

Editorial

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WADA has recently announced that pseudoephedrine is being placed back on the list of banned drugs which will come into effect in January 2010. This is a curious decision.

Pseudoephedrine was for many years on the IOC list of banned drugs and was then placed on the list drawn up by WADA when it took over the responsibility for maintaining that list in 2004. The presence of pseudoephedrine on the list had always been problematic, for pseudoephedrine has long been available in over the counter cold remedies which are generally available to the general public, are widely used in daily life and appear to present no major health threat. Because of this, the removal of pseudoephedrine from the WADA banned list a couple of years ago was generally seen as a sensible move which tidied up an anomaly in that list. But now that WADA has reintroduced the ban, elite athletes are surely entitled to ask: What is going on? Why has the ban been reintroduced? And how can its reintroduction to the banned list be justified in terms of WADA's own criteria for banning drugs?

It may be useful to remind ourselves of WADA's criteria for including drugs on the list. The 2003 WADA Code says that a substance is considered for inclusion on the banned list if it meets any two of the following three criteria:

- the substance has the potential to enhance sport performance;
- its use represents an actual or potential health risk to the athlete; and
- its use violates the 'spirit of sport'.

Although pseudoephedrine meets the first criterion, so do many other substances, such as electrolyte drinks and high carbohydrate energy foods, which are permitted. But does it meet either of the other two criteria?

As noted earlier, pseudoephedrine has for many years been widely available in over the counter cold remedies which are freely available to the general public and widely used. It is no exaggeration to say that pseudoephedrine has been used not by millions, but by tens of millions, of people, without raising any serious health concerns. In any commonsense definition of the term, pseudoephedrine is a safe drug which does not pose a health threat.

This leaves just the third criterion: that the use of pseudoephedrine 'violates the spirit of sport'. This argument is a non-starter. No-one, surely, can argue that an athlete who has a respiratory infection and who takes a cold remedy which has been used by tens of millions of people is 'violating the spirit of sport'.

In 2007 a British House of Commons Select Committee stated:

'We remain disappointed at the lack of transparency at WADA relating to how decisions regarding inclusion of substances on the Prohibited List are made. We believe that lack of transparency in the Prohibited List sends out a poor signal to athletes and that WADA should justify each decision made within the criteria which it has set itself.'

The Committee went on to say that WADA should be pressed for 'clear reasoning to be given for each substance and method included on the Prohibited List.' WADA should indeed do this. But given the way WADA has responded to critics of other aspects of its policy – for example critics of its whereabouts system – it seems, sadly, that WADA is unlikely to respond in an open and transparent fashion.