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; October 4, 2021

LEGISLATIVE REFERENCE

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

EFFECTIVE DATE

October 4, 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 this policy to the trainer who has received a *Certificate of Positive Analysis*.

Upon request, and in accordance with this policy, any Sample residue left after all testing by the Official laboratory is complete may be released to another laboratory that meets the requirements

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

set out herein (referred to as a Referee Laboratory) for independent testing to verify the positive findings as reported on the *Certificate of Positive Analysis*.

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 procedure to follow to request the release of a Sample residue and a Data package.

SCOPE

This policy applies to all requests for independent testing of a 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. to confirm that the substance reported in the *Certificate of Positive Analysis* is present in the Sample residue.

This Policy does not apply to:

a) independent testing for any other purpose (e.g. testing the Sample residue for substances other than the substance or substances that resulted in the positive finding),
b) performing a test other than the one that resulted in the positive finding,
c) transferring a Sample Residue to a second Referee laboratory for additional testing, or
d) splitting of a Sample residue so it can be shipped to multiple Referee laboratories.

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 Sample residues remain at all times the property of the Crown. Once the testing of the Sample residue is complete, the CPMA may request to have the Sample residue shipped back to the Official laboratory or have it destroyed.

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 instrument technology or different methods that do 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 a written 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 may be discarded if a request for its release is not received before the expiry of that period. Note that holidays and weekends are included in the calculation.

- The Requestor must complete and submit to the CPMA 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 selecting a Referee laboratory. The Requestor should be aware that not all accredited laboratories can perform the same tests at the sensitivity required.

- 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 written confirmation from the Referee laboratory indicating the laboratory’s acceptance to test the Sample residue.

- The Requestor must 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.

- Once the CPMA has approved the release of the Sample residue, the Requestor must arrange, at their own expense, for the Sample residue to be shipped by a commercial courier from the Official laboratory to the Referee laboratory. Sample residue may be discarded if the Requestor does not complete the steps necessary for the release of the Sample residue within 14 days of the date of the approval letter.

- The Official laboratory will then transfer the Sample residue directly to the Referee laboratory.

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. Similarly, if the Requestor is unable to have the Sample residue shipped to the Referee laboratory within the 14 day period after approval of its release, the Requestor must communicate with the CPMA before the expiry of the 14 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 of those costs 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. The Requestor must pay these costs directly to the Referee laboratory.

REFERENCES

Pari-Mutuel Betting Supervision Regulations (SOR/91-365)

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.

Send the completed form by fax to 613-949-1538 or by email to aafc.cpma_samplerequest-demandedenchantillon_acpm.aac@agr.gc.ca.

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 _____