

**7892.0120 TAKING OF SAMPLES.****Subpart 1. Horses tested.**

A. Blood and/or urine test samples shall be taken from at least two horses, one of which must be the winning horse in every race.

B. Blood and/or urine test samples may be taken from randomly selected horses designated by the stewards or the commission veterinarian at any time upon suspicion that a violation of chapter 7890 has occurred. Test results shall note whether the tested horse was racing in a competition at the time of the test.

C. Out-of-competition testing for blood and/or gene doping agents may be performed under the direction of the stewards or the commission veterinarian on horses nominated for graded stakes as agreed to on the nomination form by the owner of the horse. Split samples shall be collected in accordance with subpart 5.

D. The stewards or commission veterinarian may require that specimens of saliva or other body fluid or excretion may be taken from a tested horse as deemed necessary by the stewards or the commission veterinarian to determine whether a violation of chapter 7890 has occurred.

E. Any owner, trainer, or other person having care, custody, or control of a horse required to be tested must submit the horse immediately.

Subp. 2. **Samples taken.** All samples shall be taken in the detention barn unless the commission veterinarian determines it necessary to take a sample elsewhere. All samples shall be taken, sealed, identified, and delivered to the testing laboratory under the direction of the commission veterinarian or his or her designee.

Subp. 3. **Witnesses.** The taking and sealing of any test sample must be witnessed or acknowledged by the signature of the trainer of the horse or the trainer's designee or in the event of an emergency involving an entered horse on race day in the stable area of a Class A licensee by another licensee present at the scene. The owner or trainer of a horse, or a designee, may be present at all times during the taking and sealing of the test samples.

Subp. 4. **Identification.** An identification tag must be attached to each sealed sample. The commission veterinarian shall retain a stub from each tag. The portion of the tag accompanying a sample to the testing laboratory must bear all information necessary to allow for proper analysis, but the identity of the horse from which the sample was taken and of the identity of its owner, trainer, jockey, driver, or stable must not be revealed to laboratory personnel.

**Subp. 5. Split samples.**

A. A portion of the sample from each horse tested, after a sufficient amount has been sent to the official laboratory, must be preserved by the commission. It must

be available for testing at the request of a person accused of a violation of chapter 7890. In the absence of urine for split sample testing, urine from the original testing laboratory, if available, may be sent to the designated split sample laboratory for analysis. The commission shall approve a list of laboratories which may provide split sample testing. From this list, a person accused of a violation of chapter 7890 shall designate the laboratories in descending order of preference. The sample must be sent to the laboratory given the highest preference and that is capable of testing for the substance within 14 days. The commission veterinarian shall have overall responsibility for the storage, safeguarding, and shipment of the split sample and for the receipt of results from the drug testing laboratory to which the sample was sent.

B. A person making a request for split sample testing must do so in writing to the stewards within 72 hours of notice of the official laboratory's findings and must bear the cost of shipment and additional testing. The cost of additional testing shall be paid in the form of a check or money order payable to the Minnesota Racing Commission or in cash at the commission's administrative offices.

C. A person making a request for split sample testing must select from among the laboratories approved by the commission pursuant to item A, within 24 hours of receipt of the list.

D. Failure to comply with the provisions of items B and C shall render the request for split sample testing null and void.

**Subp. 5a. Split sample testing for TCO<sub>2</sub>(subpart 5 does not apply).**

A. Provisions for split sample testing shall be made prior to or at the time of the taking of the original sample.

B. The trainer or designee is responsible for requesting a split sample prior to or at the time of the original sampling and for arranging payment.

C. The sample shall be sent to the Minnesota Racing Commission contract laboratory as a separate and blinded sample.

D. No further provisions for split sample testing shall be available.

**Subp. 6. Other materials.** The stewards or commission veterinarian may direct that a sample be taken of any material on the grounds of an association if the stewards or commission veterinarian suspect the material contains a substance which has been used or will be used in violation of chapter 7890.

**Statutory Authority:** *MS s 240.03; 240.23; 240.24*

**History:** *9 SR 2527; 14 SR 332; 14 SR 2008; 15 SR 2307; 16 SR 2207; 20 SR 2592; 33 SR 2095; 34 SR 1135; 39 SR 1739*

**Published Electronically:** *June 29, 2015*