

Sport Scotland submission of 1 April 2022

PE1919/C: Ban the sale of high caffeine products to children for performance enhancement

Thank you for your letter regarding the petition submitted by Ted Gourley calling for a ban on the sale of fast release caffeine gum to under 18s for performance enhancement due to risk of serious harm. **sportscotland** is aware of the petitioners concerns about this issue and has communicated with Mr Gourley over a number of years to explain the role and position of **sportscotland**.

sportscotland unreservedly condemns the use of performance enhancing drugs and fully supports UK Anti-Doping's (UKAD) vision for a world where athletes can compete in a doping-free sporting environment through the Clean Games Policy.

sportscotland's role is to support the implementation of UK Anti-Doping's policies, primarily through education and promotion. We work with our partners including UK Anti-Doping and Scottish Governing bodies of sport, to ensure that athletes – including our young athletes - and support staff have access to anti-doping education and information enabling them to make informed decisions. We are not directly involved in the delivery or monitoring of anti-doping.

With regards to legal 'supplements' (which is a very broad term), **sportscotland** follow UKAD in our approach to clean sport - assess the need, the risk and the consequence. Within high performance we do not give blanket advice, instead it is taken on a case-by-case needs analysis in conjunction with a multidisciplinary team approach with clear performance measurement outcomes.

Specifically in relation to caffeine, for in-competition use remains on the [World Anti-Doping Agency \(WADA\) Monitoring Program](#) in 2022. As set out in the World Anti-Doping Code, this means that caffeine is not on the Prohibited List, but WADA wishes to monitor in order to detect potential patterns of misuse in sport. In short caffeine use by athletes is not currently prohibited by WADA.

sportscotland does not encourage recreational athletes to experiment with caffeine supplements.

Through our performance nutrition team and the sportscotland Institute of Sport, we provided some advice to Scottish Athletics to inform their guidance to members on caffeine. We note that the [scottishathletics Caffeine Guidance for Performance Athletes](#) concludes that “**scottishathletics** recommends that athletes do not use caffeine products, particularly young athletes and those with any health concerns”.

In December 2019, **sportscotland** highlighted to Mr Gourley the Scottish Government consultation on the sale of energy drinks to Mr Gourley, noting that it was open for responses until February 2020. We are not aware whether Mr Gourley submitted a response to this consultation. However, if Scottish Government are minded to consider a ban on the sale of caffeine gum to under 18s, it would seem sensible to do so in the context of their consideration of next steps following that consultation.

Finally, we note that Mr Gourley’s petition calls for the ban of sales of fast release caffeine to under 18s specifically for use as a ‘performance enhancement’ in a sporting context. It is unclear to **sportscotland** how a ban on the sale of a product for specific purposes could be implemented. If a ban was to be introduced, it would only seem practical on the basis of a general ban on sales to under 18s regardless of purpose.