

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

A. After every race, test samples shall be taken from at least two horses, one of which must be the winning horse.

B. Test samples may be taken from other horses on the grounds of a licensed racetrack as designated by the stewards or the commission veterinarian at any time. Horses to be tested may be selected at random or as otherwise reasonably determined by the stewards or commission veterinarian. A positive test shall result in the horse being placed on the commission veterinarian's list under part 7877.0175, subpart 8.

C. Out-of-competition testing for prohibited substances, blood doping agents, gene doping agents, growth hormone, exogenous anabolic steroids, and clenbuterol may be performed at the request and under the direction of the stewards or the commission veterinarian on any horse nominated for stakes or specific racing series. Horses to be tested may be selected at random or as otherwise reasonably determined by the stewards or commission veterinarian. Split samples shall be collected in accordance with subpart 5. A positive test shall result in the horse being placed on the commission veterinarian's list under part 7877.0175, subpart 8.

D. The stewards or commission veterinarian may require that specimens of hair, 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. A hair sample collected any time after a horse is entered to race at a licensed racetrack shall be deemed a post-race sample for purposes of parts 7869.0200 and 7890.0110.

F. 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 serum, plasma, urine, hair, and saliva samples shall be taken, sealed, identified, and delivered to the testing laboratory under the direction of the commission veterinarian or his or her designee. Samples taken for TCO₂ analysis may be taken, sealed, identified, and submitted to the testing laboratory or securely analyzed by a reliable on-site analyzer, or both.

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 or blood (serum or plasma) for split sample testing, urine or blood (serum or plasma) 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 that are capable of providing 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 and submitting results for the substance within 14 days of sample receipt. 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 notify the stewards in writing within 72 hours of receiving notice of the commission laboratory's findings and a list of approved split sample laboratories.

C. A person making a request for split sample testing must provide the request in writing on a form prescribed by the commission to the commission veterinarian within 24 hours of notification to the stewards of the intent to submit a split sample.

D. The trainer is responsible for the cost of split sample testing and fees for shipping and handling of the sample. Payment for split sample testing must accompany the sample or be made in advance directly to the split sample laboratory. Shipping and handling fees are payable to the Minnesota Racing Commission within seven days of shipment.

E. 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 TCO₂ and any hair test (subpart 5 does not apply).

A. For any TCO₂ test or any hair test, 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 for TCO₂ or hair 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; 40 SR 1393; 41 SR 1322; 42 SR 1258; 44 SR 1047*

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