

DECISION of the FEI TRIBUNAL

31 January 2025

(Ref. no. FEI Tribunal: C24-0045 MAGNUS)

In the matter of

Ms Tine MAGNUS (the “PR”)

Vs.

FÉDÉRATION EQUESTRE INTERNATIONALE (the “FEI”)

together the “Parties”

COMPOSITION OF THE FEI TRIBUNAL PANEL:

Mr Jose A. Rodriguez Alvarez (MEX), Hearing Panel

FEI Case reference: 2024/BS05, DIA VAN HET LICHTERVELD Z

Horse/Passport: DIA VAN HET LICHTERVELD Z/106WJ63/BEL

Person Responsible/ID/NF: Tine MAGNUS/10045338/BEL

Event/Date: Olympic Games-C - Paris (FRA), 27-29.07.2024

Event/ID: 2024\_OG\_0001\_C\_S\_01

Date of sample collection: 27.07.2024

Prohibited Substance(s): Trazodone

Bar Code No.: 1431267

## I. INTRODUCTION

1. On 11 November 2024, the FEI applied to the FEI Tribunal (the “Tribunal”) to nominate a panel and to disqualify (i) the Individual Results of the Person Responsible (the “PR”) with the horse DIA VAN HET LICHTERVELD Z (the “Horse”) in the Eventing of the Paris Olympic Games on 27 July 2024, (ii) the rest of the Individual Results of the PR with the Horse in Eventing of the Paris Olympic, i.e. cross-country and jumping on 28-29 July 2024 and (iii) all the Belgian Team’s results.
2. Ultimately, the FEI and the PR agreed to a settlement agreement on 24 January 2025 (the “Settlement Agreement”). The Settlement Agreement together with its attached exhibits are hereby incorporated by reference into this Final Decision.

## II. Applicable Rule Provisions:

Statutes 25<sup>th</sup> edition, effective 23 November 2023 (the “Statutes”).

General Regulations 24<sup>th</sup> edition, updates effective 1 January 2024 (the “GRs”).

FEI Equine Anti-Doping and Controlled Medication Regulations (“EADCMRs”), 3<sup>rd</sup> edition, 1 January 2021, updates effective 1 January 2023.

FEI Regulations for Equestrian Events at the Olympic Games Paris 2024 (“OGRs”),

Internal Regulations of the FEI Tribunal, 3<sup>rd</sup> Edition, 2 March 2018 (“the IRs”).

## III. PARTIES

3. The Fédération Equestre Internationale (the “FEI”) is the sole IOC recognised International Federation for equestrian sport. The FEI is the governing body for the FEI equestrian disciplines of dressage, jumping, eventing, driving, endurance, vaulting, and para-equestrian.

4. Ms Tine MAGNUS (FEI ID 10045338), the Person Responsible (the “PR”), is an Eventing rider from Belgium, who competed with the horse, Dia Van Het Lichterveld Z (the “Horse”) at the Paris Olympic Games (FRA), between 27 and 29 July 2024 (the “Event”).

#### IV. FACTUAL BACKGROUND

5. The Horse was tested during the Event and returned a positive result for Trazodone, which is an antidepressant used to treat depression and anxiety in humans, and which is classified as a “Banned Substance” under the FEI’s Equine Prohibited Substances List.
6. The FEI informed the PR of the positive result in a notification letter dated 3 September 2024 (the “**Notification Letter**”). As a result of the positive finding, the PR was Provisionally Suspended as of 3 September 2024, in accordance with Art. 7.4.1 of the FEI Equine Anti-Doping Rules (the “**EAD Rules**”). The Horse was also provisionally suspended as of that date, and until 2 November 2024.
7. In the Notification Letter, the FEI informed the PR of their intention to request to the FEI Tribunal that Art. 9.1 (Automatic Disqualification) of the EAD Rules be promptly applied once the B Sample Analysis confirms the A Sample Analysis, or where the right to request the B Sample Analysis is waived, in accordance with Art. 7.1.4 of the EAD Rules.
8. Upon request from the PR, the B Sample analysis confirmed the findings of the A Sample results, as notified by the FEI to the PR on 28 October 2024.
9. The PR and Horse combination’s individual result was 28<sup>th</sup>, and the team result for Team Belgium was 4<sup>th</sup>.
10. On 11 November 2024, the FEI requested the Tribunal to (i) automatically disqualify the individual results of the PR with the Horse in Eventing of the Paris Olympic Games on 27 July 2024, in accordance with Art. 9.1 of the EAD Rules, (ii) disqualify all the rest of the Individual Results of Ms. Tine MAGNUS with the Horse DIA VAN HET LICHTERVELD Z in Eventing of the Paris Olympic, i.e. cross-country and jumping on 28-29 July 2024, in accordance with Art 623.3 OGR and (iii) disqualify all the Belgian Team’s results in accordance with Art 623.2 OGR.

## V. PROCEDURAL BACKGROUND

11. On 15 November 2024, the Tribunal acknowledged receipt of the FEI Request dated 11 November 2024 and informed the Parties of the appointment of a one-person hearing panel to adjudicate this case. The Parties were asked to provide any objections to the constitution of the hearing panel by 18 November 2024. Furthermore, both the PR and the Belgian-NF were requested to submit their position in relation to the FEI's request, by 25 November 2024.
12. Following said letter, various positions were remitted to the FEI Tribunal by the PR, and by the FEI, and two hearings were scheduled, and later cancelled based on the Parties' requests (the FEI requested the cancelation of the first hearing due to new evidence, and the PR requested the cancelation of the second hearing due to the withdrawal of her objection to the FEI's Request)<sup>1</sup>.
13. On 7 January 2025 (i.e. six days prior to the hearing scheduled to take place on 13 January 2025), the PR's Counsel wrote to the Tribunal to formally confirm the withdrawal of her request for the scheduled hearing.
14. On 24 January 2025, the FEI submitted to the Tribunal a duly signed Settlement Agreement between the parties.
15. In the context of the proceedings, the PR provided the FEI with several statements, explaining how the Prohibited Substance entered the Horse's system, on 25 November and 10 December 2024, and then later on 9 January 2025. Following the receipt of the PR's explanations on 9 January 2025 (the only relevant ones under the Settlement Agreement), the FEI considered the overall circumstances that led to the positive Sample in the Horse which allowed the FEI to enter into the Settlement Agreement with the PR.
16. The source of Trazodone was the supplement RELAX PRO – Global Medics – Equine Care Group, which was provided by the BEL-NF and the Team Veterinarian. This finding was based on an independent analysis requested by the PR from two highly recognized toxicologists, Professor Jan Tytgat of the KU Leuven and Professor Pascal Kintz from Strasbourg. Both

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<sup>1</sup> In view of the PR's subsequent withdrawal of her objection, for the sake of clarity and consistency, the summary of all the exchanges that occurred between the initial Request from the FEI and the withdrawal of the PR are not addressed in the present Decision.

identified the presence of Trazodone in the supplement RELAX PRO, which was given to the Horse during the Olympic Games.

17. The RELAX PRO was used only twice by the PR on the Horse, and both instances upon the explicit advice of the Team Vet, since the Horse was quite energetic.
18. After reviewing the PR's 9 January 2025 submission and evidence, the FEI was satisfied that the PR had established, on a balance of probabilities, that the source of the Prohibited Substance most likely came from the RELAX PRO administered by the BEL-NF Team Vet in the Horse. Therefore, the FEI considered that the PR had established how the Banned Substance entered the Horse's system.
19. In evaluating the PR's level of fault or negligence, the FEI took into account in particular the following considerations:
  - a. The PR is acutely aware of the strict rules surrounding prohibited substances for both horses and humans, to which she adheres fully.
  - b. She is of the view that treatments must only be administered to the Horse if such is for the benefit of the Horse and its welfare. She also strictly follows the advice of her own veterinarian, whenever treatment is required. She keeps track of the feed, recording batches and invoices etc, as necessary to track down any issues.
  - c. Her team, including the groom and other personnel, are well-trained and always take meticulous care to prevent any cross-contamination, strictly adhering to the PR's instructions and the valid regulations. At home access to the stable is very restricted. Only the PR and the groom and the family have access to it.
  - d. The PR normally uses very limited number of supplements which are all batch controlled. However, being on the Olympic Team, she relied on the expertise and guidance provided by the Team's infrastructure, hence she relied on the advice of the Team Veterinarian and the reputation of the Equine Care Group. The fact that the supplements were given to her by the NF and Team Vet, shows no intentional or reckless behaviour, but rather a degree of procedural failure outside the PR's immediate control.
  - e. The PR was acting upon the advice of the Team Vet, using supplement purchased and provided to her by the NF, recognizing the explicit guarantee to be "doping free" and trusting the undisputed reputation of the Equine Care Group. In addition, the RELAX PRO producer is stating that its "free of doping substances" on its website, and that it is to be used for temperamental horses during competition.

- f. The PR therefore had little reason to doubt the propriety of these supplements, especially given her limited prior use and experience with supplements. In retrospect, she does not know whether these supplements were actually tested before the NF and Team Vet were providing them to the Team.
  - g. The PR does not doubt, the NF and the Team Vet's best intentions. It also has to be noted as well that the Team Vet more or less just gave his supplement regime without double checking with the PR if it should be administrated. Several times did he give supplements to the Horse without the PR's knowledge during the Event.
20. As a result, the FEI was satisfied that the PR had established, pursuant to Article 10.6.2 of the EAD Rules, that she bore "No Significant Fault or Negligence" for the EAD Rule Violation<sup>2</sup>. However, the PR should have known that using the RELAX PRO supplement on her Horse carried a certain degree of risk, as the existence of contaminants in supplements is widely known.
21. The FEI further noted, in the present matter, the failure of the NF and the Team Vet to provide products that are safe to use. According to the FEI, a question arises as to why, in such a professional environment, the important task of complying with anti-doping obligations is outsourced to a person, that is not compliant with the recommendations of FEI Clean Sport, and there was no suggestion in the evidence that the Team Vet advised the PR of the dangers related to the use of supplements for Horses. To the contrary, he instead recommended the PR to use a number of supplements in an extensive supplement regime. It is surprising that the NF/Team Vet encourages the use of over 14 different supplements for a horse, when considering the known risk of supplement use, and also the warnings that have been sent out to NFs and other stakeholders on regular basis and in particular in the Clean Sport Messaging before the Olympic Games. It cannot be ignored that this has led to a very difficult situation for all parties involved, not only the PR, but the whole Team and the NF who will lose their 4th placing in Eventing at the Olympic Games.
22. With respect to the sanctions and considering the various circumstances of the case<sup>3</sup>, the period of Ineligibility to be imposed on the PR was determined to be five (5) months, and a fine of CHF 4'000.-.
23. On 27 January 2025, the Tribunal acknowledged receipt of the FEI correspondence dated 24 January 2025, and informed the Parties of the appointment of a one-person hearing panel to adjudicate and approve this case. The Parties were asked to provide any objections

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<sup>2</sup> Paragraph 3.6 of the Settlement Agreement includes an evaluation of the PR's level of Fault and Negligence for the EAD Rule Violation.

<sup>3</sup> Paragraphs 3.10-3.18 of the Settlement Agreement include the elements taken into account by the FEI to determine the proportionality of the sanction.

to the constitution of the hearing panel by 30 January 2025. Furthermore, the Tribunal noted that, in view of the subsequent Settlement Agreement signed and submitted, the initial request from the FEI dated 11 November 2024 could be considered moot, since the disqualification of results was also included in the Settlement Agreement. The Parties were asked to indicate to the Tribunal by 30 January 2025 whether they disagreed with the above.

24. On 28 January 2025, the FEI indicated having no objection to the constitution of the Panel. Further, the FEI indicated that the FEI's request for disqualification was attached to the Settlement Agreement to further motivate the application of the rules, should there be any questions and since it is Olympic Games results. The FEI further indicated that the PR does not oppose to the application of such disqualification through the Settlement Agreement, which was also later confirmed on the same day by the PR's Counsel.

## VI. Accepted Terms

25. The Settlement Agreement is made in accordance with 10.8.2 of the EAD Rules.
26. The PR admitted the EAD Rule Violation and accepted the following terms (the "Accepted Terms") in accordance with Article 10.8.2 of the EAD Rules:
  - a. The PR admits the violation of Article 2.1 of the EAD Rules (*The presence of a Banned Substance and/or its Metabolites or Markers in a Horse's Sample*).
  - b. The PR established, on a balance of probabilities, how Trazodone entered the Horse's system.
  - c. The PR has established that she bore No Significant Fault or Negligence for the EAD Rule Violation in accordance with Article 10.6 of the EAD Rules.
  - d. The Period of Ineligibility imposed on the PR shall therefore be five (5) months; and the Provisional Suspension of the PR which has been in place since 3 September 2024 shall be credited and immediately lifted as of the date of 2 February 2025.
  - e. The results achieved by the PR and the Horse at the Event are disqualified, with all resulting consequences, including forfeiture of any related medals, points and prizes, and including the automatic disqualification of the Individual Results of Ms. Tine MAGNUS with the Horse DIA VAN HET LICHTERVELD Z in the Eventing of the Paris Olympic Games, on 27 July 2024, in accordance with Article 9.1 of the EAD Rules and the disqualification of all the rest of the Individual Results of Ms. Tine

MAGNUS with the Horse DIA VAN HET LICHTERVELD Z in Eventing of the Paris Olympic, i.e. cross-country and jumping on 28-29 July 2024, in accordance with Article 623.3 OGR.

- f. Consequences to the Team Results shall be disqualification of all the Belgian Team's results in the Event in accordance with Article 623.2 OGR.
- g. The PR's Horse was Provisionally Suspended for the period of two (2) months (from 3 September 2024 until 3 November 2024).
- h. The PR shall pay a fine of 4'000 CHF.
- i. Each party will bear its own legal costs and other costs incurred in connection with these proceedings.
- j. No other Sanctions will apply in this case.
- k. In accordance with Article 10.9.2 of the EAD Rules, this EAD Rule Violation shall be considered a prior violation for the purpose of Multiple Violations in accordance with Article 10.9 of the EAD Rules.
- l. The PR agrees to be part of an education campaign on the risk of using supplements.

## VII. Decision

1. The Tribunal has jurisdiction over this matter pursuant to Article 38 of the Statutes, Article 159 of the GRs, the EAD Rules, the OGRs and Article 18 of the IRs. The PR is a member of the BEL-NF, which is a member of the FEI. The PR is therefore bound by the EAD Rules and the OGRs.
2. Having reviewed the case summary, the full reasoning of the Settlement Agreement and the Accepted Terms, the Hearing Panel accepts that the FEI found that the PR had established, on a balance of probabilities, how Trazodone entered the Horse's system.
3. The Hearing Panel further acknowledges that the PR and the FEI have agreed on the terms (including the Accepted Terms) to conclude these proceedings, in accordance with Article 10.8.2 of the EAD Rules, as detailed under Section VI of this Final Decision.
4. The Hearing Panel confirms that the Accepted Terms of the Settlement Agreement comply with the EAD Rules and finds no grounds to object to them.



5. Considering that the PR bears No Significant Fault or Negligence for the EAD Rule Violation, the Hearing Panel also confirms the reduction of the period of Ineligibility imposed on the PR to five months, starting as at the date of the Provisional Suspension imposed on the PR.
6. Therefore, and in accordance with the mutual consent of the Parties, the Hearing Panel hereby directs them to comply with all the terms of the Settlement Agreement. Furthermore, this Final Decision concludes this case, C24-0045 MAGNUS, 2024/BS05 DIA VAN HET LICHTERVELD Z.
7. The Parties acknowledge and agree that pursuant to Article 14.3 of the EAD Rules, this Final Decision will be made public by the FEI. The terms set out in the Settlement Agreement are a full and final settlement of all claims relating to the subject matter of these proceedings.
8. The Settlement Agreement and this Final Decision are not subject to appeal under Article 13 of the EAD Rules.

DECISION TO BE FORWARDED TO:

- a. The Parties: Yes
- b. The NF of the PR: Yes
- c. Any other: No

FOR THE TRIBUNAL



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Jose A. Rodriguez Alvarez (MEX) Sole Panel Member