

OLYMPICS OUT OF COMPETITION

Out-of-competition testing occurs outside competitions and may be conducted by testing representatives from USADA, IAAF and WADA. If you are ranked **among the top 50 in the World or one of the top 15 performers in your respective event domestically**, you are subject to out-of-competition drug testing. The rankings are provided by the IAAF, Track & Field News and the Road Running Information Center. If you are subject to out-of-competition testing, you may be responsible for keeping USADA, the IAAF and USATF informed of your most current address as well as your daily 60-minute window. Athletes must submit information electronically by emailing update@usada.org or texting <text@usada.org> and finally athletes may use their unique login to access the USADA system at www.usada.org/athletes to submit their quarterly whereabouts.

Under the IAAF out-of-competition drug testing rules, any athlete competing and who is ranked among the top 50 in the World is subject to out-of-competition drug testing by their testing agency, USADA. The IAAF out-of-competition drug testing program is conducted pursuant to the provisions set forth in the IAAF Procedural Guidelines for Doping Control (PDF).

However, regardless of the organization responsible for conducting the out-of-

OLYMPICS OUT OF COMPETITION PROHIBITED LIST

Substances and Methods Prohibited at all times (both in- and out-of competition).

The first section of the Prohibited List discusses substances and methods that are prohibited at all times, both in- and out-of-competition. Any athlete, including elite (registered testing pool) athletes or non-national level (e.g. Masters, juniors) can be tested for these substances at any time.

S0. Non-Approved Substances

This “open” section addresses the issue of the abuse of pharmacological substances for the purpose of performance enhancement that are not included in other sections of the Prohibited List. They include substances that are not approved by any governmental regulatory health authority for human therapeutic use (i.e. drugs under pre-clinical or clinical development or discontinued, designer drugs, or veterinary drugs). These substances will be prohibited at all times (in- and out-of-competition).

S1. Anabolic Agents

Anabolic Agents are prohibited. This includes the use of testosterone creams (such as Androgel) or shots, or the use of any other anabolic substance. The list of anabolic agents is extensive, but even if an anabolic agent is not specifically listed it is still prohibited if it has “a similar chemical structure or similar biological effect(s)”.

S2. Peptide Hormones, Growth Factors and related Substances

This class of substances includes Erythropoietin (EPO), human chorionic gonadotropin (HCG), luteinizing hormone (in males), growth hormone, IGF-1, corticotrophins, and a number of other growth factors.

S3. Beta-2 Agonists

All oral (taken by mouth and swallowed) beta-2 agonists are prohibited.

Inhaled beta-2 agonists are prohibited and require a Therapeutic Use Exemption (TUE) except for formoterol (dosages less than 54 micrograms/24 hours), salmeterol (when taken according to manufacturer's instructions), and albuterol (dosages under 1600 micrograms/24 hours). Search www.GlobalDRO.com to determine if the inhaler that you are using contains a substance that requires a TUE for use in sport.

S4. Hormone Antagonists and Modulators

In short, the following are prohibited: aromatase inhibitors, selective estrogen receptor modulators (SERMS) such as tamoxifen, other estrogenic substances, and agents modifying myostatin function(s), and insulin. Please consult the Prohibited List for examples of substances in each of the above classes.

S5. Diuretics and Other Masking Agent

Masking agents are prohibited, including diuretics and plasma expanders.

Prohibited Methods

M1. Enhancement of Oxygen Transfer

The title of this category is new in 2013. It has been changed to “manipulation of blood and blood components” to make clear that it encompasses all kind of manipulation of the blood. Blood doping, the use of red blood cells of any origin, or otherwise artificially enhancing the uptake or delivery of oxygen is prohibited. Any type of IV manipulation of the blood or blood components by physical or chemical means is prohibited.

M2. Chemical and Physical Manipulation

Tampering, or attempting to tamper in order to affect the validity of samples collected during the doping control process is prohibited. Intravenous infusions or any intravenous injection of more than 50mL per 6 hour period are prohibited except for those legitimately received in the course of hospital admissions or clinical investigations.

M3. Gene Doping

The transfer of polymers of nucleic acids or nucleic acid analogues, or the use of normal or genetically modified cells is prohibited.

ACRI Model Rule

1. Any horse on the grounds at a racetrack or training center under the jurisdiction of the commission; or under the care or control of trainer or owner licensed by the commission is subject to testing for blood and/or gene doping agents without advance notice. This rule does not apply to therapeutic medications approved by the FDA for use in the horse.
2. Horses to be tested may be selected at random, with probable cause, or as determined by the commission;
3. The Commission Veterinarian, or any licensed veterinarian or licensed veterinary technician authorized by the commission, may at any time, take a urine, blood or hair sample from a horse for this purpose.
4. Prohibited substances, practices and procedures are defined as:
 - (a) Blood doping agents including, but not limited to Erthropoietin (EPO), Darbepoetin, Oxyglobin, Hempure, Aransep or any substance that abnormally enhances the oxygenation of body tissues.
 - (b) Gene doping agents or the non-therapeutic use of genes, genetic elements, and/or cells that have the capacity to enhance athletic performance or produce analgesia.
5. Cooperation with the Commission Veterinarian, or any licensed veterinarian or licensed veterinary technician authorized by the commission, includes:
 - (a) Assisting in the immediate location and identification of the horse selected
 - (b) for out of competition testing;
 - (c) Providing a stall or safe location to collect the samples;
 - (d) Assisting the veterinarian in properly procuring the samples;

NYSRW Proposed Thoroughbred Rule

§ 4043.12 Out-of-competition testing

- (a) Any horse on the grounds of a racetrack under the jurisdiction of the Board or stabled off track grounds is subject to testing without advance notice for blood doping, gene doping, protein and peptide based drugs, including toxins and venoms, and other drugs and substances while under the care or control of a trainer or owner licensed by the Board.
- (b) Horses to be tested shall be selected at the discretion of the State judges or any Board representative. Horses to be tested shall be selected from among those anticipated to compete at New York tracks within 180 days of the date of testing or demand for testing.
- (c) The State judges or any Board representative may require any horse of a licensed trainer or owner to be brought to a track under the jurisdiction of the Board for out-of-competition testing when that horse is stabled out-of-state at a site located within a radius not greater than 100 miles from a New York State racetrack. The trainer is responsible to have the horse or horses available at the designated time and location.
- (d) A Board veterinarian or any licensed veterinarian authorized by the State judges or any Board representative may at any time take a urine or blood sample from a horse for out-of-competition testing.
- (e) Prohibited substances are:
 - 1. blood doping agents including, but not limited to, erythropoietin (EPO), darbepoetin, Oxyglobin, Hemopure, Aranesp, or any substance that abnormally enhances the oxygenation of body tissues;
 - 2. gene doping agents or the nontherapeutic use of genes, genetic elements, and/or cells that have the capacity to enhance athletic performance or produce analgesia;

(f) The presence of any substance at any time described in subsections (1), (2) or (3) of subdivision (e) is a violation of this rule for which the horse may be declared ineligible to participate until the horse has tested negative for the identified substance, and for which the trainer shall be responsible pursuant to Board Rule 4043.4.

(g) The trainer, owner, and/or their designees and any licensed racing corporation shall cooperate with the Board and its representatives/ designees by:

(1) assisting in the immediate location and identification of the horse selected for out-of-competition testing;

(2) providing a stall or safe location to collect the samples;

(3) assisting in properly procuring the samples; and

(4) obeying any instruction necessary to accomplish the provisions of this rule. The failure or refusal to cooperate in the above by any licensee or other person shall subject the licensee or person to penalties, including license suspension or revocation, the imposition of a fine and exclusion from tracks or facilities subject to the jurisdiction of the Board.

(h) Any horse which is not made available for testing as directed, including the failure to grant access on a timely basis, shall in the absence of acceptable mitigating circumstances, be ineligible to participate in racing for one hundred twenty days.

(i) In the absence of extraordinary mitigating circumstances, a minimum penalty of a ten (10) year suspension will be assessed for any violation set forth in subdivision (f).

(J) An application to the Board for an occupational license shall be deemed to constitute consent for access to any off-track premises on which horses owned and/or trained by the individual applicant are stabled. The applicant shall take any steps necessary to authorize

NYSRWB Proposed Thoroughbred Rule

§ 4043.12 Out-of-competition testing

- (a) Any horse on the grounds of a racetrack under the jurisdiction of the Board **or stabled off track grounds** is subject to testing without advance notice for blood doping, gene doping, protein and peptide based drugs, including toxins and venoms, and **other drugs and substances** while under the care or control of a trainer or owner licensed by the Board.
- (b) Horses to be tested shall be selected at the discretion of the State judges or any Board representative. Horses to be tested shall be selected **from among those anticipated to compete at New York tracks within 180 days** of the date of testing or demand for testing.
- (c) The State judges or any Board representative may require any horse of a licensed trainer or owner to be brought to a track under the jurisdiction of the Board for out-of-competition testing when that horse is stabled out-of-state **at a site located within a radius not greater than 100 miles from a New York State racetrack**. The trainer is responsible to have the horse or horses available at the designated time and location.
- (d) A Board veterinarian or any licensed veterinarian authorized by the State judges or any Board representative may at any time take a urine or blood sample from a horse for out-of-competition testing.
- (e) Prohibited substances are:
1. blood doping agents including, but not limited to, erythropoietin (EPO), darbepoetin, Oxyglobin, Hemopure, Aranesp, or any substance that abnormally enhances the oxygenation of body tissues;
 2. gene doping agents or the nontherapeutic use of genes, genetic elements, and/or cells

(f) The presence of any substance at any time described in subsections (1), (2) or (3) of subdivision (e) is a violation of this rule for which the horse may be declared ineligible to participate until the horse has tested negative for the identified substance, and for which the trainer shall be responsible pursuant to Board Rule 4043.4.

(g) The trainer, owner, and/or their designees and any licensed racing corporation shall cooperate with the Board and its representatives/ designees by:

(1) assisting in the immediate location and identification of the horse selected for out-of-competition testing;

(2) providing a stall or safe location to collect the samples;

(3) assisting in properly procuring the samples; and

(4) obeying any instruction necessary to accomplish the provisions of this rule. The failure or refusal to cooperate in the above by any licensee or other person shall subject the licensee or person to penalties, including license suspension or revocation, the imposition of a fine and exclusion from tracks or facilities subject to the jurisdiction of the Board.

(h) Any horse which is not made available for testing as directed, including the failure to grant access on a timely basis, shall in the absence of acceptable mitigating circumstances, be ineligible to participate in racing for one hundred twenty days.

(i) In the absence of extraordinary mitigating circumstances, a minimum penalty of a ten (10) year suspension will be assessed for any violation set forth in subdivision (f).

(J) An application to the Board for an occupational license shall be deemed to constitute consent for access to any off-track premises on which horses owned and/or trained by the individual applicant are stabled. The applicant shall take any steps necessary to authorize access by Board representatives to such off-track premises.

NYSRWB Harness Rule

4120.17. Out of competition testing.

(a) Any horse on the grounds of a racetrack under the jurisdiction of the Board or stabled off track grounds is subject to testing without advance notice for blood doping, gene doping, protein and peptide-based drugs, including toxins and venoms, and other drugs and substances while under the care or control of a trainer or owner licensed by the Board.

(b) Horses to be tested shall be selected at the discretion of the State judges or any Board representative. Horses to be tested shall be selected from among those anticipated to compete at New York tracks within 180 days of the date of testing or demand for testing.

(c) The State judges or any Board representative may require any horse of a licensed trainer or owner to be brought to a track under the jurisdiction of the Board for out-of-competition testing when that horse is stabled out-of-state at a site located within a radius not greater than 100 miles from a New York State racetrack. The trainer is responsible to have the horse or horses available at the designated time and location.

(d) A Board veterinarian or any licensed veterinarian authorized by the State judges or any Board representative may at any time take a urine or blood sample from a horse for out-of-competition testing.

NYSRWB Thoroughbred Rules

§ 4012.5. Out-of-Competition Testing.

(a) Sampling horses

(1) The board may at a reasonable time on any date take a blood, urine, or other biologic sample, from a horse that is on a nomination list or under the care or control of a trainer or owner who is licensed by the board, for the purpose of testing for the impermissible presence or administration of substances prohibited by section 4043.12. The board shall perform no other forensic tests on a sample.

(2) Samples shall be taken under the supervision and direction of a person who is employed or designated by the board and is qualified to safeguard the health and safety of the horse. Blood samples may be taken only by a licensed veterinarian.

(3) Horses to be tested may be selected at random, for cause, or as determined by a board executive official or steward.

(4) A selected horse that is not made available for sampling is ineligible to race for 180 days, unless the board determines that circumstances unavoidably prevented the owner and trainer from making the horse available for sampling.

(5) If a selected horse is not involved in activities related to racing in New York, then the trainer or owner may represent this to the board and the board will not sample the horse. If the trainer makes this representation, then the board will notify the managing owner who may make the horse available for sampling in order to preserve its eligibility.

(b) Cooperation with taking samples

(1) The owner, trainer, and/or their designees shall cooperate with the person who takes samples by immediately assisting in the location and identification of the horse, making it available at a stall or other safe location to collect the samples, and witnessing the taking of its samples. The person who takes samples shall provide identification and disclose the purpose of the sampling. The person who collects samples on track may require that it be done at the test barn.

(i) Before arriving to sample an off-track horse the board shall notify the owner or trainer, who may instead make the horse available within 24 hours at a licensed racetrack designated by the board.

(ii) The board may arrange for the sampling of a horse that is in another jurisdiction by its racing commission or other designated person, provided that they follow the relevant provisions of this rule and the test results shall also be provided to the other jurisdiction for its regulatory use. The board shall provide the owner or trainer with this as a reasonable alternative location to make the horse available within 24 hours.

(iii) An owner or trainer does not consent to a search of the premises by making a horse available for sampling at an off-track location.

(2) A licensed racetrack at which a horse may be located shall cooperate fully with a person who is authorized to take samples.

(3) No person shall knowingly interfere with or obstruct a sampling.

(c) A buyer who was not aware of the ineligibility of a horse under this rule may void the purchase, provided that it is done within 10 days after receiving notice of the horse's ineligibility.

§ 4043.12. Prohibited Substances.

(a) Prohibited Substances

(1) The presence in or administration to a horse of the following doping agents or drugs, in the absence of extraordinary mitigating circumstances that excuse the owner and trainer from their failure to fulfill their duties and responsibilities, is prohibited at any time.

(i) Blood doping agents: a protein or peptide based agent or drug that is capable of abnormally enhancing the oxygenation of body tissues, including but not limited to erythropoietin (EPO), darbepoetin, Oxyglobin, Hemopure, and Aranesp.

(ii) Gene doping agents: a gene, genetic element, or cell that alters the expression of genes for normal physiological functions and that may produce analgesia or enhance the performance of a horse beyond its natural ability.

(iii) Any other protein or peptide based agent or drug that may produce analgesia or enhance the performance of a horse beyond its natural ability, including but not limited to toxins, venoms, and allosteric effectors.

(iv) These substances are prohibited regardless of any other provisions, including section 4043.2, of this Subtitle.

(2) No person shall possess or use these prohibited substances on the premises of any licensed racetrack.

(3) It shall be an affirmative defense to a violation of this rule that the person used the prohibited substance only in a time, place, and manner specifically permitted in writing by the board before its administration; for a recognized therapeutic use; and subject to such appropriate limitations as the board shall place on the return of the horse to running races.

(b) Penalties.

(1) A horse in violation of this rule shall be ineligible to race until it is certain that the horse is no longer affected by the prohibited substance and for not less than 180 days, after which the horse must qualify in a workout satisfactory to the judges and test negative for drugs. The minimum fixed period of ineligibility for a horse in violation of this rule shall be reduced from 180 to 30 days if the trainer had never violated this rule or similar rules in other jurisdictions and had, for any violations of Part 4043 or similar rules in other jurisdictions, fewer than 180 days in lifetime suspensions or revocations and fewer than two suspensions or revocations of 15 days or more in the preceding 24 months.

(2) A person who is found responsible for a violation of section (a)(l) of this rule shall incur a penalty of license revocation in addition to any other penalties authorized in this Title.

(c) A buyer who was not aware of the ineligibility of a horse under this rule may void the purchase, provided that it is done within 10 days after receiving notice of the horse's ineligibility.



National Thoroughbred Racing Association Safety and Integrity Alliance 2013 Code of Standards

3. Medication and Testing: Without proper pre- and post-race testing and security procedures, horse health and safety can be compromised. The Alliance believes that the regulation of drugs and therapeutic medications should be consistent on a nationwide basis to better facilitate the training and racing of horses in multiple states. Members shall therefore insist on the implementation of consistent rules and penalties regarding medication and testing as follows:

E. Out of Competition Testing

Members shall insist that local regulatory authorities institute out of competition testing for blood and/ or gene doping agents in a manner consistent with the ARCI model rule ARC/-011-022, based on RMTC recommendations. To the extent the regulatory authorities do

Kentucky Rule

Section 3. Out-of-Competition Testing. (1) Any horse eligible to race in Kentucky shall be subject to testing without advance notice for the substances specified in Section 2 of this administrative regulation. A horse is presumed eligible to race in Kentucky if:

- (a) It is under the care, custody, or control of a trainer licensed by the commission;
- (b) It is owned by an owner licensed by the commission;
- (c) It is nominated to a race at an association licensed pursuant to KRS 230.300;
- (d) It has raced at an association licensed pursuant to KRS 230.300 within the previous twelve (12) calendar months;
- (e) It is stabled on the grounds of an association licensed pursuant to KRS 230.300 or a training facility subject to the jurisdiction of the commission; or
- (f) It is nominated to participate in the Kentucky Thoroughbred Development Fund.

(2) A horse subject to testing under subsection (1) of this section may be designated for testing by the executive director, the chief state steward, or their respective designee.

(3) A horse designated for testing under this section shall be subject to testing for the substances described in Section 2 of this administrative regulation.

(4) An owner, trainer, or any authorized designee shall fully cooperate with the commission veterinarian, or his or her designee, by:

- (a) Locating and identifying any horse designated for out-of-competition testing;
- (b) Making the horse available for the collection of the specimen at an agreed upon stall or other safe location; and
- (c) Observing the collection of the specimen.

1. If the owner, trainer or their authorized designee, is not available to observe the collection of the specimen, the collection shall be deferred until the trainer, owner, or their authorized designee, becomes reasonably available, but the collection shall occur no later than six (6) hours after notice of intent to collect a specimen from a horse is received.

2. If the collection does not occur within the time provided for in this subsection, any horse that is designated for testing may be barred from racing in Kentucky and placed on the veterinarian's list, 810 KAR 1:018, Section 18, and the steward's list, for a period of 180 days and the owner and trainer of the horse may be subject to the penalties described in Section 8 of this administrative regulation.

(5) If the owner, trainer, or any authorized designee fails to cooperate or otherwise prevents a horse from being tested, the horse designated for testing shall be barred from racing in Kentucky and placed on the veterinarian's list, 810 KAR 1 :018, Section 18, and the steward's list, for 180 days, and the individual or individuals responsible for the failure to cooperate or prevention of the horse from being tested shall be subject to the penalties described in Section 8 of this administrative regulation.

(6) A horse that is barred from racing in Kentucky and placed on the Veterinarian's List and the Steward's List pursuant to subsection (5) or (6) of this section shall remain barred from racing and shall remain on the veterinarian's list and the steward's list:

(a) Upon sale or transfer of the horse to another owner or trainer until the expiration of 180 days; and

(b) Until the horse is determined by the commission to test negative for any substance described in Section 2 of this administrative regulation and is approved for racing by the commission veterinarian and the chief state steward.

Section 2. Prohibited Substances and Practices.

(1) The following shall be a violation of this administrative regulation:

(a) The presence in, or administration to, a horse, at any time, of blood doping agents including: erythropoietin, darbepoetin, hemoglobin-based oxygen carriers, or any other substance that enhances the oxygenation of equine body tissue;

(b) The nontherapeutic administration to, a horse, at any time, of whole blood or packed red blood cells;

(c) The presence in, or administration to, a horse, at any time, of naturally produced venoms, synthetic analogues of venoms, derivatives of venoms or synthetic analogues of derivatives of venoms;

(d) The presence in, or administration to, a horse, at any time, of growth hormones;

(e) The possession of erythropoietin, darbepoetin, hemoglobin-based oxygen carriers, naturally produced venoms, synthetic analogues of venoms, derivatives of venoms, synthetic analogues of derivatives of venoms, or growth hormones on the grounds of a licensed association or a training facility under the jurisdiction of the commission; and

(f) The possession at any time of whole blood or packed red blood cells on the grounds of a licensed association or a training facility under the jurisdiction of the commission by anyone other than a licensed veterinarian rendering emergency treatment to a horse located on the grounds of the association or training facility. The attending veterinarian shall notify the commission veterinarian of the intent to administer whole blood or packed red blood cells prior to his or her collection or possession of the whole blood or packed red blood cells.

(2) The use of a hyperbaric oxygen chamber shall not be a violation of this administrative regulation.