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SOME THOUGHTS ON
DOPING CASES

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In this edition of Horse International we would like to discuss with our readership some thoughts on doping cases. In our daily practice we often represent athletes and horse owners in doping cases pending for instance before the Fédération Equestre Internationale (the FEI). We would like to illustrate this article with the example of trimacinolone acetonide as the usage of this specific medication very often leads to the violation of doping / controlled medication regulations. For the purpose of this article we refer to these violations as “doping cases”. Cases involving trimacinolone acetonide demonstrate the unpredictability of doping cases.

TRIAMCINOLONE ACETONIDE AND WITHDRAWAL TIMES

Triamcinolone acetonide is a synthetic corticosteroid with anti-inflammatory effects. This medication is very often used to treat joints when a horse is not comfortable and/or lame. If the treatment is performed correctly in the joint and the athlete observes the advised withdrawal/detection times, then normally speaking there should not be any complications following such a treatment. For triamcinolone acetonide the FEI advises seven (7) days withdrawal time. This based on

a single joint treatment with 12 mg dosage. The place where the injection was administered can however have significant effects on the withdrawal times and herewith also on the detection of a substance in question. From the American studies with regards to trimacinolone acetonide it appears that the withdrawal time of seven days can be deemed correct but only under very

strict and ideal conditions (the injunction performed correctly) like for instance at the university equine clinic. In practice, the withdrawal times can be much longer than earlier expected. The Association of Racing Commissioners International in North America recommends withdrawal times for intra-articular (IA) of seven days for triamcinolone acetonide based on 9mg dosage. The problem is though that as the FEI correctly recognized in its regulations, horses are athletes that cannot speak for themselves. They cannot inform the veterinarian in question whether the needle has been injected properly in the joint and not for instance in the muscle. Is the latter the case, then the withdrawal times get considerably longer.

TO COMPETE OR NOT COMPETE AFTER A TREATMENT?

Many vets to whom we speak in our daily practice are very reluctant to advise on any withdrawal time when treating sport horses. Various factors may namely influence the withdrawal times, so you really need to investigate the horse very well. The vet must be familiar with the physiology of the horse in question in order to make a correct assessment on the withdrawal times. It must be mentioned that the FEI

recommendations have been based on a very limited number of horses so even though the withdrawal times are officially published they should be treated only as guidelines. Reportedly, there have been cases involving withdrawal times of trimacinolone acetonide being 30 and 40 days. If an athlete wants to compete with the horse after this treatment he should – together with

during that period (no enhancement of the performance) 3.) maintenance of veterinary records. The veterinarian; who treated the horse must be a person reputable whom the person responsible could reasonably trust and not a random vet. All this together can play a role in the FEI Tribunal's decision.

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his vet – consider the matter and take a safety margin into account. It is further advisable to well-document the treatment and the decision to be made as – if things go wrong – the athlete can provide evidence to the FEI in possible proceedings.

CONCLUSIONS: GUILTY UNTIL PROVEN OTHERWISE

Contrary to criminal proceedings the doping regulations worldwide assume that the person responsible (the term under the FEI jargon for the person accountable for the horse) is guilty until he proves otherwise. It is then up to him to prove otherwise. Talking specifically about the equestrian sport it comes down to the following. The person responsible accused of the violation needs to demonstrate that he can explain how a specific medication got into the horse's system. Stating “I do not know” has no use. Under the doping regulations the strict liability principle applies. After proving how the medication got into the horse's system, the person responsible has to prove that he did not have “significant fault” or “negligence” in the violation of the doping regulations. The factual circumstances of the specific case are here crucial. Very important are: 1.) a proof of the assessment of the withdrawal time 2.) not competing

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If you have any questions and/or comments after reading this article, we would be happy to hear from you. You can also contact us for all equine-law related questions or matters. Please contact us via info@europeanequinelawyers.com or by telephone +31-(0)135114420.

