

BHA Equine Anti-Doping Rules

DEFINITIONS

Adverse Analytical Finding means a positive finding for the presence of a Prohibited Substance;

Approved Equipment means equipment approved by the BHA for the purpose of analysing Samples.

Approved Laboratory means laboratories approved by the BHA for the purpose of analysing Samples. They include but are not limited to:

1. Australian Racing Forensic Laboratory (ARFL), Australia
2. Deutsche Sporthochschule Koln Institut fur Biochemie (DSKIB), Germany
3. Hong Kong Jockey Club Racing Laboratory, Hong Kong
4. Laboratoire Des Courses Hippiques (LCH), France
5. LGC Laboratory, Newmarket, UK
6. Racing Analytical Services Limited (RASL), Australia

Banned Substance means the substances prohibited from being present in a Jockey's body as set out in the Banned Substance and Notifiable Medications for Jockeys Code.

Equine Anti-doping Rule Violation means a breach of any of Rules (K)2 to (K)10;

Human Anti-doping Rule Violation means a breach of any of Rules (K)49, 52, 53, 55 and 58;

Laboratory Standards means those standards as set out by the International Laboratory Accreditation Cooperation in the 'Accreditation Requirements and Operating Criteria for Horseracing Laboratories' (ILAC-G7);

Positive Analysis means a positive finding for the presence of a Banned Substance or, where a Jockey has not obtained prior written consent of the Chief Medical Adviser in accordance with Rule (K)52, a Notifiable Medication.

Prohibited Method means any of the following:

- those methods that are listed as **Category A Prohibited Methods** in the Equine Prohibited List Code; or
- those methods that are listed as **Category B Prohibited Methods** in the Equine Prohibited List Code.

Prohibited Substance means any of the following:

- those substances that are listed as **Category A Prohibited Substances** in the Equine Prohibited List Code;
- those substances that are listed as **Category B Prohibited Substances** in the Equine Prohibited List Code; or
- those substances that are listed as **Category C Prohibited Substances** in the Equine Prohibited List Code.

Responsible Person means:

- Where a horse is trained solely for the purposes of Hunters' Steeple Chases and/or Military Races:
 - the Person(s) who own the horse; or
 - in the case of a Company, Syndicate, Racing Club or Stud Company, the Owner's Representative.
- The keeper of the horse (if not the Responsible Person) will be deemed jointly liable with the Responsible Person for any equine anti-doping violation pursuant to Rule (K)10.

- In all other cases:
 - if the horse has been in training, the current or most recent Trainer of the horse, unless the Trainer has written confirmation from the Owner or legal owner of the horse that they have transferred responsibility to the Owner or legal owner of the horse or the Trainer can establish they have taken reasonable steps to obtain written confirmation;
or
 - if the horse has never been in training, the legal owner.

A horse not in training shall mean a horse (i) that is foaled in Great Britain and which has been notified to the Stud Book Authority or (ii) that has been registered to the Stud Book Authority, but in either case is not yet registered with the BHA and in training.

CHAPTER K: ANTI-DOPING

EQUINE ANTI-DOPING

APPLICATION

1. The Equine Anti-Doping rules set out below shall apply to any horse that:
 - 1.1. is present in Great Britain or has been entered into a Race in Great Britain; and
 - 1.2. has been notified to the Stud Book Authority or is registered with a stud book approved by the International Stud Book Committee.

EQUINE ANTI-DOPING RULE VIOLATIONS

Presence of Prohibited Substance in a horse's body

2. The Responsible Person must ensure that:
 - 2.1. no Category A Prohibited Substance is present in their horse's body at any time;
 - 2.2. prior to leaving the Racecourse, no Category B Prohibited Substance is present in their horse's body on a day on which it is engaged to run in a Race; and
 - 2.3. prior to leaving the Racecourse, no Category C Prohibited Substance is present in their horse's body on a day on which it takes a Stalls Test.

Use of a Prohibited Method

3. The Responsible Person must not use or attempt to use:
 - 3.1. a Category A Prohibited Method on their horse at any time; or
 - 3.2. prior to leaving the Racecourse, a Category B Prohibited Method on their horse on a day on which it is engaged to run in a Race.

Administering Prohibited Substances or applying a Prohibited Method

4. No Person shall:
 - 4.1. administer, attempt to administer, allow the administration, cause the administration or connive in the administration of a Prohibited Substance so that it would be present in a horse's body in contravention of Rule (K)2; or
 - 4.2. apply, attempt to apply, allow the application, cause the application or connive in the application of a Prohibited Method to a horse at a time when application of that Prohibited Method is prohibited.

Possession of Prohibited Substances or products allowing for the administration of a Prohibited Method

5. No Person shall possess:
 - 5.1. subject to Rule (K)16, a Category A Prohibited Substance; or
 - 5.2. a Category B Prohibited Substance on the racecourse on a Raceday; or
 - 5.3. products, equipment or substances that would allow for the administration of a Prohibited Method when prohibited by Rule (K)3.

Availability for Sampling

6. The Responsible Person must ensure that their horse is made available for a Sample to be taken by the BHA upon request.

Whereabouts

7. The Responsible Person is responsible for ensuring that the BHA always possesses sufficient information to enable the BHA to locate a horse at any time.

Trafficking a Category A Prohibited Substance

8. No Person shall traffic, or attempt to traffic a Category A Prohibited Substance.

Obstruction

9. No Person shall:
 - 9.1. tamper or attempt to tamper with a Sample;
 - 9.2. hinder or attempt to hinder any part of the sample collection process; or
 - 9.3. hinder or attempt to hinder an investigation into an Equine Anti-doping Rule Violation.

Complicity

10. No Person shall assist in, encourage, aid, abet or conspire in relation to, cover up, or engage in any other type of intentional complicity or evasion involving, an Equine Anti-doping Rule Violation.

CONSIDERATIONS FOR EQUINE ANTI-DOPING RULE VIOLATIONS

Presence of Prohibited Substance in a horse's body

11. It is not necessary to demonstrate intent, fault, negligence or knowing use to establish a breach of Rule (K)2.
12. There shall be no breach of Rule (K)2.2 if:
 - 12.1. the Category B Prohibited Substance is administered for genuine therapeutic purposes; and
 - 12.2. the horse does not run in a Race on that day; and
 - 12.3. the BHA is notified of the administration beforehand or, if urgent, as soon as reasonably practicable.
13. The presence of a Prohibited Substance in the following is sufficient evidence of a breach of Rule (K)2:
 - 13.1. the horse's A Sample, where (i) the B Sample is not analysed or (ii) the B Sample is analysed and is found to be compromised;
 - 13.2. the horse's A and B Sample; or
 - 13.3. both portions of a B Sample, where the B Sample is split into two portions as a result of the horse's A Sample being unavailable or where it is believed to have been compromised.
14. The Disciplinary Panel shall impose a penalty on the Responsible Person for a breach of Rule (K)2 unless the Responsible Person establishes:
 - 14.1. the precise route as to how the Prohibited Substance entered their horse's body; and
 - 14.2. that they had taken all reasonable precautions to avoid violating Rule (K)2.

Use of a Prohibited Method

15. It is not necessary to demonstrate intent, fault, negligence or knowing use to establish a breach of Rule (K)3.

Possession of Prohibited Substances or products allowing for the administration of a Prohibited Method

16. There shall be no breach of Rule (K)5 if the possession of a Category A prohibited substance was for legitimate personal use or possessed by a Veterinary Surgeon for legitimate use on animals other than horses subject to Rule (K)1.
17. Only BHA Veterinary Officers or approved Racecourse Veterinary Surgeons may bring Category B prohibited substances onto a racecourse on Raceday.
18. There shall be no breach of Rule (K)5.2 if the Category B prohibited substance is stored in a vehicle under the control of the Responsible Person or their representative.

Administration of Category B Prohibited Substances

19. There shall be no breach of Rule (K)4.1 if the Category B prohibited substance was administered for genuine therapeutic reasons: and
 - 19.1. the horse does not run in a Race or has run already in a Race on that day; and
 - 19.2. the BHA is notified of the administration beforehand or, if urgent, as soon as reasonably practicable.

SAMPLE COLLECTION

General

20. The BHA may take a Sample from a horse at any time with or without prior notice.
21. Where the BHA wishes to take a Sample, the Responsible Person must co-operate with the BHA to make sure that the Sample is taken in a timely manner.
22. All Samples obtained from a horse are the property of the BHA and may be used for any purpose as required by the BHA.
23. A secure chain of custody shall be maintained for all Samples.
24. Any departure from Rules or guidance relating to the collection of a Sample that did not cause an Adverse Analytical Finding shall not invalidate the finding.
25. If a Person establishes that a departure from Rules relating to the collection of a Sample could have reasonably caused an Adverse Analytical Finding, the burden shall be on the BHA to establish that such departure was not the cause.

Sampling

26. A Sample shall be collected in such manner as the BHA may direct.
27. The Responsible Person may observe the Sample being collected. Where they do so, any concerns as to the integrity of the procedure must be raised at that time. If they observe the collection, and do not raise any concerns, they shall be taken to have waived any objection to the integrity of the collection.
28. Where the Responsible Person elects not to observe the collection of the Sample, they shall be taken to have waived any objection to the integrity of that procedure.

Sample Analysis

29. A Sample shall only be analysed in Approved Laboratories or using Approved Equipment.
30. Approved Laboratories are presumed:
 - 30.1. to have conducted Sample analysis and custodial procedures in accordance with Laboratory Standards; and
 - 30.2. to have properly carried out re-sealing and storage procedures of any stored Samples.
31. The BHA may instruct an Approved Laboratory to re-seal and store Samples or parts of Samples from any horse.
32. If the Responsible Person wants the B Sample to be analysed, they must request such analysis within three working days of being notified of an Adverse Analytical Finding.
33. The BHA may also elect to have the B Sample analysed.

ADVERSE ANALYTICAL FINDINGS

B Samples

Procedure

34. The B Sample shall be analysed at the LGC laboratory, unless the Responsible Person nominates the Laboratoire Des Courses Hippiques (LCH) or the Deutsche Sporthochschule Koln Institut für Biochemie (DSKIB), or another laboratory with permission from the BHA.
35. The Responsible Person may, at their own cost, appoint an appropriately qualified representative to witness the analysis of the B Sample, provided they are available on the designated date.
36. If the Responsible Person elects to have the B Sample analysed at a laboratory other than the LGC laboratory, the Responsible Person shall bear the corresponding costs. In all other cases, a Disciplinary Panel has the power to order that a contribution is made of up to £500 to the costs of the B Sample.

Analysis

37. The analysis of the B Sample will be limited to confirming whether the B Sample confirms the findings of the A Sample.
38. A copy of the results and any supporting evidence shall be provided to the BHA and the Responsible Person.

Endogenous Substances

39. If an Adverse Analytical Finding involves an endogenous substance, the BHA or the Responsible Person may elect to have further Samples taken or for further examinations of the horse to take place to investigate whether the quantity of the substance found could have been produced naturally by the horse. The costs of analysing any further Samples shall be borne equally by the BHA and Responsible Person.
40. If an Adverse Analytical Finding involves an endogenous substance, the BHA may carry out an investigation prior to notifying the Responsible Person of the finding, save that the BHA shall notify the Responsible Person prior to analysing the B Sample.
41. If samples of food or other substances are removed from the yard or premises, the Responsible Person may appoint a person to observe any analysis of the sample.
42. Following that analysis, the Responsible Person may arrange for their own tests to be carried out at a laboratory nominated by them. If they do so:
 - 42.1. they must make a written request to the BHA for the samples to be released;
 - 42.2. the testing must be carried out at an Approved Laboratory; and
 - 42.3. if the BHA appoints an analyst to review the laboratory's processes, the analyst must be given the option of witnessing the analysis of the sample.

PROVISIONAL SUSPENSIONS

43. The BHA may provisionally suspend the Responsible Person's licence where there is evidence of an Equine Anti-doping Rule Violation.
44. The BHA:
 - 44.1. shall provisionally suspend the horse where there is evidence of an Equine Anti-doping Rule Violation involving a Category A Prohibited Substance or Category A Prohibited Method; and
 - 44.2. may provisionally suspend the horse where there is evidence of any other Equine Anti-doping Rule Violation.
45. If a provisional suspension is imposed, the Responsible Person, the Owner or the BHA can apply to the Disciplinary Panel for a preliminary hearing, to be held in accordance with the Judicial Panels Code, to show good reason why the provisional suspension should be lifted.

SUSPENSION FROM RACING AND MANDATORY STAND DOWN

46. Where a breach of Rules (K)2, (K)3 or (K)4 is proven which involves a Category A Prohibited Substance or a Category A Prohibited Method, the horse shall be suspended from racing for 14 months and shall be subject to a mandatory stand down for 12 months (to run concurrently), save that credit shall be given for any period of provisional suspension imposed.
47. Where a horse tests positive for a Prohibited Substance, it shall be disqualified from all Races from the date of the relevant Sample until the commencement of any provisional suspension.

REINSTATEMENT TESTING

48. As a condition of reinstatement:
 - 48.1. a Sample shall be collected and analysed at the Owner's cost;
 - 48.2. the Sample must not result in an Adverse Analytical Finding.

EQUINE PROHIBITED LIST CODE

CATEGORY A PROHIBITED SUBSTANCES

The substances set out at paragraphs 1 to 6 below are defined as Category A Prohibited Substances.

1. The following anabolic agents:
 - 1.1. anabolic androgenic steroids;
 - 1.2. other anabolic agents, including but not limited to selective androgen receptor modulators (SARMs);
 - 1.3. beta-2 agonists, unless the substance is prescribed by a veterinarian as a bronchodilator at the appropriate dose.
2. The following peptide hormones, growth factors and related substances (save where oxytocin is used in fillies and mares in breeding management or to block oestrus cycling):
 - 2.1. erythropoiesis-stimulating agents, including but not limited to erythropoietin (EPO), epoetin alfa, epoetin beta, darbepoetin alfa, and methoxy polyethylene glycol-epoetin beta, peginesatide, hypoxia inducible factor (HIF)-1 stabilisers;
 - 2.2. growth hormones and growth hormone releasing factors, insulin-like growth factor-1 (IGF-1), and other growth factors;
 - 2.3. synthetic proteins and peptides and synthetic analogues of endogenous proteins and peptides not registered for medical or veterinary use.
3. The following hormone and metabolic modulators:
 - 3.1. aromatase inhibitors;
 - 3.2. selective estrogen receptor modulators (SERMS) and other anti-estrogenic substances;
 - 3.3. agents modifying myostatin function, including but not limited to myostatin inhibitors;
 - 3.4. insulins;
 - 3.5. peroxisome proliferator activated receptor δ (PPAR δ) agonists, including but not limited to GW 1516;
 - 3.6. AMPK activators, including but not limited to AICAR (5-aminoimidazole-4-carboxamide-1- β -D-ribofuranoside).

Threshold Substances

4. The concentration specified in relation to each of the following substances is the minimum concentration that must be present before a Sample is regarded as testing positive for the substance. The substances and the thresholds are:
 - 4.1. Arsenic: 0.3 microgram total arsenic per millilitre in urine.
 - 4.2. Boldenone: 0.015 microgram free and conjugated Boldenone per millilitre in urine from male horses (other than geldings).
 - 4.3. Estradiol in male horses (other than geldings): 0.045 microgram free and glucuroconjugated 5 α -estrane-3 β , 17 α - diol per millilitre in urine¹.
 - 4.4. Methoxytyramine: 4 micrograms free and conjugated 3-methoxytyramine per millilitre in urine.
 - 4.5. Testosterone: 0.02 microgram free and conjugated testosterone per millilitre in urine from geldings, or 0.055 microgram free and conjugated testosterone per millilitre in urine from fillies and mares (unless in foal).
 - 4.6. Testosterone: 100 picograms free testosterone per millilitre in plasma from geldings, fillies and mares (unless in foal).

Non-approved substances

5. Other substances with a similar chemical structure or similar biological effect to those set out in paragraphs 1 to 4 above.
6. Any substance not addressed by any of the other classes of substances, and which has no current approval by any government regulatory authority for veterinary use, or any substance not universally recognised by veterinary regulatory authorities as valid veterinary therapeutic treatment.

CATEGORY A PROHIBITED METHODS

¹ When, at the screening stage, the free and glucuroconjugated 5 α -estrane-3 β , 17 α - diol exceeds the free and glucuroconjugated 5, 10-estrane-3 β , 17 α -diol in the urine. The conjugated substance is the substance that can be liberated from conjugates.

The methods set out at paragraphs 7 to 11 below are defined as Category A Prohibited Methods.

Manipulation of blood and blood components

7. Withdrawal, manipulation and re-infusion of homologous, heterologous or autologous blood, blood products or blood cells into the circulatory system, with the exception of those used for life-saving purposes or as veterinary regenerative therapies for the treatment of musculoskeletal injury or disease.

Blood transfusions

8. Giving a blood transfusion to a horse or allowing or causing a blood transfusion to be given for the purposes of enhancing its performance.

Genetic and Cellular Manipulation

9. Modification of the heritable genome at any time of a horse's life. Any gene therapy or cellular manipulation in a horse must not be capable of:
 - 9.1. giving the horse an advantage or disadvantage in a race contrary to the horse's inherent merits; or
 - 9.2. being detrimental to the horse's welfare.
10. The BHA may, in its sole discretion, allow or disallow racing by horses or their offspring after such therapy. Any gene therapy for a horse intended to race must be fully documented in the horse's Passport or in such manner as required by the BHA and shall be reported immediately to the BHA.

Oxygen carriers

11. Products that artificially enhance the uptake, transport or delivery of oxygen, including, but not limited to:
 - 11.1. perfluorochemicals;
 - 11.2. efaproxiral (RSR13); and
 - 11.3. modified haemoglobin products (excluding the use of licensed veterinary treatments in situations of acute, life-threatening anaemia).

CATEGORY B PROHIBITED SUBSTANCES

The substances set out at paragraphs 12 to 15 are defined as a Category B Prohibited Substances.

12. Any substance that is capable at any time of causing an action and / or effect, within one or more of the following mammalian body systems:
 - 12.1. nervous system;
 - 12.2. cardiovascular system;
 - 12.3. respiratory system;
 - 12.4. digestive system;
 - 12.5. urinary system;
 - 12.6. reproductive system;
 - 12.7. musculoskeletal system;
 - 12.8. blood system;
 - 12.9. immune system (except for licensed vaccines against infectious agents);
 - 12.10. endocrine system.
13. Endocrine secretions and their synthetic counterparts;
14. Masking agents.

Threshold Substances

15. The concentration specified in relation to each of the following substances is the minimum concentration that must be present before a Sample is regarded as testing positive for the substance. The substances and the thresholds are:

- 15.1. Available Carbon Dioxide: 36 millimoles per litre in plasma;
- 15.2. Cobalt: 0.1 micrograms (= 100 nanograms) total cobalt per millilitre in urine;
- 15.3. Cobalt: 0.025 micrograms (= 25 nanograms) total (free and protein bound) cobalt per millilitre in plasma;
- 15.4. Dimethyl Sulfoxide: 15 micrograms per millilitre in urine or 1 microgram per millilitre in plasma;
- 15.5. Hydrocortisone: 1 microgram per millilitre in urine;
- 15.6. Prednisolone: 0.01 micrograms free prednisolone per millilitre in urine;
- 15.7. Salicylic Acid: 750 micrograms per millilitre in urine or 6.5 micrograms per millilitre in plasma.

CATEGORY B PROHIBITED METHODS

16. Alkalinisation.

CATEGORY C PROHIBITED SUBSTANCES

The substances set out in paragraph 17 below are defined as Category C Prohibited Substances.

17. Any substance which, in the opinion of the Veterinary Officer, falls in the category of:

- 17.1. a sedative;
- 17.2. a tranquiliser;
- 17.3. an hypnotic; or
- 17.4. an anxiolytic;

are defined as Category C Prohibited Substances.

Extract from Chapter L: BHA Investigations and Disciplinary Action

HORSE DISQUALIFICATIONS

47. A horse shall be disqualified from a Race already run if:

47.1 it has been the subject of fraudulent practice;

47.2 at the time of the Race, the Jockey was not permitted to ride under these Rules;

47.3 at the time of the Race, the horse was subject to a suspension;

47.4 a Sample from the horse tests positive for a Prohibited Substance;

47.5 the Responsible Person does not comply with the Sample collection provisions of Chapter K;

~~47.6 Except for Whereabouts Failures, an Equine Anti-doping Rule Violation is committed;~~

47.6 the requirements for a horse to enter at paragraphs 12 to 20 of the Race Entry Code, and/or the qualifications for a horse to run in the Running Requirements Code have not been complied with;

47.7 it carried less than the weight that it should have carried;

47.8 it used a different name from that specified in the Register of Horse Names;

47.9 it is the subject of a lease and ran in a Selling or Claiming Race without the lessee having obtained the lessor's prior written consent; or

47.10 it was the subject of an inaccurate, misleading or fraudulent declaration at the time of registration with the Stud Book and/or the BHA.