Canadian Pari-Mutuel Agency
An Agency of Agriculture and Agri-Food Canada

Agence canadienne du pari mutuel
Un organisme d'Agriculture et Agroalimentaire Canada

CPMA POLICY P-006

POLICY TITLE

Sample Residue Release

DATE OF ISSUE

First Version Issued: 1996

Revised: May 28, 2012; June 2, 2015; July 1, 2016; April 26, 2021

LEGISLATIVE REFERENCE

Sections 160 and 165 of the *Pari-Mutuel Betting Supervision Regulations*

EFFECTIVE DATE

April 26, 2021

BACKGROUND

The Canadian Pari-Mutuel Agency (CPMA) is a Special Operating Agency within Agriculture and Agri-Food Canada that regulates and supervises pari-mutuel betting in Canada on horse racing, thereby ensuring that pari-mutuel betting is conducted in a way that is fair to the public.

The CPMA operates an Equine Drug Control Program that is designed to deter the uncontrolled use of substances in racehorses participating in pari-mutuel races.

Urine and/or blood samples (Official samples) are collected from horses before or after a race. These are tested for the presence of substances prescribed in the Schedule to the *Pari-Mutuel Betting Supervision Regulations* (*the Regulations*). The CPMA issues a *Certificate of Positive Analysis* when the testing of an Official sample confirms the presence of a prohibited substance i.e. either a single or multiple substances, with or without associated metabolites.

The CPMA reports the *Certificate of Positive Analysis* to the corresponding provincial horse racing authority (Provincial Regulatory Body or PRB) for adjudication and appropriate action. As part of this process, the PRB provides a copy of the *Certificate of Positive Analysis* and the CPMA Policy P-006, *Sample Residue Release* to the trainer whose sample tested positive.

Upon request, and in accordance with this policy, any Sample residue left after all testing by the Official laboratory is complete is available for release to another laboratory (referred as Referee Laboratory) for independent testing to verify the positive findings as reported on the *Certificate of Positive Analysis*.

La version française de la présente publication est intitulée *Cession des résidus d'échantillons*

PURPOSE

The purpose of this document is to set out the CPMA's policy with regard to the release of Sample residue following the issuance of a *Certificate of Positive Analysis* and to provide guidance to Requestors on the request procedure.

SCOPE

This policy applies to all requests for independent testing of Sample residue.

DEFINITIONS

Data package	Set of documents that record the collection, chain of custody and testing results of an Official sample in relation to the issuance of a *Certificate of Positive Analysis*.
Official sample	A sample of blood, urine or other bodily substance that is, by means of approved paraphernalia, collected from a horse and packaged and sealed by or under the supervision of a test inspector.
Official laboratory	A laboratory that is designated by the CPMA Executive Director to test Official samples. Also referred to as the primary laboratory.
Provincial Regulatory Body (PRB)	In respect of a province, means the organization that supervises and regulates races in the province and that is incorporated under the laws of that province or another province.
Referee laboratory	An independent laboratory that is accredited by a recognized national accrediting body under ISO/IEC 17025, has experience in conducting testing on equine biological samples and conducts a targeted confirmatory test with the purpose of validating the testing results of the Official laboratory.
Requestor	The trainer or owner or their legal representative.
Sample residue	Portion of an Official sample that remains after the testing at the Official laboratory has been completed.

POLICY STATEMENT

The CPMA Policy P-006, *Sample Residue Release* provides the Requestor who has received a *Certificate of Positive Analysis* with the option to have the corresponding Sample residue tested, at their own expense, at a Referee laboratory. The sole purpose of the independent test is to verify the findings of the Official laboratory, i.e. confirmation that the substance reported in the *Certificate of Positive Analysis* is present in the Sample residue. This Policy does not apply to independent testing for any other purpose (e.g. testing the Sample residue for other substances or performing a test other than the one that resulted in the positive finding).

The release of the Sample residue will be at the discretion of the CPMA. The CPMA is under no obligation to ensure that a sample residue is available for referee testing.

The Requestor may also request the release of a Data package containing details of the sample results associated with the testing at the Official laboratory.

Results from the Referee laboratory that do not confirm those from the Official laboratory will not invalidate the Official laboratory's positive finding. Differences in results between the Official and Referee laboratories may be due to a variety of factors outside of the CPMA's control, such as:

- The substance's stability and/or deterioration rate in an Official sample. This rate may depend on the substance in question or storage conditions, and may be more pronounced in a blood sample than a urine sample;

- The testing methods used by the Referee laboratory, i.e. different methodology or different method that does not have the required level of sensitivity; and,

- Other factors such as hemolysis of blood samples, sample freeze and thaw cycles, exposure to extreme temperatures during shipping between laboratories and delays in sample delivery to the Referee laboratory.

PROCEDURE

- The Requestor must make the request to the CPMA for the release of a Sample residue and/or a Data package no later than 23:59 PT of the 21st day starting on the day after the date of issue of the *Certificate of Positive Analysis.* A Sample residue will be discarded if a request for a Sample residue release is not received before the expiry of the 21 day calendar period.

- To make a request for the release of a Sample residue, the Requestor must complete and submit to the CPMA, within the time frame identified above, the "Request for Sample Residue Release Form" with a copy to the corresponding PRB. The "Request for Sample Residue Release Form" is included in Appendix A .

- The Requestor is responsible for the selection of a Referee laboratory The Requestor should be aware that not all accredited laboratories offer the same accredited tests.

- The Requestor is responsible for communicating with the Referee laboratory about any requirements such as import permits and/or any other necessary documentation. The Requestor is responsible for providing all necessary documentation to the Official laboratory so that the shipment of the Sample residue to the Referee laboratory can be completed.

- The Requestor must also provide to the CPMA a written confirmation from the Referee laboratory indicating the laboratory's acceptance to test the Sample residue.

- The Requestor agrees to instruct the Referee laboratory to provide a copy of the testing results directly to the CPMA and the corresponding PRB when the referee testing is complete.

- Once the Requestor has fulfilled all the requirements, the CPMA will send an approval letter to the Requestor with a copy to the Official laboratory and the corresponding PRB, authorizing the release of the Sample residue.

- The Official laboratory will transfer the Sample residue directly to the Referee laboratory by a commercial courier on behalf of the Requestor.

- Following approval by the CPMA of the release of the Sample residue, the Requestor must arrange for the Sample residue to be shipped from the Official laboratory to the Referee laboratory. The Requestor must complete the steps stated in the approval letter within 14 days after the date of the approval letter or the sample may be discarded. Please note that the first day of the 14 day period is the date of the approval letter.

NOTE 1: If the Requestor intends to make a request but is unable to find a referee laboratory by the end of the 21 day period, the Requestor must communicate with the CPMA immediately and before the expiry of the 21 day period as the sample residue may otherwise be destroyed.

NOTE 2: The Requestor should be aware that there may be cases where no Referee laboratory is available to test the Sample residue for the substance in question. There may also be cases where a Referee laboratory refuses to accept a sample (for example, if it does not meet the laboratory's acceptance criteria or if the laboratory does not have appropriate testing methods for the substance in question).

COST

The Requestor is responsible for all costs associated with packaging, handling and shipping of the Sample residue to the Referee laboratory, and preparation of the Data package (if requested).

Payment is to be made to the Official laboratory that conducted the testing of the Official sample. The Official laboratory will not release the Sample residue until it has received payment.

The Requestor is responsible for all costs associated with the testing of the Sample residue at the Referee laboratory.

REFERENCES

Pari-Mutuel Betting Supervision Regulations

APPENDICES

APPENDIX "A" - Request For Sample Residue Release Form

APPENDIX A

REQUEST FOR SAMPLE RESIDUE RELEASE FORM

REQUESTOR PERSONAL INFORMATION	
Full name	
Mailing Address & Phone Number	
E-mail Address	
POSITIVE TEST INFORMATION	
Positive Certificate Number e.g. 20-001-RCN	
Race Course & Race Date	
Substance(s) detected	
REFEREE LABORATORY INFORMATION	
Laboratory Name	
Contact Person Information	
Address	
Phone Number	
Have you attached the written confirmation from the Referee laboratory that it will accept the Sample residue?	YES ☐ NO ☐
Are you requesting a Data package?	YES ☐ NO ☐
Have you sent a copy of this request to your Provincial Regulatory Body?	YES ☐ NO ☐

By signing this form, I hereby agree to pay any costs associated with handling, packaging, shipping and testing of the sample, and any other related costs. I also agree to instruct the Referee laboratory to provide a copy of the testing results directly to the CPMA and the corresponding Provincial Regulatory Body (PRB) when the referee testing is complete.

Date: _____ Signature: _____

FOR CPMA USE ONLY

Request received on _____ by: _____

Approval letter sent _____ Residue released on _____

Data Package Request approved YES ☐ NO ☐ Data Package released on _____