

EXECUTIVE SUMMARY – SESSION 3

FEI Equine Anti-Doping and Medication Control Regulations

The FEI Panelists (Göran Åkerström - FEI Veterinary Director, Caterina Termine - FEI Senior Veterinary Advisor, and Mikael Rentsch - FEI Legal Director) gave a presentation on the proposed changes to the FEI Equine Anti-Doping and Medication Control Regulations. Lynn Hillyer - Chief Veterinary Officer / Head of Anti-Doping, Irish Horseracing Regulatory Board (IHRB) also gave the Irish Horseracing perspective, and in particular regarding Out-Of-Competition testing.

After a short recap of the 2020 FEI Sports Forum where the last full revision of the EADCMRs was discussed then, the session started with one of the most important proposed change with the topic of out-of-competition testing.

Out of Competition Testing

Further to the Equine Ethics and Wellbeing Commission's recommendations, provisions regarding Out-of-Competition Testing have been added. One of the main challenges concerns the consequences and responsibility further to an Out-of-Competition positive sample. While in Endurance it is clear that the Registered Trainer shall be the Person Responsible, it was less obvious and seemed much more complicated to establish responsibilities for the other Disciplines. Discussions and debates occurred during the FEI Sports Forum Session, but there was no real consensus as to who should be the Person Responsible.

One of the suggestions that seemed to be accepted was to have the consequences only for the Horse that tested positive (i.e. to impose a Suspension on the Horse).

A Horse that tests positive to an In-Competition Test is currently Provisionally Suspended for a period of two months. While in racing, such as the British Horse Racing Authority, a 12 months suspension applies in case of an out-of-competition tests, the FEI will need to decide how long the Provisional Suspension would apply.

In Endurance, the Registered Trainer will be considered as the Person Responsible and additional sanctions will apply, taking into account their level of Fault or Negligence. For the other Disciplines, one potential path is to have the Horse Owner as the Person Responsible, mainly in order to have someone to notify of a positive sample, to notify the Suspension of the Horse and related consequences (fines and costs).

Lynn Hillyer explained the timeline and progression of the IHRB's equine anti-doping and medication control protocols since the body's inception in 2018, showing an impressive increase in sampling rates, strengthened further by a digitisation process necessitated by the Covid 19 pandemic.

Special Procedure for Minors for Controlled Medication cases

It was mentioned that today we only have a Special Procedure for Minors for **Banned Substance** cases and that the **Consequences are as follows:**

- Disqualification of the Results
- 2 months suspension on the Minor
- 2 months suspension for the Horse

- A Fine of CHF 1'500
- Costs of CHF 1'000 (CHF 2'000 if B Sample is requested)

This means that there is no Special Procedure for Minors for Controlled Medication and that the current consequences (unless the Minor can avail of the Administrative Procedure (Fast Track)) are a 6 months suspension as the starting point and a Fine of CHF 3'000-5'000 (compared to a two months suspension and a Fine of CHF 1'500 for the Special Procedure for Minors for Banned Substance cases).

Therefore, the proposal is to include a **Special Procedure for Minors for Controlled Medication cases**. The Proposed Consequences are as follows:

- Disqualification of the Results
- **1 month** suspension on the Minor
- A **Fine** of **CHF 500**
- **Costs** of **CHF 500** (CHF 1'500 if B Sample is requested)

Fast Track to be available to Endurance Trainers

In Endurance, the Registered Trainer shall be considered as additional Person Responsible and held additionally responsible for any presence of a Banned Substance/Controlled Medication (Articles 2.1 of the EAD Rules and the ECM Rules).

If a Sample is positive to 1 Controlled Medication and it's the first-time offence, the Athlete (the Person Responsible) is eligible for the Administrative Procedure (Fast Track).

However, the Registered Trainer is not eligible for the Administrative Procedure.

Therefore, there are today two different procedures with two difference outcomes.

The suggestion is to have **equal treatment** to both the Athlete and the Registered Trainer and **to offer the Administrative Procedure to both of them**, still only where it is their first offence. It would avoid separate proceedings and discrepancies in the process.

Gene Doping and Cloning

While gene doping is currently already prohibited in the Equine Prohibited Substance List, much more details will need to be added regarding Genetic Therapy, Gene Editing and Genome Editing in the Equine Prohibited Substance List. Caterina Termine gave a presentation on gene doping and used simple and engaging analogies to clarify the differences between gene doping and gene cloning, as well as highlighting the dangers of the former over the latter. Please see also the presentation for more details.

Hair & Fluids Samples

It is proposed to introduce hair testing to complement blood and urine analysis as it prolongs the detection window. The method is already established and functioning in horseracing. In addition, saliva sampling is also added as this will allow non-evasive testing during competition, such as in the Vet Gate in Endurance for example.

The panel highlighted the meticulous approach needed in sample collection and analysis to detect any prohibited substances effectively, with Lynn Hillyer offering informative insights from her own experience at the IHRB, which currently utilises the testing of hair.

Cocktail of Controlled Medications

The current issue is that Substances with the same/similar/synergetic or masking effect are each administered in a lower dose to avoid exceeding the reporting level. The combined effect may mask clinical signs of lameness for example. The proposed solution is that in case of the presence of more than one drug with the same/similar/synergetic or masking effect, the reporting level would be decreased by 50%. Please note that in horseracing no reporting level is applied in such circumstances, meaning that any finding is considered as a positive.

Removal of two-stage notifications

Today the notification of an anti-doping violation is done in two stages:

- The Notification Letter of an alleged violation of the EADCMRs
- The Notice of Charge

After the Notification Letter, the Person Responsible has 20 days to provide their explanations to the alleged violations. Thereafter, if the FEI is still satisfied that the Person Responsible has committed the rule violation, the Person Responsible is formally charged.

Persons Responsible are usually confused with the two-stage notifications and in the end, in almost all cases a Notice of Charge is ultimately sent.

The proposal is to simplify the process and to only have one Notification Letter. The Person Responsible keeps the same rights to be heard and to provide explanations, evidence, etc.

Pony Measurement Session – Consequences of Positive Sample

Pony Measurement is subject to anti-doping testing and it is considered as In-Competition.

The proposed change would clearly state in the Rules who is the Person Responsible in case of a positive sample (i.e the Owner).

The proposal is also to specify what are the consequences on the pony measurement, especially if the pony was measured out.

Panellists:

Göran Åkerström - FEI Veterinary Director

Caterina Termine - FEI Senior Veterinary Advisor

Mikael Rentsch - FEI Legal Director

Lynn Hillyer - Chief Veterinary Officer & Head of Anti-Doping, Irish Horseracing Regulatory Board (IHRB)