

Horse Racing Policy: Erythropoietin or Darbepoetin Testing (Thoroughbred and Standardbred)

All policies regarding this matter dated prior to the date on this document are void.

Horses may be tested for erythropoietin or darbepoetin under Part 7, Section 50(4) of the Gaming Control Act, which reads as follows:

- (4) The general manager and any person employed in the branch or a veterinarian, for the purposes of ensuring that this Part, the regulations and rules under this Part and the terms and conditions of a horse racing licence are being complied with,
- (a) may make or cause to be made tests and analyses of any horses that are on the premises of a race track or designated race horse training centre or that participate in a race meeting, and
 - (b) for the purposes of the tests or analyses may
 - (i) enter any part of the grounds of a race track or designated race horse training centre, including but not limited to any stables operated as part of or in conjunction with a race track or designated race horse training centre, and
 - (ii) take samples from the horses of blood, saliva, urine or other materials necessary for the tests or analyses.

1. To confirm (4)(a) above, horses which are on the grounds of a race track or entered to race are subject to testing. Where a blood sample has been collected for purposes of TCO₂ testing, that sample may be used for the testing of erythropoietin or darbepoetin.
2. The Director may approve one or more tests when satisfied that the testing methodology used is appropriate to determine whether or not the sample will result in the detection of erythropoietin or darbepoetin.
3. The Director may approve a laboratory operator to conduct the testing when,
 - (a) satisfied that the laboratory is adequately equipped and secure to carry out the testing;
 - (b) satisfied that the laboratory operator is competent and that the individuals who will carry out the testing have the requisite training to do so; and
 - (c) the laboratory operator and the Director have entered into an arrangement or agreement with respect to, among other things, the standards for the carrying out of the testing, the reporting of the results of the testing, and the confidentiality and use of the results of the testing.

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4. If erythropoietin or darbepoetin is detected in a blood sample taken from a horse, the sample will then be confirmed by another method of testing and if confirmed positive, the recommended guideline for the penalty is a 7 year suspension.
5. If erythropoietin or darbepoetin is confirmed in a blood sample taken from a claimed horse, the Stewards/Judges shall declare the claim invalid if,
 - (a) requested to do so by the claimant, his/her trainer or authorized agent; and
 - (b) the request is received within 48 hours after notification of the confirmation is received by the claimant.

If the claim is declared invalid, the horse shall be returned to the previous owner, his/her trainer or authorized agent, and the amount of the claiming price shall be repaid to the claimant. The claimant shall be responsible for any reasonable costs incurred for care or training of the horse while in his/her possession.

Samuel Hawkins
Director, Racing Division