



TUE APPLICATION PROCESS

What is a TUE?

ITU Athletes may have illnesses or conditions that require them to take particular medications or to utilize particular methods of treatment.

If the medication an Athlete is required to take to treat an illness or condition happens to fall under the Prohibited List, a Therapeutic Use Exemption (TUE) gives that Athlete the authorization to take the needed medicine so long as the Athlete fulfills all the mandatory criteria to do so.

What are the criteria you must fulfill in order to obtain a TUE?

The purpose of the International Standard for Therapeutic Use Exemptions (ISTUE) is to ensure that the process of granting TUEs is harmonized across sports and countries.

According to article 4.1 of the ISTUE, an Athlete may be granted a *TUE* if (and only if) he/she can show, by a balance of probability, that each of the following conditions is met:

- a. The Prohibited Substance or Prohibited Method in question is needed to treat an acute or chronic medical condition, such that the Athlete would experience a significant impairment to health if the Prohibited Substance or Prohibited Method were to be withheld.*
- b. The Therapeutic Use of the Prohibited Substance or Prohibited Method is highly unlikely to produce any additional enhancement of performance beyond what might be anticipated by a return to the Athlete's normal state of health following the treatment of the acute or chronic medical condition.*
- c. There is no reasonable Therapeutic alternative to the Use of the Prohibited Substance or Prohibited Method.*
- d. The necessity for the Use of the Prohibited Substance or Prohibited Method is not a consequence, wholly or in part, of the prior Use (without a TUE) of a substance or method which was prohibited at the time of such Use.*

Who needs to apply for a TUE?

The following Athletes are considered "international level athletes" and should apply for a TUE with ITU

- All *Athletes* who are included in the ITU *Registered Testing Pool*, and,

- All *Athletes*, excluding juniors and Age Groupers, who compete at the World Triathlon Series *Events*, including the ITU Grand Final, regardless of whether or not they submit their whereabouts and TUE's directly to the ITU.

Because the ITU recognized TUEs granted at the national level, all Athletes may also apply for a TUE directly with their NADO.

When should you apply for a TUE?

In general, unless exceptional circumstances apply, an ITU Athlete who needs to Use a Prohibited Substance or Prohibited Method for Therapeutic reasons must obtain a TUE from ITU or his/her NADO prior to using or possessing the substance or method in question and in all cases must apply for a TUE 30 days prior to competing at the international-level.

Is my national-level TUE valid at the international-level?

YES! So long as ITU is informed of it, ITU recognizes all TUEs granted to Athletes by their NADO.

While ITU grants TUEs to International-level Athletes, they also recognize TUEs that have been granted to international-level Athletes at the national-level.

National-level TUEs shall be automatically valid for international-level competition so long as :

- ITU is informed of the granted TUE in a timely manner (ideally 30 days before the international ITU event),
And,
- The TUE meets the criteria set out in the ISTUE. If it does not, ITU has a right to request a WADA review. (In accordance with article 4.4.2.1 of the ITU Anti-Doping Rules.)

What if you compete in the Junior or Age Group Categories?

ITU mutually recognizes TUEs granted by NADOs for Athletes who compete in Junior or Age Group Categories (as defined in ITU Competition Rules) or who do not fall within the definition of international-level Athletes (as defined in the Scope section of the ITU AD Rules) and who need to use a Prohibited Substance or a Prohibited Method for therapeutic reasons when it has been by granted their NADO - as long as it satisfies the ISTUE criteria.

If not, the ITU TUEC can decide not to recognize said TUE. (In accordance with article 4.4.3.1 of the ITU Anti-Doping Rules).

As of 2016, ITU also reserves the right not to recognize TUEs granted by a NADO to an Athlete who is not international-level Athlete for the purpose of international-level competition should ITU consider that the TUE granted at the national-level to any such Athlete does not meet the ISTUE criteria.

In this case,

- If the matter is referred to WADA for review, the TUE granted by the NADO remains valid for national-level competition *but is not valid for international-level competition pending WADA's decision.*

- If the matter is not referred to WADA for review, the *TUE becomes invalid for the purpose of international-level* competition when the 21-day review deadline expires but remains valid for national-level competition. (In accordance with article 4.4.3.2 of the ITU Anti-Doping Rules).

Also, if ITU chooses to test an Athlete who is neither an International-Level nor a National-Level Athlete (E.g. Junior and Age Group athletes), ITU shall permit that Athlete to apply to his or her National Anti-Doping Organization for a retroactive TUE for any Prohibited Substance or Prohibited Method that he/she is using for therapeutic reasons. If ITU chooses to test an Athlete who is neither an International-Level nor a National-Level Athlete during an International Event , ITU shall permit that Athlete to apply for a retroactive TUE for any Prohibited Substance or Prohibited Method that he/she is using for therapeutic reasons. In such a case ITU and the relevant National Anti-Doping Organization shall mutually agree on which organization will process the retroactive TUE application and so inform the Athlete

Receipt and processing of TUEs

The ITU Anti-Doping Director shall receive, whether directly or via ADAMS, all TUEs granted to national level Athletes by their NADO.

The ITU Anti-Doping Director shall also receive, whether directly or via ADAMS, all TUE applications for international-level Athletes. The Form can be downloaded here [https://www.triathlon.org/uploads/docs/ITU TUE Application Form rev 2019.pdf](https://www.triathlon.org/uploads/docs/ITU_TUE_Application_Form_rev_2019.pdf)

Upon receipt of the TUE, the ITU Anti-Doping Director shall process the application (s).

Should the application form not be properly filled out, or should mandatory medical documentation be missing, the Athlete shall be so informed and the TUE application will not be accepted until adequately submitted.

Once a TUE application has been duly received in proper form, the TUE application will be directed to the Chairman of the Medical Committee and two other Medical Committee members who as the ITU TUE Committee will process the application and decide within 21 days whether or not to grant the TUE.

As soon as the decision is made, the Athlete will be informed if his TUE has been granted or denied.

In accordance with article 4.4.6 of the ITU Anti-Doping Rules, if the TUE is denied, the Athlete will be given the opportunity to appeal for a review of that decision before the WADA TUE Committee.