

## CONSENT AWARD

dated 15 February 2024 and issued by the

## FEI TRIBUNAL

Sitting in the following composition:

Sole Panel Member: Mr Jose A. Rodriguez Alvarez (MEX)

in the matter between:

FÉDÉRATION EQUESTRE INTERNATIONALE (FEI)

and

**Leandro ZUBIAURRE** in his capacity as the **Additional Person Responsible** in the following case:

Case: C23-0057 ZUBIAURRE

FEI Case reference: 2023/BS10, ASHVA PSYCHE

Horse/Passport: ASHVA PSYCHE /107YL76/URU

Person Responsible/ID/NF: Teresa SANCHEZ/10094966/URU

**Trainer/ID/NF: Leandro ZUBIAURRE /10018848/URU**

Event/Date/ID: CEI2\*120 Costa Azul, Canelones (URU) 04-05.11.2023 2023\_CI\_1077\_E\_S\_02

Date of sample collection: 05.11.2023

Prohibited Substance(s): Stanozolol

Bar Code No.: 5637100

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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 for the FEI equestrian disciplines of dressage, jumping, eventing, driving, endurance, vaulting, and para-equestrian.
2. Mr Leandro ZUBIAURRE (FEI ID 10018848), the Additional Person Responsible (the “APR”), is a Trainer from Uruguay, and was the registered Trainer for the horse, Ashva Psyche (the “Horse”), which competed at the CEI2\* 120 in Costa Azul, Canelones (URU), between 4 and 5 November 2023 (the “Event”).

## II. Factual background and initial proceedings

3. The Horse was tested during the Event and returned a positive result for Stanazolol, which is an anabolic steroid used to improve performance by promoting muscular development. Stanazolol is classified as a “Banned Substance” under the FEI’s Equine Prohibited Substances list.
4. The FEI informed the APR of the positive result in a notification letter dated 4 December 2023 (the “Notification Letter”). As a result of the positive finding, the APR was Provisionally Suspended as of 4 December 2023, in accordance with Art. 7.4.1 of the FEI Equine Anti-Doping Rules (the “EAD Rules”).
5. In the Notification Letter, the FEI provided the APR with an option to admit the EAD Rule violation, accept the sanctions and benefit from a six (6) month reduction of the otherwise applicable period of “Ineligibility” of two (2) years in accordance with Art. 10.8.1 of the EAD Rules, if he were to admit the violation and accept the consequences no later than twenty days upon receipt of the Notification Letter. The FEI further provided the APR with the option to request the B Sample analysis within 10 days of the Notification Letter.
6. The APR did not request for the B Sample analysis to be performed.
7. On 13 December 2023, within the prescribed deadline, the APR submitted to the FEI a duly signed Acceptance of Consequences Form (the “AOC Form”).

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

8. On 18 December 2023, the FEI submitted to the FEI Tribunal the duly signed AOC Form together with the Notification Letter and requested that the FEI Tribunal issue a "Consent Award", confirming the accepted consequences that would be imposed on the APR.
9. On 8 January 2024, the Tribunal acknowledged receipt of the FEI correspondence dated 18 December 2023, and 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 January 2024.
10. On 8 January 2024, the FEI informed the Tribunal that it did not have any objections to the constitution of the hearing panel.
11. No objection to the constitution of the hearing panel was received from the APR.
12. Neither party requested an oral hearing.

### 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, updates effective 1 January 2023, 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, 1 January 2021, updates effective 1 January 2023.

### V. Early Admission and Acceptance of Sanction

14. In accordance with Art. 10.8.1 of the EAD Rules, *"Where a Person Responsible and/or member of the Support Personnel and/or other Person, after being notified by the FEI of a potential EAD Rule violation that carries an asserted period of Ineligibility of two (2) years*

*or more years (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 EAD Rule violation charge, the Person Responsible and/or member of the Support Personnel and/or other Person may receive a six (6) 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 six (6) 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 APR has explicitly admitted the EAD Rule violation and accepted the following consequences (in accordance with the Article 10.8.1 of the EAD Rules):

- a Period of Ineligibility of eighteen (18) 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); and
- a two (2) months period of provisional suspension of the Horse commencing as of the date of the Notification letter; and
- a fine of CHF 5'000.

16. The sole panel member confirms that the above Accepted Consequences comply with the EAD Rules 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 C23-0057 ZUBIAURRE [2023/BS10 – ASHVA PSYCHE] and incorporates its terms into this Consent Award.
2. Each Party is hereby ordered to perform the obligations and duties pursuant to the Accepted Consequences.
3. The Consent Award is pronounced without costs.
4. This Consent Award is final and is not subject to an appeal as the APR has waived this right.
5. This Consent Award shall be published in accordance with Article 14.3 of the EAD Rules.

## DECISION TO BE FORWARDED TO:

## a. The Parties:

- FEI
- Mr Leandro ZUBIAURRE (APR)

## b. Any other:

- The NF of the APR, the Uruguayan Equestrian Federation

FOR THE TRIBUNAL



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Mr Jose A. Rodriguez Alvarez (MEX)