

**DECISION of the FEI TRIBUNAL  
dated 5 October 2020**

**in the matter of**

**Mr Juan Pablo Garcia Salgado**  
**(FEI Case number: FEI 2018/BS21 – CAIPIRINA)**

**FEI Tribunal Hearing Panel:**

**Mr Chris Hodson QC one member panel**

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**FEI Tribunal reference:** C20-0049

**Horse/Passport:** CAIPIRINA / 105RC16 / COL

**Person Responsible/ID/NF:** Juan Pablo GARCIA SALGADO /10063069 /COL

**Event/ID:** CIC1\* - Bonza (COL) 2018\_CI\_1553\_C\_S\_01

**Date of Event:** 20-22.09.2018

**Prohibited Substance(s):** Boldenone Undecylenate, Boldenone, Ractopamine

**Bar Code No.:** 5575075

## I. Factual background

- 1.1 Major Juan Pablo Garcia Salgado (FEI ID 10063069), the Person Responsible (hereinafter: **"the PR"**) is a rider for Colombia.
- 1.2 The Fédération Equestre Internationale (hereinafter **"the FEI"** and, together with the PR, **"the Parties"**), is the sole IOC recognised international federation for equestrian sport. The FEI is the governing body of the FEI equestrian disciplines (Dressage, Jumping, Eventing, Driving, Endurance, Vaulting, Reining, Para-Equestrian).
- 1.3 The PR participated, with the horse CAIPIRINA (hereinafter: **"the Horse"**) at the CIC1\* in Bonza (COL), on 20-22 September 2018 (the **"Event"**).
- 1.4 Blood samples were collected from the Horse on 21 September 2018 and sent to the FEI-approved Laboratory, LGC Newmarket Laboratory in Cambridgeshire, UK, for analysis. The sample was divided into an A-sample and B-sample.
- 1.5 Analysis of the blood samples revealed the presence of Boldenone Undecylenate, Boldenone and Ractopamine.
- 1.6 Boldenone and Boldenone Undecylenate are anabolic steroids which increase muscle mass and modify the behaviour. Boldenone Undecylenate is an ester and pro-drug of Boldenone. Ractopamine is a beta adrenoceptor agonist used to promote growth and leanness in certain food-producing animals. These substances are listed as Banned Substance Prohibited Substances under the FEI's Equine Anti-Doping and Controlled Medication Regulations (hereinafter: **"the EADCM Rules"**).
- 1.7 Following the abovementioned rule violation(s), the PR was provisionally suspended by the FEI, as of 30 October 2018, and was further informed that he had the opportunity to request for a Preliminary Hearing.
- 1.8 The PR submitted his position to the FEI on two occasions, on 24 November 2018 and on 20 January 2020. Those will be summarised below under par. II, together with the submission made by the PR in front of the FEI Tribunal.

## **II. Procedural background in front of the FEI Tribunal**

2.1 Below is a summary of the relevant facts, allegations and arguments based on the Parties' written submissions, pleadings and evidence adduced. Although the Tribunal has fully considered all the facts, allegations, legal arguments and evidence in the present proceedings, it only refers to the submissions and evidence it considers necessary to explain its reasoning in its decision.

### **1. Written submissions by and on behalf of the PR**

2.2 The PR submitted four positions, two to the FEI (on 24 November 2018 and on 20 January 2020) and two to the Tribunal (on 7 and on 14 September 2020).

2.3 The PR's various positions can be summarized as follows:

- a) The PR has been riding as a part of the Colombian Army equestrian league for 11 years, and has been an active officer of the Colombian Army until September 2019, latterly in the rank of Major, working in the army's equestrian academy, where he has learned everything he knows about horse riding.
- b) His primary activity with the army is training horses and riders that work in any of the mounted divisions of the army, as well as riders with the intention to compete. This is his main and only source of income as well as his lifelong career.
- c) He has represented, as a horse rider, both the army and Colombia in multiple national and international events in both eventing and jumping, including national drafts to represent Colombia in the Bolivarian games and the Central American and Caribbean Games.
- d) The Horse is the property of the Colombian army, currently assigned to the army's Equestrian Academy, but under his care and training since September 2018. The Academy had thus acquired the Horse only a few months before, and the Horse was underweight, in the PR's opinion.

- e) The Horse's condition was bad, so in an attempt to help it gain weight and muscle (but not with the aim of taking any advantage in competition) he increased the food ration and also went looking for a multivitamin supplement at a vet store. He acquired one with the name of "Probanol", which was a recommendation from the store's vet and was easy to administer to the horse.
- f) His intention was only to help the Horse to get better, and he did not know that Boldenone was a prohibited substance. Further, he did not intend to get any athletic advantage for the upcoming tournament.
- g) The administration of the substance Boldenone was carried out at a single time, on the recommendation of the seller of the store's vet where he acquired the Pronabol (Boldenona), between 1 and 5 September 2018.
- h) Since the Horse belongs to the Colombian National Army, the PR did not have access to its veterinary history.
- i) His actions were not with the intent to break FEI rules, since he did not know that Boldenone was considered a prohibited substance. His only intention was to get the Horse better and he had no knowledge that it was a prohibited substance, since in Colombia there is no regulation for the use of this substance, which can be purchased and administered easily.
- j) Further, with regard to the substance Ractopamine, he cannot unfortunately give further information about it, since he considers that it was not supplied in any way by himself. The PR submitted documents provided by the Army Riding School (which is now the Cavalry Unit), evidencing that the food of Raza Cuido was supplied to the horses.
- k) By the supply of Raza, Cavalia or Finca Brand, which does not have exclusive plants for the processing of food in horses, but in which they produce food for pigs, cross-contamination may occur as expressed by various nutritionists. The PR contacted the Finca company to get a confirmation on those points, but has not received any written answer so far, only by phone, and the information provided was rather short.
- l) He takes full responsibility and accepts the consequences of his actions. For his entire career as a horse rider he has stood out for his ethics and discipline.
- m) He indicates having no precedent whatsoever in terms of sanctions, being from any equestrian authority, army authority or veterinarian.

- n) He is not excusing for his ignorance of said rules but ask that the punishment given to him to take into consideration the elements he brought forward in his defence.
- o) With respect to the requested sanction to be imposed on him, the PR supplied certain financial information.
- p) Further, he alleges having been very affected by the current situation, since he has been away from horses – which are part of his life – for almost two years. He cooperated fully with the investigation, assumed full responsibility and wishes to reiterate his passion for the sport, which has given him great happiness in life. He wishes to return to the fields to ride and be able to compete and represent his army and his country again.

## **2. Written Response by the FEI**

2.4 On 2 September 2020, the FEI provided its Response in this case.

2.5 The FEI submitted that:

- a) Article 3.1 of the EAD Rules makes it the FEI's burden to establish all the elements of the EAD Rule violation, to the comfortable satisfaction of the FEI Tribunal.
- b) The elements of an Article 2.1 violation are straightforward. *"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"*. Instead it is a "strict liability" offence, established simply by proof that a Banned Substance was present in the Horse's sample. The strict liability also applies to Article 2.2, which states that *"It is not necessary that intent, fault, negligence or knowing Use on the part of the Person Responsible, and/or member of his Support Personnel, be demonstrated in order to establish a Rule violation for Use of a Banned Substance"*. The results of the analysis of the A-sample taken from the Horse at the Event confirmed the presence of Boldenone Undecylenate, Boldenone and Ractopamine and constituted "sufficient proof" of the violation of Article 2.1 of the EAD Rules. In any event, the PR does not dispute the presence of these Prohibited Substances in the Horse's sample and admits the violation. Accordingly, the FEI submitted that it has discharged its burden of establishing that the PR has violated Article 2.1 of the EAD Rules.

- c) Where a Prohibited Substance is found in a horse's sample a clear and unequivocal presumption arises under the EAD Rules that it was administered to a horse in a deliberate attempt to enhance its performance. As a result of this presumption of fault, Article 10.2 of the EAD Rules provides that a Person Responsible with no previous doping offence, but who violated Article 2.1 of the EAD Rules is subject to a period of Ineligibility of two (2) years, unless he is able to rebut the presumption of fault. If the PR fails to do so, the two (2) year period of Ineligibility applies.
- d) In order to rebut the presumption of fault, the PR must prove, on the balance of probability:
  - a. How the prohibited substances entered the horse's system; and
  - b. That he bears no fault or negligence for that occurrence, i.e. that he did not know or suspect, and could not reasonably have known or suspected even with the exercise of utmost caution, that he had administered to the horse (or the horse's system otherwise contained) a Banned Substance (in which case, the presumptive two-year period of Ineligibility is eliminated completely pursuant to Article 10.4 of the EAD Rules); or
  - c. That he bears No Significant Fault or Negligence for that occurrence (in which case, the presumptive two-year period of ineligibility may be reduced by up to 50%, depending on his degree of fault, pursuant to Article 10.5 of the EAD Rules).
- e) The EAD Rules stipulate, and the jurisprudence of the FEI Tribunal and CAS is very clear: it is a strict threshold requirement of any plea of No (or No Significant) Fault or Negligence that the PR proves how the substance entered into the Horse's system. Indeed, this requirement had to be strictly applied because without such proof it would be impossible to assess the PR's degree of Fault or Negligence (or No Significant Fault or Negligence) for the presence of the Banned Substances in the Horse. The FEI submitted in this context that the PR must provide clear and convincing evidence that proves how the prohibited substances have entered the Horse's system.
- f) In this case, the PR has promptly admitted that he injected the Horse with the product Probanol, which contained as an active ingredient Boldenone. The FEI accepts this explanation, despite the lack of details provided by the PR, in particular in terms of exact date, timing, dosage, medical records, receipts or location of purchase. The explanations provided by the PR can account for

both Boldenone and Boldenone Undecylenate, since the latter indicates that the former was deliberately injected.

- g) With respect to the positive finding of Ractopamine, the FEI considers that the PR did not provide any explanation for it. The documents provided are not sufficient, in the FEI's view, to prove the origin of the Ractopamine being administered to the Horse.
- h) In conclusion, the FEI is satisfied with the explanations provided by the PR in terms of how the prohibited substances Boldenone and Boldenone Undecylenate entered the Horse's system but failed to establish how the prohibited substance Ractopamine entered the Horse's system.
- i) Since the PR has not established how the Prohibited Substances entered the body of the Horse, there could be no reduction of the standard sanction for Banned Substances, namely two (2) years ineligibility period of the PR.
- j) According to the FEI, Banned Substances are never to be found in a competition horse, they are substances with no legitimate use and have a high potential for abuse. It is the PR's personal duty to ensure that no Banned Substance is present in the Horse's body. For No Fault or Negligence to apply, the PR has to establish that he did not know or suspect, and could not reasonably have known or suspected even with the exercise of utmost caution, that he had administered to the Horse, or the Horse's system otherwise contained, a Banned Substance.
- k) The FEI has carefully evaluated the PR's explanations of the case. Further, the PR has been cooperative and promptly admitted what he knew about his case as soon as he was notified. The FEI finds it unfortunate that the PR did not know about the FEI Clean Sport App where he easily could have found the prohibited substances. The PR should in addition, have enquired from another veterinarian and checked online whether Probanol contained any prohibited substances, where it easily can be found that Boldenone is considered to be doping. The FEI also finds it worrying that the PR himself injected the Horse with the Boldenone, since he is not a veterinarian. Despite the PR's lack of intent to dope the horse and his attempt to try to help the Horse gain weight and muscles, the FEI considers that the fault of the PR is high. The FEI therefore respectfully submits that no reduction based on no (significant) fault or negligence in accordance with 10.4 or 10.5 of the EADR can be applied in the case at hand, since the PR has clearly been highly at fault for the rule violation, and most importantly the PR has in any case, failed to establish the source for all substances found in the Horse's sample, which

does not allow for any reduction under this basis.

- l) In view of the above, the FEI is of the opinion that the period of ineligibility imposed on the PR should be two years.
- m) Subsidiarily, should the PR be able to establish how the Ractopamine was administered into the Horse's system, the FEI would then accept that prompt admission could be considered, in accordance with Art 10.6.3 EAD Rules, and the FEI submits that a final ineligibility period of 22 months would be proportionate.
- n) With respect to the disqualification of results, the FEI submits that art. 9 of the EAD Rules, in conjunction with Art. 10.1.2 EADR, should apply, i.e. that all individual results obtained in connection with an Event, should be forfeited.
- o) In relation to the fine to be imposed, the FEI reminds that Article 10.2. of the EAD Rules provides that, for a violation of Article 2.1 EAD Rules, a fine of CHF 15'000 should also be imposed, *unless fairness dictates otherwise*. In accordance with the FEI Guidelines for Fines and Contributions towards Legal Costs, the standard fine for this case would be CHF 7'500. In view of the explanations and documents submitted by the PR, as well as the prompt admission, the FEI is of the opinion that a fine amounting to CHF 3'000 would be proportionate, subject to the PR submitting additional clarifications, in which case the FEI would not oppose a lower fine, leaving the decision to the discretion of the Tribunal.
- p) With respect to the costs of the proceedings, the FEI submits that the PR should be ordered to pay appropriate legal costs, which could be in this case reduced to CHF 500.
- q) The FEI respectfully requests that the FEI Tribunal issue a decision:
  - (i) *upholding the charge that the PR violated Article 2.1 of the EAD Rules;*
  - (ii) *disqualifying the result of the PR and Horse combination obtained in the Competition and the Event, and the consequent forfeiture of all medals, points, prize money, etc. won, pursuant to Article 9 and 10.1.2 of the EAD Rules;*
  - (iii) *imposing a period of Ineligibility of two (2) years on the PR, crediting the Provisional Suspension already served (i.e. since the date upon which the Provisional Suspension was imposed, on 30 October 2018);*
  - (iv) *fining the PR a fine of 3 000 CHF; and*
  - (v) *ordering the PR to pay the legal costs of 500 CHF that the FEI has*

*incurred in these proceedings.*

### **3. Further proceedings**

- 2.6 By email dated 2 September 2020, the FEI submitted the case file to the Tribunal for adjudication of the present case. The PR, as well as his NF, were copied to the FEI's correspondence.
- 2.7 On 3, and then on 7 September 2020, the FEI provided to the FEI Tribunal, on behalf of the PR, additional statements.
- 2.8 On 11 September 2020, the Parties were informed of the composition of the Hearing Panel which was appointed to address the present matter. Furthermore, the PR was granted with the opportunity to respond to the FEI's request. The PR was informed that, should he fail to comply with the deadline provided, the Tribunal would decide the case using the file in its possession. Finally, the Parties were informed that they had the right to request for oral statements to be heard.
- 2.9 The PR submitted his statement to the FEI Tribunal on 14 September 2020. On the same day, the FEI advised having no objection to the composition of the Hearing Panel, and requested some clarifications from the PR, in particular in relation to his income. Those clarifications were provided on the same day.
- 2.10 On 16 September 2020 the FEI submitted an additional statement on the matter, also commenting on the reasons behind the delays in the proceeding.
- 2.11 No further submissions were provided, and neither party requested for oral statements to be heard in the present matter.

### III. Considering

#### 1. Articles of the Statutes/Regulations which are, *inter alia*, applicable:

Statutes 24<sup>th</sup> edition, effective 19 November 2019 ("**Statutes**"), Arts. 1.5, 38 and 39.

General Regulations, 24<sup>th</sup> edition, 1 January 2020, Arts. 118, 143.1, 159, 164, 165 and 167 ("**GRs**").

Internal Regulations of the FEI Tribunal, 3<sup>rd</sup> Edition, 2 March 2018 ("**IRs**").

FEI Equine Anti-Doping and Controlled Medication Regulations ("**EADCMRs**"), 2<sup>nd</sup> edition, effective 1 January 2020.

FEI Equine Anti-Doping Rules ("**EAD Rules**"), 2<sup>nd</sup> edition, changes effective 1 January 2020.

Veterinary Regulations ("**VRs**"), 14<sup>th</sup> edition 2018, effective 1 January 2020, Art. 1055 and seq.

FEI Code of Conduct for the Welfare of the Horse.

2. **Person Responsible:** Major Juan Pablo Garcia Salgado.

#### 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)."

**GRs Art. 118.3:** "The Person Responsible shall be the Athlete who rides, vaults or drives the Horse during an Event, but the Owner and other Support Personnel including but not limited to grooms and veterinarians may be regarded as additional Persons Responsible if they are present at the Event or have made a relevant Decision about the Horse. In vaulting, the lunger shall be an additional Person Responsible."

**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."

**EAD Rules Art. 10.2:** "The period of Ineligibility for a violation of Articles 2.1, 2.2 or 2.6 shall be as follows, subject to a potential reduction or suspension pursuant to Articles 10.4, 10.5 or 10.6, the period of Ineligibility shall be two years.

A Fine of up to CHF 15,000 shall also be imposed and appropriate legal costs."

#### **IV. The Decision**

##### **1. Jurisdiction**

- 4.1 The Tribunal has jurisdiction over this matter pursuant to Article 38 of the Statutes, Article 161 of the GRs, the EADRs and Article 18 of the IRs.

##### **2. The Person Responsible**

- 4.2 The PR is the Person Responsible for the Horse, in accordance with Article 118.3 of the GRs, as he was the Horse's rider at the Event. The Tribunal wishes to clarify that Support Personnel, such as the Trainer, might be regarded as additional Person Responsible, but the PR remains the main Person Responsible. The case at hand deals only with the apparent EAD Rule violation of the PR.

##### **3. Considering**

- 4.3 As set forth in Article 2.1 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 Laboratory are accurate. The Tribunal is satisfied that the test results evidence the presence of Boldenone Undecylenate, Boldenone and Ractopamine in the blood sample taken from the Horse at the Event. The PR did not challenge the accuracy of the test results and the positive finding.

Boldenone Undecylenate, Boldenone and Ractopamine are Banned Substances under the FEI List and the presence of those substances in a Horse's body is prohibited at all times under Article 2.1 of the EAD Rules.

- 4.4 As a result, the FEI has thus established an Adverse Analytical Finding, and has thereby sufficiently proven the objective elements of an offence in accordance with Article 3 of the EAD Rules.
- 4.5 Pursuant to Article 10.2.1 of the EAD Rules the period of Ineligibility for an Article 2.1 violation, *i.e.*, the Presence of a Banned Substance in a Horse's sample, as in the case at hand, shall be two (2) years, subject to a potential reduction or suspension pursuant to Articles 10.4, 10.5 or 10.6 of the EAD Rules.
- 4.6 In cases brought under the EADRs, a strict liability principle applies as described in Article 2.1.1 of the EAD Rules. Once an EAD Rule violation has been established by the FEI, a PR has the burden of proving that he bears "*No Fault or Negligence*" for the rule violation as set forth in Article 10.4 of the EAD Rules, or "*No Significant Fault or Negligence*," as set forth in Article 10.5 of the EAD Rules.
- 4.7 In order for Articles 10.4 and 10.5 of the EAD Rules to be applicable, the PR must establish as a threshold requirement how the Prohibited Substance entered the Horse's system. Further, the PR does not claim the application of Article 10.6 in this case.
- 4.8 In accordance with Articles 2.1.1 and 2.2.1 of the EAD Rules, the Tribunal accepts that it is the PR's personal duty to ensure that no Banned Substance is present in the Horse's body at any time. Under the EAD Rules the PR is held strictly liable for the condition of the horse. CAS (CAS 2015/A/4190 - Mohammed Shafi Al Rumaithi v. FEI) has confirmed the FEI's policy in making the rider the Person Responsible. The Tribunal agrees with CAS and the FEI's policy. The Tribunal therefore also holds that "*making the rider the responsible in this way is necessary to protect the welfare of the horse, and to ensure fair play.*"
- 4.9 Therefore, the PR – in order to potentially claim any reduction of the two (2) years period of Ineligibility – had to establish the source of the Banned Substances.
- 4.10 First, with respect to Boldenone and Boldenone Undecylenate, the Tribunal is satisfied that the PR established, in the balance of probabilities, the source of said Banned Substances entered into the Horse's system.

- 4.11 In the Tribunal's view, the administration of the Boldenone was a serious mistake by the PR. His experience should have led him to check with the Horse's vet before administering the substance. It is highly unfortunate that he did not do so and that he purchased the substance without knowing whether the shop's vet had any knowledge of FEI rules (which the vet apparently did not), and then injected the Horse on his own.
- 4.12 With respect to Ractopamine, the Tribunal is not convinced, that the PR established the source on the balance of probabilities. He failed to submit conclusive information and evidence, to prove that it was indeed such feeding which was the origin of the Banned Substance Ractopamine into the Horse's system.
- 4.13 Hence, the PR has not established - on a balance of probability, as required under Article 3.1 of the EAD Rules - how all the Prohibited Substances entered the Horse's system.
- 4.14 In the absence of establishing on the balance of the probability how all the Prohibited Substances entered the Horse's system, the Tribunal cannot evaluate the degree of fault of the PR for the rule violation.
- 4.15 The Tribunal holds that No (Significant) Fault or Negligence does not apply in this case because the administration of the Boldenone was a serious mistake by the PR, who did not take the precautions required in such a procedure.
- 4.16 Therefore, the Tribunal finds that no reduction of the otherwise applicable period of Ineligibility, i.e., two (2) years pursuant to Article 10.2 of the EAD Rules, is possible.
- 4.17 The Tribunal takes note that the PR has been provisionally suspended since 30 October 2018, and the Tribunal understands that the PR did not compete during the period of the Provisional Suspension; at least the Tribunal has not been provided with information otherwise.
- 4.18 All the evidence submitted by the parties has been taken into account, but the above sets out that which is essential to the Tribunal's decision.

#### **4. Disqualification**

- 4.19 Since the EAD Rules have been violated, and for reasons of ensuring a level playing field, the Tribunal disqualifies the Horse and the PR combination from

the Competition and the entire Event, and all medals, points and prize money won must be forfeited, in accordance with Articles 9 and 10.1.2 of the EAD Rules.

## **5. Fine & legal costs**

- 4.20 According to art. 10.2 of the EAD Rules, whenever a Person Responsible is found in breach of Articles 2.1 or 2.2 of the EAD Rules, a fine should also be imposed on that person, unless fairness dictates otherwise, and the PR should also be ordered to pay the appropriate legal costs.
- 4.21 The FEI is of the opinion that, *in casu*, fairness does not dictate that no fine be levied in this case. In accordance with the FEI Guidelines for Fines and Contributions towards Legal Costs, the standard fine for this case would be CHF 7'500.-. In view of the documents submitted by the PR during the proceedings, the FEI is of the opinion that a lower fine could be imposed and suggests a fine amounting to CHF 3'000.-. In the event the PR would file additional documents, the FEI would further not oppose an even lower fine, leaving this aspect to the discretion of the FEI Tribunal. Finally, the FEI requests that the PR bears the legal costs to a reduced amount of CHF 500.-. The PR did in fact file further financial information.
- 4.22 The Tribunal accepts the financial information supplied by the PR, which amounts to a situation unique in the experience of the Tribunal.
- 4.23 Given the information provided, and exceptionally, the Tribunal deems that a CHF 400.- fine is considered reasonable. However, the Tribunal wishes to emphasize that this reflects the uniqueness of the PR's situation and hardly reflects the serious aspect of the PR's conduct. In view of the case at hand, the Tribunal accepts that the abovementioned fine will be a real penalty for the PR, in addition to the two years ineligibility period.
- 4.24 With respect to the legal costs, the Tribunal is highly concerned with the delay in the present case. The offence was detected in September 2018, notified in October 2018 and the PR responded in November 2018. It is only almost two years later, i.e. in September 2020, that the case was submitted to the Tribunal for adjudication. The FEI did not provide any detail in its explanation as to the reasons behind this delay, other than to refer to the order of cases and the Covid-19 pandemic situation. The Tribunal holds that in all the circumstances there will be no costs order.

## V. Operative part of the Decision

- 5.1 As a result of the foregoing, the period of Ineligibility imposed on the PR for the present rule violation shall be two (2) years.
- 5.2 The Tribunal 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**. The period of Provisional Suspension, effective from 30 October 2018, shall be credited against the period of Ineligibility imposed in this decision. Therefore, the PR will be ineligible **until 29 October 2020**.
  - 2) The PR is fined **four hundred Swiss Francs (CHF 400)**.
  - 3) The PR shall not bear any part of the costs of these proceedings.
- 5.3 No Person Responsible who has been declared Ineligible may, during the period of Ineligibility, participate in any capacity in a Competition or activity that is authorised or organised 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 in Competitions authorized or organized by any international or national-level Event organisation (Article 10.11.1 of the EAD Rules).
- 5.4 Where a Person Responsible who has been declared Ineligible violates against participation or attendance during Ineligibility, the results of any such participation shall be Disqualified and a new period of Ineligibility equal in length up to the original period of Ineligibility shall be added to the end of the original period of Ineligibility. In addition, further sanctions may be imposed if appropriate (Article 10.11.3 of the EAD Rules).
- 5.5 According to Article 168 of the GRs, the present decision is effective from the day of written notification to the persons and bodies concerned.
- 5.6 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 twenty-one (21) days of receipt hereof.

- 5.7 This Decision shall be notified to the PR, to the President of the NF of the PR, and to the President of the Organising Committee of the Event through his NF.

**FOR THE FEI TRIBUNAL**

A handwritten signature in black ink, appearing to read "Chris Hodson", is centered on the page. The signature is written in a cursive style with a long, sweeping tail on the final letter.

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**Mr. Chris Hodson QC, one member panel**