

DECISION RENDERED BY THE FEI TRIBUNAL

26 November 2024

In the matter of

FÉDÉRATION EQUESTRE INTERNATIONALE (the "FEI")

vs.

Ms Marna STEYL – Additional Person Responsible (the "APR")

together the "Parties"

(Reference No. FEI Tribunal: C24-0046 STEYL)

COMPOSITION OF THE FEI TRIBUNAL PANEL:

Ms Harveen Thauli (CAN), Sole Panel Member

**FEI Case number: 2024/FT38 WIEJANDIE QUALITO**

Horse/ID/NF: WIEJANDIE QUALITO/108VK75/NAM

Person Responsible/ID/NF: Colin MAKONDO/10149090/NAM

**Additional Person Responsible /ID/NF: Marna STEYL/10079130/NAM**

Event/Place: CEI1\*100 - Swakopmund (NAM), 21-22.08.24, 2024\_CI\_1221\_E\_S\_01

Date of sample collection: 22.08.2024

Prohibited Substance(s): Triamcinolone acetonide

Bar Code Nos.: 5583673

All the words used in this Final Decision beginning with a capital letter and not previously defined have the meaning set forth in the specific definitions of the FEI General Regulations (the “GRs”) and Statutes, the FEI Veterinary Regulations (the “VRs”), the 2024 Equine Prohibited Substance List (the “Prohibited List”) and the Equine Anti-Doping and Controlled Medication Regulations (the “EADCMRs”). The Equine Anti-Doping Rules (the “EAD Rules”) and the Equine Controlled Medication Rules (the “ECM Rules”) are set out in the EADCMRs.

## I. Introduction

1. This Final Decision pertains to the FEI case, 2024/FT38 WIEJANDIE QUALITO. In this matter, the FEI notified the APR that she had committed a violation of Article 2.1 (*The Presence of a Controlled Medication Substance and/or its Metabolites or Markers in a Horse’s Sample*) and Article 2.2 (*the Use of a Controlled Medication Substance and/or Controlled Medication Method*) of the ECM Rules. These violations were based on the positive finding of triamcinolone acetonide in the Sample of the horse, Wiejandie Qualito (the “Horse”), which was collected when the Horse competed at the CEI1\*100 - Swakopmund (NAM), from 21 to 22 August 2024 (the “Event”).
2. The FEI and the APR agreed to a settlement agreement on 13 November 2024 (the “Settlement Agreement”). The Settlement Agreement together with its attached exhibits are hereby incorporated by reference into this Final Decision.

## II. Applicable Rule Provisions

3. The following regulations are applicable to the present case:

Statutes 25<sup>th</sup> edition, effective 21 November 2023 (the “Statutes”).

General Regulations, 24<sup>th</sup> edition, updates effective 1 January 2024. (the “GRs”).

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

FEI Equine Anti-Doping and Controlled Medication Regulations, 3<sup>rd</sup> edition, updates effective 1 January 2023 (the “EADCMRs”). As only the ECM Rules apply in the present case, reference will be made hereinafter only to this second chapter of the EADCMRs.

### III. Factual background and initial proceedings

4. Ms Marna Steyl (FEI ID 10079130) is a Trainer in the discipline of Endurance and the APR, in accordance with Article 118.3 of the GRs.
5. The FEI is the IOC-recognised international governing body for the equestrian sport disciplines of Dressage and Para-Dressage, Jumping, Eventing, Driving, Endurance and Vaulting.
6. The APR is a member of the Namibian Equestrian Federation (the "NAM-NF"), the latter being a member of the FEI. The APR is therefore bound by the ECM Rules. The FEI and the APR are together referred to as the "Parties".
7. The Horse was tested during the Event and returned a positive finding of triamcinolone acetonide, which is a corticosteroid used as anti-inflammatory agent in the treatment of orthopaedic disease. This substance is classified as Controlled Medication Substances under the Prohibited List. They are only prohibited In-Competition.
8. Therefore, the positive findings of triamcinolone acetonide gave rise to a violation of the ECM Rules (the "ECM Rule Violation").
9. The FEI informed the APR of the ECM Rule Violation in a notification letter dated 23 September 2024 (the "Notification Letter"). The FEI decided that it would not provisionally suspend the APR as only one Controlled Medication Substance was found in the Sample.
10. The APR had the right to request an analysis of the B Sample. The APR did not request its analysis; therefore, she irrevocably waived this right.
11. In the Notification Letter, the FEI further informed the APR of her right to provide an explanation within 20 days from the date of the Notification Letter.
12. The APR provided the FEI with several statements, explaining how the Prohibited Substances entered the Horse's system.
13. In particular, the APR submitted that the Horse was administered 5mg of triamcinolone acetonide in each front fetlock joint by a reputable FEI veterinarian on 9 August 2024. The FEI veterinarian confirmed doing so in a written statement.
14. The FEI List of Detection Times states that one intra articular injection of 12mg of triamcinolone acetonide requires approximately 7 days to withdraw from a horse's

system before it is detected. The Horse was scheduled to compete on 22 August 2024, which gave the Horse 12 clear days for the 10mg of triamcinolone acetonide to withdraw from its system. The Horse was tested on the 13<sup>th</sup> day (22 August 2024).

15. The APR acknowledged that the risk of leakage into surrounding tissue when joints are injected as well as the method of administration are factors that can influence withdrawal times. The APR relied on the FEI veterinarian's judgment as he is knowledgeable and very reputable in the equine industry internationally.
16. The APR noted that even if she could not rely on the FEI List of Detection Times as a defense, her verification of the detection times indicates that she intended to act within the scope of the FEI's regulations and that the ECM Rule Violation was unintentional.
17. After reviewing the APR's submissions and evidence, the FEI was satisfied that the APR had established, on a balance of probabilities, that the source of the Prohibited Substance most likely came from the injection administered by the FEI veterinarian in the Horse's front fetlock joints. Therefore, the FEI considered that the APR had established how the Controlled Medication Substance entered the Horse's system.
18. The FEI also considered that the positive finding resulted from a miscalculation of the detection/withdrawal time. The FEI List of Detection Times is a guide only and provides the approximate timeframes that a drug (or its metabolite) remains in a horse's system before detection by a laboratory. Detection times are however different from withdrawal times. A safety margin, which takes into consideration a horse's size, metabolism, degree of fitness, and recent illness or disease, is added to the detection time to determine the withdrawal time.
19. The FEI recommends that the detection time should be multiplied by at least two to determine the withdrawal time. In this case, since the detection time for triamcinolone acetonide is 168 hours (7 days) in the FEI List of Detection Times, the safety margin would be at minimum 14 days. The FEI also submitted that the risk of leakage can affect the detection time, because if triamcinolone acetonide is injected into the surrounding tissue instead of the joint, the detection time may be prolonged to up to sixty (60) days.
20. The FEI further took into consideration several mitigating factors: the APR was knowledgeable of the ECM Rules; the Horse received the Controlled Medication Substance as treatment; the injection was administered out-of-competition by a reputable FEI veterinarian; and the APR tried to adhere to the FEI List of Detection Times.

21. As a result, the FEI was satisfied that the APR had established, pursuant to Article 10.6.2 of the ECM Rules, that she bore “No Significant Fault or Negligence” for the ECM Rule Violation<sup>1</sup>.
22. On 13 November 2024, the FEI notified the Tribunal that it had reached a settlement with the APR, which included a reduced period of Ineligibility to be imposed on the APR.
23. On 15 November 2024, the Tribunal informed the Parties of the appointment of a one-person hearing panel (the “Hearing Panel”) to adjudicate and approve this case. The Parties were asked to provide any objections to the constitution of the Hearing Panel by 20 November 2024.
24. On 18 November 2024, the FEI confirmed having no objection to the constitution of the Hearing Panel.
25. The APR did not submit any objection to the constitution of the Hearing Panel.

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<sup>1</sup> Paragraph 3.29 of the Settlement Agreement includes an evaluation of the APR's level of Fault and Negligence for the ECM Rule Violation.

#### IV. Accepted Terms

26. The Settlement Agreement is made in accordance with Article 10.8.2 of the ECM Rules and is subject to the Tribunal's approval.
27. The APR admitted the ECM Rule Violation and accepted the following terms (the "Accepted Terms") in accordance with Article 10.8.2 of the ECM Rules:
  - a) The APR admits the violation of Article 2.1 of the ECM Rules (*The presence of a Controlled Medication Substance and/or its Metabolites or Markers in a Horse's Sample*).
  - b) The APR established, on a balance of probabilities, how the triamcinolone acetonide entered the Horse's system.
  - c) The APR bears No Significant Fault or Negligence for the ECM Rule Violation and the applicable period of Ineligibility is two (2) months, in accordance with article 10.6.2 of the ECM Rules, starting as at the date of this Final Decision.
  - d) The APR will pay a fine of 1'500 CHF.
  - e) The Parties will bear their own legal costs and any other costs incurred in connection with these proceedings.
  - f) No other Sanctions will apply in this case.
  - g) The ECM Rule Violation is considered a prior violation for the purpose of Multiple Violations in accordance with Article 10.9 of the ECM Rules.

#### V. Decision

28. The Tribunal has jurisdiction over this matter pursuant to Article 38 of the Statutes, Article 159 of the GRs, the ECM Rules, the VRs and Article 18 of the IRs. The APR is a member of the NAM-NF, which is a member of the FEI. The APR is therefore bound by the ECM Rules.
29. Having reviewed the case summary, the full reasoning of the Settlement Agreement and the Accepted Terms, the Hearing Panel accepts that the FEI found that the APR had established, on a balance of probabilities, how triamcinolone acetonide entered the Horse's system.
30. The Hearing Panel further acknowledges that the APR and the FEI have agreed on the terms (including the Accepted Terms) to conclude these proceedings, in accordance with Article 10.8.2 of the ECM Rules, as detailed under Section IV of this Final Decision.

31. The Hearing Panel confirms that the Accepted Terms of the Settlement Agreement comply with the ECM Rules and finds no grounds to object to them.
32. Considering that the APR bears No Significant Fault or Negligence for the ECM Rule Violation, the Hearing Panel also confirms the reduction of the period of Ineligibility imposed on the APR to two months, starting as at the date of this Final Decision.
33. Therefore, and in accordance with the mutual consent of the Parties, the Hearing Panel hereby directs them to comply with all the terms of the Settlement Agreement. Furthermore, this Final Decision concludes this case, C24-0046 STEYL, 2024/FT38 WIEJANDIE QUALITO.
34. The Parties acknowledge and agree that pursuant to Article 13.3 of the ECM Rules, this Final Decision will be made public by the FEI. The terms set out in the Settlement Agreement are a full and final settlement of all claims relating to the subject matter of these proceedings.
35. The Settlement Agreement and this Final Decision are not subject to appeal under Article 12 of the ECM Rules.

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



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Ms Harveen Thauli, One-Member Panel