



HEALTH, SAFETY AND REGULATORY MEASURES 2008

FACT SHEET
January 23, 2008

Measure	Horse Positive Test Penalty (Owner Responsibility)
Overview	In an aggressive move to improve the welfare of the horse and communicate that Ontario is serious about owner responsibility and positive tests for substances that have no business in the horse, the Ontario Racing Commission (ORC) has approved rules that make a “positive test” horse immediately ineligible to race for 90 days.
Effective Date	Issuance of Directive on rule changes January 31, 2008.
Background	<p>In the <i>Rules of Racing</i>, the current manner in determining offence when a horse tests “positive” for the various positive test and medication violations is to assign penalty to the trainer responsible for the positive horse. In the case of a positive for EPO, a horse is not allowed back into competition until such time as a negative sample is produced. In all other cases, the owner can make application to the ORC Judges/ Stewards to transfer the horse to a new trainer, and continue to race the horse almost immediately.</p> <p>A number of obvious situations have arisen where an owner has had a number of his/her horses test “positive” for banned substances. The current suite of rules does not provide any burden or responsibility on the owner for the positive tests incurred by his/her horses.</p> <p>The new rules mean that when a horse tests positive for certain substances, it will be immediately ineligible to race for 90 days. The purpose of these rules is to encourage owners to conduct proper due diligence in selecting their trainers. Under this rule, should their horses test positive, the horses will not participate in racing for 90 days. An additional rule applies to horses from outside of Ontario with similar positive tests.</p>
Rules	<p>New Standardbred Rule 11.10.01</p> <p>Any horse that tests positive in Ontario for any of the following shall be ineligible to race for a period of 90 days from the date of the identification of the horse with the positive test and will be placed on the Judges’ List in accordance with Rule 20.01.01(i):</p>

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1. Class I;
 2. Class II;
 3. Class III;
 4. TCO₂;
 5. Substance determined to be non-therapeutic.

Any person who violates this rule shall be subject to a fine and/or suspension.

New Standardbred Rule 11.10.02

Any horse that obtains a positive test from a jurisdiction outside Ontario for any of the following shall be ineligible to race in Ontario for a period of 90 days from the date of the identification of the horse with the positive test:

1. Class I;
2. Class II;
3. Class III;
4. TCO₂;
5. Substance determined to be non-therapeutic.

New Standardbred Rule 11.10.03

Rule 11.10.01 and Rule 11.10.02 shall be absolute liability offences.

New Standardbred Rule 20.01.01(i)

(i) Any horse that tests positive for any of the following shall be remain on the Judges' List for a period of 90 days from the date of the identification of the horse with the positive test:

1. Class I;
2. Class II;
3. Class III;
4. TCO₂;
5. Substance determined to be non-therapeutic.

Amended Standardbred Rule 20.02

A horse that has been placed on the Judges' List in accordance with the rules will be ineligible to race until removed therefrom.

- 20.02.01 Only the Judges at an extended meeting shall have the authority to remove a horse that is on the Judges' List in accordance with Rules 5.17, 20.01.01 (b), (e), (f) or (i).
- 20.02.02 Horses on the List in accordance with Rule 20.01.01 (a), (g) and (h) shall come off the List after seven (7) clear days. Horses on the List in accordance with Rule 20.01.01 (g) may also be removed when documentation has been presented to the satisfaction of the Judges.
- 20.02.03 Horses on the Judges' List for 20.01.01 (c) and (d) shall be removed from the List when the documentation has been presented to the Standardbred Canada field representative.
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20.02.04 Horses on the Judges' List in accordance with 20.01.01(i) shall come off the Judges' List after ninety (90) clear days.

New Thoroughbred Rules – identical to above
