British Equestrian Trade Association

NATURALLY OCCURRING PROHIBITED SUBSTANCES (NOPS) CODE FOR EQUINE BEDDING

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[1] "NOPS" is a registered word mark of BETA and the use of this "word" by third parties is subject to BETA's permission. All mentions of NOPS assumes the presence of the registered trademark sign® whether present or not.

A. Introduction

A 1 BETA NOPS EQUINE BEDDING CODE

A 1.1 Naturally occurring prohibited substances (NOPS™) are those defined on the BETA NOPS list as detailed within the BETA code. These are either naturally present within materials or occur as a result of inadvertent cross-contamination during processing.

A 1.2 The International FEI rules for competition and the British Horseracing Authority's Rules of Racing regarding banned or prohibited substances state a no threshold policy for substances that could affect performance with the exception of theobromine, thus implying that anything ingested intentionally or accidentally must be free from such substances.

Naturally Occurring Prohibited Substances (NOPS), however, pose a real problem to the sport regulatory bodies (who obviously wish to prevent the illegal use of substances that could affect performance), feed and bedding manufacturers (who need to be able to commercially provide their clients with products that are suitable for purpose), horse owners and trainers alike.

A 1.3 The approach taken by Racing and the FEI to prohibited substances differs.
In racing the British Horseracing Authority takes a zero tolerance stance and defines a prohibited substance as "any substance capable at any time of acting on one or more of the following mammalian body systems" and lists examples such as the musculo skeletal system.
The International Equestrian Federation (FEI) on the other hand lists three categories of substances within its Equine Anti-Doping and Controlled Medication Regulations:

- Banned Substances – deemed by the FEI to have no legitimate use in equine medicine and/or have a high potential for abuse.
- Controlled medication substances – an exhaustive list of medication that is generally prohibited in competition but permissible in training but with the potential to enhance performance depending on the timing and size of dose.
- Specified Substances – the purpose of this list is to recognise that it is possible for a substance to enter a horse's system inadvertently, and the Specified Substances approach would allow the FEI and/or the FEI Tribunal more flexibility when prosecuting a case or when deciding on sanctions.
  Specified Substances are not necessarily less serious agents than other Prohibited Substances, and nor do they relieve the Personal Responsible (PR) of the strict liability rule that makes them responsible for all substances that enter a Horse's system. However, there is a greater likelihood that these substances could be susceptible to a credible non-doping explanation.
  The current BETA list of NOPS was adopted as the initial list of specified substances with additions being made when revised annually by the FEI

A 1.4 BETA has considered the issues surrounding the control of such occurrences and whilst recognizing that it is impossible to be absolutely certain that a material is completely free from such substances, it has established that good purchasing and manufacturing practice together with adoption of suitable risk analysis and management by horse owners can go a long way towards precluding such contaminants and substantially reducing the risk of their presence in the horse.

A 1.5 Whilst recognizing that analytical screening for prohibited substances should form an integral part of the process it should not be the sole methodology for monitoring the absence of such substances in feed and bedding. Furthermore, the occurrence of naturally occurring prohibited substances within feed and bedding tends not to be homogeneous but rather in random and discrete pockets such as occurs with the presence of mycotoxins and salmonella. By their sporadic presence

therefore such substances are less likely to be detected through routine sampling methods. Prevention by good practice at source / during feed and bedding preparation is needed. This applies to both feed and bedding manufacturing and the preparation and use of feed and bedding in the yard.

However diligent manufacturers are, due to the fact that such substances may be naturally occurring, there will always be a risk of their presence in bedding especially where the horse is likely to ingest the bedding either directly or indirectly through eating hay from the floor carrying traces of bedding.

A 1.6 This Code is for use by all those companies who wish to demonstrate and confirm that they conform to current best practice in minimising the risk of contamination by NOPS in equine bedding which they produce or is produced and packed on their behalf, in conformance with the requirements of the BETA NOPS Code.

A 1.7 The BETA NOPS Code is a voluntary scheme owned by the British Equestrian Trade Association. The code applies across a company rather than being product related.
A list of certified participants is available from the BETA website.

This is a standard to which trainers and riders can refer and have some confidence that the manufacturer/producer is taking all possible steps to ensure the risk of NOPS being present in bedding is minimised.

A 1.8 A fee is charged on an annual basis for registration to the BETA NOPS Code. These fees are detailed on the application form available from BETA.

The auditing body administers the programme and will perform the on-site audit. This audit must be undertaken annually, within 3 months of the anniversary of the original audit.

Costs of certification are included in the annual fees charged by the auditing body with the exception of costs relating to extra/immediate assessments. Fees relating to certification can be obtained from the auditing body. Expenses incurred as part of an audit are charged in addition to this.

A 1.9 BETA reserves the right to alter or amend the terms and conditions and the contents of the NOPS Code requirements at any time and without consultation. A period of notice will be given to all those certified to the code where changes are required.

B BETA NOPS BEDDING CODE SCOPE

B 1 Scope

This Code is for use by all those companies who wish to demonstrate and confirm that they conform to current best practice in minimising the risk of contamination by NOPS in equine bedding which they produce or is produced on their behalf, in conformance with the requirements of the BETA NOPS Code.

B 2 Confidentiality

All information about applicants and certified participants will be treated in confidence. Specific

information will not be divulged to any third party without the written agreement of the applicant or member.
In joining the scheme and completing the application form, all applicants agree to the auditing body sharing information relating to a company's audit with the British Equestrian Trade Association, including non-conformances, date or expiry of audit and scope of the certification.
Details relating to audits will not be shared by BETA with any other person or body.
BETA will publish details of audited companies on the BETA website. Should any participant fail their annual audit or fail to address non-conformances within the given time frame then their details will be removed from the BETA website or any list of NOPS Code members.
If a participant fails to renew their registration by paying the relevant fees then their details will be removed from the BETA website.

In the event of a participant being involved or implicated in a NOPS positive incident through testing of racing or competition horses then details may be discussed in confidence between representatives of BETA and ruling bodies such as the British Equestrian Federation (BEF), International Equestrian Federation (FEI) or the British Horseracing Authority (BHA). In the case of a positive being confirmed the auditing body will also be notified.

C Requirements for certification to the BETA NOPS BEDDING CODE for applicants and certified participants

C 1 Becoming certified:

In order for a company to become certified to the BETA NOPS Code applicants must complete the following:

C 1.1 An application form should be completed by all companies wishing to be audited to the BETA NOPS Code which will also be an agreement to comply with the terms and conditions outlined in this document. This form should be returned to BETA, East Wing, Stockeld Park, Wetherby, LS22 4AW. There is an initial registration fee that is due from all BETA members participating in the scheme followed by an annual fee thereafter. The initial fee should be paid at the time of making application. In the case of non-membership of BETA a higher license fee must be paid on an annual basis. This fee is reviewed annually.

C 1.2 BETA will confirm receipt of the application to the applicant and advise the auditing body of the application so that an audit application form can be provided and agreement met with the auditing body's terms and conditions. After this is completed an audit appointment can be made.

C 1.3 An applicant shall liaise with the auditing body over the quotation for audit and certification.

C 1.4 The Applicant shall confirm that they agree to comply with the Code's Terms and Conditions detailed herewith, the current NOPS Code and the auditing body's Terms and Conditions by signing the Certification Agreement contained in the quotation and returning to the auditing body. The quotation will indicate the duration of the initial and subsequent routine assessments. The duration of the Initial Assessment is dictated by the time required to fully assess the systems and procedures of the participant.

C 1.5 When the Applicant has been audited the auditing body will issue a summary Audit report to BETA including any non-conformances noted. Following correction of any non-conformances that may have been identified, the auditing body will issue a Certificate of Conformity and copy to BETA.

C 1.6 On receipt of the Certificate of Conformity BETA will enter the company into the scheme and place appropriate details of the participant on the BETA website. The details shown will include company or brand name and website link.

C 1.7 Where the participant is a brand holder using a contracted manufacturer, both the manufacturer and the brand holder need to be certified members of the NOPS Code.

C 2 Maintaining Certification

C 2.1 NOPS certificates of conformity will be valid for one year from the date on which the applicant demonstrated conformance with the standard.

C 2.2 Certificates are issued subject to payment of all relevant fees to the auditing body and must be re-assessed annually. Annual visits are due on or around the anniversary of the initial assessment.

C 2.3 Participants will be contacted by a representative of the certification body prior to the anniversary of their initial assessment to arrange the annual re-assessment. The date must be within 30 days of the anniversary unless otherwise agreed with either BETA or the Certification Body Scheme Manager.

C 2.4 Participants shall comply with the Code requirements at all times as defined in these Terms and Conditions and the BETA NOPS Code.

C 2.5 On the annual renewal date of membership of the NOPS scheme all members are required to complete an update form and send a current NOPS audit certificate with a validity of more than 6 months. If the audit does not coincide with the anniversary date of joining the scheme proof of successful audit must be provided during the year. If a successful audit is not completed in any one year, all mention of NOPS and certification to the NOPS code must be removed from literature, packaging, labels, websites and any other marketing material including point of sale within 3 months. BETA will publish a list of those companies that lapse from the scheme.

C 2.6 NOPS is a registered trademark of BETA and may only be used by NOPS certified members in line with branding guidelines issued to participants from time to time by BETA.

C 2.7 Participants shall advise BETA and the auditing body of any changes to the business, typically but not limited to:
Company ownership or structure
Scope of operations
Key Management

C 2.8 Participants and applicants shall advise BETA in the event of being subject to legal action that relates to their NOPS certificated activities.

C 2.9 All participants may use the BETA NOPS Terms and Conditions for the limitation of liability relating to NOPS on relevant documents. This is voluntary and applies primarily to the supply of bedding to professional end users such as race horse trainers. In the case of existing customers, these Terms & Conditions should be sent to all customers advising them of your adoption of these conditions. A copy of these can be found in Appendix B.

C 2.10 The BETA NOPS Terms and Conditions for the limitation of liability refer to a pre-estimate of lost winnings set by BETA in respect of any prize money. These are provided to BETA on an annual

basis by the British Horseracing Authority and are an average of each Class/Group of races in the UK of the most recent year available, normally being the year previous.

C 2.11 Participating companies must agree to participate in the early warning system for NOPS. This early warning system will ensure that all members of the Code are advised of potential contamination risks. In the case of a positive arising from a company's own QA procedures or advice of detections from the BHA, or other regulatory bodies whether in the UK or abroad, members of the code must notify BETA for them then to transmit details further to other members. This applies to detections of all NOPS. If required, the identity of the company testing positive will remain confidential.
It is in the spirit of the code that information received through the early warning system is not misused to the detriment of any individual company but treated in the strictest confidence.

C 2.12 Members are expected to behave in a professional and responsible manner. Any activity that could bring disrepute to the NOPS scheme, BETA or other members could result in suspension or expulsion from the Scheme.
Should a member discover that any product contains prohibited substances they must, in consultation with BETA ensure that customers are informed as appropriate as part of the early warning process. Knowingly supplying product or raw material that is contaminated with a NOPS substance without informing the customer will result in immediate suspension from the scheme and may result in expulsion from the scheme and from membership.

C 2.13 If a statement of quality is required, participants to the code are advised to use the following statement on packaging and / or literature which will identify them as a member of the BETA NOPS code.

QUALITY COMMITMENT
XXXCompanyXXXX manufactures to a strict code of product safety. This product has been manufactured in our licensed premises using carefully selected materials under strictly controlled production conditions. XXXXXXXXXX monitors for the presence of specified naturally occurring prohibited substances (NOPS) as required under the rules of racing and other affiliated competitions which are in line with BETA NOPS guidelines. Adherence to these guidelines ensures that the risk of occurrence of such substances is minimised.

In joining the scheme, companies agree that should the quality statement as detailed above be used on bag or literature in part, the extract thereof and the surrounding text will be sent to BETA for approval to ensure the spirit of the Code is being adhered to.

C 2.14 No guarantees (implied or direct) shall be given nor declarations made as to the NOPS or prohibited substance free status of bedding manufactured nor shall any other such wording that implies similar be used. This also applies to the use of wording implying or stating that products are "tested" for prohibited substances. Testing of samples does not preclude positives occurring outside of the tested samples.
Should companies be found flouting this condition then a warning will be given. Should this action continue then BETA reserves the right to suspend them from the NOPS Code and will require the member to cease use of the NOPS logo or any reference thereto.

C 2.15 A BETA NOPS code logo will be available to members to use as wished, on bag, packaging or literature on completion of a successful audit. If used on packaging, then it should be positioned on the reverse or back.

C 2.16 On joining the scheme and then every year thereafter the member companies must also provide production figures as to volume and sales as part of their annual declaration.

C 2.17 BETA promote the membership of companies to the NOPS code to relevant professionals, professional bodies and consumers. BETA also produces leaflets and yard guides in digital and hard copy form which are available to members of the scheme.

C 3 Assessment of participant compliance with the Code

C 3.1 The auditing body will conduct assessments of a participant's conformance with the Code. The auditing body shall be given access to all relevant information needed to confirm conformance with the Code and the right to inspect third parties subcontracted to perform work covered by the code, at the participant's cost.

There are a number of types of assessment with the NOPS Code

- Initial Assessment – a formal assessment for new applicants to the NOPS Code on a date agreed with the applicant business during the application process.
- Routine Assessment – a formal annual assessment for certified participants of the NOPS Code
- Extra/ Immediate Assessment – The auditing body will carry out extra/immediate assessments at their discretion. Circumstances where they may be required include, but are not limited to:
    - In response to reports or intelligence suggesting a significant NOPS contamination or breach of the NOPS Code Terms and Conditions.
    - Signing off action points following an assessment, particularly if the action points related to Major or Critical non-conformances.

C 3.2 The auditing body will produce a report for its own assessment purposes and identify any non-conformances to the Participant at the end of the assessment. Any non-conformances will be classified as per C3.3 below and acted upon as per C3.4. When a participant has rectified their non-conformances, the auditing body will notify the client of their successful certification and issue a BETA NOPS Certificate of Conformance. The date of expiry of the certificate will be 15 months from the original audit anniversary date to allow for delays in completing post audit compliance and shifts in audit schedules. In all cases however the audit must be scheduled on an annual basis linked to the original anniversary date and have taken place within 1 month thereof.

C 3.3 **Classification of Non-conformances**

Classification	Cause
Critical	A gross or deliberate NOPS contamination, breach or violation, or; Knowingly circulating contaminated bedding, or; A loss of traceability such that recall of contaminated goods would be impossible, or; A recurrence of a major non-conformance raised at the preceding assessment, or; A complete unwillingness to cooperate in the assessment
Major	A complete failure to implement a requirement of the BETA NOPS Code or a failure that may result in contaminated or unsafe bedding, or; A recurrence of a minor non-conformance raised at the preceding assessment.
Minor	A partial failure to implement a requirement of the BETA NOPS Code or poor evidence to demonstrate implementation.

Observation	These may be left by the assessor if it is felt that a certain area is not currently an action point but that if ignored may have the potential to become an action in the future. No requirement to send in corrective evidence

C 3.4 **Response to Non-Conformances**

Classification	Initial Assessment	Routine Assessment
Critical	Certification refused. Repeat Initial assessment required	Certification suspended with immediate effect. Certification will only be reinstated following the verification that the critical non-conformances have been resolved. Extra assessments, at the cost of the participant, may be required by the certification body in order to verify conformance with the BETA NOPS Code.
Major	Certificate not granted until non-conformances are rectified. Plan of corrective actions to be submitted within 15 calendar days of the assessment and timescales to resolve non-conformances to be agreed with the Certification Body typically no more than 60 calendar days from assessment. Supporting evidence must be submitted within this time scale. Failure to resolve non-conformances within agreed timescales will lead to a repeat initial assessment or the application being archived by the Certification Body.	Certification not reissued. Plan of corrective actions to be submitted within 15 calendar days of assessment and timescales for closure to be agreed with the Certification Body typically no more than 60 calendar days from assessment. Supporting evidence must be submitted within this time scale. Failure to resolve non-conformances within agreed timescales will lead to suspension.
Minor	Certificate not granted until non-conformances are rectified. Plan of corrective actions to be submitted within 30 calendar days of the assessment and timescales to be agreed with the Certification Body typically no more than 60 calendar days from assessment. Supporting evidence must be submitted within this time scale. Failure to resolve non-conformances within agreed timescales will lead to a repeat initial assessment or the application being archived by the Certification Body.	Certification not reissued. Plan of corrective actions to be submitted within 30 calendar days of assessment and timescales to be agreed with the Certification Body typically no more than 60 calendar days from assessment. Supporting evidence must be submitted within this time scale. Failure to resolve non-conformances within agreed timescales will lead to suspension.

C 4 Suspension and withdrawal from the scheme

C 4.1 The auditing body, in consultation with BETA, may suspend a Participant's Certificate of Conformity and/or BETA may withdraw the business from the code when the participant has:

- C 4.1.1 Non-conformances against the NOPS Code or Code Terms and Conditions which are not resolved within the required time limits;
- C 4.1.2 Critical or Major non-conformances that have, or are likely to have, an adverse effect on the integrity of the NOPS Code for other members or could lead to a NOPS contamination incident.
- C 4.1.3 Refused access for an Extra/ Immediate Assessment
- C 4.1.4 Knowingly and or intentionally placed NOPS contaminated bedding on the market without informing customers or users.
- C 4.1.5 Once aware of a NOPS contamination, refused to take appropriate action or inform customers or users, if in consultation with BETA, it is decided that this is the most appropriate course of action.
- C 4.1.6 Not paid the relevant fees to BETA or the auditing body.
- C 4.1.7 Not got a valid Certificate of Conformity. This may be due to the company failing to arrange for an annual audit to take place in a timely manner leading to the current Certificate of Conformity expiring.

C 4.2 NOPS certificates have a defined expiry date. If a new certificate has not been issued to a Participant for reasons C4.1.1, C 4.1.2, C 4.1.3, C 4.1.6 or 4.1.7 and the certificate expires then this means that the business can no longer claim to be certificated nor can they sell products as BETA NOPS assured.

C 4.3 Participants suspended for reasons of C4.1.1 and C 4.1.2 above must correct the Critical or Major non-conformances and have a follow-up assessment by the Certification Body to confirm that all the non-conformances have been fully resolved.

- C 4.3.1 Participants suspended for non-payment of fees, non-arrangement of audits or non-conformance issues will be reinstated provided all matters are resolved within 1 month of suspension.
- C4.3.2 In the case of Participants suspended for reasons of C4.1.4 and C 4.1.5 any decision as to reinstatement (or length of suspension) will be pending results of enquiries as to the nature of the audit non-conformance or professional misconduct against the NOPS code terms and conditions of suspension. If necessary this will be referred to the BETA Board for a final decision.

Either BETA or the certification body will write to the participant confirming the reason for suspension.

C 4.4 Participants that do not demonstrate to the certification body or BETA that non-conformances have been resolved within 1 month of suspension will have their Certificate of Conformity withdrawn.

C 4.5 Participants that have their Certificate of Conformity withdrawn will be required to undergo the complete assessment process and will be considered as new applicants.

C 4.6 Participants that no longer require BETA NOPS Certification must inform both BETA and the certification body in writing.

C 4.7 The certification body will pass all necessary information to BETA to allow them to update their website and certification records with details of a participant's changing status.

C 4.8 BETA and NOPS are registered trademarks. Suspended and withdrawn Participants may not claim to be NOPS certified.

C 4.9 BETA reserve the right to publish names of suspended and withdrawn participants.

C 5 Complaints

C 5.1 Complaints about a BETA NOPS Code participant should be directed to BETA for them to acknowledge, review and take action to resolve the cause of any problems.

C 5.2 Complaints about the certification body should be directed to the certification body where they will be acknowledged, reviewed and actions taken to resolve the cause of any problems.

C 6 Appeals

C 6.1 A participant has the right of appeal against decisions made by the certification body.

C 6.2 Appeals shall be made in writing to the certification body within 14 days of being advised of the decision that is the subject of the appeal.

C 6.3 The certification body will acknowledge the appeal and nominate a manager independent of the decision to carry out an initial investigation to check the merits of the appeal.

C 6.4 If the nominated manager concurs with the appeal then the certification body will correct the erroneous decision.

C 6.5 If the nominated manager does not concur with the appeal then an independent panel will be convened within 30 days to handle the appeal.

C 6.6 The auditing body, including the Scheme Manager, BETA and the Participant are entitled to attend the appeals panel and present information to the Panel.

C 6.7 The independent appeals panel will make a ruling based on the information supplied during the hearing.

C 6.8 The ruling of the appeals panel is binding and final on the auditing body and the Participant.

C 6.9 A participant has the right of appeal against a decision made by BETA to withdraw it from the scheme under 4.1.4 or 4.1.5 above.

C 6.10 Appeals shall be made in writing to BETA within 14 days of being advised of the decision that is the subject of the appeal.

C 6.11 BETA will acknowledge the appeal and nominate a member of the BETA Council independent of the decision to carry out an initial investigation to check the merits of the appeal.

C 6.12 If the nominated Council member concurs with the appeal then BETA will correct the erroneous decision.

C 6.13 If the nominated Council member does not concur with the appeal then the matter will be raised at the next scheduled meeting of BETA Council to handle the appeal. Meetings of Council are held in March, May, July, September and December of every year.

C 6.14 BETA and the Participant are entitled to attend the Appeals meeting and present information to the Board.

C 6.15 The Council Panel will make a ruling based on the information supplied during the hearing.

C 6.16 The ruling of the Council is binding and final on BETA and the Participant.

D NOPS Assessor qualifications and requirements

D 1 Minimum requirements for NOPS Assessors

D 1.1 Experience
Relevant experience as an auditor

D 1.2 Qualifications
D 1.2.1 Level 3 HACCP Qualification
D 1.2.2 Appropriate auditor qualification
D 1.2.3 BETA NOPS training

D1.3 Competence
Auditors should demonstrate an up to date knowledge of BETA NOPS and be able to communicate effectively.

D1.4 BETA should be consulted prior to the appointment of any new NOPS assessors to confirm their suitability and that there is no conflict of interest.

D 2 Confidentiality and Conflicts of Interest

Assessors are required to sign a confidentiality agreement provided by the certification body. They must not discuss other participants with a company being assessed nor should they offer advice on external consultants who may be in a position to assist with non-conformances post audit.

Assessors should maintain an up to date register of business interests and supply this to the auditing body on a regular basis (at least every 3 months). Assessors must also make the auditing body aware of any potential conflicts of interest relating to companies they have been assigned to assess.

DEFINITION OF NOPS

For the purpose of this Code, the following substances (and their sources) are defined as Naturally Occurring Prohibited Substances (NOPS): and are divided into 3 categories: High priority, low priority and herbal, which is further divided into high and low priority. This priority has been agreed after consultation with competition and racing Governing Bodies.

1. **High Priority**

Substance	**Typical Source**	**NOPS Status if applicable**
Caffeine	Cacao, tea, coffee	
Theobromine	Cacao	
Theophylline (metabolite of theobromine)	Tea products	
Morphine and other derivatives from the source e.g. Oripavine, Codeine and Thebaine.	Opium Poppy (*Papaver somniferum)*	
Atropine/ Hyoscyamine	Deadly Nightshade *(Atropa belladonna* Jimson weed (*Datura spp*.)	
Hyoscine / Scopolamine	Deadly Nightshade *(Atropa belladonna)* Jimsonweed (*Datura spp.*)	
Cannabinoids (CBD, CBDA, THC)	Hemp fibre and plant material (not including hemp seed oil or hemp seeds)	Excluded

1. **Low Priority**

Substance	**Typical Source**	**NOPS Status**
Lupanine/ Sparteine	Lupin, Scotch (common) broom	Sensitive A No logo on packaging
Bufotenine	Canary grass (*Phalaris sp)*, toads and toadstools	Sensitive A No logo on packaging

2. **Herbal NOPS**

These are substances either naturally present in certain herbs that could lead to a positive test in competition, or are substances that originate from weed seeds contaminating herbal supplies. This list has been introduced based on analytical results over the period of the NOPS code. Testing for these substances should be done on risk assessed basis and for many companies will be of little or no concern.

High Priority

Substance	**Typical Source**	**FEI Prohibited Status**	**NOPS Status if applicable**
Cathinone / Cathine	Khat	Banned	Excluded
Digitoxin	Foxglove (*Digitalis sp)*	Banned	Excluded
Ephedrine/Pseudoephedrine	*Ephedra* sp.	Banned	Excluded
Reserpine	Indian snakeroot, Devil's	Banned	Excluded

	pepper; *(Rauvolfia sp.)*		
Synephrine	"Bitter" orange cultivars *(Citrus sp.)*	Banned	Excluded

Low Priority

Substance	Typical Source	FEI Prohibited status
Harpagosides	Devil's Claw	Controlled
Salicylic Acid	Willow bark, Meadow Sweet	Controlled
Valerenic acid	Valerian (*Valeriana officinalis)*	Controlled
Yohimbine	Yohimbe tree *(Rauvolfia sp.)*	Controlled

There is no testing regime laid down within either the NOPS Code or in BETA guidance notes accompanying the scheme.
For a company to establish the presence or absence of the above substances a testing regime has to be considered based on a HACCP based risk assessment procedure.

AT RISK MATERIALS

NOPS At Risk materials are divided into two categories – "Excluded" and "Sensitive".

1. Excluded at risk materials must be excluded from bedding due to the material being at high risk of containing a high priority or high priority herbal NOPS contaminant
   Sensitive at risk materials that may be used but with caution.

These lists are not exhaustive and will be revised as necessary.

Excluded list:

Straw (which may be pelleted) from opium poppies (Papaver somniferum)
Hemp fibre and plant material (not including hemp seed oil or hemp seeds)

Sensitive A List:

Lupins
Canary reed grass

A Introduction

Clause	Requirement	Guidance
A 1	**Code Requirements**	
	All equine bedding produced by a company audited to this Code must comply with its requirements.	-The NOPS® Code is a company not product scheme. Everything bearing a NOPS® registered company or brand name, whether made in or packed in its own or a contracted plant must be compliant with the NOPS® code. Absence of the NOPS logo does not mean that the product is not covered by the NOPS Code.
A 2	**Legislative and Other Requirements**	
A 2.1	All relevant current product safety legislation must be complied with.	Consideration must be given to legislation in country of manufacture as well as countries to which product may be exported.
A 2.2	Companies should be aware of the rules applied by relevant sporting regulators in terms of prohibited substances.	Different rules apply to horses participating in racing and FEI competition. Refer to the definition of Prohibited Substances in Appendix A for links to the governing bodies.
A 3	**Management Resources**	
A 3.1	A suitably trained member of the management team shall be available during all production periods. Senior management shall be able to demonstrate their commitment to the production of safe and legal bedding products meeting agreed customer requirements.	
A 3.2	The company shall be able to demonstrate that they have access either internally or externally to specialist technical advice.	
A 4	**Maintenance of Supply**	
A 4.1	Alternative supplies of equine bedding must be sourced from a manufacturer complying with this Code.	There should be a plan for supply of products to be sourced in the event of plant breakdown or emergency.
A 5	**NOPS Standard Terms and Conditions to limit liability**	
A 5.1	Companies must notify BETA should they wish to opt in to the NOPS Standard Terms and Conditions as shown in Annex C of the Scheme T&C's.	The NOPS Standard enables companies to limit their liability against racing cases. BETA must be aware so that the annual averages for prize money can be sent.

B Hazard Analysis and Risk Assessment

B 1	Hazard Analysis and Risk Assessment	
B 1.1	There must be a hazard analysis risk assessment in place covering the full production process.	
B 1.2	A process flow should be documented.	This should take into consideration all parts of the process under the company's control from raw material receipt to delivery to the final destination.
B 1.3	A risk assessment of each stage of the process should be conducted to identify potential risks from physical, chemical, microbiological and NOPS hazards.	Refer to the separate BETA NOPS Guidance on risk assessment for NOPS registered members
B 1.4	For each stage where a hazard has been identified control measures should be put in place to prevent, eliminate or reduce the hazard(s) to acceptable levels.	Control points need to be fully understood by the staff responsible or involved in that step of the production of the bedding.
B 1 .5	For each hazard that requires control, monitoring systems should be implemented and limits of acceptability defined.	The company needs to be able to demonstrate through records of checks that monitoring is being carried out and that results are within defined and acceptable limits.
B 1.6	Records should be kept of checks carried out at each control point to demonstrate that the process is under control.	
B 1.7	The action to be taken when a check of a control point shows this to be outside of the set limits shall be understood and demonstrated through documentation.	
B 1.8	The hazard analysis and risk assessment should be reviewed annually and when changes to the operation occur.	

C Quality Management System

C 1	**Document Control**	
C 1.1	Systems should be in place to ensure that documents are maintained up to date and in the correct version	
C 2	**Procedures and Records**	
C 2.1	There should be documented procedures in place for key activities within the business.	
C 2.2	Records should be clearly documented to demonstrate compliance with this standard.	
C 2.3	Records should be stored securely for an appropriate time considering the use and life span of the product.	
C 3	**Traceability**	
C 3.1	Systems shall be in place to enable the suppliers of all raw materials to be traced for each batch of finished product manufactured.	
C 3.2	The traceability system shall ensure that the immediate recipient of each batch of finished product is known. If this is not possible, the company must have effective systems of ensuring recall could be facilitated if required.	The immediate recipient may be a distribution company or wholesaler. This does not apply where the product is sold directly to the public.
C 3.3	Systems shall be in place to ensure the traceability of rework is maintained.	
C 4	**Non Conforming Products**	
C 4.1	Clear procedures for the isolation and removal of any out of specification, contaminated, unsafe or illegal raw materials / finished product shall be in place	
C 4.2	Records detailing all incidents of non conforming product including the reason leading to the isolation and the ultimate disposition of the affected product shall be maintained	
C 4.3	Any non conforming work in progress shall be clearly identified within the production process to prevent mixing with good product. The decision to release any non conforming product shall only be taken by authorised personnel and should be recorded.	
C 5	**Corrective Action**	

C 5.1	There shall be evidence to demonstrate that appropriate corrective action is taken in the event of a process falling outside of the pre-determined limit	
C 6	**Internal Audit**	
C 6.1	The company must conduct internal audits across site activities.	
C6.2	Any non-conformances raised during internal audits should be corrected.	

D Approval of Raw Material and Service Suppliers (including contract manufacturers and packagers)

D 1	**Selection and Approval of Raw Materials**	
D 1.1	A risk assessment should be conducted of raw materials used, identifying any critical parameters for product safety.	
D 1.2	The use of Excluded list materials as shown in the definitions section of this Code is prohibited in equine bedding.	
D 1.3	All raw materials used in the factory must be assessed and documented to ascertain the risk of NOPS being present.	Possible contamination from raw materials or other materials at risk of containing NOPS must be considered and appropriately controlled. Knowingly supplying or using raw materials that are contaminated with a high priority NOPS substance (at levels likely to result in disqualification) without informing the customer in writing will result in immediate suspension from the Code and may result in expulsion from the Code and from membership. Refer to the separate BETA NOPS Guidance on risk assessment for NOPS registered members
D 1.4	The employee responsible for the selection and approval of raw materials must have training regarding NOPS and their likely sources.	The training record should show that the person has knowledge of sources of NOPS, the At Risk materials and possible routes of contamination.
D 2	**Supplier Approval**	

D 2.1	There shall be a suitable process for approving suppliers of raw materials. The approval of suppliers shall be based on a product risk assessment.	
D 2.2	The company must carry out a supplier assurance programme on suppliers of raw materials used or supplied for incorporation in equine bedding, unless the suppliers are also NOPS certified.	A supplier assurance programme is a supplier audit at a defined frequency based on risk assessment. Raw materials that do not originate from a NOPS assured source must be risk assessed. Refer to the separate BETA NOPS Guidance on risk assessment for NOPS registered members.
D 2.3	Where raw materials are used on the same line as equine bedding but are not intended for equine bedding then the requirement for NOPS sourcing remains the same	Non-equine bedding may be made on a NOPS accredited equine bedding line providing all raw materials have undergone appropriate risk assessments.
D 2.4	Where a third party packages bedding products in custom packaging for a Code member then, unless the packer is certified to NOPS, the member must visit, audit and risk assess the plant initially with respect to NOPS and then risk assess as appropriate on an annual basis thereafter.	The packaging company should be risk assessed to the same criteria as those that apply to companies conforming to NOPS. The certification body may wish to include a visit to the contract packing as part of their inspection schedule.
D 2.5	When communicating assurance requirements to raw material suppliers reference must be made to the additional requirements of NOPS.	A robust, supplier assurance program is required to help reduce the risk of contamination/NOPS being present within the bedding. The aim of communication with suppliers should be to gain sufficient information to assess the risk of NOPS contamination, and encourage dialogue to identify solutions to any issues.
D 3 Contract manufacturing for NOPS members		
D 3.1	If a NOPS member is contract manufacturing for another Code member the manufacturer must confirm that they are a current, audited member to the Code.	The contractor can ascertain the status of their customer by asking for a current audit document and should also confirm with BETA that the registration is current and ongoing.
D 3.2	If a NOPS member is contracting the manufacturing of its products to a third party then it must confirm that the company being used is a current, audited member of the code.	The contractor can ascertain the status of their customer by asking for a current audit document and should also confirm with BETA that the registration is current and ongoing.
D 4 Contracted Bulk Stores Approval		

D 4.1	Assessments of offsite stores used by the company must be conducted to confirm appropriate. It must be ascertained whether Excluded or Sensitive At Risk materials have been handled or stored within the past three years, and ensure appropriate control measures are implemented.	Stores should be informed of the list of At Risk materials. Site visits by audit staff should be carried out as indicated by a risk assessment of the store. Audit staff should have relevant NOPS knowledge. If Excluded or Sensitive List A At Risk materials have been stored in the previous three years, there must be evidence that cleaning has taken place subsequently.
D 4.2	A risk assessment must be carried out with respect to NOPS for all third party stores used. Any stores where a significant risk is identified must be inspected.	Initial assessment may be carried out by a questionnaire, the results of which are then assessed by the NOPS Code certified member.
D 5	**Transport Suppliers**	
	Hauliers/couriers used to deliver or collect bulk equine bedding and raw materials must be made aware of the requirements of the BETA NOPS Code.	All transporters used to deliver or collect bulk equine bedding and raw materials should be informed of the list of At Risk materials.

E Premises

E 1	**External Standards**	
E 1.2	Measures shall be in place to ensure that access to the production and storage areas is restricted to employees	
E 1.3	Items stored outside or in other warehouses shall be suitably protected from contamination or tampering	
E 2	**Layout and Process**	
E 2.1	Suitable space shall be provided within the factory to conduct all operations to ensure product safety and integrity	
E 2.2	The building will be maintained in a good state of repair such that there is no imminent risk of contamination	
E2.3	Premises and equipment should be maintained at an appropriate level of hygiene.	
E 3	**Building fabric and interiors**	
E 3.1	Walls, floors and ceilings should be maintained in a good condition to ensure no contamination of the product.	
E 4	**Lighting**	
E 4.1	All bulbs / strip lights within production areas shall be protected against breakage. Where full protection cannot be provided, the glass management system shall take this into account.	
E 4.2	Suitable sufficient lighting shall be provided to ensure the correct operation of processes.	
E 5	**Equipment**	
E 5.1	Equipment in use within the factory shall be in a suitable condition to ensure no contamination of the product can occur.	

F Processing Environment

F 1	**Maintenance**	
F 1.1	Maintenance cover shall be in place for all key pieces of equipment, specifically those critical to product safety and quality.	
F 1.2	Measures to ensure that product integrity is not jeopardised during maintenance activities shall be in place	
F 2	**Pest Control**	
F 2.1	If the product is susceptible to pest damage, the company should have systems in place to manage any activity or infestation on site.	
F 3	**Foreign Body Control**	
F 3.1	A system shall be in place to deal with glass breakages. All breakages that pose a risk of product contamination shall be suitably recorded.	
F 3.2	Where blades are used as part of a process they should be monitored for integrity. Records should be kept of blade changes.	
F 3.3	Any equipment used to control physical contamination e.g. magnets should be installed and maintained to ensure full functionality.	
F 5	**Calibration**	
F 5.1	All measuring equipment critical to product safety, legality or quality shall be calibrated at a predetermined frequency.	
F 5.2	Records shall be maintained of all checks on the accuracy of measuring equipment.	

G Operations

G 1	**Intake**	
G 1.1	There should be a documented procedure for product intake which includes the requirement to inspect all deliveries. The procedure must include reference to NOPS.	Training of intake operatives could include visual recognition of At Risk Materials and of weed seeds.

G 1.2	Traceability details should accompany all deliveries and be recorded at intake.	
G 2	**Transport of bulk raw materials**	
G 2.1	Vehicles that have previously (in the last three loads) carried NOPS Excluded materials as listed in this document must be rejected. Vehicles that have carried NOPS Sensitive list materials must show evidence of appropriate cleaning.	This additional requirement should be communicated to all suppliers and hauliers as part of purchaser terms and conditions or contract.
G 3	**Storage Operations**	
G 3.1	All materials, work in progress and finished product should be properly identified and protected during storage.	This is most relevant where different types of bedding are made on a single site
G 3.2	All returned or rejected bedding identified as a potential NOPS risk following unsatisfactory ELISA or other NOPS screening tests or for any other reason must be identified and must be quarantined until release/ disposal is approved by the Quality Controller.	Returned bags that are damaged or been opened should be considered a high risk in terms of NOPS and quarantined and disposed of appropriately.
G 4	**Operating Procedures**	
G 4.1	Manufacturing processes should be planned to ensure products are produced in line with the agreed specification.	
G 4.2	Excluded materials as listed in the definitions are prohibited from equine bedding production lines.	Where there are multiple production lines, the requirements for the production line used for equine bedding extend from intake via storage to packaging or outloading.
G 5	**Rework Rules**	
G 5.1	Rules for reworking non-conforming materials must consider the risk of contamination particularly for NOPS. Reworks or non-conforming material may only be used after risk assessment and after approval by the Quality Controller.	Broken bags originating in-plant must be segregated and assessed for contamination risk before reworking is permitted.
G 5.2	Reworks originating from bedding for species other than equines must not be used in equine bedding, unless it is manufactured on a NOPS line within the same mill.	
G 6	**Own Transport**	
G 6.1	Any owned vehicles used to transport raw materials or bulk finished product must be managed to ensure no contamination of the raw materials or finished product.	

G 6.2	Vehicles that have previously (in the last three loads) carried NOPS Excluded materials as listed in this document must not be used. Vehicles that have carried NOPS Sensitive A list materials must show evidence of appropriate cleaning.	
G 7 Despatch		
G 7.1	Inspections should be conducted of all bulk transport prior to loading.	Inspections should consider contamination.
G 7.2	When general carriers are used to transport products, packaging should be adequate to protect the product against damage and contamination hazards.	

H Quality Controls

H 1 Analysis Schedule		
H1.1	There should be an analysis schedule in place which has been developed based on risk assessment.	This could include absorbency, dust content, mould, chemical and NOPS analysis.
H1.2	The analytical schedule should be based on risk.	The degree of sampling and analysis of raw materials and bedding should be derived from the companies own individual risk assessment for NOPS.
H 2 Testing Facilities		
H 2.1	When selecting a laboratory, their competence with regards to testing must be considered.	An accredited laboratory or a validated analytical method for the substance being tested should be used.
H 3 Assessment of Results		
H 3.1	Analytical test results shall be assessed against a pre-determined specification	
H 3.2	Appropriate systems shall be in place for corrective action undertaken when results are outside of specified limits	

H 3.3	Failures against NOPS criteria must be investigated and appropriate action taken.	Risk assessment will form the basis of the action taken. Knowingly supplying finished products that are contaminated with a high priority NOPS substance at levels likely to result in disqualification or disciplinary actions, without informing the customer in writing will result in immediate suspension from the Code and may result in expulsion from the Code and ultimately BETA membership. Product containing low priority or herbal NOPS should be fully risk assessed and documented before disposal. Dispose of bedding to an alternative species or a risk assessed non-sensitive non-competition/racing equine customer.
H 4 NOPS Incident Reporting		
H 4.1	The detection of all NOPS whether in raw material or finished product, should be reported to BETA for monitoring purposes. In the case of a NOPS positive being notified to a company by a regulatory body or customer, the company must inform BETA immediately, who will in turn inform the relevant bodies.	BETA will be operating an early warning system to alert other companies signed up to the NOPS appendix of any possible contamination issues. Participation in this system is compulsory for all NOPS members.
H 5 Sampling		
H 5.1	Samples of each day's production should be taken and retained for an appropriate time considering the use and life span of the product.	The sample should be available for using during an investigation.

I Specifications, Sales and Labelling

I 1 Specifications		
I 1.1	Specifications, shall be available for all significant raw materials	
I 1.2	Specifications (or product data sheets) shall be available for all finished products. These should cover product specific requirements	
I 1.3	Product specification design documents shall be present for each of the products manufactured on site.	This design specification will ensure consistency of finished product is maintained.
I 2 Labelling		
I 2.1	All product labels should comply with relevant legal requirements.	

I 2.2	No guarantees (implied or direct) shall be given nor declarations made as to the NOPS or prohibited substance free status of bedding nor shall any other such wording that implies similar be used.	- This also applies to the use of wording implying or stating that products are "tested" for prohibited substances. Testing of samples does not preclude positives occurring outside of the tested samples. Ensure that if a product contains substances which are not on the NOPS list, but may yield a positive test in competition, no NOPS logo is shown and that there is appropriate advice on packaging.
I 2.3	Companies wishing to make a general statement of quality relating to their NOPS certified products are advised to use the "Quality Commitment" statement quoted in C 2.14 of the Code Terms and Conditions.	Should the quality statement as detailed be used on bag or literature in part, the extract thereof and the surrounding text will be sent to BETA for approval to ensure the spirit of the Code is being adhered to.
I 2.4	If used, the correct version of the BETA NOPS logo must be utilised.	
I 3 Dust Claims		
I 3.1	If any claims are made in relation to dust levels in a product evidence should be in place to demonstrate their validity.	
I 4 Absorbency Claims		
I 4.1	If any claims are made in relation to the absorbency levels of a product evidence should be in place to demonstrate their validity.	
I 5 Spread Volume Claims		
I 5.1	If any claims are made in relation to the spread volume of a product evidence should be in place to demonstrate their validity.	
I 6 Microbiological (Mould) Quality Claims		
I 6.1	If any claims are made in relation to the microbiological quality of a product evidence should be in place to demonstrate their validity.	

J Complaints and Product Recall

J 1	**Complaints**	
J 1.1	The company must have a system for recording and investigating complaints.	
J 1.2	Trend analysis of complaints should be conducted to ensure any issues are quickly identified.	
J 2	**Product Recall**	
J 2.1	There must be a written recall procedure, which is capable of being put into operation at any time, inside or outside normal working hours. The responsibility for any decision regarding product recall should be clearly defined.	A suitably experienced manager must be nominated to take responsibility for the decision on whether it is necessary to recall product. The decision to recall product should be based on a company's own risk assessment and should be communicated to BETA.
J 2.2	The recall procedure should include the contact details of BETA and the certification body.	
J 2.3	In the event of a recall regarding NOPS, a person must be designated to inform BETA and the certification body	
J 2.4	Decisions regarding the final destination of the recalled or returned products should be documented.	If not destroyed, ensure the product is disposed of to a non-NOPS critical customer, with full traceability maintained.

K Personnel

K 1	**Training & Competency**	
K 1.1	All staff shall be adequately trained to carry out their specific job function. Training records must be in place.	Training records should confirm training relevant to the responsibilities of the individual.
K 1.2	Staff training must include an understanding of NOPS ingredients as listed in this Code and of their significance and potential risk to equine bedding.	Training records should confirm training relevant to the responsibilities of the individual.

Appendix A – Definitions

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Analytical schedule	The schedule agreed by individual companies that describes what analytical testing is carried out each year and at what frequency. Also known as the testing regime.
At Risk Materials	Materials that have been known to contain NOPS. The scheme divides At Risk Materials into two subcategories: - "Excluded at risk materials" where the risk of the material containing a high priority or high priority herbal NOPS contaminant is high; and - "Sensitive at risk materials": materials that have been known to contain NOPS and may be used with caution
Audit	The official inspection of a scheme member's quality system, conducted annually, performed by the independent auditing body contracted to the BETA NOPS scheme.
Auditing body	A specified independent and expert organisation that inspects BETA NOPS applicants annually to ascertain with adequate confidence that the company conforms to the specific standards set by the BETA NOPS Code.
Banned Substance	From FEI 2016 Veterinary Regulations: Any substance so described in the Equine Prohibited Substances List including its Metabolites and Markers. Banned Substances have been deemed by the Equine Prohibited Substance List Group to have no common legitimate use in the competition Horse and/or have a high potential for abuse.
Brand Holder	The company who owns or is licensed to use the brand under which a NOPS-certified product is marketed, and who is responsible for placing the product on the market. The brand holder may or may not manufacture the NOPS certified product.
Claim	A claim is any labelling or presentation which draws particular attention to the presence or the absence of a substance in the feed or bedding, or to a specific nutritional characteristic, or process, or specific function related to any of these.
Contract packer	A company that is contracted by the Manufacturer or Brand Holder to pack a bedding product.

Contract store	A company that is contracted by the Manufacturer or Brand Holder to store either bulk or packaged bedding.
Herbal NOPS	Substances that are either naturally present in certain herbs or botanical ingredients, or that originate from weed seeds contaminating herbal supplies, that could lead to a positive test post-competition or racing. These have been further subdivided into High and Low Priority Herbal NOPS
High Priority Herbal NOPS	Herbal NOPS listed as Banned Substances by the FEI.
Low Priority Herbal NOPS	Herbal NOPS listed as Controlled Medications by the FEI
Labelling	Attribution of words, particulars, trade-marks, brand name, pictorial matter or symbol to a feed or bedding by placing this information on any medium like packaging, container, notice, label, documenting, collar, or the internet referring to or accompanying such feed or bedding, including for advertising purposes.
Manufacturer	A business that receives materials from which bedding for horses is produced.
Naturally Occurring Prohibited Substances (NOPS)	A naturally occurring prohibited substance (NOPS) is one that is either naturally present within certain ingredients or that occurs as a result of inadvertent cross contamination during processing before arriving at a feed or bedding manufacturing facility. These NOPS are not to be confused with substances that occur naturally but which are added intentionally, or with substances that may contaminate feed or bedding due to manufacturing error.
High Priority NOPS	A designation agreed by BETA with UK racing regulators relating to NOPS known as potential contaminants of forage, feed, supplements or bedding, that are likely to cause a horse to be disqualified from a race/competition, and are considered banned or controlled medication by the FEI.
Low Priority NOPS	A designation agreed by BETA with UK racing regulators relating to NOPS that have been found in forage, feed, supplements or bedding but have not been known to cause a disqualification and which the regulatory bodies consider to be of low importance.
NOPS-Certified Business	A bedding business that has been successfully audited to the BETA NOPS Code for any given year.
NOPS Risk	**T**he probability of causing an adverse impact (e.g. disqualification from competition, rejection of incoming load of feed material or bedding raw material) as a result of the occurrence and the severity of a NOPS hazard in an equine

	bedding product when prepared and/or consumed according to its intended use.
Production Line	A discrete manufacturing line from intake to storage, packing and/or outloading.
Prohibited substance	The exact definition of a prohibited substance depends on the regulatory body. In racing, the British Horseracing Authority defines a Prohibited Substance in general terms, whereas in equestrian sport, the FEI publishes a defined list annually. The British Horseracing Authority defines substances that are prohibited *on race day only* as: "….any substance capable at any time of acting on one or more of the following mammalian body systems" (which are then listed) Links to BHA and FEI information on prohibited substances: BHA: • The new Rules of Racing website – Chapter K (Anti-Doping) and Code 18 (Prohibited List Code) should be relevant: http://rules.britishhorseracing.com/#!/book/34/contents • The BHA Website FAQs – Equine Anti-Doping and Medication Control: https://www.britishhorseracing.com/about/faqs/#!/78 • The BHA Website – Anti-Doping and Medication Control – Prohibited Substances: https://www.britishhorseracing.com/regulation/anti-doping-medication-control/prohibited-substances/ FEI: http://www.fei.org/fei/cleansport/ad-h/prohibited-list
Raw material	The material from which bedding is manufactured.
Specified Substance (relating to Prohibited Substances)	*From FEI 2016 Banned Substances List:* Prohibited Substances that are identified as Specified Substances in the List … should not in any way be considered less important or less dangerous than other Prohibited Substances. Rather, they are simply substances which are more likely to have been ingested by Horses for a purpose other than the enhancement of sport performance, for example, through a contaminated food substance.

Supplier	Organisation or person(s) that directly supply the Manufacturer or Brand Holder with raw material.
Supplier Assurance Program	The series of activities a manufacturer or brand holder undertake to demonstrate their suppliers meet their required feed or bedding safety and NOPS standards for the feed materials, feed additives, compound feed or bedding supplied. This may include some or all of supplier assessment, questionnaires, visits, audits, ingredient QC and annual review of supplier performance.
Traceability	The ability to trace and follow a food, feed, bedding, food producing animal or substance intended to be, or expected to be, incorporated into a food,feed or bedding through all stages of production, processing and distribution.

Appendix B - BETA NOPS Terms and Conditions for the Limitation of Liability

Contamination of Horse bedding

by Prohibited Substances

Definitions:

The Producer: The manufacturer or distributor of the horse bedding

The Customer: The purchaser of the horse bedding from the producer or distributor.

Prohibited Substances: Such substances as are contained on the prohibited substance lists of the Horse Racing Authority or the FEI.

Liability

1. The producer accepts liability for contamination of horse bedding by a prohibited substance unless such contamination is caused by the deliberate or negligent acts of a third party.

Damages

2. In the event that the producer is liable for the contamination of the horse bedding by a prohibited substance the producer agrees to pay the following:
    a. The purchase price of the bedding.
    b. The pre-estimate of lost winnings set by BETA in respect of any prize money that has been lost due to the disqualification of a horse from a race or competition.
    c. Damages for personal injury or death that is caused by the contamination of the horse feed or related product provided that the contamination was caused by the negligence of the producer.

3. The producer will not pay damages for any other consequential or economic loss which results from the contamination of bedding by a prohibited substance.

Dispute Resolution

4. Any dispute concerning liability or damages arising from the contamination of horse bedding shall be referred to Arbitration.

5. The Arbitration shall be heard by a sole arbitrator to be appointed by the Chief Executive of the British Equestrian Trade Association ("BETA") and in default by the President of the Chartered Institute of Arbitrators.

6. The arbitral proceedings and the award shall be confidential unless otherwise agreed in writing between the producer and customer.

7. The seat of the arbitration shall be London unless both parties agree otherwise.

8. The appropriate law governing these terms and conditions shall be the law of England & Wales.

NOTICE

Customers are put on express notice that the level of damages for loss of prize money set by BETA is based upon an evaluation of likely loss that would result from contamination in a wide spectrum of equestrian competitions. The level of damages is a genuine pre-estimate of the average likely loss of prize money. This amount may be insufficient to cover the prize money of a classic race or high profile equestrian event. Additionally as the Producer does not agree to pay damages for other economic or consequential losses that are caused by contamination of the horse bedding the customer is advised to seek appropriate insurance cover if concerned about being exposed to a risk of loss.

APPENDIX C – Auditing Body details

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APPENDIX D – BETA Contact details

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