

DECISION RENDERED BY THE FEI TRIBUNAL

30 August 2024

In the matter of

FÉDÉRATION EQUESTRE INTERNATIONALE (the "FEI")

vs.

Mr. Alhareth Mohamed Jaafar ABDULRAHIM-Additional Person Responsible (the "APR")

together the "Parties"

Reference No. FEI Tribunal: C24-0036

COMPOSITION OF THE FEI TRIBUNAL PANEL:

Ms. Phillip Cornegé (NZL), Sole Panel Member

FEI Case number: 2023/BS11

Horse/Passport: FAROON/107WT96/BRN

Person Responsible/ID/NF: Jalam Singh Inder SINGH/10182994/UAE

Trainer/ID/NF: Alhareth Mohamed Jaafar ABDULRAHIM/10063210/BRN

Event/Date/ID: CEI1*100 Butheeb (UAE) 10-11.11.2023/ 2023_CI_1867_E_S_01

Date of sample collection: 11.11.2023

Prohibited Substance(s): Strychnine

Bar Code No.: 5637367

I. Introduction

1. This Decision pertains to the FEI Case 2023/BS11 FAROON (the “Horse”). In respect of this case, the FEI notified the APR that a violation of Article 2.1 (*The Presence of a Banned Substance and/or its Metabolites or Markers in a Horse’s Sample*) and Article 2.2 (*the Use of a Banned Substance and/or Banned Method*) of the Equine Anti-Doping Rules (the “EADRs”) had occurred based on the Hong Kong Jockey Club Racing Laboratory (the “Laboratory) adverse analytical finding (the “AAF”) of Strychnine in the Horse’s Sample collected at the CEI1*100 Butheeb (UAE) 10-11.11.2023/2023_CI_1867_E_S_01 (the “Event”).
2. A Settlement Agreement between the FEI and the APR in respect of this case was agreed to by the Parties on 10 July 2024 (the “Settlement Agreement”). The Settlement Agreement and the Exhibits thereto are hereby incorporated herein by reference.

II. Applicable Rule Provisions

3. The following regulations are applicable to the present case:
Statutes 24th edition, effective 17 November 2021 (the “Statutes”).

General Regulations, 24th edition, 1 January 2020, updates effective 1 January 2022. (the “GRs”).

Internal Regulations of the FEI Tribunal, 3rd Edition, 2 March 2018 (the “IRs”).

FEI Equine Anti-Doping and Controlled Medication Regulations, 3rd edition, effective 1 January 2023 (the “EADCMRs”). As only the EADRs apply in the present case, reference will be made hereinafter only to this first chapter of the EADCMRs.

III. Factual background and initial proceedings

4. Mr Alhareth Mohamed Jaafar ABDULRAHIM (FEI ID 10063210) the APR in accordance with Article 118.3 of the GRs and is a Trainer in the discipline of Endurance with the Bahrain Equestrian Federation (the “BRN-NF”).
5. The APR was the registered trainer of FAROON (the “Horse”) which participated with Mr. Jalam Singh Inder SINGH (FEI ID: 10182994) (the “PR”) in CEI1*100 Butheeb (UAE) held on 10-11 November 2023 (the “Event”).

6. The FEI is the IOC-recognised international governing body for the equestrian sport disciplines of Dressage and Para-Equestrian Dressage, Jumping, Eventing, Driving and Para-Driving, Endurance And Vaulting.
7. The APR is a member of the BRN-NF, the latter being a member of the FEI, thus the APR was bound by the EADCMRs.
8. The Horse was tested during the Event and returned an AAF for the presence of Strychnine. Strychnine is an alkaloid drug causing involuntary muscle contractions and is used as a rodenticide. Strychnine is classified as a Banned Substance under the FEI Equine Prohibited Substances List. Banned Substance are substances that are prohibited in and out of competition.
9. The FEI informed the APR of the positive results for these Banned Substances by way of a notification letter dated 4 December 2023 (the “Notification Letter”). In accordance with Article 7.4.1. of the EADRs, the FEI provisionally suspended the APR as of the date of the Notification Letter (the “Provisional Suspension”).
10. The APR was afforded the right to request the B sample analysis and requested that the B sample analysis be performed in a different laboratory than the A Sample analysis. The B sample analysis was performed at the LGC Laboratory in Newmarket, Fordham Cambridgeshire, UK and confirmed the presence of Strychnine in the Horse’s Sample.
11. Following the notification of the B sample analysis results on 18 January 2024, the APR requested various extensions of deadlines in order to complete the investigation in order to provide a full explanation in respect of the AAF. The FEI agreed to such extensions.
12. Extensive submissions were remitted by the APR (via the Royal Endurance Team of Bahrain) on 13 February 2024 and later supplemented them on 19 and 28 February, and 9 June 2024 following investigation of the source of the Prohibited Substance found in the Horse. After review of the APR’s submissions, the FEI was satisfied that the APR had established, on a balance of probabilities, that the source of the Prohibited Substance arose from a supplement called “ENDURANCE” produced by the Equimed USA, who confirmed the withdrawal of Endurance 60ml injection, lot number 0171, from the market due to the detection of Strychnine contamination. Therefore, in accordance with Article 10.6.1.2 of the EADRs, the FEI considered that he had established that he bore “No Significant Fault or Negligence” for the violation and that his level of fault was light, therefore warranting sanctions of the lower

range¹.

13. On 10 July 2024, the FEI notified the Tribunal that it had reached a settlement of the dispute with the APR, which included a one (1) year Period of Ineligibility and submitted to the Tribunal the duly signed Settlement Agreement for approval. Pursuant to the Settlement Agreement, the Period of Ineligibility of one (1) year and the APR was assessed a fine of CHF 4,000.
14. On 26 July 2024, 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. No objections to the constitution of the hearing panel were received.

IV. Accepted Terms.

15. The Settlement Agreement is made in accordance with Article 10.8.2 of the EADRs and is subject to the approval of the Tribunal.
16. The APR explicitly admitted the EADR violation and accepted the following terms (the "Accepted Terms") in accordance with Article 10.8.2 of the EADRs:
 - a) The APR admits the violation of Article 2.1 of the EADRs (*The presence of a Bad Substance and/or its Metabolites or Markers in a Horse's Sample*);
 - b) The APR established on a balance of probabilities how Strychnine entered the Horse's system;
 - c) The APR bears *No Significant Fault or Negligence* for the Rule Violation and the applicable period of Ineligibility shall be one (1) year, in accordance with Art. 10.6.1.2 and Art. 10.9.1.1 of the EADRs, commencing as of the date of the final FEI Tribunal decision, (the Provisional Suspension already served shall be credited against the imposed Ineligibility Period);
 - d) The results obtained by the PR-Horse combination at the Event are disqualified with all subsequent consequences (forfeiture of all medals, points, prize money, etc. won) in accordance with Art. 9 and Art. 10.1.2 of the EADRs;
 - e) The APR shall pay a fine of 4'000 CHF;
 - f) Each party will bear its own legal and other costs incurred in connection with these proceedings;
 - g) No other Sanctions will apply in this case;
 - h) This violation of the EADRs shall be considered a prior violation for the

¹ Settlement Agreement 10 July 2024 (between FEI and APR), paragraph 2.12, re summary of submissions dated 13 February 2024, 19 and 28 February 2024 and Exhibits referenced therein.

purpose of Multiple Violations in accordance with Art. 10.9 of the EADRs.

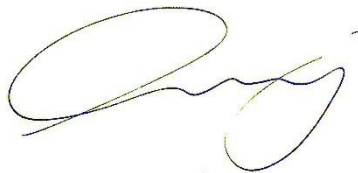
V. Decision

17. 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. The APR is a member of the BRN-NF, which is a member of the FEI; therefore, the APR is bound by the EADRs.
18. The Tribunal confirms that the Accepted Terms of the Settlement Agreement comply with the EADRs and finds no grounds to object thereto.
19. The Parties acknowledge and agree that pursuant to Article 14.3 of the EADRs, the Decision will be made public by the FEI. The terms set out in the Settlement Agreement have been agreed as a full and final settlement of all claims relating to the subject matter of these proceedings.
20. The Settlement Agreement and this Decision are not subject to appeal under Article 13 of the EADRs.

DECISION TO BE FORWARDED TO:

- a. The Parties: Yes
- b. The Secretary General of the NF of the person sanctioned: Yes
- c. Any other: No

FOR THE FEI TRIBUNAL



Mr. Phillip Cornegé (NZL), one-member panel.