RULE SERIES 5000

EQUINE TESTING AND INVESTIGATION STANDARDS

5000. EQUINE TESTING AND INVESTIGATIONS STANDARDS.

5010. Purpose.

(a) The Equine Testing and Investigations Standards is developed pursuant to the Horseracing Integrity and Safety Act of 2020 and the Equine Anti-Doping and Medication Control Protocol ("Protocol").

(b) The first purpose of the Equine Testing and Investigations Standards (the "Testing and Investigations Standards") is to plan for intelligent and effective Testing, both on Race Day and Out-of-Competition, and to maintain the integrity and identity of the Samples collected from the point of notification of a Covered Horse's selection for Testing, to the point the Samples are delivered to a Laboratory for analysis. To that end, these Testing and Investigations Standards (including its Annexes) establish protocols for test planning (including collection and use of Covered Horse whereabouts information), notification of a Covered Horse's selection for Testing, preparing for and conducting Sample collection, security/post-test administration of Samples and documentation, and transport of Samples to Laboratories for analysis.

(c) The second purpose of the Testing and Investigations Standards is to establish rules for the efficient and effective gathering, assessment, and use of anti-doping and medication control intelligence and for efficient and effective investigations into possible anti-doping and medication control rule violations.

5020. Definitions.

Terms used in this Rule 5000 Series that are defined terms in the Equine Program Dictionary are italicized.

5100. STANDARDS FOR TESTING.

5110. Planning Effective Testing.

(a) The Agency is required to plan and implement intelligent Testing on Covered Horses over which it has authority, and which is proportionate to the risk of doping, misuse of medication, and effective to detect and to deter such practices. The objective of this Rule is to set out the steps to develop a Risk Assessment in order to inform Testing plans that best ensure clean competition and protect the health and welfare of Covered Horses.

(b) The Agency shall ensure that Covered Persons with a conflict of interest in the outcome of the Testing being contemplated are not involved in test planning or in the process of selection of Covered Horses for Testing.

(c) The Agency should monitor, evaluate, and update its Risk Assessment during the year/cycle in light of changing circumstances and in implementing its Testing plans.

5120. Risk Assessment.

The Risk Assessment shall be conducted in good faith, reviewed and updated as required, and should take into account (if available) the following information:

(a) Discipline, and individual factors that may result in a higher potential for adopting doping behavior and/or misuse of medication;

(b) Available statistics and research on doping trends and/or misuse of medication, practices, and methods;

(c) Reliable information received and intelligence developed on possible doping practices;

(d) The outcomes of previous test planning cycles including past testing strategies;

(e) Optimal times to apply specific test types (including analysis) to maximize opportunities for detecting and deterring doping;

(f) Given the structure of the racing season (including generic racing schedules and training patterns), at what time(s) during the year a horse is most likely to be administered Banned Substances or be subjected to Banned Methods (to enhance or impair performance or impact welfare/soundness); and

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(g) The Agency shall consider in good faith any Risk Assessment carried out by a State Racing Commission or racing authority in another country and provided to the Agency for purposes of enhancing its Risk Assessment.

5130. Prioritizing between Covered Horses, Types of Testing, and Samples.

(a) Only the Agency has the authority to direct Testing on any Covered Horse. All Covered Horses shall be subject to whereabouts requirements. The Agency should consider various factors in prioritizing the allocation of Testing resources. In addition, the Agency will use Target Testing to focus Testing resources where they are most needed within the overall pool of Covered Horses.

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(b) Factors relevant to determining which Covered Horses should be the subject of Target Testing may include, but are not limited to, the following:

(1) Covered Horses serving a period of Ineligibility or a Provisional Suspension;

(2) Covered Horses who were high priority for Testing before retirement and are now returning from retirement to active participation;

(3) Covered Persons' prior anti-doping and medication control rule violations, Testing history, including any abnormal biological Sample data (e.g., Atypical Finding reported by a Laboratory);

(4) Performance history, performance pattern, and/or high performance (e.g., Trainer strike rate) without a commensurate Testing record;

(5) Repeated failure to meet whereabouts requirements;

(6) Suspicious Whereabouts Filing patterns;

(7) Moving to or training in a remote location;

(8) Suspicious withdrawal or absence from expected Covered Horserace(s);

(9) Association with a third party (such as a Trainer, Veterinarian, or Owner) with a history of involvement in doping;

(10) Injury;

(11) Age and stage of career;

(12) Financial incentives for improved or degraded performance, such as purse size, unusual betting patterns, or upcoming claiming race; and/or

(13) Reliable information from a third party, or intelligence developed by or shared with the Agency.

(c) Target Testing is a priority because random Testing, or even weighted random Testing, does not ensure that all of the appropriate Covered Horses will be sufficiently tested. Covered Horses can be tested at any time and at any place. The Protocol does not impose any reasonable suspicion or probable cause requirement for Target Testing or Testing.

(d) Testing which is not Target Testing should be determined based on the Risk Assessment. Testing should be conducted using a documented system for such selection, such as weighted (where Covered Horses are ranked using pre-determined criteria to increase or decrease the chances of selection) or completely random (where no pre-determined criteria are considered, and Covered Horses are chosen arbitrarily from a list or pool of names). Testing that is weighted should be prioritized and be conducted according to defined criteria which may take into account the risk factors to ensure that a greater percentage of at risk Covered Horses are selected.

(e) Based on the Risk Assessment and prioritization process described above, the Agency should determine to what extent each of the following types of Testing is required to detect and deter doping and medication abuse practices within the sport intelligently and effectively:

(1) Race Day Testing and Out-of-Competition Testing;

(2) Testing of urine;

(3) Testing of hair;

(4) Testing of blood; and

(5) Testing involving other matrices or methodologies as available.

5140. Sample Analysis, Retention Strategy, and Further Analysis.

(a) The Agency shall ask Laboratories to analyze Samples at minimum for the standard analysis menu based on whether the Sample was collected on Race Day or Out-of-Competition. The Agency may also consider undertaking more extensive Sample analysis for Prohibited Substances or Prohibited Methods based on the risk or any intelligence that the Agency may receive (e.g., specific Prohibited Substances, gene doping).

(b) The Agency should develop a system for retention of Samples and the documentation relating to the collection of such Samples to enable the further analysis of such Samples at a later date in accordance with Article 6.1 (e). Such a system should comply with the requirements of the Laboratory Standards and should take into account the purposes of analysis of Samples set out in Protocol Article 6.1 (b), as well as (without limitation) the following elements:

(1) Laboratory recommendations (when available);

Deleted: and Equine Passport Management Unit ("EPMU")

(2) The possible need for retroactive analysis in connection with the Equine Biological Passport program (when available);

(3) New relevant detection methods to be introduced in the future;

(4) Samples collected meeting some or all of the criteria set out at Article 4.4;

(5) Any other information made available to the Agency such that it determines in its sole discretion based on that information or random selection that long-term storage or further analysis of Samples is appropriate.

5150. Coordinating with State Racing Commissions and Other Entities.

(a) Any Testing done must be initiated and directed by the Agency. The Agency may coordinate its Testing efforts with State Racing Commissions (subject to the applicable State Racing Commission electing to enter into an agreement with the Agency) by, for example, utilizing Sample Collection Personnel employed or designated by a State Racing Commission to collect Samples how and when directed by the Agency. Any state rule, law, or regulation preventing Sample Collection Personnel or potential Sample Collection Personnel employed or designated by a State Racing Commission from contracting with the Agency to collect Samples is preempted by this rule that allows for such arrangements. Regardless of who collects a Sample, only the Agency shall receive all Sample results directly from the Laboratory.

(b) The Agency may contract with third parties to collect Samples on the Agency's behalf and third parties may contract with the Agency to collect additional Samples on Covered Horses consistent with the Act and the Protocol.

(c) The Agency shall consult and coordinate with law enforcement and other relevant authorities, in obtaining, developing, and sharing information and intelligence that can be useful in informing test planning.

5200. Notification.

The objective is to notify the Responsible Person or Nominated Person that their Covered Horse has been selected for Testing with no advance notice, except to grant immediate access to the Covered Horse; that the rights of those involved in the Sample collection are maintained; that the welfare of the Covered Horse is maintained; that there are no opportunities to manipulate the Sample; and that the notification is documented.

5210. Requirements Prior to Notification.

(a) No Advance Notice Testing should be the method for Sample collection save in circumstances where some advance notice is required to facilitate the Testing. Ideally, if the Responsible Person is with the Covered Horse at the time of notification, the Responsible Person should be the first Person notified that the Covered Horse has been selected for Sample collection. In order to ensure that Testing is conducted on a No Advance Notice Testing basis, the Agency shall ensure Testing selection decisions are only disclosed in advance of Testing to those who need to know in order for such Testing to be conducted. Any notification to a third party shall be conducted in a secure and confidential manner to minimize the risk that the Responsible Person or other Covered Person will receive any advance notice of a Covered Horse's selection for Sample collection.

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(b) The Agency shall appoint Doping Control Officers ("DCOs"), Chaperones, and other Sample Collection Personnel sufficient to ensure No Advance Notice Testing and continuous observation of the Covered Horse or confirmation the Covered Horse is in a secure location (a stall, for example) throughout the Doping Control process. Sample Collection Personnel must be trained for their assigned responsibilities, must not have a conflict of interest in the outcome of the Sample collection, and must not be minors. See Annex D for more information.

(c) Sample Collection Personnel shall have official documentation, provided by the Agency, evidencing their authority to collect a Sample from the Covered Horse, such as a credential. DCOs' and BCO's credentials shall include their name, photograph, and date of expiration or a letter of authority from the Agency and a federal or state issued identification. The Agency may determine what information to include on other Sample Collection Personnel's credentials.

(d) Information provided in the Covered Horse's Whereabouts Filing and registration with the Authority, or other equally reliable form of identification, shall be used by Sample Collection Personnel to confirm the identity of the Covered Horse. Confirmation of the Covered Horse's identity by any other method or failure to confirm the identity of the Covered Horse, shall be documented, including through photographs, and reported to the Agency.

(e) The DCO and/or BCO shall establish the location of the selected Covered Horse and plan the approach and timing of notification, taking into consideration the specific circumstances of the location, schedule, and the situation in question (e.g., Race Day, training).

5220. Requirements for Notification.

(a) *Out-of-Competition Testing.*

(1) As soon as practical, the Sample Collection Personnel shall ensure that the Responsible Person or Nominated Person is informed:

(i) That the Covered Horse is required to undergo a Sample collection;

(ii) That immediate access to the Covered Horse shall be granted, unless there are valid reasons for a delay (e.g., horse is currently being exercised, cooled down);

(iii) Of the responsibilities of the Responsible Person or Nominated Person with respect to the Covered Horse, including the requirement to:

(A) Provide a secure location where a Sample(s) can be collected from the Covered Horse like a stall or other safe and secure location;

(B) Ensure that the Covered Horse remains within continuous observation of Sample Collection Personnel at all times or is in a secure location (a stall, for example) until the completion of the Sample collection procedure;

(C) Not leave the Covered Horse unattended once Responsible Person or Nominated Person is notified and contact is made with the Covered Horse and until Sample(s) have been collected;

(D) Produce identification of the Responsible Person or Nominated Person if possible and identification of the Covered Horse if requested (pictures will be taken of the individual(s) and the Covered Horse if identification is requested and not provided);

(E) Comply with Sample collection procedures and Cooperate (and the Responsible Person or Nominated Person, if applicable, should be advised of the possible Consequences of a Failure to Comply); and

(F) Ensure the Covered Horse is not administered any medications or supplements until the completion of Sample collection, once Responsible Person or Nominated Person is notified and contact is made with the Covered Horse and until Sample(s) have been collected, unless there is a medical emergency as determined by a Veterinarian.

(2) The Sample Collection Personnel shall have the Responsible Person or Nominated Person sign an appropriate form to acknowledge and accept the notification. If the Responsible Person or Nominated Person refuses to sign that they have been notified on behalf of the Covered Horse, or evades the notification, the Sample Collection Personnel shall, if possible, inform the Responsible Person or Nominated Person of the Consequences of a Failure to Comply, and the Sample Collection Personnel (if not the DCO) shall immediately report all relevant facts to the DCO or BCO. When possible, the Sample Collection Personnel shall continue to collect a Sample. The DCO shall document the facts in a detailed report and report the circumstances to the Agency. The Agency shall follow the steps for a review of a Possible Failure to Comply in Part Four below.

(3) From the time that the Sample Collection Personnel are granted access to the Covered Horse until the end of the Sample Collection Session, a member of the Sample Collection Personnel shall keep the Covered Horse under observation at all times or confirm the Covered Horse is in a secure location (a stall, for example).

(4) A Nominated Person may change during the Sample collection process upon reasonable request to the Sample Collection Personnel so long as the new Nominated Person (a) falls within the scope of the definition of Nominated Person, (b) completes the relevant portions of the Sample collection paperwork, and (c) does not interfere with the Sample collection process. Any changes of Nominated Person during the Sample collection process shall be documented by the Sample Collection Personnel.

(b) *Race Day Post-Race Testing.*

(1) A member of the Sample Collection Personnel will generally tag a Covered Horse selected for Doping Control after the Race is completed in the unsaddling area and chaperone the Covered Horse from the point of tagging/notification for Doping Control. Notification should be prompt after the conclusion of a Race and in no case exceed one hour after the Race or winner's circle activities are completed, if applicable. Such notification should inform the Responsible Person or Nominated Person (who will normally be the Groom):

(i) That the Covered Horse is required to undergo a Sample collection;

(ii) That the Covered Horse must immediately report to the Test Barn, unless there are valid reasons for a delay;

(iii) The location of the Test Barn (if not known to the Responsible Person or Nominated Person);

(iv) Of the responsibilities of the Responsible Person or Nominated Person with respect to the Covered Horse, including the requirement to:

(A) Ensure that the Covered Horse remains within continuous observation of the Sample Collection Personnel or in a secure location (a stall, for example) at all times until the completion of the Sample collection procedure;

(B) Confirm the water bucket, if provided by Sample Collection Personnel at the Test Barn, is clean and acceptable and only for that Covered Horse during that Covered Horse's Sample Collection Session;

(C) Not leave the Covered Horse unattended once the Responsible Person or Nominated Person is notified and contact is made with the Covered Horse and until Sample(s) have been collected;

(D) Produce identification of the Responsible Person or Nominated Person if possible and identification of the Covered Horse as described above (pictures will be taken of the individual(s) and the Covered Horse if no identification is provided);

(E) Comply with Sample collection procedures and Cooperate (and the Responsible Person or Nominated Person, if applicable, should be advised of the possible Consequences of a Failure to Comply); and

(F) Ensure the Covered Horse is not administered any medications or supplements until the completion of Sample collection, unless there is a medical emergency as determined by an Official Veterinarian.

(2) The Sample Collection Personnel shall notify the Responsible Person or Nominated Person and document the time and the individual notified (e.g., by taking a photograph or by having the Responsible Person or Nominated Person sign an appropriate form or through such other reasonable and appropriate measure under the circumstances) and the Responsible Person or Nominated Person must sign an appropriate form to acknowledge and accept the notification no later than once in the Test Barn or other secure location. If the Responsible Person or Nominated Person refuses to sign that they have been notified on behalf of the Covered Horse, or evades the notification, the Sample Collection Personnel shall, if possible, inform the Responsible Person or Nominated Person of the Consequences of a Failure to Comply, and the Sample Collection Personnel (if not the DCO) shall immediately report all relevant facts to the DCO. When possible, the Sample Collection Personnel shall continue to collect a Sample. The DCO shall document the facts in a detailed report and report the circumstances to the Agency. The Agency shall follow the steps for a review of a Possible Failure to Comply in Part Four below.

(3) From the time that the Covered Horse is tagged until the end of the Sample Collection Session, the Sample Collection Personnel shall keep the Covered Horse under observation or ensure the Covered Horse is in a secure location (a stall, for example).

(4) A Nominated Person may change during the Sample collection process upon reasonable request to the Sample Collection Personnel. Any changes of Nominated Person during the Sample collection process shall be documented by the Sample Collection Personnel. Any new Nominated Person must:

(i) fall within the scope of the definition of Nominated Person,

(ii) complete the relevant portions of the Sample collection paperwork, and

(iii) not interfere with the Sample collection process.

5230. Requests for Delay.

(a) The DCO may at their discretion consider any reasonable third-party request or any request by the Responsible Person or Nominated Person for permission to delay beginning the Sample collection process following acknowledgment and acceptance of notification. The DCO may grant such permission if the Covered Horse can be continuously chaperoned and kept under continuous observation by Sample Collection Personnel during the delay.

(b) For Race Day Testing, delayed reporting to the stall or Test Barn may be permitted in accordance with paragraph (a) on account of:

(1) Participation in winner's circle;

(2) Obtaining necessary medical treatment if there is a medical emergency as determined by an Official Veterinarian; or

(3) Any other reasonable circumstances, as determined by the DCO, taking into account any instructions of the Agency.

(c) For Out-of-Competition Testing, delayed reporting to the stall or Test Barn may be permitted in accordance with paragraph (a) on account of:

(1) Completing a training session or a cool down;

(2) Receiving necessary medical treatment if there is a medical emergency as determined by a Veterinarian; or

(3) Any other reasonable circumstances, as determined by the DCO, taking into account any instructions of the Agency.

(d) The DCO shall reject a request for delay from a Responsible Person or Nominated Person if it will not be possible for the Covered Horse to be continuously observed or secured during such delay, unless there is a medical emergency as described above or the circumstances so require it.

(e) Sample Collection Personnel shall document any reasons for delay in reporting to the stall or Test Barn and/or reasons for leaving the stall or Test Barn that may require further investigation by the Agency.

(f) If immediate access to the Covered Horse is not granted, the DCO shall report to the Agency a possible Failure to Comply. If at all possible, the DCO shall proceed with collecting a Sample. The Agency shall investigate a possible Failure to Comply in accordance with Part Four below.

5300. PREPARING FOR THE SAMPLE COLLECTION SESSION.

5310. General Requirements.

(a) The Agency should establish a system for obtaining all the information necessary to ensure that the Sample Collection Session can be conducted effectively.

(b) For Race Day Testing that occurs post-Race, a Test Barn should be used that, where possible, is used solely as a Test Barn for the duration of the Doping Control and unauthorized persons should not be permitted. Should the DCO determine the Test Barn is unsuitable, they shall seek an alternative location.

(1) Unless otherwise approved by the Agency, the Test Barn should be equipped with:

(i) A walk ring or area for Covered Horses to walk in or adjacent to the Test Barn t inside the enclosure that is large enough to accommodate several horses and allow for continuous observation of the Covered Horses;

(ii) Sufficient enclosed stalls (at least one) for the volume of Testing and that permit observation of the collection process and provide for the protection of Covered Horses undergoing Testing and space for Sample Collection Personnel and up to two Covered Persons per Covered Horse;

(iii) Facilities and equipment for the collection, identification, and storage of Samples including one refrigerator or cooler that can be locked or otherwise secured;

(iv) An area and appropriate facilities for a Covered Horse to be bathed;

(v) A table or other suitable surface;

(vi) Access to hot and cold running water;

(vii) Clean water buckets for each Covered Horse or space for a Covered Person to provide their own water bucket for their Covered Horse; and

(viii) A security officer to ensure no unauthorized person is permitted in the Test Barn.

(c) For Out-of-Competition Testing, the DCO will determine a suitable location to be used for the Sample Collection Session. If at a stable, by default the Covered Horse's own stall should be used.

5320. Sample Collection Equipment.

(a) *General.* Sample Collection Personnel should ensure they have and use Sample Collection Equipment provided by or approved by the Agency.

(b) *Minimum Requirements.* Sample Collection Equipment for urine, blood, and hair Samples should, at a minimum:

(1) Have a unique numbering system incorporated into all A and B bottles, containers, tubes, or other items used to seal the Sample;

(2) Have a Tamper-Evident sealing system;

(3) Ensure the identity of the Responsible Person and Covered Horse are not evident from the equipment itself;

(4) Ensure that all equipment is clean and sealed prior to use;

(5) Be constructed of a material and sealing system that is able to withstand the handling conditions and environment in which the equipment will be used or subjected to, including but not limited

to transportation, Laboratory analysis, and long-term frozen storage up to the period of the statute of limitations;

(6) Be constructed of a material and sealing system approved by the Agency that should:

(i) Maintain the integrity (chemical and physical properties) of the Sample for the analytical Testing;

(ii) Withstand temperatures of -80 °C. Tests conducted to determine integrity under freezing conditions shall use the matrix that will be stored in the Sample bottles, containers, or tubes, (e.g., blood, urine);

(iii) Have a sealing system that can withstand a minimum of three (3) freeze/thaw cycles;

(iv) Be transparent or translucent so the Sample is visible;

(v) Have a sealing system which allows verification by the Responsible Person or Nominated Person and the DCO that the Sample is correctly sealed in the bottles or containers;

(vi) Have a built-in security identification feature(s) which allows verification of the authenticity of the equipment;

(vii) Be compliant with the standards published by the International Air Transport Association (IATA) for the transport of exempt specimens which includes urine and/or blood Samples in order to prevent leakage during transportation by air;

(viii) Have been manufactured under the internationally recognized ISO 9001 certified process which includes quality control management systems; and

(ix) Be able to be resealed after initial opening by a Laboratory to maintain the integrity of the Sample and Chain of Custody in accordance with the requirements for long-term storage of the Sample and further analysis.

(c) *Additional requirements applicable to urine Sample collections.* In addition to the requirements of paragraph (b) of this Rule, Sample Collection Equipment used in the collection of urine Samples shall:

(1) Have the capacity to contain a minimum of 100 mL volume of urine in each A and B bottle or container;

(2) Have a visual marking on the A and B bottles or containers and the collection vessel, indicating:

(3) the minimum volume of urine (25 mL) required in each A and B bottle or containers;

(4) the maximum volume levels that allow for expansion when frozen without compromising the bottle, container, or the sealing system; and

(5) the level of suitable volume for urine for analysis on the collection vessel.

(d) *Specific requirements applicable to blood Sample collections.* In addition to the requirements of paragraph (b) of this Rule, Sample Collection Equipment used in the collection of blood Samples shall:

(1) Have the ability to collect, store and transport blood tubes in separate A and B containers;

(2) For the analysis of Prohibited Substances or Prohibited Methods in whole blood or plasma and/or for profiling blood parameters, each A and B container must have the capacity to contain a minimum of 30 mL of blood (e.g., three 10mL tubes);

(3) For the analysis of Prohibited Substances or Prohibited Methods in serum, each A and B tube must have the capacity to contain a minimum of 10mL of blood; and

(4) For the transport of blood Samples, ensure the storage and transport device and temperature logger meet the requirements listed in Annex B – Collection of Blood Samples.

(e) *Hair Samples.* Sample Collection Personnel should ensure they have the necessary equipment for hair Sample collection and any other approved Testing matrices or methodologies.

5400. CONDUCTING THE SAMPLE COLLECTION SESSION.

(a) The Agency shall be responsible for the overall conduct of the Sample Collection Session, with specific responsibilities delegated to the DCO. Collection of Samples must only be performed by Sample Collection Personnel approved by the Agency.

(b) The following Persons may be authorized and/or required to be present during the Sample Collection Session:

(1) Sample Collection Personnel sufficient to notify, chaperone, and collect the required Samples;

(2) The Responsible Person or Nominated Person must be present during the Sample Collection Session. If the Responsible Person or Nominated Person is not present this will be documented by the DCO;

(3) At least one, but no more than two, Covered Persons may be present to assist during the Sample Collection Session except in exceptional circumstances as determined by the DCO; and

(4) Any Person authorized by the Agency who is involved in the training or supervision of Sample Collection Personnel.

(c) The Sample Collection Personnel shall coordinate with the Test Barn security officer to ensure that no unauthorized person is permitted in the Test Barn.

(d) For Race Day post-Race Testing, the Covered Horse shall remain in the Test Barn through the end of the Sample Collection Session.

(e) Samples shall be collected in a manner that ensures:

(1) the Sample is of a quality and quantity that meets the relevant Sample suitability and analytical requirements;

(2) the Sample has not been manipulated, substituted, contaminated, or otherwise tampered with in any way;

(3) the Sample is clearly and accurately identified; and

(4) the Sample is securely sealed in a Tamper-Evident kit.

(f) The Sample Collection Personnel shall collect the Sample from the Covered Horse according to the following protocol(s) for the specific type of Sample collection:

(1) Annex A: Collection of Urine Samples;

(2) Annex B: Collection of Blood Samples;

(3) Annex C: Collection of Hair Samples;

(g) Any anomalous behavior by the Responsible Person, Nominated Person, and/or Covered Persons associated with the Covered Horse or behavior with potential to compromise the Sample collection shall be recorded in detail by the Sample Collection Personnel. If appropriate, the Agency shall review the possible Failure to Comply in accordance with Part Four below.

(h) The DCO shall provide the Responsible Person or Nominated Person with the opportunity to document any concerns they may have about how the Sample Collection Session was conducted.

(i) The following information shall be recorded as a minimum in relation to the Sample Collection Session:

(1) Date, time of notification, name and signature of notifying Sample Collection Personnel;

(2) If Race Day Testing, the arrival time of the Covered Horse to the Test Barn;

(3) The name of the Covered Horse, Responsible Person, and Nominated Person (if applicable);

(4) Any changes in Nominated Person during the Sample collection process;

(5) The gender of the Covered Horse (male, female, gelding);

(6) The color of the Covered Horse;

(7) Means by which the Covered Horse identity is validated (e.g., microchip number, tattoo or brand);

(8) Nominated Person's contact information, if requested;

(9) The Sample code number(s);

(10) Date and time of sealing of each Sample collected and date and time of completion of entire Sample collection process (i.e., the time when the Responsible Person or Nominated Person signs the declaration at the bottom of the Doping Control form);

(11) Location of Doping Control (e.g., for Out-of-Competition barn name, city, and state; for Race Day name of event, city, and state);

(12) The type of the Sample (e.g., urine, blood, hair);

(13) The type of test (Race Day, Race Day TCO2, or Out-of-Competition);

Deleted: (i.e., home address, email address, and telephone number), if not a Covered Person or if the Covered Person's contact information is not readily available to the Sample Collection Personnel;

(14) The name and signature of the Sample Collection Personnel catching the urine Sample and/or collecting hair and/or blood Sample (where applicable);

(15) Whether furosemide was administered to the Covered Horse within 48 hours before the Race;

(16) Required Laboratory information on the Sample (e.g., for urine Sample, its volume; for hair Sample, mane/tail and pulled/cut);

(17) For a blood Sample, the DCO shall record the information as outlined in Annex B – Collection of Blood Samples;

(18) Any irregularities in procedures, for example, if advance notice was provided or if there were delays to arriving to the Test Barn;

(19) Any comments or concerns from the Responsible Person or Nominated Person regarding the conduct of the Sample Collection Session;

(20) Responsible Person or Nominated Person acknowledgment of the processing of Sample collection data and a description of such processing; and

(21) The name of additional Persons (if any) present during the Sample Collection Session.

(j) At the conclusion of the Sample Collection Session the Responsible Person or Nominated Person and DCO shall sign appropriate documentation to indicate their satisfaction that the documentation accurately reflects the details of the Covered Horse's Sample Collection Session, including any concerns expressed by the Responsible Person or Nominated Person.

(k) The Responsible Person shall be provided access to the doping control form for the Covered Horse's Sample Collection Session.

5500. STORAGE AND TRANSPORTATION.

5510. Storage and Custody of Samples Prior to Analysis.

(a) Samples should be stored by Sample Collection Personnel in a manner that protects the integrity, identity, and security prior to transport to the Laboratory, as detailed in Annexes A, B, and C.

(b) Sample Collection Personnel shall document who has custody of the Samples and/or is permitted access to the Samples.

(c) The Agency shall develop a system for recording the Chain of Custody of Samples and receiving Sample Collection Session documentation to ensure that each Sample is securely handled and the documentation for each Sample is completed.

5520. Transport of Samples and Documentation.

(d) The Agency shall authorize a transport system that ensures Samples and documentation are transported in a manner that protects their integrity, identity, and security.

(e) State Racing Commissions may select a Laboratory at which Samples collected in its state shall be analyzed. If specific analysis requested by the Agency cannot be performed at the selected Laboratory, the

Agency may have the Sample sent to another Laboratory that can conduct the requested analysis. Each year the State Racing Commissions must make their Laboratory designation for all Samples collected within its state on or before September 30th of the year prior to the designation taking effect. If a State Racing Commission fails to select a Laboratory by this deadline, the Authority shall select the Laboratory for that particular state. The Agency may allow for a State Racing Commission to change its selection of Laboratory outside of the time-period set forth above if a reasonable request is made.

(f) Samples (both A and B bottles) shall always be transported to the Laboratory using the Agency's authorized transport method which shall be determined by the Agency in its sole discretion, as soon as reasonably practicable after the completion of the Sample Collection Session. Samples shall be transported in a manner which minimizes the potential for Sample degradation due to factors such as delays and extreme temperature variations.

(g) The Agency shall have the ability to confirm, if necessary, that both the Sample and Sample collection documentation arrived at their intended destinations. The Laboratory shall report any irregularities to the Agency on the condition of Samples upon arrival in line with the Laboratory Standards.

(h) The Agency shall develop a system to ensure that, where required, instructions for the type of analysis to be conducted are provided to the Laboratory that will be conducting the analysis. In addition, the Agency shall provide the Laboratory with information as required for result reporting and statistical purposes and include whether long-term Sample storage is required.

(i) Documentation identifying the Covered Horse and Responsible Person or Nominated Person shall not be included with the Samples or documentation sent to the Laboratory that will be analyzing the Samples.

(j) If the Samples with accompanying documentation or the Sample Collection Session documentation are not received at their respective intended destinations, or if a Sample's integrity or identity may have been compromised during transport, the Agency shall consider whether the Samples should be voided. The decision to void a Sample is in the sole discretion of the Agency.

5530. Ownership and Retention of Samples and Documentation.

(a) Samples collected from a Covered Horse are owned by the Authority.

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(b) Documentation related to a Sample Collection Session and/or an anti-doping or medication control rule violation shall be stored by the Agency for a period of ten (10) years or in accordance with the Agency's record retention policy.

5600. STANDARDS FOR INTELLIGENCE GATHERING.

5610. Purpose.

The Agency shall ensure that it is able to obtain, assess, and process anti-doping and medication control intelligence from all available sources to help deter and detect doping and medication abuse; to inform effective, intelligent, and proportionate test planning; to plan Target Testing; and to conduct investigations as required by the Protocol. The objective of this Rule is to establish standards for the efficient and effective gathering, assessment, and processing of such intelligence for these purposes.

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5620. Gathering Anti-Doping and Medication Abuse Intelligence.

(a) The Agency should make every reasonable effort to ensure that it is able to capture or receive anti-doping and medication control intelligence from all available sources, including but not limited to Covered Persons (including through Substantial Assistance provided pursuant to Protocol Article 10.7 (a)) and members of the public (e.g., by means of a confidential tip platform), Sample Collection Personnel (whether via mission reports, incident reports, or otherwise), laboratories, pharmaceutical companies, the Authority, State Racing Commissions, law enforcement, other regulatory and disciplinary bodies, and the media (in all its forms).

(b) The Agency shall ensure that anti-doping and medication control intelligence captured or received from a confidential source or in a non-public fashion is handled securely and confidentially, that sources of intelligence are protected, that the risk of leaks or inadvertent disclosure is properly addressed, and that intelligence shared with the Agency by law enforcement, other relevant authorities and/or other third parties in a matter intended to be confidential is processed, used, and disclosed only for legitimate legal, law enforcement, regulatory, anti-doping, or medication control purposes.

(c) The Agency shall facilitate and encourage whistleblowers.

5630. Assessment and Analysis of Anti-Doping and Medication Abuse Intelligence.

(a) The Agency should ensure that it is able to assess all anti-doping and medication control intelligence upon receipt for relevance, reliability, and accuracy, taking into account the nature of the source and the circumstances in which the intelligence has been captured or received.

(b) All relevant anti-doping and medication control intelligence captured or received by the Agency should be collated and analyzed to establish patterns, trends, and relationships that may assist the Agency in developing an effective anti-doping and medication control strategy and/or in determining (where the intelligence relates to a particular case) whether there is reasonable suspicion that an anti-doping or medication control rule violation may have been committed, such that further investigation is warranted.

5640. Intelligence Outcomes.

(a) Anti-doping and medication control intelligence may be used for the following purposes (without limitation):

(1) developing, reviewing, and revising Testing planning;

(2) determining when to conduct Target Testing, or

(3) to create targeted intelligence files to be referred for investigation.

(b) The Agency may share intelligence, where appropriate with State Racing Commissions and/or law enforcement and/or other relevant regulatory or disciplinary authorities (e.g., if the intelligence suggests the possible commission of a crime or regulatory offence or breach of other rules of conduct).

5700. STANDARDS FOR INVESTIGATIONS.

5710. Purpose.

(a) The objective of this Rule is to establish standards for the efficient and effective conduct of investigations under the Protocol, including, but not limited to:

(1) The investigation of Atypical Findings, Atypical Passport Findings, and Adverse Passport Findings, and any other Sample abnormalities reported by the Laboratory;

(2) The investigation of any other analytical or non-analytical information and/or intelligence where there is reasonable suspicion to suspect that an anti-doping or medication control rule violation may have been committed, such as a review of a possible Failure to Comply;

(3) The investigation of the circumstances surrounding and/or arising from an Adverse Analytical Finding to gain further intelligence on the Responsible Person or other Covered Persons associated with the Covered Horse whose Sample was positive or other methods involved in doping or medication abuse; and

(4) Where an anti-doping or medication control rule violation by a Covered Horse or Responsible Person is alleged, the investigation into whether other Covered Persons may have been involved in that violation.

(b) In each case, the purpose of the investigation is to achieve one of the following either:

(1) to rule out a possible violation or involvement in an anti-doping or medication control rule violation;

(2) to develop evidence that supports an anti-doping or medication control rule violation proceeding or the initiation of such a proceeding in accordance with Protocol Article 7; or

(3) to provide evidence of a breach of the Protocol, applicable law, or regulation.

5720. Investigating Possible Anti-Doping or Medication Control Rule Violations.

(a) The Agency shall direct and manage all investigations under the Protocol. The Agency shall conduct all investigations under the Protocol unless specifically referred to a State Racing Commission (subject to the applicable State Racing Commission electing to enter into an agreement with the Agency) whose investigators would continue to act at the direction of the Agency.

(b) The Agency and any State Racing Commission to which the Agency refers investigatory tasks (subject to the applicable State Racing Commission electing to enter into an agreement with the Agency) shall ensure that investigations are conducted confidentially.

(c) The Agency should ensure that it effectively investigates any analytical or non-analytical information or intelligence that indicates there is reasonable suspicion that an anti-doping or medication control rule violation may have been committed or that indicates further inquiry might lead to the discovery of admissible evidence of such a violation.

(d) The Agency should gather and record all relevant information and documentation as soon as possible.

(e) The Agency shall ensure that investigations are conducted fairly, objectively, and impartially at all times. The conduct of investigations, the evaluation of information and evidence identified in the course of that investigation, and the outcome of the investigation, should be fully documented.

(f) Covered Persons are required under Protocol to cooperate with investigations conducted by Agency. If they fail to do so, the Agency may bring proceedings against them for failure to cooperate. If

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their conduct amounts to subversion of the investigation process (e.g., by providing false, misleading, or incomplete information, and/or by destroying potential evidence), the Agency may also bring proceedings against them for Tampering or Attempted Tampering.

(g) It shall not be a defense in a proceeding involving an anti-doping or medication control rule violation that an investigation should have been conducted more quickly or that any aspect of the Testing and Investigations Standards were not followed by the Agency or State Racing Commission except as provided in the Protocol.

5830. Obtaining Investigative Information.

(a) *General.* The Agency should make use of all investigative resources reasonably available to it to conduct its investigation. This may include obtaining information and assistance from law enforcement and other relevant authorities, including other regulators, the Equine Biological Passport program (when available), investigative powers conferred under applicable rules (including inspection, examination, and seizure; production of documents; subpoenas; and interviews), and the power to suspend a period of Ineligibility imposed on a Covered Person in return for Substantial Assistance in accordance with the Protocol. Without limitation, the Agency may utilize the investigative tools set forth in paragraphs (b) through (e) of this Rule in relation to investigations and inquiries of possible violations of the Protocol.

(b) *Inspection, Examination and Seizure.* The Agency may enter facilities, offices, stables, barns, or any other premises related to Covered Horses which are owned, controlled, or occupied by Covered Person(s) and:

(1) inspect and search the premises including any books, records or property, and to take possession or a sample of any item or material believed to be, or that may lead to, evidence directly or indirectly of a violation of the Protocol;

(2) search any Covered Person or Covered Horse on the premises;

(3) access electronically stored data, including emails, computers, and mobile phones and devices without altering such data or device(s) other than to forward, back up, copy or make a mirror image of such data or device(s);

(4) conduct identification and medication checks on any Covered Horse;

(5) inspect and take copies of any records the Covered Person is required to keep under the Protocol;

(6) ; and

(7) examine any Covered Horse under the care of a Covered Person and take Samples from the Covered Horse for analysis.

(c) Production of Documents and Information. The Agency may:

(1) Require a Covered Person to provide any information, documents or records in such form as the Agency may require, and which are held by the Covered Person or within their power to obtain;

(2) Require production of any mobile phones, computers, tablets, other electronic devices, books, documents and records (including telephone or financial records whether currently in the direct

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possession of a Covered Person or a third person who may be directed by the Covered Person to provide the information) that may be relevant to any investigation, inquiry, hearing or proceeding;

(d) *Subpoenas.* The Agency may Request the Authority issue a subpoena to a Person to appear or to answer questions and/or produce evidence related to anti-doping and medication control matters. A subpoena may direct the witness to appear at a specific time and place to testify; to produce designated evidence by a specific time; or to permit inspection of premises by the Agency at a specific time. A subpoena must be issued under the signature of a designated person from the Authority. If the Covered Person fails to comply with a subpoena, the Agency or Authority may seek enforcement of the subpoena in any of the district courts of the United States within the jurisdiction of which such inquiry is carried on. Additionally, the arbitrator, steward or administrative law judge considering a case arising under the Protocol may impose an adverse inference against a Covered Person who fails to comply with a valid subpoena, regardless of whether a court has been required to enforce the subpoena or has found the Covered Person in contempt.

(1) This issuance of a subpoena and compliance therewith is independent of the Agency's powers to inspect and obtain evidence without a subpoena and Covered Persons' duty to Cooperate under the Protocol. In addition to a rule violation for refusal to Cooperate, a refusal to Cooperate can result in imposition of an adverse inference against a Covered Person by an arbitrator, steward or administrative law judge.

(2) As a matter of efficient operation of the Agency's investigative program, the following considerations should be taken into account by the Agency (but should not be considered relevant by a reviewing court) in determining whether a subpoena should be requested to be issued by the Authority:

(i) The availability of and success in using alternative methods for obtaining the information in a timely manner;

(ii) The indispensability of the information to the success of the investigation or establishing a violation; and

(iii) The need to protect against the destruction of records or information and to protect the Agency's ability to bring forward a violation of the Protocol for such destruction.

(e) Interviews.

(1) Covered Persons must comply with a request to be interviewed by the Agency.

(2) Only if the Agency requires a Covered Person to submit to an under oath transcribed interview, the Covered Person may request a short delay to the interview, if necessary, to seek legal advice. However, such delay shall only encompass the time reasonably necessary to contact and retain counsel and shall in no case exceed seven days without the consent of the Agency.

(3) An authorized Person may administer an oath or affirmation to a Covered Person appearing for an under-oath interview.

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(4) The only basis for refusing to answer a question in an interview is an assertion of the attorney-client privilege or the Fifth Amendment privilege against self-incrimination.

5840. Investigation Outcomes.

(a) The Agency shall come to a decision efficiently and without undue delay as to whether proceedings should be brought against a Covered Person and/or Responsible Person in relation to a Covered Horse asserting commission of an anti-doping or medication control rule violation.

(b) Where the Agency concludes based on the results of its investigation that proceedings should be brought against a Covered Person or a Responsible Person independently or in relation to a Covered Horse asserting commission of an anti-doping or medication control rule violation, it shall give notice of that decision in the manner set out in the Protocol.

(c) Where the Agency concludes, based on the results of its investigation, that proceedings should not be brought against the Covered Person or Responsible Person independently or in relation to a Covered Horse asserting commission of an anti-doping or medication control rule violation, it shall consider whether any of the intelligence obtained and/or lessons learned during the investigation should be used for test planning, to plan Target Testing, and/or should be shared with any other body or included in any report in accordance with these Testing and Investigations Standards.

(d) The Agency may include information from its investigations in reports made to the Authority, Congress, State Racing Commissions, or other appropriate bodies regardless of whether the information relates to one or more rule violations. The fact that information was included in such a report shall not be a defense in any proceeding involving a potential rule violation.

5900. SPECIFIC REQUIREMENTS FOR COLLECTION OF SAMPLES.

5910. Collection of Urine Samples.

(e) Urine Samples may be collected and analyzed for any anti-doping analytical matrix or methodology, including Equine Biological Passport, as determined by the Agency.

(f) The Responsible Person or Nominated Person must be given reasonable opportunity to prepare the Covered Horse for Sample collection, for example by removing gear, washing off, and moving the Covered Horse to the collection area, while remaining in direct observation of the Sample Collection Personnel.

(g) Where Testing is conducted at any location other than a Test Barn, the Responsible Person or Nominated Person must provide a suitable location where a Sample(s) can be collected from the Covered Horse.

(h) The Responsible Person or Nominated Person will be instructed to examine the Sample collection vessel to ensure it will not affect the integrity of the urine Sample.

(i) The relevant Sample Collection Personnel will retain control of the Sample collection vessel.

(j) The relevant Sample Collection Personnel will then open and use the selected Sample collection vessel to collect the urine Sample in accordance with the instructions for the Sample collection vessel.

(k) The relevant Sample Collection Personnel will wear a new pair of disposable gloves when handling the Sample collection vessel.

(l) The relevant Sample Collection Personnel shall ensure as unobstructed a view as possible of the Sample leaving the Covered Horse's body and shall continue to observe the Sample after provision until the Sample is securely sealed.

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(m) When the Covered Horse passes urine, the collection vessel should be positioned to collect as much urine as possible.

(n) The volume of urine required for a full Sample is 50mL; however more should be collected if possible. On the initial attempt, if less than 50mL is obtained, the relevant Sample Collection Personnel should try to collect additional urine.

(o) A blood Sample should also be collected from the Covered Horse.

(p) Intractable Covered Horses will be handled in accordance with the Protocol.

(q) Once the volume of urine provided by the Covered Horse is deemed sufficient, the relevant Sample Collection Personnel will bring the Sample to the designated processing area.

(r) The relevant Sample Collection Personnel will select the Sample collection kit and will open, inspect, and confirm Sample codes numbers within the kit match and ask the Responsible Person or Nominated Person if they would like to confirm the same.

(s) In view of the Responsible Person or Nominated Person, the relevant Sample Collection Personnel will pour and split urine Sample between A and B Sample collection bottles in accordance with the above capacity.

(t) In view of the Responsible Person or Nominated Person, the relevant Sample Collection Personnel will seal the A and B bottles. Once closed, the relevant Sample Collection Personnel will check that the bottles have been properly sealed.

(u) A DCO will complete all the required Sample collection documentation and provide the Responsible Person access to the doping control form for the Covered Horse's Sample Collection Session.

(v) Urine should only be discarded when both the A and B bottles or containers have been filled to the maximum amount they can hold and have been sealed. Any excess urine should be disposed of into a drain (ground drain or sink) or into a bin or waste pile if necessary. The Responsible Person or Nominated Person shall be given the option to observe the disposal of any residual urine not sent to the Laboratory for analysis.

(w) A DCO shall store the Sample in a manner that protects the integrity, identity, and security prior to transport to the Laboratory. Specifically, urine Samples should be transported to the Laboratory as soon as possible after the conclusion of the Sample Collection Session. If a Sample cannot be transported that same day, a DCO should store the Sample in a secure freezer and document in the Chain of Custody the location and time in and time out.

(x) Comment: If the Responsible Person or Nominated Person is not satisfied with the chosen Sample collection equipment, this shall be recorded by a DCO. If a DCO does not agree with the Responsible Person or Nominated Person that the equipment is unsatisfactory, a DCO shall inform the Responsible Person or Nominated Person that the Sample Collection Session is proceeding. If a DCO agrees with the Responsible Person or Nominated Person that the equipment is unsatisfactory, a DCO shall use other available equipment that the DCO determines is satisfactory. If no such equipment is available, a DCO shall terminate the Sample Collection Session, and this shall be recorded by a DCO.

5920. Collection of Blood Samples.

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(a) Blood collection shall be conducted by a Blood Collection Officer ("BCO") who is a licensed veterinarian or veterinary technician.

(b) Certain blood collections might be required at specific times around a Race (e.g., TCO2 Testing). If so, Sample Collection Personnel will communicate this information to the Responsible Person or Nominated Person at the time of notification.

(c) Blood Samples may be collected and analyzed for any anti-doping analytical matrix or methodology, including Equine Biological Passport, as determined by the Agency.

(d) A DCO or BCO will select a Sample collection kit containing A and B collection tubes, and the other necessary equipment needed to collect a blood Sample (which will include a new needle).

(e) Once the Sample collection kit has been selected, a BCO or DCO will open, inspect, and confirm Sample codes numbers within the kit match and ask the Responsible Person or Nominated Person if they would like to confirm the same.

(f) A BCO will assess the most suitable location of venipuncture.

(g) A BCO shall dispose of used blood sampling equipment not required to complete the Sample Collection Session in accordance with the required local standards for handling used blood draw equipment.

(h) A BCO will collect the amount of blood that will adequately satisfy the relevant analytical requirements for the Sample analysis to be performed. The minimum total volume requirement is 30mL whole blood for each A and B tube, except when blood is collected solely for TCO2 analysis in which case a lesser volume may be appropriate in the Agency's discretion. Anything below 30mL should still be packaged and transported to the Laboratory.

(i) If the amount of blood that can be removed from the Covered Horse at the first attempt is insufficient, a BCO shall repeat as necessary and appropriate to try and obtain the minimum total volume for a blood Sample, unless the Covered Horse is intractable. Should a BCO's attempts fail to produce a sufficient amount of blood, then a DCO shall terminate the blood Sample Collection Session and record the reasons for terminating. Other matrices should be considered for collection.

(j) Once a complete blood Sample is obtained, a BCO or DCO will properly seal the A and B tubes.

(k) Intractable Covered Horses will be handled in accordance with the Protocol.

(l) A BCO or DCO will complete all the required Sample collection documentation and provide it to the Responsible Person.

(m) A DCO shall store the Sample in a manner that protects the integrity, identity, and security prior to transport to the Laboratory. Specifically, blood Samples should be transported to the Laboratory as soon as reasonably practical to do so after the conclusion of the Sample Collection Session. If a Sample cannot be transported that same day, a DCO should store the Sample in a secure refrigerator and document in the Chain of Custody the location and time in and time out.

(n) Blood Samples shall be transported to the Laboratory in a device that maintains the integrity of Samples during transportation, in a cool and constant environment. The transport device shall be transported securely via a transportation or shipping service authorized by the Agency.

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(o) Comment: If the Responsible Person or Nominated Person is not satisfied with the chosen Sample collection equipment, this shall be recorded by a DCO. If a DCO does not agree with the Responsible Person or Nominated Person that the equipment is unsatisfactory, a DCO shall inform the Responsible Person or Nominated Person that the Sample Collection Session is proceeding. If a DCO agrees with the Responsible Person or Nominated Person that the equipment is unsatisfactory, a DCO shall use other available equipment that the DCO determines is satisfactory. If no such equipment is available, a DCO shall terminate the Sample Collection Session, and this shall be recorded by a DCO.

5930. Collection of Hair Samples.

(a) A member of the Sample Collection Personnel should collect hair Samples in accordance with the following requirements:

(1) Hair should (to the extent possible) be completely dry and free of visible dirt, debris, or foreign substances;

(2) Mane hair should be collected unless tail hair is specifically requested. If for a particular reason a mane Sample cannot be obtained (such as hogged mane), tail hair may be collected;

(3) An adequate Sample should be obtained for each of the A and B Samples;

(4) If the mane is less than 10cm, an additional Sample of hair may be required to ensure a suitable volume is obtained for analysis;

(5) The Sample should be secured tightly with an elastic band, or equivalent, and oriented to clearly mark the ends cut or pulled from the Covered Horse; and

(6) Hair shafts should remain aligned so that the hair does not become knotted.

(b) A DCO will complete all the required Sample collection documentation and provide the Responsible Person a copy for their records.

(c) The Sample Collection Personnel shall store the Sample in a manner that protects the integrity, identity, and security prior to transport to the Laboratory.

5940. Sample Collection Personnel Requirements.

(a) *Minimum Requirements.* The Agency shall establish the necessary competence, eligibility, and qualification requirements for the positions of DCO, BCO, and Chaperone. As a minimum:

(1) Sample Collection Personnel shall not be minors;

(2) Sample Collection Personnel shall agree to undergo screening required by the Agency (e.g., background checks, conflicts of interest);

(3) BCOs shall be a veterinarian or veterinary technician with the practical skills and knowledge to perform blood collection from a vein on a horse.

(b) *Conflicts.*

(1) The Agency shall ensure that all Sample Collection Personnel sign an agreement regarding conflicts of interest, confidentiality, and code of conduct.

(2) The Agency shall not appoint any Sample Collection Personnel to Testing where they have an interest in the outcome of the Doping Control process. At a minimum, Sample Collection Personnel are deemed to have such an interest if they are:

(i) Involved, or have an immediate family member involved, in the participation or administration of horseracing for which Doping Control is being conducted, excluding State Racing Commissions; however, over the first eighteen months of the program this provision will not apply to Sample Collection Personnel who are supervised and whose actions material to the Sample Collection Session are witnessed by Sample Collection Personnel who comply with this provision;

(ii) Related to, or involved in the personal affairs of, any Covered Horse and/or any Equine Constituencies, except State Racing Commissions;

(iii) Are engaged in business with, have a financial interest in, or have a personal stake in a Covered Horserace; and/or

(iv) Appear to have private or personal interests that detract from their ability to perform their duties with integrity and in an independent and purposeful manner.

(c) Training.

(1) The Agency shall establish or approve written training materials for Sample Collection Personnel that outline their respective responsibilities that adequately train them of their roles.

(2) The Agency shall ensure that DCOs have completed the necessary training program and are familiar with the requirements before giving a credential.

(3) The training program for DCOs should include, at a minimum:

(i) Comprehensive theoretical training in those Doping Control activities relevant to the DCO position;

(ii) Observation of Doping Control activities that are the responsibility of the DCO as set out in these Standards, preferably on-site; and

(iii) The satisfactory performance of one complete Doping Control on-site under observation by a qualified DCO or similar.

(4) The training program for Sample Collection Personnel responsible for the collection of blood Samples shall also include standard precautions in veterinary settings.

(5)

(6) The Agency should ensure that Sample Collection Personnel are adequately trained to carry out their responsibilities in a manner respectful of any Covered Persons who are of a different race, religion, sex, national origin, sexual orientation, age, citizenship, disability, gender identity or Veteran status to its Sample Collection Personnel.

(d) *Credentialing.*

(1) The Agency shall establish a system for credentialing and re-credentialing DCO and BCOs.

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(2) Only Sample Collection Personnel who have a credential recognized by the Agency or letter of authority from the Agency shall be authorized to conduct Doping Control activities on behalf of the Agency.

(3) DCO credentials shall be valid for a maximum of two (2) years. DCOs should be subject to an assessment (theoretical and/or practical) before being re-credentialed. Any DCO who has not participated in any Doping Control activities within a year should be required to complete a re-training program.

(4) The Agency shall take steps to develop a system to monitor the performance of DCOs.

(5) The Agency shall maintain records of conflicts and training of all Sample Collection Personnel.