

**PROPOSALS FOR RULES CHANGES OF
EQUINE ANTI-DOPING & CONTROLLED MEDICATION REGULATIONS
2024**

16 October 2024

Dear National Federations,

Please find below a summary of the proposed changes to the Equine Anti-Doping & Controlled Medication Regulations with the corresponding explanations, the comments received as well as the reasoning for accepting or not accepting each proposal. This document only outlines the proposed changes where comments have been provided by National Federations. A summary of the key changes was outlined in the [memo](#) published on 26 June 2024.

A full mark-up showing all proposed changes to the EADCMRs has been provided, together with a clean version.

Finally, the proposed changes to the FEI Guidelines for Fines and Contributions Towards Legal Costs are also available as part of the FEI General Assembly Annexes.

Sincerely,



Mikael Rentsch,

Legal Director

A. PROPOSED RULES CHANGES TO BE VOTED AT THE FEI GENERAL ASSEMBLY 2024

Proposal from (National Federation, Stakeholder or FEI)
FEI
Article Number – Article Name
Article 2.1.2 An Adverse Analytical Finding may be established by a positive blood, or urine, or any biological or other material, including any tissue, body fluid, excreta, hair, skin scraping or swab Sample.
Explanation for Proposed Change
It is proposed to introduce hair testing to complement blood and urine analysis as it prolongs the detection window. The method is already established and functioning in horseracing. In addition, saliva sampling is also added as this will allow non-evasive testing during competition, such as in the Vet Gate in Endurance for example.
Proposed Wording on 26 June 2024
See full mark-up.
Comments Received by 21 August 2024
USA NF: The use of hair as a matrix for drug testing presents an issue as to when the administration occurred, and the possibility exists the administration may have been prior to the current owner taking possession of the horse. We suggest provisions be included to assure the current owner will not be falsely accused and held accountable for someone else’s transgression. FEI to propose wording.
FEI Feedback
It is correct that there could be challenges regarding the fault/negligence of the relevant persons who are involved in the positive finding. Given the wording on out of competition testing as well, the consequences are mainly on the horse (with a 2 month suspension). The prosecution against persons would need to be based on additional evidence against such specific persons. So we suggest to keep the initial wording.
Proposed Final Wording to be Voted at the FEI General Assembly 2024
As per wording proposed on 26 June 2024.

Proposal from (National Federation, Stakeholder or FEI)
FEI
Article Number – Article Name
Art. 2.11
Explanation for Proposed Change

See initial [memo](#). Linked to new Out of Competition testing proposal.

Proposed Wording on 26 June 2024
2.11 Whereabouts Failures

Any combination of three (3) missed *Tests* and/or filing failures within a twelve (12) month period for a Horse that the FEI requested whereabouts information and/or in a *Registered Testing Pool* and/or *Testing Pool*.

Comments Received by 21 August 2024

GER NF: We consider it dangerous to link severe consequences to filing failures while the whereabouts system is not fully established and running smoothly. Any mistake is going to antagonize the entire equestrian community against the entire idea of out of competition testing.

We suggest withdrawing sanctions for whereabouts failures (Art. 2.11) for the moment. They can still be implemented at a later stage when the system is running reliably.

Proposed wording: ~~2.11 Whereabouts Failures~~

~~Any combination of three (3) missed Tests and/or filing failures within a twelve (12) month period for a Horse that the FEI requested whereabouts information and/or in a Registered Testing Pool and/or Testing Pool.~~

FEI Feedback

As the FEI needs to be compliant with the WADA Code and given the fact that the provision at stake is already included in the WADA Code (and the FEI Anti-Doping Rules for Human Athletes), we suggest to keep such provision. However, we have slightly amended the provision in art. 2.11. We have also amended art. 10.3.6 and have now included that the consequences for violations of Article 2.11 be a period of Suspension of the Horse (for two (2) months).

Proposed Final Wording to be Voted at the FEI General Assembly 2024
2.11 Horse Whereabouts Failures

Any combination of three (3) missed *Tests* and/or filing failures within a twelve (12) month period for a Horse where the FEI requested its whereabouts information **in accordance with Article 5.5** and/or in a *Registered Testing Pool* and/or *Testing Pool*.

10.3.6 For violations of Article 2.11, the period of *Ineligibility Suspension of the Horse* shall be two (2) ~~years~~~~months~~, subject to reduction down to a minimum of ~~a Warning~~~~one (1) year~~, depending on the *Registered Trainer, Owner of the Horses and/or –Person Responsible’s* degree of *Fault*. The flexibility ~~to reduce the between two (2) years and one (1) year of Ineligibility Suspension of the Horse~~ in this Article is not available to *Registered Trainers, Owners of the Horses and/or Persons Responsible* where a pattern of last-minute whereabouts changes or other conduct raises a serious suspicion that the *Registered Trainer, Owner of the Horse and/or Person Responsible* was trying to avoid their Horse(s) being available for *Testing*.

Proposal from (National Federation, Stakeholder or FEI)

FEI

Article Number – Article Name

Art. 5.5

Explanation for Proposed Change

See initial [memo](#). Linked to new Out of Competition testing proposal.

Proposed Wording on 26 June 2024

5.5 Horse Whereabouts Information

5.5.1 The FEI shall be entitled to request *Registered Trainers, Horse Owners* and/or *Persons Responsible* to provide whereabouts information about their Horse(s). In addition, the FEI may access Horses’ location through the use of technology, including but not limited via any FEI Applications.

5.5.2 The FEI may establish a *Registered Testing Pool* of those *Horses* who are required to provide whereabouts information in the manner specified by the FEI and who shall be subject to *Consequences* for Article 2.11 violations as provided in Article 10.3.6. The FEI may coordinate with National Federations to identify such *Horses* and to collect their whereabouts information.

5.5.3 The FEI may regularly review and update as necessary its criteria for including *Horses* in its *Registered Testing Pool*, and will periodically review the list of *Horses* in its *Registered Testing Pool* to ensure that each listed *Horse* continues to meet the relevant criteria. *Horse Owners*, respectively *the Registered Trainers* in Endurance, shall be notified before their *Horses* are included in the *Registered Testing Pool* and when they are removed from that pool. The FEI may notify any other relevant *Persons* accordingly.

5.5.4 Where a *Horse* is included in an international *Registered Testing Pool* by the FEI and in a national *Registered Testing Pool* by their *National Federation*, the *National Federation* and the FEI shall agree between themselves which of them shall accept that *Horse’s* whereabouts filings.

5.5.5 The *Horse Owner*, respectively the *Registered Trainer* for *Horses* included in the *Testing Pool* shall provide the FEI at least with the following whereabouts information so that they may be located and subjected to *Testing*:

- (a) An overnight address;
- (b) *Competition / Event* schedule; and
- (c) Regular training activities.

For each *Horse* in the *Registered Testing Pool*, the relevant *Horse Owner*, respectively the *Registered Trainer in Endurance* shall do the following: (a) advise the *FEI* of the *Horse* whereabouts on a quarterly basis; (b) update that information as necessary so that it remains accurate and complete at all times; and (c) make the *Horse* available for *Testing* at such whereabouts.

5.5.6 For purposes of Article 2.11, a *Horse Owner*, respectively *Registered Trainer's* failure to comply with the *FEI's* requirements shall be deemed a filing failure or a missed test.

5.5.7 A *Horse* in the *FEI's Registered Testing Pool* shall continue to be subject to the obligation to comply with the whereabouts requirements set by the *FEI* unless and until (a) the *Horse Owner*, respectively the *Registered Trainer in Endurance* gives written notice to the *FEI* that the *Horse* has retired or (b) the *FEI* has informed them that the *Horse* no longer satisfies the criteria for inclusion in the *FEI's Registered Testing Pool*.

5.5.8 Whereabouts information shall be maintained in strict confidence at all times; it shall be used exclusively for purposes of planning, coordinating or conducting *Doping Control*, providing information to support an investigation into a potential anti-doping rule violation, or to support proceedings alleging an anti-doping rule violation; and shall be destroyed after it is no longer relevant for these purposes.

5.5.9 The *FEI* may collect whereabouts information from *Horses* who are not included within a *Registered Testing Pool*. If it chooses to do so, a *Horse Owner*, respectively a *Registered Trainer's* failure to provide requested whereabouts information on or before the date required by the *FEI* or the *Horse Owner*, respectively a *Registered Trainer's* failure to provide accurate whereabouts information may result in the *FEI* consequences defined in Article 5.5.13 below.

5.5.10 The *FEI* may establish a *Testing Pool*, which includes *Horses* who are subject to less stringent whereabouts requirements than *Horses* included in the *FEI's Registered Testing Pool*.

5.5.11 The *FEI* shall notify the *Horse Owner*, respectively the *Registered Trainer in Endurance* before the *Horses* are included in the *Testing Pool* and when they are removed. Such notification shall include the whereabouts requirements and the consequences that apply in case of non-compliance, as indicated in Articles 5.5.12 and 5.5.13.

5.5.12 The *Horse Owner*, respectively the *Registered Trainer in Endurance* for *Horses* included in the *Testing Pool* shall provide the *FEI* at least with the following whereabouts information so that they may be located and subjected to *Testing*:

- (a) An overnight address;
- (b) *Competition / Event* schedule; and
- (c) Regular training activities.

5.5.13 A *Horse Owner*, respectively a *Registered Trainer's* failure to provide whereabouts information on or before the date required by the *FEI* or their failure to provide accurate whereabouts information might result in the *FEI* elevating the *Horse* to the *FEI's Registered Testing Pool* and additional appropriate and proportionate consequences, established by the *FEI* if any.

5.5.14 *Horses* in the *FEI's Testing Pool* shall continue to be subject to the obligation to comply with the whereabouts requirements set by the *FEI* unless and until (a) the *Horse Owner*, respectively the *Registered Trainer* gives written notice to the *FEI* that the *Horse* has retired or (b) the *FEI* has informed them that the *Horse* no longer satisfies the criteria for inclusion in the *FEI's Testing Pool*.

Comments Received by 21 August 2024

GER NF: On what criteria will the *FEI* base its decision to include horses in testing pools (both testing pool and registered testing pool)?

How is the FEI going to deal with changes in the ownership of a horse? Do we need a rule on the liability of an owner for the failures of a previous owner?

NED NF: We as a federation think Fair Play and Horse Welfare should always be paramount. However we find this whole proposal of possible out of competition-testing and all its obligations rather intrusive and labour costly. The role and tasks for the NF could also become rather comprehensive. We suggest this should be looked in first before the addition to the rules is made, also taking into account our comment about the definition of the thresholds that are involved and the reverse effect this might have on horse welfare.

No changes before this is looked at into full detail.

USA NF: USA NF supports Out of Competition Testing and believes that if implemented properly, then the safety and welfare of horses, and the integrity of the sport will be positively impacted, but this rule is premature. An effective program is critical, and at this juncture there are too many unanswered questions. The details and implementation need to be transparent and available to provide meaningful comment. The details include:

1. Overview of the registration system for horses that will be put into place, including all requirements and procedures related to registration and tracing whereabouts.
2. What role/responsibility, if any, the NF's will have for registration and enforcement of requirements.
3. Criteria for the testing pools: Currently there is not criteria for horse selection. In order to support the credibility of the process, as well as protects its integrity, we suggest that criteria are included within the EADCMRs for the Testing Pools (similar to the Human Anti-Doping Rules).
4. Further discussion/clarity is need regarding the Person Responsible: While this was discussed at a high level at the 2024 FEI Sports Forum, the implications and the details of this require much more discussion as it applies to Out of Competition testing (e.g. how will syndicates be addressed and how will FEI prevent end runs around accountability).
5. Implementation plan to ensure compliance awareness.

SWE NF: The SWE NF wants to encourage the FEI to introduce OOC in the coming EADCMR effective from 2025. However, the legal issues with declaring who will be person responsible, and the legal consequences must be addressed.

FEI Feedback

We are of the opinion that the Rule are detailed enough at this stage. While we appreciate that WADA has a full International Standard on the matter, it is premature to have a similar strict document at this stage. It is also important to highlight that at this stage, the FEI has merely stated that it may implement a Registered Testing Pool and/or a Testing Pool while the FEI may choose not to have them. It is one tool that could be used for Out of Competition Testing and if the FEI was to have such tools, it would obviously apply very similar criteria that apply for human anti-doping testing. The FEI is fully aware of the potential extra work on all parties concerned (Athletes, Support Personnel, Horse Owner, NFs, and FEI HQ) and thus the FEI will need to look into any potential implementation. The FEI has however made some changes in order to clarify the wording and to also have a differentiation between Registered Testing Pool and Testing Pool (where the

consequences for Testing Pool Horses would be softer in case of non-compliance with whereabouts information.

Proposed Final Wording to be Voted at the FEI General Assembly 2024

1.1. **5.5 Horse Whereabouts Information**

5.5.1 The FEI shall be entitled to request *Registered Trainers, ~~Horse Owners of the Horses~~* and/or *Persons Responsible* to provide whereabouts information about their *Horse(s)*. In addition, the FEI may access *Horses' locations* through the use of technology, including but not limited via any FEI Application(s).

5.5.2 The FEI may establish a *Registered Testing Pool ~~and/or a Testing Pool~~* of those *Horses for whom ~~are required to provide~~* whereabouts information *is required to be provided* in the manner specified by the FEI. *Such Horses ~~and who~~* shall be subject to *Consequences* for Article 2.11 violations as provided in Article 10.3.6. The FEI may coordinate with National Federations to identify such *Horses* and to collect their whereabouts information.

~~**5.5.103** The FEI may establish a *Testing Pool, which includes Horses who are subject to less stringent whereabouts requirements than Horses included in the FEI's Registered Testing Pool.*~~

~~**5.5.34** The FEI may regularly review and update as necessary its criteria for including *Horses* in its *Registered Testing Pool ~~and/or its Testing Pool~~*, and will periodically review the list of *Horses* in its *Registered Testing Pool ~~and/or its Testing Pool~~* to ensure that each listed *Horse* continues to meet the relevant criteria. *Registered Trainers, ~~Horse Owners of the Horses and/or Persons Responsible, respectively the Registered Trainers in Endurance,~~* shall be notified before their *Horses* are included in the *Registered Testing Pool ~~and/or the Testing Pool~~* and when they are removed from that pool. The FEI may notify any other relevant *Persons* accordingly. *Such notification shall include the whereabouts requirements and the consequences that apply in case of non-compliance, as indicated in Articles 5.5.126, 5.5.137 and/or 10.3.6.*~~

~~**5.5.45** Where a *Horse* is included in an international *Registered Testing Pool, ~~respectively -Testing Pool~~* by the FEI and in a national *Registered Testing Pool, ~~respectively Testing Pool~~* by their *National Federation*, the *National Federation* and the FEI shall agree between themselves which of them shall accept that *Horse's* whereabouts filings.~~

~~**5.5.56** The *Registered Trainer, ~~Horse Owner of the Horse, respectively the Registered Trainer and/or the Person Responsible~~* shall provide the FEI at least with the following whereabouts information so that the ~~for~~ *Horses* included in the *Registered Testing Pool ~~and/or Testing Pool~~* shall provide the FEI at least with the following whereabouts information so that they may be located and subjected to *Testing*:~~

~~(a) *Home-Primary Stable address; one-hour testing time slot for each day;*~~

~~(b) *An overnight accommodation address/location(s) where the Horse will be available for Testing if the Horse is not at the Primary Stable address;*~~

~~(c) Email address and phone number of the Registered Trainer, Owner of the Horse and/or Person Responsible~~
~~(ed)~~ Competition / Event schedule; and
~~(de)~~ Regular training activities; and
~~(ef) One hour~~ For Horses included in the Registered Testing Pool and if requested by the FEI, specific time slot(s) for each day where the Horse is available and accessible for Testing.

For each Horse in the Registered Testing Pool and/or Testing Pool, the ~~relevant Horse Owner of the Horse, respectively the Registered Trainer, Owner of the Horse and/or the Person Responsible in Endurance~~ shall do the following: (a) advise the FEI of the Horse's whereabouts on a quarterly basis; (b) update that information as necessary so that it remains accurate and complete at all times; and (c) make the Horse available for Testing ~~at such whereabouts upon FEI's request~~.

5.5.67 For the purposes of Article 2.11, a Registered Trainer, an Horse Owner of the Horse's and/or a Person Responsible's, ~~respectively Registered Trainer's~~ failure to comply with the FEI's requirements for Horses included in the Registered Testing Pool shall be deemed a filing failure and/or a missed test.

~~5.5.7 A Horse in the FEI's Registered Testing Pool and/or Testing Pool shall continue to be subject to the obligation to comply with the whereabouts requirements set by the FEI unless and until (a) The Registered Trainer, Owner of the Horse and/or the Person Responsible the Horse Owner of the Horse, respectively the Registered Trainer in Endurance, gives written notice to the FEI that the Horse has retired or (b) the FEI has informed them that the Horse no longer satisfies the criteria for inclusion in the FEI's Registered Testing Pool and/or Testing Pool.~~

~~5.5.8 Whereabouts information shall be maintained in strict confidence at all times; it shall be used exclusively for purposes of planning, coordinating or conducting Doping Control, providing information to support an investigation into a potential anti-doping rule violation, or to support proceedings alleging an anti-doping rule violation; and shall be destroyed after it is no longer relevant for these purposes.~~

5.5.98 ~~The FEI may collect whereabouts information from Horses who are not included within a Registered Testing Pool. If it chooses to do so, a Registered Trainer, an Horse Owner of the Horse and/or a Person Responsible, respectively a Registered Trainer's~~ failure to provide requested whereabouts information on or before the date required by the FEI or the Registered Trainer, Owner of the Horse and/or the Person Responsible's ~~the Horse Owner of the Horse, respectively a Registered Trainer's~~ failure to provide accurate whereabouts information for Horses included in the Testing Pool may result in the FEI consequences defined in Article 5.5.139 and/or 10.3.6 below.

5.5.10 ~~The FEI may establish a Testing Pool, which includes Horses who are subject to less stringent whereabouts requirements than Horses included in the FEI's Registered Testing Pool.~~

5.5.11 ~~The FEI shall notify the Registered Trainer, Owner of the Horse and/or the Person Responsible the Horse Owner of the Horse, respectively the Registered Trainer in Endurance before the Horses are included in the Testing Pool and when they are removed. Such notification shall include the~~

~~whereabouts requirements and the consequences that apply in case of non-compliance, as indicated in Articles 5.5.12, and 5.5.13 and/or 10.3.6.~~

~~**5.5.12** The *Horse Owner of the Horse*, respectively the *Registered Trainer* in Endurance for *Horses* included in the *Testing Pool* shall provide the *FEI* at least with the following whereabouts information so that they may be located and subjected to *Testing*:~~

- ~~(a) Home address;~~
- ~~(b) An overnight accommodation address;~~
- ~~(c) Competition / Event schedule; and~~
- ~~(d) Regular training activities.~~

~~**5.5.13** A *Registered Trainer, Owner of the Horse and/or a Person Responsible's* A *Horse Owner of the Horse*, respectively a *Registered Trainer's* failure to provide whereabouts information on or before the date required by the *FEI* or their failure to provide accurate whereabouts information might result in the *FEI* elevating the *Horse* to the *FEI's Registered Testing Pool* and additional appropriate and proportionate consequences, established by the *FEI* if any.~~

~~**5.5.11** The *FEI* shall notify the *Registered Trainer, Owner of the Horse and/or the Person Responsible* before the *Horses* are included in the *Registered Testing Pool and/or Testing Pool* and when they are removed. Such notification shall include the whereabouts requirements and the consequences that apply in case of non-compliance, as indicated in Articles 5.5.12, 5.5.13 and/or 10.3.6.~~

~~5.5.14 Horses in the *FEI's Testing Pool* shall continue to be subject to the obligation to comply with the whereabouts requirements set by the *FEI* unless and until (a) the *Horse Owner of the Horse*, respectively the *Registered Trainer the Registered Trainer, Owner of the Horse and/or the Person Responsible* gives written notice to the *FEI* that the *Horse* has retired or (b) the *FEI* has informed them that the *Horse* no longer satisfies the criteria for inclusion in the *FEI's Testing Pool*.~~

~~**5.5.710** A *Horse* in the *Registered Testing Pool and/or Testing Pool* shall continue to be subject to the obligation to comply with the whereabouts requirements set by the *FEI* unless and until (a) The *Registered Trainer, Owner of the Horse and/or the Person Responsible*, gives written notice to the *FEI* that the *Horse* has retired or (b) the *FEI* has informed them that the *Horse* no longer satisfies the criteria for inclusion in the *Registered Testing Pool and/or Testing Pool*.~~

~~**5.5.811** Whereabouts information shall be maintained in strict confidence at all times; it shall be used exclusively for purposes of planning, coordinating or conducting *Doping Control*, providing information to support an investigation into a potential anti-doping rule violation, or to support proceedings alleging an anti-doping rule violation; and shall be destroyed after it is no longer relevant for these purposes.~~

Proposal from (National Federation, Stakeholder or FEI)
FEI
Article Number – Article Name
Art.7.1.4 EADR
Art. 7.3 EADR
Art. 7.5 EADR (old)
Art. 7.1.4. ff ECMR
Art. 7.3. ECMR
Art. 7.5 ECMR (old)
Explanation for Proposed Change

See initial [memo](#). Proposal to revert back to a “one step” notification of EADCMR violations (rather than the current “two step” process).

Proposed Wording on 26 June 2024

See full mark-up.

Comments Received by 21 August 2024

GER NF: This change would mean that the FEI will have to propose a sanction in the first notification letter. At this stage no statement or explanation of the PR can be taken into consideration in order to assess the specific degree of fault. This is however a prerequisite in order to meet an adequate sentence.

From a legal perspective this approach is associated with the risk that agreements will be rescinded, because the degree of fault in a specific case has not been considered sufficiently.

Proposed wording: Keep the current wording.

FEI Feedback

The FEI Legal Department had a one stage notification letter in the past and we had only changed to a two-stage notification given the WADA Code for human anti-doping. However, it has proved in practice that it creates more confusion than solution to have the two-stage notification letters. It would be more straightforward and easier for everyone involved to understand one notification letter. Some further clarifications have been made to the wording, please refer to the full mark-up version

Proposed Final Wording to be Voted at the FEI General Assembly 2024

Please refer to the mark-up version of the rules.

Proposal from (National Federation, Stakeholder or FEI)

FEI

Article Number – Article Name

**APPENDIX 1 - PROHIBITION OF GENETIC THERAPY, GENE EDITING
AND GENOME EDITING**

Explanation for Proposed Change

See initial [memo](#).

Proposed Wording on 26 June 2024

See Appendix 1 of initial memo.

Comments Received by 21 August 2024

GER NF: We share the opinion that the use or application of Autologous Conditioned Serum (ACS) or Platelet-rich Plasma (PRP) does not constitute Genetic Therapy, as no DNA or whole cells are transferred. Nevertheless, while explaining that ACS and PRP are not classified as Genetic Therapy, we believe it makes sense to explain that their use and administration in connection with a competition is only permitted if it is a supportive or prophylactic treatment and not a therapy in the context of a diagnosis. The principle that only completely healthy horses may compete must also be upheld here.

FEI Feedback

The FEI Veterinary Committee and the FEI are not in favour of incorporating the above feedback as it could create more uncertainty than clarifying anything.

Proposed Final Wording to be Voted at the FEI General Assembly 2024

As per wording proposed on 26 June 2024.

Proposal from (National Federation, Stakeholder or FEI)

FEI

Article Number – Article Name

Art.7.5 EADR (new)

Art. 10.2 EADR

Explanation for Proposed Change

Further to the Equine Ethics and Wellbeing Commission’s recommendations, provisions regarding Out-of-Competition Testing have been added. One of the main challenges concerns the consequences and responsibility further to an Out-of-Competition positive sample. While in Endurance it is clear that the Registered Trainer shall be the Person Responsible, it was less obvious and seemed much more complicated to establish responsibilities for the other Disciplines. Discussions and debates occurred during the FEI Sports Forum Session, but there was no real consensus as to who should be the Person Responsible.

One of the suggestions that seemed to be accepted was to have the consequences only for the Horse that tested positive (i.e. to impose a Suspension on the Horse).

As you know, a Horse that tests positive to an In-Competition Test is currently Provisionally Suspended for a period of two months. This two-month Provisional Suspension is applied further to a Policy established by the FEI Tribunal since 2012. The Policy has been confirmed by the Court of Arbitration for Sport (CAS) and is now widely accepted within the equestrian community.

The proposal is to also impose a two-month Suspension on Horses that test positive to an Out-of-Competition test. In Endurance, the Registered Trainer will be considered as the Person Responsible and additional sanctions will apply, taking into account their level of Fault or Negligence. For the other Disciplines, the Person Responsible will be the Horse Owner, mainly in order to have someone to notify of a positive sample, to notify the two-month Suspension of the Horse and related consequences (fines and costs). However, except in Endurance, this means that unless there is any evidence that a specific person has breached the Equine Anti-Doping and Controlled Medication Regulations for an Out-of-Competition Test, no further consequences will apply to the Person Responsible.

Proposed Wording on 26 June 2024

See full mark-up.

Comments Received by 21 August 2024

GER NF: Do we understand it correctly that in regular cases with regard to out-of-competition testing, the rules do not provide for a period of ineligibility of the horse as sanction but only for a provisional suspension of the horse (Art.7.5 new)? In our view, this is a breach of logic. The horses are not provisionally suspended until there is a final decision. The suspension of the horse is supposed to be the (main) sanction that is applied in out of competition cases. The suspension should therefore be moved to Art. 10 sanctions.

In our view the suspension of the horse is too short when it comes to substances that have an anabolic effect. In Germany we successfully apply a six months' suspension on horses after anabolic substances have been found in their samples.

With regard to consequences of a person responsible, the suggested solution works for the moment. It is our strong believe that we need to keep working on solutions to apply tougher sanctions on the people responsible for the horses during training.

Proposed wording: Create a six months' suspension for anabolic substances. Move suspension of the horse to sanctions in Art. 10.

FEI Feedback

Given the discussions at the FEI Sports Forum and potential legal challenges if different sanctions apply if the horse tests positive for the same substance in-competition or out-of-competition, the FEI feels that the only possible way forward is to have the same sanction against the horse, i.e. a 2 month suspension.

Proposed Final Wording to be Voted at the FEI General Assembly 2024

As per wording proposed on 26 June 2024 for art. 7.5.

10.2 Ineligibility and Fine for Presence, Use or Attempted Use or Possession of Banned Substances and Banned Methods

10.2.1 The period of *Ineligibility* for a violation of Articles 2.1, 2.2 or 2.6 shall be as follows, subject to potential reduction or suspension pursuant to Articles 10.5, 10.6 or 10.7, the period of *Ineligibility* shall be two (2) years.

For the avoidance of any doubt, the above provision does not apply for a violation of Articles 2.1 arising in connection with an Out-of-Competition Test, except ~~in Endurance (i) for the Registered Trainer-in-Endurance; or (ii) an admission that an EAD Rule violation has taken place; or (iii) evidence that a violation of these EAD Rules is highly likely to have been committed by the respective Person.~~

In accordance with the FEI Guidelines for Fines and Contributions towards Legal Costs, a fine of up to CHF15,000 shall also be imposed and appropriate legal costs.

Proposal from (National Federation, Stakeholder or FEI)
FEI
Article Number – Article Name
Art.10.14.1 EADR
Art. 10.13.1 ECMR
Explanation for Proposed Change

Possibility to prevent a suspended Person from attending an Event as a spectator; this possibility already exists under the FEI GRs. Just clarifying that it can also apply for EADCMR violations.

Proposed Wording on 26 June 2024

See full mark-up.

Comments Received by 21 August 2024

GER NF: National Federations will not be able to control who is attending an event as a spectator. There is no way of enforcing this rule.

Proposed wording: ~~If so specified in the relevant Notification or Decision, the Person may also be barred temporarily or for a specific period of time from attending as a spectator any Competition or Event and/or any activities related to any Competition or Event that is authorised or organised by the FEI or any National Federation.~~

FEI Feedback

The provision also exists in the FEI General regulations and while it might be difficult to control at Events, if we have evidence that the person breached the suspension by attending as a spectator while it was prohibited, the FEI may enforce the rules. So we suggest to keep the wording.

Proposed Final Wording to be Voted at the FEI General Assembly 2024

As per wording proposed on 26 June 2024.

Proposal from (National Federation, Stakeholder or FEI)
FEI
Article Number – Article Name
Art.8.4 ECMR
Art. 8.3 EADR
Explanation for Proposed Change

Introduction of Special Procedure for Minors for Controlled Medication cases. Currently already applies for Banned Substance cases.

Consequences for Minors with an ECM case (first time offender)

- DSQ
- 1 month suspension
- *Fine* of CHF 500; and
- Costs of CHF 500.

Proposed Wording on 26 June 2024

See full mark-up.

Comments Received by 21 August 2024

GER NF: While we understand the need to implement a special system for minors, we consider it problematic that extremely lax consequences lead to a trivialization of the use of prohibited substances with regard to minors. It is especially minors that we need to reach with the knowledge that the use of prohibited substances is an extremely severe horse welfare issue. We suggest noticeable extension of the suspension also with regard to banned substances.

Since the FEI is already running an e-learning system on anti-doping matters, we also suggest to add the obligation to earn and produce the certificate from an e-learning class to list of consequences.

Controlled Medication

8.4.3 ECMR Where the *Special Procedure for Minors* is applied by the *FEI*, the following consequences shall be imposed and no other consequences, including those set forth in Article 10 below or elsewhere in these *ECM Rules*, shall be applicable to any *Minor* who has elected to avail of this *Special Procedure for Minors*:

- Disqualification* of the *Minor* and the *Horse* from the whole *Event* and forfeiture of all prizes and prize money won at the *Event*;
- Three months** period of *Ineligibility* for the *Minor*, such period of *Ineligibility* to commence on the date that the Acceptance Form referred to in Article 8.4.5 below is received by the FEI;
- A *Fine* of CHF 500; and
- Costs of CHF 500. However, if a *B Sample* analysis is requested and the *Special Procedure for Minors* is accepted after the *B Sample* Analysis, the costs payable shall be increased to CHF 1,500.
- obligation to produce the certificate of successful completion of the FEI Anti-Doping e-learning program. If such a certificate is not produced within three months, the Minor will be suspended for another three months starting from the end of the period of Ineligibility as set out in lit. b.**

Banned Substance Case

8.3.3 Where the *Special Procedure for Minors* is applied by the FEI, the following consequences shall be imposed and no other consequences, including those set forth in Article 10 below or elsewhere in these *EAD Rules*, shall be applicable to any *Minor* who has elected to avail of this *Special Procedure for Minors*:

- a. *Disqualification* of the *Minor* and the *Horse* from the whole *Event* and forfeiture of all prizes and prize money won at the *Event*;
- b. **Six months** period of *Ineligibility* for the *Minor*, such period of *Ineligibility* to commence on the date that the Acceptance Form referred to in Article 8.3.5 below is received by the FEI;
- c. Two month period of suspension for the *Horse*, such period of suspension to commence as of the date of *Notification* (i.e. the date the provisional suspension of the *Horse* commenced);
- c. A *Fine* of CHF 1,500; and
- d. Costs of CHF 1,000. However, if a *B Sample* analysis is requested and the *Special Procedure for Minors* is accepted after the *B Sample*
- e. **obligation to produce the certificate of successful completion of the FEI Anti-Doping e-learning program. If such a certificate is not produced within three months, the Minor will be suspended for another three months starting from the end of the period of Ineligibility as set out in lit. b.**

FEI Feedback

While we could strive to have such e-learning program be completed, the FEI will first need to have such e-learning (up to date) up and running. We therefore suggest not to make it mandatory at this stage. The Special Procedures for Minors that already applies to Banned Substance cases has been operational now for several years and is working well and is well received by the community. This is why it is proposed to introduce it for Controlled Medication cases.

Proposed Final Wording to be Voted at the FEI General Assembly 2024

As per wording proposed on 26 June 2024.

Proposal from (National Federation, Stakeholder or FEI)

FEI

Article Number – Article Name

Cocktail of controlled medications, decreasing the level with 50%

Explanation for Proposed Change

See initial [memo](#).

Proposed Wording on 26 June 2024

N/A

Comments Received by 21 August 2024

NED NF: From the point of view of horse welfare we fully understand this proposal. We foresee some practical problems.

The wording itself of this rules revision makes already a wrong impression about the role of treating vets and/or team vets.

This rule would make a high likely that there will be unwanted doping cases because treating vets have no access to data how long substances can be detected while under the testing limit.

For example a horse treated 5 weeks before for a joint problem with triamcinolone is suffering from an allergic reaction 4 days before a show. At the moment it will be absolute safe to treat this horse with a shot of short-acting dexamethasone to stop the horse from suffering from this allergic reaction. With this new rule in place is it possible that the horse will be positive in a doping test? Just an example but many more to think of. Half the screening limit, what timeframe would this be?

This rule will not automatically lead to a cleaner sport but will lead to more cases of people unnecessarily running in to a positive doping test while trying to do their best for the welfare of the horse and being unaware of the possibility of the risk of a positive test. This rule will not make the sport more fair or more clean and as long as that there are no data available this rule for sure should not be implemented.

No changes before this is looked at into full detail.

USA NF: The FEI has included 'Cocktail of Controlled Medication' in the summary of changes for the EADCM's but is not obvious where this change is in the proposed rules. On the topic of multiple therapeutics, the USA NF supports the FEI's stance regarding performance altering or enhancing medications in competing horses. However, the use of multiple corticosteroids can be justified and legitimate therapeutic practices. For example, many veterinarians will use betamethasone to treat tarsitis, and triamcinolone to treat tenosynovitis. The use of both corticosteroids could yield sub reporting level for each when used appropriately, but might be considered a 'cocktail' by the FEI when there was never intent to violate or circumvent the rules. Different classifications of medications could be treated differently; it is more common that combinations of tranquilizers or sedatives could be used to have a synergistic effect without triggering an Adverse Analytical Finding for either one individually. If the use of certain combinations of Controlled Medications have been an issue, it would be helpful to fully understand the scope of the problem if this information was provided.

FEI Feedback

The proposed solution that in case of the presence of more than one drug with the same/similar/synergetic or masking effect, the reporting level would be decreased by 50% is not contained in the EADCMRs. The Veterinary Committee acknowledged the valid points made in the above feedback. The reporting levels will be further discussed with the FEI List Group and FEI Approved Laboratories.

Proposed Final Wording to be Voted at the FEI General Assembly 2024

N/A

Proposal from (National Federation, Stakeholder or FEI)

FEI

Article Number – Article Name

EQUINE CONTROLLED MEDICATION RULES

FEI Medication Code & Rational for the ECM Rules

Explanation for Proposed Change
Proposed Wording on 26 June 2024

N/A

Comments Received by 21 August 2024
SWE NF:

According to the ECM Rules and VRs it is stated that;

- A complete and accurate record of all treatments during or close to an Event should be maintained in the form of a FEI Medication Logbook as foreseen under the VRs.

However, this is rarely complied and today it is expected to have a digital solution. Therefore, we suggest establishing a Medication Log on a digital platform, e.g., be included the FEI HorseApp where it is already possible to scan the Horse' microchip with a bluetooth compatible microchip reader to open the Horse' profile. This is a system that has been in place for some time in several National Racing jurisdictions.

Proposed wording: "A complete and accurate record of all treatments during or close to an Event should be maintained in the form of a FEI Medication Log **in the FEI Horse App** as foreseen under the VRs."

FEI Feedback

While it is a very good point and it would need to be added in the future, we currently do not have such functionality. It will need to be reviewed in the future when such technical solution is implemented

Proposed Final Wording to be Voted at the FEI General Assembly 2024

As per wording proposed on 26 June 2024.

Proposal from (National Federation, Stakeholder or FEI)
FEI
Article Number – Article Name
ECM ART. 4 THE EQUINE PROHIBITED SUBSTANCES LIST
Explanation for Proposed Change
Proposed Wording on 26 June 2024

N/A

Comments Received by 21 August 2024
SWE NF:
4.4 Veterinary Form

Horses with documented medical conditions requiring the Use of a Controlled Medication Substance or a Controlled Medication Method during or prior to an Event must obtain permission for ongoing participation in accordance with the FEI Veterinary Regulations as specified therein (Article 1058).

According to the FEI Equine Ethics and Wellbeing Commission (EEWB) one of the Priority Focus areas is Medical Procedures masking health problems/Not fit to Compete. With the current debate on Equine welfare and Social License to Operate (SLO), it is of outmost importance not to allow horses competing on drugs/medications.

FEI currently allows some medications at the day of competition e.g., omeprazole (potential side effects when long term medication), altrenogest (potential anabolic effects) and antibiotics (not fit to compete, potential analgesic effects and risk for antimicrobial resistance – “One Health” perspective).

We suggest for clarification that no **medications** should be allowed on the same day the Horse compete by adding the same wording as in Article 1060, i.e., any substance not listed on the EPSL may not be used prior to the Competition on the day in which they compete or between rounds or classes in which the Horse is competing on the same day.

In the event of an emergency treatment or on-going treatment, *we do not think a Horse is fit to compete if it needs to be treated with injectable Controlled Medication Substances or antibiotics on the day they compete.* This is an issue for Medication regulation and Equine welfare as well as to have a Social License to Operate (SLO) – to state that only healthy horses without medication, i.e., fit to compete, are allowed to compete in FEI events.

Proposed wording:

4.4 Veterinary Form

Horses with documented medical conditions requiring the Use of a Controlled Medication Substance or a Controlled Medication Method during or prior to an Event must obtain permission for ongoing participation in accordance with the FEI Veterinary Regulations as specified therein (Article 1058).

The Veterinary Form B is used to authorise treatments with non-oral medication e.g. injections, infusions and nebulisation, and therapies not included on the EPSL (e.g. rehydration fluids **and antibiotics**) during FEI Events.

FEI Feedback

Please refer to the proposed changes to the FEI Veterinary Regulations.

Proposed Final Wording to be Voted at the FEI General Assembly 2024

N/A

Proposal from (National Federation, Stakeholder or FEI)

FEI

Article Number – Article Name

ECM ART. 6 ANALYSIS OF SAMPLES

6.2 Purpose of Collection and Analysis of Samples

Samples may be collected and stored for future analysis.

Explanation for Proposed Change

Proposed Wording on 26 June 2024

N/A

Comments Received by 21 August 2024

SWE NF: Since it is not stated for how long time samples may be stored, we will suggest 5 or 10 years. Many Racing jurisdictions store samples for 5 years and WADA save samples at least for 8 years (to cover two Olympics). As FEI may want to cover two Olympics, we propose 10 years.

Proposed wording:

6.2 Purpose of Collection and Analysis of *Samples*

Samples may be collected and stored **up to 10 years** for future analysis.

FEI Feedback

There are statutes of limitations already specified in the EADCMRs. In addition, we may want to store the samples for a longer period, just to gather intelligence/information as the science may evolve.

Proposed Final Wording to be Voted at the FEI General Assembly 2024

No change to current wording.

Proposal from (National Federation, Stakeholder or FEI)

FEI

Article Number – Article Name

EAD, ECM ART. 7 RESULTS MANAGEMENT

7.1.4 (d)

Explanation for Proposed Change

Proposed Wording on 26 June 2024

N/A

Comments Received by 21 August 2024

SWE NF: (d) the opportunity for the Person Responsible and the Owner of the Horse (if applicable) to elect to have the B Sample analysed at a different Laboratory than the one which performed the A Sample analysis, such Laboratory to be chosen by the FEI, and the opportunity to send a representative (witness) to be present for the B Sample analysis within the time period specified in the FEI Standard for Laboratories unless allowing such representative or witness presents a threat to the integrity of the analysis process.

To avoid tampering or threat to the integrity of the analysis process, it may fulfil the requirements if the representative (witness) will be present only when the sample is opened to check the identification of the sample. Many Racing jurisdictions operate that way.

Proposed wording:

(d) the opportunity for the *Person Responsible* and the *Owner* of the *Horse* (if applicable) to elect to have the *B Sample* analysed at a different *Laboratory* than the one which performed the *A Sample* analysis, such *Laboratory* to be chosen by the FEI, and the opportunity to send a representative (witness) to be **present at the opening and identification** of the *B Sample* for analysis within the time period specified in the *FEI Standard for Laboratories* **unless allowing such representative or witness presents a threat to the integrity of the analysis process.**

FEI Feedback

That was one of the issues in the past (pre-2009) where a witness was not allowed to be present during the analysis. Thus, the Rules were amended to allow for such possibility and it works well in practice. We suggest to maintain the initial wording.

Proposed Final Wording to be Voted at the FEI General Assembly 2024

As per wording proposed on 26 June 2024.