

Atypical Findings – Frequently Asked Questions

1. I received a letter from the FEI Informing me that a sample taken from my horse is being treated as an “Atypical Finding”. What does that mean?

It means that in a sample taken from your horse, a FEI approved laboratory found a substance that, although it is on the FEI’s Equine Substance Prohibited List, does not automatically trigger an “Adverse Analytical Finding”, meaning that it is not treated as a positive test at this stage.

Instead, the FEI needs further information to assess whether or not to treat it as a violation of the FEI EADCMRs (i.e. whether or not to treat it as an Adverse Analytical Finding).

Substances that are treated as Atypical Findings are those that may be in a sample because of contamination or some other non-doping explanation.

2. What do I need to do now?

You need to provide the FEI with as much information as you can to show how/why the substance was in the sample taken from your horse. This is what is known as establishing the source of the Prohibited Substance.

In the letter you received from the FEI, you will have been asked to provide certain information to the FEI. For example, information about the event where the Sample was taken from, what feed and/or supplements were ingested by your horse around the time the sample was taken, veterinary records, medical log book etc.

The more information you can provide to show how the substance entered your horse’s system the better.

3. Do I need to hire a lawyer?

This is completely up to you. However, at this stage no formal legal proceedings have been started and you will not be required to make any formal legal submissions or attend any hearings as part of the Atypical Findings process. It should be possible for you to manage this process by yourself, perhaps with some assistance from your NF. The FEI Legal Department is also available to answer any questions you might have about the process and about what information you need to provide. Of course, if you prefer to liaise with the FEI via your legal representative that is also your right.

4. Are there any costs involved?

The FEI will not impose any costs on you for the Atypical Finding process. Should you need to carry out additional testing of feed and/or supplements, please ensure that you inform the FEI in advance to ensure that the test results/process will be accepted by the FEI. Also, depending on the circumstances of the case, the FEI might contribute to the costs of such testing.

5. Am I or my horse provisionally suspended?

No. You and your horse are free to compete while the Atypical Findings process is ongoing.

6. What happens if I cannot establish the source of the Prohibited Substance?

If you cannot establish the source then the FEI must treat the case as an Adverse Analytical Finding (a positive case). This is because unless it is established how or why the substance was in your horse, the FEI cannot rule out that the substance

was given to your horse deliberately. Ultimately it will be for the FEI Tribunal to decide on the consequences following a full legal process (written submissions, hearing etc.).

7. Does this mean if I can establish the source that the case will be dropped?

No. Although establishing the source is the most important factor to be considered, other factors will need to be considered, for example, what measures you have taken (or could have taken) to prevent the substance entering your horse's system. For example, if there was a known risk of the substance possibly entering your horse's system and you did not take any preventative measures, this will be taken into consideration.

The more diligent you have been in keeping records and the better the system to have in place to prevent Prohibited Substances entering your horse's system, the better it will be for you.

8. Who will decide if there will be further legal action or not?

This decision is taken by the ATF Panel. The Panel has the following members:

- Independent Chair (Mr Ken Lalo)
- FEI Veterinary Director
- FEI Legal Director
- Chair of the FEI List Group

9. Will there be a hearing before the ATF Panel?

No. The ATF Panel will make their decision based on the written information you provide. The ATF Panel can also consult with its own experts (such as laboratories, pharmacologists etc.). The FEI will cover the costs of its experts.

10. How will I find out what the ATF Panel decides?

You will receive a formal written decision from the ATF Panel.

11. What happens if the ATF Panel is satisfied with my explanations?

There will be no further action taken and your results at the Event in question will not be disqualified.

12. What happens if the ATF Panel is not satisfied with my explanations?

The ATF Panel might contact you for further information. If they are still not satisfied that there is a non-doping explanation (e.g. contamination) and/or you could not have avoided the substance entering your horse's system, the ATF Panel will inform the FEI Legal Department to treat the case as an Adverse Analytical Finding and the FEI will open proceedings against you under the FEI EADCMR.

13. Can I appeal the decision of the ATF Panel?

No. It is final and not subject to appeal. You will still have a full opportunity to defend yourself as part of the EADCMR proceedings and to make detailed written and/or oral submissions before any final decision is taken by the FEI Tribunal.

14. Who can I inform about my Atypical Finding?

While the Atypical Finding is still under review, you should only inform those that need to know and/or could assist you with establishing the source and providing your explanations, for example your NF, the Organiser of the Event where the sample was taken etc., your groom, your veterinarian. You should not make any public comment to the media, on social media etc. The FEI will always inform your NF when notifying you about an Atypical Finding.

15. If the case is "dropped" will this be made public?

No. If the FEI receives media enquiries about your case it would only provide information if it has received your prior permission to do so.

16. If the case is treated as an Adverse Analytical Finding, will this be made public?

The FEI will list the case on the [Case Status Table](#) on the FEI website. Depending on the alleged violation, the FEI may issue a statement/press release.