

## CONSENT AWARD

dated 19 November 2021 and issued by the

## FEI TRIBUNAL

Sitting in the following composition:

FEI Tribunal: Ms Diane Pitts (USA), one-member panel.

in the matter between:

FÉDÉRATION EQUESTRE INTERNATIONALE (FEI)

and

Mr. Albert Hermoso Farras in his capacity as the **Person Responsible** in the following case:

Case: C21-0058 - Mr. Albert Hermoso Farras.

FEI Case reference: (2021/CM07 QUILATE 32 53) - Mr. Albert Hermoso Farras

Person Responsible/ID/NF: Mr Albert HERMOSO FARRAS/10010266/ESP

Horse/Passport: QUILATE 32 53/104QH90/ESP

Event/ID: CCI3\*-L- Le Pin au Haras (FRA), 12-15.08.2021, 2021\_CI\_1079\_C\_S\_02

Prohibited Substance: Meloxicam

Bar Code Nos.: 5601035

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## I. Parties

1. The Fédération Equestre Internationale (**the FEI**) 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).
2. Mr. Albert Hermoso Farras (**the PR**) is a rider from Spain and was the PR for the Horse QUILATE 32 53/104QH90/ESP (**the Horse**) when he participated at the CCI3\*-L- Le Pin au Haras (FRA), 12-15.08.2021, 2021\_CI\_1079\_C\_S\_02 (**the Event**).

## II. Factual background and initial proceedings

3. The Horse was tested during the Event and returned a positive result for Meloxicam, a Controlled Medication Substance under the FEI's Equine Prohibited Substances List 2021.
4. The PR was informed of the positive result by the FEI through the Notification Letter dated 7 September 2021.
5. The PR was subsequently charged by the FEI with a violation of Article 2.1 (*The Presence of a Controlled Medication Substance and/or its Metabolites or Markers in a Horse's Sample*) of an Equine Controlled Medication Rule Violation (**the ECMRV**) through a Notice of Charge dated 26 October 2021.
6. In the Notice of Charge, the PR was provided with an option to admit the Rule Violation, accept the proposed consequences and benefit from a three (3) months reduction of the otherwise applicable Period of Ineligibility of six (6) months asserted by the FEI in accordance with Art. 10.8.1 of the ECMR.
7. On 26 October 2021, the PR submitted to the FEI a duly signed Acceptance of Consequences Form.

## III. Summary of the proceedings before the FEI Tribunal

8. On 27 October 2021, the PR submitted to the FEI Tribunal the duly signed Acceptance of Consequences Form alongside with the Notification and Charge Letter requesting the FEI Tribunal to issue a consent award confirming the accepted consequences to be imposed on the PR.

9. On 5 November 2021, the Tribunal informed the Parties of the appointment of a one-person hearing panel to adjudicate and approve this case. The Parties were asked to provide any objections to the constitution of the hearing panel by 10 November 2021.
10. On 5 November 2021, the FEI informed the Tribunal that they did not have any objection to the constitution of the hearing panel. No objection was received from the PR to the constitution of the hearing panel.
11. Neither party requested an oral hearing.
12. On 25 October 2021, the PR requested to be voluntarily suspended, and on 26 October 2021, the PR elected to admit the violation and receive the automatic 3 months reduction. Accordingly, the PR duly signed the Acceptance of Consequences Form on 26 October 2021.

#### IV. Jurisdiction

13. The jurisdiction of the FEI Tribunal, which is not disputed, derives from the:

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 2021, 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"), 3<sup>rd</sup> edition, changes effective 1 January 2021.

#### V. Early Admission and Acceptance of Sanction

14. In accordance with Art. 10.8.1 of the ECMR *"Where Person Responsible and/or member of the Support Personnel and/or other Person, after being notified by the FEI of a potential ECM Rule violation that carries an asserted period of Ineligibility of six (6) months or more (including any period of Ineligibility asserted under Article 10.4), admits the violation and accepts the asserted period of Ineligibility no later than twenty (20) days after receiving notice of an ECM Rule violation charge, the Person Responsible and/or member of the Support Personnel and/or other Person may receive a three (3) month reduction in the period of Ineligibility asserted by the FEI. Where the Person Responsible and/or member of the Support Personnel and/or other Person receives the three (3) month reduction in*

*the asserted period of Ineligibility under this Article 10.8.1, no further reduction in the asserted period of Ineligibility shall be allowed under any other Article”.*

## **VI. Ratification of the Accepted Consequences**

15. The PR has explicitly admitted the Rule Violation and accepted the following consequences (in accordance with the Article 10.8.1 of the ECM Rules):

- A Period of Ineligibility of three (3) months commencing from the date of the Final Decision issued by the FEI Tribunal (the provisional suspension already served shall be credited against the imposed Ineligibility period); and
- Disqualification from the whole Event and forfeiture of all medals, points, prize money, etc. won at the Event with the Horse;
- Fine of CHF 2,500;
- Cost of CHF 1,000 (in case of B-Sampling).

16. The FEI Tribunal confirms that the above Accepted Consequences are in compliance with the ECM Rules and finds no grounds to object to the terms of the Accepted Consequences.

### **ON THESE GROUNDS**

1. The FEI TRIBUNAL hereby ratifies the Accepted Consequences by the PR in the C21-0058 - Case 2021/CM07 QUILATE 32 53 - Mr. Albert Hermoso Farras (PR) and incorporates its terms into the Consent Award.
2. Each Party is hereby ordered to perform the obligations and duties as per the Acceptance of Consequences Form.
3. The Consent Award is pronounced without legal costs.
4. This Consent Award is final and is not subject to a right of appeal as the PR has waived his right.
5. This Consent Award shall be published in accordance with Article 13.3 of the ECM Rules.

DECISION TO BE FORWARDED TO:

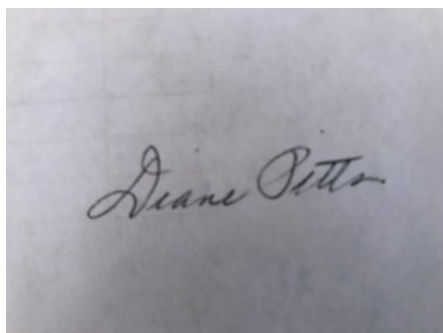
a. The Parties:

- FEI
- Mr. Albert Hermoso Farras.

b. Any other:

- The Secretary General ESP-NF of the PR

FOR THE TRIBUNAL

A photograph of a handwritten signature in cursive script, which reads "Diane Pitts". The signature is written in dark ink on a light-colored, slightly textured paper.

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Ms Diane Pitts (USA)