

# **FEI Equine Anti-Doping and Medication Control Rules**

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## **INTRODUCTION**

### **Preface**

At its meetings held on 6-10 April 2005 in London, the FEI governing bodies (Bureau and General Assembly) accepted the recommendations of the FEI Task Force on Anti-Doping and Medication Policy. These **Equine Anti-Doping and Medication Control Rules** (hereinafter "EADMC Rules" or "Rules") are adopted and implemented in conformance with the undertakings of the FEI governing bodies and, much as the *FEI Anti-Doping Rules for Human Athletes* adopted in 2004 in conjunction with the *World Anti-Doping Code*, are in furtherance of the FEI's continuing efforts to avoid doping in equestrian sport.

Equine anti-doping rules, like *Competition* rules, are sport rules governing the conditions under which sport is performed. They seek to prevent any attempt to alter a horse's performance or to mask an underlying health problem by the administration or application of prohibited substances to the horse's body. Equine medication control rules seek to prevent medication violations that may affect performance or mask an underlying health problem whilst in some instances providing appropriate treatment to safeguard the health and welfare of the competition horse. Athletes accept these rules as a condition of participation. EADMC Rules are not intended to be subject to or limited by the requirements and legal standards applicable to criminal proceedings or employment matters. The policies and minimum standards set forth in these EADMC Rules represent the consensus of a broad spectrum of stakeholders with an interest in fair sport and horse welfare and should be respected by all courts and adjudicating bodies.

### **Fundamental Rationale for the FEI's EADMC RULES**

Anti-doping programs seek to preserve what is intrinsically valuable about sport. This intrinsic value is often referred to as "the spirit of sport"; it is the essence of Olympism; it is how we play true. The spirit of sport is the celebration of the human spirit, body and mind, and is characterized by the following values:

- Ethics, fair play and honesty
- Health
- Excellence in performance
- Character and education
- Fun and joy
- Teamwork
- Dedication and commitment
- Respect for rules and laws
- Respect for self and other participants
- Courage
- Community and solidarity

Doping is fundamentally contrary to the spirit of sport.

## **FEI Medication Code**

All treatments must be given in the best health and welfare interests of the horse.

Therefore:

- Every treatment must be fully justifiable by the medical condition of the horse receiving the treatment.
- Horses that cannot compete as a result of injury or disease must be given appropriate veterinary treatment. The *Person Responsible* must obtain advice from their treating veterinarian or team veterinarian prescribing a treatment and the necessary duration of treatment.
- No substance shall be given to any horse during or close to an event unless the appropriate FEI guidelines for medication authorization have been followed.
- A complete and accurate record of all treatments during or close to an event must be maintained.

## **Scope**

The present EADMC Rules are effective as of 1 June 2006. They must be read in conjunction with the Statutes, the General Regulations and the Veterinary Regulations.

These EADMC Rules shall apply to the FEI, and each *Participant* in the activities of the FEI by virtue of the *Participant's* membership, accreditation, or participation in the FEI, or its activities or *Events*.

To be eligible for participation in FEI events, an athlete must be registered with the FEI and/or be a registered member of a FEI National Federation.

Each National Federation shall guarantee that all registered international athletes under its jurisdiction accept the Statutes, Regulations and Rules of the FEI, including these EADMC Rules which take into account the principles of the World Anti-Doping Code.

Each *National Federation* agrees to ensure that all *Testing at FEI Events* complies with these EADMC Rules.

These EADMC Rules shall apply to all *Doping Controls* and *Medication Controls* at FEI Events.

## **ARTICLE 1 DEFINITION OF ANTI-DOPING AND MEDICATION CONTROL VIOLATIONS**

An anti-doping violation is defined as the occurrence of one or more of the anti-doping rule violations set forth in Article 2.1 through Article 2.6 of these *Rules*.

A medication control violation is defined as the occurrence of one or more of the medication control rule violations set forth in Article 2.1 through Article 2.6 of these *Rules*.

## **ARTICLE 2 ANTI-DOPING AND MEDICATION CONTROL RULE VIOLATIONS**

The *Equine Prohibited List* includes three classes of *Prohibited Substances*:

- *Doping*;
- *Medication Class A*; and
- *Medication Class B*.

Where *Doping Prohibited Substances* or *Prohibited Methods* are involved, the following constitute anti-doping rule violations; where *Medication Class A* or *Medication Class B Prohibited Substances* are involved, the following constitute medication control rule violations:

### **2.1 The presence of a *Prohibited Substance* or its *Metabolites* or *Markers* in a *Horse's* bodily *Sample***

**2.1.1** It is each *Person Responsible's* personal duty to ensure that no *Prohibited Substance* is present in his or her *Horse's* body during an *Event*. *Persons Responsible* are responsible for any *Prohibited Substance* found to be present in their *Horse's* bodily *Samples*. Accordingly, it is not necessary that intent, fault, negligence or knowing *Use* on the *Person Responsible's* part be demonstrated in order to establish an anti-doping or medication control violation under Article 2.1.

**2.1.2** Excepting those substances for which a quantitative threshold is specifically identified in the *Equine Prohibited List*, the detected presence of any quantity of a *Prohibited Substance* in a *Horse's* *Sample* shall constitute a rule violation.

**2.1.3** As an exception to the general rule of Article 2.1, the *Equine Prohibited List* may establish special criteria, including but not limited to specific thresholds or extenuating circumstances, for the evaluation of *Prohibited Substances* that can be produced endogenously and/or

be ingested from the environment or as a result of contamination. If such special criteria or circumstances apply, the detected presence of a *Prohibited Substance* in a *Horse's Sample* shall not automatically constitute a rule violation. Where thresholds have been established for the presence of a given *Prohibited Substance*, detection of a concentration above the applicable threshold shall constitute a rule violation.

## **2.2 Use of a *Prohibited Substance* or a *Prohibited Method***

The success or failure of the *Use of a Prohibited Substance* or a *Prohibited Method* is not material. It is sufficient that the *Prohibited Substance* or *Prohibited Method* was *Used* for a rule violation to be committed.

**2.3** Refusing, or failing without compelling justification, to submit to *Sample* collection after notification or otherwise evading *Sample* collection.

**2.4** *Tampering*, or *Attempting* to tamper, with any part of *Doping Control* or *Medication Control*.

**2.5** *Trafficking* in any *Prohibited Substance* or *Prohibited Method*.

**2.6** Administration of a *Prohibited Substance* or *Prohibited Method* to any *Horse*, or assisting, encouraging, aiding, abetting, covering up or any other type of complicity involving a rule violation.

## **ARTICLE 3 PROOF OF DOPING OR MEDICATION CONTROL VIOLATION**

### **3.1 Burdens and Standards of Proof**

The FEI shall have the burden of establishing that an anti-doping rule violation or medication control rule violation has occurred. The standard of proof shall be whether the FEI has established a rule violation to the comfortable satisfaction of the *Hearing Body* bearing in mind the seriousness of the allegation which is made. This standard of proof in all cases is greater than a mere balance of probability but less than proof beyond a reasonable doubt. Where these Rules place the burden of proof upon the *Person Responsible* alleged to have committed an anti-doping or medication control rule violation to rebut a presumption or establish specified facts or circumstances, the standard of proof shall be by a balance of probability.

### **3.2 Methods of Establishing Facts and Presumptions**

Facts related to rule violations may be established by any reliable means, including admissions. The following rules of proof shall be applicable in doping cases:

**3.2.1** FEI-listed laboratories are presumed to have conducted *Sample* analysis and custodial procedures in accordance with the *FEI Standard for Laboratories*. The *Person Responsible* may rebut this presumption by establishing that a departure from the *FEI Standard for Laboratories* occurred.

If the *Person Responsible* rebuts the preceding presumption by showing that a departure from the *FEI Standard for Laboratories* occurred, then the FEI shall have the burden to establish that such departure did not cause the *Adverse Analytical Finding*.

**3.2.2** Departures from the *Testing* procedures in the FEI Veterinary Regulations which did not cause an *Adverse Analytical Finding* or other anti-doping or medication control rule violation shall not invalidate such results. If the *Person Responsible* establishes that departures from the *Testing* procedures in the FEI Veterinary Regulations occurred during *Testing* then the FEI or its *National Federation* shall have the burden to establish that such departures did not cause the *Adverse Analytical Finding* or the factual basis for the rule violation.

## **ARTICLE 4 THE EQUINE PROHIBITED LIST**

### **4.1 Incorporation of the Equine Prohibited List**

These *Rules* incorporate the *Equine Prohibited List* which is published and revised by the FEI from time to time. The FEI will publish the current *Equine Prohibited List* in such a manner that it is available to its members and constituents. Publication of the *Equine Prohibited List* on the FEI website shall be deemed sufficient for this purpose.

### **4.2 Review and Publication of Prohibited Substances and Prohibited Methods Identified on the Equine Prohibited List**

The *Equine Prohibited List* as may be revised from time to time shall go into effect at a date communicated by the FEI upon its publication on the FEI website, but in any event no sooner than 30 days following publication.

### **4.3 Criteria for Including Substances and Methods on the Equine Prohibited List**

The FEI's determination of the *Prohibited Substances* and *Prohibited Methods* that will be included on the *Equine Prohibited List* shall be final and shall not be subject to challenge by a *Person Responsible*.

### **4.4 Therapeutic Use**

**4.4.1** *Horses* with a documented medical condition requiring the use of a *Prohibited Substance* or a *Prohibited Method* during or prior to an

Event must obtain permission for ongoing participation through a *Equine Therapeutic Use Exemption (ETUE)* in accordance with the FEI Veterinary Regulations through the use of a Medication Form as therein specified.

## **ARTICLE 5 TESTING**

### **5.1 Authority to Test**

All *Horses* participating at FEI *Events* shall be subject to *Testing* by the FEI or its assignees or agents.

### **5.2 Responsibility for FEI Testing**

The FEI Veterinary Department shall be responsible for overseeing all *Testing* conducted by the FEI. *Testing* may be conducted by members of the FEI Veterinary Commission at a given *Event* or by other qualified persons so authorized in writing by the FEI Secretary General or designee.

### **5.3 Testing Standards**

*Testing* conducted by or on behalf of the FEI shall be in substantial conformity with the *Testing* procedures in the FEI Veterinary Regulations in force at the time of *Testing*. A departure from these procedures shall only invalidate a given test if it undermines the validity of the *Adverse Analytical Finding*.

### **5.4 Selection of Horses to be Tested**

**5.4.1** The FEI shall determine the number of tests to be performed.

**5.4.2** In addition to the selection procedures set forth in Article 5.4.1 above, the Veterinary Commission in cooperation with the Ground Jury at *International Events* may also select *Horses* for *Target Testing* so long as such *Target Testing* is not used for any purpose other than legitimate *Doping Control* or *Medication Control*.

## **ARTICLE 6 ANALYSIS OF SAMPLES**

*Samples* collected under these *Rules* are the property of the FEI. They shall be analyzed in accordance with the following principles:

### **6.1 Use of Approved Laboratories**

The FEI shall send *Samples* for analysis only to laboratories subject to the *FEI Standard for Laboratories*. The choice of laboratory used for the *Sample* analysis shall be determined exclusively by the FEI.

## **6.2 Substances Subject to Detection**

*Samples* shall be analyzed to detect *Prohibited Substances* and *Prohibited Methods* identified on the *Equine Prohibited List*. The FEI may also seek to detect other substances for research and monitoring purposes.

## **6.3 Research on Samples**

No *Sample* may be used for any purpose other than the detection of substances (or classes of substances) or methods on the *Equine Prohibited List*, or as otherwise publicly announced by the FEI from time to time pursuant to a monitoring program, without the *Person Responsible's* written consent. *Samples* shall be destroyed no later than the lapse of the statute of limitations in Article 14.

## **6.4 Standards for Sample Analysis and Reporting**

Laboratories shall analyze *Samples* and report results in conformity with the *FEI Standard for Laboratories*.

# **ARTICLE 7 RESULTS MANAGEMENT**

## **7.1 Results Management for Tests Initiated by the FEI**

Results management for *Tests* initiated by the FEI shall proceed as set forth below:

**7.1.1** The results from all analyses must be sent exclusively to the FEI, in a report signed by an authorised representative of the laboratory. All communication must be conducted in such a way that the results of the analyses are confidential.

**7.1.2** Upon receipt of an *A Sample Adverse Analytical Finding*, the FEI *Investigating Body* shall conduct a review to determine whether: (a) an applicable *ETUE* has been granted, or (b) there is any apparent departure from the *Testing* procedures of the FEI Veterinary Regulations or the *FEI Standard for Laboratories* that undermines the validity of the *Adverse Analytical Finding*.

**7.1.3** If the initial review under Article 7.1.2 does not reveal an applicable *ETUE* or departure from the *Testing* procedures in the FEI Veterinary Regulations or from the *FEI Standard for Laboratories* that undermines the validity of the *Adverse Analytical Finding*, the FEI shall promptly notify the *Person Responsible* of:

- (a) the *Adverse Analytical Finding*;
- (b) the rule violated;

(c) the *Person Responsible's* right to promptly request the analysis of the *B Sample* or, failing such request, that the *B Sample* analysis may be deemed waived;

(d) the right of the *Person Responsible* and/or the *Person Responsible's* representative to be present at the identification and opening of the *B Sample* if an analysis of the *B Sample* is requested;

(e) the right of the *Person Responsible* to request copies of the *A* and *B Sample* laboratory reports; and

(f) if applicable, the *Person Responsible's* option to waive certain rights by accepting an administrative penalty.

**7.1.4** The FEI will arrange, within 14 days of receipt of the *Person Responsible's* request, for the *B Sample* to be tested at the earliest possible date provided by the testing laboratory. A *Person Responsible* may accept the *A Sample* analytical results by waiving the right to a *B Sample* analysis. The FEI may nonetheless elect to proceed with the *B Sample* analysis.

**7.1.5** The *Person Responsible* and/or a representative shall be allowed to be present at the identification and opening of the *B Sample*. A representative of the *Person Responsible's National Federation* as well as a representative of the FEI shall also be allowed to be present.

**7.1.6** If the *B Sample* proves negative, the entire test shall be considered negative. The FEI shall be informed of the results confidentially and shall inform the *Person Responsible* via his or her *National Federation*, and his or her *National Federation*.

**7.1.7** If a *Prohibited Substance* or the *Use of a Prohibited Method* is identified, the FEI shall be informed of the results confidentially and shall inform the *Person Responsible* via his or her *National Federation*, and his or her *National Federation*.

**7.1.8** The FEI *Investigating Body* may conduct any follow-up investigation as may be required. Upon completion of such follow-up investigation, if any, the FEI shall promptly notify the *Person Responsible* regarding the results of the follow-up investigation and whether or not the FEI asserts that a rule was violated.

**7.1.9** For apparent rule violations that do not involve *Adverse Analytical Findings*, the FEI may conduct any necessary follow-up investigation and shall then promptly notify the *Person Responsible* of the rule which appears to have been violated, and the basis of the violation.

## **7.2 Provisional Suspensions**

The FEI may provisionally suspend a *Person Responsible* and/or his or her horse prior to the opportunity for a full hearing based on (i) an *Adverse Analytical Finding* from the *A Sample* or *A and B Samples*; (ii) the review described in Article 7.1.2; and (iii) the notification described in Article 7.1.3. If a *Provisional Suspension* is imposed at the discretion of the FEI, either the hearing in accordance with Article 8 shall be advanced to a date which avoids substantial prejudice to the *Person Responsible*, or the *Person Responsible* shall be given an opportunity for a *Provisional Hearing* either before imposition of the *Provisional Suspension* or on a timely basis after imposition of the *Provisional Suspension*.

## **ARTICLE 8 RIGHT TO A FAIR HEARING**

### **8.1 Hearings arising out of FEI Testing or Tests at International Events**

**8.1.1** The FEI *Hearing Body* shall decide all cases of violation of these rules, unless the *Person Responsible* has waived his or her right to a hearing and agreed to an administrative process.

**8.1.2** When it appears, following the results management process described in Article 7, that these *Rules* have been violated, then the case shall be submitted to a panel of the FEI *Hearing Body* for adjudication, unless the *Person Responsible* has waived his or her right to a hearing and agreed to an administrative process.

**8.1.3** The FEI shall appoint a panel from among the FEI *Hearing Body* (which may include the Chair) to decide each case. The panel shall consist of three or more members, at the FEI's sole discretion. The appointed members shall be independent of the *Person Responsible* alleged to have violated these *Rules*, and the *Horse* involved.

**8.1.4** Hearings pursuant to this Article shall be completed expeditiously following the completion of the results management process described in Article 7 and the submission of all relevant evidence and pleadings by the parties. The *Person Responsible* shall cooperate promptly in the submission of such evidence and pleadings and in attendance and/or representation at a hearing if requested.

**8.1.5** The *National Federation* of the *Person Responsible* alleged to have violated these *Rules* may attend the hearing, if any, as an observer.

**8.1.6** A *Person Responsible* may acknowledge the rule violation and accept consequences consistent with Articles 9 and 10 as proposed by the FEI.

**8.1.7** Decisions of the FEI *Hearing Body* may be appealed to the Court of Arbitration for Sport as provided in Article 12.

## **8.2 Principles for a Fair Hearing**

All decisions and hearings pursuant to Article 8.1 shall respect the following principles:

- fair and impartial *Hearing Body*;
- the right to be represented by counsel at the *Person Responsible's* own expense;
- the right to be fairly and timely informed of the asserted rule violation;
- the right to respond to the asserted rule violation and resulting consequences;
- the right of each party to present evidence, including the right to call and question witnesses (subject to the *Hearing Body's* discretion to accept testimony by telephone or written submissions);
- a timely hearing, subject to timely and complete submissions by the parties;
- the *Person Responsible's* right to an interpreter at the hearing, with the *Hearing Body* to determine the identity, and responsibility for the cost of the interpreter; and
- a timely, written, reasoned decision.

## **ARTICLE 9            AUTOMATIC DISQUALIFICATION OF INDIVIDUAL RESULTS**

A violation of these *Rules* in connection with a test in a given *Event* automatically leads to *Disqualification* of all results of the *Person Responsible* and *Horse* combination obtained in that *Event* with all resulting consequences, including forfeiture of any related medals, points and prizes.

## **ARTICLE 10            SANCTIONS ON INDIVIDUALS**

### **10.1 Imposition of *Ineligibility* and *Fine* for *Doping Prohibited Substances* and *Prohibited Methods***

Except for *Medication Class A* or *Medication Class B Prohibited Substances*, the period of *Ineligibility* imposed for a violation of Article 2.1 (presence of a *Prohibited Substance*), Article 2.2 (*Use of a Prohibited Substance* or a *Prohibited Method*) shall be:

First violation: Up to two (2) years' *Ineligibility*.

Second violation (either anti-doping rule or medication control rule violation within five (5) years of notice of the first violation pursuant to Article 10.6.1): Up to four (4) years' *Ineligibility*.

A *Fine* of up to CHF 15,000.-- shall also be imposed for any anti-doping rule violation.

However, the *Person Responsible* shall have the opportunity in each case, before a period of *Ineligibility* or *Fine* is imposed, to establish the basis for eliminating or reducing this sanction as provided in Article 10.5.

### **10.2 Imposition of Ineligibility and Fine for Medication Class A Prohibited Substances**

Except for *Doping Prohibited Substances* or *Medication Class B Prohibited Substances*, the period of *Ineligibility* imposed for a violation of Article 2.1 (presence of a *Prohibited Substance*), or Article 2.2 (*Use of a Prohibited Substance* or a *Prohibited Method*) shall be:

First violation: Up to one (1) year's *Ineligibility*.

Second violation (either doping control rule or medication control rule violation within five (5) years of notice of the first violation pursuant to Article 10.6.1): Up to four (4) years' *Ineligibility*.

A *Fine* of up to CHF 15,000.-- may also be imposed for any medication control rule violation.

However, the *Person Responsible* shall have the opportunity in each case, before a period of *Ineligibility* or *Fine* is imposed, to establish the basis for eliminating or reducing this sanction as provided in Article 10.5.

### **10.3 Penalties for Medication Class B Prohibited Substances**

The *Equine Prohibited List* identifies *Medication Class B Prohibited Substances* which are particularly susceptible to unintentional medication control rule violations because of their general availability in medicinal products or which are less likely to be successfully abused as doping or masking agents. Where

the presence of a *Medication Class B Prohibited Substance* in a *Horse's Sample* results in an *Adverse Analytical Finding*, its use will be presumed not to have been intended to enhance sport performance, and the following consequences shall apply:

First violation: Minimum: warning and reprimand.

Maximum: warning, reprimand, and *Fine* of up to CHF 15,000.--.

Second violation: (either doping control rule or medication control rule violation within five (5) years of notice of the first violation pursuant to Article 10.6.1): Up to one (1) year's *Ineligibility*.

However, the *Person Responsible* shall have the opportunity in each case, before a period of *Ineligibility* or *Fine* is imposed, to establish the basis for eliminating or reducing (in the case of a second or additional repeated violation) this sanction as provided in Article 10.5. If the FEI rebuts the presumption that the use of the *Medication Class B Prohibited Substance* was not intended to enhance sport performance, the penalties in Article 10.1 or 10.2 may apply at the discretion of the *Hearing Body*.

#### **10.4 *Ineligibility* for Other Rule Violations**

The period of *Ineligibility* for other violations of these *Rules* shall be:

**10.4.1** For violations of Article 2.3 (refusing or failing to submit to *Sample* collection) or Article 2.4 (*Tampering* with *Doping Control* or *Medication Control*), the sanctions set forth in Article 10.1 shall apply.

**10.4.2** For violations of Article 2.5 (*Trafficking*) or Article 2.6 (administration of *Prohibited Substance* or a *Prohibited Method*), the sanctions set forth in Article 10.1 shall apply for *Doping Prohibited Substances* and *Prohibited Methods*, and those in Article 10.2 shall apply for *Medication Class A* and *Medication Class B Prohibited Substances*. In addition, violations of these *Rules* which also violate non-sporting laws and regulations may be reported to the competent administrative, professional or judicial authorities.

#### **10.5 Elimination or Reduction of Period of *Ineligibility* Based on Exceptional Circumstances**

**10.5.1** If the *Person Responsible* establishes in an individual case involving a rule violation under Article 2.1 (presence of a *Prohibited Substance*) or *Use of a Prohibited Substance* or a *Prohibited Method* under Article 2.2 that he or she bears *No Fault and No Negligence* for

the violation, the otherwise applicable period of *Ineligibility* and other sanctions shall be eliminated. When a *Prohibited Substance* is detected in a *Horse's Sample* in violation of Article 2.1 (presence of a *Prohibited Substance*), the *Person Responsible* must also establish how the *Prohibited Substance* entered the *Horse's* system in order to have the period of *Ineligibility* and other sanctions eliminated. In the event this Article is applied and the period of *Ineligibility* otherwise applicable and other sanctions are eliminated, the rule violation shall not be considered a violation for the limited purpose of determining the period of *Ineligibility* for multiple violations under Article 10.1, 10.2, 10.3 and 10.6.

**10.5.2** This Article 10.5.2 applies only to rule violations involving Article 2.1 (presence of a *Prohibited Substance*), *Use of a Prohibited Substance* or a *Prohibited Method* under Article 2.2, failing to submit to *Sample* collection under Article 2.3, *Tampering* under Article 2.4, *Trafficking* under Article 2.5 or administration of a *Prohibited Substance* or a *Prohibited Method* under Article 2.6. If a *Person Responsible* establishes in an individual case involving such violations that he or she bears *No Significant Fault and No Significant Negligence*, then the period of *Ineligibility* and other sanctions may be reduced. When a *Prohibited Substance* is detected in a *Horse's Sample* in violation of Article 2.1 (presence of a *Prohibited Substance*), the *Person Responsible* must also establish how the *Prohibited Substance* entered his or her *Horse's* system in order to have the period of *Ineligibility* and other sanctions reduced.

**10.5.3** The FEI may also reduce the period of *Ineligibility* and other sanctions in an individual case where the *Person Responsible* has provided substantial assistance to the FEI which results in the FEI discovering or establishing a rule violation by another *Person Responsible* involving Article 2.5 (*Trafficking*), or Article 2.6 (administration to a *Horse*).

## **10.6 Rules for Certain Potential Multiple Violations**

**10.6.1** For purposes of imposing sanctions under Article 10.1, 10.2 and 10.3, a second rule violation may be considered for purposes of imposing sanctions only if the FEI can establish that the *Person Responsible* committed the second violation after the *Person Responsible* received notice, or after the FEI (or its *National Federation*) made a reasonable attempt to give notice, of the first rule violation; if the FEI cannot establish this, the violations shall be considered as one single first violation, and the sanction imposed shall be based on the violation that carries the more severe sanction.

**10.6.2** Where a *Person Responsible*, based on the same *Doping Control* or *Medication Control*, is found to have committed a rule

violation involving both a *Medication Class B Prohibited Substance* under Article 10.3 or a *Medication Class A Prohibited Substance* under Article 10.2 and another *Prohibited Substance* or *Prohibited Method*, the *Person Responsible* shall be considered to have committed a rule violation, but the sanction imposed shall be based on the *Prohibited Substance* or *Prohibited Method* that carries the most severe sanction.

### **10.7 Disqualification of Results in Competitions Subsequent to Sample Collection**

If fairness requires, in addition to the *Disqualification* of the results in the *Event* which produced the positive *Sample* under Article 9 (*Automatic Disqualification of Individual Results*), all other competitive results obtained from the date a positive *Sample* was collected, or other rule violation occurred, through the commencement of any *Provisional Suspension* or *Ineligibility* period, may be *Disqualified* with all of the resulting consequences including forfeiture of any medals, points and prizes.

### **10.8 Commencement of Ineligibility Period**

The period of *Ineligibility* shall start on the date of the hearing decision unless otherwise provided for by the decision of the *Hearing Body*. Any period of *Provisional Suspension* (whether imposed or voluntarily accepted) shall be credited against the total period of *Ineligibility* to be served.

### **10.9 Status During Ineligibility**

No *Person Responsible* who has been declared *Ineligible* may, during the period of *Ineligibility*, participate in any capacity in an *Event* or activity (other than authorized anti-doping education) authorized or organized by the FEI or any *National Federation*. In addition, for any anti-doping rule violation, some or all sport-related financial support or other sport-related benefits received by such *Person Responsible* may be withheld by the FEI and its *National Federations*.

## **ARTICLE 11 CONSEQUENCES TO TEAMS**

**11.1** If a member of a team is found to have committed a violation of these *Rules* during an *Event* where a team ranking is based on the addition of individual results, the results of the *Person Responsible* committing the violation will be subtracted from the team result and replaced with the results of the next applicable team member. If by removing the *Person Responsible's* results from the team results, the number of *Persons Responsible* counting for the team is less than the required number, the team shall be eliminated from the ranking.

## **ARTICLE 12 APPEALS**

### **12.1 Decisions Subject to Appeal**

Decisions made under these *Rules* may be appealed as set forth below in Article 12.2 through 12.3. Such decisions shall remain in effect while under appeal unless the appellate body orders otherwise.

### **12.2 Appeals from Decisions Regarding Anti-Doping and Medication Control Rule Violations, Consequences, and Provisional Suspensions**

A decision that (a) a rule violation was committed; (b) a decision imposing consequences for a rule violation; (c) a decision that no rule violation was committed; (d) a decision that the *FEI* or its *National Federation* lacks jurisdiction to rule on an alleged rule violation or its consequences; and (e) a decision to impose a *Provisional Suspension* in violation of Article 7.2 may be appealed exclusively as provided in this Article 12.2. Notwithstanding any other provision herein, the only *Person* that may appeal from a *Provisional Suspension* is the *Person Responsible* upon whom the *Provisional Suspension* is imposed.

**12.2.1** In cases arising from competition in an *International Event* the decision may be appealed exclusively to the Court of Arbitration for Sport ("CAS") in accordance with the provisions applicable before such court. Subject to these provisions, evidence that should have been readily available at the hearing held before the *FEI Hearing Body* and had not been presented to such *Hearing Body* shall be inadmissible on appeal.

**12.2.2** In cases under Article 12.2.1, the following parties shall have the right to appeal to CAS: (a) the *Person Responsible* who is the subject of the decision being appealed; (b) the other party to the case in which the decision was rendered; (c) the *FEI*; (d) the *Person Responsible's National Federation* and (e) the International Olympic Committee or International Paralympic Committee, as applicable, where the decision may have an effect in relation to the Olympic Games or Paralympic Games, including decisions affecting eligibility for the Olympic Games or Paralympic Games.

### **12.3 Time for Filing Appeals**

The time to file an appeal to CAS shall be thirty (30) days from the date of dispatch of the decision to the appealing party. The above notwithstanding, the following shall apply in connection with appeals filed by a party entitled to appeal but which was not a party to the proceedings having led to the decision subject to appeal:

- a) Within ten (10) days from notice of the decision, such party/ies shall have the right to request from the body having issued the decision a copy of the file on which such body relied;
- b) If such a request is made within the ten-day period, then the party making such request shall have thirty (30) days from receipt of the file to file an appeal to CAS.

## **ARTICLE 13 APPLICATION, REPORTING AND RECOGNITION**

### **13.1 Application of FEI EADMC Rules**

All *National Federations* shall comply with the general principles of these *Rules*. In the absence of other rules governing anti-doping and medication control for *Horses*, these *Rules* shall be incorporated either directly or by reference into each *National Federation's* rules. In this case, *National Federations* shall include in their regulations the procedural provisions necessary to effectively implement these *Rules*.

### **13.2 Statistical Reporting**

*National Federations* shall report to the FEI at the end of every year aggregated and anonymous results of all *Doping Controls* and *Medication Controls* within their jurisdiction. The FEI may periodically publish *Testing* data received from *National Federations* as well as comparable data from *Testing* under the FEI's jurisdiction.

### **13.4 Public Disclosure**

Neither the FEI nor its *National Federation* shall publicly identify *Horses* or *Persons Responsible* whose *Horses* whose *Samples* have resulted in *Adverse Analytical Findings*, or who were alleged to have otherwise violated these *Rules* until the earlier of completion of the administrative review and notification described in Articles 7.1.2 and 7.1.3 or the start of the *Provisional Suspension* of the *Person Responsible*. Once a violation of these *Rules* has been established, it shall be publicly reported in an expeditious manner. If the *Person Responsible* and/or his or her *National Federation* makes information concerning a rule violation or alleged rule violation public prior to release of the FEI's public report, the FEI may comment on such public information.

### **13.5 Recognition of Decisions by FEI and *National Federations***

Any decision of the FEI regarding a violation of these *Rules* shall be recognized and enforced by all *National Federations* including with respect to *National Events*, and *National Federations* shall take all necessary action to render such results effective.

## **ARTICLE 14      STATUTE OF LIMITATIONS**

No action may be commenced under these *Rules* against a *Person Responsible* for a rule violation unless such action is commenced within three years from the date the violation occurred.

## **ARTICLE 15      AMENDMENT AND INTERPRETATION OF EADMC RULES**

**15.1** These *Rules* may be amended from time to time by the FEI in accordance with the FEI Statutes and General Regulations.

**15.2** Except as provided in Article 15.5, these *Rules* shall be interpreted as an independent and autonomous text and not by reference to existing law or statutes.

**15.3** The headings used for the various parts and Articles of these *Rules* are for convenience only and shall not be deemed part of the substance of these *Rules* or to affect in any way the language of the provisions to which they refer.

**15.4** The INTRODUCTION and the APPENDIX I DEFINITIONS shall be considered integral parts of these *Rules*.

**15.5** These *Rules* have been adopted pursuant to the FEI Statutes and General Regulations and shall be interpreted, where applicable, in a manner that is consistent with applicable provisions of these Statutes and General Regulations as well as other FEI rules and regulations including but not limited to the Veterinary Regulations. In the event of conflict with the General Regulations, the General Regulations shall apply. In the event of conflict with the Veterinary Regulations, these *Rules* shall apply.

**15.6** Notice to a *Person Responsible* may be accomplished by delivery of the notice to the *National Federation*.

**15.7** The time limits fixed under the present *Rules* shall begin from the day after that on which notification by the FEI is received. Official holidays and non-working days are included in the calculation of time limits. The time limits fixed under the present *Rules* are respected if the communications by the parties are sent before midnight on the last day on which such time limits expire. If the last day of the time limit is an official holiday or a non-business day in the country where the notification has been made, the time limit shall expire at the end of the first subsequent business day.

**15.8** These *Rules* shall not apply retrospectively to matters pending before the date these *Rules* came into effect. They shall apply to all Events held as of 1 June 2006.

## **APPENDIX 1 - DEFINITIONS**

*Adverse Analytical Finding.* A report from a laboratory or other approved *Testing* entity that identifies in a *Sample* the presence of one or more *Prohibited Substances* (including elevated quantities of endogenous substances) or evidence of the *Use of a Prohibited Method*.

*Attempt or Attempting.* Purposely engaging in conduct that constitutes a substantial step in a course of conduct planned to culminate in the commission of an anti-doping or medication control rule violation. Provided, however, there shall be no anti-doping or medication control rule violation based solely on an *Attempt* to commit a violation if the *Person* renounces the attempt prior to it being discovered by a third party not involved in the *Attempt*.

*Competition.* A Competition as defined in the FEI General Regulations.

*Disqualification.* A consequence of an anti-doping or medication control rule violation whereby the *Person Responsible's* results in a particular *Competition* or *Event* are invalidated, with all resulting consequences including forfeiture of any medals, points and prizes.

*Doping Control.* The process including test distribution planning, *Sample* collection and handling, laboratory analysis, results management, hearings and appeals aimed at preventing any attempt to alter a *Horse's* performance (or to mask an underlying health problem) by the administration or application of *Prohibited Substances* in or on the *Horse's* body.

*Equine Prohibited List.* The list identifying the *Prohibited Substances* and *Prohibited Methods* as published from time to time under the direction of the Secretary General.

*Equine Therapeutic Use Exemption (ETUE).* The authorization to compete when a *Prohibited Substance* or a *Prohibited Method* has been administered or used for legitimate therapeutic purposes in a *Horse*, as provided for in the FEI Veterinary Regulations through the use of an applicable Medication Form as therein specified.

*Event.* An Event as defined in the FEI General Regulations.

*FEI.* The Fédération Equestre Internationale acting through its applicable representative as determined in its Statutes, General Regulations, other regulations or rules, or by its Secretary General from time to time.

*FEI Standard for Laboratories.* A standard setting out the criteria to apply in respect of analyses, custodial procedures and reports thereon adopted by the FEI from time to time as certified by the Secretary General in support of these *Rules*. Compliance with this standard (as opposed to another alternative standard, practice or procedure) in force at the time of *Sample* analysis shall be sufficient to conclude that the procedures addressed by this standard were performed properly.

*Fine.* A consequence of an anti-doping or medication control rule violation whereby the *Person Responsible* receives a financial penalty.

*Hearing Body.* The FEI Judicial Committee or a panel of members thereof, or other such body as provided for in the FEI Statutes.

*Horse.* A horse, pony or other member of the genus *Equus* competing in an FEI discipline.

*In-Competition.* An *In-Competition* test is a test where a *Person Responsible* is selected for testing in connection with a specific *Competition* on the day the *Person Responsible* is competing.

*Ineligibility.* A consequence of an anti-doping or medication control rule violation whereby the *Person Responsible*, *Horse* or *Person* is barred for a specified period of time from participating in any *Competition* or *Event* or other activity or funding as provided in Article 10.8.

*International Event.* An *Event* where the FEI, International Olympic Committee, or International Paralympic Committee is the ruling body for the *Event* or appoints the technical officials for the *Event*.

*Investigating Body.* A panel of at least three persons, from time to time designated by the FEI Secretary General composed of persons from the FEI Legal Department and the FEI Veterinary Department, under the chairmanship of the Head of the FEI Legal Department or his or her deputy.

*Marker.* A compound, group of compounds or biological parameters that indicates the *Use of a Prohibited Substance* or a *Prohibited Method*.

*Medication Class A.* A class of *Prohibited Substances* as defined in the *Equine Prohibited List*.

*Medication Class B.* A class of *Prohibited Substances* as defined in the *Equine Prohibited List*.

*Medication Control.* The process including test distribution planning, *Sample* collection and handling, laboratory analysis, results management, hearings and appeals aimed at preventing medication control rule violations that may affect performance or mask an underlying health problem whilst providing appropriate treatment to safeguard the health and welfare of the *Horse*.

*Metabolite.* Any substance produced by a biotransformation process.

*Minor.* A natural *Person* who has not reached the age of 18.

*National Event.* A sport *Event* involving international or national-level *Persons Responsible* that is not an *International Event*.

*National Federation.* A national entity which is a member of or is recognized by the FEI as the entity governing FEI sport in that nation.

*National Olympic Committee.* The organization recognized by the International Olympic Committee. The term *National Olympic Committee* shall also include the National Sport Confederation in those countries where the National Sport Confederation assumes typical *National Olympic Committee* responsibilities in the anti-doping area.

*No Fault or No Negligence.* The *Person Responsible's* establishing that he or she did not know or suspect, and could not reasonably have known or suspected even with the exercise of utmost caution, that he or she had *Used* on the *Horse*, or the *Horse's* system otherwise contained a *Prohibited Substance* or a *Prohibited Method*.

*No Significant Fault or No Significant Negligence.* The *Person Responsible's* establishing that his or her fault or negligence, when viewed in the totality of the circumstances and taking into account the criteria for *No Fault or Negligence*, was not significant in relationship to the anti-doping or medication control rule violation.

*Participant.* Any *Person Responsible* or *Horse*.

*Person.* A natural *Person* or an organization or other entity.

*Person Responsible.* A *Person Responsible* for a *Horse* as defined in the FEI General Regulations in force from time to time.

*Prohibited Method.* Any method so described on the *Equine Prohibited List* including its *Metabolites* and *Markers*.

*Prohibited Substance.* Any substance so described on the *Equine Prohibited List* including its *Metabolites* and *Markers*. *Prohibited Substances* include *Doping*, *Medication Class A*, and *Medication Class B* substances.

*Provisional Hearing.* For purposes of Article 7.2, an expedited abbreviated hearing occurring prior to a hearing under Article 8 (Right to a Fair Hearing) that provides the *Person Responsible* with notice and an opportunity to be heard in either written or oral form.

*Provisional Suspension.* A consequence of an anti-doping and/or medication control rule violation whereby the *Person Responsible* is barred temporarily from participating in any *Competition* prior to the final decision at a hearing conducted under Article 8 (Right to a Fair Hearing).

Publicly Disclose or Publicly Report. To disseminate or distribute information to the general public or persons beyond those persons entitled to earlier notification in accordance with Article 13.

Rules. The FEI Equine Anti-Doping and Medication Control Rules.

Sample. Any biological or other material collected for the purposes of *Doping Control* or *Medication Control*.

Tampering. Altering for an improper purpose or in an improper way; bringing improper influence to bear; interfering improperly to alter results or prevent normal procedures from occurring.

Target Testing. Selection of *Horses* for *Testing* where specific *Horses* or groups of *Horses* are selected on a non-random basis for *Testing* at a specified time.

Testing. The parts of the *Doping Control* or *Medication Control* process involving test distribution planning, *Sample* collection, *Sample* handling, and *Sample* transport to the laboratory.

Trafficking. To sell, give, administer, transport, send, deliver or distribute a *Prohibited Substance* or a *Prohibited Method* to a *Person Responsible* or his or her *Horse* either directly or through one or more third parties, but excluding the sale or distribution of a *Prohibited Substance* for genuine and legal therapeutic purposes.

Use. The application, ingestion, injection or consumption by any means whatsoever of any *Prohibited Substance* or a *Prohibited Method*.