

# Collection and Handling of Blood Samples

(Pursuant to Vehicle Code Section 23612)

---

## Title 17, California Code of Regulations, Sections 1219 and 1219.1

### Section 1219: General

Samples taken for forensic alcohol analysis shall be collected and handled in a manner in which the identity and integrity of the samples shall be maintained through collection to analysis and reporting.

### Section 1219.1: Blood Collection and Retention

- (a) Blood samples shall be collected by venipuncture from living individuals as soon as feasible after an alleged offense and processed in compliance with Vehicle Code Section 23158.
- (b) Alcohol or other volatile organic disinfectant shall not be used to clean the skin where a specimen is to be collected. Examples of suitable aqueous disinfectants include: aqueous povidine-iodine (Betadine) or aqueous benzalkonium chloride (zephiran chloride).
- (c) Blood samples from living individuals shall be collected using sterile, dry hypodermic needles and syringes, or using clean, dry vacuum type containers with sterile needles. Reusable equipment, if used, shall not be cleaned or kept in alcohol or other volatile organic solvents.
- (d) The blood sample shall be deposited into a clean, dry container which is closed with an inert stopper.
  - (1) Alcohol or other volatile organic solvent shall not be used to clean the container.
  - (2) The blood shall be mixed with an anticoagulant and a preservative.
- (e) When blood samples for forensic alcohol analysis are collected post-mortem, all practical precautions to ensure an uncontaminated sample shall be employed, such as:
  - (1) Samples shall be obtained prior to the start of any embalming procedure. Blood samples shall not be collected from the circulatory system effluent during arterial injection of embalming fluid.
  - (2) Care shall be taken to avoid contamination by alcohol from the gastrointestinal tract directly or by diffusion. The sample shall be taken from a major vein or the heart.
  - (3) Postmortem blood samples shall be mixed with an anticoagulant and preservative.
- (f) In order to allow for analysis by the defendant, the remaining portion of the sample shall be retained for one year after the date of collection.
  - (1) In coroner/medical examiner cases, samples shall be retained for at least 90 days after date of collection.
  - (2) Whenever a sample is requested by the defendant for analysis and sufficient sample remains, the forensic laboratory, law enforcement agency, or coroner/medical examiner's office in possession of the original sample shall continue such possession, but shall provide the defendant with a portion of the remaining sample in a clean container together with a copy or transcript of the identifying information carried on the original sample container.

