



**Alcohol and Gaming Commission of Ontario**  
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## **Standardbred Official Ruling**

**Ruling Number 2893638**

**Licence No.: HPK6828**

**Toronto, Ontario Date: October 31, 2024**

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**IN THE MATTER OF THE *HORSE RACING LICENCE ACT, 2015, S.O. 2015, c.38,*  
*Sched. 9;***

**AND IN THE MATTER OF SYLVAIN FILION**

WHEREAS Sylvain Filion ("FILION") is licensed by the Alcohol and Gaming Commission of Ontario ("AGCO") as an Owner, Trainer and Driver (licence number HPK6828),

AND WHEREAS Certificate of Analysis #117913 confirmed the presence of darbepoetin alfa ("DPO") for the horse "FUNTIME BAYAMA" (tattoo number 1WP27), in a sample collected on June 10, 2024, as part of the Out of Competition Testing Program for the North America Cup;

AND WHEREAS DPO is a prohibited performance enhancing non-therapeutic substance which adversely affects the integrity of racing;

AND WHEREAS the listed trainer of record for FUNTIME BAYAMA on June 10, 2024, was Richard MOREAU;

AND WHEREAS an inspection into the circumstances surrounding the positive test found FILION to have been acting as an actual trainer of FUNTIME BAYAMA pursuant to the criteria outlined in 26.16 and the Judges have determined that both the trainer of record and FILION are actually in charge, custody of and/or in care of FUNTIME BAYAMA; In accordance with 26.05, FILION is hereby held to be responsible for the presence of DPO in FUNTIME BAYAMA, in addition to the trainer of record;

TAKE NOTICE that based on the above FILION is found to have violated Rules 26.02.01, 26.02.02, 26.02.03 (a) and (b) of the Rules of Standardbred Racing;

In accordance with Rules 4.02 (i), 6.04, and 6.49 of the Rules of Standardbred Racing and Policy Directive 1-2018, FILION is hereby fully suspended for a period of 10 years

and issued a monetary penalty of \$40,000.00. The suspension shall be served from October 31, 2024, to October 31, 2034, inclusive;

Further, in accordance with Policy Directive 1-2018, FILION is required to complete the AGCO Equine Medication Use and Awareness Program before reinstatement;

All horses owned in whole or in part by FILION are not eligible to race during the above-noted suspension period, in accordance with Rule 6.13.01 of the Rules of Standardbred Racing. Any horses trained by FILION are ineligible to race but may, with the consent of the AGCO Race Officials, be released to another trainer in good standing or sold, in accordance with Rule 26.08 of the Rules of Standardbred Racing and Policy Directive No. 2-2008;

In accordance with Rule 6.01(a) of the Rules of Standardbred Racing, FILION is prohibited from accessing association grounds, including the "Winner's Circle", with the exception of the grandstand, while his licence is suspended.

By Order of

A handwritten signature in black ink, appearing to read 'K. C.', is written over a horizontal line.

Katherine Cunningham  
Deputy Registrar