



DECISION of the FEI TRIBUNAL

dated 17 September 2015

Positive Anti-Doping Case No.: 2014/BS06

Horse: SALAHDIN DU LAURAGAIS

FEI Passport No: 103GE90/BRN

Person Responsible/NF/ID: Sh. Najla Bint Salman Al Khalifa/10018633/BRN

Event/ID: CEIO2* 120 – Verona San Martino Buon Albergo (ITA)/
2014_CI_1599_E_S_03_01

Date: 26 – 27 July 2014

Prohibited Substance: Reserpine

I. COMPOSITION OF PANEL

Ms. Jane Mulcahy, QC, Chair
Mr. Pierre Ketterer, Panel Member
Dr. Armand Leone, Panel Member

II. SUMMARY OF THE FACTS

1. Memorandum of case: By Legal Department.

- 2. Summary information provided by Person Responsible (PR):**
The FEI Tribunal duly took into consideration all evidence, submissions and documents presented in the case file, as also made available by and to the PR.

III. DESCRIPTION OF THE CASE FROM THE LEGAL VIEWPOINT

1. Articles of the Statutes/Regulations which are applicable or have been infringed:

Statutes 23rd edition, effective 29 April 2014 ("Statutes"), Arts. 1.4, 38 and 39.

General Regulations, 23rd edition, 1 January 2009, updates effective 16 January 2014, Arts. 118, 143.1, 161, 168 and 169 ("GRs").

Internal Regulations of the FEI Tribunal, 2nd edition, 1 January 2012 ("IRs").

FEI Equine Anti-Doping and Controlled Medication Regulations ("EADCMRs"), 1st edition, effective 5 April 2010, updates effective 1 January 2014.

FEI Equine Anti-Doping Rules ("EAD Rules"), 1st edition, effective 5 April 2010, updates effective 1 January 2014.

Veterinary Regulations ("VRs"), 13th edition, effective 1 January 2014, Art. 1055 and seq.

FEI Code of Conduct for the Welfare of the Horse.

2. Person Responsible: Sh. Najla Bint Salman Al Khalifa

3. Justification for sanction:

GRs Art. 143.1: "Medication Control and Anti-Doping provisions are stated in the Anti-Doping Rules for Human Athletes (ADRHA), in conjunction with The World Anti-Doping Code, and in the Equine Anti-Doping and Controlled Medication Regulations (EADCM Regulations)."

EAD Rules Art. 2.1.1: "It is each *Person Responsible's* personal duty to ensure that no *Banned Substance* is present in the *Horse's* body. *Persons Responsible* are responsible for any *Banned Substance* found to be present in their *Horse's Samples*, even though their *Support Personnel* will be considered additionally responsible under Articles 2.2 – 2.8 below where the circumstances so warrant. It is not necessary that intent, fault, negligence or knowing *Use* be demonstrated in order to establish an *EAD Rule* violation under Article 2.1."

IV. DECISION

Below is a summary of the relevant facts and allegations based on the Parties' written submissions, pleadings and evidence adduced. Additional facts and allegations found in the Parties' written submissions, pleadings and evidence may be set out, where relevant, in connection with the legal discussion that follows. Although the Tribunal has considered all the facts, allegations, legal arguments and evidence in the present proceedings, in its decision it only refers to the submissions and evidence it considers necessary to explain its reasoning.

1. Factual Background

- 1.1 SALAHDIN DU LAURAGAIS (the "Horse") participated at the CEIO2* 120, in Verona San Martino Buon Albergo, Italy, from 26 to 27 July 2014 (the "Event"), in the discipline of Endurance. The Horse was ridden by Sh. Najla Bint Salman Al Khalifa who is the Person Responsible in accordance with Article 118.3 of the GRs (the "PR").
- 1.2 The Horse was selected for sampling on 26 July 2014.
- 1.3 Analysis blood sample no. 5530924 taken from the Horse at the Event was performed at the FEI approved laboratory, LGC Limited Laboratory (UK) ("LGC"). The analysis of the blood sample revealed the presence of Reserpine.
- 1.4 Reserpine is a tranquilizer with behavioural modification effects. Reserpine is classified as a Banned Substance under the FEI Equine Prohibited Substances List (the "Prohibited Substances List"). Therefore, the positive finding for Reserpine in the Horse's sample gives rise to an Anti-Doping Rule Violation under the EAD Rules.

2. The Further Proceedings

- 2.1 On 29 September 2014, the FEI Legal Department officially notified the PR, through the Bahrain Royal Equestrian & Endurance Federation ("BRN-NF"), of the presence of the Prohibited Substance following the laboratory analysis, the possible rule violation and the potential consequences of the rule violation. The Notification Letter included notice that the PR was provisionally suspended and granted her the opportunity to be heard at a Preliminary Hearing before the FEI Tribunal.
- 2.2 The Notification Letter further included notice to the owner of the Horse, The Royal Endurance Team of Bahrain, (the "Team"), that in accordance with Article 7.4 of the EAD Rules, the Horse was provisionally suspended for a period of two months, from the date of Notification, i.e. 29 September 2014, until 28 November 2014. The above Provisional Suspension of the Horse has not been challenged by the owner, and the Horse has served the entire period of Provisional Suspension.

3. The B-Sample Analysis

- 3.1 Together with the Notification Letter of 29 September 2014, the PR and the owner of the Horse were also informed that they were entitled: (i) to the performance of a B-Sample confirmatory analysis on the positive sample; (ii) to attend or be represented at the B-Sample analysis; and/or (iii) to request that the B-Sample be analysed in a different laboratory than the A-Sample.
- 3.2 Neither the PR nor the owner of the Horse requested for the B-Sample to be analysed but rather accepted the results of the A-Sample analysis.

4. Further proceedings

- 4.1 On 10 November 2014, the PR provided her explanations to the positive finding. Together with her explanations the PR provided a statement by the Director of the Team. He explained that the Team had launched an investigation with regards to the positive finding, and that – in cooperation with the local law enforcement agency in Bahrain – the culprit responsible for the unfortunate situation had been found. Specifically, it was explained that on 14 October 2014, Mr. Narendra Singh, trainer of the Horse, had confessed in an interrogation at the Criminal Investigation Directorate (the “CID”) to having injected the Horse with Reserpine at some time in the first or second week of July 2014. Mr. Singh had taken this action because of a “personal grudge” against the PR’s family over employment issues, which had occurred prior to his employment with the Team.
- 4.2 The PR further argued that, whereas she did not dispute the positive finding, she was “absolutely innocent”. The real PR in the case at hand was Mr. Singh, the trainer of the Horse, which she had borrowed for the Event. She said that, two years ago, Mr. Singh had worked in stables owned by her family but had left because of financial misappropriations in the purchase of goods for the stable. He had been re-introduced to her only two days prior to the Event as trainer of the Horse and she had not had any reason to question him or his intentions when he had offered to be her groom during the Event. Previously, he had occasionally assisted the stable veterinarians, which had increased his understanding of injecting veterinary drugs. She had been told that Mr. Singh had used Reserpine knowing that it was a Banned Substance. The PR argued that, therefore, Article 10.4 of the EAD Rules was applicable to the case at hand, as exceptional circumstances existed. Finally, her equestrian endurance career had been brought to an end, and her profile as an exemplary equestrian endurance rider and a role model for potential Bahraini women riders, as well as all her hard work, had been destroyed.
- 4.3 By email of 28 November 2014, the FEI argued that the explanations provided by the PR were vague, and did not contain the necessary details, in particular regarding the source of the Banned Substance - a pre-requisite for the application of Article 10.4 of the EAD Rules. In particular the PR had not provided any details regarding the time of the alleged administration, the product used and the dose of administration. Further, the PR had not provided any confirmatory statement by Mr. Singh, nor any documentation or evidence regarding the apparent investigation.
- 4.4 On 19 December 2014, the BRN-NF explained that the CID report had been prepared in Arabic, and that the law enforcement agency had informed it that it was against the law and unconstitutional to distribute or translate any signed statement or document which was used in a Police Investigation even if the investigation was concluded. However, after endless requests by the BRN-NF, the relevant authority had provided a translation of the original document for the BRN-NF’s reference only. In order to help the PR the BRN-NF had nevertheless

decided to submit the translation of the CID report, with its credentials, for the case at hand. The BRN-NF provided the English translations of the report by the CID, including a statement by Mr. Singh. The translation was submitted on blank paper without any type of letterhead and did not contain any signature of a representative of the CID, or reference to an official translation service. In his statement Mr. Singh affirmed that he had single-handedly administered a dosage of 10 ml of Reserpine via intramuscular injection to the Horse between 2 July and 7 July 2014, while the Horse was being trained by him. Further, he had known that the Horse would be assigned to the PR for the Event. Finally he had seen an opportunity to exact his revenge for the previous issues with the family of the PR, and had done so without thinking of the consequences.

- 4.5 On 30 March 2015, the PR explained that she had been a member of the BRN-NF for many years without ever having been accused of misconduct or unethical behaviour.
- 4.6 On 17 April 2015, the FEI informed the PR that it maintained its previous position that she had not established the source of the Prohibited Substance. The FEI further argued that insofar as none of the documents submitted by the PR (including the statement by the PR) were signed the authenticity of the documents was questionable.
- 4.7 On 24 April 2015, the BRN-NF further argued that the laws in Bahrain did not permit it to copy or procure a copy of a legally binding document including all authenticity marks (stamps, seals, signatures), in order for it to be used in legal proceedings outside the country.

5. Preliminary Hearing

- 5.1 Upon request by the PR, a Preliminary Hearing took place on 7 May 2015.
- 5.2 During the Preliminary Hearing the PR explained that she did not usually ride for the Team, and that the Horse had been assigned to her. The Horse had already been in Europe when she arrived at the Event and that even if, prior to the Event, she had asked whether the Horse had any Prohibited Substances in its system, she could not have discovered that somebody had administered something to it, since she had no dealings with the Horse prior to the Event. She knew from experience that the podium positions are usually selected for testing and therefore it would have made no sense for her to administer something to the Horse and to risk a positive finding. Moreover, she would not know how to inject a horse. Due to the Provisional Suspension she had been stopped from competing for an entire season, which she found unfair given the circumstances. She therefore requested the Provisional Suspension be lifted. Finally, it had been the Team manager and the owner of the Horse who had conducted the investigation (since only they had the right to do so) and who had submitted the respective documentation, and that she had only been informed of what had

happened afterwards.

- 5.3 The FEI argued that based on what had been submitted so far, the PR had not met any of the prerequisites necessary under Article 7.4.2 of the EAD Rules for the lifting of the Provisional Suspension. Specifically, the PR had not given a good explanation and, further, had not established the source of the Reserpine. Nor had she provided conclusive evidence for any type of sabotage or conspiracy. In this context the FEI pointed out that the documentation submitted was not signed or printed on paper with an official letterhead. Further, no certified translation of the investigation report had been provided. The establishment of the source of the Reserpine was a necessary pre-requisite for the potential application of No Fault or Negligence in the context of Article 7.4.2 (ii) of the EAD Rules. Finally, even if the explanations provided by the PR could be considered as leading to a finding of No Significant Fault or Negligence – which was not the case - the potential period of Ineligibility could only be reduced to 50 %, i.e. 1 year period of Ineligibility. Therefore, and in light of the fact that the Provisional Suspension had only been imposed on 29 September 2014, the period of time of Provisional Suspension served so far would be too short to justify the lifting of the Provisional Suspension.
- 5.4 The FEI further argued that no exceptional circumstances within the meaning of Article 7.4.2 (iii) of the EAD Rules existed insofar as the only circumstance to be potentially considered was that the rider had had no involvement with the Horse prior to the Event. However, in accordance with Article 2.1.1 of the EAD Rules, it was the PR, i.e. the rider, who was responsible for any Banned Substance found to the present in the Horse's sample. Therefore the fact that the PR had not been involved could not qualify as exceptional circumstances.
- 5.5 Following the Preliminary Hearing, the Preliminary Panel decided that the prerequisites for a lifting of the Provisional Suspension under Article 7.4.2 of the EAD Rules had not been met. Therefore the Provisional Suspension was maintained.
- 5.6 Furthermore, the Preliminary Hearing Panel held that to qualify as PR it was not necessary that the rider herself had caused the positive finding.

6. Additional submissions by or on behalf of the PR

- 6.1 On 8 May 2015, the BRN-NF submitted an English translation of an amended version of the report by the CID. The amended version – like the first version not submitted on letterheaded paper - included a remarks section in which it explained that, whereas Mr. Singh had previously only pointed out the composition of the drug but not the commercial name by which it was marketed, he had, upon further questioning, provided the commercial name of the drug, along with other vital information. The amended report also included an amended (signed) statement by Mr. Singh, and a copy of his passport. Regarding the administration of Reserpine to the Horse, Mr. Singh specified that he had administered "*a total dosage of approximately 10 ml of Equimed T.Q. (Reserpine) by*

intramuscular injection during the course of training with the last dosage of 3 ml between 2 and 7 July 2014". Further he had not followed the usual dosage pattern and had injected the Horse with another 3 ml between 12 and 16 July 2014, hoping that the Horse would test positive.

- 6.2 On 14 May 2015, the BRN-NF, submitted a (signed) statement by Mr. Singh (dated 11/10/2015). In his statement Mr. Singh confirmed having administered approximately 10 ml of Reserpine to the Horse. Further, he believed that the last administration prior to the Event had occurred between 12 and 16 July 2014. Finally, the PR had not been aware of the administration and she should therefore not be sanctioned for the rule violation. Together with Mr. Singh's statement and passport, the BRN-NF submitted a copy of his Bahraini residence permit.
- 6.3 On 19 June 2015, the PR explained that the documents previously submitted by the BRN-NF had been submitted on behalf of the Team.

7. Written submission by the FEI

- 7.1 On 3 July 2015, the FEI provided its Answer to the submissions provided by or on behalf of the PR together with a Memorandum of advice on Bahraini law by Zu'bi and Partners Attorneys & Legal Consultants, dated 2 July 2015. In the Memorandum Zu'bi and Partners advised that, based on Article 87 of the Criminal Procedures law in Bahrain, the CID was obliged to provide a copy of the documents relating to the investigation to an accused, the victim, a plaintiff claiming civil rights and a person liable to such rights. Therefore the PR and the Team were entitled to request and receive a copy of the relevant documents. Furthermore the PR and the Team were entitled to share copies of the CID report with a third party, as no laws or regulations existed which to prevent this taking place. In addition, according to Article 9 of the Bahraini Law of Evidence, documents prepared by the CID were not be valid unless (i) the signature, seal or the fingerprints of the accused and the concerned parties were included in the report/statement (the signature of the employee who prepared the said report should also be included); (ii) the report/statement was prepared by a public officer or a person instructed to provide a public service, and (iii) the report/statement was prepared on the CID's official papers. However it was not a requirement for the translation of the said documents to be stamped or issued on official papers, as long as it was attached to the original stamped Arabic document (which Zu'bi and Partners Attorneys & Legal Consultants did not have).
- 7.2 The FEI further provided an email exchange with the Permanent Mission of India in Geneva, Switzerland, inquiring about the authenticity of the alleged passport of Mr. Singh provided by the BRN-NF. The Permanent Mission of India in Geneva explained that the Indian Passport No. E5135604 – i.e. the passport with the number submitted by the BRN-NF – had been issued to an individual called Narendra Singh, Date of Birth: 09.11.1977, born at Brahampuri Rajasthan. It had been issued at Jaipur on 9 April 2003, and had been valid only until 8 April 2013: the passport

was therefore cancelled as at 8 April 2013. The Permanent Mission of India in Geneva further explained that the individual had been issued a new Passport with the Number L5298883 at PRO Jaipur on 26 November 2013. This was valid until 25 November 2023. Furthermore, the Permanent Mission of India in Geneva provided the FEI with the signatures provided to it for both passports.

7.3 In essence the FEI argued that:

- a) The PR had not disputed that the Banned Substance Reserpine had been present in the sample collected from the Horse at the Event. It had therefore discharged its burden of establishing that the PR had violated Article 2.1 of the EAD Rules.
- b) Where a Banned Substance was found in a horse's sample, a clear and unequivocal presumption arose under the EAD Rules that it had been deliberately administered to the horse in an illicit attempt to enhance its performance. As a result of this presumption of fault, and unless a PR was able to rebut the presumption, according to Article 10.2 of the EAD Rules a period of Ineligibility of two years applied to a first time offender in case of an Article 2.1 of the EAD Rules violation. The PR had to establish to the satisfaction of the Tribunal - on a balance of probability (i) how the Reserpine had entered the Horse's system, and (ii) that she bore No Fault or Negligence for that occurrence or (iii) that she bore No Significant Fault or Negligence for that occurrence.
- c) However, in the FEI's opinion, neither the submissions made by the BRN-NF on behalf of the PR, nor by the PR herself, satisfactorily identified the source of the positive finding. Relying on the report by Zu'bi and Partners the FEI argued that the translations so far submitted lacked authenticity under Bahraini law as they neither signed by the employee of the CID who drafted them nor were they printed on the official paper of the CID. Nor were they submitted together with the original stamped Arabic version of the document, as required by Bahraini law. The FEI – referred to Article 19.30 of the IRs and argued that it had to be applied broadly, i.e. not only with regards to evidence submitted during any type of oral hearing, but also with regards to any other evidence submitted in the course of the proceedings. Therefore anything submitted in the current proceedings could only be admitted if it had been properly authenticated.
- d) Moreover there were serious doubts about the authenticity of the documents. Specifically, the passport of Mr. Singh submitted by the BRN-NF showed 9 April 2008 as the date of issuance, and 8 April 2018 as the expiry date but, according to the Permanent Mission of India in Geneva, a passport with exactly the same number as the one submitted by the BRN-NF for Mr. Singh had been issued in 2003 to an individual called Narendra. This was supposedly valid until 2013. In addition, whereas the two signatures provided by the Permanent Mission of India in Geneva very much resembled each other, they did not resemble either the signature on the alleged passport of Mr. Singh submitted by the BRN-NF, nor the signature contained in the second translation of

the report by the CID obtained by the BRN-NF. The FEI therefore considered that the documents submitted did not provide a basis to explain the source of the Prohibited Substance, as required under Article 10.4.1 of the EAD Rules. In addition, the FEI argued that no details had been provided of the circumstances which had led to the alleged further statement by Mr. Singh in front of the CID. Specifically, it had not been explained by whom, on which date, and by which means Mr. Singh had been questioned. Furthermore, no explanation had been provided as to why and how Mr. Singh suddenly remembered further details, i.e. the specific product used by him, and no explanation given as to why those further details had not been part of his first statement. Finally, the explanations provided were not specific enough – from a scientific point of view – to establish the source of the positive finding, particularly as the concentration of Reserpine in the product allegedly used was not specified.

- e) The FEI therefore submitted that the authenticity of the statements submitted by the BRN-NF, and the alleged confessions contained therein, were so questionable that they should be entirely disregarded by the FEI Tribunal. As a result, the PR had not established the source of the Prohibited Substance.
- f) Given that the PR herself had not provided any (factual) evidence regarding the source of the Reserpine, any plea under Article 10.4 of the EAD Rules had to be rejected and the standard two-year sanction prescribed by Article 10.2 of the EAD Rules had to be applied.

8. Rebuttal submission by the PR

- 8.1 Neither the PR, the Team or the BRN-NF provided any further explanations, despite being given the opportunity to do so.

9. Jurisdiction

- 9.1 The Tribunal has jurisdiction over this matter pursuant to the Statutes, GRs and EAD Rules.

10. The Person Responsible

- 10.1 The PR is the Person Responsible for the Horse, in accordance with Article 118.3 of the GRs, as she was the rider of the Horse at the Event. The Tribunal further finds that – as already held by the Preliminary Hearing Panel - to qualify as PR it was not necessary that the rider herself had caused the positive finding.

11. The Decision

- 11.1 As set forth in Article 2.1.2 of the EAD Rules, sufficient proof of an EAD Rule violation is established by the presence of a Banned Substance in the Horse's A-Sample. The Tribunal is satisfied that the laboratory reports relating to the A-Sample reflect that the analytical tests were performed in an acceptable manner and that the findings of the LGC are accurate. The Tribunal is satisfied that the test results evidence the presence of Reserpine in the sample taken from the Horse at the Event. The PR did not contest the accuracy of the test results or the positive findings, nor did she request for the B Sample analysis to be performed. Reserpine is classified as a Banned Substance under the FEI Equine Prohibited Substances List.
- 11.2 The FEI has therefore established an Adverse Analytical Finding, and has sufficiently proven the objective elements of an offence in accordance with Articles 2.1 of the EAD Rules.
- 11.3 In cases brought under Article 2.1 of the EADCMRs, the so-called strict liability principle, as described in Article 2.1.1 of the EAD Rules, applies. This means that once a positive finding of a Banned Substance has been established, an EAD Rule violation has been established by the FEI and the PR has the burden of proving that she bears "No Fault or Negligence" for the positive finding as set out in Article 10.4.1 of the EAD Rules, or "No Significant Fault or Negligence," as set out in Article 10.4.2 of the EAD Rules. However, in order to benefit from any elimination or reduction of the applicable sanction under Article 10.4 of the EAD Rules, the PR must first establish how the Prohibited Substance entered the Horse's system. This element is a "pre-requisite" to the application of Article 10.4 of the EAD Rules. The standard of proof is that the PR must establish "specified facts or circumstances" "by a balance of probability".
- 11.4 In rendering its decision the Tribunal takes note of the explanations provided by the PR, the Team and the BRN-NF on how the Reserpine entered the Horse's system, namely that Mr. Singh had administered the Reserpine to the Horse. The Tribunal however finds that Mr. Singh's admission appears neither convincing nor satisfactory. First, the Tribunal doubts the authenticity of the documentation concerning the source of the Reserpine, for the reasons as underlined by the FEI. The Tribunal therefore, in accordance with Article 19.30 of the IRs, does not admit those documents. Furthermore, the Tribunal finds that even if it such documents were accepted, Mr. Singh's explanations are unsatisfactory. For example, he does not provide specific information with regards to the amount and the exact timing of the alleged administration of the Reserpine. As a result, and in the absence of any credible explanation, the Tribunal therefore finds that the PR has not established, by a balance of probability, how the Reserpine entered the Horse's system.
- 11.5 Accordingly, there is no basis for the Tribunal to eliminate or reduce the otherwise applicable sanctions by virtue of Article 10.4.1 or Article 10.4.2 of the EAD Rules.

- 11.6 Further, even if the Tribunal accepted that the PR had established the source of the Reserpine, it would nevertheless hold that the PR had not established that she bore "No (Significant) Fault or Negligence" for the rule violation. Under Article 2.1 of the EADCMRs it is the PR's personal duty to ensure that no Banned Substance is present in the Horse's body at any stage. The PR did not submit any details with regards to steps taken by her to ensure that no Banned Substance entered the Horse's system. The Tribunal finds that the fact the Horse was assigned to the PR only shortly prior to the Event, and that she had not had anything else to do with the Horse, does not release her from the above obligation under the EADCMRs. Furthermore, and in line with its previous decisions, the Tribunal holds that irrespective of whether or not the PR had knowledge of the Horse's medical status and feed, she is responsible for the positive finding in the Horse's sample. The Tribunal comes to this conclusion as under the strict liability principle, embedded in Article 2.1.1 of the EAD Rules, it is not necessary to demonstrate intent or knowing Use in order to establish an EAD Rule violation.
- 11.7 In conclusion, the Tribunal finds that the PR has not succeeded in establishing that she bears No (Significant) Fault or Negligence for the rule violation. Accordingly, there is no basis for the Tribunal to eliminate or reduce the otherwise applicable sanctions by virtue of Article 10.4.1 or Article 10.4.2 of the EAD Rules.
- 11.8 The Tribunal considers that the Provisional Suspension of the Horse of two (2) months, imposed by the FEI at the beginning of the proceedings, was rightfully imposed in accordance with Article 7.4 of the EAD Rules, as the Horse's A-Sample had tested positive for a Banned Substance. Under Article 7.4 of the EAD Rules, the FEI has the discretion to impose a Provisional Suspension of any period of time on the Horse.

12. Disqualification

- 12.1 For the reasons set forth above, the FEI Tribunal disqualifies the Horse and the PR combination from the Competition and all medals, points and prize money won must be forfeited, in accordance with Article 9 of the EAD Rules.

13. Sanctions

- 13.1 Under the current EAD Rules, the sanction for an Adverse Analytical Finding for a Banned Substance is a two-year period of Ineligibility, for first time offenders. The Tribunal finds that based on the Case File, the PR is a first time offender in the meaning of the EAD Rules, since she has not previously violated those EAD Rules. Further as there are no reasons for reducing the period of Ineligibility, the Tribunal imposes a period of Ineligibility of two years on the PR.
- 13.2 As set forth in Article 10.2 of the EAD Rules, and unless fairness dictates otherwise, a fine of CHF 15,000 is foreseen for an EAD Rule violation.

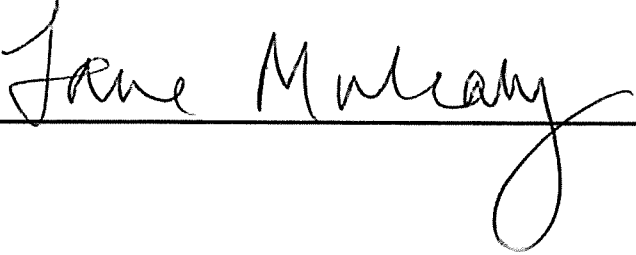
When deciding the fine the Tribunal takes into consideration the Prohibited Substance detected and the degree of Negligence by the PR.

- 13.3 The Tribunal therefore imposes the following sanctions on the PR, in accordance with Article 169 of the GRs and Article 10 of the EAD Rules:
- 1) The PR shall be suspended for a period of **two (2) years** for the present rule violation. The period of Provisional Suspension, effective from 29 September 2014, the date of the imposition of the Provisional Suspension, shall be credited against the Period of Ineligibility imposed in this decision. Therefore, the PR will be ineligible **through 28 September 2016**.
 - 2) PR is fined **two thousand Swiss Francs (CHF 2'000,-)**.
 - 3) The PR shall contribute **one thousand Swiss Francs (CHF 1'000,-)** towards the legal costs of the judicial procedure.
- 13.4 No Person Responsible who has been declared Ineligible may, during the period of Ineligibility, participate in any capacity at an Event, or in a Competition or activity that is authorized or organized by the FEI or any National Federation or be present at an Event (other than as a spectator) that is authorized or organized by the FEI or any National Federation, or participate in any capacity at an Event or in a Competition authorized or organized by any international or national-level Event organization (Article 10.9.1 of the EAD Rules). Under Article 10.9.2 of the EAD Rules, specific consequences are foreseen for a violation of the period of Ineligibility.
- 13.5 According to Article 168 of the GRs, the present Decision is effective from the date of written notification to the persons and bodies concerned.
- 13.6 In accordance with Article 12 of the EAD Rules, the Parties may appeal against this decision by lodging an appeal with the Court of Arbitration for Sport ("CAS") within 30 days of receipt hereof.

V. DECISION TO BE FORWARDED TO:

- a. The person sanctioned: Yes**
- b. The President of the NF of the person sanctioned: Yes**
- c. The President of the Organising Committee of the Event through his NF: Yes**
- d. Any other: the owner of the Horse**

FOR THE PANEL



THE CHAIR, Ms. Jane Mulcahy, QC