



# AWARENESS & RIDE FAIR

KNOW THE RULES FOR A PROPER SPORT





KNOW THE RULES FOR A PROPER SPORT



*“What sets a person or a country apart from all others in a time of crisis is the vitality,*

***ENERGY** and **ENTHUSIASM** with which a situation is tackled.*

*This does not mean hanging on to an illusion and being foolishly optimistic.*

*It means, rather, being aware that only through **DEDICATION** and **PASSION** for life can the creativity needed to find solutions be secured. In order to defeat adversities, challenging the future must never be given up, even when things look impossible”.*

## AUTHORS

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*Swiss National Federation Vet. Del.*

In cooperation with

**Dr Med. Vet. Alessandro Centinaio**

*Italian Team Vet in Sydney,*

*Athens and*

*Hong Kong Olympics*

**Avv. Lorenza Mel**



“

This publication is the IJRC’s contribution to the promotion and improvement of horse welfare in the equestrian world.

As athletes, we believe that competitive success is the fruit of a lifetime, from the first time on horseback as a child, via our early experiences in competitions, right through to the moment we turn professional.

The performance of a sportsman is the consequence of his growth as a person and his development as an athlete:  
an athlete doesn’t become good or bad in a day!

As riders, we are the first to want to guarantee the health of our horses, our partners in life: without them, we could not compete every day!

We believe that it is essential to establish and maintain a relationship based on respect and fair play. We have been asking for a working group in order to clarify the fundamental issues, thus providing a starting point from which to launch discussion about horse welfare on a scientific, sporting, legal and educational basis.

The goal is to provide all those keen on equestrian sport and who are involved in this world with the information necessary to allow them to examine issues and find solutions that are shared and accepted by everyone concerned.

”

Rodrigo Pessoa

*IJRC President*



“

Equestrianism is the only sport that combines the athletic talents of humans and animals.

All serious athletes, regardless of the sport they practice, are aware that it is vital for them to look after their health and adopt a lifestyle that is in keeping with their ambitions. But our equine athletes depend on us for their well-being. The way we care for them is a decisive factor in shaping that special bond of trust and respect that contributes to the performances of our horses.

Animal welfare is only achieved through our awareness of the elements it implies. By uniting education, communication, veterinary and legal issues in this book, the International Jumping Riders Club and Independent Working Group are providing riders with an educational tool that will ensure they pursue their ambitions in a way that is beneficial to them and their horses.

I congratulate them for this initiative, as the content of this book echoes an approach I strongly believe in.

Education, communication, equine welfare and the respect of legal frameworks form the pillars on which the policy of the Fédération Equestre Internationale is based. I have no doubt that Awareness and Ride Fair will become a reference point for riders who wish to enjoy our sport in the very best spirit of horsemanship.

”

HRH Princess Haya

*FEI President*

# INDEX





KNOW THE RULES FOR A PROPER SPORT



# INTRODUCTION



We decided to write this publication as we feel the need to have greater clarity and for those of us involved in the sport to be better informed with regard to the medication/doping issues that are so widely discussed at the moment.

In order to approach this delicate argument in a professional manner, we think it is necessary to have a basic knowledge of horses' health, pharmacology, toxicology, as well as legal issues and all rules implemented by the FEI, WADA or other institutions or authorities.

The goal of this publication is simply to clarify some of the issues and explain the correct terminology in order to discuss the problems of medication/doping in a reasonable and intelligent way.

We have given priority to methodology and scientific information without considering the wishes of the different lobbies in the equestrian community. We have tried to cover a number of topics relevant to veterinary issues such as timetables, management of competition horses, definitions of threshold levels and detection times and, finally, different approaches to the issue of tolerance shown by the European and American schools and an explanation of the most common terms encountered when talking about the use of medication.

Since we are aware of the existence of an education crisis, we have tried to devote considerable time to the education problem.

This means not only addressing the fair and responsible way to act with regard to technical aspects - including moral principles - but also the overall notion that people such as athletes, sports managers, instructors or organizers who wish to play an active role in equestrian sports should be acquainted with and put at the heart of the debate.



This publication does not claim to be exhaustive and analyze all the issues pertaining to the four themes discussed (education, veterinary, legal and media) but the authors hope that athletes, operators, and sports organizers will find it useful in order to benefit the sport and to face the doping problem with greater composure; the ultimate goal being that of defeating illegal practices as much as possible.

We thank you for your time and strongly urge you to check the FEI website about veterinary issues in order to acquire as much information as possible.

Eleonora Ottaviani Moroni  
([www.feicleansport.org](http://www.feicleansport.org))

ISSUES TO BE ADDRESSED

**Education**

**Veterinary aspects**

**Legal issues**

**Communication**

## CURRENT SITUATION

There is

Lack of harmonization amongst labs and amongst National Federations

No definite boundary between the legitimate and the “illegal” use of medication

There are:

Two different approaches:

***The European vs American school***

(total ban vs authorized use of some molecules during competition)

## 1.3

## OBJECTIVES?

- To set forth a clear and understandable definition of Equine Doping and Controlled Medication
- To clarify the terminology of equestrian sport
- To establish clearly the responsibilities of each individual involved in equestrian sport
- To define a strategy and establish short, medium and long term action

## 1.4

## MAIN ISSUES TO BE ANALYZED

- Is the medical support of the horse necessary?  
*(crowded event calendar and horse management)*
- Threshold levels, analytical limitations and withdrawal times  
*(these should be set by the FEI only and solely applied by labs)*
- Activity vs presence of a molecule or of its metabolites  
*(residue of a molecule's degradation in the horse)*
- Fit to compete vs. free from prohibited substances

## RESPONSIBILITIES

- **FEI:**  
Regulations, communication, pro-active behaviour, overall coordination and education.
- **Athletes:**  
Management of the horse and his team.
- **Treating Vet:**  
Proper knowledge of the drugs used in equine medicine.
- **Team Vet:**  
Good relationship between treating vet and athletes.
- **Chef d'Equipe:**  
Long-term planning, overseeing that athletes remain accurately informed. *(one year)*
- **NFs:**  
Education of athletes and officials in co operation with FEI and possibly with the different riders club.
- **Athletes' associations:**  
Education and awareness of athletes. *(in cooperation with FEI)*
- **Labs:**  
Harmonization of testing procedures.



## STRATEGY AND MEASURES

### ONGOING STRATEGY:

- Equestrian Sport derives its credibility and public acceptance from the concept of fair play, the idea that the best athletes should win after competing in equitable conditions and under fair rules applied with competence.
- FEI has to protect the welfare of horse whilst in competition, training on the show and stable.

### MID-TERM STRATEGY:

- Recognition of Athletes and their Associations by the FEI and NFs (achieved).
- Creation and implementation of educational programmes for all individuals involved in horsesport.
- Creation and implementation of a communication protocols.





EDUCATION



## GLOBAL SITUATION

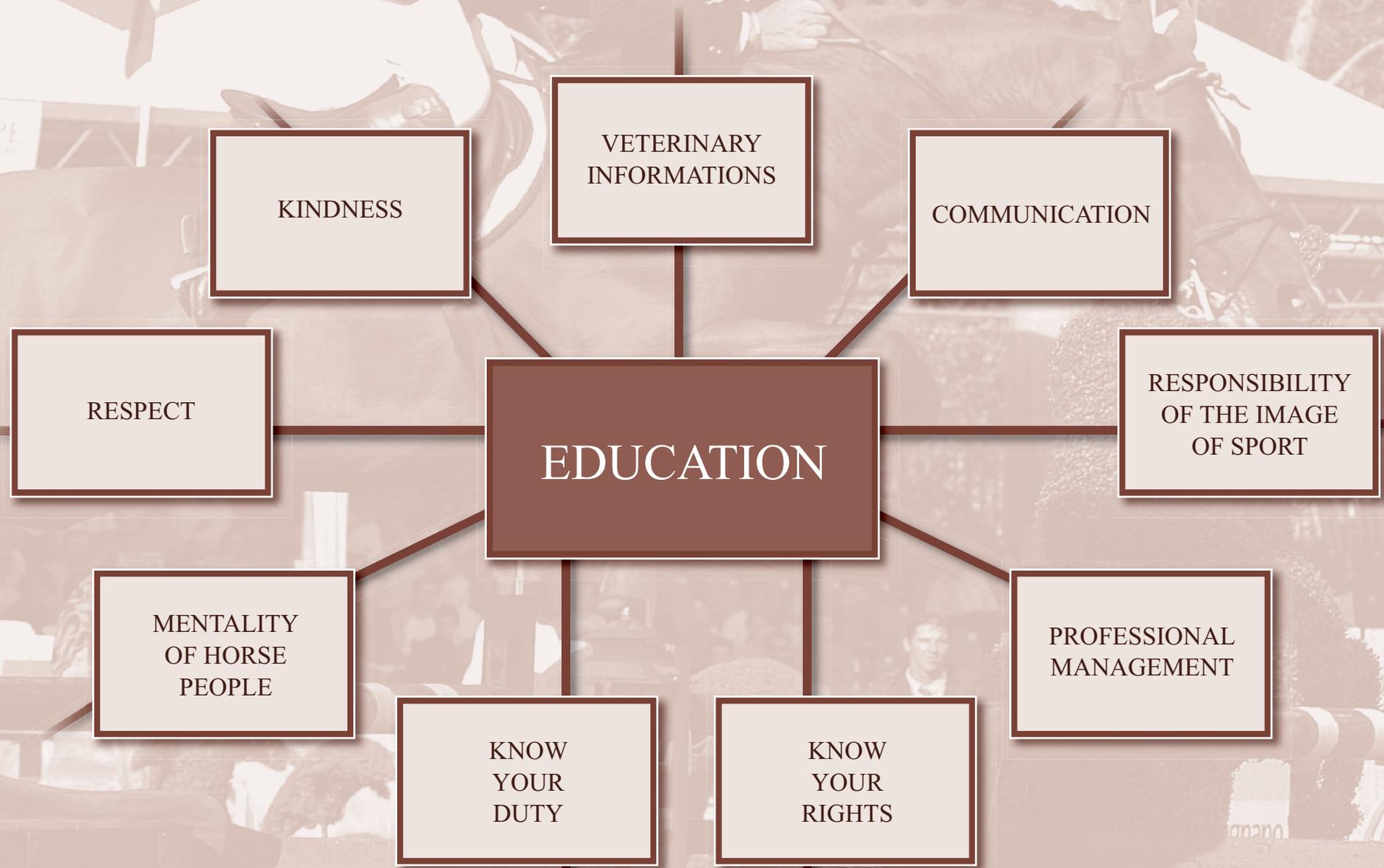
- Superficiality
- Lack of ethics, kindness and respect
- Uncertainty
- Tendency not to take responsibility
- Lack of education
- Cultural interests in recreation
- Tendency to transgress the norm

These attitudes imply an unconscious acceptance of the transgression of general values such as morality and honesty.

Why should the equestrian community be any different from the rest of the world?

It is clear that there is an educational emergency.

## WHAT IS EDUCATION IN EQUESTRIAN SPORT?



## RESPONSIBILITY FOR EDUCATION

*Who should be responsible for education?  
Family upbringing vs governing bodies, or both?*

### Fundamental principles of Olympism

- ART. 1** Olympism seeks to create a way of life based on the joy of effort, the educational value of good example and respect for universal fundamental ethical principles
- ART. 2** The goal of Olympism is to place the sport at the service of harmonious development of man (omissis) and preservation of human dignity
- ART. 3** (omissis)
- ART. 4** Olympic spirit requires mutual understanding with a spirit of friendship, solidarity and fair play.

## OLYMPIC CHARTER

### CHAPTER 1 - The Olympic Movement and its Action



- ART. 1** Under the supreme authority of the International Olympic Committee, the Olympic Movement encompasses organisations, athletes and other persons who agree to be guided by the Olympic Charter. The goal of the Olympic Movement is to contribute to building a peaceful and better world by educating youth through sport practised in accordance with Olympism and its values.
- ART. 2** The three main constituents of the Olympic Movement are the International Olympic Committee (“IOC”), the International Sports Federations (“IFs”) and the National Olympic Committees (“NOCs”). Any person or organisation belonging in any capacity whatsoever to the Olympic Movement is bound by the provisions of the Olympic Charter and shall abide by the decisions of the IOC.
- ART. 3** In addition to its three main constituents (IOC, IFs and NOCs), the Olympic Movement also encompasses the OCOGs, the national associations, clubs and persons belonging to the IFs and NOCs, particularly the athletes, whose interests constitute a fundamental element of the Olympic Movement’s action, as well as the judges, referees, coaches and the other sports officials and technicians.



### Mission and Role of the IOC

*“ To encourage and support initiatives blending sport with culture and education ”*

2.5

## CONSEQUENCES

Once we have accepted the idea that the responsibility for the athlete's education lies with the sport executives, those executives must act, and not simply react.

Sport must be an educational springboard.

2.6

## COERCION OR EDUCATION

### **Coercion (punishment)**

To work on the final outcome means to intervene on damage already done.

### **Education**

To work on prevention and to educate is an investment in the future; it is a delicate task in that it implies the teaching of the distinction between good and evil.

## EDUCATIONAL PROGRAMMES

### Statement

There is a need to re-introduce the notion of honour.

*Honesty and respect are the key words.*

### Educational programmes

- A. Youth programme
- B. Young riders' and international riders' programme
- C. Top-level programme
- D. Others programmes

## YOUTH PROGRAMME



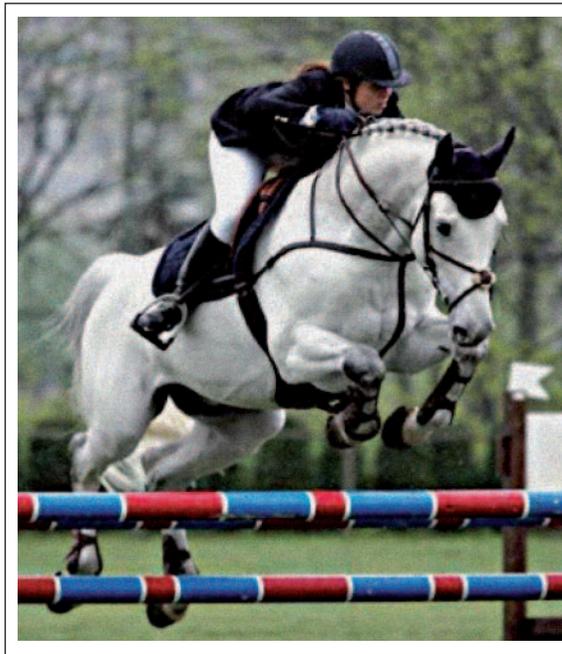
From the very first riding lesson, it is crucial to educate youngsters to respect the horse as a living being that they have the privilege to use as a partner in sport. They must also recognize the horse as a living, sensitive being with physical and psychological characteristics as well as a series of daily needs.

These concepts must inspire the individual throughout his or her entire equestrian career regardless of the level of competition. There are arguments for the introduction of compulsory courses with a final exam covering horse welfare and health, basic information about veterinary issues and the proper use of medication. Information should also be provided about the use and abuse of medication and correct conduct.

B

## YOUNG RIDERS & INTERNATIONAL RIDERS PROGRAMME

It is important to educate athletes in order to encourage them to place the welfare of the horse ahead of their own interests.



- Management of the horse
- Management for a Major Event
- Planning
- Performance
- Who is who?
- Transportation

## *Management of the horse*

- Correct Training  
*(Programme - Transportation - Calendar)*
- Use and abuse of medication
- Consequences for use of prohibited substances
- Concept of 'fit to compete'
- Respect for the officials
- Respect for the public
- Respect for your colleagues - Fair play  
*(WADA code)*





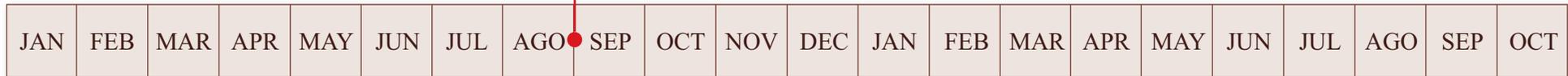
**B**

*Management for a Major Event*



## What is a "Major Event"?

Major Event of the year



Nations Cup (CSIO) ●

Global Champions Tour ●

World Cup (CSI-W) ●

Other CSIs (5\*) (ex: San Patrignano - Spruce Meadows - Calgary) National Championships

There is no season, no rest time for horse and athlete

i.e. in one year = 52 weeks Meredith Michaels Beerbaum : 32 CSI (61%), 13 with Shutterfly

Eric Lamaze : 30 CSI (58 %), 14 with Hickstead

Albert Zoer : 36 CSI (70 %), 16 with Okidoki

Super League (CSIO) 7 shows + 1 Final

Global Champions Tour : 9 shows + final , prize money 5 500 000 €, with 300 000 € each Grand Prix

World Cup 12 shows in Europe + 1 final (for the best 18 riders and a total of 45 riders)

**B**

*Reminder*

FEB	8/10 Bordeaux - CSI-W	4 weeks - 32 days	
MAR	8/10 Bercy - CSI-W		
APR		8 weeks - 56 days Rest time and Technical training	1. Horse ready for the season: good technical and physical condition
MAY	9/12 La Baule - CSIO	2 weeks - 18 days	2. Objective: look after the performance of the horse before choosing the shows
JUN	31/1/2 Canteleu - National	1 weeks - 10 days	3. Veterinary management up to date
	13/16 Barcelone - CSI	1 weeks - 8 days	
JUL	25/30 Aachen - CSIO	1 weeks - 10 days	4. Look after: ground, technical, course designer, schedules, travel time and rest time for horses
	11/14 Falsterbo - CSIO	2 weeks - 17 days	
AGO	1/4 Dinard - CSI**	1 weeks - 11 days	1 weeks - 9 days
	16/18 Valkenswaard - CSI	4 days	
	22/25 Donaueschingen CSIO - Final		
SEPT	17/22 WEG Jerez	J - 21d	1-11 stage FRA NF 9 days



*This figures is an example by Jean Maurice Bonneau*

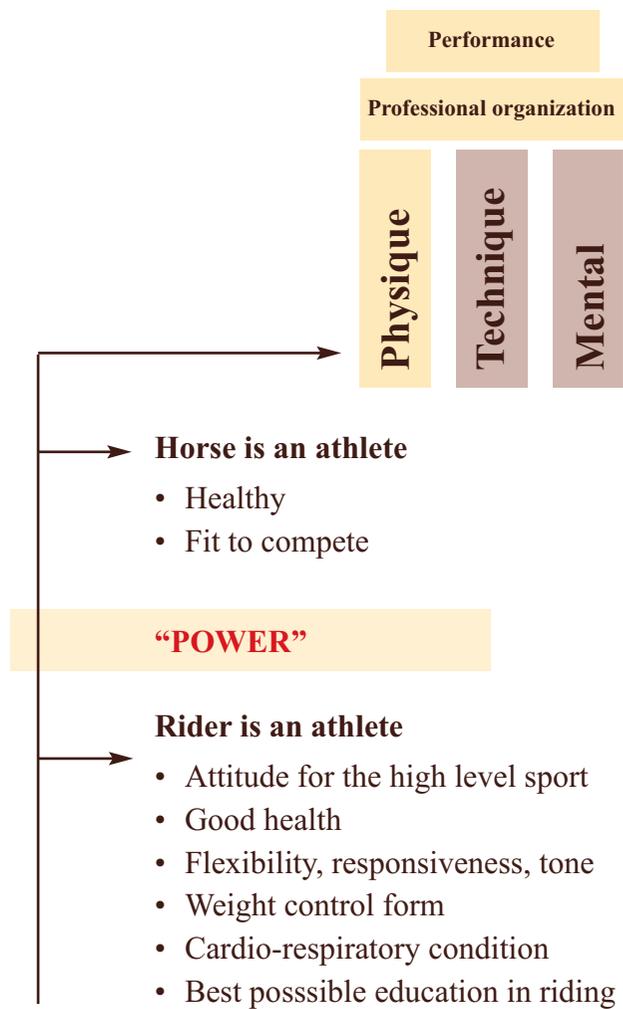
## *Performance*



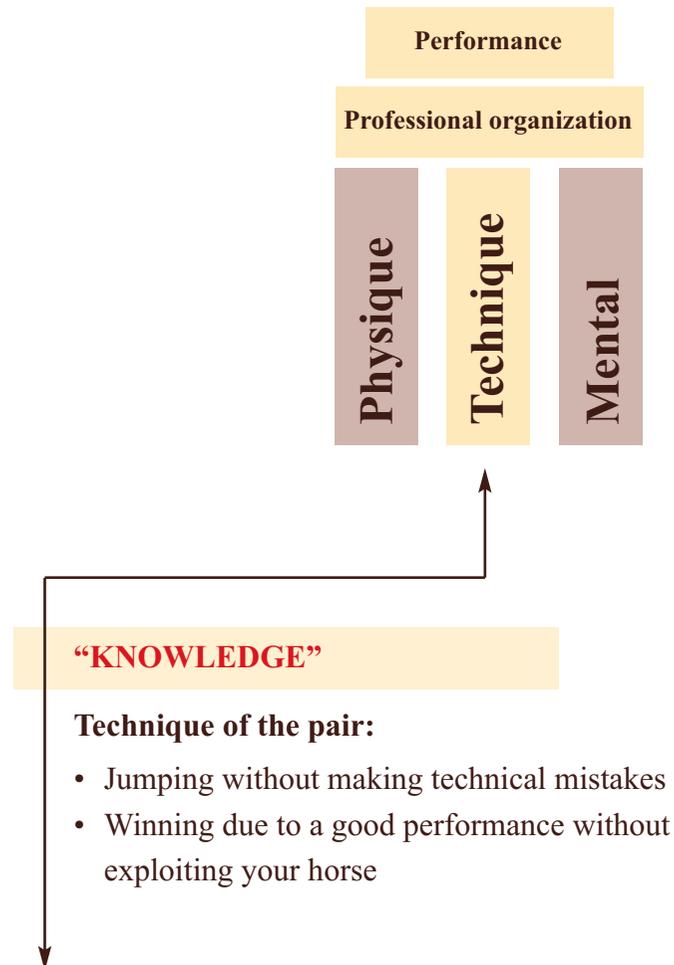
Key to achieve a top performance?

- Physique
- Technique
- Mental
- Organization

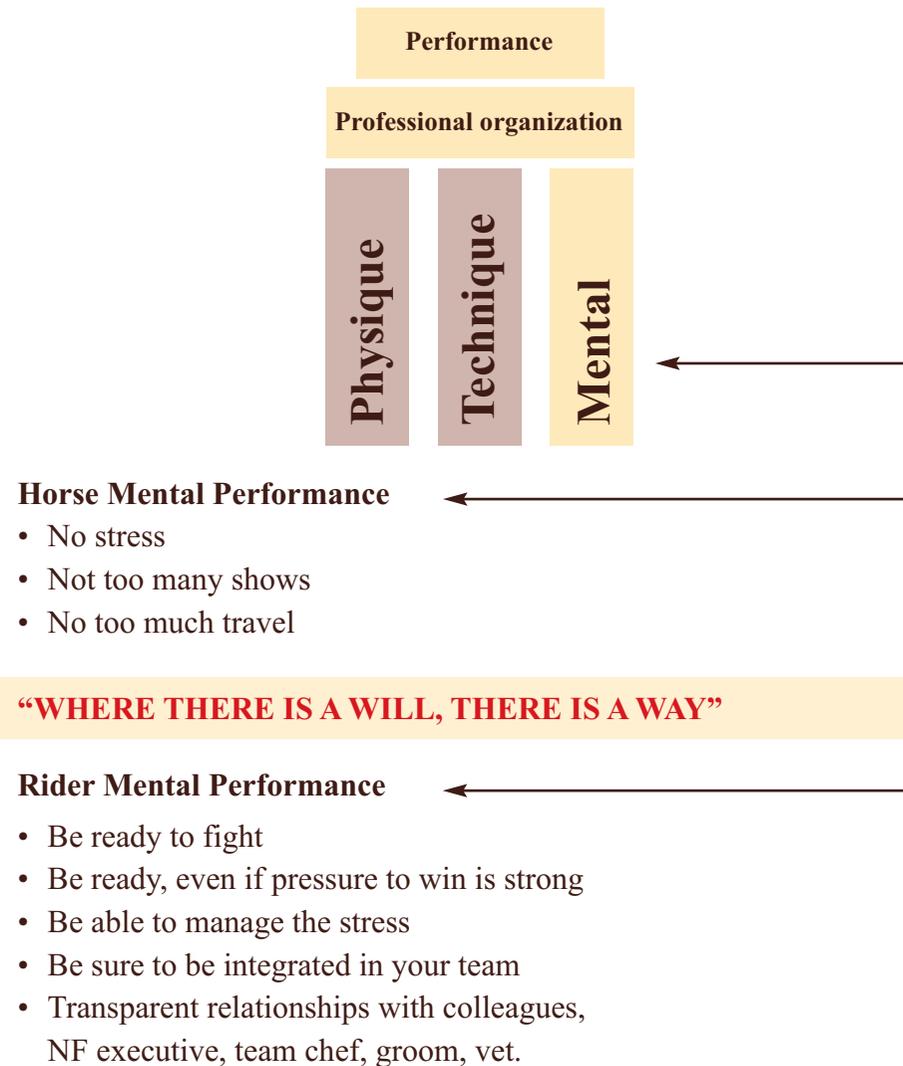
*What do you need to have a good performance for a long season?*



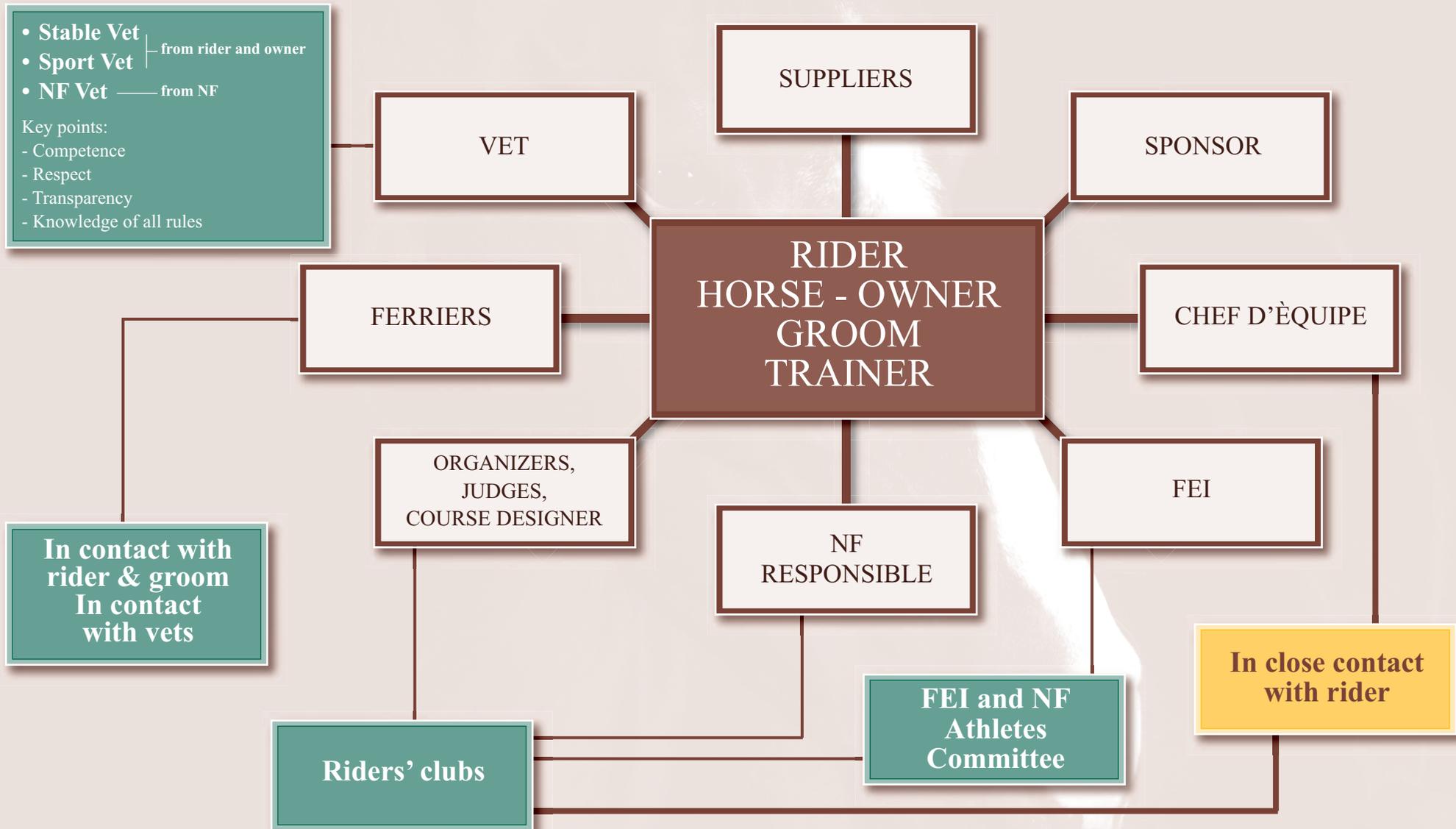
*What do you need to have a good performance for a long season?*



## *Mental Performance*



Who is who? Must be a team work



B

## Transportation



Why is a good transportation programme important?

### JUMPING SEASON FOR A GRAND PRIX HORSE

- Period: from May 2nd to September 18th
- Number of events: 9
- Average frequency of events: one competition every two weeks

- Number of competition days: 46
- Days of travelling: 61
- Days at home: 32

total 139 days

- Number of kilometers travelled: 13.354 km
- Theoretical average: about 100 km per day
- Real average: 223 km per day for about 60 days

## Blood samples after transport

EMOGAS TEST	SAMPLE. Venous blood					
	Travel in lorry					
Measured value	Arrival	Rest	Arrival	Rest	Arrival	Rest
pH	7.42	7.38	7.42	7.36	7.43	7.38
pCO <sub>2</sub> (mmHg)	48	57	47	56	49	57
PO <sub>2</sub> (mmHg)	38	30	43	37	36	30
Na <sup>+</sup> (mmol/L)	137	140	137	140	137	140
K <sup>+</sup> (mmol/L)	3.5	3.1	3.9	2.6	3.4	3.1
Ca <sup>++</sup> (mg/dL)	6.21	6.85	5.94	6.53	6.93	6.85
Glu (mg/dL)	102	75	99	82	93	75
Hct (%)	41	34	40	35	39	34
HCO <sub>3</sub> (mmol/L)	31.1	33.7	30.5	31.6	32.5	33.7
stHCO <sub>3</sub> (mmol/L)	28.7	29.7	28.5	28.2	29.8	29.7
TCO <sub>2</sub> (mmol/L)	32.6	35.4	31.9	33.3	34.0	35.4
Beacf (mmol/L)	6.6	8.6	6.0	6.2	8.2	8.6
BE (mmol/L)	5.6	7.2	5.1	5.0	7.0	7.2
SO <sub>2</sub> (%)	73	56	80	68	71	56
tHb (g/dL)	12.7	10.5	12.4	10.9	12.1	10.5
Lat (mg/dL)	10	3	8	4	5	3
Remarks	km 720	1 H	km 500	30 min	km 60	30 min
Events	Barcelona		Aachen		Roma	

### BLOOD GAS LEGEND

*Examination carried out on venous blood*

**PH:** value of blood acidity

**PCO<sub>2</sub>:** partial pressure of carbon dioxide, carbon dioxide in the blood

**PO<sub>2</sub>:** oxygen partial pressure of oxygen in the blood

**Na<sup>+</sup>, K<sup>+</sup>, Ca<sup>++</sup>:** electrolytes in the blood

**Glu:** glucose in the blood

**Hct:** hematocrit, or the relationship between corpuscular part of blood and plasma

**HCO<sub>3</sub>:** bicarbonate in the blood system of buffer against the acidity of the blood

**THB:** hemoglobin

**Lat:** lactate, amount of lactic acid in the blood

**NOTE:** very important, reference values Hct, lactate, pH, PO<sub>2</sub>, Hct, and lactate after transport and Hct, and lactate after work are the same or very close each other

**ARRIVAL:** Any withdrawals made on arrival by carriage

**REST:** sampling performed at rest

**STRESS:** sampling performed immediately after exercise

**RE-ENTRY:** sampling performed in the period of cooling down after exercise

## Stress test

Measured value	Rest	Stress	Re-entry
pH	7.42	7.45	7.4
pCO <sub>2</sub> (mmHg)	51	51	50
PO <sub>2</sub> (mmHg)	29	42	35
Na <sup>+</sup> (mmol/L)	133	133	137
K <sup>+</sup> (mmol/L)	4	4.4	3
Ca <sup>++</sup> (mg/dL)	6.76	6.36	6.96
Hct (%)	34	37	38
HCO <sub>3</sub> (mmol/L)	33	29.1	30.9
stHCO <sub>3</sub> (mmol/L)	25.9	27.8	24.8
TCO <sub>2</sub> (mmol/L)	34.6	30.4	32.4
Beacf (mmol/L)	7.5	5	5.4
BE (mmol/L)	8.1	5.5	5.8
SO <sub>2</sub> (%)	57	87	67
tHb (g/dL)	10.5	11.5	11.8
Lat (mg/dL)	6.3	9	6.3
Waiting period			30 Min

### BLOOD GAS LEGEND

*Examination carried out on venous blood*

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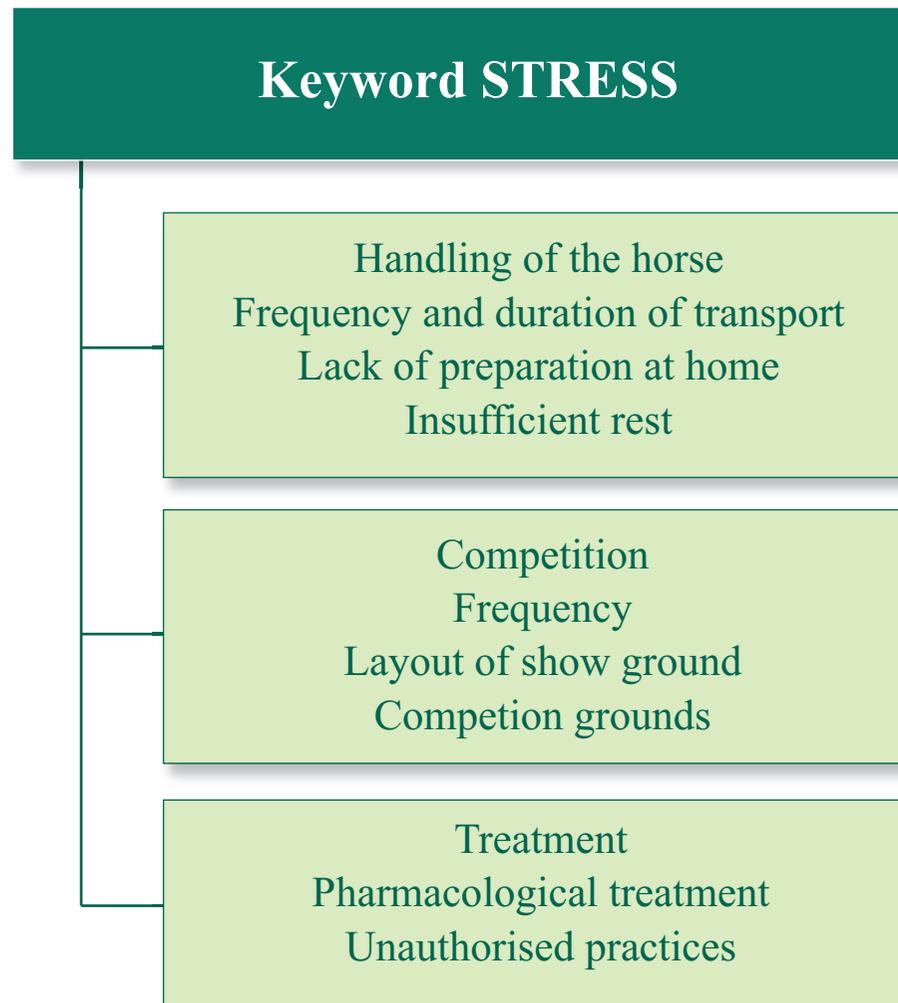
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*Transportation*

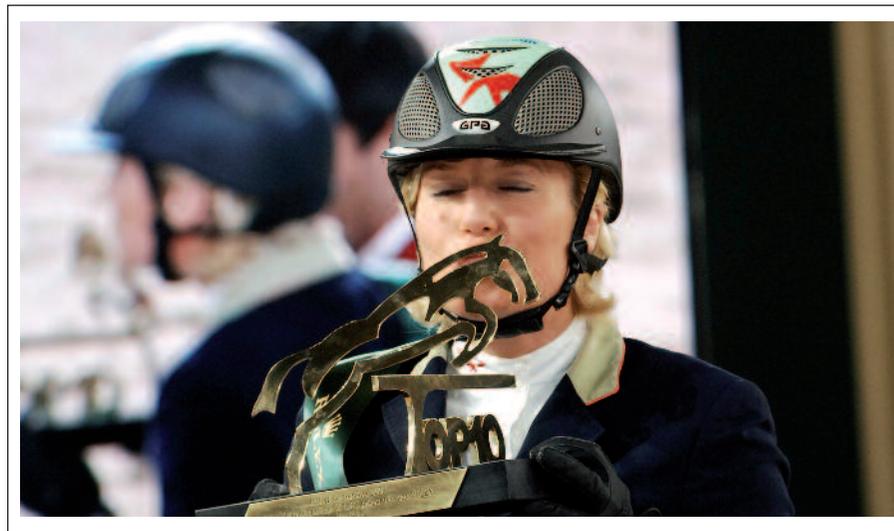




## REMEMBER YOUR GOAL BEFORE THE SEASON STARTS

Good management of the season gives good results

- Realistic evaluation of your horse's and your capability
- Team work with all people around you
- Good information concerning infrastructure and schedules
- Good programme: competition time, rest time, type of training, transportation
- If you are not able to prepare a good programme on your own, request for help from your Chef d'Equipe or from a leading rider





“ *A real champion  
takes care of his horse  
forever* ”



## TOP LEVEL

### *Top-level programme*

- 1) Investing top-level riders with responsibility as role models of the sport (*they are a figurehead for youth*)
- 2) How to deal with the media
- 3) Relationship with sponsors
- 4) Inform the riders through yearly meetings with vets
- 5) IJRC would like to organize seminars in different countries, in cooperation with the NFs and the FEI
- 6) Management of a top-level horse

*It is important to remind all team and elite members that they can practice the sport (which is often their profession) thanks to the positive image of equestrian sport and that any deterioration of this image will have a more or less long term negative effect on their own activity.*

## OTHER PROGRAMMES

### Programme for grooms

It is also necessary to create and implement a programme for grooms.



### Programme for officials

Programme for all officials  
(judges, course designers, stewards, vets and trainers)



D

*Other Programmes*

**COURSE DESIGNERS**

*What a course designer dreams of?*

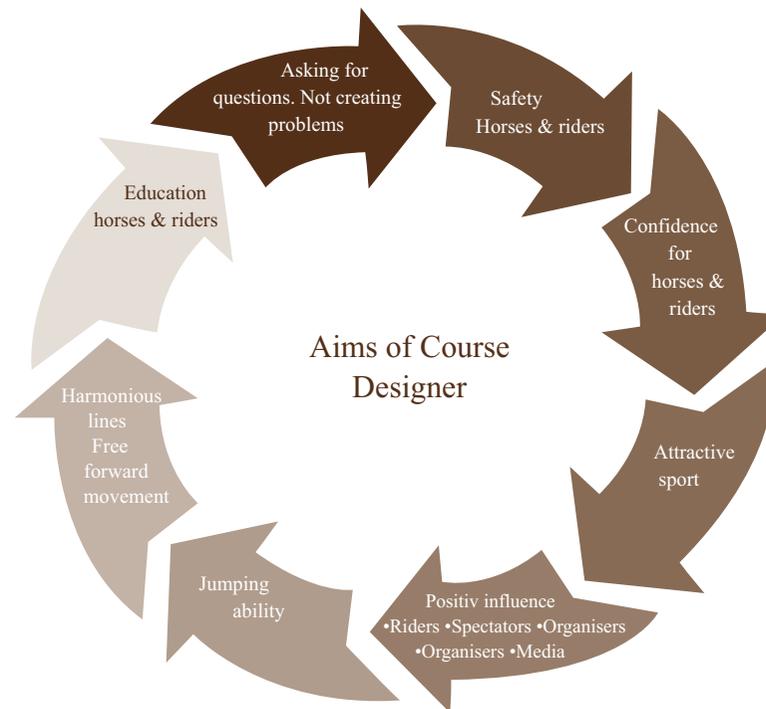


## Other Programmes

### HOW COURSE DESIGNER CAN CONTRIBUTE TO THE WELFARE OF THE SPORT HORSE

In the 'Introduction Level' syllabus of the new FEI Education System for Course Designers the aims of the modern Course Designer are now clearly outlined.

Within these aims, horse welfare has top priority.



D

## Other Programmes

### SAFETY SAFETY CUPS

In 1992 two German course designers, Curt Bender and Gerd Kolleck, developed safety cups for the first time.

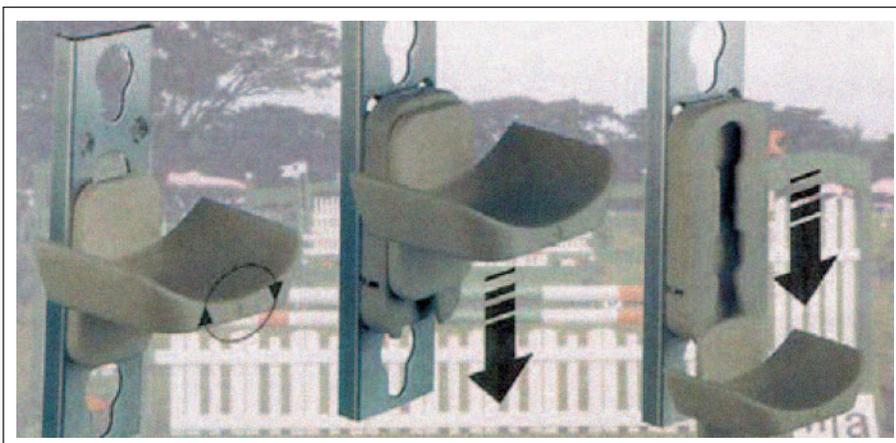
Since their introduction, there have been fewer falls of riders and/or horses.

#### WATER JUMPS

Mobile or rubber water jumps: must be sunken

*(water level must be deeper than arena surface)*

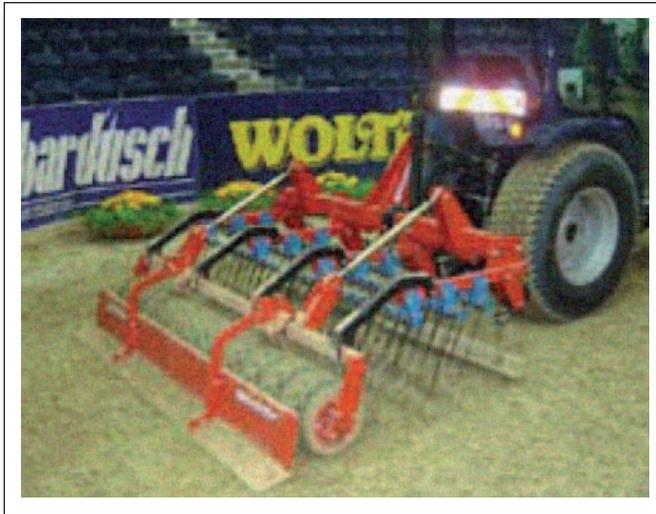
Old permanent water jumps: must be modernized and made less deep.



## *Other Programmes*

### **THE GROUND**

Well-prepared footing, either grass or sand, contributes to the safety and welfare of horses.



## *Other Programmes*

### **THE OBSTACLES**

Type of obstacles, line, combinations and related distances



### **ASKING FOR QUESTIONS, NOT CREATING PROBLEMS**

The age and current level of ability of horses and riders should be taken into consideration.

## Other Programmes

In the approach phase to an obstacle, a combination or a related distance, even in top competitions, the course designer must give the horses the chance:

- To speed up, if necessary  
(depend of the type of obstacles)
- To keep their rhythm
- To keep their balance
- To keep up their impetus

*This is only possible  
with harmonious  
lines!*

In combinations and related distances CDs have to ask for:

### Free forward movement

Not asking for extreme shortening the strides, especially in combinations and related distances under 22 m.

### Knockability

Depth of cups 18 mm - 30 mm is a rough guideline.

The exact knockability of top elements must not be too light

### *Rules of Jumping events*

#### *Article 208*

The obstacles themselves and their constituent part must be such that they can be knocked down, while not being so light that they fall at the slightest touch or so heavy that they may cause horses to fall or be injured.



2.8

## DRUGS, DOPING AND SPORT

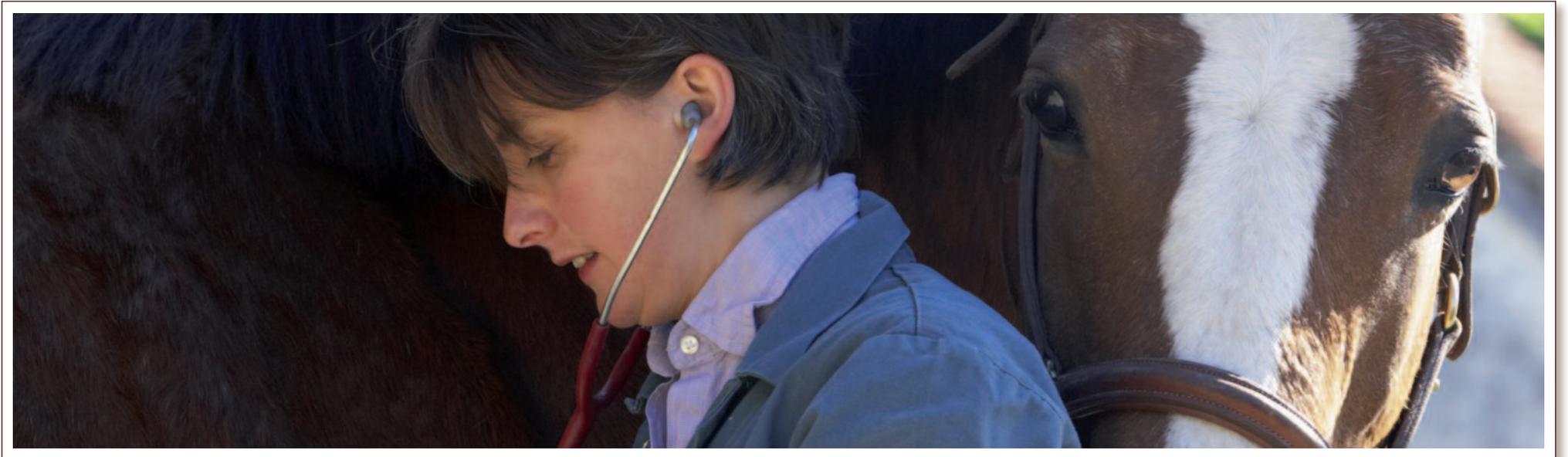
**A proposal by Andrea Muccioli, President of San Patrignano Community - Rehabilitation Centre**

*“I am convinced that in order to have a better sport world, the problems do not only concern rules and controls. Of course, rules must be clear and strict, controls careful and broad, but for sure we need to change our culture.*

*This change has to start with young people in the sport world:  
sport operators and instructors have to co-operate with the family in order to take care of the education of youth.”*

“  
There is  
an educational emergency  
We are responsible for education  
We must be proactive,  
and not just reactive  
”





## VETERINARY ISSUES



## GENERAL RULES, REGULATIONS AND CODES

### References

- FEI Statutes
- FEI General Regulations
- FEI Discipline Specific Rules (e.g. Horse Inspections)
- FEI Veterinary Regulations
- FEI Equine Anti-Doping and Medication Control Rules still exist
- Olympic Games Regulations
- WADA Code
- FEI Welfare of the Horse Code of Conduct
- FEI Task Force Report 2005
- National Federation specific Rules for Veterinary Matters (i.e. EPO)

**You can see from the above that there are extensive sets of regulations in this area, but why do violations of EAD and EMC Rules still occur?**

1. Many instances of positive testing for doping and medication substances have been linked to the use of substances within reasonable treatments between events. This can be due to a lack of awareness of the rules, or a failure to consider how the substance is being given

and might persist in the horse's system. Good advice **MUST** always be taken

2. A failure to consider that there might be differences between NF national rules and FEI rules
3. A difference in the level and type of testing that might be undertaken between different equestrian sport regulators

### **SOLUTIONS THAT HAVE BEEN PUT FORWARD TO DEAL WITH THESE PROBLEMS**

To increase the understanding of the subject by simplifying it

- a) providing a greater access to the information needed in order to
  - make clear what individual substances are not allowed
  - make clear the difference between substances that are commonly used between events in normal treatments, and those that are deliberate doping substances
- b) better stewarding and supervision at events to ensure there is no inappropriate treatment given.

## CODE OF CONDUCT

- Horse welfare is considered paramount
- Well-being of the horse is always to be considered
- Handling and treatments must be aimed at improving the health and welfare of the horse
- Highest standards of nutrition, health and sanitation must be attained
- Adequate ventilation, hydration and environment must be provided
- There should be the aspiration to have high levels of education and training in equestrian sports
- Scientific studies in equestrian health are to be promoted
- Sufficient fitness and competence of the rider is necessary
- No abusive riding and training methods are allowed
- Adequate controls of the welfare of the horse are required
- National and international rules for events and training are in place to ensure welfare of the horse



3.3

## FIT TO COMPETE or SOUND

- **Fit to compete: what does it mean?**

*Well trained mentally and physically, (able to compete without any mental and physical concerns), ready to start to start the competition*

- **Soundness: what does it mean?**

*(Physically healthy and sound, not necessary trained)*

### Influences

- **The age of a horse has an influence**
- **Wear and tear of the joints may also have an effect**
- **The surface/footing may have an influence**

3.4

## MEDICATION or DOPING?

- It is very important to understand the concepts of testing screening limits, withdrawal times detection times, banned substances and controlled medications  
*(See FEI Veterinary Regulations)*
- Easy to understand leaflets in English, German and French have been produced  
*(SUI NF and FEI)*
- At all times an animal has a right to appropriate treatment, but not if it influences performance or affects its welfare whilst it is competing
- Only a healthy horse should be authorized to participate, but legitimate treatments needed between events can happen provided that the substances used in the treatment are not affecting the horses performance or its welfare when it competes
- Good communication between rider, trainer, owner and treating vet as well as private vet “team” and FEI or NF officials is essential



## DEFINITIONS

**CONCENTRATION** A concentration is the weight generally expressed on the gram scale of the substance in question dissolved in a unit volume, usually one millilitre of plasma, serum or urine.

**THRESHOLD** (level at which a substance may be present in a horse during a competition): this may only be established for substances with a biological origin, for substances found in the horse's ordinary feeds and for substances found in invasive plants in ordinary farming.

1. A concentration such that beyond it the horse always tests positive
2. The level is set through population-based studies in order to establish where the norm lies
3. The threshold therefore does not take the efficacy of a level into account but only its statistical meaningfulness
4. In the light of point 3, testing must be of a quantitative nature so as to reduce the analytical variability to a minimum, given that the substance is active in the subject in question
5. This is applicable only to those substances that cannot be eliminated and that are therefore either of physiological origin, present in ordinary feeds or in plants invading farming

**FEI Laboratories around the world are subjected to regular review testing so that they are all able to detect substances at the same levels.**

### WHAT IS A TESTING SCREENING LIMIT?

1. A limit set for substances by the FEI or the NF which is used by the analytical labs as a limit above which substances are declared "posi-

itive" on an initial screening test. By definition, a screening test yields a "presumptive" identification, which presumptive identification may or not may not be confirmed". To confirm after a screening test, a confirmatory test is required.

2. The screen limit varies depending on the what the remaining effect of low levels of substances would be and if the substance has any place in the normal treatment of a horse for example human psychotic drugs have no place in the normal treatment of a horse, so the screening limit would be low.
3. Screening limits are used across all the analytical laboratories and mean that samples that are "positive" are declared positive according to the same criteria across all laboratories that use the agreed screening limits.
4. For some naturally occurring substances, International Threshold levels have been established i.e. testosterone. These threshold levels act as a screening limit, but they distinguish expected natural levels, from levels that are not natural.

A screening test is a preliminary that is used to rapidly evaluate whether a sample may or may not contain a prohibit substance. By definition, a screening test is merely suggested and does not constitute definitive evidence of the presence of the prohibited substance. Thin Layer Chromatography (TLC) and Enzyme-Linked ImmunoSorbent Assay (ELISA) test are classic examples of screening test. By definition, a screening test yields a "presumptive" identification, which presumptive identification may or not may not be confirmed". (T Tobin and K H Stirling in Equine Drug Testing & Therapeutic Medication Regulation - 122)

**WHAT IS A WITHDRAWAL TIME?**

1. Length of time (hours or days) after which a level below the set Screening Limit will be present in samples from the horse'

OR

2. Length of time (hours or days) after which the horse may start competing again in the full knowledge that it will not test positive for doping in any FEI laboratory around in the world.

**WHAT ARE PROHIBITED SUBSTANCES?**

Any substances that are not allowed in a horse's system during competition above the screening limits. Under FEI Rules there are two types of Prohibited Substances, Banned and Controlled.

**BANNED SUBSTANCES**

*(Doping or "Above the line" substances- see page 75)*

- Substances that have been deemed by the FEI to have no legitimate use in equine medicine and/or have high potential for abuse.  
e.g. human antidepressants, antipsychotics, nervous system stimulants, blood pressure drugs, etc.
- Certain Hormonal products (above naturally expected levels)
- Possession is also an offence: if you have banned substances in your possession during competition, a case may be brought against you. There is no possession violation for controlled medication.

**CONTROLLED MEDICATION SUBSTANCES**

*(Medication or "Below the line" Substances)*

- Prohibited in competition. Substances which are recognized as thera-

peutic and/or commonly used substances considered acceptable in equine medicine, but are not allowed during competition, e.g. anti-inflammatories, local anaesthetics, bronchodilators, cough suppressant and other commonly and uncommonly used medication.

**WHAT IS A DETECTION TIME?**

This is a scientifically established period of time after administration of a medication during which the medication, or a metabolite thereof or the regulatory analyte, has ceased to be detected at certain levels in the blood, urine, or other body fluid of a horse.

**WHAT DOES ZERO TOLERANCE MEAN?**

*Over time what was meant by zero tolerance has had to change. Once it meant the mere presence of any substance not allowed in any biological liquid. However as detection technology has advanced over the years, the sensitivity of laboratory equipment now means that the level down to which substances can be detected has got less and less. Such low levels of substance; which might be detectable, but at levels that are having no real effect. Hence there was a need to establish screening limits above which there may be some effect. Therefore a positive detection of the substance has some meaning in relation to either affecting performance of the horses or its welfare.*

**WHY WE STARTED TALKING ABOUT ZERO TOLERANCE?**

1977 in ROME: the EHSLC (European Horse Racing Scientific Liaison Commission) established this definition of doping for racing:

*any presence of substance in not allowed in any biological liquid*



From the legal point of view it is clear. But huge advances since 1977 in detection and analytical chemistry has made this rule too broad and analytical chemistry has made this rule too broad and this has sometime led to unjust sanction.

“At the beginning the labs could detect only nanogram (one billion of a gram 1/ 1,000,000,000 - a nanogram per millilitre represents a concentration of one part per billion.), then there was an improvement and labs were able to detect also picogram, today the labs can easy detect till zeptogram (is one sextillionth of a gram, 1/ 1,000,000,000,000,000,000,000).

A concentration of 1 zeptogram per milliliter represents a concentration of one part per quintillion. Or positive calls at zeptogram levels, but they are entirely legal and possible under zero tolerance policies” (T.Tobin and K:H: Stirling in Equine Drug Testing & Therapeutic Medication Regulation 129-131).

DEVELOPMENTS IN ANALYTICAL SENSITIVITY		
1930s	PAPER CHROMATOGRAPHY	MILLIGRAM
	0,001 G	
	THIN LAYER CHROMATOGRAPHY	MICROGRAM
	0,000001 G	
2000s	GAS CHROMATOGRAPHY	NANOGRAM
	0,000000001 G	
	HIGH PERFORMANCE LIQUID CHROMATOGRAPHY TANDEM MASS SPECTOMETRY	PICOGRAM
	0,0000000000001 G	
2000s	MASS SPECTROMETRY/ MASS	FENTOGRAM
	0,0000000000000001 G	
2010s	NEW TECHNIQUES	ZEPTOGRAM
	0,00000000000000000001 G	



Therefore sensitive modern methods mean that legitimately used therapeutic substances may be detected for sometime after they cease to have any real effect, indeed a fear of detection at such low levels may even discourage the legitimate use of substances between events.

Hence it is important when regulating prohibited substances to decide what level the regulator wishes to choose rather than be driven by how sensitive the technology can be. Such an approach is both realistic and fair. Therefore screen limits are the manifestation of that desire to be realistic and fair.

Webbon (Equine Veterinary Journal 2002- 34- 220,221) explains that the modern analytical methods mean that legitimately used therapeutic substances may be detected for long after they cease to have an effect, thereby potentially impeding their valid therapeutic use in competition animals. Knowledge of the relationship between plasma and urine concentrations of the drug then permits the calculation of an irrelevant urine concentration for similar purposes.

In the year 1990 we started talking about

**exposure:** when doping is found

**efficacy:** where we can use the threshold but only for substances that

have a therapeutical use (In the year 90 about 80 substances).

At this point we can start talking about Effective Plasma Concentration (EPC) and Inefficacy Plasma Concentration (IPC).

Prof. Toutain and Prof Lassourd indicated the way it may be possible to calculate the concentration of drug in plasma and urine using a pharmacodynamic/pharmacokinetic method using the PD/PK model.

It is a mathematical formula that also consider a safety factor of 500. (i.e. Efficacy dose: 500)

### **SECURITY FACTOR**

1. It is applied in an increasing manner if the available pharmacokinetics data have been calculated on a limited number of subjects
2. It greatly lowers the cost of establishing the ineffective level, thereby increasing the speed of publication and the range of allowed substances
3. If data such that it is possible to work out the withdrawal times are available, the impact of this factor may be greatly limited without removing it
4. The aim is that of giving public opinion the certainty that, even when detected, the medication is not active and can play no role on the horse's wellbeing



### What Samples are collected to detect for Prohibited Substances?

**Both blood and urine are collected. On rare occasions only blood might be collected as the horse might fail to urinate.**

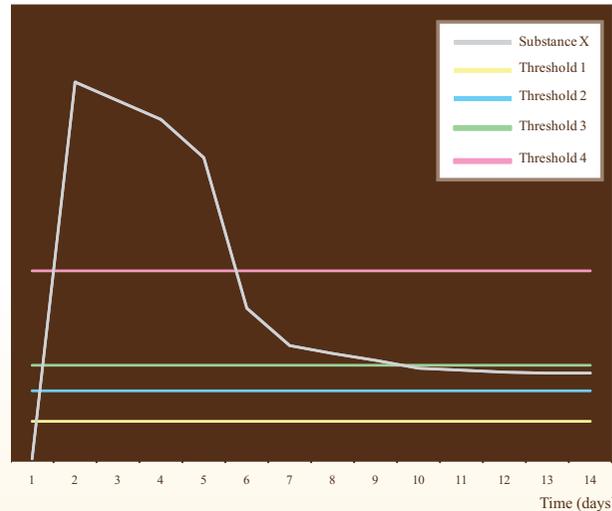
### Why these samples (types of matrix)?

1. Because they are biological fluids through which medication - where present - can be detected according to standard values
2. Blood is a 'clean' matrix, and it makes it possible to evaluate the active principle and not only its metabolites
3. Urine is a less clean matrix, but the presence of a substance in it or its metabolites is indicative of administration having taken place



## Definition of medication

"MCP - Mean of Thresholdlevels (Montavon, 2008)



- LEVEL 1:** Lab limit of detection (LOD) substance identified with certainty
- LEVEL 2:** Lab limit of quantitation (LOQ) identified substance whose quantity can be determined (by traces is meant quantities of substances present between level 1 and 2 where the substance is certainly found but its quantity cannot be determined in the correct manner) (below level 1 there is no certain identification and therefore the sample must be regarded as negative)
- LEVEL 3:** IPC or IUC - quantity of substance not active pharmacologically
- LEVEL 4:** EPC - minimum quantity still active in the plasma

For threshold substances it must be presumed that the presence of such levels depends on biological aspects or feeds and not on pharmacological treatments.

## B

## AUTHORIZED MEDICATION

- Authorized medication and drugs
- Threshold values
- Elimination times or withdrawal times
- Treatment before competition possible if the horse is drug free at the event
- Treatment during competition in emergency cases  
*(Special forms; with agreement of FEI Vet Del and Ground Jury)*
- Quantitative analysis, semi-quantitative analysis, qualitative analysis
- List of substances that must be assessed as indispensable to treatment and for which, therefore, IPC and, hence ISL, must be calculated
- Harmonization of labs to these specifications
- Publication of official withdrawal times

## C

## WHAT IS THE EQUINE PROHIBITED SUBSTANCES LIST

- See [www.feicleansport.org](http://www.feicleansport.org)  
The Equine Prohibited List consists of both the Banned substances and the Controlled Medications
- The List is selected by the FEI List Group and is updated annually. The FEI List Group is a group of experts selected for their knowledge in various aspects of equine medicines. It consists of pharmacologists, exercise physiologists, Lab Directors, sports veterinarians and National Federation veterinarians.

A New List is published in October and comes into effect on 1st January each year.

## WHAT MEDICATION IS ALLOWED?

- Authorized medications are those which are not prohibited. Examples might be supplements such as minerals and vitamins.
- **Whilst treatment** before an event is possible to protect the horse's welfare, it must be free of any substance that might affect its welfare or performance at the time of competing
- **On rare occasions at long events**, treatment during the event may be allowed on an emergency basis, provided such treatment does not affect the horse's ability to compete. Such treatments must be agreed by the Veterinary Delegate and the Ground Jury before they might take place by means of submitting a special form to officials.

There is no list of permitted substances, only what is prohibited. The FEI has always allowed certain substances during competition that will not lead to a violation if detected in a horse's bodily sample taken in competition.

However, there are certain rules specific to the various disciplines so please be aware of any special rules imposed by your particular sport.

Please also remember that non-prohibited injectables especially may not be administered in competition without ETUE Form 3, which must be approved and completed by a treating veterinarian and countersigned by the relevant Veterinary Official present at the event.

If you are granted permission under ETUE Form 3 to use an injectable but non-prohibited substance, the administration may require oversight

or stewarding by the Veterinary Delegate or his or her Designee.

Treating/team Veterinarians will be required to consult with the Veterinary Delegate on whether oversight is required.

To help you understand, below are general and specific examples of what is not prohibited in competition:

- 1) Antibiotics. Note: all except procaine penicillin G.
- 2) Antiprotozoals. Specific brand names include Marquis and Navigator.
- 3) Antiulcer medications. Specific generic names include Omeprazole, ranitidine, cimetidine and sucralfate.
- 4) Insect repellents
- 5) Anthelmintics. Except Levamisole or Tetramisole.
- 6) Rehydration fluid intravenously, minimum 10 litres. Fluids are not allowed to be administered to horses in the Eventing discipline on the morning or afternoon prior to their start on cross-country.
- 7) B-vitamins, amino acids and electrolytes. These have always been allowed orally and in many cases this is still the preferred route of administration. However, in some circumstances a veterinarian may prefer to administer them intravenously or intramuscularly. If your veterinarian does want to administer them through an injectable, the procedure above must be followed.

## D

- 8) Altrenogest (regumate). This is only permitted in mares if ETUE form 2 is properly submitted. Please be forewarned that it is considered a Banned Substance in geldings and stallions.
- 9) All topical wound ointments that do not contain a corticosteroid, local anesthetic or irritant (such as capsaicin) or other Prohibited Substances.
- 10) Preventative or restorative joint therapies. Many of these products in the oral form (chondroitin, glucosamine, etc) have always been allowed orally and in many cases this is the preferred route of administration. However, in some circumstances a veterinarian may prefer to administer joint restorative therapy intravenously or intramuscularly.

Specific examples of the medications used in this matter are Legend or Hyonate intravenously, Adequan intramuscularly or Pentosan polysulfate intramuscularly.

**Note: no intra-articular administration of any medications is allowed whilst under FEI rules.**

## E

## EQUINE THERAPEUTIC EXEMPTION (ETUE) FORMS

Should your horse require medication either just before an event or during, what is given must be agreed with the FEI Veterinary Delegate present at the event as being suitable to allow the horse to compete without any unfair advantage. If that is not agreed, then either the horse will not be allowed to compete, or if a test is undertaken, punitive sanctions could be applied. The FEI List of Detection Times is designed to help in decisions about treatment before an event.

Copies of the relevant forms that are in use at FEI events as part of the above medication control follow. They are not to be completed before arrival at an FEI event and have no validity unless appropriately signed by relevant FEI officials.

An application for treatment must always be made on the appropriate forms listed below:

**ETUE 1** Authorization for Emergency Treatment (i.e. involving medication with a Prohibited Substance at or close to an Event).

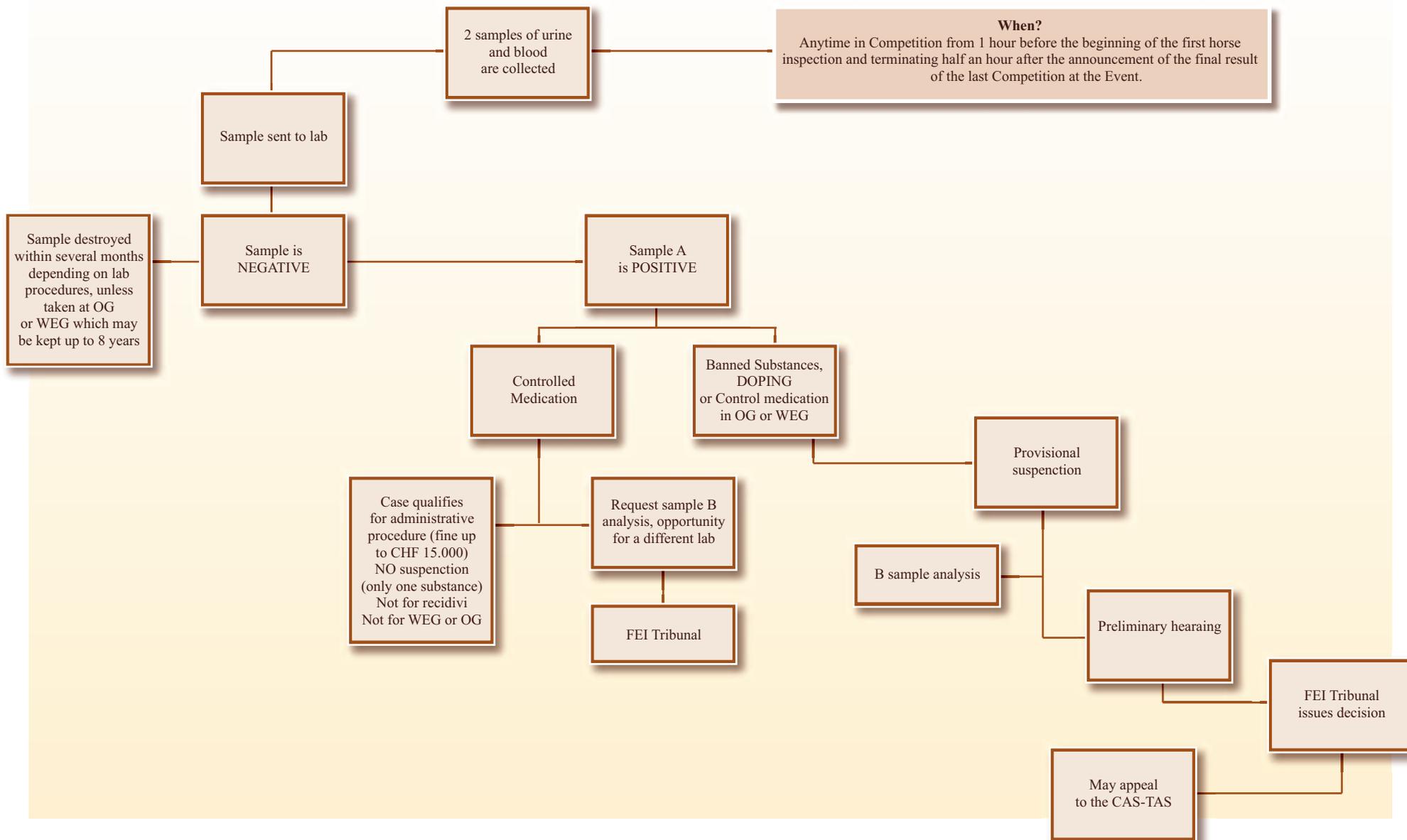
**ETUE 2** Declaration for the Administration of altrenogest (e.g. Regumate) to mares only competing in FEI competitions.

**FORM 3** Authorization for the use of Medication not on the Prohibited Substances list (e.g. rehydration fluids and antibiotics).

**ELECTIVE TESTING FORM 4** Application Form for Elective testing.

# TEST AND PROCEDURE

(See FEI Athlete's Guide and FEI How Testing Works in [www.feicleansport.org](http://www.feicleansport.org))



## DEFINITION OF DOPING

*(According to FEI)*

### **FEI Definition**

Doping is defined as the occurrence of one or more of the EAD (Equine Antidoping Rules) violation set forth in Article 2.1 through Art 2.7 of these EAD rules;

- Agents, cocktails or mixtures of substances (2 or more substances of the Prohibited List) that may affect the performance of a horse;
- Banned substances attract the largest sanctions (See page 75)
- Controlled medications have lesser sanctions
- **And other substances with a similar chemical structure or similar biological effect(s). This means that if a substance is clearly being used with the same effect of what is on the list, then it is de facto on the list**
- Agents used to hypersensitize or desensitize the limbs of body parts; Including but not limited to the FEI List, (see [www.feicleansport.org](http://www.feicleansport.org))



## F

### Difference Doping/Controlled Medication e Art. 10.2 EADCMR

Art. 10.2 Ineligibility and Fine for Presence, Use or Attempted use or Possession of Banned Substances and Banned Methods The sanction imposed for a violation of Article 2.1. (presence of a Banned Substance or its Metabolites or Markers), Article 2.2. (Use or Attempted Use of a Banned Substance or a Banned Method) or Article 2.5 (Possession of a Banned Substance or a Banned Method) shall be as follows unless the conditions for eliminating, reducing, or increasing the Sanction provided in 10.4, 10.5, or 10.6 are met.

First Violation: Two (2) years Ineligibility; A Fine of CHF 15,000 unless fairness dictates otherwise, and appropriate legal costs.

Multiple Violations: As set forth in Article 10.7 below.



## 2011 UPDATE

NEW PROHIBITED LIST BASICS  
COMPETITORS AND THEIR ADVISER HAVE CLARITY

BANNED SUBSTANCES  
ABOVE THE LINE (2 YEARS BAN +)



CONTROLLED MEDICATION  
BELOW THE LINE

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**H**

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## WHAT IS THE INTENTION OF THE FEI LIST GROUP?

The List Group experts look if a substance should be prohibited and if so where a substance should be on the FEI Equine Prohibited List during FEI events. Selection is based on whether the group believes that it affects the welfare or increases the performance of the horse.

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**I**

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## THE NEW FEI PROHIBITED SUBSTANCE LIST FOR 2011

- Does NOT permit levels of NSAIDS during events  
*(but of course substances still have screening limits)*
- Moves certain groups of substances from the category of banned substances into the category of controlled medication i.e. anti-histamines.
- Has higher screening limits have been introduced for hordenine and isoxuprine
- Salicylic acid threshold level to harmonise with established IFHA  
*(International Federation of Horse Racing Authorities)*

## THRESHOLD LEVEL FOR SALYCILIC ACID

FEI threshold level for salicylic acid to be 750 micrograms salicylic acid per ml urine, or 6,5 micrograms salicylic acid per ml in plasma (harmonising with the international level/threshold adopted by other regulators including IFHA).

### TO BE CLEAR

- Salicylic acid is NOT PERMITTED IN COMPETITION
- Threshold levels are about preventing “feedstuff” positive
- Threshold are NOT about allowing effective levels
- Harmonization with other regulators gives simple clarity

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 M
 

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## WHAT IS TRUE DOPING?

- It is the difference between a “willingness to treat” and reckless treatment that allows a horse to compete when it is not ready to do so
- It is the use of non-therapeutic substances or of coercive mechanical Devices
- The use of medical substances deliberately to alter performance i.e. cardiovascular drugs
- The use of a category of medical substances i.e. behavioural modifying drugs
- The use of not registered drugs for horses therapy i.e. Psycho-pharmaceuticals (i.e. antidepressants used in used in human medicine)

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 N
 

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## POTENTIAL PROBLEMS MAY ALSO OCCUR AT EVENTS DUE TO

### GENERAL ISSUES

- Poor stewarding and supervision of the stables
- Poor surface quality i.e. at Horse Inspections
- No safety measures to accommodate large numbers of horses and especially stallions at Horse Inspection
- Poor stables (with poor drainage and bad ventilation)
- Miscommunications between Chef d’Equipe, Vets, Riders, Owners, officials, etc

### VETERINARY ISSUES

- A Ground Jury (GJ) ignoring the vet input about the fitness of a horse to compete
- Lack of establishing standards during the inspections
- Lack of a Ground Jury presence at the Horse Inspection



## TOWARDS A CLEANER HORSESPORT

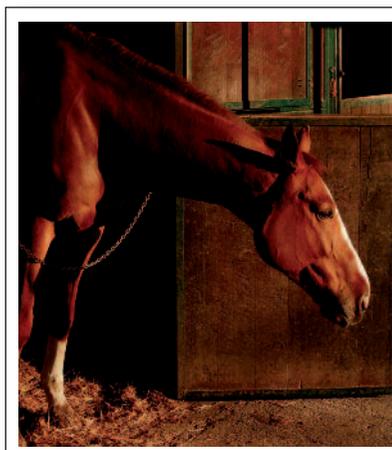
- More information and education is being provided, not just for the riders but also for the organizer
- Greater MCP controls undertaken  
(greater quantity and quality; for same or less costs)
- MCP Vets must be present from the start of the event until the end of the event
- More controls are taking place on boots, bandages and tack material?
- More controls are taking place in the stables and the training areas
- The FEI Regulations are moving closer to the WADA Regulations to give greater simplicity
- The regulations have expanded the category of persons responsible to also cover trainers, vet, grooms, etc
- There may be a need to undertake out of competition testing for horses during training at home?
- Need to use more sophisticated technology such as Thermography?  
(whilst dealing with the problems of standardization, expertise and experience).

### CONSEQUENCES OF THE DRIVE TO A CLEANER HORSE SPORT

- More training is needed for all officials at events including for vets
- More MCP and treatment boxes are needed in the stables
- More stewards are required to supervise with a more standardized level of education
- Greater use of websites and digital technology
- Greater emphasis on rider education and communication
- Greater level of costs incurred

## SUGGESTIONS FOR GREATER PROTECTION FOR OUR HORSES

- There could be a minimal rest time after the last class before transportation for a long trip
- Perhaps no close clipping of the lower extremities
- No clipping of whiskers
- Better conditions for stallions present during events
- Greater controls of private veterinarians during events and ensuring they are held more responsible for any actions taken
- Only team vets should be responsible and only they should decide upon any treatment
- A Code of Conduct for the behaviour of all at an event could outline the responsibilities of everyone in the sport



## DEFINITION OF HUMAN DOPING

*(According to World Anti-doping Code, articles 1 and 2)*

### **WADA Definition**

#### **Article 1: Definition of Doping**

Doping is defined as the occurrence of one or more of the anti-doping rule violations set forth in Article 2.1 through 2.8 of the Code.

#### **Article 2: Anti-Doping Rule Violations**

- 2.1 Presence of a prohibited substance or its Metabolites or Markers in an Athlete's Sample;
- 2.2 Use or Attempted Use by an Athlete of a Prohibited Substance or a Prohibited Method;
- 2.3 Refusing or failing without compelling justification to submit to Sample collection after notification as authorized in applicable anti-doping rules, or otherwise evading Sample collection;
- 2.4 Violation of applicable requirements regarding Athlete availability for Out-Of Competition Testing (...);
- 2.5 Tampering or Attempted Tampering with any part of Doping Control;
- 2.6 Possession of Prohibited Substances and Prohibited Methods;
- 2.7 Trafficking or Attempted Trafficking in any Prohibited Substances or Prohibited Methods;
- 2.8 Administration or Attempted Administration to any Athlete, In-Competition or Out-of-Competition, of any Prohibited Method or Prohibited Substance, including assisting, encouraging, aiding, abetting, covering up or any other type of complicity involving an anti-doping rule violation or any Attempted anti-doping rule violation.



R

## WHAT CLEAN SPORT NEEDS

- More responsibility everywhere - by everyone
- Less Amateur behaviour and more professional behaviour for the benefit of the whole sport
- More education and the making information easily available everywhere
- More protection of the horse means a more successful sport!







## LEGAL ISSUES



4.1

## CLARIFICATION

- Definitions
- FEI Tribunal
- Court of Arbitration for Sport (CAS)
- The State supreme authority (civil court)
- Independence of the sport authority
- Conflicts between CAS and State's supreme power (civil court)
- Riders Civil Law Liability
- Horse and Law

4.2

## DEFINITION PR

Person responsible remains the rider, vaulter or driver of the horse.

Previous concept of additional responsible still exists in:

1) General Regulations. Art. 118.3

The Person Responsible shall be the Athlete who rides, vaults or drives the Horse during the Event, but the Owner and other Support Personnel including but not limited to grooms and veterinarians may be regarded as additional Person Responsible if they are present

at the Event or have made a relevant Decision about the horse. In vaulting, the lunger shall be an additional Person Responsible.

2) and Veterinary Regulations 12th edition, effective 5th April 2010 - Art. 1006

1. For a definition of the person responsible see the current EADCM Regulation, the Person Responsible shall be not only the competitor who rides or drives the Horse during an Event, but may also be the Owner, other support personnel including but not limited to grooms.

3) We have the introduction of support personnel as a new independent concept (no strict liability). See EADCM Regulation:

The introduction of Support Personnel into these Regulations is not entirely new, as the FEI General Regulations have always provided for the opportunity to include an "Additional Person Responsible" in the prosecution of a case where the factual circumstances have warranted that Person's inclusion. The incorporation and moderate expansion of the concept within the new Regulations is intended to ensure that all participants in equestrian sport who violate the EADCM Regulations will be held accountable. It is fundamental, however, that the inclusion of Support Personnel is in no way intended to lessen or shift the responsibility of the Person Responsible. The Person Responsible remains ultimately responsible, and thereby ultimately liable, for EADCM violations. Where appropriate, and only when the specific factual circumstances so warrant, Support Personnel will be held - additionally responsible.

4.3

## CONSEQUENCES

### State's tribunals

**They safeguard the individual's legitimate interest and his/her subjective right.**

This means that athletes will always have the opportunity to refer to the qualified ordinary jurisdiction, but IJRC strongly advise the athletes to accept the Sport Tribunal's decisions (concerning sport matters)

4.4

## SPECIAL ISSUES

- Minors (Juniors and pony riders)
- Privacy
- Abuse of power
- Riders's Civil Law Liability

## FEI TRIBUNAL

The FEI Tribunal consists of seven volunteer lawyers from all over the world who are elected by the General Assembly to perform this important decision-making function for the FEI.

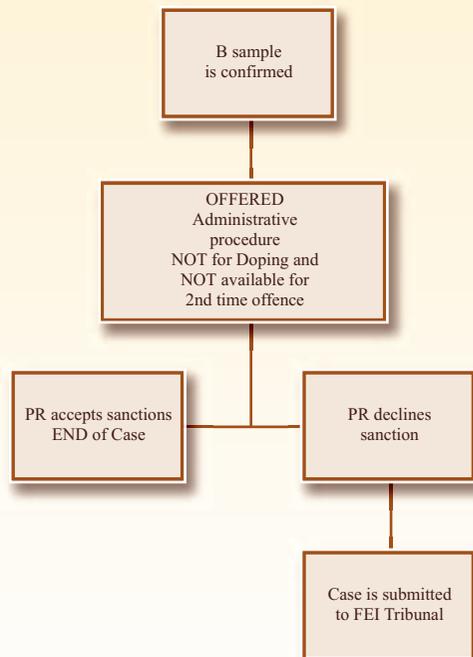
The FEI Tribunal considers evidence presented to it in cases brought under the EADCM regulations (and other types of cases as well) and renders decisions. Usually, cases brought under the EAD section of the regulations are heard and decided by three Tribunal members while ECM violations are typically decided by one Tribunal member.

## PROCEDURE

### FEI Tribunal procedure

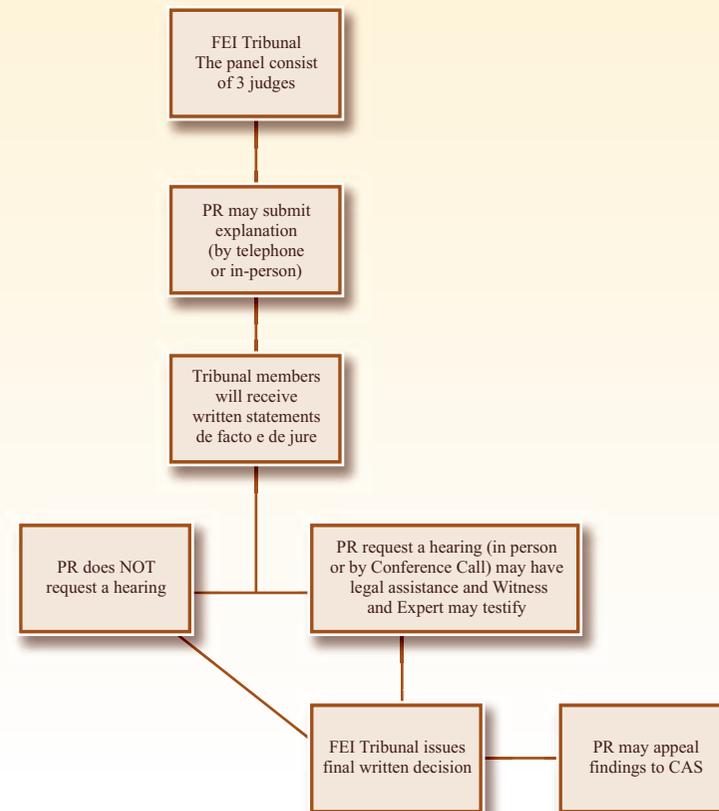
In case of violation of ERM C

(Equine Rules Medication Control)



### EAD Violation

(Equine Anti-Doping CASE)



### Sanctions

There are four potential levels of consequences if you violate the EADCM regulations.

**1. Disqualification:** The combination of the horse and athlete will be automatically disqualified from the competition concerned and any resulting forfeiture of medals, prizes, money, etc. must be returned to the Organizing committee. Further, the FEI Tribunal will have the discretion to disqualify the Pr and/or horse from other competitions separately entered into at the same Event (i.e. that the Athlete or horse participated in with a different horse or Athlete) or from Events following the one in which the sample was taken. This discretionary disqualification will be determined by the FEI Tribunal based on the facts presented during the case.

**2. Ineligibility:** For Banned Substances, the ineligibility period (more generally know as suspension) shall be an entry point of two years. This is consistent with the World Anti-Doping Agency's code for human athletes and is a change from the previous rules which described the appropriate sanction as up to two years.

This two (2) year suspension can be reduced only if the PR can show that he was not at fault or did not demonstrate significant fault or negligence. For controlled Medication Substances, the ineligibility period is up to two years, based on the facts of the case and the Person responsible's explanation(s).

**3. Fine:** For Banned Substances violations, the fine is CHF 15,000 unless fairness dictates otherwise. For controlled Medication violations, the fine is up to CHF 15,000. Trafficking of Doping Substances CHF 25'000

**4. Costs:** The FEI Tribunal can typically may also require the PR to assume some of the legal costs for the case.  
The PR are responsible of the cost of B sample if it confirm the A sample

### **In the event of re-offending**

#### **10.7 Multiple Violations**

##### **10.7.1 Second EAD Rule Violation**

For the Person Respoansible and/or member of the Support Personnel's first EAD Rule violation, the period of Ineligibility is set forth in Articles 10.2 and 10.3 (subject to elimination, reduction, or suspension under Articles 10.4 and 10.5 or to an increase under Article 10.6). For a second EAD Rule violation the period of Ineligibility shall be increased by the Hearing Panel, taking into account the respective severity of both EAD Rule violations involved and the circumstances of the particular case. In all events, the Ineligibility shall be a minimum of eight (8) years up to a lifetime Ineligibility if, alternatively, (i) both EAD Rule violations were or should be sanctioned by the standard sanction of two (2) years under Articles 10.2 or 10.3.1, or (ii) at least one of the two EAD Rule violations was or should be sanctioned by an aggravated Sanction under Article 10.6 or by a Sanction under Article 10.3.2. In all other cases, the Ineligibility period shall be within the range of one (1) year to eight (8) years.

Where a Person Responsible and/or member of the Support Personnel is found to have committed an EAD Rule violation after having committed an ECM Rule violation, this may be considered as a factor in determining aggravating circumstances under Article 10.6 above.

## THE SPORT TRIBUNAL IN LAUSANNE

*(Source: www.tas-cas.com)*

### 1) WHAT IS THE COURT OF ARBITRATION FOR SPORT?

The Court of Arbitration for Sport (CAS) is an institution independent of any sports organization which provides for services in order to facilitate the settlement of sports-related disputes through arbitration or mediation by means of procedural rules adapted to the specific needs of the sports world.

The CAS was created in 1984 and is placed under the administrative and financial authority of the International Council of Arbitration for Sport (ICAS). The CAS has nearly 300 arbitrators from 87 countries, chosen for their specialist knowledge of arbitration and sports law. Around 200 cases are registered by the CAS every year.

### 2) WHAT IS THE FUNCTION OF THE CAS?

The CAS has the task of resolving legal disputes in the field of sport through arbitration. It does this pronouncing arbitral awards that have the same enforceability as judgements of ordinary courts.

It can also help parties solve their disputes on an amicable basis through mediation, when this procedure is allowed. In addition, the CAS gives advisory opinions concerning legal questions related to sport.

Lastly, the CAS sets up non-permanent tribunals, which it does for the Olympic Games, the Commonwealth Games or other similar major events. To take into account the circumstances of such events, special procedural rules are established on each occasion.

### **3) WHAT KINDS OF DISPUTE CAN BE SUBMITTED TO THE CAS?**

Any disputes directly or indirectly linked to sport may be submitted to the CAS. These may be disputes of a commercial nature (eg a sponsorship contract), or of a disciplinary nature following a decision by a sports organisation (e.g. a doping case).

### **4) UNDER WHAT CONDITIONS WILL THE CAS INTERVENE?**

For a dispute to be submitted to arbitration by the CAS, the parties must agree to this in writing. Such agreement may be on a one-off basis or appear in a contract or the statutes or regulations of a sports organization. Parties may agree in advance to submit any future dispute to arbitration by the CAS, or they can agree to have recourse to the CAS after a dispute has arisen.

### **5) WHAT ARE THE CAS PROCEDURES ?**

For disputes resulting from contractual relations or torts, the ordinary arbitration procedure or the mediation procedure is applicable. For disputes resulting from decisions taken by the internal bodies of sports organizations, the appeals arbitration procedure is applicable. Lastly, there is a consultation procedure which allows certain organizations to request an advisory opinion from the CAS, in the absence of any dispute, on any legal issue concerning the practice or development of sport or any activity relating to sport.

The advisory opinion does not constitute an award and is not binding.

#### **6) WHAT LAW DO THE ARBITRATORS APPLY?**

In the context of ordinary arbitration, the parties are free to agree on the law applicable to the merits of the dispute. Failing such agreement, Swiss law applies.

In the context of the appeals procedure, the arbitrators rule on the basis of the regulations of the body concerned by the appeal and, subsidiarily, the law of the country in which the body is domiciled. The procedure itself is governed by the Code of Sports-related Arbitration.

#### **7) WHAT IS THE SCOPE OF AN AWARD PRONOUNCED BY THE CAS?**

An award pronounced by the CAS is final and binding on the parties from the moment it is communicated.

It may in particular be enforced in accordance with the New York Convention on the recognition and enforcement of arbitral awards, which more than 125 countries have signed.

#### **8) IS IT POSSIBLE TO APPEAL AGAINST A CAS AWARD?**

Judicial recourse to the Swiss Federal Tribunal is allowed on a very limited number of grounds, such as lack of jurisdiction, violation of elementary procedural rules (eg violation of the right to a fair hearing) or incompatibility with public policy.

## CAS MEDIATION

### 1) WHAT IS MEDIATION?

Is a procedure by means of which parties seek, with the help of a third party, called a mediator, to find an amicable solution to their dispute. It is distinguished from arbitration essentially by its nonformalistic nature, the parties' control over the proceedings and the absence of enforceability of the agreements signed by the parties.

Mediation may be provided for by a clause inserted in a contract or by a separate agreement once the dispute has arisen (see below).

### 2) WHAT ARE THE ADVANTAGES OF THE CAS MEDIATION PROCEDURE?

It is adapted to sport. Mediation is an alternative method of settling disputes which has produced convincing results in countries where it is applied. Its introduction to sport is an important innovation, as it constitutes a natural extension to and protection of the rules which govern fair play and the spirit of understanding.

Choosing mediators who are specialists in sport and negotiation promotes the finding of concrete settlements to disputes by offering solutions adapted to the context of sport.

**It's simple and flexible**

The mediation procedure is not formal. In principle, the parties choose their own mediator by mutual agreement, and establish the rules governing how the procedure is to be conducted.

**It's quick**

Mediation proceedings normally take 90 days from the time the request is made. An extension to this may be authorized only by the CAS President for valid reasons. This very short time frame is a means of avoiding negotiations used as delaying tactics by one party acting in bad faith. Moreover, the fact that the mediation and arbitration are placed under the same jurisdiction makes it possible to move from one to the other in the event of failure, which has clear advantages (time saving, lack of additional formalities, etc...).

**It's confidential**

The parties, the mediator and anyone else involved in mediation proceedings are bound by a strict duty of confidentiality. No information derived from the proceedings may be used before another arbitral or judicial body, subject to the provisions of the law. Only the settlement can be brought before one of these bodies in the event of failure by one of the parties to honour its commitments.

**It is inexpensive**

One of the aims of the CAS is to make available to the members of the

international sporting family an instrument for resolving disputes which is not just fast, but also inexpensive. In the framework of the mediation, the parties pay the costs and fees of the mediator (calculated according to the CAS table of fees), part of the costs of the CAS and administrative fees fixed at SFr. 500 for each party.

### **3) WHAT KIND OF DISPUTE MAY BE SUBMITTED FOR MEDIATION BEFORE THE CAS?**

Mediation may be sought only for disputes related to the CAS ordinary procedure.

The following are excluded:

- disputes related to disciplinary cases
- doping cases
- disputes arising from a decision passed by the authority of a sports organization such as an NOC, national sports federation or International Federation

Disputes submitted to mediation must be related to sport; eg a sponsorship contract, an athlete undertaking, etc.

### **4) WHO MAY APPLY FOR CAS MEDIATION?**

Any natural or artificial legal person with capacity to effect a legal transaction may have recourse to CAS mediation. This legal remedy is thus open to athletes, clubs, sports associations or federations, organizers of sports events, sponsors, radio/television companies, etc.

## THE FEI AND SWISS LAW

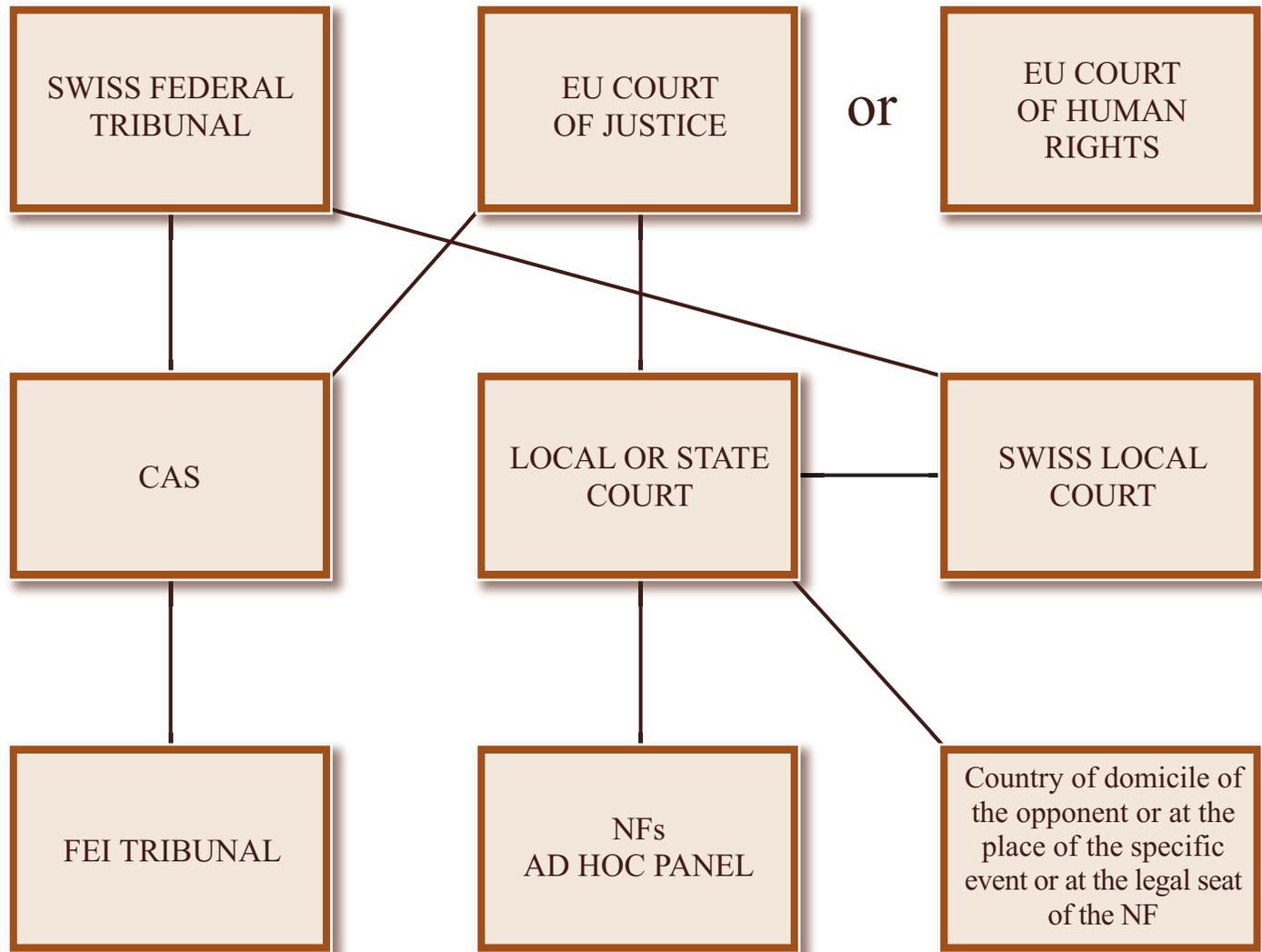
The FEI is an association under Swiss law.

Associations are authorized to regulate their own affairs.

The FEI has introduced the FEI Tribunal (Art.34.1 FEI Statutes, Art.7 EADMC tbc).

The establishment of its own internal legal system by an association is well accepted by law as long as the final decisions of such bodies may be reviewed by a court or an independent court of arbitration (art.75 of the Swiss Civil Code).

## HIERARCHY OF THE COURTS



4.10

## THE NFS AND THE LAW

The NF must comply with FEI rules and regulations with respect to National Events.

The NFs have chosen different solutions.

It is expected that the NFs will coordinate their legal remedies with FEI policies.

4.11

## BE AWARE

Suppose that a provisional suspension has been imposed, the PR may still feel the need to obtain a provisional admission to certain competitions.

The PR may try to get such provisional remedy from a ordinary jurisdiction (*see e.g. art 183 PILS - Swiss Federal Private International Law Statutes*). Such provisional remedies are regulated by the procedural laws of the respective countries.

FEI doesn't support the provisional admission to certain competitions.

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## Conclusions

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*The power of the ordinary courts to issue provisional measures will not disappear and will always lead to certain conflicts with the judicial system of sport organizations.*





KNOW THE RULES FOR A PROPER SPORT



## COMMUNICATION



“ “ *We have already examined the vet,  
technical and regulatory issues*

*We do not have to forget the issues politics  
and public image*

*The goal is that these four issues  
must be addressed together* ” ”

## MISTAKES TO BE AVOIDED

Adopting an attitude such as:

*“It must look as though something is being done”*

This attitude is wrong for the following reasons:

- A. Public opinion and athletes must be reassured
- B. Firmness and the need to show a balanced perspective, as well as clear and moderate reasoning, are called for.
- C. There must be no hard or hysterical reaction because this attitude promotes a clear message: everyone is guilty.

If there is no steady conduct, the message put across will be:

1. **They do not know what to do**
2. **They are panicking**
3. **They are all guilty**
4. **They are not capable of handling the situation**

*“It’s a disaster, we would never expect it,  
we’ve done our best to avoid it”*

The message put across will be:

1. **They are panicking**
2. **They do not know how to handle it**
3. **They are hiding something**

**the result being that everyone gets treated like a criminal.**

## 5.2

## FIRST THING TO BE CONSIDERED

It follows that the mass media issues become a priority.

**First thing to consider when a similar case happens in a major event like the Olympics:**

- Who should be the spokesperson?
- How should information be delivered?
- What should be said?

Preparation is paramount, the crisis management is the same whether applied to politics, accidents, sport or economics.

## 5.3

## CRITICAL SITUATION

Organisation normally relies upon experts who are able to handle critical situations and know:

- Which measures should be adopted;
- How to handle press conferences;
- How to arrange interviews and with whom;
- Know and hold regular contacts with the leading or most authoritative newspapers;
- How to predict and handle things on the basis of clear technical details.

**IT IS IMPORTANT THAT A COMMON LINE BE ADOPTED.**

The more important and credible the person providing the information is, the more overall credibility is gained by it.



## HOLDING PRESS CONFERENCES

Topics must be drawn up before the event:

- Doping
- Serious accident to a rider
- Serious accident and death of the horse
- Infectious disease at stables
- Mistakes in result and distribution of medals
- Other



5.5

## LINE OF CONDUCT

A simple and clear line of conduct is necessary. It is a matter of action, and not of reaction. The correct statement:

*“Yes, there is a problem.*

*You will get further informations as soon as possible, once all investigations have been completed, and all witnesses have been heard.  
We aim to find the necessary and fair measures, commensurate with the extent of the wrongdoing, should any wrongdoing have taken place”.*

It is essential to predict likely questions and find agreement on who should answer them and in which way.

## INTERVIEWS

Knowing how to handle interviews:

Careful and accurate statements. It is better to hand over written declarations with official press statements.

In fact, it is advisable that the following policy be adopted.

### Asset the facts:

1. Clarity
  - a. make the problem clear
  - b. technical clarity
  - c. legal clarity
2. Coherent line
3. Professional skills



5.7

## THE PRESS OFFICER



- Is experienced and professional  
*(critical detachment needed)*
- Holds good relations with the media
- Able to offer a positive image to our sport
- Should be a person with a high level of credibility

5.8

## CLEAR-HEADED MANAGEMENT

### MANAGERS:

1. Be moderate and firm
2. Do not panic
3. Be clear-headed
4. Give the impression that they know how to handle the situation
5. Take into account all consequences of their decisions

They must be suitably briefed by the Press Officer and advisors and should be able to predict the likely reactions of the various lobbies (sponsors, media and athletes).

## THE ATHLETE

From the point of view of the athlete

- It is essential that the various lobbies interact more frequently
- It is strongly recommended that the athlete does not face the media alone
- The athlete must grasp that he/she cannot act alone
- The athlete must be aware that without adequate coaching, he/she can cause irreparable damage to his/her career and to the sport in general
- There is nothing worse than not demonstrating a united front
- The athlete, too, must attempt to react in an intelligent and detached manner, he/she should not just think of him- or herself, but also of the image of the sport.





“

*Do not act alone.*

*It is essential that the various lobbies interact frequently.*

*The conduct line must be steady and clear.*

*When possible, do not leave the athletes alone in front of the media.*

*Consider all the consequences before taking any decisions*

”

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[www.tas-cas.com](http://www.tas-cas.com)

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