



DECISION of the FEI TRIBUNAL

dated 1 September 2016

Positive Controlled Medication Case No.: 2015/FT16

Horse: LEON Q

FEI Passport No: 103VR68/POL

Person Responsible/NF/ID: Antoni Strzalkowski/10045032/POL

Event: CSI3* Ciekocinko – Baltica Spring Tour (POL)/2015_CI_0414_S_S_01_04

Date: 19 – 24 May 2015

Controlled Medication Substance: Dexamethasone

I. COMPOSITION OF PANEL

Dr. Armand Leone, one member panel

II. SUMMARY OF THE FACTS

- 1. Memorandum of case:** By Legal Department.
- 2. Case File:** The Tribunal duly took into consideration all evidence, submissions and documents presented in the case file, as also made available to the PR.

III. DESCRIPTION OF THE CASE FROM THE LEGAL VIEWPOINT

1. Relevant Articles of the Statutes/Regulations:

Statutes 23rd edition, effective 29 April 2014 ("**Statutes**"), Arts. 1.4, 38 and 39.

General Regulations, 23rd edition, 1 January 2009, updates effective 1 January 2015, 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**"), 2nd edition, effective 1 January 2015.

FEI Equine Controlled Medication Rules ("**ECM Rules**"), 2nd edition, effective 1 January 2015.

Veterinary Regulations ("**VRs**"), 13th edition, effective 1 January 2015, Art. 1055 and seq.

FEI Code of Conduct for the Welfare of the Horse.

2. Person Responsible: Mr. Antoni Strzalkowski, represented by Mr. Bartosz Sokalszczuk of Kancelaria Adwokacka adw. Bartosz Sokalszczuk.

3. Relevant Articles:

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

ECM Rules Art. 2.1.1: "It is each *Person Responsible's* personal duty to ensure that no *Controlled Medication Substance* is present in the *Horse* body during an Event without a valid *Veterinary Form*. *Persons Responsible* are responsible for any *Controlled Medication Substance* found to be present in their *Horse's Samples*, even though their *Support Personnel* will be considered additionally responsible under Articles 2.2 – 2.5 ECM Rules where the circumstances so warrant. It is not necessary that intent, fault, negligence or knowing *Use* be demonstrated in order to establish a *Rule* violation under Article 2.1."

VRs Art. 1060: "Notification of EADCMP Sampling

1. Once a Horse has been selected for sampling the PR or a member of their Support Personnel must be notified.
2. Notification to the PR, or a member of their Support Personnel, that their Horse has been selected for sampling must be given no later than 30 minutes after the announcement of the Final Results of the Event.
3. If a Horse selected for sampling has been substituted with another Horse prior to the prize-giving ceremony, the PR must alert the official notifying them that the Horse is not the Horse that had competed, and assist in ensuring that the selected Horse is sampled.
4. From the moment of notification, the Horse must be chaperoned until the sample has been collected.

5. Following notification, the PR or a member of the Support Personnel must accompany the Horse to the Testing Box. If the PR is unable to accompany the Horse, they must appoint a member of their Support Personnel to accompany the Horse, and witness the sampling procedure.

VRs Art. 1061: "Documentation of Sample Collection and Required Cooperation

1. The PR or their representative, must witness the sampling procedure. The PR remains responsible for the supervision of the Horse at all times.
2. The identity of the Horse must be positively established from its Passport before or after the sample is collected or, in Events where the Horse is not required to have a Passport (see GRs), against its identification document.
3. All sampling must be completed, or supervised, by the Testing Veterinarians, or member of the VC/VD if applicable. The Testing Veterinarians and the PR, or their representative, must sign the sampling documents.

PTVs or Team Veterinarians may collect the sample, under supervision of an Official Testing Veterinarian. This request may be granted under the following conditions:

- a) Any alternate veterinarian must be paid for by the PR;
 - b) The sample collection must be done immediately;
 - c) It must be performed using the equipment of the VD/FEI Testing Veterinarian and in their presence; and
 - d) All samples and all sample collection equipment must immediately remain in the custody of FEI VD/Testing Veterinarian.
4. In signing the sampling documents the PR, or their representative, either:
 - a) accept the validity of the material used for the sampling and have no objection to the sampling system or process, or
 - b) reject it, in which case they must state the reason, in writing, for non-acceptance."

IV. DECISION

The below presents a summary of the relevant facts, allegations and arguments 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 fully 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 LEON Q (the "**Horse**") participated at the CSI3* Ciekocinko – Baltica Spring Tour, in Poland, from 19 to 24 May 2015 (the "**Event**"), in the discipline of Jumping. The Horse was ridden by Mr. Antoni Strzalkowski, who is the Person Responsible in accordance with Article 118 of the GRs (the "**PR**").
- 1.2 The Horse was selected for sampling on 22 May 2015.
- 1.3 Analysis of urine and blood sample no. 5540812 taken from the Horse at the Event was performed at the FEI approved laboratory, LGC in Newmarket Road, Fordham, Cambridgeshire ("**LGC**") in the United Kingdom. The analysis of the urine and blood sample revealed the presence of Dexamethasone.
- 1.4 The Prohibited Substance detected is Dexamethasone. Dexamethasone is a corticosteroid drug with anti-inflammatory effect. Dexamethasone is classified as a Controlled Medication Substance under the Equine Prohibited Substances List.
- 1.5 No request had been made to administer Dexamethasone to the Horse, and no Veterinary Form had been provided by the PR for the use of the substance on the Horse. Therefore, the positive finding for Dexamethasone in the Horse's sample at the Event gives rise to a Controlled Medication Rule violation under the EADCMRs.

2. The Proceedings

- 2.1 The presence of the Prohibited Substance following the laboratory analysis, the possible rule violation and the potential consequences, were officially notified to the PR and to the owner of the Horse - Mr. Piotr Strzalkowski (the "**Owner**") -, through the Polish National Federation ("**POL-NF**"), by the FEI Legal Department on 31 August 2015.
- 2.2 The proceedings were initiated under the Administrative Procedure (otherwise referred to as the "Fast Track" procedure) insofar as the respective prerequisites under Article 8.3 of the ECM Rules were fulfilled. The PR was afforded the opportunity to accept the following administrative sanctions: (i) Disqualification of himself and the Horse from the whole Event including the forfeiture of all prizes and prize money won at the Event, (ii) a fine of one thousand five hundred Swiss Francs (CHF 1,500), and (iii) the payment of thousand Swiss Francs (CHF 1,000) in costs. The PR was further informed that in case he did

not accept the administrative sanctions offered, the case would be submitted to the Tribunal procedure, and, provided the presence of the substance was established, the Tribunal would impose penalties which would be more or less severe than the administrative sanctions offered.

- 2.3 The PR, and after having been made fully aware of the potential risks and consequences of declining the administrative sanctions by the FEI, did not accept the administrative sanctions offered, and the case at hand was submitted to the Tribunal procedure.

3. The B-Sample Analysis

- 3.1 Together with the Notification Letter of 31 August 2015, the PR and the Owner were also informed that they were 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.
- 3.2 Neither the PR, nor the Owner did request for the B-Sample to be analysed and accepted the results of the A-Sample analysis.

4. Submission by the PR

- 4.1 On 12 October 2015, the PR provided his explanations with regard to the positive finding. Together with his submission, the PR provided a statement by Dr. Michal Kaczorowski, the Horse's veterinarian, and Permitted Treating Veterinarian during the Event. In his statement Dr. Kaczorowski stated that he did not have any knowledge about a Dexamethasone application by him or any other veterinarian during the Event. He further stated that such substance could have been legally used under veterinary control. Moreover, that for the past six years he was the veterinarian of the PR's family stable where the Horse was normally located. Finally, that he did not treat the Horse with any medicines containing Dexamethasone in the period prior to the Event.
- 4.2 In essence the PR submitted that:
 - a) He "cannot avow to giving Dexamethasone to the horse", and that the Horse's veterinarian did not administer any Dexamethasone to the Horse either.
 - b) In summary, the PR contented that for reasons outlined below a violation of Article 5.3 of the EADCMRs which foresaw that "*Testing conducted by or on behalf of the FEI shall be in substantial conformity with the Testing procedures set forth in the FEI Veterinary Regulations in effect at the time of Testing*", and therefore a departure in testing procedures under Article 7.1.2 of

the EADCMRs has occurred. As a result, in accordance with Article 7.1.3 (i) and (ii) of the EADCMRs, the sample taken from the Horse at the Event had to be considered negative.

- c) To start with the PR stated that the sample was taken in his absence, and in the Owner's absence. That he had been ready to submit the Horse to sample collection, wanting to be present during the procedure. The PR further questioned whether Mr. Rafal Przedpelski, Testing Veterinarian during the Event (the "**Testing Veterinarian**"), was authorised to conduct the testing and whether he was aware of FEI rules. Further, that Ms. Janina Strzalkowski, his sister, was at first mentioned as the PR for the Horse on the FEI Medication Control Form, but then her name was crossed out without signature. That later on, the name of Mr. Jacek Zagor was filled in and that he signed the sampling documents. However, that Mr. Zagor was not the PR for the Horse and he was not authorised to act on behalf of the PR. Finally, that according to Mr. Zagor's information, he was not present while the sample was taken, and that he allegedly was asked to sign the FEI Medication Control Form after the sample was taken.
- d) Moreover, the PR stated that he was not notified that his horse was selected for sample collection, and therefore a violation of Article 1060 p.5 of the VRs was committed. Further, that because he was not notified he could not and did not participate in sample procedures or appoint another person, and that therefore a violation of Article 1061 p. 1-3 of the VRs occurred. As a result he was deprived of the opportunity that the sample was collected in the presence of his veterinarian(s), and the opportunity to reject to sign the sampling documents. Finally, the PR contented that – in accordance with Article 1062 of the VRs - he did neither have the opportunity to check that the sample equipment was correct.

5. Further proceedings

- 5.1 On 11 November 2015, upon request by the FEI, the Testing Veterinarian explained as follows regarding the sampling performed on the Horse during the Event:

"As a response to your email I kindly inform that Mr. Antoni Strzalkowski had been notified by FEI Steward Ms. Sandra Szumlas (FEI ID 10083949) that his horse LEON Q was requested to undergo sampling.

According to Ms. Szumlas information, the rider delegated his sister Ms. Janina Strzalkowska (herself riding athlete and the participant of international competitions) to bring the horse for sampling, because Mr. Strzalkowski had to get his next horse ready for another class. Therefore he could not be present at sampling.

The horse Leon Q was brought for sampling by Ms. Janina

Strzalkowska who was assisted by mentioned FEI steward. The testing process has started in the presence of the rider's sister, FEI steward, veterinary delegate and my assistant Dr. Jerzy Urbanski (FEI ID 10049571).

After horse identification the sampling kit was opened in presence of persons mentioned above. Ms. Janina Strzalkowska was written in FEI Medication Control Form as a Person Responsible. During waiting for the urine in the box we were informed that sister of the rider, Ms. Janina Strzalkowska was underage and she should not be official Person Responsible for the sampling. Ms. Strzalkowska was asked to contact her brother Mr. Antoni Strzalkowski. Ms. Strzalkowska called her brother who told her that the rider's trainer Mr. Jacek Zagor is going to assist the sampling process. Soon after that Mr. Jacek Zagor came and told us that he was authorized by the athlete to participate in sampling. From that moment he was present during testing process. Mr. Jacek Zagor, who has participated many times as an athlete in sampling procedures, had no objections regarding the sampling of the horse LEON Q.

Mr. Jacek Zagor signed the sampling form, observed the packing of the sampling kit."

- 5.2 On 30 June 2016, and after the PR has failed accept the administrative sanctions offered, the FEI informed the PR that it submits the case at hand to the Tribunal procedure.
- 5.3 Until submission of the Case File to the Tribunal for adjudication, the PR has provided no further explanations. Furthermore, whereas the PR - in his submission of 12 October 2015 - requested for a Preliminary Hearing to be held, no final hearing request was received by the Tribunal. Thus the PR is deemed to have waived a final hearing.

6. FEI Answer

- 6.1 On 6 July 2016, the FEI provided its Answer to the PR's explanations regarding the positive finding.
- 6.2 In essence the FEI submitted that:
 - a) Article 3.1 of the ECM Rules made it the FEI's burden to establish all of the elements of the ECM Rule violation charged, to the comfortable satisfaction of the Tribunal. The elements of an Article 2.1 violation were straightforward. *"It is not necessary that intent, fault, negligence or knowing Use be demonstrated in order to establish an ECM Rule violation under Article 2.1"*. Instead it was a "strict liability" offence, established simply by proof that a Controlled Medication Substance was present in the Horse's Sample. The results of the analysis of the A- Sample taken from the Horse at the Event confirmed the presence of Dexamethasone, and together constituted "sufficient proof" of the violation of Article 2.1 of the ECM Rules. The

PR did not dispute the presence of Dexamethasone in the Horse's sample. Accordingly, the FEI has discharged its burden of establishing that the PR has violated Article 2.1 of the ECM Rules.

- b) Article 10.2 of the ECM Rules provided that a Person Responsible with no previous doping offences who violated Article 2.1 of the ECM Rules was subject to a period of Ineligibility of six (6) months, unless he was able to rebut the presumption of fault. And that to do this the rules specified that the PR must establish to the satisfaction of the Tribunal (it being his burden of proof, on a balance of probability) (i) How the Prohibited Substance (here, Dexamethasone) entered the Horse's system; and (ii) that he bears No Fault or Negligence for that occurrence, *i.e.*, that he did not know or suspect, and could not reasonably have known or suspected even with the exercise of utmost caution, that he had administered to the Horse (or the Horse's system otherwise contained) a Controlled Medication Substance (in which case, the presumptive six-months period of Ineligibility is eliminated completely pursuant to Article 10.4 of the ECM Rules); or (iii) that the PR bears No Significant Fault or Negligence for that occurrence (in which case, the presumptive six-month period of ineligibility may be reduced depending on his degree of fault, pursuant to Article 10.5 of the ECM Rules). If the PR failed to discharge this burden, the presumption of intentional administration to enhance the performance stood.
- c) The ECM Rules stipulate, and the jurisprudence of the Tribunal and CAS was very clear: it was a strict threshold requirement of any plea of No (or No Significant) Fault or Negligence that the PR proved how the substance entered into the Horse's system. The FEI submitted in this context that the PR had to provide clear and convincing evidence that proved how the Dexamethasone has entered the Horse's system. That the PR has however failed to provide any plausible explanation for the rule violation and has not established how the Dexamethasone entered the Horse's body; thus the FEI was of the opinion that the first requirement of Article 10.4 of the ECM Rules was not fulfilled.
- d) With regards to Fault/Negligence for the rule violation, the FEI argued that, following from Article 2.1.1 of the ECM Rules the PR had a personal duty to ensure that no Controlled Medication Substance was present in the Horse's body.
- e) Referring to a CAS decision (CAS 2015/A/4190 Mohammed Shafi Al Rumaithi v. FEI), the FEI argued that what the PR did not do was as fatal (lack of knowledge regarding the administration of a Prohibited Substance) as what the PR did do. The CAS panel in that case further endorsed the rationale behind the FEI's policy of making the Athlete/Rider the Person Responsible, stating (at para 57) the following:

"No doubt the degree of care is high; but horses cannot care for themselves. As the Respondent (the FEI) put it in its skeleton

argument

"The FEI believes that making the rider responsible in this way is necessary to protect the welfare of the horse, and to ensure fair play. It is strongly incentivises riders to ensure compliance with the rules, whether by caring for the horse personally or else by entrusting that task only to third parties who are up to the job. In the case of such delegation, it protects the welfare of the horse, and clean sport, by requiring the rider to stay appraised of and be vigilant with respect to the way the horse is being prepared for competition, including as to any treatments given to the horse".

The Sole Arbitrator respectfully agrees".

- f) In light of the stated CAS jurisprudence, the FEI submitted that making the PR prima facie responsible for the condition of the Horse while competing, subject to his ability to prove he bears No (Significant) Fault or Negligence for the rule violation was a reasonable and justifiable stance.
- g) In reply to the PRs allegation regarding a departure from the FEI Testing procedures, the FEI submitted that it has no reason to doubt the statement of the FEI Official, *i.e.*, the Testing Veterinarian Dr. Przedpelski, which explained the testing procedure, wherefore such allegations were left without any comments. Anyhow, that the allegations did neither affect the test result nor the personal duty of the PR.
- h) Finally, that in the case at hand there was no information or reply by the PR in response to the charge. It was not established how the Prohibited Substance entered the Horse's system and there was no explanation in order to evaluate the PR's degree of fault. The FEI therefore respectfully submitted that the applicable period of Ineligibility should be six (6) months.
- i) Pursuant to Article 9 of the EAD Rules, the result of the PR and Horse combination obtained in the Competition shall be disqualified with all resulting Consequences, including forfeiture of any related medals, points and prizes.
- j) In accordance with Article 10.2 of the ECM Rules, as fairness did not dictate that no fine be levied in the case at hand, the FEI duly requested that a fine be imposed on the PR, and that the PR was ordered to pay the legal costs that the FEI has incurred in pursuing this matter. In this respect, the FEI further argued that if the PR had accepted the Administrative Procedure, a fine would have been 1'500 CHF and the cost required to be paid would have been 1'000 CHF. Instead it has been a case of normal procedure, wherefore the fines and costs at least had to correspond to the fines and cost of the Administrative Procedure.

7. Jurisdiction

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

8. The Person Responsible

The PR is the Person Responsible for the Horse, in accordance with Article 118.3 of the GRs, as he had competed with the Horse at the Event.

9. The Decision

- 9.1 As set forth in Article 2.1.2 of the ECM Rules, in cases where the PR waives analysis of the B-Sample and the B-Sample is not analysed, sufficient proof of an ECM Rule violation is established by the presence of a Controlled Medication Substance in the Horse's A-Sample without a valid Veterinary Form. The Tribunal is satisfied that the laboratory report of the A-Sample reflects that the analytical tests were performed in an acceptable manner and that the findings of the LGC are accurate. The Tribunal is satisfied that the test results evidence the presence of Dexamethasone in the sample taken from the Horse at the Event. The PR did not contest the accuracy of the test results or the positive finding. Dexamethasone is classified as a Controlled Medication Substance under the Equine Prohibited Substances List.
- 9.2 Since the PR alleged an apparent departure from the FEI Testing procedures pursuant to Article 7.1.2 of the ECM Rules, the Tribunal has to determine in a first step whether such departure has been established. If such departure has been established, in a second step the Tribunal will decide whether such alleged departure caused the Adverse Analytical Finding.
- 9.3 The Tribunal however finds that the PR has failed to establish by a balance of probability – as required under Article 3.1 of the ECM Rules – that a departure from the FEI Testing procedures occurred. In this respect the Tribunal takes note of the Testing Veterinarian's statement explaining that the PR has been properly notified, and further describing the sampling of the Horse during the Event. The PR on the other hand only provided mere allegations of an alleged departure of the FEI Testing procedures. In addition, the Tribunal takes note that the PR has not provided any reply to the Testing Veterinarian's statement. In the absence of any evidence that would allow the Tribunal to conclude otherwise, the Tribunal therefore finds that the PR has not established that a departure from the FEI Testing procedures has occurred.
- 9.4 In addition, the Tribunal takes note that the PR did not request that the B-Sample be analysed and accepted the results of the A-Sample analysis.

- 9.5 The evidence also shows that the PR and/or his Support Personnel were present during the entire testing procedure. The PR delegated his sister, Ms. Janina Strzalkowska, to bring the Horse for sampling. The testing was performed by the FEI Testing Veterinarian, Mr. Rafal Przedpelski. Ms. Strzalkowska was present during this time and, in fact, her name was initially written down as the PR for sampling. Because it was then learned that Ms. Strzalkowska was underage, she was not permitted to sign the FEI Medication Control Form as the "*Person Responsible/Representative/Other*", as outlined on the FEI Medication Control Form. Ms. Strzalkowska then arranged for the trainer of the PR, Mr. Jacek Zagor, to come to the testing area. Mr. Zagor represented to the FEI Testing Veterinarian that he was authorized to act on behalf of the PR for the sampling. At no time did Ms. Strzalkowska or did Mr. Zagor make any objection to the sampling process, and Mr. Zagor signed the FEI Medication Control Form on 22-05-15.
- 9.6 Furthermore, the Tribunal finds that, even if a departure from the FEI Testing procedures would have been established by the PR, which is not the case in the case at hand, the Tribunal would still have to find that the PR successfully established that this departure caused the positive result. However, the Tribunal takes note that no such argument has been made by the PR. In line with its previous decisions (for example Case WINDY BOY ROCKET, FEI Tribunal Decision dated 29 August 2012), the Tribunal holds that departures from procedures by themselves do not invalidate the findings of the presence of (a) Prohibited Substance(s), unless such departure was such to cast genuine doubt on the reliability of such finding(s). The Tribunal takes note that the PR has not contested the test results. Furthermore, the PR has neither established that the positive finding was caused by the alleged departure of the FEI Testing procedures. The Tribunal therefore finds that the PR has not established any link between the alleged departure from the FEI Testing procedures and the positive test result, and therefore holds that – even if there was a departure from the FEI Testing procedures – there would be no basis on which to invalidate the positive test results in the case at hand.
- 9.7 The FEI has therefore established an Adverse Analytical Finding, and has sufficiently proven the objective elements of an offence in accordance with Article 3 of the ECM Rules.
- 9.8 In cases brought under the EADCMRs, a strict liability principle applies as described in Article 2.1.1 of the ECM Rules. Once an ECM Rule violation has been established by the FEI, the PR has the burden of proving that he bears "No Fault or Negligence" for the rule violation, to satisfy Article 10.4 of the ECM Rules, or "No Significant Fault or Negligence", as set out in Article 10.5 of the ECM Rules.
- 9.9 However, in order to benefit from any elimination or reduction of the applicable sanction under Articles 10.4 and 10.5 of the ECM Rules, the PR must first establish how the Controlled Medication Substance entered the Horse's system. This element is a prerequisite to the

application of Articles 10.4 and 10.5 of the ECM Rules.

- 9.10 The Tribunal takes note that the PR did not provide any information on how the Dexamethasone entered the Horse's system, and therefore holds that the PR has not established how the Controlled Medication Substance entered the Horse's system. Accordingly, the Tribunal does not need to address the question of whether the PR has established that he bears no Fault or Negligence for the rule violation. Furthermore, given the lack of information provided by the PR, the Tribunal finds that the degree of Fault or Negligence of the PR for the rule violation is impossible to assess. The Tribunal therefore holds that no reduction or elimination of the otherwise applicable period of Ineligibility is warranted.
- 9.11 In accordance with Article 10.2 of the ECM Rules, the period of Ineligibility for a violation of Article 2.1 of the ECM Rules shall be six (6) months, subject to a potential reduction or suspension pursuant to Articles 10.4, 10.5 or 10.6 of the ECM Rules. Therefore the period of Ineligibility imposed on the PR shall be six (6) months.

10. Disqualification

For the reasons set forth above, the 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 ECM Rules.

11. Sanctions

- 11.1 The FEI Tribunal imposes the following sanctions on the PR in accordance with Article 169 of the GRs and Article 10 of the ECM Rules:
- 1) The PR shall be suspended for a period of **six (6) months** to be effective immediately and without further notice from the date of the notification. Therefore, the PR shall be ineligible through **28 February 2017**.
 - 2) The PR is fined **one thousand five hundred Swiss Francs (CHF 1'500,-)**.
 - 3) The PR shall contribute **one thousand Swiss Francs (CHF 1'000,-)** towards the costs of the judicial procedure.
- 11.2 No Person Responsible who has been declared Ineligible may, during the period of Ineligibility, participate in any capacity in a Competition or activity that is authorised or organised 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 in Competitions authorized or organized by any international or national-level Event organisation (Article 10.11.1 of the ECM Rules). Under Article 10.11.2 of the ECM Rules, specific consequences are foreseen for a violation of the period of Ineligibility.

- 11.3 According to Article 168.4 of the GRs, the present decision is effective from the day of written notification to the persons and bodies concerned.
- 11.4 In accordance with Article 12 of the ECM Rules the Parties may appeal against this decision by lodging an appeal with the Court of Arbitration for Sport (CAS) within twenty-one (21) 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: No**

FOR THE PANEL



One member panel, Dr. Armand Leone