

# Equine Anti-Doping Manual (G)

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### 1. Application and Scope

These Rules shall be known as the Equine Anti-Doping Rules and shall apply to the following Horses and Persons:

1.1 Any Horse which is

1.1.1 foaled in Great Britain and registered with the General Stud Book. Unless otherwise approved by the Authority, breeders must submit a complete application to register Horses with the General Stud Book within 12 months of their birth;

1.1.2 foaled in Ireland and registered with the General Stud Book, and present in Great Britain;

1.1.3 permanently imported into Great Britain to be trained in Great Britain. Horses permanently imported into Great Britain must have an Export Certificate filed with the General Stud Book within 90 days of their arrival;

1.1.4 trained outside of Great Britain and entered for a race in Great Britain under the Rules;

1.1.5 otherwise present in Great Britain for training or racing purposes.

1.2 Responsible Persons and their Support Personnel;

1.3 Any other Person who agrees or is deemed to have agreed to be bound by the Equine Anti-Doping Rules.

1.4 Persons who are or have been subject to these Equine Anti-Doping Rules are deemed to have knowledge of them, including any amendments, and they agree to comply with them at all times.

### 2. Equine Anti-Doping Rule Violations

Responsible Persons and their Support Personnel shall be responsible for knowing what constitutes an equine anti-doping rule violation and the substances and methods that have been included on the Prohibited List.

The following constitute equine anti-doping rule violations under these Equine Anti-Doping Rules.

#### 2.1 *The presence of a Prohibited Substance in a Horse's Sample.*

2.1.1 It is each Responsible Person's personal duty to ensure that no Prohibited Substance is present in a Horse's body. Responsible Persons are responsible for any Prohibited Substance found to be present in a Horse's Sample. It is not necessary that intent, fault, negligence or knowing Use be demonstrated to establish an equine anti-doping rule violation under Rule 2.1.

2.1.2 The presence of a substance in a Horse's body shall only constitute a violation of Rule 2.1 if it is found to be present at a time at which it is prohibited under these Equine Anti-Doping Rules.

Accordingly, the presence of a substance in a Horse's body Out-of-Competition will not be a violation of Rule 2.1 if the substance concerned is prohibited on Raceday only.

2.1.3 Subject to Rule 2.1.4, sufficient proof of an equine anti-doping rule violation under Rule 2.1 is established by any of the following: presence of a Prohibited Substance in the Horse's A Sample where the Responsible Person waives or is deemed to have waived analysis of the B Sample and the B Sample is not analysed; or where the Horse's B Sample is analysed and the analysis of the Horse's B Sample confirms the presence of the Prohibited Substance found in the Horse's A Sample; or, where the Horse's B Sample is split into two portions and the analysis of the second portion confirms the presence of the Prohibited Substance found in the first.

2.1.4 Rule 2.1.3 shall not apply where the Prohibited Substance is present only in a hair Sample. Nothing however shall prohibit the use of hair Sample Analysis to establish any other equine anti-doping rule violation, whether on its own or in conjunction with other evidence.

2.1.5 Except for those substances for which a quantitative threshold is specifically identified in the Prohibited List, the presence of any quantity of a Prohibited Substance in a Horse's Sample shall constitute an equine anti-doping rule violation.

2.1.6 As an exception to the general rule of Rule 2.1, these Rules may provide for an investigation to be carried out for the evaluation of Prohibited Substances that can also be produced endogenously.

## **2.2 Use or Attempted Use of a Prohibited Substance or a Prohibited Method.**

2.2.1 It is the personal responsibility of each Responsible Person to ensure that no Prohibited Substance enters a Horse's body and that no Prohibited Method is used. Accordingly, it is not necessary that intent, fault, negligence or knowing Use on the part of the Responsible Person be demonstrated in order to establish an equine anti-doping rule violation for the Use of a Prohibited Substance or Prohibited Method. In accordance with the definition of Attempt, demonstrating the Attempted Use of a Prohibited Substance or Prohibited Method requires proof of intent but that fact does not undermine the strict liability principle established for violations of Rules 2.1 and 2.2 in respect of the Use of a Prohibited Substance or a Prohibited Method.

2.2.2 The success or failure of the Use or Attempted Use of a Prohibited Substance or a Prohibited Method is not material. It is sufficient that the Prohibited Substance or Prohibited Method was Used or Attempted to be Used for an equine anti-doping rule violation to be committed.

2.2.3 Under the strict liability principle, a Responsible Person shall be liable under Rules 2.1 and 2.2 even if the Use or Attempted Use of a Prohibited Substance or a Prohibited Method was undertaken by a member of his Support Personnel. A Responsible Person is ultimately responsible for the actions of his Support Personnel.

2.2.4 The application of Rule 2.2.3 above does not exclude members of a Responsible Person's Support Personnel from being considered additionally liable for other violations of this Rule 2 should the circumstances so warrant.

2.2.5 The Use Out-of-Competition of a Prohibited Substance or Prohibited Method that is not prohibited at all times will not constitute an equine anti-doping rule violation under these Equine Anti-Doping Rules.

## **2.3 Evading or, without compelling justification, Refusing or Failing to Submit to Sample Collection after notification of Doping Control in accordance with the Equine Anti-Doping Rules.**

2.3.1 It is the personal responsibility of each Responsible Person to ensure that a Horse under his care submits to Sample collection after notification of Doping Control in accordance with the Equine Anti-Doping Rules. This responsibility extends even if the Responsible Person is absent at the time of notification and a member of his Support Personnel acts on the Responsible Person's behalf. Responsible Persons are ultimately responsible for the actions of their Support Personnel.

2.3.2 A violation of failing to submit to Sample collection may be based on either intentional or negligent conduct while evading or refusing Sample collection contemplates intentional conduct. Evading Sample collection shall include without limitation hogging a Horse's mane or tail with the intention of preventing a hair Sample from being collected.

## **2.4 Tampering, or Attempted Tampering, with any part of Doping Control.**

2.4.1 Responsible Persons and their Support Personnel shall not Tamper or Attempt to Tamper with any part of the Doping Control process.

2.4.2 Tampering shall include without limitation intentionally interfering or attempting to interfere with a Doping Control Official, altering the integrity or validity of a Sample through its substitution and/or adulteration, providing fraudulent or misleading information to the Authority or intimidating or attempting to intimidate a potential witness.

## **2.5 Administration or Attempted administration of a Prohibited Substance or a Prohibited Method.**

2.5.1 No Person shall administer, Attempt to administer, allow or cause to be administered or connive in the administration to a Horse of any Prohibited Substance or Prohibited Method that is prohibited at all times.

2.5.2 A record pursuant to Rule (C)13 that a Prohibited Substance or Prohibited Method prohibited at all times has been administered to a Horse shall be considered to be evidence of administration for the purposes of this Rule.

2.5.3 Administration shall include actions involving Prohibited Substances and Prohibited Methods

which are prohibited on Raceday only unless they are intended for genuine therapeutic purposes.

## **2.6 Possession of a Prohibited Substance or a Prohibited Method.**

No Person shall possess any Prohibited Substance or Prohibited Method unless he can demonstrate acceptable justification for the Possession.

2.6.1 Possession shall mean Possession on a racecourse of any Prohibited Substance or Prohibited Method prohibited on Raceday only.

No Person apart from a Veterinary Officer or racecourse Veterinary Surgeon shall bring onto premises owned, used or controlled by the Racecourse Managing Executive at any time any Prohibited Substance that is prohibited on Raceday only, or any means of administering such substance, unless dispensation is granted by a Veterinary Officer. Premises owned, used or controlled by the Racecourse Managing Executive for this purpose do not include vehicles on such premises under the control of the Responsible Person or his Support Personnel.

2.6.2 Possession shall mean Possession at any time of any Prohibited Substance or Prohibited Method which is prohibited at all times.

The only acceptable justification would be a veterinarian being in Possession of Prohibited Substances or Prohibited Methods for the treatment of animals which are not subject to these Equine Anti-Doping Rules or a Responsible Person or member of his Support Personnel being in Possession of a Prohibited Substance or Prohibited Method for his own personal Use on justifiable medical grounds.

## **2.7 Trafficking or Attempted Trafficking in any Prohibited Substance or Prohibited Method prohibited at all times.**

Responsible Persons and their Support Personnel shall not Traffic or Attempt to Traffic any Prohibited Substance or Prohibited Method prohibited at all times.

## **2.8 Whereabouts failures**

2.8.1 An equine anti-doping rule violation shall be committed by a Responsible Person if he commits three Filing Failures within a 12-month period.

2.8.2 An equine anti-doping rule violation is deemed to be committed if a Horse is subject to three Missed Tests within an 18-month period.

## **2.9 Complicity**

No Responsible Person, member of his Support Personnel or other Person shall assist, encourage, aid, abet, conspire, cover up or engage in any other type of intentional complicity involving an equine anti-doping rule violation.

# **3. Proof of Doping**

## **3.1 Burdens and Standards of Proof**

The Authority shall have the burden of establishing that an equine anti-doping rule violation has occurred. The standard of proof shall be whether the Authority has established the equine anti-doping rule violation to the civil standard. Where these Rules place the burden of proof upon the Responsible Person or other Person to rebut a presumption or to establish specified facts or circumstances, the standard of proof shall be the civil standard.

## **3.2 Methods of Establishing Facts and Presumptions**

Facts related to equine anti-doping rule violations under these Equine Anti-Doping Rules may be established by any reliable means, including but not limited to admissions, witness statements, documentary evidence, conclusions drawn from longitudinal profiling and the analysis of any Sample. The following rules of proof shall be applicable in doping cases:

3.2.1 BHA-approved laboratories are presumed to have conducted Sample Analysis and custodial procedures in accordance with the Laboratory Standards.

The Responsible Person or other Person may rebut this presumption by establishing that there was a departure from the Laboratory Standards which could have reasonably caused the Adverse Analytical Finding. If the Responsible Person or other Person rebuts the presumption, the Authority shall have the burden of establishing that the departure from the Laboratory Standards did not cause the Adverse Analytical Finding. If the Authority discharges that burden, the departure from the Laboratory Standards shall not invalidate the Adverse Analytical Finding.

3.2.2 Departures from the Sample collection procedures or other equine anti-doping standard, rule or regulation which did not cause an Adverse Analytical Finding or other equine anti-doping rule violation shall not invalidate such evidence or results. If the Responsible Person or other Person establishes a departure from the Sample collection procedures or other equine anti-doping standard, rule or regulation which could reasonably have caused an Adverse Analytical Finding or other equine anti-doping rule violation, the Authority shall have the burden to establish that such departure did not cause the Adverse Analytical Finding or the factual basis for the equine anti-doping rule violation.

3.2.3 The facts established by a decision of a court or disciplinary tribunal of competent jurisdiction which is not the subject of a pending appeal shall be irrebuttable evidence against the Responsible Person or other Person to whom the decision related.

## **4. The Prohibited List**

4.1 The Authority shall publish the Prohibited List at least once a year and more frequently as may be required. Each annual version of the Prohibited List and any revisions to it shall be published on the Authority's Rules of Racing website.

4.2 The Prohibited List shall identify those Prohibited Substances and Prohibited Methods which are (i) prohibited at all times (both on Raceday and Out-of-Competition) (ii) which are prohibited on Raceday only and (iii) which are prohibited for the purposes of Stalls Tests. Prohibited Substances and Prohibited Methods may be included in the Prohibited List by general category (e.g., anabolic agents) or by specific reference to a particular substance or method.

4.3 The Authority's determination of the categories of Prohibited Substances and Prohibited Methods on the Prohibited List, the inclusion of specific substances or methods as Prohibited Substances or Prohibited Methods, the classification of substances or methods into categories and the classification of substances and methods as being prohibited at all times, on Raceday only and for the purposes of Stalls Tests is final and not subject to challenge by a Responsible Person or other Person.

## **5. Testing**

5.1 The Authority shall have Raceday and Out-of-Competition Testing authority over all Horses which are subject to these Equine Anti-Doping Rules.

5.2 The Authority and its assignees or designees may collect a Sample from any Horse over which it has Testing authority which has not permanently retired from Racing, including from any Horse that is serving a period of suspension under these Equine Anti-Doping Rules. The permanent retirement of a Horse from Racing shall take effect on the registration of a Non-Racing Agreement with the Authority or other notification of retirement as provided for by the Rules of Racing.

5.3 Testing may be conducted at any time and at any place, including Testing on a Raceday and Testing Out-of-Competition. The selection of Horses for Testing may either be random or based on Target Testing.

5.4 The Authority shall approve Persons to collect Samples under these Rules. An approved Person (or an officer of an approved Person where such Person is a corporate body) must, if required to do so, be able to produce evidence of his appointment and authority to collect Samples under the Equine Anti-Doping Rules.

5.5 All Testing conducted by the Authority or on its behalf shall be conducted in substantial conformity with the Sample collection procedures set out in Schedule 3.

5.6 The Authority may collect Samples at the time of a Stalls Test in accordance with Schedule (C)5 for the detection of Prohibited Substances listed at section 12 of the Prohibited List.

5.7 Whereabouts Information: In order for the Authority to be able to collect Samples from Horses at any time and any place, Responsible Persons shall be required to comply with the whereabouts requirements set out in Schedule 2.

5.7.1 If a Responsible Person fails to notify the Authority of a Horse's whereabouts in accordance with the requirements of Schedule 2, it shall be deemed to be a Filing Failure for the purposes of Rule 2.8 where the relevant conditions for determining a Filing Failure in Schedule 2 have been met. A Responsible Person shall be deemed to have committed an equine anti-doping rule violation if he commits a total of three Filing Failures within a 12-month period.

5.7.2 If a Horse is unavailable for Testing based on whereabouts information provided by the Responsible Person, it shall be deemed to be a Missed Test where the relevant conditions for determining a Missed Test in Schedule 2 have been met. An equine anti-doping rule violation shall be deemed to have occurred if a Horse has been subject to three Missed Tests within an 18-month period.

5.7.3 The Authority may rely for the purposes of Rule 2.8 on Filing Failures or Missed Tests that have been declared by other Recognised Racing Authorities with Testing jurisdiction over a Horse provided that they have been declared on rules the same or similar to those in these Equine Anti-Doping Rules.

5.8 If a Responsible Person knowingly provides inaccurate or misleading information to the Authority about the whereabouts of a Horse, he may further be deemed to have violated Rule 2.3 (Evading Sample Collection) and/or Rule 2.4 (Tampering or Attempting to Tamper with the Doping Control process).

## **6. Analysis of Samples**

6.1 For the purposes of Rule 6.2, Samples shall be analysed only in BHA-approved Laboratories or using BHA-approved equipment. The choice of the BHA-approved Laboratory used for Sample analysis shall be determined exclusively by the Authority (except where a Responsible Person or other Person chooses under these Equine Anti-Doping Rules to have a B Sample analysed at a BHA-approved Laboratory different to the one that conducted the A Sample analysis).

6.2 Samples shall be analysed to detect Prohibited Substances and Prohibited Methods identified on the Prohibited List, to assist the Authority in profiling relevant parameters in a Horse's urine, blood, hair or other matrix or for any legitimate anti-doping purpose.

6.3 BHA-approved Laboratories shall analyse Samples and report results to the Authority in conformity with the Laboratory Standards. Compliance with the Laboratory Standards shall be sufficient to conclude that the procedures addressed by the Laboratory Standards have been properly performed.

6.4 All Samples collected from Horses under these Equine Anti-Doping Rules shall be the property of the Authority.

6.5 If, at any stage, any question or issue arises in relation to a Sample, the Authority may require further or other analyses to be conducted as necessary to clarify the question or issue raised and the results of such analyses may be relied upon by the Authority when deciding whether a Sample has given rise to an Adverse Analytical Finding or other equine anti-doping rule violation under these Rules.

6.6 In any case where the analysis of a Sample from a Horse does not give rise to an Adverse Analytical Finding, the Responsible Person or other Person must co-operate if requested by the Authority with

6.6.1 any enquiry by the Authority about substances (including normal nutrients) which are administered to other Horses in the stable from which the Tested Horse has come; and

6.6.2 any other enquiry into the matter that is made by the Authority in exercise of its powers under Part (A)5.

6.7 The Authority may in such circumstances and subject to such procedures as it may specify instruct an BHA-approved Laboratory to re-seal and store Samples from any Horse and to subject stored Samples to analysis. Instructions given by the Authority under this Rule may relate to all Samples collected from a Horse or Horses or to particular Samples or categories of Sample collected. The re-sealing and storage procedures shall be deemed to have been properly carried out by the BHA-approved Laboratory unless the Responsible Person or other Person establishes to the contrary to the satisfaction of the Authority. In the event that a stored Sample gives rise to an Adverse Analytical Finding or other equine anti-doping rule violation, a results management process will be conducted in accordance with the provisions below.

6.8 Any prize or other money to which a Responsible Person or other Person would become entitled in respect of a Horse from which a Sample has been taken does not become payable until the outcome of the analysis is known. Where any such money is credited to a Person in error, the recipient must return it immediately the error

becomes known.

## 7. Results Management

7.1 All results management procedures arising out of Testing or other equine anti-doping rule violations shall be conducted by the Authority as provided below.

7.2 **Review of Adverse Analytical Findings:** Upon receipt of an Adverse Analytical Finding, the Authority shall promptly appoint an Approved Person to visit the Responsible Person at his registered premises in order to conduct a first interview.

7.3 Prior to conducting the first interview, the Authority shall notify the Responsible Person in writing of

7.3.1 the Adverse Analytical Finding;

7.3.2 the equine anti-doping rule violated;

7.3.3 the Responsible Person's right to request the analysis of the B Sample within three clear working days or, failing such request, that the B Sample analysis shall be deemed to have been waived and the A Sample results accepted;

7.3.4 the opportunity for the Responsible Person to elect to have the B Sample analysed at Laboratoire Des Courses Hippiques (LCH) or if it is unable to carry out the analysis at Deutsche Sporthochschule Koln Institut für Biochemie - Germany (DSKIB), in which case the Responsible Person will be responsible for all costs associated with the transportation of the Sample to that Laboratory and the subsequent B Sample analysis; and

7.3.5 the opportunity for the Responsible Person to request at his own expense that a witness be present to represent him at the B Sample analysis. To assist the Responsible Person, the Authority will provide him with a list of persons who have the required expertise to act as scientific witnesses and have agreed to act in such capacity, but the Responsible Person will not be bound by the list and may select a witness of his own choice. Whichever witness is chosen by the Responsible Person, he must be available to attend on the designated date for the B Sample analysis.

7.4 In conducting the first interview with the Responsible Person, the Approved Person shall have the powers set out in Rules (A)48 and 49 and the failure or refusal of a Responsible Person to co-operate with the Authority without good cause may result in separate Disciplinary Action being taken under the Rules. For the avoidance of doubt, a request by the Responsible Person for a reasonable delay in conducting the interview with the Approved Person whilst he seeks legal advice and/or representation shall not be considered as a failure or refusal to co-operate with the Authority.

7.5 If the Responsible Person does not accept the A Sample result at the time of the first interview, he shall be required to confirm to the Authority in writing within three clear working days of being notified of the Adverse Analytical Finding whether or not he wishes for the B Sample to be analysed and, if so, at which B Sample Laboratory. Confirmation by the Responsible Person for this purpose may be made by electronic transmission. If the Responsible Person requests for the B Sample to be analysed, the Authority shall instruct the relevant B Sample Laboratory to carry out the B Sample analysis within a maximum of ten days.

7.6 If the Responsible Person accepts the A Sample result or fails to confirm that he wishes to have the B Sample analysed within the stipulated time, the Authority may nonetheless elect at its discretion to have the B Sample analysed promptly. In such case, the B Sample analysis shall only be used to confirm the Adverse Analytical Finding. The Responsible Person is deemed to have waived his right to a B Sample analysis if he does not request the B Sample analysis within the stipulated time-limit.

7.7 Where the B Sample analysis confirms the presence of the Prohibited Substance in the Adverse Analytical Finding, the B Sample Laboratory will issue a Certificate of Analysis together with supporting analytical data. The Certificate of Analysis relating to the A Sample and, where applicable, the B Sample, together with supporting analytical data, will be made available to the Responsible Person at his cost.

7.8 Where the B Sample analysis does not confirm the presence of the Prohibited Substance in the Adverse Analytical Finding, the analysis will be reported as being negative and no Disciplinary Action will be taken unless there are reasonable grounds to believe that the integrity of the B Sample may have been deliberately violated or other evidence of a non-forensic nature is available, in which case the Authority may proceed on the basis of the A Sample alone.

7.9 **Review of Adverse Analytical Findings involving endogenous substances:** Where the Adverse Analytical Finding involves a substance that may be produced endogenously, the Authority may at its discretion decide to conduct any follow-up investigation it deems to be necessary, including but not limited to that provided in 7.10 and 7.11.

7.10 Where the Prohibited Substance is capable of being produced endogenously but may have originated externally to the Horse

7.10.1 the Authority may direct that the Horse be further examined by an Approved Person appointed by the Authority (including where necessary the collection of a further Sample or Samples) in order to establish whether the quantity of the substance found could have been produced naturally by the Horse; and

7.10.2 if the Authority does not direct such further examination, the Responsible Person for the Horse may request it.

7.11 In exercise of its powers under Part (A)5, the Authority may further decide to enquire into the matter by authorising the removal of samples of any food or other substances found at the Responsible Person's yard or premises and, in such a case

7.11.1 the Responsible Person must, on request, provide samples of any food or substances requested, and

7.11.2 the Authority may retain the samples until the conclusion of the enquiry process and may subject them to such testing as it considers appropriate.

7.12 The Responsible Person

7.12.1 may appoint a witness to observe any analysis of samples obtained under Rules 7.10 or 7.11 which is carried out by staff at a BHA-approved Laboratory, or

7.12.2 on the release to the Responsible Person of samples obtained under Rule 7.11, may arrange for testing to be carried out at a laboratory nominated by him.

7.13 Unless the Authority directs otherwise, the costs of any analysis referred to in Rule 7.10.1 will be divided equally between the Authority and the Responsible Person.

7.14 For the purposes of Rule 7.12.2

7.14.1 the Responsible Person must make a written request to the Authority for the samples to be released,

7.14.2 any laboratory nominated by the Responsible Person must be approved by the Authority, and

7.14.3 if the Authority appoints an analyst to review the laboratory's processes, the analyst must be given the option of witnessing the analysis of the samples.

7.15 Where the Authority decides to investigate an Adverse Analytical Finding involving an endogenous substance, it will not normally provide notice of the Adverse Analytical Finding to the Responsible Person until it has completed its investigation. The Authority may decide however that the B Sample should be analysed prior to the conclusion of the investigation in which case it shall notify the Responsible Person of the Adverse Analytical Finding and of the information set out in Rules 7.3.4 and 7.3.5.

**7.16 Review of Whereabouts Failures:** The results management in respect of an apparent Filing Failure or Missed Test shall be conducted by the Authority in accordance with the provisions of Schedule 2.

**7.17 Review of Other Equine Anti-doping Rule violations:** For apparent equine anti-doping rule violations that do not involve Adverse Analytical Findings or Whereabouts Failures, the Authority shall appoint an Approved Person to conduct any necessary follow up investigation and at such time as the Authority is satisfied that an equine anti-doping rule violation has occurred, it shall promptly notify the Responsible Person of the equine anti-doping rule which appears to have been violated and the basis of the violation. Where appropriate, members of Support Personnel or other Persons who may have committed equine anti-doping rule violations under these Rules shall receive notification of the equine anti-doping rule violation and all relevant corresponding documents.

## 8. Provisional Suspensions

8.1 When an Adverse Analytical Finding is reported for the presence of any Prohibited Substance prohibited at all times or for the use of a Prohibited Method prohibited at all times, unless Rule 11.6.4.2 applies, the Authority shall provisionally suspend the Horse prior to the opportunity for a full hearing once the notification and interview process described in Rule 7 has been conducted.

8.2 When an Adverse Analytical Finding is reported for the presence of a Prohibited Substance prohibited on

Raceday only or where another equine anti-doping rule violation is alleged to have occurred, unless Rule 11.6.4.2 applies, the Authority may provisionally suspend the Horse prior to the opportunity for a full hearing once the notification and interview process described in Rule 7 has been conducted.

8.3 When an Adverse Analytical Finding is reported for the presence of a Prohibited Substance prohibited at a Stalls Test from a Sample collected in connection with a Stalls Test, if the Horse has not run prior to the notification to the Responsible Person of the Adverse Analytical Finding, then the Horse shall be deemed to have failed the Stalls Test and a further Stalls Test must not be carried out until at least 28 days after the date of Sample collection.

8.4 When an Adverse Analytical Finding is reported for the presence of any Prohibited Substance or where another equine anti-doping rule violation is alleged to have occurred, a Trainer may be provisionally suspended following the procedure in Rule (A)63 and Schedule (A)9.

8.5 If a provisional suspension is imposed by the Authority, either the full enquiry before the Disciplinary Panel shall be advanced to a date which avoids substantial prejudice to the Person alleged to have committed the equine anti-doping rule violation or such Person shall be given an opportunity for a preliminary hearing, either on a timely basis after the imposition of the provisional suspension or before imposition of the provisional suspension in order to show cause why the provisional suspension should not be imposed (or should be lifted). Where a Horse is provisionally suspended, the Owner shall have the right to request a preliminary hearing.

8.6 If a provisional suspension is imposed based on an A Sample Adverse Analytical Finding and a subsequent B Sample analysis (if requested by the Responsible Person or the Authority) does not confirm the A Sample analysis, then the Responsible Person or Horse shall not be subject to any further provisional suspension on account of a violation of Rule 2.1. In circumstances where the Horse has been removed from a race based on a violation of Rule 2.1 and the subsequent B Sample analysis does not confirm the A Sample finding then if, without otherwise affecting the race, it is still possible for the Horse to be reinstated, the Horse may take part in the race.

## **9. Retirement from Horseracing**

In accordance with Rule (A)2, if whilst a results management process is underway or before it has begun, a Responsible Person and/or member of his Support Personnel ceases to be subject to the Rules and/or the Horse is retired from Racing, the Authority retains jurisdiction to complete the process as provided in these Equine Anti-Doping Rules.

## **10. Disciplinary Enquiries**

10.1 When it appears to the Authority following any of the results management processes described in Rule 7 that a violation of these Equine Anti-Doping Rules has been committed, then the case shall be submitted to a Disciplinary Panel for enquiry and adjudication.

10.2 The procedures governing the enquiry before the Disciplinary Panel are set out in Schedule (A)6.

## **11. Penalties**

11.1 The Disciplinary Panel shall have power to impose penalties and consequences for equine anti-doping rule violations committed under these Equine Anti-Doping Rules as set out as follows.

### **11.2 Automatic Disqualification of the Horse from the Race**

11.2.1 An equine anti-doping rule violation in connection with a Raceday Test automatically leads to disqualification of the Horse from the race in question pursuant to Rule (A)74 with all resulting consequences for the Responsible Person, member of the Support Personnel and/or the Horse including the forfeiture of all titles, physical prizes and trophies and prize or other money.

### **11.3 Disqualifications/Withdrawals and Fines for Responsible Persons or other Person**

11.3.1 Presence or Use of a Prohibited Substance or Prohibited Method (except in connection with a Stalls Test).

The Authority will impose a penalty on the Responsible Person unless the condition for imposing no penalty on the Responsible Person in Rule 11.4 is met.

11.3.2 Presence or Use of a Prohibited Substance (Stalls Test)

The Authority will impose a financial penalty on the Responsible Person unless the condition for imposing no penalty on the Responsible Person in Rule 11.4 is met.



11.4 If the Responsible Person establishes in an applicable case under Rule 11.3.1 or 11.3.2 that

11.4.1 The Prohibited Substance or Prohibited Method was not administered intentionally by the Responsible Person or by any other Person (whether or not connected to the Responsible Person in any way); and

11.4.2 The Responsible Person had taken all reasonable precautions to avoid violating Rule 2.1 or 2.2

then no penalty shall be imposed on the Responsible Person.

11.5 When deciding the appropriate penalty in a case, the Disciplinary Panel shall have reference to the Authority's Guide to Procedures and Penalties as may be amended from time to time. If the Disciplinary Panel decides to disqualify a Responsible Person or other Person, disqualification shall have the consequences for a Disqualified Person as set out in Rule (A)71.

## **11.6 Consequences for Horses**

11.6.1 Disqualification of the Horses in relation to races already run, subsequent to Sample collection or the commission of another equine anti-doping rule violation

In addition to the automatic disqualification of the Horse from the race in accordance with Rule 11.2.1, all other results obtained by the Horse in races from the date a positive Sample was collected (whether on Raceday or Out-of-Competition) or other equine anti-doping rule violation occurred through to the commencement of any provisional suspension or suspension period shall, subject to Rule 11.6.4.2, be disqualified with all resulting consequences for the Responsible Person, member of the Support Personnel and/or the Horse including the forfeiture of all titles, physical prizes and trophies and prize or other money. Notwithstanding any of the above, a Horse may be disqualified from one or more races already run in such circumstances as the Authority considers it appropriate.

11.6.2 Suspensions/Mandatory Stand Down Periods

11.6.2.1 Subject to Rule 11.6.4, in the case of a violation of Rule 2.1 (Presence of a Prohibited Substance) where the Adverse Analytical Finding is for a Prohibited Substance that is prohibited at all times; or Rule 2.2 (Use of a Prohibited Substance or Prohibited Method) where the Use is of a Prohibited Substance or Prohibited Method that is prohibited at all times; or Rule 2.7 where the Administration of a Prohibited Substance or a Prohibited Method is of a Prohibited Substance or Prohibited Method that is prohibited at all times; Rule 2.3 (Evading, Refusal or Failure); or Rule 2.8 (Missed Tests), the Horse shall be subject to:

- 14 months suspension from racing; and
- 12 months mandatory stand down,

which shall run concurrently.

11.6.2.2 Notwithstanding Rule 11.6.2.1, a Horse may be suspended from running in such circumstances as the Authority considers it appropriate.

11.6.3 For the purposes of Rule 11.6.2.1,

(a) "suspension from racing" shall mean that the Horse will be suspended from running in races run under the Rules and under the British Horseracing Authority Regulations for Point-to-Point Steeple Chases and under the British Horseracing Authority Regulations for Arabian Horse Racing;

(b) "mandatory stand down" shall mean that the Horse will be excluded from being registered as in training and from being stabled in any yard that is licensed by the Authority. The Horse shall however remain subject to Testing throughout the mandatory stand down period.

11.6.4 The combined period covered by (i) disqualification of all the Horse's results under Rule 11 and (ii) the Horse's provisional suspension and/or suspension from racing shall not exceed 14 months in total.

11.6.4.1 Where by application of this Rule 11.6.4 the suspension to be served by the Horse is reduced to a period of less than 14 months, there shall be an equivalent reduction in the mandatory stand down period;

11.6.4.2 Where the Adverse Analytical Finding for a substance prohibited at all times arises from a Sample that has been stored by the Authority and analysed (or re-analysed) 14 months or more after the date of its collection, or where another equine anti-doping rule violation is discovered 14 months or more after the date of its commission, the disqualification of results obtained by the Horse in races after the Sample was collected or after the other equine anti-doping rule violation was committed shall be limited in time to 14 months following the date of the Sample collection or the commission of the other equine anti-doping rule violation and the Horse shall serve no period of provisional suspension, suspension or mandatory stand down.

## **11.7 Commencement Date of Period of Disqualification/Withdrawal and Suspension/Mandatory Stand Down**

11.7.1 Except as provided in Rules 11.7.1.1 and 11.7.1.2, the period of disqualification/withdrawal or suspension and mandatory stand down imposed on any Person or Horse (as applicable) shall commence on the date of the final hearing decision providing for a disqualification/withdrawal or suspension and mandatory stand down or, if there is no hearing, on the date the disqualification/withdrawal or suspension/mandatory stand down is accepted or otherwise imposed.

### **11.7.1.1 Credit for Provisional Suspension served**

If a provisional suspension is imposed by the Authority, and is respected by the Responsible Person and/or member of the Support Personnel or Horse, then a credit shall be received for such period of provisional suspension against any period of disqualification/withdrawal or suspension/mandatory stand down which may ultimately be imposed as determined by the Disciplinary Panel.

11.7.1.2 No credit against any period of disqualification/withdrawal or suspension/mandatory stand down shall be given for any time period before the effective date of the provisional suspension regardless of whether the Horse did not compete.

11.8.1 Where this Rule 11 provides for the forfeiture of all titles, physical prizes and trophies and prize or other money, that forfeiture shall apply to any recipient of those prizes or payments, whether or not they are the Responsible Person.

11.8.2 Where this Rule 11 provides for the forfeiture of prize money, that forfeiture shall not apply to money paid to the stable of the horse.

## **12. Appeals**

12.1 Appeals against final decisions or orders of the Disciplinary Panel shall be made to an Appeal Board constituted under the Rules.

12.2 The procedures governing an appeal before an Appeal Board are set out in Schedule (A)7.

12.3 Decisions of the Appeal Board shall be final and binding.

## **13. Recognition**

When an equine anti-doping rule violation is established against a Responsible Person, member of Support Personnel and/or Horse from outside Great Britain, the Authority shall immediately advise the Racing Authority where the Responsible Person, member of Support Personnel and/or Horse is registered or licensed of the violation and seek reciprocation of any penalty or consequence that was imposed.

## **14. Reinstatement Testing**

Where a Horse has served a period of suspension under Rule 11.6, as a pre-condition to regaining eligibility to

compete at the end of the specified period, an Out-of-Competition Sample shall be collected from the Horse by the Authority and analysed at a BHA-approved laboratory for the full range of Prohibited Substances and Prohibited Methods. The reinstatement Sample shall be collected and analysed at the Owner's cost and the results sent to the Authority prior to the Horse returning to competition. If the reinstatement test results in an Adverse Analytical Finding or other equine anti-doping rule violation, this will constitute a separate equine anti-doping rule violation and the Responsible Person for the Horse shall be subject to a new results management process in accordance with Rule 7 and further penalties or consequences shall be imposed as appropriate.

## 15. Final Provisions

15.1 Equine Anti-Doping Rules are, by their nature, competition rules governing the conditions under which the sport of Horseracing in Great Britain is to be conducted. They are not intended to be subjected to or limited by the requirements and legal standards applicable to criminal and civil proceedings or employment matters. The policies and standards set out in these Equine Anti-Doping Rules as a basis for the fight against doping in Horseracing in Great Britain represent a broad consensus of those with an interest in fair sport and should be respected as such by all courts and adjudicating bodies.

15.2 These Equine Anti-Doping Rules shall apply to all Samples collected, and all other equine anti-doping rule violations committed, on or after 2 March 2015 (the "Effective Date").

15.3 These Equine Anti-Doping Rules shall not apply retroactively to matters pending before the Effective Date.

15.4 These Equine Anti-Doping Rules may be amended by decision of the Authority and the amendments shall become effective as stipulated therein.

15.5 The computation of time limits and deemed service of notices, directions and other documents under these Equine Anti-Doping Rules shall be as provided for in the Rules.

15.6 The Definitions and Schedules shall be considered integral parts to these Equine Anti-Doping Rules.

15.7 In case of any conflict between these Equine Anti-Doping Rules and the Rules, these Equine Anti-Doping Rules shall prevail.

## 16. Definitions

**Adverse Analytical Finding** means a report from a BHA-approved laboratory that, consistent with the Laboratory Standards, identifies in the Sample the presence of a Prohibited Substance or evidence of the Use of a Prohibited Method;

**Analysis** means any analysis carried out on a Sample including an analysis of a stored Sample and a B Sample Analysis (if carried out);

**Approved Person** means a person who has been appointed by the Authority under these Equine Anti-Doping Rules and shall have the powers ascribed to such persons as set out in Rules (A)48 and 49 and such other powers as the Authority may have conferred upon him under the Rules of Racing;

**Attempt** means purposely engaging in conduct that constitutes a substantial step in a course of conduct planned to culminate in the commission of an equine anti-doping rule violation;

**Authority** means the British Horseracing Authority;

**BHA-approved Laboratory** means one of the laboratories listed in the list of BHA-approved laboratories in Schedule 5 as it may be updated by the Authority from time to time;

**Breeder** means the person who bred the Horse and who registered it, or on whose behalf it was registered, with the General Stud Book;

**B Sample Analysis** means an analysis of a B Sample to confirm an A Sample Adverse Analytical Finding;

**B Sample Laboratory**

**means the laboratory selected to undertake B Sample analysis, either LGC, LCH or DSKIB if LCH is unable to conduct the B Sample analysis;**

**British-Based Horse** means a Horse located in Great Britain, other than those falling within paragraphs 1.2 or 1.3 of Schedule 2 or those to which paragraph 2.9 of Schedule 2 applies;

**Business Day** means a day, other than a Saturday, Sunday or public holiday, on which the Authority is open for non-automated commercial business;

**Certificate of Analysis** means a written statement of the result of an Analysis of the Sample which is issued by a BHA-approved Laboratory;

**Clear Day** means, in determining the number of days:

- (i) The day on which the period begins; and
- (ii) If the end of the period is defined by reference to an event, the day on which that event occurs

are excluded.

**Clear Working Day** means, in determining the number of days:

- (i) The day on which the period begins; and
- (ii) If the end of the period is defined by reference to an event, the day on which that event occurs; and
- (iii) Saturday, Sunday, Bank Holiday, or day on which the Authority's office is not open for non-automated commercial business

are excluded.

**Disciplinary Action** means action taken by the Authority under Part (A)6 of the Rules;

**Disciplinary Panel** means a disciplinary panel convened for the purpose of carrying out an enquiry under Part (A)5 of the Rules;

**Doping Control** means all steps and processes from test distribution planning through to ultimate disposition of any appeal under the Equine Anti-Doping Rules including all steps and processes in between such as Sample collection and handling, Laboratory analysis, results management and hearings;

**Export Certificate** in relation to a horse foaled outside Great Britain, Ireland or the Channel Islands, means a certificate of pedigree for the horse which

- (i) states the name, pedigree, age, sex, colour and markings of the horse, and
- (ii) is issued and endorsed by a Recognised Stud Book Authority or, in the absence of such an Authority, the Recognised Racing Authority of the country in which the horse was foaled, and
- (iii) is endorsed by the Stud Book Authority or Racing Authority of any other country which the horse has visited before importation into Great Britain;

**Filing Failure** means a failure by the Responsible Person (or third party to whom the Responsible Person has delegated the task) to comply with the whereabouts requirements in Schedule 2;

**Fine** means a consequence of an equine anti-doping rule violation whereby a financial penalty is imposed upon a Responsible Person and/or a member of the Support Personnel;

**General Stud Book** means **Weatherbys (GSB) Limited, and references to registration with it include the register of thoroughbred horses and the Non-Thoroughbred Register;**

**Horse** means any thoroughbred or registered non-thoroughbred horse;

**International Runner** means a Horse trained outside of Great Britain who is entered for a race in Great Britain under the Rules;

**Laboratory** means a laboratory approved by the Authority to analyse Samples;

**Laboratory Standards** mean the Accreditation Requirements and Operating Criteria for Horseracing Laboratories (ILAC-G7:06/2009) as they may be amended from time to time;

**Metabolite** means any substance produced by a biotransformation process;

**Missed Test** means a Horse's unavailability for Testing at the time and location specified by the Responsible Person or their delegate to the Authority in complying with the whereabouts requirements in Schedule 2;

**Non-Racing Agreement** means an agreement by which a Horse which has been retired from racing by its Owner is transferred to another Person subject to a condition that the Horse will not race again in accordance with Rule (E)26;

**Non-Thoroughbred Register** means the work authorised to be published under that name by the Authority;

**Out-of-Competition** means any Doping Control which is not on a Raceday;

**Owner** means the owner pursuant to Rule (E)96; or, where the Horse is not trained in Great Britain, the Person who is duly registered in the register of Owners or is otherwise registered in the country in which the Horse is trained as being a Horse's owner;

**Person** means a natural person or a body corporate or other entity;

**Possession** means the actual, physical possession, or the constructive possession (which shall be found if the Responsible Person has exclusive control over the Prohibited Substance or Prohibited Method or the premises in which a Prohibited Substance/Method exists); provided however, that if the Person does not have exclusive control over the Prohibited Substance or Prohibited Method or the premises in which a Prohibited Substance or Prohibited Method exists, constructive possession will only be found if the Person knew about the presence of the Prohibited Substance or Prohibited Method and intended to exercise control over it. Provided however, there shall

be no equine anti-doping rule violation based solely on possession if, prior to receiving notification of any kind that the Person has committed an equine anti-doping rule violation, the Person has taken concrete action demonstrating that the Person never intended to have possession and has renounced possession by explicitly declaring it to the Authority. Notwithstanding anything to the contrary in this definition, the purchase (including by electronic or other means) of a Prohibited Substance or a Prohibited Method constitutes possession by the Person who makes the purchase;

**Prohibited List** means the Prohibited List at Schedule 1 as may be published by the Authority from time to time;

**Prohibited Method** means a method so described on the Prohibited List;

**Prohibited Substance** means any substance, or class of substances, so described on the Prohibited List. An Adverse Analytical Finding for a Prohibited Substance shall include a finding of the substance itself, a Metabolite of the substance, an isomer of the substance, an isomer of a Metabolite and a pro-drug of the substance;

**Racecourse Managing Executive** means the person who holds a racecourse licence granted by the Authority under Part (F)2

**Racecourse Property** means any property owned, used or controlled by the Racecourse Managing Executive;

**Raceday** means the period commencing at 12.01 am on the day of a race in which a Horse is scheduled to run terminating when the Horse has left the Racecourse Property after the race;

**Racing** means races conducted under the Rules;

**Racing Authority** means the racing authority of the country in which a Horse is trained;

**Racing Calendar Office** means the office for the time being appointed by the Authority as the Racing Calendar Office. The present Racing Calendar Office is at Weatherbys Ltd, Sanders Road, Wellingborough, Northamptonshire NN8 4BX;

**Recognised Racing Authority** means a racing authority of a country which is for the time being recognised by the Authority under the Rules;

**Responsible Person** means either the Trainer, Owner or legal owner who has care or control of the Horse. For the purposes of determining this, the following shall apply

(i) For a Horse which is or has been in training, save as provided below, the Responsible Person shall be the Trainer with whom the Horse is, or has most recently been, registered with the Racing Calendar Office as being in training. The Trainer may transfer his responsibility as a Responsible Person under the Equine Anti-Doping Rules to the Owner when the horse goes out of his care or control (for example, when the Horse goes out of training) by notifying the Authority through the Racing Calendar Office's horse management system that the Horse has been "Transferred to Owner". In so doing, the Trainer confirms that he has previously notified the Owner of the transfer by a recognised method of service under the Rules and the Owner has accepted that transfer. Where the Trainer cannot provide evidence of the preceding to the satisfaction of the Authority, the transfer shall not be effected and the Trainer shall remain the Responsible Person, unless he can establish (a) that the Horse was not in his care or control (it either being in the care or control of the Owner, or a third party at the instruction of the Owner), (b) that he has notified the Owner of the transfer by a recognised method of service under the Rules and (c) he has taken reasonable steps to obtain the Owner's acceptance of the transfer.

(ii) Any Horse from outside of Great Britain which is present in Great Britain for a training or racing purpose, and which is not under the care or control of a Trainer (either because the Horse has been transferred to the Owner or otherwise), the Responsible Person shall be the Owner of the Horse.

(iii) For a Horse foaled in Great Britain, or foaled in Ireland but present in Great Britain, which has been registered with the General Stud Book but is not yet in training, the Responsible Person shall be the legal owner of the Horse. The Breeder shall be presumed to be the legal owner of the Horse unless he can establish otherwise to the Authority's satisfaction;

**Rules** means the Rules of Racing as they may be amended from time to time;

**Sample** means a quantity of any body fluid, tissue, excreta, hair or skin scrapings or any items in contact with any part of a Horse which are taken at the discretion of the Person collecting the Sample (and which may include the removal of implants) for the purposes of Doping Control;

**Stalls Test** means an official test held in accordance with Schedule (C)5 as a means of testing a horse's tractability in the starting stalls;

**Support Personnel** means any stable employee (whether full or part-time), consultant, volunteer, agent, veterinarian, medical or other Person assisting in any way a Responsible Person participating in or preparing a

Horse for racing. Veterinarians are included in the definition of Support Personnel with the understanding that they are professionals subject to professional standards and licences. An allegation that a veterinarian violated an equine anti-doping rule will only be made where the factual circumstances surrounding a case indicate a likelihood that the veterinarian was involved in the equine anti-doping rule violation;

**Tampering** means altering for an improper purpose or in an improper way; bringing improper influence to bear; obstructing, misleading or engaging in any fraudulent conduct to alter results or prevent normal procedures from occurring; or providing fraudulent information to the Authority or other organisation;

**Target Testing** means the selection of Horses for Testing where specific Horses or groups of Horses are selected on a non-random basis for Testing at a specified time;

**Testing or Test** means the part of the Doping Control process involving test distribution planning, Sample collection, Sample handling and Sample transport to the Laboratory;

**Trafficking** means selling, giving, transporting, sending, delivering or distributing (or Possessing for any such purpose) a Prohibited Substance or a Prohibited Method (either physically or by any electronic or other means) by a Responsible Person and/or member of his Support Personnel to a third party; provided, however, this definition shall not include the actions of a veterinarian involving a substance or method prohibited at all times in connection with the treatment of animals which are not subject to these Equine Anti-Doping Rules; and shall not include actions involving substances or methods which are not prohibited in Out-of-Competition Testing unless the circumstances as a whole demonstrate that such substances or methods are not intended for genuine and legal therapeutic purposes or are intended to enhance performance;

**Trainer** means any Person who holds a licence or permit to train which is granted by the Authority or whose authorisation by a Recognised Racing Authority corresponds to such a licence or permit or who is otherwise treated as a trainer under the Rules;

**Use** means the utilisation, application, ingestion, injection or consumption by any means whatsoever of a Prohibited Substance or a Prohibited Method.

## **SCHEDULES**

### **Schedule 1 - Prohibited List**

#### **SUBSTANCES AND METHODS THAT ARE PROHIBITED AT ALL TIMES**

##### **PROHIBITED SUBSTANCES**

The following substances, including other substances with a similar chemical structure or similar biological effect

##### **1.1 Non-approved substances**

Any substance not addressed by any of the subsequent classes of substances, and which has no current approval by any government regulatory authority for veterinary use, or any substance not universally recognised by veterinary regulatory authorities as valid veterinary therapeutic treatment.

##### **1.2 Anabolic agents**

- (a) anabolic androgenic steroids;
- (b) other anabolic agents, including but not limited to selective androgen receptor modulators (SARMs);
- (c) beta-2 agonists, unless the substance is prescribed by a veterinarian as a bronchodilator at the appropriate dose.

##### **1.3 Peptide hormones, growth factors and related substances (with the exception of oxytocin use in fillies and mares in breeding management or to block oestrus cycling)**

- (a) erythropoiesis-stimulating agents, including but not limited to erythropoietin (EPO), epoetin alfa, epoetin beta, darbepoetin alfa, and methoxy polyethylene glycol-epoetin beta, peginesatide, hypoxia inducible factor (HIF)-1 stabilisers;
- (b) growth hormones and growth hormone releasing factors, insulin-like growth factor-1 (IGF-1), and other growth factors;
- (c) synthetic proteins and peptides and synthetic analogues of endogenous proteins and peptides not registered for medical or veterinary use.

##### **1.4 Hormone and metabolic modulators**

- (a) aromatase inhibitors;
- (b) selective estrogen receptor modulators (SERMs) and other anti-estrogenic substances;
- (c) agents modifying myostatin function, including but not limited to myostatin inhibitors;
- (d) insulins;

- (e) peroxisome proliferator activated receptor (PPAR) agonists, including but not limited to GW 1516;
- (f) AMPK activators, including but not limited to AICAR (5-aminoimidazole-4-carboxamide-1- $\beta$ -D-ribofuranoside).

## 2. Threshold Substances

The concentration specified in relation to each of the following substances is the minimum concentration that, in accordance with Rule 2.1.4, must be present before a sample is regarded as testing positive for the substance.

The substances and the thresholds are

Arsenic - 0.3 microgram total arsenic per millilitre in urine Available

Boldenone - 0.015 microgram free and conjugated Boldenone per millilitre in urine from male horses (other than geldings)

Estradiol in male horses (other than geldings) - 0.045 microgram free and glucuroconjugated 5 $\alpha$ -estrane-3 $\beta$ , 17 $\alpha$ -diol per millilitre in urine\*

Methoxytyramine - 4 micrograms free and conjugated 3-methoxytyramine per millilitre in urine

Testosterone - 0.02 microgram free and conjugated testosterone per millilitre in urine from geldings, or 0.055 microgram free and conjugated testosterone per millilitre in urine from fillies and mares (unless in foal)

Testosterone - 100 picograms free testosterone per millilitre in plasma from geldings Theobromine - 2 micrograms per millilitre in urine

\* When, at the screening stage, the free and glucuroconjugated 5 $\alpha$ -estrane-3 $\beta$ , 17 $\alpha$ -diol exceeds the free and glucuroconjugated 5, 10-estrane-3 $\beta$ , 17 $\alpha$ -diol in the urine

NB: The conjugated substance is the substance that can be liberated from conjugates.

## PROHIBITED METHODS

### 3. Manipulation of blood and blood components

Withdrawal, manipulation and re-infusion of homologous, heterologous or autologous blood, blood products or blood cells into the circulatory system with the exception of those used for life-saving purposes or as veterinary regenerative therapies for the treatment of musculoskeletal injury or disease.

### 4. Blood Transfusions

Giving a blood transfusion to a horse or allowing or causing a blood transfusion to be given for the purposes of enhancing its performance.

### 5. Genetic and Cellular Manipulation

Modification of the heritable genome at any time of a Horse's life.

Any gene therapy or cellular manipulation in a Horse must not be capable of

- giving the Horse an advantage or disadvantage in a race contrary to the Horse's inherent merits
- being detrimental to the Horse's welfare

The Authority may, at its discretion, allow or disallow racing by Horses or their offspring after such therapy. Any gene therapy for a Horse intended to race must be fully documented in the Horse's passport or in such manner as required by the Authority and shall be reported immediately to the Authority.

### 6. Oxygen carriers

Artificially enhancing the uptake, transport or delivery of oxygen, including, but not limited to: perfluorochemicals, efaproxiral (RSR13) and modified haemoglobin products (excluding the use of licensed veterinary treatments in situations of acute, life-threatening anaemia)

## SUBSTANCES AND METHODS THAT ARE PROHIBITED ON RACEDAY ONLY

### PROHIBITED SUBSTANCES

7. Except for the substances and methods (and categories of substances and methods) prohibited at all times, any substance that is capable at any time of causing an action or effect, or both an action and effect, within one or more of the following mammalian body systems

- (a) the nervous system
- (b) the cardiovascular system
- (c) the respiratory system
- (d) the digestive system

- (e) the urinary system
- (f) the reproductive system
- (g) the musculoskeletal system
- (h) the blood system
- (i) the immune system (except for licensed vaccines against infectious agents)
- (j) the endocrine system.

## **8. Endocrine secretions and their synthetic counterparts**

## **9. Masking agents**

## **10. Threshold Substances**

The concentration specified in relation to each of the following substances is the minimum concentration that, in accordance with Rule 2.1.4, must be present before a sample is regarded as testing positive for the substance.

The substances and the thresholds are

Available Carbon Dioxide - 36 millimoles per litre in plasma

Cobalt - 0.1 micrograms (= 100 nanograms) total cobalt per millilitre in urine

Cobalt - 0.025 micrograms (= 25 nanograms) total (free and protein bound) cobalt per millilitre in plasma

Dimethyl Sulfoxide - 15 micrograms per millilitre in urine or 1 microgram per millilitre in plasma

Hydrocortisone - 1 microgram per millilitre in urine

Salicylic Acid - 750 micrograms per millilitre in urine or 6.5 micrograms per millilitre in plasma

Theobromine - 2 micrograms per millilitre in urine

Theobromine - 0.3 micrograms per millilitre in plasma.

## **PROHIBITED METHOD**

### **11. Alkalinisation**

## **SUBSTANCES THAT ARE PROHIBITED AT A STALLS TEST**

12. Any substance which, in the opinion of the Veterinary Officer, falls in the category of

- (a) a sedative
- (b) a tranquiliser
- (c) an hypnotic
- (d) an anxiolytic

## **Schedule 2 - Whereabouts Requirements**

### **1. Application and Scope**

The whereabouts requirements in this Schedule apply to the following Responsible Persons under the Equine Anti-Doping Rules

1.1 Responsible Persons of British-Based Horses;

1.2 Responsible Persons of Horses trained outside of Great Britain which are entered for a race in Great Britain; and

1.3 Responsible Persons of Horses permanently imported into Great Britain to be trained in Great Britain.

Defined terms in this Schedule shall have the same meaning as in the Definitions to the Equine Anti-Doping Rules.

### **2. Responsible Persons of British-Based Horses**

Responsible Persons of British-Based Horses shall be required to comply with the following obligations

#### **2.1 Trainers**

2.1.1 When a Horse is under the care or control of a Trainer, the Trainer must comply with the obligations to provide information on the location of the Horse as set out in Rule (C)16 and as further stipulated in this paragraph 2.1.

2.1.1.1 The obligations on a Trainer to provide information in accordance with Rule (C)16 shall cease upon the Trainer's notification to the Authority that a Horse under his care or control has been transferred to the Horse's Owner. Notification to the Authority for this purpose shall become effective upon the Trainer selecting the



"Transferred to Owner" option on the Racing Calendar Office's horse management system. In so doing, the Trainer confirms that he has previously notified the Owner of the transfer by a recognised method of service under the Rules. If, upon the Authority's request, the Trainer is unable to establish to the Authority's satisfaction that due notification to the Owner has been made, the Trainer shall continue to be considered as the Responsible Person.

2.1.1.2 The obligations on a Trainer to provide information on the location of a Horse in accordance with Rule (C)16 shall then resume only if and when notification is made to the Authority that the Horse has been transferred by the Owner back to the Trainer's care or control.

2.1.2 In addition to the obligations to provide information on a Horse's location as set out in Rule (C)16, the Authority may at any time require the Trainer of a Horse to provide such further whereabouts information as may be necessary so that the Authority may conduct Testing of the Horse at any time. The Trainer shall provide such further whereabouts information as may be requested within the time stipulated by the Authority. Where a subsequent change in circumstances means that the further information provided to the Authority becomes no longer accurate or complete, the Trainer must update the information as soon as possible to ensure that it is accurate and complete again.

## 2.2 Owners

2.2.1 When a Horse has been transferred from a Trainer to an Owner in accordance with paragraph 2.1, the Owner must comply with the obligations to provide information on the location of the Horse stipulated in this paragraph 2.2.

2.2.1.1 The obligations to provide information shall continue until (i) notification is made to the Authority that the Horse has been transferred back to the care or control of a Trainer, (ii) the Horse is no longer registered under his ownership with the Racing Calendar Office, or (iii) the Horse is permanently retired from Racing and either a Non-Racing Agreement or other notification of retirement has been filed with the Racing Calendar Office in accordance with the requirements of Rules (E)26 or 26B.

2.2.1.2 Where the Horse is subsequently returned to Racing in accordance with Rules (E)26 or 26B, the Authority may at its discretion impose a period of time prior to the Horse's return to Racing during which the Owner shall be required to provide whereabouts information to the Authority for the purposes of the Horse being subject to Out-of-Competition Testing.

2.2.2 The Authority may at any time require the Owner to provide such whereabouts information as may be necessary so that the Authority may conduct Testing of the Horse at any time. The Owner shall provide such whereabouts information as may be requested within the time stipulated by the Authority. Where a subsequent change in circumstances means that the information provided to the Authority becomes no longer accurate or complete, the Owner must update the information as soon as possible to ensure that it is accurate and complete once again.

## 2.3 Horses Not Yet in training

2.3.1 For the purposes of this Rule, a Horse not yet in training shall mean a Horse which has been registered with the General Stud Book but is not yet registered with the Authority and in training.

2.3.2 Owners of Horses not yet in training must comply with the obligations to provide information on the location of their Horses as stipulated in this paragraph 2.3.

2.3.2.1 The owner of a Horse not yet in training shall be presumed to be the Breeder of the Horse unless he can establish otherwise to the satisfaction of the Authority.

2.3.2.2 The obligations on an owner to provide information in accordance with this paragraph 2.3 shall continue until (i) notification to the Authority that a Horse under his

ownership has been sold to a third party including details of that owner, or the auction house through which it was sold (this can be made at any time, including upon request by the Authority for information under paragraph 2.3.3); or (ii) the Horse has been registered with the Authority and is now in training.

2.3.3 The Authority may at any time require the owner of a Horse not yet in training to provide such whereabouts information as may be necessary so that the Authority may conduct Testing of the Horse at any time. The owner shall provide such whereabouts information as may be requested within the time stipulated by the Authority. Where a subsequent change in circumstances means that the information provided to the Authority becomes no longer accurate or complete, the owner must update the information as soon as possible to ensure that it is accurate and complete again.

2.4 Any Responsible Person of a British-Based Horse may choose to delegate the task of complying with his obligations under paragraph 2 to a third party provided that the third party agrees to the delegation. The Authority may require written notice of any agreed delegation to be filed with it, signed by both the Responsible Person and the third party delegate. In all cases, the Responsible Person remains ultimately responsible at all times for complying with his obligations whether he does so personally or delegates the task to a third party. It shall not be a defence to an allegation of a Filing Failure that the Responsible Person delegated his obligations to a third party and that third party failed to comply with them.

### **3. Responsible Persons of Horses trained outside of Great Britain which are entered for a race in Great Britain**

3.1 Subject to paragraph 3.8, in accordance with Rule (E)24, any Horse trained outside of Great Britain entered for or intending to enter a race in Great Britain must be present in Great Britain for a minimum of ten Business Days before the race for which it is entered, unless otherwise approved by the Authority.

3.2 In any such case, the Trainer shall be required to provide the Authority with whereabouts information as specified in this paragraph 3 so that the Authority may collect a Sample from the Horse on a timely basis and ensure that a negative analytical result can be confirmed prior to the race in question. In accordance with Rule (E)24, the Horse shall not be eligible to run in the race for which it is entered unless a Sample collected by the Authority and analysed by a BHA-approved Laboratory confirms no evidence of the Presence or Use of a Prohibited Substance or a Prohibited Method prohibited at all times.

3.3 For the minimum ten Business Day period in question, the Trainer shall complete a form prescribed by the Authority including the following information

3.3.1 the full address of the location where the Horse will be staying overnight each night;

3.3.2 the name and contact details (including mobile phone number) of a designated contact person who will be available at all times for Sample notification purposes.

3.4 The Trainer is responsible for ensuring that all information provided is accurate and in sufficient detail to enable the Authority to locate the Horse for unannounced Testing on any given day at the location(s) specified. More particularly, the Trainer must provide sufficient information to enable the Authority to find the location, gain access to the location, find the Horse at the location and make contact with the Responsible Person or his designated contact person (if any).

3.5 The information in paragraph 3.3 must be filed with the Authority no later than 14 Business Days before the first race for which the Horse is entered.

3.6 Where a subsequent change in circumstances means that the information on file at the Authority becomes no longer accurate or complete, the Trainer must update the information as soon as possible to ensure that it is accurate and complete once again.

3.7 A Trainer may choose to delegate the task of complying with his obligations under paragraph 3 to a third party provided that the third party agrees to the delegation. The Authority may require written notice of any agreed delegation to be filed with it, signed by both the Trainer and the third party delegate. In all cases, the Trainer remains ultimately responsible at all times for complying with his obligations whether he does so personally or delegates the task to a third party. It shall not be a defence to an allegation of a Filing Failure that the Trainer delegated his obligations to a third party and that third party failed to comply with them.

3.8 The Authority may choose to waive the whereabouts requirements under paragraph 3 in respect of Horses trained outside of Great Britain which are domiciled in a country that the Authority is satisfied has an appropriate Testing policy in place. In such a case, International Runners from outside any recognised country which travel to that country immediately prior to running in Great Britain shall also be exempt from the whereabouts requirements under this paragraph 3 provided that they are able to produce a Certificate of Analysis issued by a BHA-approved Laboratory reporting no evidence of the Presence or Use of Prohibited Substances or Prohibited Methods prohibited at all times in a Sample collected following a BHA-approved sampling process. Under this provision, International Runners are required to produce a new Certificate of Analysis each time that they leave Great Britain before travelling back via the recognised country immediately prior to racing in Great Britain again.

3.9 The Authority may choose to allow the Sample required in Paragraph 3.2 to be collected prior to arrival to Great Britain, by the Authority or its agents. In such circumstances, it may amend the whereabouts requirements on the Trainer under paragraph 3 to enable such Sample collection to occur. For the avoidance of doubt, the collection of a Sample under this paragraph in no way precludes the Authority also collecting Samples from the Horse upon arrival in Great Britain, as well as requiring the Trainer to provide whereabouts information necessary to allow any such Samples to be collected.

#### **4. Responsible Persons of Horses permanently imported into Great Britain to be trained in Great Britain**

4.1 Any Horse that is permanently imported into Great Britain to be trained in Great Britain must have an Export Certificate filed with the General Stud Book within 90 days of its arrival. At the same time as filing the Export Certificate, a Certificate of Analysis must be provided that has been issued by a BHA-approved Laboratory reporting no evidence of the presence or Use of a Prohibited Substance or a Prohibited Method prohibited at all times in a Sample collected by the Authority following the Horse's arrival in Great Britain.

4.2 Subject to paragraph 4.8, Responsible Persons for Horses permanently imported into Great Britain to be trained in Great Britain are required to provide the Authority with whereabouts information as specified in this paragraph 4 so that the Authority may collect a Sample from the Horse at any time at the Responsible Person's cost.

4.3 The Responsible Person shall complete a form prescribed by the Authority including the following information

4.3.1 the full address of the location where the Horse will be staying overnight;

4.3.2 the name and contact details (including mobile phone number) of a designated contact person who will be available at all times for Sample notification purposes.

4.4 The Responsible Person is responsible for ensuring that all information provided is accurate and in sufficient detail to enable the Authority to locate the Horse for unannounced Testing on any given day at the location(s) specified. More particularly, the Responsible Person must provide sufficient information to enable the Authority to find the location, gain access to the location, find the Horse at the location and make contact with the Responsible Person or his designated contact person (if any).

4.5 The information in paragraph 4.3 must be filed with the Authority within seven Business Days of the Horse's arrival in Great Britain.

4.6 Where a subsequent change in circumstances means that the information on file at the Authority becomes no longer accurate or complete, the Responsible Person must update the information as soon as possible to ensure that it is accurate and complete once again.

4.7 A Responsible Person may choose to delegate the task of complying with his obligations under paragraph 4 to a third party provided that the third party agrees to the delegation. The Authority may require written notice of any agreed delegation to be filed with it, signed by both the Responsible Person and the third party delegate. In all cases, the Responsible Person remains ultimately responsible at all times for complying with his obligations whether he does so personally or delegates the task to a third party. It shall not be a defence to an allegation of a Filing Failure that the Responsible Person delegated his obligations to a third party and that third party failed to comply with them.

4.8 The Authority may elect to waive the whereabouts requirements on Responsible Persons under paragraph 4 if a Horse which is being permanently imported into Great Britain has spent at least 12 consecutive months immediately prior to the date of importation in a country that the Authority is satisfied has an equivalent Testing policy in place to that of the Authority. The Authority may also elect to waive the requirement for the provision of the Certificate of Analysis referred to in paragraph 4.1.

4.9 At such time as a Horse permanently imported into Great Britain is duly registered with the Authority pursuant to Manual (E), Part 2, it shall become a British-Based Horse, and the obligations in paragraph 2 shall apply.

4.10 The Authority may choose to allow the Sample required in paragraph 4.1 to be collected prior to importation to Great Britain, by the Authority or its agents. In such circumstances, it may amend the whereabouts requirements on Responsible Persons under paragraph 4 to enable such Sample collection to occur. For the avoidance of doubt, the collection of a Sample under this paragraph in no way precludes the Authority also collecting Samples from the Horse upon arrival in Great Britain, as well as requiring the Responsible Person to provide whereabouts information necessary to allow any such Samples to be collected.

## **5. Filing Failures**

5.1 The Authority may pursue a Filing Failure against the Responsible Person in the event that he fails to comply with the whereabouts requirements under this Schedule, including without limitation by

- 5.1.1 failing to file any of the information stipulated in this Schedule; or
- 5.1.2 failing to file or update the information stipulated in this Schedule on a timely basis; or
- 5.1.3 filing or updating the information stipulated in this Schedule but failing to include all of the information required; or
- 5.1.4 including information in the filing or update that is inaccurate or insufficient to enable the Authority to locate a Horse for Testing.

5.2 A Filing Failure may result from an administrative failure of the Responsible Person to comply with the requirements to provide information as required in this Schedule. Alternatively, a Filing Failure may only become apparent once the Authority has sought to test the Horse at the location specified in the information on file.

5.3 If the Authority considers that a Filing Failure has been committed, it shall notify the Responsible Person within 14 days and shall give the Responsible Person a reasonable deadline to respond to the allegation advising whether or not he admits the Filing Failure and, if not, why not. If the Responsible Person does not respond within the specified deadline, the Filing Failure shall be confirmed. If the Responsible Person does respond, the Authority shall consider all the facts raised by the Responsible Person before reaching its determination whether to record a Filing Failure. If the Authority records a Filing Failure, this shall be confirmed in writing to the Responsible Person, and the Owner or Trainer of the Horse as applicable.

5.4 A second or third Filing Failure may not be pursued against a Responsible Person unless he has been given notice of the previous Filing Failure and, if that Filing Failure revealed deficiencies in a whereabouts filing that would lead to further Filing Failures if not rectified, has been advised in the notice that, in order to avoid a further Filing Failure, he must file the required whereabouts by the deadline specified in the notice. If the Responsible Person still fails to file the required whereabouts within the deadline specified, a further Filing Failure may be pursued (regardless of whether the administrative process for finalising the previous Filing Failure has been concluded or not).

5.5 Where three Filing Failures are recorded against a Responsible Person within a 12-month period, the Authority shall charge the Responsible Person with a violation of Rule (G)2.8. For a violation of Rule (G)2.8 to occur, it is not necessary that the three Filing Failures are committed by a Responsible Person in connection with the same Horse. They may relate to any of the Horses under his care or control within the period in question. For the avoidance of doubt, if a Responsible Person commits a Filing Failure in respect of a number of Horses as part of the same filing (or the same failure to make a filing), it shall only count as one Filing Failure.

5.6 For the purposes of Rule (G)2.8, the 12-month period starts to run on the date when the Responsible Person commits the first Filing Failure. If two or more Filing Failures occur during the ensuing 12-month period, then a violation is committed, irrespective of the Responsible Person's compliance with the whereabouts requirements in between Filing Failures. If, following a Filing Failure, a 12 month period ensues without the occurrence of two subsequent Filing Failures, then the original Filing Failure shall be disregarded (and shall be deemed to have expired) for the purposes of determining whether a violation of Rule (G)2.8 has occurred; and, accordingly, a new 12 month period shall be deemed to have begun from (and including) the date of the next Filing Failure.

5.7 A Responsible Person alleged to have committed an anti-doping rule violation under Rule (G)2.8 shall have the right to have such an allegation determined at a full hearing in accordance with the Equine Anti-Doping Rules. The Disciplinary Panel shall not be bound by any determination made during the results management process and the Authority shall have the burden at the hearing of establishing that three Filing Failures have been committed within a 12-month period. If the Disciplinary Panel decides that one or more of the Filing Failures have

not been established then no violation of Rule (G)2.8 will have been committed. However, the established Filing Failures will be carried forward and new proceedings may be brought based on a combination of the Filing Failure(s) established to the satisfaction of the Disciplinary Panel and any new Filing Failure(s) that are subsequently committed.

## **6. Missed Tests**

6.1 The Authority may pursue a Missed Test against a Horse in the event that

6.1.1 The Authority seeks to test a Horse based on the whereabouts information provided by the Responsible Person on file at the Authority; and

6.1.2 The Horse cannot be located for Testing at the information on file.

6.2 Before pursuing a Missed Test, the Authority shall seek a report from the Approved Person into the circumstances of the attempted Test and satisfy itself that reasonable attempts were made to test the Horse based on the information on file with the Authority.

6.3 If the Authority considers that a Missed Test has occurred, it shall notify the Responsible Person for the Horse within 14 days and shall give the Responsible Person a reasonable deadline to respond to the allegation advising whether or not the Missed Test is admitted and, if not, why not. If the Responsible Person does not respond within the specified deadline, the Missed Test shall be confirmed. If the Responsible Person does respond, the Authority shall consider all the facts raised by the Responsible Person before reaching its determination whether to record a Missed Test. If the Authority does record a Missed Test, this shall be confirmed in writing to the Responsible Person of the Horse, and the Owner or Trainer of the Horse as applicable.

6.4 For the avoidance of doubt, a separate Filing Failure and a Missed Test (for the Responsible Person and Horse respectively) may arise out of the same set of facts.

6.5 A second or third Missed Test may not be pursued unless the Responsible Person has been given notice of the previous Missed Test(s).

6.6 Where three Missed Tests are recorded against a Horse within an 18-month period, the Authority shall charge the Responsible Person with a violation of Rule (G)2.8. For a violation of Rule (G)2.8 to occur, it is not necessary that the three Missed Tests take place whilst the Horse is under the care and control of the same Responsible Person. They may occur whilst the Horse is under the care or control of different Responsible Persons and irrespective of whether the Horse is in training or not.

6.7 For the purposes of Rule (G)2.8, the 18-month period starts to run on the date when the first Missed Test occurs. If two or more Missed Tests occur during the ensuing 18-month period, then a violation is committed, irrespective of whether the Horse has been tested in between the Missed Tests. If following one Missed Test, an 18-month period ensues without the occurrence of two subsequent Missed Tests, then the original Missed Test shall be disregarded (and deemed to have expired) for the purposes of determining whether a violation of Rule (G)2.8 has occurred; and, accordingly, a new 18-month period shall be deemed to have begun from (and including) the date of the next Missed Test.

6.8 The Responsible Person of a Horse alleged to have committed an anti-doping rule violation under Rule (G)2.8 shall have the right to have such an allegation determined at a full hearing in accordance with the Anti-Doping Rules. The Disciplinary Panel shall not be bound by any determination made during the results management process and the Authority shall have the burden at the hearing of establishing that three Missed Tests have occurred within a 18-month period. If the Disciplinary Panel decides that one or more of the Missed Tests have not been established then no violation of Rule (G)2.8 will have been committed. However, the established Missed Tests will be carried forward and new proceedings may be brought based on a combination of the Missed Test(s) established to the satisfaction of the Disciplinary Panel and any new Missed Test(s) that subsequently occur.

## **Schedule 3 - Sample Collection Procedures**

### **1. Sampling at racecourse**

1.1 This Paragraph applies where, in the course of examination by order of the Stewards under Part (B)1, Samples are to be taken from any horse which has been declared to run under Rule (F)89 or is otherwise at a racecourse.

1.2 The sampling must be carried out at the sampling unit at the racecourse, unless the Approved Person directs otherwise.

1.3 The Analysis will be undertaken at such times and in such manner as the Authority may from time to time instruct.

1.4 The Stewards may

1.4.1 direct that the sampling is to include the taking of Samples for subsequent Analysis, and

1.4.2 require that the horse be kept in the official racecourse stables for more extensive examination for any period ending up to 24 hours after the time of the race which the horse ran or was entered to run.

1.5 For the purposes of sampling under this Paragraph, the Trainer of the horse must ensure that

1.5.1 the horse's passport, or

1.5.2 if it does not have one, an equivalent document certifying the horse's identity,  
is available for inspection at the time of the examination.

1.6 Where a horse is ordered to be detained in official racecourse stables under Paragraph 1.4.2, the Trainer may, by application to the Authority to be made through the Clerk of the Course of the meeting, claim for any additional expense incurred.

## **2. Procedure for racecourse sampling**

2.1 The procedures for the handling of any Sample taken under Paragraph 1 are specified in this Paragraph.

2.2 The Trainer may witness the procedure, either in person or by a representative qualified to enter the official racecourse stables.

2.3 The Trainer or his representative will be expected to observe

2.3.1 the division and transfer of the Sample into the forensic bottles, and

2.3.2 the sealing and labelling, with the appropriate coded label, of the forensic bottles.

2.4 After witnessing these procedures the Trainer or his representative will be expected to sign the coded labels on the forensic bottles and also to sign a declaration to the effect that he has witnessed the procedures and that unless he has expressed concerns to the Approved Person who is conducting the sampling, he is satisfied that they have been complied with.

2.5 If a Trainer or his representative chooses not to witness the sampling procedure he must sign a declaration before the Sample is taken in which he agrees that the integrity of the sampling procedure will not be questioned at a later date.

2.6 Where the sampling procedure is not observed for any reason (including in circumstances specified in Paragraph 2.5) and an unsuccessful challenge is made to the integrity of the procedure, the Authority may order the Trainer to pay some or all of the costs of the challenge incurred by the Authority.

## **3. Procedure for Out-of-Competition sampling other than at a racecourse**

3.1 The procedures for the handling of any Out-of-Competition Sample taken other than on a racecourse are specified in this Paragraph.

3.2 For the purposes of sampling under this Paragraph, the Responsible Person of the horse must ensure that

3.2.1 the horse's passport, or

3.2.2 if it does not have one, an equivalent document certifying the horse's identity,

is available for inspection at the time of the examination.

3.3 The Responsible Person or their representative must witness the procedure.

3.4 The Responsible Person or their representative will be expected to observe

3.4.1 the division and transfer of the Sample into the forensic bottles, or bags, and

3.4.2 the sealing and labelling, with the appropriate coded label, of the forensic bottles, or bags.

3.5 After witnessing these procedures the Responsible Person or their representative will be expected to sign the coded labels on the forensic bottles and also to sign a declaration to the effect that he has witnessed these

procedures, and that save for any concerns expressed on the documentation, he was satisfied with how they have been carried out.

## **Schedule 4 - Procedure for a B Analysis**

### **Procedure for B Sample Analysis**

1. The procedures in this Schedule apply to the handling of any Sample which is subjected to B Sample Analysis in accordance with Rule (G)7.
2. The Authority will instruct the B Sample laboratory nominated in accordance with Rule (G)7.3 by the Trainer (or failing him, the Owner) to conduct and complete the analysis of the B Sample no later than ten working days from receipt of the instruction.
3. If the selected laboratory is Laboratoire Des Courses Hippiques (LCH) and it is unable to carry out the B Sample Analysis, the Authority will make a similar approach to Deutsche Sporthochschule Koln Institut fur Biochemie - Germany (DSKIB).
4. If both LCH and DSKIB are unable to carry out the B Sample Analysis, it will be carried out by LGC under the same terms.
5. The B Sample Analysis will be confined to confirming whether or not the B Sample contains:
  - 5.1. the substance reported in the Certificate of Analysis relating to the A Sample, and
  - 5.2. if the Prohibited Substance is listed as a threshold substance on the Prohibited List, a concentration of the substance that exceeds the concentration specified for that substance.
6. If appropriate, the B Sample will be despatched by LGC to the B Sample Laboratory conducting the analysis under a secure chain of custody.
7. The B Sample shall remain the property of the Authority.
8. Any remaining residue after analysis of the B Sample has been conducted will be retained by the B Sample Laboratory until otherwise instructed by the Authority.
9. Witnessing the B Sample Analysis
  - 9.1. One of the Trainer, the owner or an appointed representative may witness the B Sample Analysis, provided they are available within the time frame required.
  - 9.2. In the case of a Sample resulting from examination carried out by an Approved Person appointed under Part (A)5 that is subjected to B Sample Analysis, the witness shall either be the Trainer or his appointed representative, and in any other case shall be the Trainer, the Owner, or an appointed representative.
  - 9.3. The attendance of any witness is at the expense of the Person nominating him.
  - 9.4. If the Authority has ordered the B Sample Analysis, it may nominate a witness to attend the B Sample Analysis.
10. Where the B Sample Analysis confirms the presence of the Prohibited Substance revealed by the Analysis of the A Sample (or its presence at or in excess of the concentration specified in Schedule 1, Paragraphs 2 or 9), the B Sample Laboratory will issue a Certificate of Analysis to the Authority with the supporting analytical data.
11. The Certificate of Analysis relating to the A Sample and, if required, the Certificate of Analysis relating to the B Sample together with the supporting analytical data from both analyses will be made available to the Trainer or owner concerned.
12. Where the B Sample Analysis does not confirm the findings in respect of the A Sample, the Authority will be informed in writing, the Sample will be declared "negative" and no Disciplinary Action will be taken unless there are reasonable grounds to believe that
  - 12.1. the integrity of the B Sample may have been deliberately violated, or
  - 12.2. other evidence of a non-forensic nature is availablein either of which events the Authority may proceed on the basis of the Analysis of the A Sample alone.
13. Where the B Sample Analysis is requested by the Responsible Person, the following costs provisions shall

apply

13.1 If the B Sample is analysed at LGC, the Disciplinary Panel, under Rule (A)46.4, may order that a contribution to costs is made if it is satisfied that the result of the A Sample should have been accepted having regard to the knowledge of and information available to the Trainer and/or Owner concerned at the time.

13.2 If the B Sample is analysed at LCH or DSKIB, according to Rule (G)7.3 the Responsible Person will be responsible for all costs associated with the transportation of the Sample LCH or DKSIB and the subsequent B Sample analysis.

## **Schedule 5 - List of BHA-Approved Laboratories**

1. LGC Laboratory, Newmarket, UK