IN THE MATTER OF AN APPEAL UNDER THE ENABLING LEGISLATION OF THE LEGISLATURES OF PRINCE EDWARD ISLAND, NOVA SCOTIA, AND NEW BRUNSWICK ESTABLISHING AN MARITIME PROVINCES HARNESS RACING COMMISSION AND UNDER THE RULES AND REGULATIONS OF THE MARITIME PROVINCES HARNESS RACING COMMISSION

Appeal Heard at Kensington, Prince Edward Island October 17, 2025

BETWEEN: Richie Baryluk
MPHRC Licensee 593C84
APPELLANT

AND: Daniel MacKinnon
Senior Judge
MPHRC
Northside Downs
Race 6, August 30, 2025
RESPONDENT

PRESENT

A Panel consisting of Commissioners Jacinta Campbell (Prince Edward Island), Stefan Decourcey (New Brunswick), Dawn Hubbard (New Brunswick), Lowell Crowe (Nova Scotia), and Glen Rankin (Nova Scotia, Chair). Mr. Rankin chaired the meeting and did not vote. Ferdinand Maramag, Operations and Administration Coordinator, and Kyle Burton, Director of Racing, appeared for the Commission Administration. The Appellant, Mr. Baryluk, represented himself. Senior Judge MacKinnon also appeared on his own behalf. Chris Watts, Investigator for the Commission, was present to elaborate on his written investigative report and answer questions from the Panel.

The Panel reviewed the Judge's ruling, the official laboratory certificate of analysis, the investigative report of Chris Watts, the Notices filed by the Appellant, the race program, and oral testimony from all parties.

The Appeal Hearing was conducted under the provisions of Section 7.3 of the Rules of Standardbred Harness Racing as adopted by the Maritime Provinces Harness Racing Commission.

The Chair introduced all present and confirmed with the parties their acceptance of the jurisdiction of the MPHRC to hear the appeal and deliver a written decision in due course. There being no objections, the Chair asked if there were any preliminary matters or conflicts of interest to declare. There being none, the Respondent was asked to proceed.

BACKGROUND

This appeal concerns a ruling issued by the Judges of Northside Downs Raceway following Race #6 on August 30, 2025. After the race, the horse *LAST CHANCE*, owned, trained, and driven by Mr. Richie Baryluk, was selected for post-race testing. The official laboratory certificate of analysis reported the presence of Methocarbamol, classified as a Class 3 substance, and Guaifenesin, classified as a Class 4 substance. Pursuant to Rules 122-1&2 and Rules 367(2)(A) and 367(3), the Judges issued a $500.00 fine to Mr. Baryluk, ordered the loss of purse, and imposed a trainer suspension from September 28, 2025 to November 28, 2025.

Rule 122 establishes that the trainer is responsible at all times for the condition of the horse and must take all reasonable precautions to safeguard the horse from tampering, contamination, or exposure to substances that could result in a positive test. Rule 367 adopts the Uniform Classification Guidelines and directs that penalties listed in Table 1 apply in the absence of mitigating circumstances. Under Table 1, a Class 3 violation carries a recommended suspension of 60 to 100 days and a fine of $500 for a first offence, in addition to loss of purse and horse suspension.

Mr. Baryluk filed both his Notice of Intent to Appeal and his Notice of Appeal on September 29, 2025, which met the filing requirements.

APPLICABLE RULES

Rule 122

(1) A trainer shall be responsible at all times for the condition of all horses trained by him/her. The trainer must safeguard, from tampering, each horse trained by him/her and must exercise all reasonable precautions, in guarding or causing any horse trained by him/her to be guarded from the time of entry of that horse until the conclusion of the race.

(2) No trainer shall start a horse or permit a horse in his/her custody to be started if he knows, or, if by the exercise of a reasonable degree of care having regard to his/her duty to safeguard his/her horse from tampering or have cause to believe that the horse is not in a fit condition to race or received any drug that could result in a positive drug test. Every trainer must guard, or cause to be guarded by the exercise of all reasonable standards of care and protection, each horse trained by him/her so as to prevent any person from obtaining access to the horse in such a manner as would permit any person not employed by or not connected with the owner or trainer from administering any drug or other substance resulting in a pre-race or post-race positive test. Every trainer must also take all reasonable precautions to protect the horse and guard it against wrongful interference or substitution by anyone in connection with the taking of an official sample.

Rule 367

Rule 367 adopts the Uniform Classification Guidelines for Foreign Substances and applies penalties in accordance with Table 1, including mandatory loss of purse and suspension for Class 3 positives in the absence of mitigating circumstances.

Under Table 1, a Class 3 positive test carries a recommended penalty of 60–100 days and a $500 fine for a first offence, plus loss of purse and horse suspension.

POSITION OF THE RESPONDENT

Senior Judge MacKinnon outlined the standard process followed after a positive test is reported to the Judges. He explained the chain of custody, the CPMA-supervised laboratory procedures, and the notification and hearing requirements for the participant. He confirmed that the sample collection for *LAST CHANCE* proceeded without irregularity, the chain of custody was intact, and the certificate of analysis met all formal requirements.

Senior Judge MacKinnon stated that the Judges relied on Rule 122 and Rule 367, noting that Methocarbamol is a Class 3 drug with a known withdrawal requirement, and that its presence in the horse's system constitutes an absolute-liability violation. The Judges found no mitigating circumstances to justify a reduction in penalty. The standard penalty under Table 1 was therefore applied.

TESTIMONY OF THE WITNESS

Investigator Chris Watts reviewed his investigative report dated September 25, 2025. He testified that following notification by the Director of Racing, he attended Northside Downs on September 20, 2025 to interview Mr. Baryluk and review the circumstances surrounding the positive test. During the recorded interview, Mr. Baryluk acknowledged administering Methocarbamol weekly to *LAST CHANCE*, typically between 30 and 50 hours prior to racing. He also admitted administering Guaifenesin within a similar period. Neither substance was prescribed for the horse, and the horse had not been diagnosed with a condition warranting their use.

Mr. Watts further testified that the veterinarian identified by Mr. Baryluk, Dr. Jamie Campbell, denied recommending or prescribing either drug and stated he had not stocked Guaifenesin in approximately eight years. Mr. Watts concluded that the presence of Methocarbamol and Guaifenesin in the horse's sample was fully and directly explained by the trainer's own administration of these medications. He found no evidence of tampering, environmental contamination, or interference by another person.

POSITION OF THE APPELLANT

Mr. Baryluk testified that he had followed what he understood to be safe withdrawal timelines, based on his past practice and his recollection of veterinary guidance. He stated that he believed the medications would clear in time and indicated that similar practices in prior races had never produced a positive result. He expressed concern about the lack of quantitative levels on the certificate of analysis and maintained that he did not intend to violate medication control rules.

DECISION OF THE APPEAL PANEL

After considering the oral testimony, documentary evidence, investigative report, and applicable rules, the Panel unanimously determined to uphold the Judges' ruling. The Panel found that Rule 122 clearly places full responsibility on the trainer to ensure that horses under their care are safeguarded from exposure to substances which could result in a positive test and that all reasonable precautions must be taken to protect the horse. The Panel accepted the Investigator's conclusion that the positive test was directly attributable to the trainer's own administration of Methocarbamol and Guaifenesin within a timeframe that created a foreseeable risk of a rule violation.

The Panel found no mitigating circumstances that would justify departing from the penalty structure set out in Table 1 for Class 3 violations. The Panel noted that although the trainer may have believed the substances would clear in time, it remained his responsibility to be aware of withdrawal guidelines and to ensure the horse competed free of prohibited substances. The evidence did not support a finding of contamination, sabotage, or external factors beyond the trainer's control. Accordingly, the Panel determined that the Judges' decision was reasonable, supported by the evidence, and consistent with the Rules of Racing.

The Appeal is dismissed. The Judges' ruling is upheld in full, including the $500 fine, the suspension from September 28, 2025 to November 28, 2025, and the loss of purse.

For the Appeal Panel

Kyle Burton

Director of Racing

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