



March 20, 2018

STANDARDBRED DIRECTIVE NO. 1 – 2018 – Outcome of Working Group Consultations

Preamble

WHEREAS the Alcohol and Gaming Commission of Ontario has spent the past year undertaking extensive stakeholder engagement, including consultations with the Officiating Working Group, the Equine Drug Working Group and the Health and Safety Working Group;

AND WHEREAS the consultations resulted in recommendations and favorable support in the Standardbred industry for numerous rule revisions;

AND WHEREAS the Alcohol and Gaming Commission of Ontario has also taken this opportunity to reflect the current state of industry practice by removing rules which are no longer in use;

TAKE NOTICE that the Registrar hereby orders the *Rules of Standardbred Racing 2016* be amended as follows effective April 21, 2018:

CHAPTER 6 – VIOLATIONS, PENALTIES & EXPULSIONS

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~~6.40 Leading of horses on the main racing strip of a racing association is prohibited between the hours of 8:00 a.m. and 12:00 noon and 3 hours prior to the post time on any racing day. Deleted.~~

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~~6.52 The use of Extracorporeal Shock Wave Therapy or Radial Pulse Wave Therapy shall not be permitted on any racehorse unless the following conditions are met:~~

- ~~(a) the treatment took place a minimum of 4 days (96 hours) prior to competing in a race;~~
- ~~(b) the treatment using the Extracorporeal Shock Wave Therapy or Radial Pulse Wave Therapy machine was conducted by a veterinarian licensed by the Commission as a veterinarian;~~
- ~~(c) any treatment received while on the grounds of the Association was through the use of an Extracorporeal Shock Wave Therapy or Radial Pulse Wave Therapy machine owned and operated by a veterinarian licensed by the Commission; and~~
- ~~(d) a record of the treatment, including the date and time, is maintained as part of the record of the horse.~~

6.52 No person, other than a veterinarian licensed by the Commission, shall have or use of Extracorporeal Shock Wave Therapy, Radial Pulse Wave Therapy on any racehorse and the following conditions of use must be met:

- (a) be used only for a valid diagnostic or therapeutic treatment or procedure;
- (b) no treatment or procedure is allowed within 4 days (96 hours) prior to competing in a race; and
- (c) any treatment or procedure must be recorded, including the date and time, and maintained as part of the record of the horse.

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6.54 No person, other than a veterinarian licensed by the Commission, shall have or use a Blood Gas Machine on any racehorse and the following conditions of use must be met:

- (a) be used only for a valid diagnostic procedure;
- (b) any treatment or procedure must be recorded, including the date and time, and maintained as part of the record of the horse.

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Chapter 7 – Racing Associations

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~~7.09 An Association shall provide and equip a first aid room and have present on their premises, or within easy call, a licensed physician, registered nurse or qualified attendant and shall also have present during qualifying races and during the regular racing program an ambulance or mobile first aid vehicle, equipped and operated by the St. John Ambulance Brigade or equivalent, for participants and patrons.~~

~~7.10 An association shall have a horse ambulance readily available in the stable area on race and qualifying days for the removal of injured animals.~~

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Chapter 9 – Official Samples and Positive Tests

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~~9.02.02 The party against whom a certificate of positive analysis of an official sample is produced may require the attendance of the chemist or chemists for the purpose of questioning. Deleted.~~

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~~9.06 Should an Official Chemist's report on an official sample taken from a horse be positive, he or she shall immediately notify the Commission. This notification shall be taken as prima facie evidence of a positive test. The Official Chemist shall then confirm such findings by special prepaid mail or fax to with the Commission and the Judges.~~

9.07 Upon being advised of the positive test the Commission shall notify the trainer or his or her responsible representative as expeditiously as possible.

~~9.07.01 When the Judges receive the first verbal report from the Official Chemist that a positive test has been found, they shall establish as soon as possible the horse from which the test was obtained and at once summon the trainer or his or her responsible~~

representative and ask for an explanation. Deleted.

9.07.01 Once the Commission has notified the trainer or his or her responsible representative pursuant to Rule 9.07, the Judges or Administration may:

- (i) inform the trainer that he/she will be permitted to continue with his or her business as trainer,
- (ii) inform the trainer that he/she has been suspended and that none of the horses in his or her custody or under his or her care and control shall be allowed to start until the matter is considered and disposed of or until the horses have been turned over to another trainer or trainers approved by the Judges,
- (iii) place conditions on the trainer's license,
- (iv) determine the eligibility of the horse.

~~**9.07.02** After the Judges have informed the trainer, or his or her responsible representative of such positive test, and failing a satisfactory explanation, the Judges or other delegate may accompany the trainer, or his or her responsible representative, to the stable and, subject to Rule 10.02 conduct a thorough search of the trainer's barn, automobile or any other vehicles which her or she may have in his or her possession or under his or her control. Deleted.~~

~~**9.07.02** The Commission shall inform the owner and the Racing Association concerned, as expeditiously as possible, of their actions regarding the positive test.~~

~~**9.07.03** The Judges or other delegate shall continue the review, taking evidence from all persons who may have knowledge of the matter and, particularly, knowledge disclosing the nature of the drug or medical treatment that has been administered to the horse by any veterinarian or other person before the race, and what protection has been given to the horse prior to the race to attempt to ensure that a drug would not be improperly administered to the horse. Deleted.~~

~~**9.08.01** In addition to conducting the above review into a positive test, the Judges will inform the trainer of the horse having the positive test that pursuant to Rule 26.02.01 and 26.02.02:~~

- ~~a) he/she is responsible for the condition of the horse; and~~
 - ~~b) either that,~~
 - ~~(i) the Judges are still reviewing the matter, or~~
 - ~~(ii) are now prepared to hear the evidence relating to the positive test.~~
- ~~In the event that either the Judges or trainer are not prepared to proceed forthwith, the Judges shall then:~~
- ~~a) fix a date and a place when the allegation will be considered and disposed of;~~
 - ~~b) inform the trainer that until that time,~~
 - ~~(i) he/she will be permitted to continue with his or her business as trainer, or~~
 - ~~(ii) that he/she has been suspended and that none of the horses in his or her custody or under his or her care and control shall be allowed to start until the matter is considered and disposed of or until the horses have been turned over to another trainer or trainers approved by the Judges.~~

~~Deleted.~~

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~~11.10.01~~ Any horse that tests positive in Ontario for any of the following shall be ineligible to race for a period of 90 days from the date of the identification of the horse with the positive test and will be placed on the Judges' List in accordance with Rule 20.01.01(i):

- ~~1. Class I;~~
- ~~2. Class II;~~
- ~~3. Class III;~~
- ~~4. TCO2;~~

~~5. Substance determined to be non-therapeutic.~~

~~Any person who violates this rule shall be subject to a monetary penalty and/or suspension.~~

Deleted.

~~11.10.02~~ Any horse that obtains a positive test from a jurisdiction outside Ontario for any of the following shall be ineligible to race in Ontario for a period of 90 days from the date of the identification of the horse with the positive test:

- ~~1. Class I;~~
- ~~2. Class II;~~
- ~~3. Class III;~~
- ~~4. TCO2;~~

~~5. Substance determined to be non-therapeutic.~~

Deleted.

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~~11.10.03~~ Rule 11.10.01 and Rule 11.10.02 shall be absolute liability violations.

Deleted.

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Chapter 12 – Qualifying Races

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~~12.04~~ Where a horse is required to qualify, either by virtue of the operation of these rules, by order of the Judges, or for any other reason whatsoever, the Judges may establish standards relating to an individual horse's performance. Deleted.

~~12.05~~ The Judges may establish standards to require a faster class horse to qualify for overnight events by means of a timed workout. Deleted.

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Chapter 14 – Overnight Events

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~~14.03~~ A fair and reasonable racing opportunity shall be afforded both trotters and pacers in reasonable proportion from those available and qualified to race. Deleted.

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Chapter 15 – Claiming Races

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15.11 Claiming procedure:

- (a) A person desirous of making a claim, hereinafter referred to as the claimant, must remit the required amount ~~by certified cheque or by bank draft payable to the Association, or to the person desirous of making the claim and properly endorsed over to the Association, or by cash or by transfer of purse account funds on credit with the Association conducting the race.~~ The required amount shall include the claiming price plus the transfer of ownership fee and applicable taxes;
- (b) The claimant shall provide all information required on the claim form provided by the Association;
- (c) The claim form shall be completed and signed by the claimant prior to placing it in an envelope provided for this purpose by the Association. The claimant shall seal the envelope and identify on the outside the date, race number and track name only;
- (d) The envelope shall be delivered to the race secretary, or licensed delegate, at least 30 minutes before post time of the race from which the claim is being made. That person shall certify on the outside of the envelope the time it was received, the current licence status of the claimant and whether credit in the required amount has been established;
- (e) It shall be the responsibility of the race secretary to ensure that all such claim forms are delivered to the Judges prior to the race from which the claim is being made;
- (f) The Judges shall disallow any claim made on a form or in a manner which fails to comply with all requirements of this rule;
- (g) ~~Documentation supporting all claims for horses, whether successful or unsuccessful, shall include details of the method of payment either by way of a copy of the cheque presented, or written detailed information to include the name of the claimant, the bank, branch, account number and drawer of any cheques or details of any other method of payment. This documentation is to be kept on file at racetracks for 12 months and is to be produced to the Registrar for inspection at any time during the 12 month period;~~
Deleted
- (h) Copies of claim forms may be delivered directly to the Judges stand from the race office. The original claim form must be kept on file in the race office for the period of twelve months.

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~~15.16 A claimed horse shall be delivered immediately in the paddock by the original owner, his or her trainer or authorized representative, to the successful claimant upon authorization of the Judges. The horse's halter must accompany the horse. Altering or removing the horse's shoes will be considered a violation. Deleted.~~

15.16.01 Transfer of possession of a claimed horse to the successful claimant or their representative shall take place in the paddock immediately after the running of the race. The horse's halter must accompany the horse. Altering or removing the horse's shoes prior to the transfer is not permitted.

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Chapter 16 – Added Money Events

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~~16.23 Associations shall provide stable space for each horse declared on the day before, the day of, and the day following the race. Deleted.~~

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~~16.31 In a two in three race, a horse must win two heats to win a race and there shall be 10 percent set aside for the race winner. The purse shall be divided and awarded according to the finish in each of the first two or three heats, as the case may be. If the number of advertised premiums exceeds the number of finishers, the excess premiums shall go to the winner of the heat. The fourth heat, when required, shall be raced for 10 percent of the purse set aside for the race winner. In the event there are three separate heat or dash winners and they alone come back in order to determine the race winner, they will take post positions according to the order of their finish in the previous heat. In a two year old race, if there are two heat winners and they have made a dead heat in the third heat, the race shall be declared finished and the one standing best in the summary shall be awarded the 10 percent. If the two heat winners make a dead heat and stand the same in the summary, the 10 percent shall be divided equally among them. Deleted.~~

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Chapter 17 – Declarations and Drawing of Post Positions

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~~17.09 When the draw is available to be viewed, a licensed participant may witness the draw. At the time specified, one of the Judges or in the event of their inability to be present the race secretary, or licensed delegate, shall unlock the box. The race secretary will be responsible to see that at least one licensed participant is present to witness the draw. An owner or agent of a horse with a declaration in the declaration box shall not be denied the privilege of being present. Declarations shall be listed, the eligibility verified, preference ascertained, starters selected, and post positions drawn. If it is necessary to reopen any race, public announcements shall be made at least twice and the box reopened at a definite time.~~

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Chapter 18 – Placing and Money Distribution

~~18.01 Unless otherwise provided in the conditions, all purses shall be distributed on the dash basis with the money awarded according to a horse's position in each separate dash or heat of the race. Purse money distribution in overnight events shall be limited to five monies.~~

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Chapter 20 – Judges' and Veterinarians' Lists

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20.01.01 A horse may be placed on the Judges' List for the following reasons:

- (a) the horse has been declared unfit to race by the Commission Veterinarian or Official Veterinarian because it is sick, lame or otherwise physically unfit to race. This will be known as the Short Term Veterinarians' List;
- (b) the horse has been declared dangerous or unmanageable by the Judges shall be

placed on the Judges list for performance.

- (i) a horse placed on the long term Veterinarians' List due to chronic physical or health problems by the Commission Veterinarian shall remain on the Veterinarians' List for a minimum of 14 days.
- (c) proof of a negative Coggins' Test required in accordance with Rule 22.34 is not presented;
- (d) Deleted — reference SB Directive 10-2002
- (e) the horse is required to school for the starter in accordance with Rule 30.03;
- (f) the Judges have determined that the horse must qualify on two consecutive occasions before being eligible to race;
- (g) the horse was scratched due to a transportation problem; or
- (h) the horse was scratched due to a violation of Rule 22.38;
- ~~(i) any horse that tests positive for any of the following shall be remain on the Judges' List for a period of 90 days from the date of the identification of the horse with the positive test:~~
 - ~~1. Class I;~~
 - ~~2. Class II;~~
 - ~~3. Class III;~~
 - ~~4. TCO2;~~
 - ~~5. Substance determined to be non-therapeutic. Deleted.~~
- (k) any reason the Judges or Administration deem to be proper.

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20.02 A horse that has been placed on the Judges' List in accordance with the rules will be ineligible to race until removed therefrom, as follows:

- (a) Only the Judges at an extended meeting shall have the authority to remove a horse that is on the Judges' List in accordance with Rules 5.17, 20.01.01 (b), (e), (f) or ~~(i)~~;
- (b) Horses on the List in accordance with Rule 20.01.01 (a), (g) and (h) shall come off the List after seven (7) clear days. Horses on the List in accordance with Rule 20.01.01 (g) may also be removed when documentation has been presented to the satisfaction of the Judges;
- (c) Horses on the Judges' List for 20.01.01 (c) and (d) shall be removed from the List when the documentation has been presented to the Standardbred Canada field representative;
- ~~(d) Horses on the Judges' List in accordance with 20.01.01(i) shall come off the Judges' List after ninety (90) clear days. Deleted.~~
- (e) in all other case, at the discretion of the Judges or Administration.

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Chapter 21 – Postponement and Cancellation

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~~**21.02** Added money events shall be postponed to a definite hour on the next scheduled race date when favourable conditions prevail. Deleted.~~

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Chapter 22 – Racing Rules

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22.38 An excess level of total carbon dioxide (TCO2) in a race horse is deemed to be

adverse to the best interests of harness racing, and adverse to the best interests of the horse in that such condition alters its normal physiological state. Accordingly, a person designated by an approved TCO₂ laboratory may, subject to the *Horse Racing Licence Act, 2015*, obtain venous blood samples from the jugular vein of a horse for the purpose of the testing of said samples by that laboratory for TCO₂ levels as outlined in Rule 22.38.05. Where the TCO₂ level, based upon such testing, equals or exceeds the following levels, the Judges or Administration shall order the relief authorized pursuant to Rule 22.38.06:

- (a) Thirty-seven (37) or more millimoles per litre of blood for horses not competing on Furosemide; or
- (b) Thirty-nine (39) or more millimoles per litre for those horses competing on furosemide at a track where the EIPH Program is offered.

22.38.05 All horses that race are eligible to be selected by the Judges for blood gas testing. The entry of a horse shall constitute permission for a person designated by the approved TCO₂ laboratory to obtain blood samples. To the extent that it is feasible, the owner, trainer or other person responsible for the horse will be given notice that the horse is to be tested and may be present when the blood sample is taken. Refusal by an owner, trainer or other person responsible for the horse to attend the taking of the sample will not affect the validity of the test. Any owner, trainer or other person responsible for the horse who refuses or fails to permit the taking of a sample from a horse shall have all applicable horses scratched by the Judges or Administration. Such refusal shall be deemed an admission of a violation of Rule 22.38 empowering the Judges or Administration to take any necessary action in accordance with the Rules. ~~to hold a review whereby the penalties contemplated by 22.38.06 may be imposed.~~ It shall be the responsibility of the trainer of a horse selected for post-race testing to see that the horse is taken directly to the testing barn or retention area immediately after being notified of the horse's selection for testing. Commission Judges will select the horses to be tested and advise the approved TCO₂ laboratory personnel accordingly. Commission Judges may also instruct the approved TCO₂ laboratory personnel to collect samples from every horse in selected races.

The approved TCO₂ laboratory is responsible for:

- (a) collecting blood samples, by an authorized person (veterinarian or RVT - Registered Veterinary Technician, or other person approved by the Registrar) from each selected horse into two plasma separator tubes;
- (b) collecting the samples within approximately 20 minutes immediately preceding the start of the race in which the selected horse is entered, or as directed by a Commission Judge. The Commission Judges may also direct the collection of the sample from a selected horse at least 90 minutes after a race in a secured area designated by the Judges;
- (c) ensuring that the samples are centrifuged within approximately 20 minutes of collection and kept under refrigerated conditions until shipped;
- (d) shipping the samples to the laboratory in an insulated container;
- (e) analysing samples for TCO₂ using a Beckman Synchron EL-ISE;
- (f) analysing samples within 48 hours, or up to a maximum of 96 hours in exceptional circumstances, of collection and reporting all results to the Commission and the Canadian Pari-Mutuel Agency.

22.38.06 Penalties

Where the TCO₂ level in a horse is determined to equal or exceed the levels set forth in Rule 22.38 above, the Judges or Administration shall assess penalties in accordance with Policy Directive: Guidelines – Penalties for Equine Drug, TCO₂ and Non-Therapeutic Drug

Violations.

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Chapter 32 – Paddock Judge and Equipment Inspector

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32.05 The post parade from the paddock shall commence at a time designated by the Judges. The paddock judge shall cause all horses in a race to be formed in a parade line in the programmed order. Such horses shall be attended by their drivers unless specifically excused by the paddock judge. ~~All horses in a race shall parade in front of the grandstand not later than five minutes before post time, unless excused by the Judges.~~

Chapter 33 – Patrol Judges and Placing Judges

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~~**33.03** The Placing Judge shall:~~

- ~~(a) be appointed by the Association;~~
- ~~(b) be subject to supervision by the Judges;~~
- ~~(c) occupy the photo finish stand 15 minutes prior to the first race post time;~~
- ~~(d) record all horses in their order of finish of every race;~~
- ~~(e) produce a photo at the request of the Judges. Deleted.~~

~~**33.04** In determining the places of the horses at the finish of a race, the Placing Judge shall consider only the relative position of the respective noses of such horses. Deleted.~~

~~**33.05** The Placing Judge in consultation with the Judges shall cause to be prominently displayed to the public the numbers of the first four horses in the order of finish and shall be responsible for recording the remainder of the field. Deleted.~~

~~**33.06** When the Placing Judges differ in their placements, the Judges shall inspect the print prior to the official sign being posted and the decision of the Judges shall prevail. Deleted.~~

~~**33.07** The Judges shall confirm with the photo finishing and Placing Judges as to the result of every race by declaring the result official, and the word "Official" shall be flashed or otherwise placed on the totalizer board, in a manner in which it may be clearly seen from any part of the grandstand. Deleted.~~

~~**33.08** Nothing in the Rules shall be construed to prevent the Placing Judges, with the approval of the Judges, from correcting an error before the display of the "Official" sign or from recalling the "Official" sign in case it has been displayed through error. Deleted.~~

BY ORDER OF THE REGISTRAR



Jean Major
Registrar