AMENDMENT TO THE RACING RULES (DRUG TESTING PROGRAM)

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Please be informed that the Commission, in its meeting held on April 7, 2000, resolved to further amend the following sections of the racing rules and regulations, to wit:

SECTION 20. POWERS AND FUNCTIONS

l. To prohibit the use of improper devices, PROHIBITED SUBSTANCES, or other means to enhance, or diminish or affect the racing performance of the horse.

PROHIBITED SUBSTANCE IS DEFINED AS ANY SUBSTANCE THAT ENHANCES, DIMINISHES, OR ALTERS THE RACING PERFORMANCE OF A HORSE DUE TO ITS EFFECTS ON THE CENTRAL OR PERIPHERAL NERVOUS SYSTEM, THE CARDIO-VASCULAR SYSTEM, THE RESPIRATORY SYSTEM, THE ALIMENTARY DIGESTIVE SYSTEM, THE MUSCULO-SKELETAL SYSTEM OR THE URO-GENITAL SYSTEM OF A HORSE AS IDENTIFIED UNDER SEC. 103-A.d "REFERENCES AND INCLUDES BUT ARE NOT LIMITED TO ANALGESIC, ANTIHISTAMINES, ANTI-INFLAMMATORY AGENTS, BLOOD COAGULANTS, DIURETICS, HORMONES AND THEIR SYNTHETIC COUNTERPART, CORTICO-STEROIDS, ANABOLIC STEROIDS, LOCAL ANAESTHETICS, MUSCLE RELAXANT, ANTI-HYPERTENSIVE AND TRANQUILIZERS AND OTHER SUBSTANCES THAT THE PHILRACOM MAY PROHIBIT FROM TIME TO TIME.

THE PROHIBITION DOES NOT EXTEND HOWEVER TO THE USE OF ALL DULY-CERTIFIED VITAMINS.

HOWEVER, HORSES ADMINISTERED WITH PHENYLBUTAZONE AND FUROSIMIDE MAY BE ALLOWED TO PARTICIPATE IN THE RACES, PROVIDED, THE OWNER OR TRAINER OF THE HORSE HAVE SO INFORMED THE RACING CLUBS CONCERNED DURING ITS DECLARATION FOR PARTICIPATION IN AN OFFICIAL RACE.

SECTION 4.5. POWERS AND DUTIES AND STEWARDS

k. To order the club veterinarian, to extract blood, saliva and/or urine from any racehorse for detection of prohibited substances.

A RACE HORSE FOUND POSITIVE TO HAVE BEEN ADMINISTERED WITH PROHIBITED SUBSTANCES SHALL BE SUSPENDED FOR SIX (6) MONTHS. IT SHALL UNDERGO REHABILITATION DURING SAID PERIOD AND SHALL BE REQUIRED TO UNDERGO A DRUG TEST AND BE CERTIFIED TO BE DRUG FREE BEFORE IT MAY AGAIN BE ALLOWED TO PARTICIPATE IN THE RACES.

IN CASE OF WINNERS OR PLACERS IN A RACE, IN ADDITION TO THE PENALTIES ABOVE, THE PRIZE OF THE DAY NET OF TAXES, JOCKEYS' COMMISSION, JOCKEYS' AND TRAINERS' FUND SHARE SHALL BE PAID AS PENALTY IN FAVOR OF THE RACING CLUBS, TO BE USED ACTUALLY, DIRECTLY, AND PRINCIPALLY FOR DRUG TESTING PURPOSES AND ACTIVITIES.

IN CASE OF STAKES RACES AND RACES WITH ADDED PRIZES, THE SAID STAKES OR ADDED PRIZES SHALL ALSO BE PAID AS PENALTY, IN ADDITION TO THE PRIZE OF THE DAY.

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HORSES CAUGHT FOR THE SECOND TIME TO HAVE BEEN ADMINISTERED WITH PROHIBITED SUBSTANCES SHALL BE BANNED FROM RACING FOR LIFE.

THE OWNER AND/OR TRAINER OF THE HORSE FOUND TO HAVE BEEN TESTED POSITIVE FOR PROHIBITED SUBSTANCE(S) AS DEFINED IN SECTION 2.0 SHALL BE FINED P30,000 EACH OR A TOTAL OF P60,000 IF HE IS THE OWNER/TRAINER AT THE SAME TIME, HE SHALL PAY THE FULL AMOUNT OF P60,000.

BEFORE ANY CHALLENGE CAN PROCEED, ABOVE AMOUNT SHALL BE DEPOSITED WITH THE RACING CLUB TOGETHER WITH THE CHALLENGE FEE OF P10,000.

NON-PAYMENT OF THE FINE SHALL CAUSE THE REVOCATION OF OWNER'S AND/OR TRAINER'S LICENSES.

SECTION 103-A. DRUG TESTING PROCEDURES

a. NUMBER OF SPECIMENS FOR TESTING — Test specimens of at least two (2) horses shall be taken after every race, the winner and any other horse(s) selected by the Board of Stewards. In every racing day, a minimum of six (6) samples shall be tested by the Philracom accredited Laboratory. The Board of Stewards may in their own discretion order the testing of other samples.

COLLECTION AREA — The race club concerned shall provide a separate and well secured area within the club compound, isolated from the view of the betting public, where the actual collection of samples would be undertaken. Only the duly registered owner, trainer or their duly-licensed representative and the groom of the horse concerned shall be allowed entry in the collection area.

b. PROCEDURE FOR SAMPLES — Two (2) sampling containers per selected horse shall be taken immediately after the race by the authorized personnel. The samples will then be sealed and countersigned by an in the presence of the representatives of the racing clubs, owner, trainer, or their duly-licensed representative. Failure on the part of the horseowner and/or trainer to be present or to designate an official and licensed representative in writing, shall be taken as a waiver of the-right to be present.

One (1) sample shall be retained by the racing club and put in its custody. The other sample shall be given to the duly accredited drug testing laboratory for testing, the first shall be used in case of a challenge, the results of which would be final and binding on all parties.

c. USE OF SAMPLES — Testing will be done for identification of prohibited substances based on the list of references provided for in section (d) herein.

The PHILRACOM accredited Laboratory shall notify the racing club the results of all tests within fifteen (15) working days after the collection of samples, if the tests are positive for prohibited substance(s). The racing club shall inform PHILRACOM and the horseowner and/or trainer concerned within five (5) working days from receipt of the results.

d. REFERENCES — The following publications in their current available editions shall be used to identify the classification and groupings of drugs, to wit: Philippine Index of Medical Specialties (PIMS); U.S. Pharmacopoeia; British Pharmacopoeia; Chinese Pharmacopoeia; Drugs Facts and Comparison; MERCK INDEX; MERCK VETERINARY MANUAL; MULTILINGUAL DICTIONARY OF NARCOTIC DRUGS AND PSYCHOTROPIC SUBSTANCES UNDER INTERNATIONAL CONTROL.

e. REFERRAL — Any dangerous drug(s) as defined and penalized in the Dangerous Drugs Law which are detected in the samples will be referred by the PHILRACOM to the National Bureau of Investigation (NBI) and all other government agencies concerned for further testing and possible prosecution.

f. CHALLENGE — The owner/trainer/authorized representative of horses found to have been administered with

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prohibited substances may challenge the results within seventy two (72) hours after notice by the racing club concerned. He must file with the racing club concerned a written notice of the challenge, pay a challenge fee of P10,000.00 and deposit the amount of P60,000.00 corresponding to the fine to be imposed. The PHILRACOM accredited drug testing laboratory shall be given seven (7) working days to schedule and conduct the challenge. Failure of PHILRACOM accredited drug testing laboratory to schedule and conduct the challenge within the period shall result in a decision for the challenger.

g. EFFECT OF CHALLENGE — The filing of a written challenge shall not stay the penalties and/or suspension imposed.

h. PROCEDURE DURING CHALLENGE(S) — The retained sample of the racing club will be used for testing during a challenge. The testing will be done in the PHILRACOM accredited drug testing will be done in the PHILRACOM accredited drug testing laboratory. The owner and/or trainer at his option may request the presence of the NBI and/or Dangerous Drug Board (DDB) chemists thereat. Representatives of the racing club, PHILRACOM, owner, and/or trainer must also be present during this procedure. The failure of the owner and/or trainer, or their authorized representative to be present shall be taken as a waiver of their right to be present.

i. RESULT OF CHALLENGE — The owner and/or trainer of the horse whose challenged test yielded positive results in the use of prohibited substances shall have his challenge fee of P10,000 forfeited in favor of the racing club and the P60,000.00 deposit in favor of PHILRACOM as penalty. The owners and/or trainers whose challenge tests yielded negative results shall be refunded accordingly.

SECTION 107. CORRUPT PRACTICES x x x

a. x x x x x
b. x x x x x
c. Who administers or injects to any horse OUTSIDE or INSIDE the club premises.

Any unauthorized person found to be in possession of any syringe, hypodermic needle, injecting equipment or any other paraphernalia inside the club premises, shall be banned from the racetracks and if the offender is the horseowner, trainer or the groom, they shall be dealt with severely either by suspensions or fines not to exceed Ten Thousand Pesos (P10,000.00) WITHOUT PREJUDICE to the revocation of their license.

SECTION 110. ACTS AND/OR OMISSIONS BY HORSE OWNERS AND TRAINERS.

The following are penalties for acts and/or omissions by horseowners and trainers.

1. x x x x
2. For applying or administering prohibited substance(s) directly or indirectly regardless of personal knowledge, a fine of up to P60,000.00. Non-payment of fine shall cause the revocation of license.

SECTION 113. EVERY HORSE IN A RACE — Every horse which runs in a race shall be run on its own merits, and every owner or trainer who enters such a horse shall see to it that the same is fit to run.

FURTHERMORE, A HORSEOWNER AND/OR TRAINER WHO DECLARES A HORSE IN A RACE AUTOMATICALLY BINDS HIMSELF TO ABIDE BY THE DRUG TESTING RULES AND REGULATIONS, INCLUDING THE PENALTIES THEREOF. WITHOUT PREJUDICE TO PROSECUTIONS UNDER EXISTING LEGISLATIONS, SUCH AS, BUT NOT LIMITED TO REVISED PENAL CODE AND DANGEROUS DRUG LAW.

The above rule shall take effect fifteen days after publication.

Adopted: 7 April 2000

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