

The HISA Anti-Doping and Medication Control Program Atypical Findings Policy

The Horseracing Integrity and Safety Authority's (HISA) Anti-Doping and Medication Control (ADMC) Program includes an "Atypical Findings Policy," which is described in Appendix 1 of Rule Series 3000, in consideration of the possibility of a Covered Horse testing positive for a Prohibited Substance as a result of possible environmental contamination. This Policy provides horsemen the opportunity to provide evidence to show that a substance entered a Covered Horse through environmental contamination (or was not administered exogenously), which may result in the test result being deemed a Negative Finding by the Horseracing Integrity & Welfare Unit (HIWU).

An Atypical Finding (Atypical) will **only** be issued for the presence of the following substances in a sample:

– **Specified Substances:**

- Prohibited Substances arising from plants traditionally grazed or harvested as equine feed.
- Prohibited Substances that pose a higher risk of being present in equine feed due to contamination during cultivation, processing or treatment, storage, or transportation.

Specified Substances

BANNED		CONTROLLED	
Aminorex	Bufotenine	Caffeine	Colchicine
Cannabinoids	Demecolcine	Hordenine	Morphine
Dimethyltryptamine	Ergotamine	Scopolamine	Theobromine
Glaucine	Lobeline	Theophylline	
Meconine	Muscarine		
Oripavine	Papaverine		
Paraxanthine	Ractopamine		
Sparteine	Synephrine		
Thebaine	Zilpaterol		

- **Endogenous substances (e.g., testosterone).**
- **Substances not specifically listed in the Prohibited List, e.g., emerging "designer drugs" not yet identified.**

When an Atypical Finding is received;

- HIWU will conduct a review to determine whether there was any apparent departure from the ADMC Program's collection or laboratory protocols.
- HIWU may request analysis of the B ("split") Sample.
- HIWU will notify the Responsible Person, i.e., trainer, and Interested Parties, e.g., owner, HISA, relevant state racing commission (if applicable) of the Atypical.
- The trainer will have the opportunity to provide information to HIWU relating to the finding, including any possible explanation for the presence of the substance in the Covered Horse's system.
- If the Atypical concerns an endogenous Prohibited Substance, HIWU will request that the trainer provides relevant veterinary information for the Covered Horse.

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What criteria does HIWU use when deciding whether to treat the Atypical as an Adverse Analytical Finding, i.e., a “positive test,” or a Negative Finding?

HIWU will consider multiple factors when making its determination as to the source of the substance(s), including, but not limited to:

- If there were Atypical(s) for the same substance(s) from other samples collected following the relevant Covered Horserace.
- If there were Atypical(s) for the same substance(s) from other samples collected at previous races at the same racetrack and/or in the same region.
- If samples taken from feed and/or bedding at the relevant race tested positive for the substance(s).
- The concentration level of the particular substance(s) in the sample.

HIWU will also consider any measures the trainer has in place to prevent Prohibited Substances from entering the body of their Covered Horse(s), including, but not limited to:

- Whether the trainer keeps a record of the feed and/or supplements given to their Covered Horses.
- Security measures put in place by the trainer at their stable and when traveling to and/or attending races.

HIWU may consider other factors that it deems necessary or relevant, including, but not limited to:

- Security measures in place at the relevant race.
- The prevalence of the use of the Prohibited Substance(s).

When trying to establish the source of the substance in question, HIWU may consult with relevant experts who can provide guidance for each specific circumstance.

Final Decision

Upon the conclusion of the investigation, HIWU will issue a written decision, which will include a summary of the basis for that decision. HIWU's decision is not subject to review.

- If HIWU determines that the Atypical should be deemed a Negative Finding, no further action will be taken, and no results will be forfeited.
- If HIWU determines that the Atypical should be pursued as an Adverse Analytical Finding / positive test, HIWU will send the trainer an Equine Anti-Doping Notice or Equine Controlled Medication Notice, as applicable. The case will then be referred to the ADMC Program's Arbitration Procedures.

Stakeholders with questions about the Atypical Findings Policy are encouraged to submit them to info@hiwu.org.

* Please be advised that the responsibilities and requirements set forth above are contained in the regulations submitted by the Horseracing Integrity and Safety Authority to the Federal Trade Commission (FTC) on December 28, 2022. Accordingly, these regulations are subject to change until they have received final approval by the FTC, which will occur before the ADMC Program takes effect.

The information enclosed herein is not exhaustive. For more information, please consult the ADMC Program regulations submitted by the Horseracing Integrity and Safety Authority to the Federal Trade Commission and posted to the Federal Register on January 26, 2023.

