

ARKANSAS REGISTER

Transmittal Sheet

Use only for **FINAL** and **EMERGENCY RULES**



Secretary of State

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For Office

Use Only:

Effective Date _____ Code Number _____

Name of Agency Arkansas Racing Commission

Department _____

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Statutory Authority for Promulgating Rules Ark. Code Ann. Section 23-110-204

Rule Title: Rule 1231 Total Dissolved Carbon Dioxide Testing

Intended Effective Date

(Check One)

Date

☐ Emergency (ACA 25-15-204)

Legal Notice Published _____

☐ 10 Days After Filing (ACA 25-15-204)

Final Date for Public Comment _____

☐ Other _____
(Must be more than 10 days after filing date.)

Reviewed by Legislative Council 02/22/17

Adopted by State Agency 02/22/17

Electronic Copy of Rule e-mailed from: (Required under ACA 25-15-218)

Byron Freeland

bfreeland@mwlaw.com

02/28/17

Contact Person

E-mail Address

Date

CERTIFICATION OF AUTHORIZED OFFICER

I Hereby Certify That The Attached Rules Were Adopted
In Compliance with the Arkansas Administrative Act. (ACA 25-15-201 et. seq.)

Signature

(501) 682-1467

smokey.campbell@dfa.arkansas.gov

Phone Number

E-mail Address

Manager, Arkansas Racing Commission

Title

02/28/17

Date

Rule 1231 B 3 As Adopted

1231. Total Dissolved Carbon Dioxide Testing

A. Definitions

1. *Bicarbonate Loading or Milkshaking* -- terms used to describe the administration of bicarbonate of soda (sodium bicarbonate or NaHCO_3) or other substances that affect total dissolved carbon dioxide levels, administered through a nasogastric tube or by any other means, which shall be deemed to have an adverse effect on the horse by changing its normal physiological state through elevation of blood total dissolved carbon dioxide.

2. *Nasogastric Tube* -- any tube which can be inserted through the nose that extends into the stomach.

B. Procedures

1. The state veterinarian may draw blood samples from a horse for the purpose of obtaining a TCO_2 (total dissolved carbon dioxide) concentration level.

2. Blood samples for TCO_2 shall be drawn at the discretion of the State Veterinarian.

3. The TCO_2 level in the blood shall not exceed 37.0 millimole per liter.

4. In the event a sample drawn from a horse contains an amount of TCO_2 which exceeds the levels described above, the following penalties shall apply:

a. The first time the laboratory reports an excessive TCO_2 level, the trainer shall be fined \$1,000 and the purse shall be redistributed.

b. The second time the laboratory reports an excessive TCO_2 level, the stewards shall suspend the trainer for the duration of the race meeting plus 10 days or for a period not to exceed 6 months, whichever is greater, impose a fine of up to \$1,500, with redistribution of the purse, and shall refer the case to the commission.

c. For each subsequent report of an excessive TCO_2 level, the Stewards or Commission may suspend the trainer for up to one year and impose a fine of up to \$2,500, with redistribution of the purse.

5. There shall be no split sample testing on blood samples drawn for purposes of TCO_2 testing.

6. No licensee other than veterinarians shall possess a nasogastric tube, as described herein, on the premises under the jurisdiction of the commission.

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