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Olympic Insider

by Alan Abrahamson

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Zach Lund, and rewriting history

Zach Lund, the U.S. skeleton racer who was unceremoniously ordered out of the 2006 Torino Olympics because of a doping violation that now would not be a doping violation, has asked that the suspension he served no longer count formally as a first doping offense, calling it an “injustice that can be corrected.”

Lund’s prospects for success remain unclear. His lawyer, Howard Jacobs, declined to comment. World Anti-Doping Agency director general David Howman said, “This is a matter that we take seriously and is being referred to our lawyers for appropriate response.”

The request spotlights one of the most curious cases that has arisen in WADA history.

Heading into the 2006 Torino Winter Games, Lund was widely considered a medal contender in head-first skeleton racing. Then, though, he tested positive on Nov. 10, 2005, for finasteride, a substance found in a number of anti-baldness treatments — a treatment Lund freely acknowledged using. Not to cheat. To keep his hair.

Finasteride had been added just that year to WADA’s banned list, researchers saying it could mask the use of steroids.

The U.S. Anti-Doping Agency gave Lund a warning. WADA appealed, and a Court of Arbitration for Sport ruling ordered a one-year suspension — knocking Lund out of the Torino Games. The rules were the rules, the CAS panel said, even if it was “left with the uneasy feeling that Mr. Lund was badly



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served by the anti-doping organizations.”

Lund served his suspension. In 2007, he claimed the overall World Cup title.

Last October, WADA announced a rules change. As of Jan. 1, 2009, finasteride would no longer be on the banned list. Why? Because the science was now better.

The crux of the issue now is two-fold. There's Zach Lund's case itself. And there's the precedent value — which, as in all legally related matters, undoubtedly will complicate determination of what to do.

If anything.

Lund, now 29, of Salt Lake City, set a Dec. 12 letter to WADA and to the international bobsled federation, which also oversees skeleton racing, asking that his suspension no longer count as a first doping offense.



There is undeniable logic in what Jacobs, on his behalf, said in that letter. Perhaps it won't prove dispositive. But — as a logic proposition alone, it's difficult to refute:

“It now appears, almost three (3) years later and a full two years after Mr. Lund has completed his suspension, that WADA has agreed with the very scientific approach that was advanced by Mr. Lund in Torino, before CAS. Mr. Lund understands and accepts that he has served an unjust suspension, despite the fact that his scientific evidence regarding finasteride was correct.”

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