

CONSENT AWARD

Dated 14 July 2023 and issued by the

FEI TRIBUNAL

Sitting in the following composition:

Sole Panel Member: Mr. Brian Ward, (Canada)

in the matter between:

FÉDÉRATION EQUESTRE INTERNATIONALE (FEI)

and

Mr. Oday ALHARBI --in his capacity as the Person Responsible in the following case:

Case: C23-0038 ALHARBI

FEI Case reference: 2023/CM04 ZAAMAH- PR - Mr. Oday ALHARBI

Person Responsible/ID/NF: Mr Oday ALHARBI/10185022/KSA

Trainer/ID/NF: Abdulaziz ALONAZI /10206415/KSA

Horse/Passport: ZAAMAH/106SC29/KSA

Event/ID: CE12\* 120 - Al Ula (KSA) (03-04/03/2023) 2023\_CI\_0328\_E\_S\_01\_01

Date of sample collection: 04.03.2023

Prohibited Substance(s): Carprofen, Meloxicam

Bar Code Nos.: 5619354

---

## 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 and Para-Equestrian).
2. Mr. Oday ALHARBI (FEI ID 10185022) the Person Responsible (the "PR"), is an Endurance Rider from Saudi Arabia (the "KSA-NF") and participated with the Horse, ZAAMAH (the "Horse") at the CEI2\* 120 - Al Ula (KSA) (03-04/03/2023) 2023\_CI\_0328\_E\_S\_01\_01 (the "Event").

## II. Factual background and initial proceedings

3. The Horse was tested during the Event and returned a positive result for Carprofen and Meloxicam which are Controlled Medication Substances under the FEI's 2023 Equine Prohibited Substances List. Carprofen is a non-steroidal anti-inflammatory drug for treatment of inflammatory and rheumatic disorders. Meloxicam is a non-steroidal anti-inflammatory substance with anti-inflammatory and analgesic effects. The abovementioned substances are classified as Controlled Medication Substances under the FEI Equine Prohibited Substances List.
4. The FEI informed the PR of the positive result for these Controlled Medication Substances by way of a notification letter dated 17 April 2023 (the "Notification Letter"). The PR was Provisionally Suspended by the FEI as of 17 April 2023, since an Adverse Analytical Finding for two Controlled Medication Substances was detected in the Horse's Sample, in accordance with Article 7.4.1 of the Equine Controlled Medication Rules (the "ECM Rules").
5. In the Notification Letter, the FEI provided the PR with an option to admit the ECM Rule violation, accept the sanctions and benefit from a three (3) month reduction of the otherwise applicable period of "Ineligibility" of six (6) months in accordance with Article 10.8.1 of the ECM Rules.
6. On 26 June 2023, the PR submitted to the FEI a duly signed copy of the Acceptance of Consequences Form. According to this document, the FEI deemed that a six-month Period of Ineligibility was considered appropriate in accordance with Article 10.8.1 ECMRs. Therefore, the PR elected to admit the violation and receive a 3-month reduction and, hence, serve a total ineligibility period of 3 months. In addition, by means of this form, the PR waived his right of appeal and acknowledged that the Accepted Consequences would remain on his record for four (4) years pursuant to Article 10.9 of the ECMRs.

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

7. On 5 July 2023, the FEI submitted to the FEI Tribunal the Notification Letter and the duly signed Acceptance of Consequences Form. In addition, the FEI requested the FEI Tribunal to issue a consent award confirming the Accepted Consequences that would be imposed on the PR.
8. On 7 July 2023, 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 11 July 2023.
9. On 7 July 2023, the FEI replied that he did not have any objections to the constitution of the hearing panel. The PR never replied therefore, their silence was inferred as agreement to the constitution of the hearing panel.
10. Neither party requested an oral hearing.

### IV. Jurisdiction

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

Statutes 24<sup>th</sup> edition, effective 17 November 2021 ("Statutes"), Arts. 1.5, 38 and 39.

General Regulations, 24<sup>th</sup> edition, 1 January 2020, Arts. Updates effective 1 January 2022 ("GRs") Articles 118, 143.1, 159, 164, 165 and 167.

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

FEI's Equine Anti-Doping and Controlled Medication Rules, 3<sup>rd</sup> Edition, effective 1 January 2021, updates effective 1 January 2023 ("EADCMRs"). The EADCMRs are divided into the Equine Anti-Doping Rules (the "EADRs") and the ECMRs. As only the ECMRs apply in the present case, reference will be made hereinafter only to this second chapter of the EADCMRs.

### V. Early Admission and Acceptance of Sanction

12. In accordance with Article 10.8.1 of the ECMRs *"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**

13. The PR has explicitly admitted the ECMRs violation and accepted the following consequences (the “Accepted Consequences”) in accordance with Article 10.8.1 of the ECMRs:

- A Period of Ineligibility of three (3) months commencing from the date of the Final Decision by the FEI Tribunal (the Provisional Suspension already served shall be credited against the imposed Ineligibility Period);
- Disqualification from the whole Event and forfeiture of all medals, points, prize money, etc. won at the Event with the Horse; and
- Fine of CHF 500.

14. The sole panel member confirms that the Accepted Consequences comply with the ECMRs and finds no grounds to object to their terms.

### **ON THESE GROUNDS**

1. The sole panel member hereby ratifies the Accepted Consequences in the case C23-0038 [2023/CM04- ZAAMAH - Mr. Oday ALHARBI (PR)] and incorporates its terms into this Consent Award.
2. Each Party is hereby ordered to perform the obligations and duties set out in the Acceptance of Consequences Form.
3. This Consent Award is pronounced without legal costs.
4. This Consent Award is final and not subject to a right of appeal as the APR has waived this right.
5. This Consent Award shall be published in accordance with Article 13.3 of the ECMRs.

DECISION TO BE FORWARDED TO:

- a. The Parties:
  - FEI

- Mr Oday ALHARBI (PR)

b. Any other:

- The KSA- NF

FOR THE TRIBUNAL

A handwritten signature in black ink, appearing to read "B. Ward". The signature is written in a cursive, slightly stylized font.

---

Mr. Brian Ward (USA).