



HEALTH, SAFETY AND REGULATORY MEASURES 2008

FACT SHEET
January 23, 2008

Measure	Out of Competition Program in <i>Rules of Racing</i>
Overview	<p>The ORC “Out of Competition Program” is serving the Ontario Racing community very well and will be maintained. This gives rise to the need to codify the Program in the rules. New rules will allow samples to be frozen, which will send the signal that current technical limitations will not shelter offenders from illegal use of drugs. At the same time, it will provide licensees assurances of a separate confirmatory test, similar to what is provided under the federal drug testing program.</p>
Effective Date	<p>Issuance of Directive on rule changes January 31, 2008.</p>
Background	<p>On May 19, 2006 the Director issued General Directive 5/2006 requiring licensees to present their horses for blood samples to be taken. In June 27, 2007 the Director issued General Directive 6/2007 expanding the blood sample requirement to include the obtaining of biological samples.</p> <p>To date, approximately 500 horses have been tested since the inception of the Out of Competition Program. This testing has resulted in 5 samples being identified for Aranesp/EPO.</p> <p>Rules are needed to codify the requirements of the program in the <i>Rules of Racing</i>. In each of the rule books, a new chapter for the program will be added.</p> <p>Industry participants have expressed a strong desire to have an additional sample obtained at the time a test is conducted under the Out of Competition Program which would be stored indefinitely for the purpose of:</p> <ol style="list-style-type: none">1. being analyzed at a later date in the event that new testing technology is developed, or2. being made available to the licensee to allow for the sample to have confirmatory/”split” sample testing performed, in the event that non-therapeutic a substance(s) are detected. <p>The freezing of samples can only apply to those samples obtained in accordance with the Out of Competition Program and cannot extend to the Federal drug surveillance program (CPMA Post Race Testing).</p>

Rule	<p>New Standardbred Rule 37.01 The Director may order that biological samples be taken from a horse at any time or place and without prior notice.</p> <p>New Standardbred Rule 37.02 When an order for biological sample has been made by the Director, the samples will be taken by a veterinarian employed by the Commission or an Official Veterinarian, to determine whether or not the horse has any drug, medication or other substance in its system.</p> <p>New Standardbred Rule 37.03 Biological samples include, but are not limited to, blood, hair, saliva and urine from the horse.</p> <p>New Standardbred Rule 37.04 When an order for biological sample has been made by the Director, the horse will be made available forthwith by the owner as recorded with the breed registry body and/or trainer of record of the horse, or, if the trainer of record of the horse is not readily available, any assistant trainer, or, if there is no assistant trainer, or, if no assistant trainer is readily available, any groom employed by the trainer of record of the horse.</p> <p>New Standardbred Rule 37.05 The failure or refusal, following notification as described in Rule 37.04 to make a horse available, forthwith, for biological sampling pursuant to an order of the Director may result in one or more of the following sanctions:</p> <ul style="list-style-type: none">a) The horse may be scratched from any race it is entered into;b) The owner or trainer may be prevented from entering any horse(s) in future races in the Province of Ontario; andc) The owner or trainer may become subject to a fine and/or suspension. <p>New Standardbred Rule 37.06 No licensee, other than those authorized by the Director, may obtain biological samples from any horse located off of the grounds of an Association for the purposes described in these rules.</p> <p>New Standardbred Rule 37.07 The Commission may, direct its laboratory to retain and preserve samples for future analysis.</p> <p>New Standardbred Rule 37.08 The Director may, at his or her discretion fix a time period that the sample(s) will be stored for, and may order the destruction of stored samples as he or she sees fit.</p>
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New Thoroughbred Rule 39.01

The Director may order that biological samples be taken from a horse at any time or place and without prior notice.

New Thoroughbred Rule 39.02

When an order for biological sample has been made by the Director, the samples will be taken by a veterinarian employed by the Commission or an Official Veterinarian, to determine whether or not the horse has any drug, medication or other substance in its system.

New Thoroughbred Rule 39.03

Biological samples include, but are not limited to, blood, hair, saliva and urine from the horse.

New Thoroughbred Rule 39.04

When an order for biological sample has been made by the Director, the horse will be made available forthwith by the owner as recorded on the registration papers and/or trainer of record of the horse, or, if the trainer of record of the horse is not readily available, any assistant trainer, or, if there is no assistant trainer, or, if no assistant trainer is readily available, any groom employed by the trainer of record of the horse.

New Thoroughbred Rule 39.05

The failure or refusal, following notification as described in Rule 39.04 to make a horse available, forthwith, for biological sampling pursuant to an order of the Director may result in one or more of the following sanctions:

- a) The horse may be scratched from any race it is entered into;
- b) The owner or trainer may be prevented from entering any horse(s) in future races in the Province of Ontario; and
- c) The owner or trainer may become subject to a fine and/or suspension.

New Thoroughbred Rule 39.06

No licensee, other than those authorized by the Director, may obtain biological samples from any horse located off of the grounds of an Association for the purposes described in these rules.

New Thoroughbred Rule 39.07

The Commission may, direct its laboratory to retain and preserve samples for future analysis.

New Thoroughbred Rule 39.08

The Director may, at his or her discretion fix a time period that the sample(s) will be stored for, and may order the destruction of stored samples as he or she sees fit.
