



PROTECTION OF HEALTH OF ATHLETES AND THE FIGHT AGAINST DOPING

**FRENCH LEGISLATION IN FORCE
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**BOOK II
ACTORS IN SPORT**

**TITLE III
HEALTH OF ATHLETES
AND THE FIGHT AGAINST DOPING**

Preliminary chapter

Article L. 230-1

The minister responsible for sport, in conjunction with other ministers and bodies concerned, initiates and co-ordinates actions of a preventive, medical supervision, research and educational nature implemented with the help, in particular, of the approved sports federations as set out in article L. 131-8 to protect the health of athletes and combat doping.

Training in the prevention of doping is provided for sports doctors, teachers and members of the professions specified in the first sub-paragraph of article L. 212-1.

**Chapter One
Medical monitoring of athletes**

Article L. 231-1

School doctors, company doctors, military doctors and general practitioners contribute, together with the specialists, to preventive actions regarding physical and sports activities thanks to the initial training required for carrying out sports medical examinations as part of the second stage of medical studies and appropriate ongoing training.

**Section 1
Medical certificate**

Article L. 231-2

The initial issue of a sports licence mentioned in Article L. 131-6 is subject to the production of a medical certificate testifying to the absence of contraindications to exercising a physical or sports activity for which it is required. A regular renewal of the medical certificate may be called for by the federation depending on the age of the athlete and the discipline.

For certain disciplines, the list of which is determined by order of the ministers responsible for sport and health from the point of view of the risks they present for the health or safety of their practitioners, this medical certificate may only be issued under the conditions set out in the same decree. The order specifies the frequency with which the medical certificate is to be renewed.

The issue of this certificate is mentioned in the health booklet provided for in Article L. 2132-1 of the public health code.

Article L. 231-3

Participation in sports competitions organised or authorised by sports federations is subject to the presentation of a sports licence mentioned in Article L. 131-6 testifying to the issue of a medical certificate mentioning the absence of contraindications to the practice of sport in competition or, for non-licencees to which such competitions are open, the presentation of this certificate alone or a copy thereof, which must be less than a year old.

The doctor responsible within the sports federation for coordinating examinations required within the framework of individual medical supervision provided for in Article L. 231-6 may draw up a certificate of contraindication to participating in sports competitions in the light of the results of such medical supervision.

This certificate is sent to the president of the federation, who suspends participation by the person concerned in sports competitions organised or authorised by the aforementioned federation until the withdrawal of the contraindication by the doctor.

Article L. 231-4

The provisions of Article L. 2336-3 of the defence code outline the conditions to be met for the issue, renewal or validation of a fire licence in order for the presentation of this document to replace the medical certificate mentioned in that article.

Section 2 Role of the sports federations

Article L. 231-5

Sports federations attend to the health of their licencees and to this end make the arrangements required, especially as regards the training programmes and timetables of the sports competitions and events that they organise or authorise.

They provide licencees and their management with information of a preventive nature against the use of doping substances and practices, backed up by doping prevention medical units.

The training programmes aimed at professionals and volunteers working in sports federations, clubs, sports establishments and schools include actions of a preventive nature aimed at the use of doping substances and doping practices.

Article L. 231-6

Representative sports federations organise individual medical supervision to which their licensees registered on the list of high-level athletes mentioned in the first sub-paragraph of Article L. 221-2 of this code are subject as well as licensees registered for access to high-level sport.

An order by the ministers responsible for health and sport determines the nature and frequency of medical examinations which are undertaken within the framework of this supervision.

The results of these examinations are mentioned in the record booklet provided for in Article L. 231-7 of this code.

This medical supervision does not exempt employers of professional athletes in possession of a work contract under 3° of Article L. 122-1-1 of the labour code from fulfilling the requirements incumbent upon them pursuant to Title IV of book II of the same code

Article L. 231-7

An individual record booklet is issued to each sportsman mentioned in Article L. 231-6 or to his legal representative by the sports federation under whose responsibility he comes. This record booklet only contains information of a sports nature and medical information in connection with sports activities.

Only doctors approved pursuant to Article L. 232-11 are entitled to request to see the record booklet during the controls provided for in Article L. 232-12.

Article L. 231-8

When an athlete sanctioned pursuant to Articles L. 232-21 or L. 232-22 seeks the return, renewal or issue of a sports licence, the responsible federation establishes as a prerequisite to its return, renewal or issue the provision of a certificate issued by a doping prevention medical unit following an interview between a doctor and the party concerned.

During this interview, the doctor may propose to the athlete the monitoring mentioned in Article L. 232-1.

Chapter II The fight against doping

Section 1 Prevention

Article L. 232-1

Doping prevention medical units are approved by order of the ministers responsible for health and sport. They organise open consultations for people having recourse to doping or likely to have recourse to such a practice. These consultations are anonymous at the request of the parties concerned.

They propose a medical monitoring programme, if required.

The persons mentioned in Article L. 231-8 must have at least one interview with a doctor in one of these units. This interview is validated by the issue of a certificate.

The conditions of approval and operation of doping prevention medical units are determined by decree.

Each unit is run by a doctor who is the person in charge

Article L. 232-2

Any athlete taking part in competitions or events mentioned in 2° of I of Article L. 232-5 reports his status at the time of any medical consultation involving prescriptions.

If the doctor prescribes substances or practices the use of which is banned pursuant to Article L. 232-9,

the athlete is not liable to disciplinary sanctions if he has received an authorisation, granted for therapeutic purposes, from the French anti-doping agency. This authorisation is issued after assenting opinion by a committee made up of doctors connected to the agency.

When the list mentioned in article L. 232-9 so provides, this authorisation is deemed to be granted as of receipt of the application by the agency, barring a contrary decision on its part.

Article L. 232-3

A doctor who detects signs indicative of doping :

- 1° is required to refuse to issue one of the medical certificates defined in Articles L. 231-2 and L. 231-3;
- 2° Informs his patient of the risks he is running and offers either to direct him to one of the medical units mentioned in Article L. 232-1, or in conjunction with the medical unit and depending on need, prescribe him tests, a treatment or medical monitoring;
- 3° Is required to pass on to the doctor in charge of the medical unit referred to in Article L. 232-1 the observations he has made and informs his patient of his obligation to pass on such information. Information so passed on is covered by medical confidentiality.

Article L. 232-4

Failure by the doctor to pass on such information provided for in article L. 232-3 or of the bans mentioned in article L. 232-10 is liable to disciplinary sanctions by the competent authorities of the medical association.

Section 2 French Anti-Doping Agency

Article L. 232-5

I – The French Anti-Doping Agency, an independent legal public authority, determines and implements anti-doping measures. For this purpose it cooperates with the international body in charge of the fight against doping recognised by the International Olympic Committee and the international sports federations.

Accordingly:

- 1° It lays down an annual national control programme;
- 2° It carries out the controls as laid down in Articles L. 232-12 to L. 232-15:
 - a) During the competitions organised by the representative sports federations concerned following which national, regional or local titles are awarded;
 - b) During events authorised by the same federations when the representative sports federation decides that its regulations alone are applicable to the way the events are run ;
 - c) During training in preparation for sports competitions or events.
- 3° It may, in cooperation and agreement with the international body in charge of the fight against doping recognised by the International Olympic Committee or with an international sports federation, carry out controls as laid down in Article L. 232-16;
- 4° It is informed of any doping activity brought to the attention of the administration or the sports federations;
- 5° It carries out or has carried out analyses of control samples; it may along the same lines carry out analyses on behalf of third parties;
- 6° It exercises disciplinary authority as provided in Articles L. 232-22 and L. 232-23;
- 7° It issues the authorisations provided for in Article L. 232-2;
- 8° It is consulted on any draft law or regulation relating to anti-doping;
- 9° It takes part in prevention, education and research activities concerning anti-doping;
- 10° It is associated with international activities on anti-doping and contributes its expertise to the State, particularly in respect of the prohibited list of products mentioned in Article L. 232-9;
- 11° It may be consulted by the sports federations on matters falling within its scope;
- 12° It addresses recommendations to sports federations on matters falling within its scope;
- 13° It submits a yearly activity report to the Government and Parliament. This report is made public.

The Agency's tasks are performed on a collegiate basis, unless provided otherwise.

II. – The tasks of control and analysis and the exercise of discipline may not be performed by the same persons.

For the performance of the control tasks, the Agency may call upon the services of the Ministry of Sport, as determined contractually.

III. – In drawing up the annual national control programme mentioned under I, the competent administrations, the sports federations, associations and societies, together with physical and sports establishments and athletes at its request, shall communicate to the Agency all information relating to the preparation, organisation and running of training, competitive and sports events; it shall be kept informed of decisions

taken by the federations under Article L. 232-21.

The annual national control programme includes individual controls carried out as under Article L. 232-15.

Article L. 232-6

The board of the French Anti-Doping Agency has nine members appointed by decree:

1° Three members of administrative and judicial bodies:

- one member of the Council of State, in the chair, appointed by the vice-president of the Council of State;
- one member of the Supreme Court, appointed by the president of that Court, who acts as chairman in the event of absence or hindrance of the chairman;
- one counsel for the prosecution from the Supreme Court
- designated by the public prosecutor of the said court;

2° Three people possessing expertise in the fields of pharmacology, toxicology and sports medicine respectively designated:

- by the president of the National Academy of Pharmacy;
- by the president of the Academy of Science ;
- by the President of the National Academy of Medicine ;

3° Three persons with sports qualifications:

- a person on the list or having been on the list of high level athletes drawn up pursuant to subparagraph one of Article L. 221-2, appointed by the president of the French National Olympic and Sports Committee;
- a member of the board of administration of the French National Olympic and Sports Committee appointed by its president;
- a person appointed by the president of the National Ethics Advisory Committee for Life Sciences and Health.

The president of the board, the president of the agency, is appointed for six years.

The term of office of the members of the agency board is six years. It is irrevocable and may be renewed once. It is not interrupted by rules concerning age limits that may be applicable to those concerned. A member found by a two-thirds majority of the agency board to be under impediment is declared to have resigned *ex officio*.

The members of the board of the agency take an oath as laid down by decree.

Article L. 232-7

A third of the membership of the board of the agency is renewed every two years. In the event of a vacancy occurring more than six months before the expiration of the term of office, a new member is appointed whose term of office shall expire on the date of expiry of the term of office of the person being replaced.

The agency board may not deliberate unless at least six of its members are present. In the event of a drawn vote, the chairman has a casting vote.

The agency board draws up its rules of procedure.

The agency board may deliberate with a disciplinary bench of at least four members chaired by one of the members mentioned in 1° of Article L. 232-6 of this code. The members and servants of the agency are bound by professional secrecy as set out in Article L. 226-13 of the code of criminal conduct and subject to the penalties provided therein.

Article L. 232-8

The French Anti-Doping Agency enjoys financial autonomy.

The provisions of the law of 10th August 1922 on the organisation of expenditure are not applicable to its budgetary control

The French Anti-Doping Agency may recruit contracted servants under public law and employees under private law.

To carry out the tasks assigned to it, the Agency may call upon experts or qualified persons

Section 3

Activities prohibited or controlled

Article L. 232-9

There is a ban, during sports competitions and events organised or authorised by sports federations or by a specialised commission instituted pursuant to article L. 131-19, or with a view to taking part in them:

1° on using substances or practices such as to artificially enhance performance or to conceal the use of substances or practices having this property;

2° on having recourse to these substances or practices the use of which is subject to restrictive conditions

when these conditions have not been fulfilled.

The list of substances and practices mentioned in this Article is that which is drawn up pursuant to the Anti-Doping Convention signed in Strasburg on 16th November 1989 or any subsequent agreement on the same subject superseding it. The list is published in the Official Journal of the French Republic.

Article L. 232-10

It is forbidden to prescribe, except as laid down in the second and third sub-paragraphs of Article L. 232-2, to grant, offer, administer or apply to athletes taking part in the competitions and events mentioned in Article L. 232-9 one or more substances or practices mentioned in this Article or facilitate or encourage their use.

It is forbidden to avoid or oppose by whatever means the control measures laid down in this title.

Article L. 232-11

Besides criminal investigation officers acting under the provisions of the code of criminal procedure, officials coming under the Ministry of Sport and persons approved by the agency and sworn in as laid down by decree in the State Council are authorised to carry out the controls undertaken by the French anti-doping agency or for which the agency is called upon by the federations for training sessions, events and competitions mentioned in 2° of I of Article L. 232-5 of this code with a view to determining offences against the provisions set out in Articles L. 232-9 and L. 232-10.

These officers and other persons are bound by professional secrecy as laid down in Article 226-13 of the penal code.

Article L. 232-12

Control proceedings are instituted by the director of the controls department of the French Anti-Doping agency. Persons mentioned in Article L. 232-11 who are medically qualified may undertake clinical medical examinations and take biological samples intended to reveal the use of forbidden practices or detect the presence in the organism of prohibited substances. Persons mentioned in Article L. 232-11 who are not medically qualified make also take such biological samples. Only those persons mentioned in Article L. 232-11 who are qualified as doctors or nurses may take blood samples.

The controls are the subject of official reports which are sent to the agency and the federation concerned. A copy is handed to the persons concerned.

Article L. 232-13

The controls are carried out as follows:

1° As part of the annual national control programme mentioned in 1° of I of Article L. 232-5, or at the request of a sports federation:

- a) In any location where training, a competition or event takes place as mentioned in 2° of I of Article L. 232-5, in any establishment in which the physical or sports activities mentioned in Article L. 322-2 are practised and in their annexes;
- b) When the sportsman's training does not normally take place in one of the locations mentioned at a), in any other location chosen with their agreement where their privacy may be respected or, at their request, at their home;

2° In the cases covered in 1°, the licensed athlete is notified by the person in charge of taking the sample. When they do not train in any fixed location, the notification may be conveyed by any means that guarantees its origin and reception, during training sessions.

Article L. 232-14

While performing their control duties, the persons mentioned in Article L. 232-11 may only enter the locations mentioned in Article L. 232-13 between 6 a.m. and 9 p.m. or at any time when these locations are open to the public or when a competition or sports event or training session is in progress. A control undertaken at an athlete's home may only take place between 6 a.m. and 9 p.m.

They may be assisted, at their request, by a member delegated by the sports federation concerned.

They may ask to be shown any relevant document, take a copy and take note of observations made.

Only doctors may collect information of a medical nature.

In the event of control proceedings being considered with a view to determining offences, the public prosecutor is to be previously informed and may oppose this. Official reports drawn up following operations by the criminal investigation department shall be submitted to him within five days. A copy of these official reports is also to be handed to the person concerned.

Article L. 232-15

To implement the individual controls mentioned in III of Article L. 232-5, the director of controls designates the persons who must pass on to the French Anti-Doping Agency specific information making it possible to identify their whereabouts during training sessions and the competition and events programme mentioned in 2° of I of Article L. 232-5 in which they participate. This information may be subject to computerised processing by the agency, with a view to organising controls. This computerised processing of information on the individual whereabouts of athletes is authorised by the decision of the board of the Agency taken after reasoned opinion and published by the National Commission of Computing and Freedoms (CNIL).

These persons are selected, on the one hand, from those who are included on the lists of high-level athletes determined pursuant to article L. 221-2 and, on the other, professional athletes who are members of the authorised sports federations.

Article L. 232-16

The French Anti-Doping Agency may, in coordination and with the agreement of the international body responsible for combating doping recognised by the International Olympic Committee or an international sports federation, organise control proceedings on the occasion of sports competitions and events organised or authorised by a sports federation other than those referred to in 2° of I of article L. 232-5. In this case, controls are carried out under conditions provided for in article L.232-12, at a) of 1° of Article L. 232-13 and Article L. 232-14. They may not lead to the instigation of disciplinary procedures on the part of the Agency or the representative sports federation concerned.

Article L. 232-17

Refusal to undergo controls provided for in articles L. 232-12 to L. 232-14, or to comply with the attendant procedures is liable to administrative sanctions provided for in articles L. 232-21 to L. 232-23.

Article L. 232-18

The analysis of official samples taken by the French Anti-Doping Agency is carried out under the scientific and technical responsibility of the director of the analysis department.

For such analysis, the agency may call upon other laboratories under conditions provided for in a decree by the Council of State.

The analysis department also carries out research work.

Article L. 232-19

On all the premises mentioned in article L. 232-13 to which they have access for carrying out assignments of the Criminal Investigation Department, the persons mentioned in article L. 232-11 may only seize objects and documents relating to violations of the provisions of this title on the legal authorisation given by order of the president of the regional court under whose remit these objects and documents fall, or under that of a judge delegated by him.

The order must contain all the items of information of such a nature as to justify the seizure. This takes place under the authority and control of the judge authorising it.

Notice is given to the manager of the premises, or his representative on the spot, who receives a copy. It is subject to appeal only on a point of law, with the Supreme Court. This appeal has no suspensive effect.

A list is immediately made of the objects and documents seized, in the presence of the manager of the premises or his representative.

This list is appended to the report relating the operations taking place drawn up on the spot. The originals of the said report and the list are passed to the judge who authorised the seizure. A copy is given to the party concerned.

The president of the High Court or the judge delegated by him may at any time order the seizure to be set aside.

The persons mentioned in article L. 232-11 record the violations mentioned in section 4 of this chapter in official reports that are authentic until the contrary is proved. These official reports are passed, subject to voidness, within five days following their drafting to the public prosecutor. A copy is sent within the same time period to the person concerned.

Article L. 232-20

Customs officers, officers of the Directorate-General for Competition, Consumption and Combating Fraud, officers coming under the minister for sport and officers of the Criminal Investigation Department are authorised to communicate to each other all information obtained in carrying out their respective assignments and concerning doping substances, their use and sale, in compliance with the provisions of Law n° 78-17 of 6th January 1978 on computing and freedoms (CNIL).

The mode of enforcement of this article is determined by decree.

Section 4 Administrative sanctions

Article L. 232-21

Licensed athletes or licensed members of sports groups affiliated to sports federations who, either at training sessions, competitions or events mentioned in 2° of I of L. Article 232-5 or when controlled individually as mentioned in 1° of I of the same article, have contravened the provisions of Articles L. 232-9, L. 232-10 and L. 232-17 incur disciplinary sanctions.

These sanctions are delivered by the sports federations mentioned in Article L. 131-8.

For this purpose, the federations adopt in their rules of procedure provisions defined by decree at the Council of State regarding controls organised pursuant to this title, together with disciplinary procedures and sanctions applicable, while observing the rights of the defence.

These rules provide that the disciplinary body of first instance of these federations takes its decision, after the person concerned has been allowed to present his observations, within ten weeks of the time the offence was reported. It also provides that should it fail to have reached its decision within that time, the whole case shall be removed from its jurisdiction. The case is then passed to the disciplinary appeal body which, in any case, hands down its decision within at most four months from the same date.

Disciplinary sanctions taken by the sports federations may extend to a final ban on taking part in the competitions and events covered by Article L. 232-9.

These sanctions do not give rise to the conciliation procedure provided in Article L. 141-4.

Article L. 232-22

In the event of violation of the provisions of Articles L. 232-9, L. 232-10 and L. 232-17, the French Anti-Doping Agency exercises disciplinary sanction powers as follows:

1° It has jurisdiction to inflict disciplinary sanctions on non-licensed persons taking part in training sessions, competitions or events mentioned in 2° of I of Article L. 232-5;

2° It has jurisdiction to inflict disciplinary sanctions on persons coming under the disciplinary authority of a sports federation when this has not reached a decision within the time set out in Article L. 232-21. In such circumstances, the case is referred to it *ex officio* once this time has expired;

3° It may set aside decisions taken pursuant to Article L. 232-21. In such circumstances, it assumes jurisdiction within a month of being informed of these decisions taken pursuant to III of Article L. 232-5;

4° It may decide on the extension of a disciplinary sanction determined by a federation to the activities of the person concerned within other federations, of its own motion or at the request of the federation having issued the sanction.

Referral to the agency has a suspensive effect.

Article L. 232-23

The French Anti-Doping Agency, when exercising its powers of sanction in accordance with Article L. 232-22, may pronounce:

1° With respect to athletes recognised as guilty of actions prohibited by Articles L. 232-9 and L. 232-17, a temporary or definitive ban on their participation in the competitions and events mentioned in Article L. 232-9;

2° With respect to licensed persons taking part in the organisation and running of the competitions and events or preparatory training sessions recognised as guilty of activities prohibited by Article L. 232-10, a temporary or definitive ban on their participating, directly or indirectly, in the organisation and running of the competitions and events mentioned in Article L. 232-9, and preparatory training sessions, as well as a temporary or definitive ban on their performing the functions outlined in the first paragraph of Article L. 212-1.

These sanctions are issued while observing the rights of the defence.

At the request of an athlete liable to be sanctioned or of its own motion, the agency may propose to the person concerned, if it considers that it is not fully informed by the documentary evidence, that they submit to expert investigation with a view to determining whether the provisions of Article L. 232-9 have been complied with.

The investigation is carried out by an expert chosen by the athlete concerned from a list drawn up by the agency. The results of the investigation are communicated to the agency and to the person concerned, who may present observations. The costs incurred by the investigation are borne by the agency.

Article L. 232-24

The parties concerned may apply to an administrative court for decisions by the French Anti-Doping Agency taken pursuant to Articles L. 232-22 and L. 232-23 to be set aside.

Section 5

Criminal proceedings

Article L. 232-25

Failure to comply with the performance of the duties for which the officials and persons authorised under Article L. 232-11 are responsible is punishable by six months imprisonment and a fine of 7500 euros.

Failure to comply with prohibitions decided upon pursuant to Articles L. 232-22 and L. 232-23 is subject to the same penalties.

Article L. 232-26

Prescribing, in breach of the provisions of the second and third sub-paragraphs of Article L. 232-2 of this code, transferring, offering, administering or applying to a sportsman as mentioned in Article L. 232-9, a substance or practice mentioned in that article, facilitating or encouraging their use in any way, is punishable by five years imprisonment and a fine of 75,000 euros.

The penalties outlined in the first sub-paragraph are increased to seven years imprisonment and a fine of 150,000 euros if the offences are committed on an organised basis, as under Article 132-71 of the penal code, or if committed with respect to a minor.

Article L. 232-27

Natural persons guilty of the offences listed in Article L. 232-26 of this code also incur the following further penalties:

- 1° Confiscation of the substances and objects or documents that have been used in committing or facilitating the offence;
- 2° Publicising of the decision handed down as laid down in Article 131-35 of the penal code;
- 3° Closure, for a period of at most one year, of one or more or all the establishments of the company having been involved in committing the offence and belonging to the person sentenced;
- 4° Prohibition, as laid down in Article 131-27 of the code of criminal conduct, from performing the professional or social activity during which or at the time of which the offence was committed;
- 5° Prohibition, as laid down in Article 131-27 of the code of criminal conduct, from taking up public office.

Article L. 232-28

Corporations recognised as criminally liable, as laid down in Article 121-2 of the code of criminal conduct, for the offences set out in articles L. 232-25 and L. 232-26 of this code incur the following penalties:

- 1° A fine, in accordance with Article 131-38 of the code of criminal conduct;
- 2° For the offences covered by Article 232-26 of this code;
 - a) The additional penalties set out in 2°, 8° and 9° of Article 131-39 of the penal code;
 - b) Closure for a period of at most one year of the establishments or one or more of the establishments of the company having been involved in committing the offence and belonging to the corporation sentenced.

Article L. 232-29

Attempted offences under this section are punishable in the same way as the offences themselves.

Article L. 232-30

Civil action may be taken with respect to the offences mentioned in this section by:

- 1° The French National Olympic and Sports Committee in respect of offences committed on the occasion of competitions for which it is responsible;
- 2° The sports federations approved by the Ministry of Sport, each with regard to matters of its own concern, except when the perpetrator of the offence is subject to its own disciplinary powers.

Article L. 232-31

Unless provided otherwise, the mode of enforcement of this title is determined by decree in the Council of State.

Details are given in particular:

- 1° On the way in which the sports federations organise the individual medical supervision covered in Article L. 231-6
- 2° On the authorised examinations and sample-taking and practices to be followed.

**TITLE IV
THE FIGHT AGAINST ANIMAL DOPING**

Single chapter

Article L. 241-1

I. – The French Anti-Doping Agency determines and implements the activities listed in Article L. 232-5 to combat the doping of animals

II. – It carries out the duties assigned to it by this title as follows:

1° A specialist in veterinary medicine takes part in the deliberations of the board with regard to animal doping;

2° For the implementation of Articles L. 241-6 and L. 241-7, the agency board deliberates as a disciplinary bench composed of at least four of its members, including the specialist mentioned in 1° of this article, and under the chairmanship of one of the members referred to in 1° of Article L. 232-6;

3° This specialist is appointed by the president of the French Veterinary Academy in accordance with the provisions of Article L. 232-6 on the appointment and renewal of the board membership;

4° The renewal of the term of office of this specialist takes place at the same time as that of the board member appointed by the president of the National Academy of Medicine.

Article L. 241-2

It is forbidden to administer or apply to animals, during competitions or sports events organised or authorised by the federations concerned or by a specialised committee set up pursuant to Article L. 131-19 or with a view to taking part therein, substances or practices such as to alter artificially their performance or mask the employment of substances or practices having this property.

The list of substances or practices mentioned in this article is drawn up by joint order of the ministries responsible for sport, health and agriculture.

Article L. 241-3

I. – It is forbidden to facilitate the administration of the substances mentioned in Article L. 242-2 or encourage their administration and to facilitate the application of the practices mentioned in the same article or encourage their application.

It is forbidden to prescribe, transfer or offer one or more of the practices or substances mentioned in Article L. 241-2.

II. – It is forbidden to conceal an animal or oppose by any means whatsoever the control measures provided for in this title.

Article L. 241-4

The provisions of Section 3 of Chapter II of title III of this book, with the exception of Articles L. 232-9 and L. 232-10, apply to the controls and determination of offences relating to animal doping as provided in the decree of the Council of State mentioned in Article L. 241-9.

For the implementation of the provisions of the previous sub-paragraph, only those persons mentioned in Article L. 232-11 holding veterinary qualifications may take samples and undertake clinical and biological examinations on any animal with a view to revealing the use of prohibited practices or detect the presence in the organism of prohibited substances.

Article L. 241-5

I. – The provisions of Article L. 232-30 are applicable to offences covered in this title.

II. - 1° Offences under the provisions of Article L. 241-2 and I of Article L. 241-3 are punishable by five years imprisonment and a fine of 75,000 euros;

2° Offences under the provisions of II of Article L. 241-3 are punishable by six months imprisonment and a fine of 7,500 euros.

III. – Attempted offences covered by this title are subject to the same penalties.

IV. – Natural persons recognised guilty of the offences covered in Article L. 241-2 and I of Article L. 241-3 also incur the further penalties provided in Article L. 232-27.

V. – Corporations recognised to be criminally liable for the offences covered in this title incur the penalties set out in Article L. 232-28..

Article L. 241-6

An approved sports federation or the French Anti-Doping Agency may prohibit provisionally, temporarily or definitively as provided in Section 4 of Chapter II of Title III of this book the owner or trainer of an animal to which has been administered a prohibited substance or applied a forbidden practice from entering their animal in the competitions and events mentioned in Article L. 241-2.

The owner or trainer of this animal submits his observations under the disciplinary procedure provided in Section 4 of Chapter II of Title III of this book. He may also call for a fresh expert investigation.

Article L. 241-7

The owner, trainer or, where appropriate, the rider having infringed or attempted to infringe the provisions of this title incur the following administrative sanctions:

1° A temporary or definitive ban on taking part in the competitions and events mentioned in Article L. 241-2;

2° A temporary or definitive ban on taking part directly or indirectly in the organisation and running of the competitions or sports events mentioned in Article L. 241-2 and preparatory training sessions;

3° When they are licensed by an approved sports federation, a temporary or definitive ban on performing the duties set out in article L. 212-1.

These sanctions are delivered as provided in Section 4 of Chapter II of Title III of this book by an approved sports federation or by the French Anti-Doping Agency.

Article L. 241-8

The parties concerned may give jurisdiction to an administrative court to contest the decisions of the French Anti-Doping Agency taken pursuant to Articles L. 241-6 and L. 241-7.

Article L. 241-9

Unless otherwise provided, the mode of enforcement of this chapter is laid down by decree in the Council of State.