

Ontario
Racing
Commission

Commission
des courses
de l'Ontario



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March 15, 2011

THOROUGHBRED DIRECTIVE NUMBER 1 – 2011 RULES OF THOROUGHBRED RACING 2009

The Ontario Racing Commission at its meeting of Thursday, January 27, 2011 resolved that the Rules of Thoroughbred Racing 2009 be amended by the promulgation of the following Rules, effective March 31, 2011, except where noted otherwise.

Please note: Additions/changes to rules are noted in **bold**.

Chapter 2 DEFINITIONS

BAC means Blood Alcohol Content. It is the grams of alcohol in 100 millilitres of blood when referenced as .02 to .039 BAC and the equivalent of 20 to 39 milligrams of alcohol in 100 millilitres of blood.

Chapter 4 LICENSING

Rule 4.02 The licence fees, paid to the Commission by people involved in racing, are set by the Commission. An owner will not be considered as a Renewal Owner if their licence has been in a state of lapse for **five** racing seasons prior to the season of application. A partnership which races under a stable name must fill out the partnership form but is not required to pay the partnership fee.

Chapter 6 ENTRIES AND SUBSCRIPTIONS

Rule 6.14.01 (a) In all stake and handicap races starters shall be considered a separate betting interest irrespective of common ownership or trainer. Notwithstanding the above, with the exception of wagering, common owned or trained horses in all stake and handicap races must comply with rules that apply to the coupling of common owned and trained horses in overnight events.

Chapter 7 DECLARATIONS AND SCRATCHES

New Rule 7.07 Where a horse, entered to race, is scratched by the stewards, as a result of the horse having received any:

- (i) medication;
- (ii) medical treatment; or
- (iii) medical procedure;

the Stewards may impose a fine upon the trainer of the horse unless the trainer satisfies the Stewards that the medication, medical procedure or treatment was in the best interests of the health of the horse.

Chapter 9 JOCKEYS

Rule 9.12 All jockeys shall faithfully fulfill all riding engagements in respect to racing. In the event a rider books off their engagements during the course of the program due to illness or injury, the rider may be required to furnish a medical clearance prior to resuming their duties.

Rule 9.27.02 Riding crops shall meet the following specifications and /or requirements:
<continued>

- (d) Have a popper with an outer covering consisting of a material approved by the stewards that does not harden over time. Material such as vinyl, Naugahyde or leather will not be allowed.
- (e) Have a popper with an inner layer consisting of memory foam or closed cell foam .15 –.25 inch in thickness, folded over and sewn down each side, with the outer covering to form a hollow channel.

Chapter 11 FROM PADDOCK TO FINISH

Rule 11.30.01 After the horses are released from the starting gate, the Stewards may order the race stopped.

Chapter 12 CLAIMING RACES

Rule 12.05.2 A trainer shall not have more than one claim on any one horse in any claiming race. In the event of multiple claims identifying the same designated trainer, the qualifying claim shall be drawn by the Stewards from within that group preceding the final draw for the claim by the clerk of scales. ~~All claim forms shall identify a designated trainer.~~

Rule 12.11 All claims must be signed, sealed and the envelope time-stamped and deposited in a locked box at least 15 minutes before the post time of the race in which the claim is made. Such box shall be in the custody of the Clerk of Scales. The claim blank shall include:

1. date of claim
2. printed name(s) and appropriate signature(s)
3. authorized agent number if required
4. correct claiming price
5. the number of the race from which the horse is to be claimed
6. name of the horse
7. **designated trainer**
8. initial claiming form, if applicable.

Typographical or minor technical errors may be accepted at the discretion of the Stewards.

Chapter 14 SAFETY AND SECURITY

New Rule 14.05 Smoking is prohibited within 10 feet of any designated signed areas, stall, tack room, shedrow or any portion of a barn including the paddock. For the purpose of this rule, the paddock will include the cafeteria, jockeys' change room, washrooms and offices within the paddock area. Smoking is also prohibited anywhere on the racetrack surface at any time.

Penalty for an infraction of Rule 14.05:

First offence will result in a \$50 fine;

Second offence within a year of the first offence will result in a \$300 fine or a 5 day suspension or both;

Third offence within a year of the first offence will result in a minimum fine of \$500 and a 7 day suspension;

Fourth offence within a year of the first offence will result in an indefinite suspension and referral to the Director.

Chapter 15 ILLEGAL AND CORRUPT PRACTICES

Rule 15.33.02 The holding of a licence as an owner and/or trainer issued by the Commission shall constitute permission to allow a person designated by the Director to collect or otherwise obtain biological samples from any horse owned and/or trained by a licensee, for purposes of testing. **Samples may be collected and tested at any time, whether stabled on or off the grounds of the racing association.** Where a blood sample has been collected for purposes of TC0₂ testing, that sample may be used for testing for the indication of the administration of erythropoietin or any of its synthetic derivatives, **and/or any other substance as designated by the Director.** The application for a licence as an owner and/or trainer issued by the Commission shall constitute permission for a person designated by the Director to obtain that blood sample for such purposes.

New Rule 15.38 No person shall administer, attempt to administer, or cause to be administered, any medication or substance by a nasogastric tube to a horse on race day

prior to its race, except for emergency treatment, which treatment will result in the horse being scratched from the race.

Chapter 27 COMMISSION VETERINARIANS, OFFICIAL VETERINARIANS AND OTHER VETERINARIANS

Rule 27.20 A veterinarian who dispenses a drug or medication shall label the container in which the drug or medication is dispensed with the following information:

1. name, strength and quantity of the drug or medication,
2. date dispensed,
3. name and address of the dispensing veterinarian,
4. identity of the horse for which it is prescribed,
5. name of the trainer of the horse, and
6. the directions for use and the detection limit determined in accordance with Rule 27.16,
7. **In the event that the a drug or medication is to be dispensed to multiple horses from a single container, such container shall be marked "BARN USE", and will be exempt from items 2 and 4 above and replaced by a written log, in the prescribed form, identifying the horses for which the drug or medication was prescribed, the date dispensed and all other information required in the prescribed form.**

(The effective date for this rule will be announced in the future following the completion of the public process)

Chapter 37 TCO₂ TESTING PROGRAM

Rule 37.06 All horses that race are eligible to be selected by the Stewards for blood gas testing. The entry of a horse shall constitute permission for a person designated by the approved TCO₂ laboratory to obtain blood samples. To the extent that it is feasible, the owner, trainer or other person responsible for the horse will be given notice that the horse is to be tested and may be present when the blood sample is taken. Refusal by an owner, trainer or other person responsible for the horse to attend the taking of the sample will not affect the validity of the test. **Any owner, trainer or other person responsible for the horse who refuses or fails to permit the taking of a sample from a horse shall have all applicable horses scratched by the Stewards. Such refusal shall be deemed an admission of a violation of Rule 37.01 empowering the Stewards to hold a hearing whereby the penalties contemplated by Rule 37.07 may be imposed.** It shall be the responsibility of the trainer of a horse selected for post-race testing to see that the horse is taken directly to the testing barn or retention area immediately after being notified of the horse's selection for testing. Commission Stewards will select the horses to be tested and advise the approved TCO₂ laboratory personnel accordingly. Commission Stewards may also instruct the approved TCO₂ laboratory personnel to collect samples from every horse in selected races.

The approved TCO₂ laboratory is responsible for:

- (a) collecting blood samples, by an authorized person (veterinarian or RAHT – Registered Animal Health Technician, or other person approved by the Commission) from each selected horse into two plasma separator tubes;
- (b) collecting the samples within approximately 35 minutes immediately preceding the start of the race in which the selected horse is entered, **or as directed by an ORC Stewards. The ORC Stewards may also direct the collection of the sample** from a selected horse at least 90 minutes after a race in a secured area designated by the Stewards;
- (c) ensuring that the samples are centrifuged within approximately 20 minutes of collection and kept under refrigerated conditions until shipped;
- (d) shipping the samples to the laboratory in an insulated container;
- (e) analysing samples for TC0₂ using a Beckman Synchron EL-ISE;
- (f) analysing samples within 48 hours, **or up to a maximum of 96 hours in exceptional circumstances**, of collection and reporting all results to the Commission and the Canadian Pari-Mutuel Agency.

Chapter 38 ALCOHOL AND DRUG OFFENCES - HUMAN

Rule 38.07

Designated Licensees are subject to testing in the following situations:

<continued>

(h) Dilute Samples

If the laboratory identifies a dilute sample, the designated licensee will be required to complete another test.

Rule 38.08

The consequences for licensees who are in violation of the policy are as follows:

a) Alcohol: Test Result of .02 to .039 BAC

- ii) For a second offence, suspension from performing the duty or duties for which he/she is licensed for that day, a \$300 fine and suspension of 5 days if committed within 12 months of the first offence, and the licensee **will** be referred to a Substance Abuse Professional (SAP) for evaluation to determine the need for a structured assistance program **and must provide a negative return to duty drug and alcohol test;** and

b) Alcohol: Test result of .04 to .079 BAC

- i) a for a first offence, suspension from performing the duty or duties for which he/she is licensed for that day, a \$300 fine, a suspension for five (5) days, a reminder of the policy requirements and a suggested referral for assistance **and must provide a negative return to duty alcohol test;**
- ii) for a second offence, suspension from performing the duty or duties for which he/she is licensed for that day, a fine of \$500 and a suspension of fifteen (15) days if committed within 12 months of the first offence, referral to a Substance Abuse Professional (SAP) for evaluation to determine the need for a structured assistance program if they choose to return to duties with the ORC, compliance with return to work conditions set out in an agreement with the individual, **and must provide a negative return to duty alcohol test;**

c) Illicit Drugs or Alcohol test result of .08 BAC or higher

- i) for a first offence, suspension from performing the duty or duties for which he/she is licensed for that day, a \$500 fine, a suspension of fifteen (15) days, referral to a Substance Abuse Professional (SAP) for evaluation to determine the need for a structured assistance program if they choose to return to duties with the ORC, and

compliance with return to work conditions set out in an agreement with the individual,
and must provide a negative return to duty drug and alcohol test;

<Rule continued>

g) Referral to the Commission

Individuals who have been suspended from performing the duties for which they are licensed and who are referred to the Commission:

- ii) Will be referred to a hearing before the Commission within **twenty (20)** days of the request for reinstatement;

<Rule continued>

New Rule 38.13 Additional Penalties

No racetrack, association, or licensed body shall impose a penalty upon a licensee who has violated this policy, unless that licensee is directly employed by that racetrack, association, or licensed body.

**Chapter 39
OUT OF COMPETITION PROGRAM**

Rule 39.02 When an order for a biological sample has been made by the Director, the samples will be taken by a veterinarian employed by the Commission, an Official Veterinarian, **or a qualified person approved by the Commission Supervisor of Veterinarians**, to determine whether or not the horse has any drug, medication or other substance in its system.

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New Rule 39.09 Owners and/or trainers of horses shall allow a person designated by the Director acting upon reasonable and probable grounds, access at any time, whether on or off the grounds of a racing association, to the following:

- a) stabling areas;
- b) training areas; and/or
- c) trailers used for the transportation of horses and vehicles.

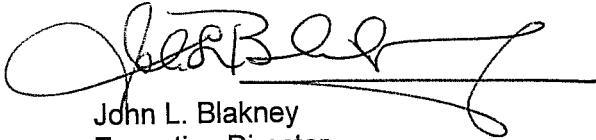
Access shall be granted for the purposes of:

- a) conducting unannounced random searches for illegal or non-therapeutic medications or drugs, including any drug, substance, article or medication listed in Rule 15.31.01, or other device described in the rules; and/or
- b) seizing any suspected illegal or non-therapeutic medication or drugs, including any drug, substance, article or medication listed in Rule 15.31.01, or other device described in the rules. Any medication, drug, substance, article or device seized may be forwarded by the Commission to the official chemist for analysis.

For the purposes of Rule 39.09, a horse shall be deemed to be:

- a) a horse that has raced in the past 60 days or is within 60 days of racing and/or workout;
- b) a horse qualified to race in Ontario;
- c) a horse entered to race in Ontario; and/or
- d) a registered thoroughbred.

BY ORDER OF THE COMMISSION

A handwritten signature in black ink, appearing to read "John L. Blakney", is written over a horizontal line.

John L. Blakney
Executive Director