication on the UFC anti-doping website (www.UFC.USADA.org).

20.2 This Anti-Doping Policy shall be interpreted as an independent and autonomous text and not by reference to existing law or statutes.

20.3 The headings used for the various Parts and Articles of this Anti-Doping Policy are for convenience only and shall not be deemed part of the substance of this Anti-Doping Policy or to affect in any way the language of the provisions to which they refer.

20.4 The Code, the comments annotating various provisions of the Code, and the International Standards may be used to interpret this Anti-Doping Policy, unless there is a conflict, in which case this Anti-Doping Policy shall prevail.

20.5 The Program entered into full force and effect on July 1, 2015 (the “Program Start Date”). Except as provided in the “Scope and Application of the Policy” this Anti-Doping Policy shall not apply retroactively to matters pending before the Program Start Date; provided, however, that conduct disclosed pursuant to Article 2.5.2 and Anti-Doping Policy Violations established by Athletic Commissions or other Anti-Doping Organizations prior to the Program Start Date may count as “first violations” or “second violations” for purposes of determining sanctions under Article 10 for violations taking place after the Program Start Date.

20.6 The official text of this Anti-Doping Policy shall be English. In the event of a conflict between the English and any other translation, the English version shall prevail.

ARTICLE 21: ADDITIONAL ROLES AND RESPONSIBILITIES OF ATHLETES AND OTHER PERSONS

21.1 Roles and Responsibilities of Athletes

21.1.1 To be knowledgeable of and comply with this Anti-Doping Policy.

21.1.2 To be available for Sample collection at all times.

21.1.3 To take responsibility, in the context of anti-doping, for what they ingest and Use.

21.1.4 To inform medical personnel of their obligation not to Use Prohibited Substances and Prohibited Methods and to take responsibility to make sure that any medical treatment received does not violate this Anti-Doping Policy.

21.1.5 To disclose to UFC and USADA any decision by an Athletic Commission or non-Signatory finding that the Athlete committed a doping violation within the previous ten years.

21.1.6 To cooperate with UFC’s and USADA’s investigations of Anti-Doping Policy Violations. Failure by any Athlete to cooperate in full with a UFC or USADA investigation of an Anti-Doping Policy Violation may result in a charge of misconduct under UFC’s Fighter Conduct Policy or other disciplinary rules.

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

21.2 Roles and Responsibilities of Athlete Support Personnel

21.2.1 To be knowledgeable of and comply with this Anti-Doping Policy.

21.2.2 To cooperate with the Athlete Testing Program.

21.2.3 To use his or her influence on Athlete values and behavior to foster anti-doping attitudes.

21.2.4 To disclose to UFC and USADA any decision by an Athletic Commission or non-Signatory finding that the he or she committed doping violation within the previous ten years.

21.2.5 To cooperate with UFC’s and USADA’s investigations of Anti-Doping Policy Violations. Failure by any Athlete Support Personnel to cooperate in full with a UFC or USADA investigation of Anti-Doping Policy Violations may result in a charge of misconduct under UFC’s disciplinary rules.

21.2.6 Athlete Support Personnel shall not Use or Possess any Prohibited Substance or Prohibited Method without valid justification. Use or Possession of a Prohibited Substance or Prohibited Method by Athlete Support Personnel without valid justification may result in a charge of misconduct under UFC’s disciplinary rules.

ARTICLE 22: WAIVER AND RELEASE

As a condition of participating in or preparing for a Bout or working with an Athlete who is participating in or preparing for a Bout, Athletes, Athlete Support Personnel and other Persons agree to release and hold harmless UFC, USADA and their designees from any claim, demand or cause of action, known or unknown, now or hereafter arising, including attorney’s fees, resulting from acts or omissions which occurred in good faith.

ARTICLE 23: TRANSITIONAL PROVISIONS

23.1 General Application of the 2019 Anti-Doping Policy

This 2019 Anti-Doping Policy shall become effective upon August 31, 2019 (the “Effective Date”).

23.2 Non-Retroactive Unless Principles of “Lex Mitior” Applies

With respect to any Anti-Doping Policy Violation case which is pending as of the Effective Date and any Anti-Doping Policy Violation case brought after the Effective Date based on an Anti-Doping Policy Violation which occurred prior to the Effective Date, the case shall be governed by the substantive anti-doping rules in effect at the time the alleged Anti-Doping Policy Violation occurred unless the current rules would be more beneficial to the Athlete or other Person and the panel hearing the case determines that the circumstances of the case warrant the application of those rules.
23.3 Application to Decisions Rendered Prior to the Effective Date of 2019 Anti-Doping Policy

The 2019 Anti-Doping Policy shall have no application to any Anti-Doping Policy Violation case where a final decision finding an Anti-Doping Policy Violation has been rendered prior to the Effective Date.

23.4 Additional Anti-Doping Policy Amendments

Any additional Anti-Doping Policy Amendments shall go into effect as provided in Article 20.1.

APPENDIX 1 DEFINITIONS

**Administration:** Providing, supplying, supervising, facilitating, or otherwise participating in the Use or Attempted Use by another Person of a Prohibited Substance or Prohibited Method. However, this definition shall not include the actions of bona fide medical personnel involving a Prohibited Substance or Prohibited Method used for genuine and legal therapeutic purposes or other acceptable justification and shall not include actions involving Prohibited Substances which are not prohibited in Out-of-Competition Testing unless the circumstances as a whole demonstrate that such Prohibited Substances are not intended for genuine and legal therapeutic purposes or are intended to enhance sport performance.

**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.

**Adverse Analytical Finding Results Management Decision Concentration Level (“Decision Concentration Level”):** As provided in the UFC Prohibited List, the Adverse Analytical Finding Results Management Decision Concentration Level is the detected quantity of a Prohibited Substance below which a reported Adverse Analytical Finding shall be administered by USADA as an Atypical Finding.

**Adverse Passport Finding:** A report identified as an Adverse Passport Finding as described in the applicable International Standards.

**Aggravating Circumstances:** Aggravating Circumstances exist where the Anti-Doping Policy Violation was intentional, the Anti-Doping Policy Violation had significant potential to enhance an Athlete’s Bout performance, and one of the following additional factors is present: the Athlete or other Person committed the Anti-Doping Policy Violation as part of a doping plan or scheme, either individually or involving a conspiracy or common enterprise to commit an Anti-Doping Policy Violation; the Athlete or other Person Used or Possessed multiple Prohibited Substances or Prohibited Methods or Used or Possessed a Prohibited Substance or Prohibited Method on multiple occasions; the Athlete or Person engaged in deceptive or obstructing conduct to avoid the detection or adjudication of an Anti-Doping Policy Violation.

**Anti-Doping Organization:** UFC, USADA, WADA, a Code Signatory, or other organization that is responsible for conducting an anti-doping program.
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 not withstanding 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.

Disqualification: See Consequences of Anti-Doping Policy Violations above.

Doping Control: All steps and processes from test distribution planning through to ultimate disposition of any hearing including all steps and processes in between such as provision of whereabouts information, Sample collection and handling, laboratory analysis, TUEs, investigations, results management and hearings.

Fault: Fault is any breach of duty or any lack of care appropriate to a particular situation. Factors to be taken into consideration in assessing an Athlete or other Person’s degree of Fault include, for example, the Athlete’s or other Person’s experience, whether the Athlete or other Person is a Minor, special considerations such as impairment, the degree of risk that should have been perceived by the Athlete and the level of care and investigation exercised by the Athlete in relation to what should have been the perceived level of risk. In assessing the Athlete’s or other Person’s degree of Fault, the circumstances considered must be specific and relevant to explain the Athlete’s or other Person’s departure from the expected standard of behavior. If the Athlete or other Person can establish that the violation was not intended to enhance an Athlete’s performance, that factor may also be considered in assessing the Athlete’s or other Person’s degree of Fault.

Fight Card: A program of the Bouts scheduled to take place during a UFC promoted mixed martial arts event.

Financial Consequences: See Consequences of Anti-Doping Policy Violations, above.

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.

In-Competition: For purposes of this Anti-Doping Policy, “In-Competition” means the period commencing at noon on the day prior to the scheduled start of the Fight Card on which a Bout is contested and ending upon the completion of the post-Bout Sample or Specimen collection. If a post-Bout Sample or Specimen collection is not initiated by USADA within a reasonable time, which will not exceed one hour following an Athlete’s post-Bout medical clearance, then the In-Competition period shall expire at that time.

Inactivity (Athlete-Initiated): An Athlete shall be considered inactive due to Athlete-Initiated Inactivity when the Athlete, while within the term defined in his/her Promotional Agreement, informs UFC and USADA of his/her retirement or hiatus from UFC competition, and is thereafter relieved of his/her obligation to provide whereabouts information or make him/herself available for Testing by USADA.

Inactivity (UFC-Initiated): An Athlete shall be considered inactive due to UFC-Initiated Inactivity when the Athlete no longer has a contractual relationship with the UFC due to the termination of the Promotional Agreement by UFC or refusal by UFC to renew or otherwise continue the contractual relationship with Athlete upon the expiration of the Promotional Agreement.

Ineligibility: See Consequences of Anti-Doping Policy Violations above.

International Standard: A standard adopted by WADA in support of the Code. Compliance with an International Standard (as opposed to another alternative standard, practice or procedure) shall be sufficient to conclude that the procedures addressed by the International Standard were performed properly. International Standards shall include any Technical Documents issued pursuant to the International Standard.

Marker: A compound, group of compounds or biological variable(s) that indicates the Use of a Prohibited Substance or Prohibited Method.

Metabolite: Any substance produced by a biotransformation process.

Minor: A natural Person who has not reached the age of eighteen years.

No Fault or Negligence: The Athlete or other Person establishing that he or she did not know or suspect, and could not reasonably have known or suspected even with the exercise of utmost caution, that he or she had Used or been administered the Prohibited Substance or Prohibited Method or otherwise violated an Anti-Doping Policy. Except in the case of a Minor, for any violation of Article 2.1, the Athlete must also establish, how the Prohibited Substance entered his or her system.

Out-of-Competition: Any period which is not In-Competition.

Participant: Any Athlete or Athlete Support Person.

Person: A natural Person, including but not limited to an Athlete or Athlete Support Personnel, or an organization or other entity.

Possession: The actual, physical Possession, or the constructive Possession (which shall be found only if the Person has exclusive control or intends to exercise control over the Prohibited Substance or Prohibited Method or the premises in which a Prohibited Substance or Prohibited Method exists); provided, however, that if the Person does not have exclusive control over the Prohibited Substance or Prohibited Method or the premises in which a Prohibited Substance or Prohibited Method exists, constructive Possession shall only be found if the Person knew about the presence of the Prohibited Substance or Prohibited Method and intended to exercise control over it. Provided, however, there shall be no Anti-Doping Policy Violation based solely on Possession if, prior to receiving notification of any kind that the Person has committed an Anti-Doping Policy Violation, the Person has taken concrete action demonstrating that the Person never intended to have Possession and has renounced Possession by explicitly declaring it to an Anti-Doping Organization. Notwithstanding anything to the contrary in this definition, the purchase (including by any electronic or other means) of a Prohibited Substance or Prohibited Method constitutes Possession by the Person who makes the purchase.
Professional or Sport Related Capacity: Acting in a Professional or Sport Related Capacity shall include, without limitation, acting as a manager, coach, trainer, second, corner man, agent, official, medical or paramedical personnel. For purposes of this Anti-Doping Policy, it shall not include indirect or peripheral involvement in an Athlete’s training, or acting as an Athlete’s training partner.

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

Prohibited Method: Any method so described on the UFC Prohibited List.

Prohibited Substance: Any substance, or class of substances, so described on the UFC Prohibited List.

Promontional Agreement: A Promotional and Ancillary Rights Agreement or similar contractual relationship by and between UFC and an Athlete.

Provisional Hearing: For purposes of Article 7.7, an expedited abbreviated hearing occurring prior to a hearing under Article 8 that provides the Athlete with notice and an opportunity to be heard in either written or oral form.

Provisional Suspension: See Consequences of Anti-Doping Policy Violations above.

Publicly Disclose or Publicly Report: See Consequences of Anti-Doping Policy Violations above.

Sample or Specimen: Any biological material collected for the purposes of Doping Control.

Signatories: Those sports organizations which have signed and agreed to comply with the Code.

Specified Substance: See Article 4.2.2.

Substance of Abuse: A Prohibited Substance identified as a Substance of Abuse on the UFC Prohibited List.

Substantial Assistance: For purposes of Article 10.6.1, a Person providing Substantial Assistance must: (1) fully disclose in a signed written statement all information he or she possesses in relation to Anti-Doping Policy Violations, and (2) fully cooperate with the investigation and adjudication of any case related to that information, including, for example, presenting testimony at a hearing if requested to do so by USADA or hearing panel. Further, the information provided must be credible and must comprise an important part of any case which is initiated or, if no case is initiated, must have provided a sufficient basis on which a case could have been brought.

Tampering: Altering for an improper purpose or in an improper way; bringing improper influence to bear; interfering improperly; obstructing, misleading or engaging in any fraudulent conduct to alter results or prevent normal procedures from occurring.


Testing: The parts of the Doping Control process involving test distribution planning, Sample collection, Sample handling, and Sample transport to the laboratory.

Trafficking: Selling, giving, transporting, sending, delivering or distributing (or Possessing for any such purpose) a Prohibited Substance or Prohibited Method (either physically or by any electronic or other means) by an Athlete, Athlete Support Person or any other Person subject to the jurisdiction of an Anti-Doping Organization to any third party; provided, however, this definition shall not include the actions of “bona fide” medical personnel involving a Prohibited Substance used for genuine and legal therapeutic purposes or other acceptable justification, and shall not include actions involving Prohibited Substances which are not prohibited in Out-of-Competition Testing unless the circumstances as a whole demonstrate such Prohibited Substances are intended to enhance sport performance and not for genuine and legal therapeutic purposes.

TUE: Therapeutic Use Exemption, as described in Article 4.4.

UFC: Ultimate Fighting Championship and any entity to which UFC has delegated responsibilities or authority under this Anti-Doping Policy, including, but not limited to, the United States Anti-Doping Agency.

UFC-Initiated Inactivity: See Inactivity (UFC-Initiated), above.

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

USADA: United States Anti-Doping Agency or any entity contracted by UFC to fulfill the responsibilities under this Anti-Doping Policy.

Use: The utilization, application, ingestion, injection or consumption by any means whatsoever of any Prohibited Substance or Prohibited Method.


Whereabouts Failure: The failure by any Athlete to comply with the UFC’s Whereabouts Policy by failing to timely, accurately and completely provide required whereabouts information and/or for being unavailable for Testing due to inaccurate information provided on the Whereabouts Filing.