

Drug & Medication Rule

I. Definitions

- Competition or Competitive Event: The competition or competitive event begins when the equine is presented to the Veterinarian for a pre-ride veterinarian examination and continues through until the equine withdraws, completes the course, or completes judging for Best in Class (BC), whichever comes last.
- EDRA: Equine Distance Riding Association
- Equine: A horse, pony, mule, burro, or donkey
- Responsible Party (RP): The Rider, Owner, Trainer and/or support crew of the Equine
- Rule: The EDRA Drug and Medication Rule
- Substantial Evidence: Such relevant evidence as a reasonable mind might accept as adequate to support a conclusion
- Support Crew: Includes any person present at the event who may have made a relevant decision about the care or handling of the Equine
- Trainer: Any adult who has or shares the responsibility for the care, training, custody, condition, or performance of an Equine
- Drug Testing Laboratory (Laboratory): The laboratory with which EDRA has a contract to conduct drug testing on Equines participating in an EDRA event
- Veterinarian: A veterinarian who has been designated as a ride veterinarian by the entity/individual organizing the event

II. Equine Drugs and Medications Provisions

- A. Every Equine participating in an EDRA event, regardless of distance, is subject to and required to be in compliance with this Rule.
- B. No Equine may participate in any EDRA event if it has been administered in any manner or otherwise contains in its tissues, body fluids or excreta a prohibited substance as defined in the FEI Equine Anti-Doping and Controlled Medication Regulations, which can be found at www.fei.org
- C. ALL RESPONSIBLE PARTIES AND VETERINARIANS ARE CAUTIONED AGAINST THE USE OF MEDICINAL PREPARATIONS, TONICS, PASTES, AND PRODUCTS OF ANY KIND, THE INGREDIENTS AND QUANTITATIVE ANALYSIS OF WHICH ARE NOT SPECIFICALLY KNOWN, AS MANY OF THEM NO DOUBT CONTAIN ONE OR MORE FORBIDDEN SUBSTANCES.
- D. Laser and shockwave therapy are not permitted within 96 hours of the competitive event. Kinesiotape may not be used up to one hour prior to the pre-ride veterinarian inspection, and may not be used again until the completion of the event (see definition of competitive event in Part I).

Any questions regarding the interpretation of this policy, or with regard to particular substances, should be directed to the President of the Equine Distance Riding Association at the office of EDRA, P.O. Box 784, Coulee City, WA 99115 or president@equinedistanceriding.com. Responsible Parties are also encouraged to consult the most current FEI Prohibited Substances Database. Any Responsible Party who is uncertain about whether these rules apply under particular situations or questions the use of a particular substance would be well advised to withdraw the affected equine from competition.

III. Testing

- A. Equines participating at an EDRA event are subject to examination by a Veterinarian. The examination may include, at the Veterinarian's sole discretion, physical exam and/or blood tests and/or any other test or procedures necessary to effectuate the purposes of this Rule. Responsible parties will be notified as soon as possible upon completion of the competitive event if their Equine is to be tested. The Veterinarian will make every effort to conduct the sampling at maximum of within 30 minutes of completion. If the equine is to stand for Best in Class, the testing may be conducted after completion of the BC exams. If

there is an unavoidable delay in sampling, the RP will be advised of the delay by the Veterinarian or Steward. The Veterinarian may examine any Equine on the competition grounds that started the event including those that withdrew from the event for any reason.

- B. Refusal to submit the Equine for examination or to cooperate with the Veterinarian constitutes a violation and subjects the Responsible Party to penalties under the Rule. Cooperation with the Veterinarian and/or his agent(s) includes such things as:
 - 1. Taking the Equine immediately to the location selected by the Veterinarian for testing and presenting it for testing.
 - 2. Assisting the Veterinarian in procuring the sample promptly, including but not limited to removing equipment from the Equine, leaving it quietly in the testing area and avoiding any distractions to it. Schooling, lengthy cooling out, bandaging and other delays of this type shall be construed as noncooperation.
 - 3. Polite attitude and actions toward the Veterinarian and/or his agent(s).
- C. Responsible Parties who are not able to accompany the Veterinarian and Equine to the location where examination/sample collection is to take place, to act as witness to the collection and sealing of blood samples, and to sign the drug collection documents in the appropriate places as witness, must appoint an agent to do so. The absence of such a witness shall constitute a waiver of any objection to the identification of the Equine tested and the manner of collection and sealing of the samples.
- D. Upon the collection of a sufficient number of tubes of blood or urine from the Equine, the tubes shall be divided into two groups. One group shall be labeled and identified as Sample A and the other as Sample B, and they shall be sealed accordingly. These procedures shall be performed whether or not the Responsible Party or his/her appointed witness is present as provided for in III.C. above.
- E. In the event reasonable attempts at sample collections from the Equine do not provide a sufficient amount to be divided, labeled, and identified as Samples A and B, as determined by the Veterinarian, the sample(s) obtained (if obtained) shall be labeled and identified as Sample(s) A only, and it shall be recorded on the Sample A container that no Sample(s) B does (do) exist. All Samples shall remain in the sole possession of the Veterinarian until such time as they are mailed to the Drug Testing Laboratory for testing.

IV. Accountability of Responsible Parties

- A. Any Responsible Party who actually administers, attempts to administer, instructs, aids, conspires with another to administer or employs anyone who administers or attempts to administer a forbidden substance to an Equine at an EDRA event is subject to the penalties provided in the Rule.
- B. Responsible Parties are, in the absence of Substantial Evidence to the contrary, responsible and accountable under the penalty provisions of the Rule. Responsible Parties are not relieved from such responsibility as a result of the lack or insufficiency of ride venue security.

V. Results, Confirmatory Analysis, and Retest

- A. Samples labeled and identified as Sample A shall be subjected to chemical analysis by the Drug Testing Laboratory. Samples labeled and identified as Sample B shall be stored securely, unopened, at the Laboratory, to be used in the event of a confirmatory analysis.
- B. In the event the chemical analysis of Sample A is negative, i.e., no forbidden substance or any metabolite or analogue thereof is found to be present in the sample, the corresponding Sample B may be disposed of by the Laboratory. The Laboratory will send results to the President of EDRA and the Responsible Party will be notified by the President. No further action will be taken.
- C. In the event the chemical analysis of Sample A is positive, i.e., a forbidden substance or any metabolite or analogue thereof is found to be present in the sample, this shall be prima facie evidence that the forbidden substance was administered in some manner to the Equine, whether intentionally or unintentionally, or otherwise was caused to be present in the tissues, body fluids or excreta of the Equine and all Responsible Parties may be deemed responsible and accountable.
- D. In the event the chemical analysis of Sample A is positive:
 - 1. EDRA shall immediately notify all Responsible Parties via certified/registered mail of the positive test result and their right to request an analysis of Sample B.
 - 2. A Responsible Party wishing to have Sample B tested must, within 15 days of receiving the notice of a positive test, notify the EDRA president by registered/certified mail of their desire to test B

Sample B. Within fifteen (15) days of receipt of the request for testing of Sample B, EDRA shall coordinate such analysis.

3. If no Responsible Party requests a test of Sample B, all Responsible Parties are deemed to have:
 - a. Waived their right to a Sample B analysis, and
 - b. Accepted as accurate the Sample A analytical results.
 4. The confirmatory analysis of Sample B shall be performed by a laboratory that is approved by EDRA and agreed upon by the person who requests the confirmatory analysis, which laboratory must have demonstrated proficiency in performing the necessary confirmatory analysis, provided Sample B exists and is of sufficient volume to permit a confirmatory analysis. In the event the drug testing laboratory that analyzed Sample A is the only laboratory that has demonstrated proficiency in performing the necessary confirmatory analysis, this laboratory shall be the only laboratory to perform the confirmatory analysis of the corresponding Sample B. Upon the completion of the confirmatory analysis, the laboratory performing the confirmatory analysis shall forward its findings and supporting data to all parties.
 5. In the event no agreement is reached as to a laboratory as required in V.D.4. and the person who requests the confirmatory analysis does not revoke his/her request, the confirmatory analysis of Sample B shall be performed by the Laboratory, and shall forward its findings and supporting data to all parties. Both the results of the analysis of Sample A (and supporting data) and the results of the confirmatory analysis of the corresponding Sample B, if any (and supporting data, if any), shall be admissible as evidence in any hearing or proceeding pertaining to this matter.
 6. In the event Sample B does not exist, or is of insufficient volume to permit a confirmatory analysis, and there exists a remaining aliquot of Sample A which is of sufficient volume to permit a retest the confirmatory analysis will be conducted on Sample A. Any requested re-test of the remaining aliquot of Sample A, provided it is of sufficient volume to permit a retest, shall be performed by the Laboratory.
 7. The Responsible Party requesting the test of Sample B, or the retest of the remaining aliquot of Sample A is required to pay all fees and costs associated with the testing before such confirmatory analysis will be performed whether it is performed by a mutually agreed upon laboratory or by the Laboratory. Failure to pay for the testing will be considered a waiver of the right to retest and an acceptance of the accuracy of the A sample results.
 8. If the laboratory's confirmatory analysis of Sample B does not substantially confirm the Laboratory's findings, then any allegations that the substance in question was present at the time that the samples were collected shall be dismissed.
 9. If the laboratory's confirmatory analysis of Sample B substantially confirms the Laboratory's findings, the finding shall be considered conclusive.
- E. When a positive report is received from the Laboratory EDRA shall not take any disciplinary action against a Responsible Party until after an administrative penalty has been assessed or after the conclusion of a hearing and a written ruling thereon has been made.

VI. Positive Drug Reports – Plea Agreement or Hearing

- A. Once a positive drug test result is received and any requested confirmatory testing is either completed or waived, the EDRA President shall convene a drug violation review sub-committee consisting of a minimum of three Board members to investigate the matter and decide whether to: (1) offer the Responsible Party a plea agreement, (2) send the matter for a full hearing, or (3) determine that no further action be taken in the matter. In making this decision the sub-committee shall consider all pertinent information available, including the seriousness of the alleged violation(s), precedents in similar EDRA drug cases, and any prior rule violation(s) by the Responsible Parties, and may, if desired, consult with the EDRA Veterinarian Committee and/or the USEF Drug and Medication Department. The sub-committee is authorized to include any penalty listed in this rule as part of the plea agreement.
- B. Any member of the sub-committee may at any time disqualify himself or herself from the proceedings if they believe that they have a conflict of interest or can, for any reason, not conduct themselves in an impartial manner.
- C. Notice of the sub-committee's decision shall be sent to all Responsible Parties via certified/registered mail within 30 days of the date of the original positive drug test or the results of the retest are received, whichever is later. The notice will inform the Responsible Party of their right to a full hearing. Any notice mailed to the last current address listed with EDRA shall be deemed sufficient notice.

Appendix C

- D. Within 15 days of receipt of the sub-committee's decision, the Responsible Party must notify EDRA via certified/registered mail of the Responsible Party's intent to accept or decline the plea agreement. If a Responsible Party fails to reply within the 15-day period the Responsible Party is considered to have accepted the plea agreement and any right to a hearing is permanently waived and no further action may be taken on the matter by either EDRA or the Responsible Party.
- E. Once a plea agreement is accepted by a Responsible Party it shall be effective immediately, shall be final, and shall not be subject to further review under any circumstance(s).
- F. If a Responsible Party declines to accept a plea agreement, the matter shall proceed to a full hearing before the Hearing Committee. The Hearing Committee shall not be limited in choice of penalties to those that may have been offered as part of plea agreement.
- G. Within 15 days of when a Responsible Party declines a plea agreement, the Hearing Committee will set a hearing date to take place within the next 30 days. The Hearing Committee may postpone the date once upon request of the Responsible Party for good cause.
- H. Responsible Parties may attend their hearing in person or telephonically, at their option, with or without counsel, and may bring witnesses, submit sworn statements or other evidence on their behalf. Opening and closing statements may be made by the parties to the Hearing, but the Hearing Committee reserves the right to limit the length of such statements
- I. At the hearing, EDRA has the burden of proof by a preponderance of the evidence.
- J. Any member of the Hearing Committee may at any time disqualify himself or herself from the proceedings if they believe that they have a conflict of interest or can, for any reason, not conduct themselves in an impartial manner. Except for members who are disqualified under this provision, all members of the Hearing Committee must be present during the entire hearing to hear and consider all the evidence, as well as to deliberate and decide the outcome of the matter. The Hearing Committee shall give all parties a fair hearing. The Hearing Committee shall consist of at least one member of the Veterinary Committee, one member of the sub-committee and an additional Board member. The Responsible Party may contest, on grounds and with evidence, the inclusion of any one member of the Hearing Committee if he/she feels impartiality is an issue. The Responsible Party may suggest an alternative who must be either a current Board member or member of the Veterinary Committee. The substitution is subject to Hearing Committee approval.
- K. The Hearing Committee shall prepare a written record of the proceedings which shall include the evidence considered in the proceeding, each finding of fact based on the evidence, the conclusions and decisions regarding the alleged rule violations and a statement of penalties, if any, imposed and of other relief granted or denied. The Hearing Committee is not limited in its choice of penalties to those that were offered in the plea agreement. This written record, along with the initial recommendations of the President and Vice President, constitutes the official record. The written record shall be issued within 15 business days of the hearing
- L. EDRA does not require a verbatim stenographic transcript of the hearing to be made, but a Responsible Party may arrange for one at their own expense. EDRA reserves the right to obtain a copy of the transcript at its own cost.
- M. The Hearing Committee's decision following a full hearing on the matter is final.

VII. Penalties

- A. If a violation of the Rule is found to have occurred, the Hearing Committee may impose one or more of the penalties set forth below, which will be published on the EDRA website.
 - 1. Censure.
 - 2. Suspension for any specified period of time: A suspended person is forbidden from participating in any EDRA event and may not participate in EDRA affairs and activities, hold or exercise office, or attend, observe or participate in any EDRA event, forum, meeting, program, clinic, task force, or committee. Suspension may include the right to have any horse owned by a suspended party participate in an EDRA event.
 - 3. Expulsion or suspension from membership in EDRA for any specified period of time.
 - 4. Forfeiture of points, placings, awards and BCs earned at the ride in which a positive drug test was obtained, and all rides thereafter for a specified period of time.
 - 5. Suspension of Equine: The Equine that had a positive drug test may be suspended for any period of time specified by the Hearing Committee. In determining an appropriate penalty under these rules, the Hearing Committee may take into account such factors and circumstances as it may deem relevant, including but not limited to:

Appendix C

- a. The pharmacology of the forbidden substance,
 - b. The credibility and good faith of the person charged or of other witnesses,
 - c. Penalties determined in similar cases, and
 - d. Past violations of any EDRA rules (or the lack thereof).
 - e. Reliance upon the professional ability or advice of a veterinarian who is a licensed graduate of an accredited veterinary school and who is in good standing in the state in which he/she primarily practices.
- B. If the Hearing Committee determines that any violation or attempted violation of this Rule was willful and/or intentional, there shall not be any limit to the period of a suspension, and the Hearing Committee may impose other and significantly greater penalties than it would have in the absence of such a determination.