DECISION of the FEI TRIBUNAL
dated 31 July 2014

Positive Anti-Doping Case No.: 2013/BS05
Horse: PAINTER’S PEER  FEI Passport No: 102YW41
Person Responsible/NF/ID: Thanaporn Chavatanont/THA/10061264
Event/ID: CH-Asian-CIC1*/2013_CH-AS_0001_C_S_01_01
Date: 25 July 2013
Prohibited Substance: Testosterone

I. COMPOSITION OF PANEL

Mr. Henrik Arle, Chair
Ms. Jane Mulcahy, Panel Member
Mr. Vladan Jevtic, Panel Member

II. SUMMARY OF THE FACTS

1. Memorandum of case: By Legal Department.

2. Summary information provided by Person Responsible (PR):
The FEI Tribunal duly took into consideration all evidence, submissions and documents presented in the Case File, as also made available by and to the PR.

3. Oral hearing: none

III. DESCRIPTION OF THE CASE FROM THE LEGAL VIEWPOINT

1. Articles of the Statutes/Regulations which are applicable or have been infringed:

General Regulations, 23rd edition, 1 January 2009, updates effective 1 January 2013, Arts. 118, 143.1, 161, 168 and 169 ("GRs").

Internal Regulations of the FEI Tribunal, 2nd edition, 1 January 2012 ("IRs").

FEI Equine Anti-Doping and Controlled Medication Regulations ("EADCMRs"), 1st edition, effective 5 April 2010, updates effective 1 January 2013.


Veterinary Regulations ("VRs"), 13th edition, effective 1 January 2013, Art. 1055 and seq.

FEI Code of Conduct for the Welfare of the Horse.

2. **Person Responsible:** Ms. Thanaporn Chavatanont

3. **Justification for sanction:**

GRs Art. 143.1: "Medication Control and Anti-Doping provisions are stated in the Anti-Doping Rules for Human Athletes (ADRAH), in conjunction with The World Anti-Doping Code, and in the Equine Anti-Doping and Controlled Medication Regulations (EADCM Regulations)."

EAD Rules Art. 2.1.1: "It is each Person Responsible's personal duty to ensure that no Banned Substance is present in the Horse's body. Persons Responsible are responsible for any Banned Substance found to be present in their Horse's Samples, even though their Support Personnel will be considered additionally responsible under Articles 2.2 – 2.7 below where the circumstances so warrant. It is not necessary that intent, fault, negligence or knowing Use be demonstrated in order to establish an EAD Rule violation under Article 2.1."

**IV. DECISION**

The below represents a summary of the relevant facts and allegations based on the Parties’ written submissions, pleadings and evidence adduced. Additional facts and allegations found in the Parties’ written submissions, pleadings and evidence may be set out, where relevant, in connection with the legal discussion that follows. Although the Tribunal has considered all the facts, allegations, legal arguments and evidence in the present proceedings, in its decision it only refers to the submissions and evidence it considers necessary to explain its reasoning.
1. Factual Background

1.1 PAINTER’S PEER (the “Horse”) participated at the CH-Asian-CIC1*, in Pattaya, Thailand, from 25 to 28 July 2013 (the “Event”), in the discipline of Eventing. The Horse was ridden by Ms. Thanaporn Chavatanont who is the Person Responsible in accordance with Article 118.3 of the GRs (the “PR”).

1.2 The Horse was selected for sampling on 25 July 2013.

1.3 Analysis of the A portion of urine and blood sample no. 5525176 taken from the Horse at the Event was performed at the FEI approved laboratory, The Hong Kong Jockey Club (“HKJC”) in Hong Kong, by Mrs. Nola Hua Yu, Chemist, under the supervision of Mr. Gary Ngai Wa Leung, Racing Chemist. The analysis of the A portion of the urine sample revealed the presence of Testosterone, at a concentration of free and conjugated Testosterone of 0.246 micrograms per millilitre.

1.4 The Prohibited Substance detected is Testosterone. Testosterone is an anabolic steroid and sex hormone, which has the effect of stimulating weight gain, energy levels and muscle development. Testosterone may potentially be endogenously produced by male horses. The FEI has established a threshold concentration for Testosterone specific to geldings that yields a positive test if exceeded. The threshold concentration in urine for geldings is 0.02 micrograms (20 ng) of free and conjugated Testosterone per millilitre. The Horse is reported to be a gelding, and therefore the above threshold applies. Therefore, the concentration of free and conjugated Testosterone found in the A portion of the Horse’s urine sample of 0.246 micrograms per millilitre was above the threshold, which gives rise to an Anti-Doping Rule Violation under the EAD Rules.

2. The Further Proceedings

2.1 On 26 September 2013, the FEI Legal Department officially notified the PR, through the Thailand Equestrian Federation (“THA-NF”), of the presence of the Prohibited Substance following the laboratory analysis, the possible rule violation and the consequences implicated. The Notification Letter included notice that the PR was provisionally suspended and granted her the opportunity to be heard at a Preliminary Hearing before the Tribunal.

2.2 The Notification Letter further included notice to the owners of the Horse, Ms. Kanchanaporn and Mr. Prasert Chavatanont, that in accordance with Article 7.4 of the EAD Rules, the Horse was provisionally suspended for a period of two (2) months, from the date of Notification, i.e. 26 September 2013, until 25 November 2013. The above Provisional Suspension of the Horse has not been challenged by the owners, and the Horse has served the entire period of Provisional Suspension.
3. Written submissions by the PR

3.1 On 2 October 2013, the PR submitted her explanations for the positive finding. Together with her explanations, the PR submitted two witness statements by Dr. Metha Chanda, treating veterinarian for the Horse, and a witness statement by Dr. Anthony Parsons of Taupo Veterinary Centre, who had acted as Foreign Veterinary Delegate at the Event.

3.2 In his statements Dr. Chanda provided details regarding the veterinary treatments used on the Horse in the year prior to the Event, and outlined feed and supplements fed to the Horse in the period leading to the Event and afterwards. The list of feed and supplements included an entry for a “Muscle supplement” in the quantity of 20 ml, listed to be fed at 6 am, including a note that it had been administered to the Horse from 12 to 22 July 2013.

3.3 In his statement Dr. Parsons confirmed having discussed supplements with the PR on the first morning on which he had been present at the Event’s stable, specifically on 22 July 2013. He further stated having advised the PR on which supplements could be used during competition, and which may contain substances prohibited in FEI competitions.

3.4 The PR further submitted an additional list of feed and supplements, eleven (11) in total, which according to her had been administered to the Horse from 25 to 28 July 2013, i.e. during the Event. This additional list also included an entry for a muscle supplement called “The Enhancer”. In addition, the PR provided pictures of the supplements and copies of the product labels. The product label of The Enhancer, produced by Cox Veterinary Laboratory reads as follows: (i) “All natural liquid feed supplement for optimum muscle gain with strength and speed enhancers”; (ii) “feed ½ ounce daily. Amount and frequency may be varied as necessary”; (iii) “Guaranteed analysis (per oz); Gamma Oryzanol 2500 mg., DHEA 600 mg., Pregnenolone 600 mg.”. Lastly, the PR submitted excerpts from the FEI Equine Prohibited Substances List online application for three ingredients of The Enhancer, specifically “Gamma Oryzanol”, “DHEA” and “Pregnenolone”. That the search tool had showed “No results” for those ingredients.

3.5 In essence, the PR submitted that:

a) the PR accepted that she was the Person Responsible, as she had been the rider of the Horse at the Event.

b) no Testosterone had been administered to the Horse, that she had always fully complied with all regulatory requirements under Article 2.1 of the EAD Rules, and that she had further fulfilled her conduct and duty to best ensure that no Banned Substances had been present in the Horse’s body.

c) she had shown all supplements used by her on the Horse to Dr. Parsons, and that the latter had advised that all supplements were
fine to be used, with the exception of The Enhancer, about which Dr. Parsons had not been sure. That she had strictly followed Dr. Parsons’ instructions and immediately stopped using The Enhancer.

d) further she had checked all substances contained in the supplements used by her prior to their use through the FEI Equine Prohibited Substances List online application, and that all three ingredients of The Enhancer had showed “No results”.

4. The Preliminary Hearing

4.1 Upon request by the PR, a Preliminary Hearing took place on 10 October 2013. During the Preliminary Hearing the PR insisted that no Testosterone had been administered to the Horse at any time and that she had taken several precautions to ensure compliance with the EADCMRs, such as checking all substances prior to administration to the Horse against the FEI Equine Prohibited Substances List. Further that she had submitted all the supplements used by her to Dr. Parsons, and upon his advice she had stopped using the supplement called “The Enhancer”. Following the Preliminary Hearing, the Preliminary Panel decided that at the time, there were no reasons for the lifting the Provisional Suspension, as based on the information provided, the presence of the Prohibited Substance Testosterone in the Horse’s Sample was not disputed. Therefore the Provisional Suspension was maintained.

5. The B-Sample analysis

5.1 Together with the Notification Letter of 26 September 2013, the PR was also informed that she was entitled (i) to the performance of a B-Sample confirmatory analysis on the positive sample; (ii) to attend or be represented at the B-Sample analysis; and/or (iii) to request that the B-Sample be analysed in a different laboratory than the A-Sample.

5.2 Whereas initially the PR requested for the B-Sample analysis to be performed in a different laboratory than the A-Sample analysis, on 15 October 2013, the PR requested that B-Sample analysis be performed in the same laboratory than the A-Sample analysis.

5.3 On 16 October 2013, the B-Sample analysis was performed at the HKJC by Dr. April Sum Yee Wong, Chemist, under the supervision of Dr. Emmie Ngai Man Ho, Racing Chemist.

5.4 The B-Sample analysis of the urine confirmed the presence of Testosterone at a concentration of 0.0235 micrograms per millilitre of free and conjugated Testosterone.

5.5 The results of the B-Sample analysis were provided to the PR and to the owners of the Horse through the THA-NF on 7 November 2013.
6. **Supplemental Submission**

6.1 On 26 November the PR provided a Supplemental Submission.

6.2 On 11 February 2014, upon request of the FEI, the PR explained that her explanations submitted on 2 October 2013 were mainly identical to her explanations submitted on 26 November 2013. That however in the statement of Dr. Chanda, she had added the name of the supplement in brackets behind the type of supplement, for example “muscle supplement (The Enhancer)”, and had further modified the statement by Dr. Chanda to clearly state that The Enhancer had been fed to the Horse from 12 to 22 July 2013.

7. **Written submissions by the FEI**

7.1 On 7 March 2014, the FEI provided its Response to the PR’s submissions. Together with its Response, the FEI provided an expert report by Dr. Stuart Paine BSc (Hons), PhD, MRSC, CCHEM, CSci, ACS of Nottingham University. In his expert report Dr. Paine explained following his review of the lists of supplements used by the PR, none of the supplements (with the exception of The Enhancer) would have contributed to Testosterone levels. That however the use of the supplement The Enhancer could potentially lead to a positive Testosterone finding, as one of the ingredients of The Enhancer, DHEA, was naturally converted to androstenedione and androstenediol, precursors of Testosterone. That according Dr. Chanda’s notes, 20 ml of The Enhancer had been administered daily from 12 to 22 July 2013. That the manufacturer recommended a dose of ½ once, which was equal to 15 ml and which in turn contained 300 mg of DHEA. That therefore, the Horse had been administered 400 mg of DHEA per day. Further, that according to a published study by Dehennin et al (2001), Testosterone levels resulting from a 500 mg dose of DHEA would drop below the 20 ng threshold for geldings within 24 hours of administration, and that at 48 hours after the respective administration, the levels were below 3 ng. Dr. Paine therefore concluded that insofar as according to the PR, The Enhancer had only be used until 22 July 2013, it was not plausible that the use of The Enhancer had led to the positive finding for Testosterone on 28 July 2013 when the Horse had been tested, i.e. six (6) days after the last administration of the product.

7.2 In essence, the FEI submitted that:

a) the PR had not disputed that Testosterone above the applicable threshold was present in the sample collected from the Horse at the Event and that it had therefore discharged its burden of establishing that the PR had violated Article 2.1 of the EAD Rules.

b) the explanation and evidence submitted by the PR did not prove, by a balance of probability, how the Testosterone found in the Horse’s sample had been caused, as firstly she had systematically denied
having administered any Testosterone to the Horse, and as she had not expressly provided any other possible explanation for the positive finding.

c) the Enhancer, even though the PR contended that her research had revealed that it did not contain any Prohibited Substances, contained DHEA, which in turn was a precursor to Testosterone, and could therefore have led to a positive finding. That however – as Dr. Paine concluded – it was not plausible in the case at hand that the use of The Enhancer had caused the positive finding.

d) as the PR had not established how the Prohibited Substance had entered the Horse's system, no elimination or reduction of the period of Ineligibility under Article 10.4 of the EAD Rules was applicable.

e) Regarding fine and costs, the FEI requested that a fine of 15,000 CHF had to be imposed on the PR, as fairness did not dictate otherwise. Further, that the PR was ordered to pay the legal costs that the FEI had incurred in pursuing this matter.

8. The Provisional Suspension

8.1 On 7 April 2014, the PR, then being legally represented, requested the lifting of the Provisional Suspension. In support of her request to lift the Provisional Suspension the PR argued that there were “serious indications” that the 20 ng/ml threshold for Testosterone in geldings had no sound scientific basis, and had rather been determined arbitrarily. That further the study used in determining the threshold had been made with one single gelding only, and that therefore the results were questionable.

8.2 The PR further argued that she had already served twenty-five (25) percent of the standard two (2) years period of Ineligibility which could be imposed on her if she was not able to demonstrate reasons for a reduction of the standard period of Ineligibility. That moreover, no constitutional system foresaw the enforceability of a sanction prior to a final decision, with the exception of preventive detentions. That such preventive detention was however only permitted under very restrictive and specific conditions. That however no such restrictive conditions were given in the case at hand.

8.3 Lastly that she wanted to qualify for the Asian Games in September 2014, which she had to achieve until mid-July 2014. That because of the particularities of the discipline of Eventing, only four to five events between May and mid-July 2014 remained where she could qualify for the Asian Games. That therefore a decision on the lifting of the Provisional Suspension had to be taken urgently so that she was able to enter for those qualifying events.
8.4 On 16 April 2014, in response to the PR’s request for the lifting of the Provisional Suspension, the FEI argued that so far the PR had not established the source of the Testosterone detected in the Horse’s sample, and that therefore the first prerequisite for any elimination or reduction of the applicable period of Ineligibility had not been met by the PR. The FEI further provided a statement by Dr. Graeme Cooke, FEI Veterinary Director. In his statement Dr. Cooke explained that the threshold of 20 ng/ml in urine of geldings applied by the FEI was an internationally recognized threshold, as specifically defined within Article 6 of the International Federation of Horseracing Authorities’ (IFHA) International Agreement on Breeding, Wagging and Racing. Dr. Cooke further explained that the threshold had been determined following several studies on large amounts of horses, primarily in 1996 and 1998. Together with his statement Dr. Cooke provided copies of the studies referred to by him.

8.5 With regards to the PR’s claim of the unenforceability of any sanction prior to a final decision, the FEI argued that the Provisional Suspension imposed on the PR did not qualify as sanction, but was rather an administrative means preventing an athlete from competing for a certain period of time. Further that in the case at hand, sport-specific rules and principles would apply, which were not necessarily similar to criminal rules and principles. That the Provisional Suspension had been imposed under Article 7.4 of the EAD Rules, and that the EADCMRs of the FEI had been approved by the World Anti-Doping Agency (WADA). That further it was generally recognized that WADA had the authority to establish Anti-Doping Rules for those sports – such as the FEI - that are signatories to its World Anti-Doping Code.

8.6 In response to the PR’s argument that the Provisional Suspension had to be lifted in order to enable her to qualify for the Asian Games the FEI argued that the wish to compete at a certain event or events did not qualify as exceptional circumstances under Article 7.4.2 of the EAD Rules. That Article 7.4.2 of the EAD Rules itself clearly stipulated that it was to be construed narrowly, and specifically excluded as exceptional circumstances the fact that due to a Provisional Suspension, a Person or Horse would be prevented from competing in a particular Competition or Event.

8.7 On 29 April 2014, the PR requested the Tribunal not to issue a decision on the request for the lifting of the Provisional Suspension until she was able to provide further evidence. She further explained that she was trying to establish that the Testosterone level of the Horse had been naturally produced but that the laboratory in Thailand was not able to analyse the urine samples. That due to the applicable regulations it was difficult to import samples into the European Union, and that it was further difficult to find suitable alternative laboratories outside the European Union.

8.8 By email to the Parties of 1 May 2014 the Tribunal stated having received the submissions by the Parties regarding the Request for the lifting of the Provisional Suspension. That in light of PR’s request to wait
with its decision on the request for the lifting it considers the initial request as withdrawn, and will only render any respective decision provided a new request under Article 7.4.4 of the EAD Rules was made by the PR.

8.9 On 2 May 2014, the FEI informed the PR that in order to establish that the level of Testosterone had been endogenously produced, specific tests had to be performed on the Horse, specifically an HCG Testosterone stimulation test, an Oestrone sulphate test and a standard test for Testosterone. Further that testing was most likely possible in Thailand, that the samples would be shipped to the United Kingdom for analysis and that the approximate costs amounted from one thousand (1,000) to one thousand five hundred (1,500) Swiss Francs.

8.10 On 6 May 2014, the PR informed the FEI that she was considering the FEI’s proposal.

9. Rebuttal Submission by the PR

9.1 On 29 May 2014, the PR – no longer legally represented - stated that due to budgetary limitations, she did not have any further evidence to submit. She further submitted a personal statement in which she explained being 21 years old, and that she had competed at 1-star level FEI events. With regards to the source of the positive Testosterone finding, she underlined that Testosterone was not listed as an ingredient on the label of The Enhancer. That she had not been aware of any derivatives that could transform to Testosterone, and that Dr. Parsons had not informed her of that possibility either. That however following the expert statements by Dr. Cooke and Dr. Paine, she no longer believed that The Enhancer had caused the positive finding. That instead, as the Horse was a gelding and was always stressed in the morning of the Cross-Country test at events, it was possible that the stress had increased the Horse’s endogenous Testosterone levels. That further the supplements used by her, including The Enhancer, might have contaminated the Horse’s feed vessel. That further it was possible that the groom in charge - an uneducated person - had not cleaned the feed vessel well enough. Or that her lorry driver had helped the groom preparing the feed for the Horse - as he often did during competitions - and that the lorry driver might have also added The Enhancer to the Horse’s feed, not knowing that the product had no longer to be used for the Horse. The PR also submitted that she had not been able to obtain any evidence for her new potential explanations.

9.2 With regards to the question of Fault and Negligence for the EAD Rule violation the PR admitted that an act of “innocent fault” had led to that violation and that insofar as there had been “no intention of fault or negligence”, a minimum period of Ineligibility should be imposed on her.
9.3 The PR further submitted a supporting letter by the THA-NF. In its letter the THA-NF stated that the PR was a role model for younger riders, as she was one of the top Eventing rising stars in Thailand, and that she had achieved various national and international titles. Further that the PR was a disciplined rider with a good personality, and that the Horse’s welfare was a priority for her.

10. Jurisdiction

10.1 The Tribunal has jurisdiction over this matter pursuant to the Statutes, GRs and EAD Rules.

11. The Person Responsible

11.1 The PR is the Person Responsible for the Horse, in accordance with Article 118.3 of the GRs, as she was the rider of the Horse at the Event.

12. The Decision

12.1 The Tribunal is satisfied that the laboratory reports relating to the A-Sample and the B-Sample reflect that the analytical tests were performed in an acceptable manner and that the findings of HKJC are accurate. The Tribunal is satisfied that the test results evidence the presence of Testosterone above the FEI threshold for geldings of 0.02 micrograms (20 ng) of free and conjugated Testosterone per millilitre in the urine sample taken from the Horse at the Event. The PR did not contest the accuracy of the test results or the positive findings. Testosterone – provided it is detected in a gelding’s urine sample at a level above the FEI threshold - is classified as a Banned Substance under the Equine Prohibited Substances List.

12.2 As the PR has contested the FEI threshold for geldings, the Tribunal first needs to determine whether the FEI threshold is justified and therefore applicable in the case at hand. The Tribunal – while taking note of the PR’s claim of the arbitrary determination of the threshold by the FEI and the further allegations by the PR in this respect – finds on the other hand that the FEI, by means of the statement by Dr. Cooke, has provided convincing proof of an adequate determination by the FEI of the threshold. In particular the Tribunal takes note that the threshold applied by the FEI is internationally recognized. The Tribunal further finds that the studies performed in this respect are reliable insofar as several studies – some of them on large amounts of horses - had been conducted. The Tribunal lastly takes note that the PR has not contested the FEI position and evidence provided in this respect. As a result the Tribunal holds that the FEI threshold for geldings of 0.02 micrograms (20 ng) of free and conjugated Testosterone per millilitre has been duly determined and is applicable to the case at hand.
12.3 The FEI has thus established an Adverse Analytical Finding, and has thereby sufficiently proven the objective elements of an offence in accordance with Articles 2.1 of the EAD Rules.

12.4 In cases brought under Article 2.1 of the EADCMRs, the so-called strict liability principle, as described in Article 2.1.1 of the EAD Rules, applies. This means that once a positive finding of a Prohibited Substance has been established, an EAD Rule violation has been established by the FEI and the PR has the burden of proving that he bears “No Fault or Negligence” for the positive findings as set forth in Article 10.4.1 of the EAD Rules, or “No Significant Fault or Negligence,” as set forth in Article 10.4.2 of the EAD Rules. However, in order to benefit from any elimination or reduction of the applicable sanction under Article 10.4 of the EAD Rules, the PR must first establish how the Prohibited Substance entered the Horse’s system. This element is a “pre-requisite” to the application of Article 10.4 of the EAD Rules. The standard of proof is that the PR must establish “specified facts or circumstances” “by a balance of probability”.

12.5 To start with, the Tribunal takes note of the PR’s explanations and speculations on how the Testosterone has entered the Horse’s system, amongst others by means of administration of The Enhancer, the Testosterone being caused by high stress levels at the Event, the possibility of any of the supplements used on the Horse having been contaminated as well as the potential inadvertent administration by the PR’s groom or lorry driver. The Tribunal finds however that none of the explanations provided by the PR unequivocally establish the source of the Testosterone, as the PR has not provided any supporting evidence for her explanations. The PR herself accepts that partly, her submissions represent mere speculations. The Tribunal underlines in this context that the PR has to show how the Testosterone had entered into the Horse’s system, and that she has to show that her explanation is “more likely than not”. The Tribunal therefore finds that the PR has failed to establish how the Testosterone had entered the Horse’s system.

12.6 Accordingly, the Tribunal does not have to address the question whether any elimination or reduction of the otherwise applicable sanctions by virtue of Article 10.4.1 or Article 10.4.2 of the EAD Rules may be applied.

12.7 However, even if the Tribunal would accept that the PR has established how the Testosterone had entered the Horse’s system, the Tribunal nevertheless holds that the PR had been negligent for several reasons. The Tribunal holds that in accordance with Article 2.1.1 of the EAD Rules, it is the PR’s personal duty to ensure that no Prohibited Substance is present in the Horse’s body during an Event. The Tribunal however finds that the PR had been negligent in not informing her lorry driver of the change in feed for the Horse. The Tribunal is further of the opinion that it was not sufficient for the PR to only inform her groom of the changes in feed or to rely on the groom for him to inform the lorry driver, even more so as she had been well aware that the groom had a rather low
level of education and that the lorry driver had helped the groom feeding the horses in the past.

12.8 As regards the Provisional Suspension of the Horse of two (2) months, imposed by the FEI at the beginning of the proceedings, the Tribunal finds that it had been rightfully imposed in accordance with Article 7.4 of the EAD Rules, as the Horse's A Sample had tested positive for a Banned Substance. Under Article 7.4 of the EAD Rules, the FEI has the discretion to impose a Provisional Suspension of any period of time on the Horse.

13. Disqualification

13.1 For the reasons set forth above, the FEI Tribunal is disqualifying the Horse and the PR combination from the Competition and all medals, points and prize money won must be forfeited, in accordance with Article 9 of the EAD Rules.

14. Sanctions

14.1 Under the current EAD Rules, the sanction for an Adverse Analytical Finding for a Banned Substance is a two-year period of Ineligibility, for first time offenders. The Tribunal finds that based on the Case File, the PR is a first offender in the meaning of the EAD Rules, since she has not yet violated those EAD Rules. Further as there are no reasons for eliminating or reducing the period of Ineligibility, the Tribunal is imposing a period of Ineligibility of two years on the PR.

14.2 The Tribunal therefore imposes the following sanctions on the PR, in accordance with Article 169 of the GRs and Article 10 of the EAD Rules:

1) The PR shall be suspended for a period of two (2) years to be effective immediately and without further notice from the date of the notification of the present decision. The period of Provisional Suspension, effective from 26 September 2013, the date of the imposition of the Provisional Suspension, shall be credited against the Period of Ineligibility imposed in this decision. Therefore, the PR shall be ineligible through 25 September 2015.

2) The PR is fined two thousand Swiss Francs (CHF 2,000).

3) The PR shall contribute seven hundred and fifty Swiss Francs (CHF 750) towards the legal costs of the judicial procedure, as well as the cost of the B-Sample analysis.
14.3 No Person Responsible who has been declared Ineligible may, during the period of Ineligibility, participate in any capacity at an Event, or in a Competition or activity that is authorized or organized by the FEI or any National Federation or be present at an Event (other than as a spectator) that is authorized or organized by the FEI or any National Federation, or participate in any capacity at an Event or in a Competition authorized or organized by any international or national-level Event organization (Article 10.9.1 of the EAD Rules). Under Article 10.9.2 of the EAD Rules, specific consequences are foreseen for a violation of the period of Ineligibility.

14.4 According to Article 168 of the GRs, the present Decision is effective from the date of written notification to the persons and bodies concerned.

14.5 In accordance with Article 12 of the EAD Rules, the Parties may appeal against this decision by lodging an appeal with the Court of Arbitration for Sport ("CAS") within 30 days of receipt hereof.

V. DECISION TO BE FORWARDED TO:

a. The person sanctioned: Yes

b. The President of the NF of the person sanctioned: Yes

c. The President of the Organising Committee of the Event through his NF: Yes

d. Any other: the owners of the Horse

FOR THE PANEL

[Signature]

THE CHAIR, Mr. Henrik Arle