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October 16, 2002

**THOROUGHBRED DIRECTIVE NUMBER 8 – 2002
RULES OF THOROUGHBRED RACING 2002**

The Ontario Racing Commission at its meeting of Thursday, October 3, 2002, resolved that the Rules of Thoroughbred Racing 2001 be amended effective January 1, 2003, as follows:

Old Rule 15.31 is repealed and replaced by the following:

Drugs

15.31.1 No person shall possess or use a drug, substance or medication on a horse:

- a) which would not result in the issuance of a certificate of a positive analysis of an official sample for purposes of the *Pari-Mutuel Betting Supervision Regulations*,
- b) which has not been labelled for veterinary use under the *Food and Drug Regulations* or, if labelled for human use under the *Food and Drug Regulations*, has not been prescribed by a veterinarian after conducting an examination of the horse and determining that the drug, substance or medication is medically required by the horse and the drug, substance or medication is used only for that horse in accordance with the prescription issued by the veterinarian,
- c) which may endanger the health and welfare of the horse or endanger the safety of a jockey,
- d) which may adversely affect the integrity of racing, or
- e) which is listed hereafter:
Erythropoietin, also known as EPO
Darbepoietin

Notwithstanding (a) and (b), a veterinarian may possess the drug, substance or medication if the possession is in the ordinary course of the practise of veterinarian medicine for purposes of prescribing or administering the drug, substance or medication for the treatment of a horse.

Notwithstanding (a) and (b), a person licensed as a trainer, owner or groom may possess or use a drug, substance or medication on a horse that is on a list established by the Director of Racing provided that such possession or use is not otherwise contrary to the Rules, the *Food and Drugs Act* and its regulations, the *Pari-Mutuel Betting Supervision Regulations*, the *Livestock Medicines Act* and its regulations, the *Health Disciplines Act* and its regulations, the *Veterinarians Act* and its regulations, or any conditions to the possession and use imposed by the Director of Racing.

15.31.2 The Director of Racing may establish a list of drugs, substances or medications for purposes of Rule 15.31.1 and may impose conditions to the possession or use of the drug, substance or medication

Death Registry

15.32.1 If a horse dies within 14 days of it being entered or qualified to race, the trainer of record at the time of the death of the horse shall:

- a) inform the Director of Racing, or a person designated by the Director of Racing, in writing within 2 days of the death of the horse that the horse has died, and the location and premises where the horse died,
- b) provide copies of any reports prepared by the veterinarian(s) who treated the horse prior to its death,
- c) transport the horse at the trainer's or owner's expense immediately, or as soon as transportation can be arranged but in any event no later than 2 days of the death of the horse, to a facility approved by the Director of Racing for a post-mortem and such testing as the Director of Racing may determine is appropriate, and
- d) instruct the person conducting the post-mortem and the testing to provide the results of the post-mortem and testing and any reports prepared with respect to the post-mortem and testing to the Director of Racing within 5 days of their completion.

15.32.2 Where there is no trainer of record at the time of the death of the horse, the owner of the horse shall:

- a) inform the Director of Racing, or a person designated by the Director of Racing, in writing within 2 days of the death of the horse that the horse has died, and the location and premises where the horse died,
- b) provide copies of any reports prepared by the veterinarian(s) who treated the horse prior to its death,
- c) transport the horse at the owner's expense immediately, or as soon as transportation can be arranged but in any event no later than 2 days of the death of the horse, to a facility approved by the Director of Racing for a post-mortem and such testing as the Director of Racing may determine is appropriate, and
- d) instruct the person conducting the post-mortem and the testing to provide the results of the post-mortem and testing and any reports prepared with respect to the post-mortem and testing to the Director of Racing within 5 days of their completion.

15.32.3 If a horse dies after 14 days but within 60 days of it being entered or qualified to race, the trainer of record at the time of the death of the horse shall:

- a) inform the Director of Racing, or a person designated by the Director of Racing, in writing within 2 days of the death of the horse that the horse has died, the location and premises where the horse died and the cause or apparent cause of death, and
- b) provide copies of any reports prepared by the veterinarian(s) who treated the horse prior to its death or who determined the cause or apparent cause of death and of any post-mortem or other tests conducted on the horse to determine the cause of death.

15.32.4 If a horse dies after 14 days but within 60 days of it being entered or qualified to race, and there is no trainer of record at the time of the death of the horse, the owner of the horse shall:

- a) inform the Director of Racing, or a person designated by the Director of Racing, in writing within 2 days of the death of the horse that the horse has died, the location and premises where the horse died and the cause or apparent cause of death, and
- b) provide copies of any reports prepared by the veterinarian(s) who treated the horse prior to its death or who determined the cause or apparent cause of death and of any post-mortem or other tests conducted on the horse to determine the cause of death.

15.32.5 If a horse dies after 14 days but within 60 days of it being entered or qualified to race, the Director of Racing may order the trainer of record at the time of the death of the horse or the owner of the horse if there was no trainer of record at the time of the death of the horse to transport the horse to a facility approved by the Director of Racing for a post-mortem and such testing as the Director of Racing may require to be conducted on the horse at the expense of the trainer or owner, as the case may be. The trainer or owner, as the case may be, shall instruct the person conducting the post-mortem or testing to provide the results of the post-mortem and testing and any reports prepared with respect to the post-mortem and testing to the Director of Racing within 5 days of their completion.

15.32.6 If a horse being treated by a veterinarian dies within 60 days of being entered or qualified to race, the veterinarian shall inform the Director of Racing, or a person designated by the Director of Racing, in writing within 2 days of the death of the horse that the horse has died, the location and premises where the horse died and the cause or apparent cause of death.

15.32.7 The Director of Racing or the Executive Director may:

- a) charge a trainer, owner or veterinarian with a failure to comply with the requirements under this Rule, and
- b) upon notice, impose a fine, period of suspension of a licence or such other penalty as is appropriate in the circumstances on that trainer, owner or veterinarian or impose conditions on the licence of that trainer, owner or veterinarian. Where the Director of Racing or Executive Director does so, the trainer, owner or veterinarian may request a hearing before a panel of the Commission.

15.32.8 The Director of Racing may approve a facility to conduct a post-mortem and testing if:

- a) the Director of Racing is satisfied that the facility is adequately equipped and secure to carry out the post-mortem and testing,
- b) the Director of Racing is satisfied that the facility operator is competent and that the individuals who will carry out the post-mortem and testing have the requisite training and professional designations or requirements to do so, including a veterinary pathologist, and

- c) the facility operator and the Director of Racing have entered into an arrangement, memorandum of understanding or agreement with respect to, among other things, the standards for the carrying out of and reporting on the post-mortem and testing, the confidentiality and use of the results of the post-mortem and testing and any reports prepared therefrom, including use for research purposes for the betterment of racing, protection of horses and their health, and enforcement purposes.

15.32.9 The Director of Racing may provide or cause to be provided to Associations, Standardbred Canada, The Jockey Club or similar entities, information that a horse had died and date of death.

BY ORDER OF THE COMMISSION _____

Jean Major
Executive Director