

NOTICE OF PUBLIC HEARING

The Arkansas Racing Commission will meet on November 15, 2018, at 11:00 a.m. in the Commission office located in the 1515 Building, 1515 West Seventh Street, Suite 500, Little Rock, Arkansas, to consider the adoption of the following rule changes:

- (1) Thoroughbred Rule 1217. Equine Health – Medication – updating current ARC Rules to conform to edited RCI Model Rule changes.
- (2) Thoroughbred Rule 1217. Alternative proposal to (1) above, to adopt RCI Model Rule for Veterinary Practices, Health and Medication *verbatim*.
- (3) Thoroughbred Rule 1211. Amendment to requirements for horse shoes.
- (4) Thoroughbred Rule 1216. Amendment correcting Rule permitting use of Lasix, and prohibiting administration of all other drugs within 24 hours of post time.
- (5) Thoroughbred Rule 1231. Amendment to Rule lowering allowable level of TCO₂ in horses to meet national standards.
- (6) Thoroughbred Rule 1233. Amendment of Rule prohibiting administration of any drug except Lasix within 24 hours of post time.
- (7) Thoroughbred Rule 1245. Amendment to allow horses violating Rules to be disqualified through the end of calendar year.
- (8) Thoroughbred Rule 1255. Amendment to allow imposition of fines in the amount currently authorized by Arkansas law.
- (9) Thoroughbred Rule 1269(f). Amendment to animal health banning administration of any drug except Lasix within 24 hours of post time, and requirement for proper care of horses.
- (10) Thoroughbred 2069. Amendment lowering alcohol concentration levels from 0.05% in jockeys to 0.00%.
- (11) Thoroughbred Rule 2169. Amendment requiring payment to double booked jockeys the fees required by Rule 2169.
- (12) Thoroughbred Rule 2216. Amendment to Rule prohibiting entries from being made via text messages to racing office employees' personal telephones.
- (13) Thoroughbred Rule 2281. Amendment to procedure for races with overflow of entries in excess of 12 horses.
- (14) Thoroughbred Rule 2094(g). Amendment to clarify Stewards' authority to issue orders requiring licensees to submit documents and attend hearings.
- (15) Thoroughbred Rule 2094(h). Amendment stating that all appeals from Stewards' rulings to the Commission are *de novo*.
- (16) Thoroughbred Rule 2094(i). Amendment to authorize Stewards List for horses exhibiting poor or inconsistent performance.
- (17) Thoroughbred Rule 2094(j). Amendment to authorize Stewards List for horses with issues involving ownership.
- (18) Thoroughbred Rule 2094(k). Amendment to require notice to Stewards when there is a change in trainers.

(19) Thoroughbred Rule 2162. Amendment to prohibit jockeys from displaying or wearing advertising on jockeys' attire without permission of the Stewards, horse owner and franchiseholder.

(20) Thoroughbred Rule 2444. Amendment to claiming rules when winning claim is declared invalid for any reason, making other claims for that same horse null and void.

(21) Greyhound Rule 1359. Amendment to allow imposition of fines in the amount currently authorized by Arkansas law.

(22) Greyhound Rule 1362. Amendment to allow imposition of fines in the amount currently authorized by Arkansas law.

Any persons wishing to speak for or against any of the above proposed rule changes should appear at the meeting on November 15, 2018, and they will be given the opportunity to express their views. Persons wishing to submit written comments on the above proposed rule changes should send them to the Arkansas Racing Commission, P.O. Box 3076, Little Rock, Arkansas 72203, prior to the close of business on Wednesday, November 14, 2018. Copies of the complete text of the proposed rule changes can be obtained from the Racing Commission office during normal business hours and from the Secretary of State's office.

Thoroughbred Rule 1217 Summary

This Rule would update the current ARC Rules by adopting an edited version of the current RCI Rule used by other states. This Rule prohibits the administration of any drug except Lasix within 24 hours of post time; establishes threshold levels for 26 drugs that are currently used in all states that have adopted the RCI rules; and sets out the procedures for split sample tests.

Thoroughbred Rule 1217 Mark Up

1217.

A. Medication

(a) No horse participating in a race or entered in a race shall carry in its body any foreign substance except as provided for in this rule.

(b) No substance, foreign or otherwise, shall be administered to a horse entered to race by:

- (1) injection;
- (2) jugging;
- (3) oral administration;
- (4) tube;
- (5) rectal infusion or suppository;
- (6) inhalation; or
- (7) any other means;

within twenty-four (24) hours prior to the scheduled post time of the race the horse is running except furosemide as provided for in this rule. The prohibitions in this section include, but are not limited to, injection or jugging of vitamins, electrolyte solutions, and amino acid solutions. The prohibition also includes, but is not limited to, the topical, oral, or nasal administration of compounds, such as Traileze, Vapol, Vicks vapor-rub, wind-aid, exhale ease, or containing methylsalicylate, camphor, potassium iodide, or products containing "caine" derivatives or dimethylsulfoxide (DMSO).

(c) Substances or metabolites thereof which are contained in equine feed or feed supplements that do not contain pharmacodynamic or chemotherapeutic agents are not considered foreign substances if consumed in the course of normal dietary intake (eating and drinking).

(d) The prohibition in subsection (b) notwithstanding, the use of nebulizers are permitted on an entered horse within twenty- four (24) hours of the scheduled post time for the horse's race until the horse's arrival in the paddock provided their use is restricted to water and saline solutions only.

(e) Topical dressings such as leg paints, hoof dressings, and antiseptics, which do not contain anesthetics or a pharmacodynamic or a chemotherapeutic agent, may be administered at any time prior to a horse's arrival in the paddock.

B. Foreign substances prohibited

(a) No horse participating in a race shall carry in its body any foreign substance except as provided by these rules. A finding by the chemist or commission designee that a foreign substance is present in the test sample shall be prima facie evidence that such foreign substance was administered and carried in the body of the horse while participating in a race. Such a finding shall also be taken as prima facie evidence that the trainer and his or her agents responsible for the care or custody of the horse have been negligent in the handling or care of the horse.

(b) Upon a finding of a violation of this section, the owners or lessees of the horse from which the specimen was obtained shall forfeit any purse money and any trophy or award. However, forfeiture of any purse, trophy, or award for an overage of phenylbutazone, flunixin, ketoprofen, or furosemide in violation of these rules shall be consistent with Recommended Penalties of the Association of Racing Commissioners, International.

C. Nonsteroidal anti-inflammatory drugs (NSAIDs)

(a) The use of NSAIDs shall be governed by the following conditions:

(1) NSAIDs included in the ARCI Controlled Therapeutic Medication Schedule, Version 2.2, are not to be used in a manner inconsistent with the restrictions contained therein. NSAIDs not included on the ARCI Controlled Therapeutic Medication Schedule, Version 2.2, are not to be present in a racing horse biological sample at the laboratory concentration of detection.

(2) The presence of more than one (1) NSAID may constitute a NSAID stacking violation consistent with the following restrictions:

(A) A Class 1 NSAID Stacking Violation (Penalty Class B) occurs when:

(i) two (2) nonsteroidal anti-inflammatory drugs are found at individual levels determined to exceed the following restrictions:

(AA) Diclofenac – 5 nanograms per milliliter of plasma or serum;

- (BB) Firocoxib – 20 nanograms per milliliter of plasma or serum;
- (CC) Flunixin – 20 nanograms per milliliter of plasma or serum;
- (DD) Ketoprofen – 2 nanograms per milliliter of plasma or serum;
- (EE) Phenylbutazone – 2 micrograms per milliliter of plasma or serum; or
- (FF) all other nonsteroidal anti-inflammatory drugs – laboratory concentration of detection;
- (ii) three (3) or more nonsteroidal anti-inflammatory drugs are found at individual levels determined to exceed the following restrictions:
 - (AA) Diclofenac – 5 nanograms per milliliter of plasma or serum;
 - (BB) Firocoxib – 20 nanograms per milliliter of plasma or serum;
 - (CC) Flunixin – 3 nanograms per milliliter of plasma or serum;
 - (DD) Ketoprofen – 1 nanogram per milliliter of plasma or serum;
 - (EE) Phenylbutazone – 0.3 micrograms per milliliter of plasma or serum; or
 - (FF) all other nonsteroidal anti-inflammatory drugs – laboratory concentration of detection.
- (B) A Class 2 NSAID Stacking Violation (Penalty Class C) occurs when:
 - (i) any one (1) substance noted in subsection (A)(i) above is found in excess of the restrictions contained therein in combination with any one (1) of the following substances at levels below the restrictions so noted but in excess of the following levels:
 - (AA) Flunixin – 3 nanograms per milliliter of plasma or serum;
 - (BB) Ketoprofen – 1 nanogram per milliliter of plasma or serum; or
 - (CC) Phenylbutazone – 0.3 micrograms per milliliter of plasma or serum.
- (C) A Class 3 NSAID Stacking Violation (Penalty Class C, fines only) occurs when:
 - (i) any combination of two (2) of the following nonsteroidal anti-inflammatory drugs are found at or below the restrictions in subsection (A)(i)(a through e) above but in excess of the noted restrictions:
 - (AA) Flunixin – 3 nanograms per milliliter of plasma or serum;
 - (BB) Ketoprofen – 1 nanogram per milliliter of plasma or serum; or
 - (CC) Phenylbutazone – 0.3 micrograms per milliliter of plasma or serum.

(b) Any horse to which a NSAID has been administered shall be subject to having a blood and/or urine sample(s) taken at the direction of the commission veterinarian to determine the quantitative NSAID level(s) and/or the presence of other drugs which may be present in the blood or urine sample(s).

D. Threshold levels

The official blood (serum or plasma), hair, and urine samples may contain only the following therapeutic medications, their metabolites or analogues, and shall not exceed the threshold concentrations specified in this rule:

- (1) The use of acepromazine shall be permitted under the following conditions: Not to exceed ten (10) nanograms per milliliter of the metabolite, 2-(1-hydroxyethyl) promazine sulfoxide (HEPS), in urine.
- (2) The use of albuterol shall be permitted under the following conditions: Not to exceed one (1) nanogram per milliliter of total albuterol (albuterol plus conjugates) in urine.
- (3) The use of betamethasone shall be permitted under the following conditions: Not to exceed ten (10) picograms per milliliter of betamethasone in serum or plasma.
- (4) The use of butorphanol shall be permitted under the following conditions: Not to exceed three hundred (300) nanograms per milliliter of total (free and conjugated) butorphanol in urine or two (2) nanograms per milliliter of free butorphanol in serum or plasma.
- (5) The use of clenbuterol in thoroughbreds shall be permitted under the following conditions: Not to exceed one hundred forty (140) picograms per milliliter clenbuterol in urine or the limit of detection (LOD) in serum or plasma. The presence of clenbuterol shall not exceed the limit of detection (LOD) in urine, serum, plasma, or hair.
- (6) The use of cetirizine shall be permitted under the following conditions: Not to exceed six (6) nanograms per milliliter of serum or plasma.
- (7) The use of cimetidine shall be permitted under the following conditions: Not to exceed four hundred (400) nanograms per milliliter of serum or plasma.
- (8) The use of dantrolene shall be permitted under the following conditions: Not to exceed one hundred (100) picograms per milliliter of 5-hydroxydantrolene in serum or plasma.
- (9) The use of detomidine shall be permitted under the following conditions: Not to exceed two (2) nanograms per milliliter of carboxydetomidine in urine or one (1) nanogram per milliliter detomidine in serum or plasma.
- (10) The use of dexamethasone shall be permitted under the following conditions: Not to exceed five (5) picograms per milliliter of dexamethasone in plasma or serum.
- (11) The use of diclofenac shall be permitted under the following conditions: Not to exceed five (5) nanograms per milliliter of diclofenac in plasma or serum.
- (12) The use of dimethylsulfoxide (DMSO) shall be permitted under the following conditions: Not to exceed ten (10) micrograms per milliliter of DMSO in serum or plasma.
- (13) The use of firocoxib shall be permitted under the following conditions: Not to exceed twenty (20) nanograms per milliliter of firocoxib in serum or plasma.

- (14) The use of glycopyrrolate shall be permitted under the following conditions: Not to exceed three (3) picograms per milliliter of glycopyrrolate in serum or plasma.
- (15) The use of guaifenesin shall be permitted under the following conditions: Not to exceed twelve (12) nanograms per milliliter of serum or plasma.
- (16) The use of isoflupredone shall be permitted under the following conditions: Not to exceed one hundred (100) picograms per milliliter of isoflupredone in serum or plasma.
- (17) The use of lidocaine shall be permitted under the following conditions: Not to exceed twenty (20) picograms per milliliter of total 3-hydroxylidocaine (to include conjugates) in serum or plasma.
- (18) The use of mepivacaine shall be permitted under the following conditions: Not to exceed ten (10) nanograms per milliliter of total 3-hydroxymepivacaine in urine or the LOD of mepivacaine in serum or plasma.
- (19) The use of methocarbamol shall be permitted under the following conditions: Not to exceed one (1) nanogram per milliliter of methocarbamol in serum or plasma.
- (20) The use of methylprednisolone shall be permitted under the following conditions: Not to exceed one hundred (100) picograms per milliliter of methylprednisolone in serum or plasma.
- (21) The use of omeprazole shall be permitted under the following conditions: Not to exceed ten (10) nanograms per milliliter of omeprazole sulfide in urine.
- (22) The use of prednisolone shall be permitted under the following conditions: Not to exceed one (1) nanogram per milliliter of prednisolone in serum or plasma.
- (23) The use of procaine penicillin shall be permitted under the following conditions:
 - (A) Not to exceed twenty-five (25) nanograms per milliliter of procaine in serum or plasma, and
 - (B) Administration of procaine penicillin must be reported to the official veterinarian at the time of administration, and
 - (C) Procaine penicillin must not be administered after the horse is entered to race, and
 - (D) Mandatory surveillance of the horse must occur for the six (6) hours immediately preceding the race for which the horse is entered by association security at the owner's expense.
- (24) The use of ranitidine shall be permitted under the following conditions: Not to exceed forty (40) nanograms per milliliter of serum or plasma.
- (25) The use of triamcinolone acetonide shall be permitted under the following conditions: Not to exceed one hundred (100) picograms per milliliter of triamcinolone acetonide in serum or plasma.
- (26) The use of xylazine shall be permitted under the following conditions: Not to exceed two hundred (200) picograms per milliliter of xylazine in serum or plasma.

E. Furosemide as a permitted foreign substance

Furosemide may be administered intravenously to a horse, which is entered to compete in a race. Except under the instructions of the commission veterinarian or the racing veterinarian for the purpose of removing a horse from the veterinarian's list or to facilitate the collection of a post-race urine sample,

furosemide shall be permitted only after the commission veterinarian has placed the horse on the furosemide list. In order for a horse to be placed on the furosemide list, the following process must be followed:

- (1) After the horse's licensed trainer and practicing veterinarian determine that it would be in the horse's best interests to race with furosemide, they shall notify the official veterinarian or his/her designee, using the prescribed form, that they wish the horse to be put on the furosemide list.
- (2) The form must be received by the commission veterinarian or his/her designee by the proper time deadlines so as to ensure public notification.
- (3) A horse placed on the official furosemide list must remain on that list unless the licensed trainer and practicing veterinarian submit a written request to remove the horse from the list. The request must be made to the commission veterinarian or his/her designee, on the proper form, no later than the time of entry.
- (4) After a horse has been removed from the furosemide list, the horse may not be placed back on the list for a period of sixty (60) calendar days unless it is determined to be detrimental to the welfare of the horse, in consultation with the commission veterinarian. If a horse is removed from the official furosemide list a second time in a three hundred sixty-five (365) day period, the horse may not be placed back on the list for a period of ninety (90) calendar days.
- (5) Furosemide shall only be administered on association grounds.
- (6) Upon the request of the regulatory agency designee, the veterinarian administering the authorized bleeder medication shall surrender the syringe used to administer such medication, which may then be submitted for testing.
- (7) Time of treatment. Horses qualified for medication and so indicated on the official bleeder list must be treated at least four (4) hours prior to post time.
- (8) Medication administration. Bleeder medication shall be administered by a veterinarian licensed by the commission at an intravenous dose level not to exceed five hundred (500) milligrams and no less than one hundred fifty (150) milligrams. Administration of furosemide shall take place in the horse's stall or a specific location otherwise designated by the commission.
- (9) Out-of-state horses. A bleeder horse shipped into the state from another jurisdiction may be automatically eligible to receive furosemide provided that the jurisdiction from which it was shipped qualified it as a bleeder using criteria satisfactory to this state. The Daily Racing Form, Equibase, the breed registry foal certificate, or bleeder certificate may be utilized in determining a horse's eligibility to receive furosemide.
- (10) The test level of furosemide under this rule shall not be in excess of one hundred (100) nanograms per milliliter of serum or plasma and shall not be below a urine specific gravity of one and ten one-thousandths (1.010). If an insufficient volume of urine is obtained, a positive test shall be based upon quantitative testing performed on blood serum or plasma only. Split sample testing shall be quantitative and be performed on blood serum or plasma only.

F. Bleeding from nostrils

A horse known to have bled from its nostrils for the first time within a 365-day period during a race or workout may not race during the next 14 days without prior approval by the commission veterinarian or his/her designee. If a horse bleeds from its nostrils a second time within a 365-day period, the horse shall be placed on the veterinarian's list and prohibited from racing for a minimum of 30 days. If a horse bleeds from its nostrils a third time within a 365-day period, the horse shall be placed on the veterinarian's list and prohibited from racing for at least 180 days. If a horse bleeds from its nostrils a fourth time within 365 days, the horse will be barred from racing in Arkansas. For the purpose of counting, the number of days a horse is ineligible starts the day after the horse is observed bleeding.

A horse that bleeds from its nostrils, but upon endoscopic examination shows no sign of pulmonary hemorrhage, shall not be subject to the restrictions imposed by this section. After expiration of the ineligibility period, a horse must perform a workout without bleeding, to the satisfaction of the commission veterinarian. Prior to the workout, a blood sample may be collected by the Commission veterinarian and sent to the commission's testing laboratory. After the workout, the commission veterinarian may witness an endoscopic examination of the horse to confirm the horse has not bled.

G. Program information

In order to inform the race track patrons of those horses racing with medication, the permit holder shall indicate in the racing program that a horse is racing with permitted foreign substances for race day administration.

H. Drug classification and penalties

(a) Except as provided in subsection (b), upon a finding of a violation of this rule, the stewards shall consider the classification level of the violation as currently established by the Uniform Classification Guidelines of Foreign Substances and Recommended Penalties and Model Rule as revised by the ARCI and impose penalties and disciplinary measures consistent with the recommendations contained therein. Provided, however, that in the event a majority of the stewards determine that mitigating circumstances require imposition of a lesser penalty they may impose the lesser penalty. In the event a majority of the stewards wish to impose a greater penalty or a penalty in excess of the authority granted them, then, and in such event, they may impose the maximum penalty authorized and refer the matter to the commission with specific recommendations for further action.

(b) Cobalt shall carry a category "B" penalty, as established by the Recommended Penalties and Model Rule, regardless of its presence in a post-race or out of competition sample. The stewards shall consider levels less than fifty (50) parts per billion a mitigating factor and levels of one hundred (100) parts per billion or more an aggravating factor when determining penalties.

I. Androgenic-anabolic steroids (AAS)

(a) No AAS (androgenic-anabolic steroid) shall be permitted in test samples collected from racing horses except for endogenous concentrations of the naturally occurring substances boldenone, nandrolone, and testosterone at concentrations less than the indicated thresholds.

(b) Concentrations of these AAS shall not exceed the following free (*i.e.*, not conjugated) steroid concentrations in plasma or serum:

(1) Boldenone – A confirmatory threshold not greater than 25 picograms/milliliter for all horses, regardless of sex;

(2) Nandrolone – A confirmatory threshold not greater than 25 picograms/milliliter for fillies, mares, and geldings; males horses other than geldings shall be tested for Nandrolone in urine;

(3) Testosterone – A confirmatory threshold not greater than 25 picograms/milliliter for fillies, mares, and gelding.

(c) Total concentrations of these AAS shall not exceed the following total concentrations in urine after hydrolysis of conjugates:

(1) Boldenone - A confirmatory threshold not greater than 1 nanogram/milliliter for fillies, mares, and geldings; a confirmatory threshold not greater than 15 nanograms/milliliter in male horses other than geldings;

(2) Nandrolone - A confirmatory threshold not greater than 1 nanogram/milliliter for fillies, mares, and geldings; a confirmatory threshold not greater than 45 nanograms/milliliter (as 5 α -estrane-3 β ,17 α -diol) of urine in male horses other than geldings;

(3) Testosterone – A confirmatory threshold of not greater than 55 nanograms/milliliter of urine in fillies and mares (unless in foal); a confirmatory threshold of not less than 20 nanograms/milliliter in geldings.

(d) All other AAS are prohibited in racing horses.

(e) The sex of the horse must be identified to the laboratory for all samples designated for AAS testing.

(f) A trainer may request that a horse be placed on the veterinarian's list due to medically necessary treatment with AAS. The horse shall remain on the veterinarian's list:

(1) for 365 days;

(2) until the concentration of the drug or metabolite in urine or blood has fallen below the designated threshold for the administered AAS; or

(3) until the concentration of the drug or metabolite in urine or blood has fallen below the limit of detection for AAS that do not have a designated threshold, whichever is longer.

I. Environmental contaminants and substances of human use

(1) Environmental contaminants are either endogenous to the horse or can arise from plants traditionally grazed or harvested as equine feed or are present in equine feed because of contamination during the cultivation, processing, treatment, storage or transportation phases.

(2) Substances of human use and addiction may be found in the horse due to its close association with humans.

(3) If the preponderance of evidence presented in the hearing shows that a positive test is the result of environmental contamination, including inadvertent exposure due to human drug use, or dietary intake, or is endogenous to the horse, those factors should be considered in mitigation of any disciplinary action taken against the affected trainer. Disciplinary action shall only be taken if test sample results exceed the regulatory thresholds in the most recent version of the ARCI Endogenous, Dietary, or Environmental Substances Schedule.

(4) The identification and adoption of these uniform thresholds for certain substances

J. Laboratory reports

A finding by a chemist at a commission-approved equine drug testing laboratory that a test sample taken from a horse contains a drug or its metabolites or analogs, or any substance foreign to the natural horse, any drug found in excess of the commission-approved levels, substances present in the horse in excess of concentrations at which such substances could occur naturally, or substances foreign to a horse at concentrations that cause interference with testing procedures shall be prima facie evidence that such foreign substance has been administered to the horse either internally or externally in violation of this rule. It is presumed that:

(1) the sample of urine, saliva, blood, hair, or other acceptable specimen tested by the approved laboratory to which it is sent is taken from the horse in question, its integrity is preserved;

(2) all accompanying procedures of collection, preservation, transfer to the laboratory, and analysis of the sample are correct and accurate; and

(3) the report received from the laboratory pertains to the sample taken from the horse in question and correctly reflects the condition of the horse during the race in which it was entered or, in a case of out of competition testing, when the test sample was taken; with the burden on the trainer, assistant trainer, or other responsible person to prove otherwise at any hearing in regard to the matter conducted by the stewards or the commission.

K. Pre-race testing

The stewards may require any horse entered to race to submit to a blood test, and no horse is eligible to start in a race until the owner or trainer complies with the required testing procedure.

L. Selection of horses tested

(a) The stewards, the commission veterinarian or the executive director of the commission may order a blood test, hair test, or urine test, or all three (3), on a horse for the purpose of analysis.

(b) A blood specimen, hair specimen, or urine specimen, or all three (3), shall be taken from the following horses after the running of each race:

- (1) The horse that finishes first in each race.
- (2) Any other horses designated by the stewards, the commission veterinarian or the executive director of the commission.
- (3) The stewards and the commission veterinarian designate for the taking of such a specimen a horse that races markedly contrary to form.

M. Taking of samples

(a) Blood, urine, saliva, hair, or other samples shall be:

- (1) taken under the direction of the commission veterinarian or persons appointed or assigned by the commission veterinarian for such purposes;
- (2) taken in a detention area approved by the commission unless the commission veterinarian or stewards approves otherwise;
- (3) witnessed, confirmed, or acknowledged by the trainer of the horse being tested or his or her authorized representative or employee and may be witnessed by the owner, trainer, or other licensed person designated by them;
- (4) sent to racing laboratories approved and designated by the commission in such manner as the commission or its designee may direct; and
- (5) in the custody of the commission veterinarian, his or her assistants, or other persons approved by the executive director or the commission veterinarian from the time they are taken until they are delivered for shipment to the testing laboratory.

No person shall tamper with, adulterate, add to, break the seal of, remove, or otherwise attempt to so alter or violate any sample required to be collected by this rule, except for the addition of preservatives or substances necessarily added by the commission approved laboratory for preservation of the sample or in the process of analysis.

(b) The commission has the authority to direct the approved laboratory to retain and preserve samples for future analysis.

(c) The fact that purse money has been distributed shall not be deemed a finding that no chemical substance has been administered in violation of the provisions of this rule to the horse earning such purse money.

N. Split Sample procedures

(a) All collection procedures shall be done in accordance with chain of custody guidelines.

(b) The owner or trainer of any horse which has a drug overage or positive will have 96 hours to notify the stewards or commission veterinarian they wish to have a split sample tested at a RMTC accredited laboratory.

(c) Before sending an equine sample to the primary testing laboratory, the commission veterinarian or a designated commission employee shall divide the specimen into two (2) parts provided a sufficient amount is collected.

(d) The commission veterinarian or a designated commission employee shall attempt to collect a minimum of fifty (50) milliliters of urine. A urine specimen shall not be split if less than fifty (50) milliliters is collected from the horse. In such instances, the commission is entitled to submit the entire urine specimen for testing or detain the horse an adequate amount of time until it can be obtained. If an insufficient volume of urine is obtained, the trainer and owner are not entitled to a split sample.

(e) The commission veterinarian, a licensed veterinarian authorized by the commission, or a veterinary technician under the direct supervision of a commission veterinarian shall collect a minimum of thirty (30) milliliters of blood, which shall be divided into two (2) portions, one (1) of which shall be forwarded to the primary laboratory.

(f) The commission veterinarian, a licensed veterinarian authorized by the commission, or a veterinary technician under the direct supervision of a commission authorized veterinarian shall collect a minimum of a hair sample that is at least the same size in diameter as a standard lead pencil.

(g) If the retained part of a specimen is sent for testing, the commission veterinarian or designated commission employee shall arrange for the transportation of the specimen in a manner that ensures the integrity of the sample.

(h) Blood samples shall be centrifuged.

O. Storage and shipment of split samples

(a) The commission veterinarian or his/her designee shall store the retained part of a specimen in secure, limited access storage at a site approved by the commission for the period required by this section.

(b) If the results of the initial test on a specimen are negative, the commission veterinarian, or his/her designee, or primary laboratory may discard the retained part of the specimen upon receipt of the negative result. If the result of the initial test on a specimen is positive, the commission veterinarian, or his/her designee, or primary laboratory may discard the retained part of the specimen after the expiration of the period during which an owner or trainer may request the retained part be sent for split testing.

(c) The identity of the drug or drug metabolites may be revealed to the split sample laboratory. Communication between the primary and split sample laboratory is limited to the exchange of the analytical method and the threshold level used to confirm the drug's identity.

(d) The association shall be responsible for providing sufficient freezer space to accommodate the retained specimens.

P. Administrative procedures prior to split sample testing

(a) The results of all tests performed by the primary laboratory or laboratories are confidential until such time a ruling is issued in that matter and shall only be communicated to the commission, commission

staff, stewards, owner, and trainer. Notice of a positive test result may be communicated verbally to the trainer. The trainer shall be responsible for promptly notifying the owner of a horse of a positive test as reported by the primary laboratory.

(b) The trainer or owner of a horse for which a positive result on a drug test is returned may request that the stewards submit the retained part of the specimen for testing in accordance with this section. The specimen must be tested by a laboratory that is identified on the list of approved laboratories maintained by the commission and acceptable to the following:

(1) The commission.

(2) The primary laboratory.

Laboratories providing split sample testing shall be RMTC accredited unless otherwise approved by the commission. The request must be in writing, include the laboratory selection, and must be delivered to the stewards not later than ninety-six (96) hours after the trainer has received notice of a positive test result. Failure to request testing of a split sample and provide all necessary information within ninety-six (96) hours shall constitute a waiver of the right. The split sample laboratory shall be contacted by a representative of the commission to request acceptance of a split sample. The trainer or owner may choose any laboratory on the commission maintained applicable list to test the sample. However, the commission or executive director may limit the choice of laboratory for the detection of specific drugs.

(c) The trainer or owner may elect to waive his or her right to testing of a split sample.

(d) The owner or trainer of a horse who submits a specimen for drug testing is entitled to be present or have a representative present at any time that the retained part of the specimen is prepared for storage or is tested.

(e) The split sample laboratory may require the owner or trainer of a horse who submits a specimen for testing to execute a hold harmless agreement for the split sample laboratory and an agreement that the results of the split sample laboratory can be introduced as evidence in any hearing. The agreements shall remain in the hands of the stewards.

(f) The trainer or owner may request that negative control samples be tested with the split sample. The identities of the negative control samples and the split sample shall be known only to the commission.

(g) The presence of a drug or drug metabolite in any quantity, excluding phenylbutazone, flunixin, ketoprofen or furosemide is sufficient for a finding of a positive test.

Q. Administrative procedures subsequent to split sample testing

(a) The split sample laboratory shall send a confidential written report on the result of its tests to the commission staff which in turn shall send a confidential report to the trainer and owner forthwith.

(b) No action shall be taken against the trainer or owner if the results of split sample testing are not confirmed.

(c) No hearing shall be held concerning the allegations against the trainer or owner, nor shall purse redistribution take place, until split sample testing has been completed and the results of the primary laboratory have been confirmed.

- (d) The owner or trainer shall be notified in writing of the:
 - (1) results of the primary and split sample laboratories in the case of confirmed positives; and
 - (2) time and place of any administrative hearings resulting from the findings.

R. Cost of split sample testing

(a) In order for a split sample laboratory to be identified on the list of laboratories approved by the Commission, it must establish reasonable fees for split sample testing based on their actual cost of testing. Fees for split sample testing shall include the cost of testing negative control samples if requested by the owner or trainer.

(b) The trainer or owner requesting split sample testing and negative control samples shall pay all costs of transporting and conducting tests on the split sample and negative control samples.

(c) The trainer or owner requesting split sample testing and negative control samples shall make full payment at the time laboratory selection occurs or in accordance with split laboratory requirements.

(d) The commission shall reimburse the trainer or owner for the cost of split sample testing if the results from the split sample laboratory do not confirm the presence of the drug at levels above the thresholds levels.

Thoroughbred Rule 1217 (alternative) Summary

This Rule would prohibit administration of drugs except Lasix within 24 hours of post time and outlines testing procedures. This Rule is the *verbatim* text of the most recent 2018 Racing Commissioners International Model Rule. This Rule contains provisions for veterinary practices and recommended penalties for Rule violations.

Thoroughbred Rule 1217 (alternative) Mark Up

EQUINE VETERINARY PRACTICES, HEALTH AND MEDICATION - CHAPTER 11

ARCI-011-005 Purpose

To describe requirements and procedures used to ensure the health and welfare of racehorses and to safeguard the interests of the public and the participants in racing.

Adopted in Version 1.4 ARCI 8/27/02 NAPRA 10/2/02

ARCI-011-010 Veterinary Practices

A. Veterinarians under Authority of Official Veterinarian
Veterinarians licensed by the Commission and practicing at any location under the jurisdiction of the Commission are under the authority of the official veterinarian and the stewards. The official veterinarian shall recommend to the stewards or the Commission the discipline that may be imposed upon a veterinarian who violates the rules.

B. Appropriate Role of Veterinarians

The following limitations apply to drug treatments of horses that are engaged in activities, including training, related to competing in pari-mutuel racing in the jurisdiction:

- (1) No drug may be administered except in the context of a valid veterinarian-client- patient relationship between an attending veterinarian, the horse owner (who may be represented by the trainer or other agent) and the horse. The owner is not required by this subdivision to follow the veterinarian's instructions, but no drug may be administered without a veterinarian having examined the horse and provided the treatment recommendation. Such relationship requires the following:
 - (a) The veterinarian, with the consent of the owner, has accepted responsibility for making medical judgments about the health of the horse;
 - (b) The veterinarian has sufficient knowledge of the horse to make a preliminary diagnosis of the medical condition of the horse;
 - (c) The veterinarian has performed an examination of the horse and is acquainted with the keeping and care of the horse;
 - (d) The veterinarian is available to evaluate and oversee treatment outcomes, or has made appropriate arrangements for continuing care and treatment;
 - (e) The relationship is maintained by veterinary visits as needed, and
 - (f) The veterinary judgments of the veterinarian are independent and are not dictated by the trainer or owner of the horse.
- (2) No prescription drug may be administered except as prescribed by an attending veterinarian.
- (3) The trainer and veterinarian are both responsible to ensure compliance with these limitations on drug treatments of horses, except the medical judgment to recommend a drug treatment or to prescribe a drug is the responsibility of the veterinarian and the decision to proceed with a drug treatment that has been so recommended is the responsibility of the horse owner (who may be represented by the trainer or other agent).

C. Treatment Restrictions

- (1) Only Licensed Trainers, Licensed Owners, or their designees shall be permitted to authorize veterinary medical treatment of horses under their care, custody, and control at locations under the jurisdiction of the relevant commission.
- (2) Except as otherwise provided by this subsection, no person other than a veterinarian licensed to practice veterinary medicine in this jurisdiction and licensed by the Commission may administer

a prescription or controlled medication, drug, chemical or other substance (including any medication, drug, chemical or other substance by injection) to a horse at any location under the jurisdiction of the Commission.

- (3) This subsection does not apply to the administration of the following substances except in approved quantitative levels, if any, present in post-race samples or as they may interfere with post-race testing:
 - (a) A recognized non-injectable nutritional supplement or other substance approved by the official veterinarian;
 - (b) A non-injectable substance on the direction or by prescription of a licensed veterinarian; or
 - (c) A non-injectable non-prescription medication or substance.
- (4) No person shall possess a hypodermic needle, syringe capable of accepting a needle or injectable of any kind on association grounds, unless otherwise approved by the Commission. At any location under the jurisdiction of the Commission, veterinarians may use only one-time disposable syringe and needle, and shall dispose of both in a manner approved by the Commission. If a person has a medical condition which makes it necessary to have a syringe at any location under the jurisdiction of the Commission, that person may request permission of the stewards and/or the Commission in writing, furnish a letter from a licensed physician explaining why it is necessary for the person to possess a syringe, and must comply with any conditions and restrictions set by the stewards and/or the Commission.
- (5) Practicing Veterinarians shall not have contact with an entered horse within 24 hours before the scheduled post time of the race in which the horse is scheduled to compete except for the administration of furosemide under the guidelines set forth in ARCI-011-020 F.) unless approved by the official veterinarian. Any unauthorized contact may result in the horse being scratched from the race in which it was scheduled to compete and may result in further disciplinary action by the stewards.
- (6) Any horse entered for racing must be present on the grounds 5 hours prior to the post time of the race they are entered in.

D. Veterinarians' Reports

- (1) Every veterinarian who treats a racehorse at a facility under the jurisdiction of the Racing Authority shall submit a Veterinarian's Medication Report Form to the official veterinarian or other Regulatory Authority designee in a manner specified by the Regulatory Authority and in an approved format which includes:
 - a) The name of the horse treated;
 - b) Any medication, drug, substance, or procedure administered or prescribed;
 - c) The name of the trainer of the horse;
 - d) The date and time of treatment; and
 - e) Any other information requested by the official veterinarian.
- (2) The Veterinarian's Medication Report Form shall be signed by the practicing veterinarian, or, where reported electronically, shall be submitted by the practicing veterinarian.

- (3) The Veterinarian's Medication Report Form must be filed by the treating veterinarian not later than the time designated by the Regulatory Authority on the next race date following administration or prescription of any medication, drug, substance, or procedure.
- (4) Any such report is confidential to the extent allowed by state law. Access to a report is limited to the regulatory veterinarians and its contents shall not be disclosed except in the course of an investigation of a possible violation of these rules or in a proceeding before the Stewards or the Regulatory Authority, or to the trainer or owner of record at the time of treatment.
- (5) A timely and accurate filing of a Veterinarian's Medication Report Form that is consistent with the analytical results of a positive test may be used as a mitigating factor in determining the nature and extent, if any, of a rules violation.

Adopted in Version 1.4 ARCI 8/27/02 NAPRA 10/2/02

Version 2.1 to 3.0 ARCI 4/3/04 NAPRA 4/3/04: Amended new rule language

Version 3.2 to 3.3 ARCI 12/7/05: Added and modified rule language

Version 5.2 to 5.3 ARCI Board 12/7/12 Limits who can authorize veterinary care and time period in which practicing veterinarians have access to horses scheduled to race.

Version 6.1 to 6.2 ARCI Meeting of the Members 3/24/2016 Amended ARCI-011-010 (B) language pertaining to Medical Labeling.

Version 6.3 to 7.0 ARCI Board of Directors 12/09/2016 amended ARCI-011-010 to include section B "Appropriate Role of Veterinarians" and re-numbered accordingly

Version 8.1 to 8.2, ARCI Board of Directors 12/08/2017, amended ARCI-011-010 D

ARCI-011-015 Prohibited Practices

- (1) No person may possess or use a drug, substance or medication on the premises of a facility under the jurisdiction of the Commission for which
 - (a) a recognized analytical method has not been developed to detect and confirm the administration of such substance; or
 - (b) the use of which may endanger the health and welfare of the horse or endanger the safety of the rider or driver; or
 - (c) the use of which may adversely affect the integrity of racing; or,
 - (d) no generally-accepted use in equine care exists.
- (2) Prohibited Substances and Methods:
 - (a) The substances and methods listed in the annexed Prohibited List may not be used at any place or time, and may not be possessed on the premises of a racing or training facility under the jurisdiction of the Commission, except as a restricted therapeutic use.
 - (b) *Restricted Therapeutic Use*. A limited number of medication on the Prohibited List shall be exempted when the administration occurs in compliance with the annexed Required Conditions for Restricted Therapeutic Use:
 - (i) *Report When Sampled* means the administration of the substance must be reported to the commission when the horse is next sampled, if the horse is sampled within 24 hours after the administration;
 - (ii) *Pre-File Treatment Plan* means that if the commission where the horse is located requires the filing of treatment plans, then a treatment plan for the substance must be filed by the time of administration in a manner approved by such commission;
 - (iii) *Written Approval from Commission* means the commission has granted written approval of a written treatment plan before the administration of the substance;
 - (iv) *Emergency Use (report)* means the substance had to be administered due to an acute emergency involving the life or health of the horse, provided the emergency use is reported to the commission as soon as practicable after the treatment occurs;
 - (v) *Prescribed by Veterinarian* means the substance has been prescribed by an attending veterinarian, in compliance with ARCI 011-010 Veterinary Practices, and recorded in the veterinary records in the manner required by the commission;
 - (vi) *Report Treatment* means the treatment must be reported to the commission by the trainer at the time of administration to provide the commission with information for the Veterinarian's List. The trainer may delegate this responsibility to the treating veterinarian, who shall make the report when so designated; and
 - (vii) *Other Limitations* means additional requirements that apply, such as a substance may be used in only fillies or mares or a horse that is administered a substance shall be reported immediately to the commission and placed on the Veterinarian's List for a specific minimum

period of time. The use of the substance must comply with other applicable rules of the Commission.

(c) No person shall at any time administer any other doping agent to a horse except pursuant to a valid therapeutic, evidence-based treatment plan.

(i) *Other doping agent* means a substance that is not listed in the annexed Prohibited List, has a pharmacologic potential to alter materially the performance of a horse, has no generally accepted medical use in the horse when treated, and is:

(A) capable at any time of causing an action or effect, or both, within one or more of the blood, cardiovascular, digestive, endocrine, immune, musculoskeletal, nervous, reproductive, respiratory, or urinary mammalian body systems; including but not limited to endocrine secretions and their synthetic counterparts, masking agents, oxygen carriers, and agents that directly or indirectly affect or manipulate gene expression; but

(B) not a substance that is considered to have no effect on the physiology of a horse except to improve nutrition or treat or prevent infections or parasite infestations.

(ii) The commission may publish advisory warnings that certain substances or administrations may constitute a violation of this rule.

(iii) *Therapeutic, evidence-based treatment plan* means a planned course of treatment written and prescribed by an attending veterinarian before the horse is treated that:

(A) describes the medical need of the horse for the treatment, the evidence-based scientific or clinical justification for using the doping agent, and a determination that recognized therapeutic alternates do not exist; and

(B) complies with ARCI 011-010 Veterinary Practices, meets the standards of veterinary practice of the jurisdiction, and is developed in good faith to treat a medical need of the horse.

(iv) Such plans shall not authorize the possession of a doping agent on the premises of a racing or training facility under the jurisdiction of the commission.

(3) The possession and/or use of the following substances or of blood doping agents, including but not limited to those listed below, on the premises of a facility under the jurisdiction of the Commission is forbidden:

- (a) Aminoimidazole carboxamide ribonucleotide (AICAR)
- (b) Darbepoetin
- (c) Equine Growth Hormone
- (d) Erythropoietin
- (e) Hemopure ®
- (f) Myo-Inositol Trispyrophosphate (ITPP)
- (g) Oxyglobin®
- (h) Thymosin beta
- (i) Venoms or derivatives thereof
- (j) Thymosin beta

- (4) The use of Extracorporeal Shock Wave Therapy or Radial Pulse Wave Therapy shall not be permitted unless the following conditions are met:
 - (a) Any Extracorporeal Shock Wave Therapy or Radial Pulse Wave Therapy machine, whether in operating condition or not, must be registered with and approved by the Commission or its designee before such machine is brought to or possessed on any racetrack or training center within the jurisdiction of the commission;
 - (b) The use of Extracorporeal Shock Wave Therapy or Radial Pulse Wave Therapy within the jurisdiction:
 - 1. shall be limited to veterinarians licensed to practice by the commission;
 - 2. may only be performed with machines that are:
 - (i) registered and approved for use by the commission; and
 - (ii) used at a previously-disclosed location that is approved by the commission
 - 3. must be reported within 24-hours prior to treatment on the prescribed form to the official veterinarian.
 - (c) Any treated horse shall not be permitted to race or breeze for a minimum of 10 days following treatment;
 - (d) Any horse treated with Extracorporeal Shock Wave Therapy or Radial Pulse Wave Therapy shall be added to a list of ineligible horses. This list shall be kept in the race office and accessible to the jockeys and/or their agents during normal business hours and be made available to other regulatory jurisdictions.
 - (e) A horse that receives any such treatment without full compliance with this section and similar rules in any other jurisdiction in which the horse was treated shall be placed on the Steward's List.
 - (f) Any person participating in the use of ESWT and/or the possession of ESWT machines in violation of this rule shall be considered to have committed a Prohibited Practice and is subject to a Class A Penalty.
- (5) The use of a nasogastric tube (a tube longer than six inches) for the administration of any substance within 24 hours prior to the post time of the race in which the horse is entered is prohibited without the prior permission of the official veterinarian or his/her designee.

Annexed Materials

For ARCI-011-015

- **Annex I: Prohibited List**
- **Annex II: Restricted Therapeutic Use requirements**

Annex I

PROHIBITED SUBSTANCES

All substances in the categories below shall be strictly prohibited unless otherwise provided in accordance with ARCI-011-015 or ARCI-025-015. Any reference to substances in this section does not alter the requirements for testing concentrations in race day samples.

Nothing in this list shall alter the requirements of post-race testing.

S0. NON-APPROVED SUBSTANCES

Any pharmacologic substance that is not approved by any governmental regulatory health authority for human or veterinary use within the jurisdiction is prohibited. This prohibition includes drugs under pre-clinical or clinical development, discontinued drugs, and designer drugs (a synthetic analog of a drug that has been altered in a manner that may reduce its detection); but does not include vitamins, herbs and supplements for nutritional purposes that do not contain any other prohibited substance, or the administration of a substance with the prior approval of the commission in a clinical trial for which an FDA or similar exemption has been obtained.

S1. ANABOLIC AGENTS

Anabolic agents are prohibited.

1. Anabolic Androgenic Steroids (AAS)

1.1. Exogenous AAS, including:

1-androstenediol (5 α -androst-1-ene-3 β ,17 β -diol); 1-androstenedione (5 α -androst-1-ene-3,17-dione); bolandiol (estr-4-ene-3 β ,17 β -diol); bolasterone; boldenone; boldione (androsta-1,4-diene-3,17-dione); calusterone; clostebol; danazol ([1,2]oxazolo[4',5':2,3]pregna-4-en-20-yn-17 α -ol); dehydrochlormethyltestosterone (4-

chloro-17 β - hydroxy-17 α -methylandrosta- 1,4-dien-3-one); desoxymethyltestosterone (17 α -methyl-5 α -androst-2-en-17 β -ol); drostanolone; ethylestrenol (19-norpregna-4-en-17 α -ol); fluoxymesterone; formebolone; furazabol (17 α -methyl[1,2,5]oxadiazolo[3',4':2,3]-5 α -androstan-17 β -ol); gestrinone; 4- hydroxytestosterone (4,17 β -dihydroxyandrost-4-en-3-one); mestanolone; mesterolone; metandienone (17 β -hydroxy-17 α - methylandrosta-1,4-dien-3- one); metenolone; methandriol; methasterone (17 β -hydroxy-2 α ,17 α - dimethyl-5 α -androstan-3-one); methyldienolone (17 β - hydroxy-17 α -methylestra-4,9-dien-3-one); methyl-1- testosterone (17 β -hydroxy-17 α -methyl-5 α -androst-1-en-3-one); methylnortestosterone (17 β -hydroxy-17 α - methylestr-4-en-3-one); methyltestosterone; metribolone (methyltrienolone, 17 β - hydroxy-17 α -methylestra-4,9,11-trien-3-one); mibolone; nandrolone; 19- norandrostenedione (estr-4-ene-3,17-dione); norbolone; norclostebol; norethandrolone; oxabolone; oxandrolone; oxymesterone; oxymetholone; prostanazol (17 β - [(tetrahydropyran-2-yl)oxy]-1'H-pyrazolo[3,4:2,3]-5 α -androstane); quinbolone; stanozolol; stenbolone; 1- testosterone (17 β - hydroxy-5 α -androst-1-en-3-one); tetrahydrogestrinone (17-hydroxy-18 α - homo-19-nor-17 α -pregna-4,9,11-trien-3-one); trenbolone (17 β -hydroxyestr-4,9,11-trien-3-one); and other substances with a similar chemical structure or similar biological effect(s).

1.2. Endogenous AAS or their synthetic esters when administered exogenously:

androstenediol (androst-5-ene-3 β ,17 β -diol); androstenedione (androst-4-ene-3,17-dione); dihydrotestosterone (17 β -hydroxy-5 α -androstan-3-one); prasterone (dehydroepiandrosterone, DHEA, 3 β - hydroxyandrost-5-en-17-one); testosterone;

and their metabolites and isomers, including but not limited to:

5 α -androstane-3 α ,17 α -diol; 5 α -androstane-3 α ,17 β -diol; 5 α - androstane-3 β ,17 α -diol; 5 α -androstane-3 β ,17 β -diol; 5 β - androstane-3 α , 17 β -diol, androst-4-ene-3 α ,17 α -diol; androst-4-ene-3 α ,17 β -diol; androst-4-ene-3 β ,17 α -diol; androst-5-ene-3 α ,17 α -diol; androst-5-ene-3 α ,17 β -diol; androst-5-ene-3 β ,17 α -diol; 4-androstenediol (androst-4- ene-3 β ,17 β -diol); 5-androstenedione (androst-5- ene-3,17-dione); androsterone (3 β -hydroxy-5 α – androstan-17-one); epi-dihydrotestosterone; epitestosterone; etiocholanolone; 7 α -hydroxy-DHEA ; 7 β -hydroxy-DHEA; 7-keto-DHEA;19- norandrosterone; 19-noretiocholanolone.

2. Other Anabolic Agents, including but not limited to:

Clenbuterol, selective androgen receptor modulators (SARMs e.g., andarine and ostarine), ractopamine, tibolone, zeranol, zilpaterol.

S2. PEPTIDE HORMONES, GROWTH FACTORS AND RELATED SUBSTANCES

The following substances, and other substances with similar chemical structure or similar biological effect(s), are prohibited:

1. Erythropoietin-Receptor agonists:

1.1 Erythropoiesis-Stimulating Agents (ESAs) including, e.g., darbepoetin (dEPO); erythropoietins (EPO); EPO-Fc; EPO- mimetic peptides (EMP), e.g., CNTO 530 and peginesatide; and methoxypolyethylene glycol-epoetin beta (CERA); and

1.2 Non-erythropoietic EPO-Receptor agonists, e.g., ARA-290, asialo EPO and carbamylated EPO;

2. Hypoxia-inducible factor (HIF) stabilizers, e.g., cobalt (when found in excess of regulatory authority limits) and roxadustat (FG-4592); and HIF activators, (e.g., argon, xenon);

3. Chorionic Gonadotropin (CG) and Luteinizing Hormone (LH) and their releasing factors, in males;

4. Corticotrophins and their releasing factors;

5. Growth Hormone (GH) and its releasing factors including Growth Hormone Releasing Hormone (GHRH) and its analogues, e.g., CJC-1295, sermorelin and tesamorelin; Growth Hormone Secretagogues (GHS), e.g., ghrelin and ghrelin mimetics, e.g., anamorelin and ipamorelin; and GH-Releasing Peptides (GHRPs), e.g., alexamorelin, GHRP-6, hexarelin and pralmorelin (GHRP-2);

6. Venoms and toxins including but not limited to venoms and toxins from sources such as snails, snakes, frogs, and bees as well as their synthetic analogues such as ziconotide.

7. In addition, the following growth factors are prohibited:

Fibroblast Growth Factors (FGFs), Hepatocyte Growth Factor (HGF), Insulin-like Growth Factor-1 (IGF-1) and its analogues, Mechano Growth Factors (MGFs), Platelet-Derived Growth Factor (PDGF), Vascular-Endothelial Growth Factor (VEGF) and any other growth factor affecting muscle,

tendon or ligament protein synthesis/degradation, vascularization, energy utilization, regenerative capacity or fiber type switching.

S3. BETA-2 AGONISTS

All beta-2 agonists, including all optical isomers (i.e. *d*- and *l*-) where relevant, are prohibited.

S4. HORMONE AND METABOLIC MODULATORS

The following are prohibited:

1. Aromatase inhibitors, including but not limited to: aminoglutethimide, anastrozole, androsta-1,4,6-triene-3,17- dione (androstatrienedione), 4-androstene-3,6,17 trione (6- oxo), exemestane, formestane, letrozole, testolactone;
2. Selective estrogen receptor modulators (SERMs), including but not limited to: raloxifene, tamoxifen, toremifene;
3. Other anti-estrogenic substances, including but not limited to: clomiphene, cyclofenil, fulvestrant;
4. Agents modifying myostatin function(s), including but not limited to: myostatin inhibitors;
5. Metabolic modulators:
 - 5.1. Activators of the AMP-activated protein kinase (AMPK), e.g., AICAR, and Peroxisome Proliferator Activated Receptor δ (PPAR δ) agonists (e.g., GW 1516);
 - 5.2 Insulins;
 - 5.3 Trimetazidine; and
 - 5.4. Thyroxine and thyroid modulators/hormones, including but not limited to those containing T4 (tetraiodothyronine/thyroxine), T3 (triiodothyronine), or combinations thereof.

S5. DIURETICS AND OTHER MASKING AGENTS

The following diuretics and masking agents are prohibited, as are other substances with similar chemical structure or similar biological effect(s): acetazolamide, amiloride, bumetanide, canrenone, chlorthalidone, desmopressin, etacrynic acid, indapamide, metolazone, plasma expanders (e.g. glycerol; intravenous administration of albumin, dextran, hydroxyethyl starch and mannitol), probenecid, spironolactone, thiazides (e.g. bendroflumethiazide, chlorothiazide, hydrochlorothiazide), torsemide, triamterene, and vasopressin receptor antagonists or vaptans (e.g., tolvaptan).

Furosemide and trichlormethiazide may be administered only in a manner permitted by other rules of the commission.

PROHIBITED METHODS

M1. MANIPULATION OF BLOOD AND BLOOD COMPONENTS

The following are prohibited:

1. The administration or reintroduction of any quantity of autologous, allogenic (homologous) or heterologous blood or red blood cell products of any origin into the circulatory system.
2. Artificially enhancing the uptake, transport or delivery of oxygen, including, but not limited to, perfluorochemicals, efaproxiral (RSR13) and modified hemoglobin products (e.g. hemoglobin-based blood substitutes, microencapsulated hemoglobin products), excluding supplemental oxygen.
3. Any form of intravascular manipulation of the blood or blood components by physical or chemical means.

M2. CHEMICAL AND PHYSICAL MANIPULATION

Tampering, or attempting to tamper, in order to alter the integrity and validity of samples collected by the commission, is prohibited. These methods include but are not limited to urine substitution or adulteration (e.g., proteases).

M3. GENE DOPING

The following, with the potential to enhance sport performance, are prohibited:

1. The transfer of polymers of nucleic acids or nucleic acid analogues.
2. The use of normal or genetically modified hematopoietic cells.

Annex II

Restricted Therapeutic Use Requirements

Prohibited Substance	Required Conditions for Therapeutic Use Exemption							
	Report When Sampled	Pre-file Treatment Plan	Written Approval from Commission	Emergency Use (Report)	Prescribed by Veterinarian	Veterinary Record	Other Limitations	
Adrenocorticotrophic Hormone (ACTH)		X			X	X		
Albuterol					X	X		
Altrenogest					X	X	Fillies/Mares only	
Autologous Conditioned Plasma (IRAP)								
Blood Replacements	X			X	X	X		
Boldenone		X			X	X	6-month Vet List	
Clenbuterol		X			X	X	6-month Vet List ⁴	
Chorionic Gonadotropin		X	X ¹		X	X	60-day Vet List	
Furosemide	X				X	X		
Lutenizing Hormone		X	X ¹		X	X	60-day Vet List	
Nandrolone		X			X	X	6-month Vet List	
Nucleic Polymer Transfers		X	X					
Platelet Rich Plasma (PRP)	X				X	X		
Stanozolol		X			X	X	6-month Vet List	
S0 (not FDA approved)			X ²		X	X		
Testosterone		X			X	X	6-month Vet List	
Thyroxine (T4)		X	X ³		X	X		
Trichlormethiazide	X				X	X		
Other Diuretics	X			X	X	X		

1: The approved treatment plan must show a specific treatment of a specific individual horse for an undescended testicle condition.

2: The approved treatment plan must show: (A) the substance has a generally accepted veterinary use; (B) the treatment provides a significant health benefit for the horse; (C) there is no reasonable therapeutic alternative; and (D) the use of the substance is highly unlikely to produce any additional enhancement of performance beyond what might be anticipated by a return to the horse's normal state of health, not exceeding the level of performance of the horse prior to the onset of the horse's medical ..

3: The approved treatment plan must show: (A) the thyroxine is prescribed to a specific individual horse for a specific period of time; (B) the diagnosis and basis for prescribing such drug, the dosage, and the estimated last administration date; and (C) that any container of such drug on licensed premises shall be labeled with the foregoing information and contain no more thyroxine than for the treatment of the specific individual horse, as prescribed.

4: Vet list requirement applies to Quarter Horses only

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Adopted in Version 1.4 ARCI 8/27/02 NAPRA 10/2/02
Version 2.1 to 3.0 ARCI 4/3/04 NAPRA 4/3/04: Amended new rule language
Version 4.3 to 4.4 ARCI Board 12/10/08: Amended Shock Wave to 10 days
Version 5.1 to 5.2 ARCI Board 7/15/12: Amended Shock Wave language
Version 5.2 to 5.3 ARCI Board 12/7/12 Amended Blood doping agents, limited uses of drugs and broadened approving agency designation, changed train to breeze in shock wave restrictions
Version 5.5 to 5.6 ARCI Board 12/9/13 Amended ARCI-011-015 (4) Extracorporeal Shock Wave Therapy
Version 5.5 to 5.6 ARCI Board 12/9/2013 Amended ARCI-011-015(4) Extracorporeal Shock Wave Therapy
Version 6.3 to 7.0 ARCI Board 12/09/2016 Amended ARCI 011-015(1) Prohibited Practices; Added ARCI-001-015(2) Prohibited Substances and Methods, Restricted Therapeutic Use language
Version 6.3 to 7.0 ARCI Board 12/09/2016 ARCI 011-015, added annexed materials “Prohibited List” and “Restricted Therapeutic Use Requirements” table.
Version 7.0 to 8.0, ARCI Board, 4/20.2017, Amended Annex II, “Restricted Therapeutic Use Requirements,” (Added: footnote 4, re: Quarter Horses

ARCI-011-020 Medications and Prohibited Substances

Upon a finding of a violation of these medications and prohibited substances rules, the stewards shall consider the classification level of the violation as listed in at the time of the violation in the Uniform Classification Guidelines of Foreign Substances as promulgated by the Association of Racing Commissioners International and impose penalties and disciplinary measures consistent with the recommendations contained therein. The stewards shall also consult with the official veterinarian to determine if the violation was a result of the administration of a therapeutic medication as documented in a veterinarian's Medication Report Form received per ARCI-011-010 (C). The stewards may also consult with the laboratory director or other individuals to determine the seriousness of the laboratory finding or the medication violation. Penalties for all medication and drug violations shall be investigated and reviewed on a case by case basis. Extenuating factors include, but are not limited to:

- (1) The past record of the trainer, veterinarian and owner in drug cases;
- (2) The potential of the drug(s) to influence a horse's racing performance;
- (3) The legal availability of the drug;
- (4) Whether there is reason to believe the responsible party knew of the administration of the drug or intentionally administered the drug;
- (5) The steps taken by the trainer to safeguard the horse;
- (6) The probability of environmental contamination or inadvertent exposure due to human drug use;
- (7) The purse of the race;
- (8) Whether the drug found was one for which the horse was receiving a treatment as determined by the Medication Report Form;
- (9) Whether there was any suspicious betting pattern in the race, and;
- (10) Whether the licensed trainer was acting on the advice of a licensed veterinarian.

As a result of the investigation, there may be mitigating circumstances for which a lesser or no penalty is appropriate for the licensee and aggravating factors, which may increase the penalty beyond the minimum.

A. Uniform Classification Guidelines

The following outline describes the types of substances placed in each category. This list shall be publicly posted in the offices of the official veterinarian and the racing secretary.

(1) Class 1

Opiates, opium derivatives, synthetic opioids, psychoactive drugs, amphetamines, all United States Drug Enforcement Agency (DEA) Schedule I drugs and many Schedule II drugs. Also found in this class are drugs that are potent stimulants of the central nervous system. Drugs in this class have no generally accepted medical use in the racing horse and their pharmacologic potential for altering the performance of a racing horse is very high.

(2) Class 2

Drugs placed in this category have a high potential for affecting the outcome of a race. Most are not generally accepted as therapeutic agents in the racing horse. Many are products intended to alter consciousness or the psychic state of humans, and have no approved or indicated use in the horse. Some, such as injectable local anesthetics, have legitimate use in equine medicine, but should not be found in a racing horse. The following groups of drugs placed are in this class:

- (a) Opiate partial agonists, or agonist-antagonists;

- (b) Non-opiate psychotropic drugs. These drugs may have stimulant, depressant, analgesic or neuroleptic effects;
- (c) Miscellaneous drugs which might have a stimulant effect on the central nervous system (CNS);
- (d) Drugs with prominent CNS depressant action;
- (e) Antidepressant and antipsychotic drugs, with or without prominent CNS stimulatory or depressant effects;
- (f) Muscle blocking drugs that have a direct neuromuscular blocking action;
- (g) Local anesthetics that have a reasonable potential for use as nerve blocking agents (except procaine); and
- (h) Snake venoms and other biologic substances, which may be used as nerve blocking agents.

(3) Class 3

Drugs placed in this class may or may not have an accepted therapeutic use in the horse. Many are drugs that affect the cardiovascular, pulmonary and autonomic nervous systems. They all have the potential of affecting the performance of a racing horse. The following groups of drugs are placed in this class:

- (a) Drugs affecting the autonomic nervous system that do not have prominent CNS effects, but which do have prominent cardiovascular or respiratory system effects. Bronchodilators are included in this class;
- (b) A local anesthetic that has nerve blocking potential but also has a high potential for producing urine residue levels from a method of use not related to the anesthetic effect of the drug (procaine);
- (c) Miscellaneous drugs with mild sedative action, such as the sleep inducing antihistamines;
- (d) Primary vasodilating/hypotensive agents;
- (e) Potent diuretics affecting renal function and body fluid composition; and
- (f) Anabolic and/or androgenic steroids and other drugs

(4) Class 4

Drugs in this category comprise primarily therapeutic medications routinely used in racing horses. These may influence performance, but generally have a more limited ability to do so. Groups of drugs assigned to this category include the following:

- (a) Non-opiate drugs that have a mild central analgesic effect;
- (b) Drugs affecting the autonomic nervous system that do not have prominent CNS, cardiovascular or respiratory effects
 - (A) Drugs used solely as topical vasoconstrictors or decongestants
 - (B) Drugs used as gastrointestinal antispasmodics
 - (C) Drugs used to void the urinary bladder
 - (D) Drugs with a major effect on CNS vasculature or smooth muscle of visceral organs.
 - (E) Antihistamines which do not have a significant CNS depressant effect (This does not include H1 blocking agents, which are listed in Class 5);
- (c) Antihistamines that do not have a significant CNS depressant effect. This does not include H2 blocking agents, which are in Class 5.
- (d) Mineralocorticoid drugs;
- (e) Skeletal muscle relaxants;
- (f) Anti-inflammatory drugs. These drugs may reduce pain as a consequence of their anti-inflammatory action.

- (A) Non-Steroidal Anti-Inflammatory Drugs (NSAIDs);
 - (B) Corticosteroids (glucocorticoids); and
 - (C) Miscellaneous anti-inflammatory agents.
 - (g) Less potent diuretics;
 - (h) Cardiac glycosides and antiarrhythmic agents.
 - (A) Cardiac glycosides;
 - (B) Antiarrhythmic agents (exclusive of lidocaine, bretylium and propranolol); and
 - (C) Miscellaneous cardiotonic drugs.
 - (i) Topical Anesthetics--agents not available in injectable formulations;
 - (j) Antidiarrheal drugs;
 - (k) Miscellaneous drugs.
 - (A) Expectorants with little or no other pharmacologic action;
 - (B) Stomachics; and
 - (C) Mucolytic agents.
 - (5) Class 5
- Drugs in this category are therapeutic medications for which concentration limits have been established by the racing jurisdictions as well as certain miscellaneous agents. Included specifically are agents that have very localized actions only, such as anti-ulcer drugs and certain antiallergenic drugs. The anticoagulant drugs are also included.

B. Penalties

- (1) In issuing penalties against individuals found guilty of medication and drug violations a regulatory distinction shall be made between the detection of therapeutic medications used routinely to treat racehorses and those drugs that have no reason to be found at any concentration in the test sample on race day.
- (2) The stewards or the commission will use the penalty guidelines schedule contained in these rules as a starting place in the penalty stage of the deliberations for a rule violation for any drug listed in the *Association of Racing Commissioners International Uniform Classification Guidelines for Foreign Substances*.
- (3) If a licensed veterinarian is administering or prescribing a drug not listed in the RCI *Uniform Classification Guide lines for Foreign*, the identity of the drug shall be forwarded to the official veterinarian to be forwarded to the Drug Testing Standards and Practices Committee of the Association of Racing Commissioners International for classification.
- (4) Any drug or metabolite thereof found to be presenting a pre- or post-race sample which is not classified in the most current RCI *Uniform Classification Guidelines for Foreign Substances* shall be assumed to be a RCI Class 1 Drug and the trainer and owner shall be subject to those penalties as set forth in schedule "A" unless satisfactorily demonstrated otherwise by the Racing Medication and Testing Consortium, with a penalty category assigned.
- (5) The penalty categories and their related schedules, if applicable, shall be on the following criteria:
 - (a) Whether the drug is approved by the U.S. Food and Drug Administration for use in the horse;
 - (b) Whether the drug is approved by the U.S. Food and Drug Administration for use in any species;
 - (c) Whether the drug has any legitimate therapeutic application in the equine athlete;

- (d) Whether the drug was identified as “necessary” by the RMTC Veterinary Advisory Committee;
 - (e) Whether legitimate, recognized therapeutic alternatives exist, and;
 - (f) The current RCI Classification of the drug.
- (6) The penalty categories “A”, “B” and “C” and their related schedules for Trainers and Owners are shown in the following tables.

The following are recommended penalties for violations due to the presence of a drug carrying a **Category “A” penalty** and for violations of ARCI-011-015: Prohibited Practices:

LICENSED TRAINER:		
1st offense <ul style="list-style-type: none"> Minimum one-year suspension absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum of a three-year suspension. <p style="text-align: center;">AND</p> <ul style="list-style-type: none"> Minimum fine of \$10,000 or 10% of total purse (greater of the two) absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum of \$25,000 or 25% of purse (greater of the two). <p style="text-align: center;">AND</p> <ul style="list-style-type: none"> May be referred to the Commission for any further action deemed necessary by the Commission. 	2nd LIFETIME offense in any jurisdiction <ul style="list-style-type: none"> Minimum three-year suspension absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum of license revocation with no reapplication for a three-year period. <p style="text-align: center;">AND</p> <ul style="list-style-type: none"> Minimum fine of \$25,000 or 25% of total purse (greater of the two) absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum of \$50,000 or 50% of purse (greater of the two). <p style="text-align: center;">AND</p> <ul style="list-style-type: none"> May be referred to the Commission for any further action deemed necessary by the Commission. 	3rd LIFETIME offense in any jurisdiction <ul style="list-style-type: none"> Minimum five-year suspension absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum of license revocation with no reapplication for a five-year period. <p style="text-align: center;">AND</p> <ul style="list-style-type: none"> Minimum fine of \$50,000 or 50% of total purse (greater of the two) absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum of \$100,000 or 100% of purse (greater of the two). <p style="text-align: center;">AND</p> <ul style="list-style-type: none"> May be referred to the Commission for any further action deemed necessary by the Commission.
LICENSED OWNER:		
1st offense <ul style="list-style-type: none"> Disqualification and loss of purse. <p style="text-align: center;">AND</p> <ul style="list-style-type: none"> Horse shall be placed on the veterinarian’s list for 180 days and must pass a commission- approved examination before becoming eligible to be entered. 	2nd LIFETIME offense in owner’s stable in any jurisdiction <ul style="list-style-type: none"> Disqualification and loss of purse. <p style="text-align: center;">AND</p> <ul style="list-style-type: none"> Horse shall be placed on the veterinarian’s list for 180 days and must pass a commission-approved examination before becoming eligible to be entered. 	3rd LIFETIME offense in owner’s stable in any jurisdiction <ul style="list-style-type: none"> Disqualification, loss of purse and \$50,000 fine. <p style="text-align: center;">AND</p> <ul style="list-style-type: none"> Horse shall be placed on the veterinarian’s list for 180 days and must pass a commission-approved examination before becoming eligible to be entered. <p style="text-align: center;">AND</p> <ul style="list-style-type: none"> Referral to the Commission with a recommendation of a suspension for a minimum of 90 days.

Version 7.0 to 8.0, ARCI Board, April 2017, changed recommended veterinarian’s list time to 180 Days for 1st and 2nd offense.

The following are recommended penalties for violations due to the presence of a drug carrying **Category “B” penalty**, for the presence of more than one NSAID in a plasma/serum sample, subject to the provisions set forth in ARCI-011-020(E) and for violations of the established levels for total carbon dioxide:

LICENSED TRAINER:		
1st offense	2nd offense (365-day period) in any jurisdiction	3rd offense (365-day period) in any jurisdiction
<ul style="list-style-type: none"> Minimum 15-day suspension absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum of a 60-day suspension. <p style="text-align: center;">AND</p> <ul style="list-style-type: none"> Minimum fine of \$500 absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum of \$1,000. 	<ul style="list-style-type: none"> Minimum 30-day suspension absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum of a 180-day suspension. <p style="text-align: center;">AND</p> <ul style="list-style-type: none"> Minimum fine of \$1,000 absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum of \$2,500. 	<ul style="list-style-type: none"> Minimum 60-day suspension absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum of a one-year suspension. <p style="text-align: center;">AND</p> <ul style="list-style-type: none"> Minimum fine of \$2,500 absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum of \$5,000 or 5% of purse (greater of the two). <p style="text-align: center;">AND</p> <ul style="list-style-type: none"> May be referred to the Commission for any further action deemed necessary by the Commission.
LICENSED OWNER:		
1st offense	2nd offense in stable (365-day period) in any jurisdiction	3rd offense in stable (365-day period) in any jurisdiction
<ul style="list-style-type: none"> Disqualification and loss of purse [in the absence of mitigating circumstances] * <p style="text-align: center;">AND</p> <ul style="list-style-type: none"> Horse must pass a commission-approved examination before becoming eligible to be entered. 	<ul style="list-style-type: none"> Disqualification and loss of purse [in the absence of mitigating circumstances] * <p style="text-align: center;">AND</p> <ul style="list-style-type: none"> Horse must pass a commission-approved examination before becoming eligible to be entered. 	<ul style="list-style-type: none"> Disqualification and loss of purse, and a \$5,000 fine.* <p style="text-align: center;">AND</p> <ul style="list-style-type: none"> Horse shall be placed on the veterinarian’s list for 45 days and must pass a commission-approved examination before becoming eligible to be entered.

The following are recommended penalties for violations due to the presence of a drug carrying a Category “C” penalty and overages for permitted NSAIDs and furosemide: (*All concentrations are for measurements in serum or plasma.*)

LICENSED TRAINER	Phenylbutazone (>2.0-5.0 mcg/ml) Flunixin (>20-100 ng/ml) Ketoprofen (>2-50 ng/ml) Furosemide (>100 ng/ml) and no furosemide when identified as administered**	Phenylbutazone (>5.0 mcg/ml) Flunixin (>100 ng/ml) Ketoprofen (>50 ng/ml) and CLASS C Violations
1 st Offense (365-day period) in any jurisdiction	Minimum fine of a written warning to a maximum fine of \$500	Minimum fine of \$1,000 absent mitigating circumstances
2 nd Offense (365-day period) in any jurisdiction	Minimum fine of a written warning to a maximum fine of \$750	Minimum fine of \$1,500 and 15-day suspension absent mitigating circumstances
3 rd Offense (365-day period) in any jurisdiction	Minimum fine of \$500 and to a maximum fine of \$1,000	Minimum fine of \$2,500 and 30-day suspension absent mitigating circumstances
LICENSED OWNER	Phenylbutazone (>2.0-5.0 mcg/ml) Flunixin (>20-100 ng/ml) Ketoprofen (>2-50 ng/ml) Furosemide (>100 ng/ml) and no furosemide when identified as administered**	Phenylbutazone (>5.0 mcg/ml) Flunixin (>100 ng/ml) Ketoprofen (>50 ng/ml) AND CLASS C VIOLATIONS
1 st Offense (365-day period) in any jurisdiction	Horse may be required to pass commission-approved examination before being eligible to run.	Loss of purse [in the absence of mitigating circumstances]. Horse must pass commission-approved examination before being eligible to run
2 nd Offense (365-day period) in any jurisdiction	Horse may be required to pass commission-approved examination before being eligible to run	Loss of purse. If same horse, placed on veterinarian’s list for 45 days, must pass commission-approved examination before being eligible to run
3 rd Offense (365-day period) in any jurisdiction	Disqualification and loss of purse. Horse must pass commission-approved examination before being eligible to run	Loss of purse. Minimum \$5,000 fine. If same horse, placed on veterinarian’s list for 60 days, must pass commission-approved examination before being eligible to run

*If the trainer has not had more than one violation within the previous two years, the Stewards/Judges are encouraged to issue a warning in lieu of a fine provided the reported level is below 3.0 mcg/ml, absent of aggravating factors.

After a two year period, if the licensee has had no further violations, any penalty due to an overage in the 2.0 – 5.0 category will be expunged from the licensee’s record for penalty purposes.

- (7) The recommended penalty for a violation involving a drug that carries a Category “D” penalty is a written warning to the trainer and owner. Multiple violations may result in fines and/or suspensions
- (8) Any licensee of the commission, including veterinarians, found to be responsible for the improper or intentional administration of any drug resulting in a positive test may, after proper notice and hearing, be subject to the same penalties set forth for the licensed trainer.
- (9) The licensed owner, veterinarian or any other licensed party involved in a positive laboratory finding shall be notified in writing of the hearing and any resulting action. In addition their presence may be required at any and all hearings relative to the case.
- (10) Any veterinarian found to be involved in the administration of any drug carrying the penalty category of “A” shall be referred to the State Licensing Board of Veterinary Medicine for consideration of further disciplinary action and/or license revocation. This is in addition to any penalties issued by the stewards or the commission.
- (11) Any person who the stewards or the commission believe may have committed acts in violation of criminal statutes may be referred to the appropriate law enforcement agency. Administrative action taken by the stewards or the commission in no way prohibits a prosecution for criminal acts committed, nor does a potential criminal prosecution stall administrative action by the stewards or the commission.
- (12) Procedures shall be established to ensure that a licensed trainer is not able to benefit financially during the period for which the individual has been suspended. This includes, but is not limited to, ensuring that horses are not transferred to licensed family members.
- (13) Multiple Medication Violations (MMV)
 - (a) A trainer who receives a penalty for a medication violation based upon a horse testing positive for a Class 1-5 medication with Penalty Class A-C, as provided in the most recent version of the ARCI Uniform Classification Guidelines for Foreign Substances, or similar state regulatory guidelines, shall be assigned points as follows:

Penalty Class	Points If Controlled Therapeutic Substance	Points If Non-Controlled Substance
Class A	N/A	6
Class B	2	4
Class C	½ for first violation with an additional ½ point for each additional violation within 365 days ¹	1 for first violation with an additional ½ point for each additional violation within 365 days
Class D	0	0

¹ Points for NSAID violations only apply when the primary threshold of the NSAID is exceeded. Points are not to be separately assigned for a stacking violation.

If the Stewards or Commission determine that the violation is due to environmental contamination, they may assign lesser or no points against the trainer based upon the specific facts of the case.

- (b) The points assigned to a medication violation by the Stewards or Commission ruling shall be included in the ARCI official database. The ARCI shall record points consistent with Section 13(a) including when appropriate, a designation that points have been suspended for the medication violation. Points assigned by such regulatory ruling shall reflect, in the case of multiple positive tests as described in paragraph (d), whether they constitute a single violation. The Stewards' or Commission Ruling shall be posted on the official website of the Commission and within the official database of the Association of Racing Commissioners International. If an appeal is pending, that fact shall be noted in such Ruling. No points shall be applied until a final adjudication of the enforcement of any such violation.
- (c) A trainer's cumulative points for violations in all racing jurisdictions shall be maintained by the ARCI. Once all appeals are waived or exhausted, the points shall immediately become part of the trainer's official ARCI record and shall be considered by the Commission in its determination to subject the trainer to the mandatory enhanced penalties by the Stewards or Commission as provided in this regulation.
- (d) Multiple positive tests for the same medication incurred by a trainer prior to delivery of official notice by the commission may be treated as a single violation. In the case of a positive test indicating multiple substances found in a single post-race sample, the Stewards may treat each substance found as an individual violation for which points will be assigned, depending upon the facts and circumstances of the case.
- (e) The official ARCI record shall be used to advise the Stewards or Commission of a trainer's past record of violations and cumulative points. Nothing in this administrative regulation shall be construed to confer upon a licensed trainer the right to appeal a violation for which all remedies have been exhausted or for which the appeal time has expired as provided by applicable law.
- (f) The Stewards or Commission shall consider all points for violations in all racing jurisdictions as contained in the trainer's official ARCI record when determining whether the mandatory enhancements provided in this regulation shall be imposed.
- (g) In addition to the penalty for the underlying offense, the following enhancements shall be imposed upon a licensed trainer based upon the cumulative points contained in his/her official ARCI record:

Points	Suspension in days
5-5.5	15 to 30
6-8.5	30 to 60
9-10.5	90 to 180
11 or more	180 to 360

MMV penalties are not a substitute for the current penalty system and are intended to be an additional uniform penalty when the licensee:

- (i) Has had more than one medication violation for the relevant time period, and
- (ii) Exceeds the permissible number of points.

The Stewards and Commission shall consider aggravating and mitigating circumstances, including the trainer's prior record for medication violations, when determining the appropriate penalty for the underlying offense. The MMP is intended to be a separate and additional penalty for a pattern of violations.

- (h) The suspension periods as provided in Section 13(g) shall run consecutive to any suspension imposed for the underlying offense.
- (i) The Stewards' or Commission Ruling shall distinguish between the penalty for the underlying offense and any enhancement based upon a Stewards or Commission review of the trainer's cumulative points and regulatory record, which may be considered an aggravating factor in a case.
- (j) Points shall expire as follows:

Penalty Classification	Time to Expire
A	3 years
B	2 years
C	1 year

In the case of a medication violation that results in a suspension, any points assessed expire on the anniversary date of the date the suspension is completed.

C. Medication Restrictions

- (1) A finding by the commission approved laboratory of a prohibited drug, chemical or other substance in a test specimen of a horse is prima facie evidence that the prohibited drug, chemical or other substance was administered to the horse and, in the case of a post-race test, was present in the horse's body while it was participating in a race. Prohibited substances include:
 - (a) Drugs or medications for which no acceptable threshold concentration has been established;

- (b) Controlled therapeutic medications in excess of established threshold concentrations or administration within the restricted time period as set forth in the ARCI Controlled Therapeutic Medication Schedule, Version 2.2.;
 - (c) Substances present in the horse in excess of concentrations at which such substances could occur naturally; and
 - (d) Substances foreign to a horse at concentrations that cause interference with testing procedures.
- (2) Except as otherwise provided by this chapter, a person may not administer or cause to be administered by any means to a horse a prohibited drug, medication, chemical or other substance, including any restricted medication pursuant to this chapter during the 24-hour period before post time for the race in which the horse is entered.

D. Medical Labeling

- (1) No person on association grounds where horses are lodged or kept, excluding licensed veterinarians, shall have in or upon association grounds which that person occupies or has the right to occupy, or in that person's personal property or effects or vehicle in that person's care, custody or control, a drug, medication, chemical, foreign substance or other substance that is prohibited in a horse on a race day unless the product is labeled in accordance with this subsection.
- (2) All allowable medications must have a prescription label which is securely attached to the medication container and clearly ascribed to show the following:
- (a) name, address, and telephone number of the pharmacy or veterinarian dispensing the medication;
 - (b) prescription number when dispensed by a pharmacy if required by law;
 - (c) date prescription filled;
 - (d) name of the prescribing veterinarian;
 - (e) name of the horse for whom the medication is prescribed or dispensed;
 - (f) name of the trainer or owner of the horse for whom the product was dispensed;
 - (g) dose, dosage, route of administration, and duration of treatment of the prescribed product (instructions for use);
 - (h) name, active ingredient, quantity prescribed, expiration date (if applicable), beyond use date (if applicable), and lot number (if applicable); and
 - (i) cautionary statements (if any), and if applicable, withdrawal time.
- (3) The use of an expired medication is considered a violation of this rule.
- (4) Any medication that has a label that is missing, illegible, tampered with or altered, or in any other way does not comply with this section shall be considered a violation of these rules.
- (5) Any licensee that voluntarily surrenders any non-compliant medication shall not be considered to be in violation of the medication rules described in this section and/or ARCI-011-020(D). A surrender shall not be deemed voluntary after a licensee has been advised or it is apparent that an investigatory search has commenced.

E. Non-Steroidal Anti-Inflammatory Drugs (NSAIDs)

- (1) The use of NSAIDs shall be governed by the following conditions:
- (a)
 - (b) NSAIDs included in the ARCI Controlled Therapeutic Medication Schedule, Version 2.2, are not to be used in a manner inconsistent with the restrictions contained therein. NSAIDs not included on the ARCI Controlled Therapeutic

Medication Schedule, Version 2.2, are not be present in a racing horse biological sample at the laboratory concentration of detection.

- (c) The presence of more than one NSAID may constitute a NSAID stacking violation consistent with the following restrictions:

A. A Class 1 NSAID Stacking Violation (Penalty Class B) occurs when:

- i. Two non-steroidal anti-inflammatory drugs are found at individual levels determined to exceed the following restrictions:
 - a. Diclofenac – 5 nanograms per milliliter of plasma or serum;
 - b. Firocoxib - 20 nanograms per milliliter of plasma or serum;
 - c. Flunixin – 20 nanograms per milliliter of plasma or serum;
 - d. Ketoprofen – 2 nanograms per milliliter of plasma or serum;
 - e. Phenylbutazone – 2 micrograms per milliliter of plasma or serum; or
 - f. all other non-steroidal anti-inflammatory drugs – laboratory concentration of detection
- ii. Three or more non-steroidal anti-inflammatory drugs are found at individual levels determined to exceed the following restrictions:
 - a. Diclofenac – 5 nanograms per milliliter of plasma or serum;
 - b. Firocoxib - 20 nanograms per milliliter of plasma or serum;
 - c. Flunixin – 3 nanograms per milliliter of plasma or serum;
 - d. Ketoprofen – 1 nanograms per milliliter of plasma or serum;
 - e. Phenylbutazone – 0.3 micrograms per milliliter of plasma or serum; or
 - f. all other non-steroidal anti-inflammatory drugs – laboratory concentration of detection.

B. A Class 2 NSAID Stacking Violation (Penalty Class C) occurs when:

- i. Any one substance noted in Subsection (A)(i) above is found in excess of the restrictions contained therein in combination with any one of the following substances at levels below the restrictions so noted but in excess of the following levels:
 - a. Flunixin – 3 nanograms per milliliter of plasma or serum;
 - b. Ketoprofen – 1 nanogram per milliliter of plasma or serum; or
 - c. Phenylbutazone – 0.3 micrograms per milliliter of plasma or serum;

C. A Class 3 NSAID Stacking Violation (Penalty Class C, fines only) occurs when:

- i. Any combination of two of the following non-steroidal anti-inflammatory drugs are found at or below the restrictions in Subsection (A)(i)(a through e) above but in excess of the noted restrictions:
 - a. Flunixin – 3 nanograms per milliliter of plasma or serum;
 - b. Ketoprofen – 1 nanogram per milliliter of plasma or serum; or
 - c. Phenylbutazone – 0.3 micrograms per milliliter of plasma or serum;

- (2) Any horse to which a NSAID has been administered shall be subject to having a blood and/or urine sample(s) taken at the direction of the official veterinarian to

determine the quantitative NSAID level(s) and/or the presence of other drugs which may be present in the blood or urine sample(s).

F. Furosemide

- (1) Furosemide may be administered intravenously to a horse, which is entered to compete in a race. Except under the instructions of the official veterinarian or the racing veterinarian for the purpose of removing a horse from the Veterinarian's List or to facilitate the collection of a post-race urine sample, furosemide shall be permitted only after the official veterinarian has placed the horse on the Furosemide List. In order for a horse to be placed on the Furosemide List the following process must be followed.
 - (a) After the horse's licensed trainer and licensed veterinarian determine that it would be in the horse's best interests to race with furosemide the official veterinarian or his/her designee shall be notified using the prescribed form, that the horse is to be put on the Furosemide List.
 - (b) The form must be received by the official veterinarian or his/her designee by the proper time deadlines so as to ensure public notification.
 - (c) A horse placed on the official Furosemide List must remain on that list unless the licensed trainer and licensed veterinarian submit a written request to remove the horse from the list. The request must be made to the official veterinarian or his/her designee, on the proper form, no later than the time of entry.
 - (d) After a horse has been removed from the Furosemide List, the horse may not be placed back on the list for a period of 60 calendar days unless it is determined to be detrimental to the welfare of the horse, in consultation with the official veterinarian. If a horse is removed from the official Furosemide List a second time in a 365-day period, the horse may not be placed back on the list for a period of 90 calendar days.
 - (e) Furosemide shall only be administered on association grounds.
 - (f) Furosemide shall be the only authorized bleeder medication
- (2) The use of furosemide shall be permitted under the following circumstances on association grounds where a detention barn is utilized:
 - (a) Furosemide shall be administered by the official veterinarian, the racing veterinarian or his/her designee no less than four hours prior to post time for the race for which the horse is entered.
 - (b) Any veterinarian or vet techs participating in the administration process must be prohibited from working as private veterinarians or technicians on the race track or with participating licensees;
 - (c) A horse qualified for furosemide administration must be brought to the detention barn within time to comply with the four-hour administration requirement specified above.
 - (d) The dose administered shall not exceed 500 mg. nor be less than 150 mg.
 - (e) Furosemide shall be administered by a single, intravenous injection.
 - (f) After treatment, the horse shall be required by the Commission to remain in the detention barn in the care, custody and control of its trainer or the trainer's

designated representative under association and/or Commission security supervision until called to the saddling paddock.

- (3) The use of furosemide shall be permitted under the following circumstances on association grounds where a detention barn is not utilized:
 - (a) Furosemide shall be administered by the official veterinarian, the racing veterinarian or his/her designee no less than four hours prior to post time for the race for which the horse is entered.
 - (b) Any veterinarian or vet techs participating in the administration process must be prohibited from working as private veterinarians or technicians on the race track on or with participating licensees;
 - (c) The furosemide dosage administered shall not exceed 500 mg. nor be less than 150 mg.
 - (d) Furosemide shall be administered by a single, intravenous injection.
 - (e) After treatment, the horse shall be required by the Commission to remain in the proximity of its stall in the care, custody and control of its trainer or the trainer's designated representative under general association and/or Commission security surveillance until called to the saddling paddock.
- (4) Test results must show a detectable concentration of the drug in the post-race serum, plasma or urine sample.
 - (a) The specific gravity of post-race urine samples may be measured to ensure that samples are sufficiently concentrated for proper chemical analysis. The specific gravity shall not be below 1.010. If the specific gravity of the urine is found to be below 1.010 or if a urine sample is unavailable for testing, quantitation of furosemide in serum or plasma shall be performed;
 - (b) Quantitation of furosemide in serum or plasma shall be performed when the specific gravity of the corresponding urine sample is not measured or if measured below 1.010. Concentrations may not exceed 100 nanograms of furosemide per milliliter of serum or plasma.
- (5) The administering authority or association may assess a fee approved by the commission on licensed owners of treated horses to recoup the reasonable costs associated with the administration of furosemide in the manner prescribed in these rules.

G. Bleeder List

- (1) The official veterinarian shall maintain a Bleeder List of all horses, which have demonstrated external evidence of exercise induced pulmonary hemorrhage from one or both nostrils during or after a race or workout as observed by the official veterinarian.
- (2) Every confirmed bleeder, regardless of age, shall be placed on the Bleeder List and be ineligible to race for the following time periods:
 - (a) First incident – 14 days;
 - (b) Second incident within 365 day period – 30 days;
 - (c) Third incident within 365 day period – 180 days;

- (d) Fourth incident within 365-day period – barred for racing lifetime.
- (3) For the purposes of counting the number of days a horse is ineligible to run, the day the horse bled externally is the first day of the recovery period.
- (4) The voluntary administration of furosemide without an external bleeding incident shall not subject the horse to the initial period of ineligibility as defined by this policy.
- (5) A horse may be removed from the Bleeder List only upon the direction of the official veterinarian, who shall certify in writing to the stewards the recommendation for removal.
- (6) A horse which has been placed on a Bleeder List in another jurisdiction pursuant to these rules shall be placed on a Bleeder List in this jurisdiction.

H. Environmental Contaminants and Substances of Human Use

- (1) Environmental contaminants are either endogenous to the horse or can arise from plants traditionally grazed or harvested as equine feed or are present in equine feed because of contamination during the cultivation, processing, treatment, storage or transportation phases.
- (2) Substances of human use and addiction may be found in the horse due to its close association with humans.
- (3) If the preponderance of evidence presented in the hearing shows that a positive test is the result of environmental contamination, including inadvertent exposure due to human drug use, or dietary intake, or is endogenous to the horse, those factors should be considered in mitigation of any disciplinary action taken against the affected trainer. Disciplinary action shall only be taken if test sample results exceed the regulatory thresholds in the most recent version of the ARCI Endogenous, Dietary, or Environmental Substances Schedule.
- (4) The identification and adoption of these uniform thresholds for certain substances shall not preclude an individual jurisdiction from maintaining thresholds for substances not on this list which predate the adoption of this regulation in such jurisdiction.

I. Androgenic-Anabolic Steroids (AAS)

- (1) No AAS shall be permitted in test samples collected from racing horses except for endogenous concentrations of the naturally occurring substances **boldenone**, **nandrolone**, and testosterone at concentrations less than the indicated thresholds.
- (2) Concentrations of these AAS shall not exceed the following free (*i.e.*, not conjugated) steroid concentrations in plasma or serum:
 - (a) Boldenone – A confirmatory threshold not greater than 25 picograms/milliliter for all horses, regardless of sex;
 - (b) Nandrolone – A confirmatory threshold not greater than 25 picograms/milliliter for fillies, mares, and geldings; males horses other than geldings shall be tested for Nandrolone in urine (see (2)(b)(B) below);
 - (c) Testosterone – A confirmatory threshold not greater than 25 picograms/milliliter for fillies, mares, and gelding.
- (3) Total concentrations of these AAS shall not exceed the following total concentrations in urine after hydrolysis of conjugates:
 - (a) Boldenone - A confirmatory threshold not greater than 1 nanogram/milliliter for fillies, mares, and geldings; a confirmatory threshold not greater than 15 nanograms/milliliter in male horses other than geldings;

- (b) Nandrolone - A confirmatory threshold not greater than 1 nanogram/milliliter for fillies, mares, and geldings; a confirmatory threshold not greater than 45 nanograms/milliliter (as 5 α -estrane-3 β ,17 α -diol) of urine in male horses other than geldings;
- (c) Testosterone – A confirmatory threshold of not greater than 55 nanograms/milliliter of urine in fillies and mares (unless in foal); a confirmatory threshold of not less than 20 nanograms/milliliter in geldings
- (4) Any other AAS are prohibited in racing horses.
- (5) The sex of the horse must be identified to the laboratory on all pre-race and post-race samples designated for AAS testing.
- (6) If an anabolic steroid has been administered to a horse in order to assist in its recovery from illness or injury, that horse may be placed on the Veterinarian's List in order to monitor the concentration of the drug or metabolite in urine or blood. After the concentration has fallen below the designated threshold for the administered AAS, the horse is eligible to be removed from the list.

J. Alkalinizing Substances

The use of agents that elevate the horse's TCO₂ or Base excess level above those existing naturally in the untreated horse at normal physiological concentrations is prohibited. The following levels also apply to blood gas analysis:

- (1) The regulatory threshold for TCO₂ is 37.0 millimoles per liter of plasma/serum or a base excess level of 10.0 millimoles, and;
- (2) The decision level to be used for the regulation of TCO₂ is 37.0 millimoles per liter of plasma/serum plus the measurement uncertainty of the laboratory analyzing the sample, or a base excess level of 10.4 millimoles per liter of plasma/serum.

K. Compounded Medications on Association Grounds

- (1) The possession or use of a drug, substance, or medication on Association Grounds that has not been approved by the appropriate federal agency (e.g., the United States Food and Drug Administration in the United States) for any use in (human or animal) is forbidden without prior permission of the Commission or its designee.
- (2) It is a violation of this regulation to possess, use, or distribute a compounded medication on Association Grounds if there is an FDA approved equivalent of that substance available for purchase. A difference in available formulations or concentrations does not alleviate the need to use FDA approved products.
- (3) It is a violation of this regulation to possess, use, or distribute a compounded medication on Association Grounds made from bulk substances if an FDA approved equivalent is available for purchase.
- (4) Combining two or more substances with pharmacologic effect constitutes the development of a new drug. This may only be done in accordance with state and local laws and must contain FDA approved medications, if available.
- (5) Compounded veterinary drugs. Veterinary drugs shall be compounded in accordance with all applicable state and federal laws. Compounded medication shall be dispensed only by prescription issued by a licensed veterinarian to meet the medical needs of a specific horse and for use only in that specific horse
- (6) Labels on compounded veterinary drugs. All compounded medications must be labeled in accordance with section ARCI-011-020(D) : Medical Labeling
- (7) Possession of an improperly labeled product by any person on Association Grounds is considered a violation of this section.

Adopted in Version 1.4 ARCI 8/27/02 NAPRA 10/2/02
Version 1.4 to 2.0 ARCI 4/26/03 NAPRA 4/14/03: Rule topic was renumbered to ARCI-011-023
Version 2.1 to 3.0 ARCI 4/3/04 NAPRA 4/3/04: Amended and modified new rule language
Version 3.2 to 3.3 ARCI 12/7/05: Added and modified rule language
Version 4.0 to 4.1 ARCI 4/26/07: Added new rule language
Version 4.1 to 4.15 ARCI Board of Directors meeting 12/5/2007: Amended rule language
Version 4.3 to 4.4 ARCI Board 12/10/08: Amended language
Version 4.4 to 4.5 ARCI 4/23/09: Amended language added Alkalinizing Substances
Version 4.7 to 4.8 ARCI Board 10/22/10 Amended language regarding Phenylbutazone level 5.0 to 2.0
Version 4.8 to 4.9 ARCI Board 7/27/11 Amended language regarding Class C penalties
Version 5.0 to 5.1 ARCI Board 4/27/2012 Made furosemide administration fee subject to approval of commission
Version 5.2 to 5.3 ARCI Board 12/7/12 included reference to “ARCI Controlled Therapeutic Medication Schedule”
Version 5.4 to 5.5 ARCI Board 7/31/13 included language adopting Multiple Medication Violations (MMV)
Version 5.5 to 5.6 ARCI Board 12/9/13 deleted ARCI-011-022 Anti-Ulcer Medications
Version 5.5 to 5.6 ARCI Board 12/9/2013 Added language establishing ARCI Endogenous, Dietary or Environmental Substances Schedule
Version 5.5 to 5.6 ARCI Board 12/9/2013 Added language pertaining to environmental contaminants
Version 5.5 to 5.6 ARCI Board 12/9/2013 Amended Androgenic-Anabolic Steroid language
Version 5.6 to 5.7 ARCI Board 4/9/2014 Amended language in ARCI-011-020 (B)(13) pertaining to Multiple Medication Violation (MMV)
Version 5.6 to 5.7 ARCI Board 4/9/2014 Added ARCI-011-010 (H)(4) pertaining to previously-regulated environmental contaminants thresholds in individual racing jurisdictions.
Version 5.7 to 5.8 ARCI Board of Directors 7/31/2014 Reconciled ARCI-011-020(A) with Uniform Classification Guidelines language.
Version 5.7 to 5.8 ARCI Board of Directors 7/31/2014 Updated ARCI-011-020(B) to reflect amended levels of Ketoprofen

Version 5.7 to 5.8 ARCI Board of Directors 7/31/2014 Amended ARCI-011-020(E) to reflect Class 1-3 NSAID Stacking Penalties
Version 5.7 to 5.8 ARCI Board of Directors 7/31/2014 Amended ARCI-011-020(H) in relation to Environmental Contaminants and Substances of Human Abuse
Version 5.8 to 5.9 ARCI Board 12/12/2014 Amended ARCI-011-020(E)(1)(c)(C)(i) Class 3 Anti-Stacking Violations
Version 5.8 to 5.9 ARCI Board 12/12/2014 Added ARCI-011-020(K) Compounded Medications on Association Grounds
Version 5.9 to 6.0 ARCI Board of Directors 7/16/2015 Amended ARCI-011-020(B) Penalties
Version 6.1 to 6.2 ARCI Meeting of the Members 3/24/2016 Amended ARCI-011-020 (D) Medical Labeling
Version 6.3 to 7.0, ARCI Board 12/09/2016; amended points assessed by penalty class, suspension length as determined by point totals (allowed for discretion in penalty length), and time required for point expiration.

ARCI-011-022 Out of Competition Testing

(1) Out-of-competition testing authorized. The commission may at a reasonable time on any date take blood, urine or other biologic samples as authorized by commission rules from a horse to enhance the ability of the commission to enforce its medication and anti-doping rules, *e.g.*, the Prohibited List pursuant to ARCI-011-015. The commission shall own such samples. This rule authorizes only the collection and testing of samples and does not independently make impermissible the administration to or presence in any horse of any drug or other substance. A race day prohibition or restriction of a substance by a commission rule is not applicable to an out-of-competition test unless there is an attempt to race the horse in a manner that violates such rule.

(2) Horses eligible to be tested. Any horse that has been engaging in activities related to competing in horse racing in the jurisdiction may be tested. This includes without

limitation any horses that are training outside the jurisdiction to participate in racing in the jurisdiction and all horses that are training in the jurisdiction, but excludes weanlings, yearlings and horses no longer engaged in horse racing (e.g., retired broodmares).

- (a) A horse is presumed eligible for out-of-competition testing if:
 - (i) It is on the grounds at a racetrack or training center under the jurisdiction of the commission;
 - (ii) It is under the care or control of a trainer licensed by the commission;
 - (iii) It is owned by an owner licensed by the commission;
 - (iv) It is entered or nominated to race at a premises licensed by the commission;
 - (v) It has raced within the previous 12 months at a premises licensed by the commission; or
 - (vi) It is nominated to a program based on racing in the jurisdiction, including without limitation a state thoroughbred development, breeder's award fund, or standardbred state sires stakes.
- (b) Such presumptions are conclusive in the absence of evidence that a horse is not engaged in activities related to competing in horse racing in the jurisdiction.

(3) Selection of horses to be tested.

- (a) Horses shall be selected for sampling by a commission Veterinarian, Executive Director, Equine Medical Director, Steward or Presiding Judge or a designee of any of the foregoing.
- (b) Horses may be selected to be tested at random, for cause, or as otherwise determined in the discretion of the commission.
- (c) Collectors shall for suspicion-less collections of samples abide by a plan that has been approved by a supervisor not in the field and identifies specific horses or provides neutral and objective criteria to follow in the field to determine which horses to sample. Such a supervisor may consider input from persons in the field during the operation of the plan and select additional horses to be sampled.

(4) Cooperation with the commission

- (a) Licensees of the commission are required to cooperate and comply fully with the provisions of this rule.
- (b) Persons who apply for and are granted a trainer or owner license shall be deemed to have given their consent for access at such premises as their horse may be found for the purpose of commission representatives collecting out-of-competition samples. Licensees shall take any steps necessary to authorize access by commission representatives at such premises.
- (c) No other person shall knowingly interfere with or obstruct a sampling.

(5) General procedure for collecting samples

- (a) Samples shall be taken under the supervision and direction of a person who is employed or designated by the commission. All blood samples shall be collected by a veterinarian licensed in the state where the sample is collected, or by a veterinary technician who is acting under appropriate supervision of the veterinarian.

(b) Upon request of a representative of the commission, the trainer, owner, or their specified designee shall provide the location of their horses eligible for out-of-competition testing.

(c) The commission need not provide advance notice before arriving at any location, whether or not licensed by the commission, to collect samples.

(d) The trainer, owner, or their specified designee shall cooperate with the person who takes samples for the commission, which cooperation shall include without limitation:

- (i) Assist in the immediate location and identification of the horse;
- (ii) Make the horse available as soon as practical upon arrival of the person who is responsible for collecting the samples;
- (iii) Provide a stall or other safe location to collect the samples;
- (iv) Assist the person who is collecting samples in properly procuring the samples; and
- (v) Witness the taking of samples including sealing of sample collection containers.

(e) The management and employees of a licensed racetrack or training facility at which a horse may be located shall cooperate fully with a person who is authorized to take samples. The person who collects samples for the commission may require that the collection be done at a specified location on such premises.

(f) The commission, if requested and in its sole discretion, may permit the trainer, owner, or their specified designee to present a horse that is located in the jurisdiction, but not at a racetrack or training center licensed by the commission, to be sampled at a time and location designated by the commission.

(6) Procedure for collecting samples from horses located outside the jurisdiction

(a) The commission may arrange for the sampling of an out-of-state horse by the racing commission or other designated person in the jurisdiction where the horse is located. Such racing commission or other designated person shall follow the relevant provisions of this rule, including paragraph (a) of subdivision five of this rule.

(b) The test results shall be made available, for its regulatory use, to each jurisdiction that has participated in the process of collecting any out-of-competition sample, subject to any restrictions on public disclosure of test results that apply to the commission that selected the horse for sampling.

(c) The commission, if requested and in its sole discretion, may permit the trainer or owner instead to transport the horse into its jurisdiction for sampling at a time and place designated by the commission.

(7) Additional procedures

(a) The person who takes samples for the commission shall provide identification and disclose the purpose of the sampling to the trainer or designated attendant of the horse.

(b) A written protocol for the collection of samples shall be made generally available.

(c) An owner or trainer does not consent to a search of the premises by making a horse that is not located at a racetrack or training center available for sampling.

(d) If the trainer or other custodian of a selected horse refuses or declines to make the horse available for sampling and the managing owner has previously provided the commission with a means for the commission to give immediate notification to the managing owner in such situation, then the commission shall attempt to notify the managing owner and the eligibility of the horse shall be preserved if the managing owner is able to make the horse available for immediate sampling. The commission is not required to make repeated attempts to notify the managing owner.

(e) The chain of custody record for the sample (including a split sample where appropriate) shall be maintained and made available to the trainer, owner, or their designee when a complaint results from an out-of-competition test.

(8) Analysis of collected samples

(a) The commission may have out-of-competition samples tested to produce information that may enhance the ability of the commission to enforce its medication and anti-doping rules.

(b) Split sample rules and procedures for post-race testing shall apply to out-of-competition testing.

(c) The commission may use any remaining sample for research and investigation.

(9) Penalties for non-cooperation

(a) Willful failure to make a horse available for sampling or other willfully deceptive acts or interference in the sampling process shall carry a minimum penalty of a one year license suspension and referral to the commission in addition to any other authorized penalties.

(b) A selected horse that is not made available for out-of-competition sampling shall be placed on the Steward's List. The horse shall remain on the Steward's List for a minimum of 180 days unless the owner can establish extraordinary mitigating circumstances.

(c) A selected horse that is presumed eligible for out-of-competition testing shall be placed on the Steward's list and be ineligible to race in the jurisdiction for 180 days if the horse is not sampled because the trainer, owner or their designee asserts that the horse is not engaged in activities related to competing in horse racing in the jurisdiction. This restriction shall not apply if the trainer, owner or their designee instead permits voluntarily an immediate collection of such samples from the horse.

(10) Responsible Persons

(a) The trainer of the horse is responsible for the condition of a horse sampled for an out-of-competition test while on the grounds of a licensed training facility or racetrack.

(b) If the horse is sampled while not on the grounds of a licensed training facility or racetrack, then the owner shall be presumed to be the responsible person unless the owner can establish, by substantial evidence, that another licensed person had accepted the responsibility for the care, custody, and control of the horse, making such person the responsible person.

(c) If a horse sampled for an out-of-competition test was claimed, sold, or otherwise transferred during the time the substance giving rise to the positive test may have been administered, then the Commission shall investigate to

- determine, by a preponderance of the evidence, the identity of the responsible person at the time such substance may have been administered.
- (d) If the Commission cannot determine a responsible person, then the Commission may deem the owner responsible and may place the horse on the veterinarian's list for such time as is necessary to protect the integrity of racing.
 - (e) A claimed horse is ineligible to be subjected to out-of-competition testing in the 48 hours post claim unless the horse was subjected to post race testing.

Adopted Version 4.1 ARCI 4/26/07

Version 6.3 to 7.0, ARCI Board of Directors, 12/09/2016; ARCI-011-022, Amended section title

Version 6.3 to 7.0, ARCI Board of Directors, 12/09/2016, ARCI-011-022, Amended subsections (1) through (6), added subsections (7), (8), and (9)

Version 8.1 to 8.2, ARCI Board of Directors, 12/08/2017, ARCI-011-022, Added subsection (10) "Responsible Persons."

ARCI-011-023 Testing

A. Reporting to the Test Barn

- (1) The official winning horse and any other horse ordered by the Commission and/or the stewards shall be taken to the test barn to have a blood and urine samples taken at the direction of the official veterinarian.
- (2) Random or extra testing may be required by the stewards or the Commission at any time on any horse on association grounds.
- (3) Unless otherwise directed by the stewards or the official veterinarian, a horse that is selected for testing must be taken directly to the test barn.
- (4) A track security guard shall monitor access to the test barn area during and immediately following each racing performance. All persons who wish to enter the test barn area must be a minimum of 18-years-old, be currently licensed by the Commission, display their Commission identification badge and have a legitimate reason for being in the test barn area.

B. Sample Collection

- (1) Sample collection shall be done in accordance with the guidelines and instructions provided by the official veterinarian.
- (2) The official veterinarian shall determine a minimum sample requirement for the primary testing laboratory.
 - (a) If the specimen obtained from a horse is less than the minimum sample requirement, the entire specimen shall be sent to the primary testing laboratory.
 - (b) If a specimen obtained is greater than the minimum sample requirement but less than twice that amount, the portion of the sample that is greater than the minimum sample requirement shall be secured as the split sample.
 - (c) If a specimen obtained is greater than twice the minimum sample requirement, a portion of the sample approximately equal to the amount provided for the primary testing laboratory shall be secured as the split sample.
 - (d) Split samples collected for simultaneous determination of TCO₂ levels shall be collected and shipped in accordance with C. of this rule.

- (e) Blood samples must be collected at consistent time, preferably not later than one hour post-race.

C. Alkalinizing Substances

(1) Pre-race Sampling, Post-race Testing

- (a) Blood samples for TCO₂ and base excess testing should be collected within one hour pre-race. The samples must be handled in a consistent manner and cannot be frozen.
- (b) If a secure detention barn is available, a sample may be obtained prior to furosemide administration and the horse must be kept in the secure detention barn until race time.
- (c) The provisions of this rule pertaining to B. Sample Collection and C. Storage and Shipment of Split Samples shall not apply to blood samples drawn for TCO₂ analysis.
- (d) Split sample analyses of TCO₂ must be run in parallel with the official sample at the official laboratory in order to avoid delays in testing that result in lower TCO₂ values as a result of sample degradation.
- (e) Blood samples must be processed within 120 hours and tested using standardized, reproducible, validated procedures.

(2) Pre-race Sampling, Pre-race Testing

- (a) The commission shall adopt standard operating procedures that include but is not limited to calibration procedures, sampling procedures, personnel and notification processes.
- (b) If a sample taken pre-race is determined to be above the thresholds stated in ARCI-011-020(J)(2) the horse shall be scratched.
- (c) Any owner, trainer or other licensed delegate of the owner or trainer who refuses or fails to permit any horse to be tested when a demand for testing has been made by an authorized commission designee shall have the applicable horse scratched.

(3) Post-race Sampling, Post-race Testing

Post-race sampling of thoroughbreds is discouraged.

D. Storage and Shipment of Split Samples

(1) Split samples obtained in accordance with Subsection B, Numbers 2b and 2c above shall be secured and made available for further testing in accordance with the following procedures:

- (a) A split sample shall be secured in the test barn under the same manner as the portion of the specimen acquired for shipment to a primary laboratory until such time as specimens are packed and secured for shipment to the primary laboratory. Split samples shall then be transferred to a freezer at a secure location approved by the Commission.
- (b) A freezer for storage of split samples shall be equipped with two hasps or other devices to provide for use of two independent locks. One lock shall be the property of the Commission and one lock shall be the property of a representative of the group representing a majority of the horsemen at a race meeting. The locks shall be closed and locked so as to prevent access to the freezer at all times except as specifically provided by these rules.

- (c) A freezer for storage of split samples shall be opened only for depositing or removing split samples, for inventory, or for checking the condition of samples.
 - (d) When a freezer used for storage of split samples is opened, it shall be attended by both a representative of the Commission and the owner, trainer or designee. A log shall be maintained that shall be used each time a split sample freezer is opened to specify each person in attendance, the purpose for opening the freezer, identification of split samples deposited or removed, the date and time the freezer was opened, and the time the freezer was closed and to verify that both locks were secured prior to and after opening of the freezer.
 - (e) Any evidence of a malfunction of a split sample freezer or samples that are not in a frozen condition during storage shall be documented in the log and immediately reported to the official veterinarian or a designated Commission representative.
- (2) Provisions for split sample testing for TCO₂ analysis shall be arranged by the trainer or designee at the time of sampling. The trainer shall be responsible for the cost of split sample testing. The trainer or designee shall make arrangements for payment prior to or at the time of sampling. Split sample analysis of TCO₂ must be run in parallel with the official sample at the official laboratory as described in C. of this rule.
 - (3) A trainer or owner of a horse having been notified that a written report from a primary laboratory states that a prohibited substance has been found in a specimen obtained pursuant to these rules may request that a split sample corresponding to the portion of the specimen tested by the primary laboratory be sent to another laboratory approved by the Commission. The request must be made in writing and delivered to the stewards not later than three (3) business days after the trainer of the horse receives written notice of the findings of the primary laboratory. Any split sample so requested must be shipped within an additional 48 hours.
 - (4) The owner or trainer requesting testing of a split sample shall be responsible for the cost of shipping and testing. Failure of the owner, trainer or designee to appear at the time and place designated by the official veterinarian shall constitute a waiver of all rights to split sample testing. Prior to shipment, the Commission shall confirm the split sample laboratory's willingness to simultaneously provide the testing requested, the laboratory's willingness to send results to both the person requesting the testing and the Commission, and arrangements for payment satisfactory to the split sample laboratory. If a reference laboratory will accept split samples, that laboratory must be included among the laboratories approved for split sample testing.
 - (5) Prior to opening the split sample freezer, the Commission shall provide a split sample chain of custody verification form that shall provide a place for recording the following information and such other information as the official veterinarian may require. The form shall be fully completed during the retrieval, packaging, and shipment of the split sample. The split sample chain of custody form requirements are:
 - (a) The date and time the sample is removed from the split sample freezer;
 - (b) The sample number;
 - (c) The address where the split sample is to be sent;
 - (d) The name of the carrier and the address where the sample is to be taken for shipment;

- (e) Verification of retrieval of the split sample from the freezer;
 - (f) Verification of each specific step of the split sample packaging in accordance with the recommended procedure;
 - (g) Verification of the address of the split sample laboratory on the split sample package;
 - (h) Verification of the condition of the split sample package immediately prior to transfer of custody to the carrier; and
 - (i) The date and time custody of the sample is transferred to the carrier.
- (6) A split sample shall be removed from the split sample freezer by a Commission representative in the presence of a representative of the horsemen's association.
 - (7) The owner, trainer or designee shall pack the split sample for shipment in the presence of the representative of the Commission, in accordance with the packaging procedures recommended by the Commission. A form shall be signed by both the horsemen's representative and the Commission representative to confirm the packaging of the split sample. The exterior of the package shall be secured and identified with initialed tape, evidence tape or other means to prevent tampering with the package.
 - (8) The package containing the split sample shall be transported in a manner prescribed by the commission to the location where custody is transferred to the delivery carrier charged with delivery of the package to the Commission-approved laboratory selected by the owner or trainer.
 - (9) The owner, trainer or designee and the Commission representative shall inspect the package containing the split sample immediately prior to transfer to the delivery carrier to verify that the package is intact and has not been tampered with.
 - (10) The split sample chain of custody verification form shall be completed and signed by the representatives of the Commission and the owner or trainer. A Commission representative shall keep the original and provide a copy for the owner or trainer.

E. Frozen Samples

The commission has the authority to direct the official laboratory to retain and preserve by freezing samples for future analysis. Positive Tests arising from this analysis are subject to penalties in effect on the date of the race. The fact that purse money has been distributed prior to the issuance of a laboratory report from the future analysis of a frozen sample shall not be deemed a finding that no drug substance prohibited by these rules has been administered.

F. Laboratory Minimum Standards

Laboratories conducting either primary or split post-race sample analysis must meet at least the following minimum standards.

- (1) A testing laboratory must be accredited by an accrediting body designated by the Association of Racing Commissioners International to standards set forth and required by the Commission or the Association of Racing Commissioners International.
- (2) A testing laboratory must have, or have access to, LC/MS instrumentation for screening and/or confirmation purposes.
- (3) A testing laboratory must be able to meet minimum standards of detection, which is defined as the specific concentration at which a laboratory is expected to detect the presence of a particular drug and/or metabolite or by the adoption of a regulatory threshold.

Adopted in Version 1.4 ARCI 8/27/02 NAPRA 10/2/02
Version 1.4 to 2.0 ARCI 4/26/03 NAPRA 4/14/03: Rule topic was renumbered from ARCI-011-020
Version 2.1 to 3.0 ARCI 4/3/04 NAPRA 4/3/04: Amended and modified rule language
Version 4.0 to 4.1 ARCI 4/26/07: Added new rule language
Version 4.1 to 4.2 ARCI 3/36/08: Added new rule language
Version 4.4 to 4.5 ARCI 4/23/09 Amended language TCO2 Testing added
Version 5.2 to 5.3 ARCI Board 12/7/12 Amended language regarding penalties if positive test using frozen samples
Version 5.7 to 5.8 ARCI Board of Directors 7/31/2014 Amended ARCI-011-025(C)(2)(b) to reflect corrected numbering
Version 5.9 to 6.0 ARCI Board of Directors 7/16/2015 Amended ARCI-011-023(F) Laboratory Minimum Standards

ARCI-011-025 Trainer Responsibility

The purpose of this subsection is to identify responsibilities of the trainer that pertain specifically to the health and well being of horses in his/her care.

- (1) The trainer is responsible for the condition of horses entered in an official workout or race and is responsible for the presence of any prohibited drug, medication or other substance, including permitted medication in excess of the maximum allowable level, in such horses. A positive test for a prohibited drug, medication or substance, including permitted medication in excess of the maximum allowable concentration, as reported by a Commission-approved laboratory, is prima facie evidence of a violation of this rule. In the absence of substantial evidence to the contrary, the trainer shall be responsible.
- (2) A trainer shall prevent the administration of any drug or medication or other prohibited substance that may cause a violation of these rules.
- (3) For a horse not on association grounds at the time the drug or medication is prescribed and such medication is not prescribed by a veterinarian licensed by the commission, the trainer shall have 14 days from the time the horse enters association grounds to:
 - (a) exhaust any supply of medication validly prescribed pursuant to ARCI-011-010(B)(6); or
 - (b) consult with a veterinarian licensed by the Commission to review the medication(s) in his or her possession to determine:
 - i. if all medications comply with the medical labeling requirements described in ARCI-011-020(D); and
 - ii. If the medications are permitted for use in a racehorse under applicable law.
- (4) The trainer of the horse that has a medication reviewed in Subsection 3 shall sign a form approved by the Commission certifying that the required review described in Subsection 3 has been undertaken. The form shall be filed with the Commission prior to the expiration of the 14 days described in Subsection 3.
- (5) Any medication that does not comply with Subsection 3, Subsection 4, and the medical labeling requirements in ARCI-011-020(D) is considered to be in violation of these rules.
- (6) A trainer whose horse has been claimed remains responsible for any violation of rules regarding that horse's participation in the race in which the horse is claimed.
- (7) The trainer is responsible for:
 - (a) Maintaining the assigned stable area in a clean, neat and sanitary condition at all times;

- (b) Using the services of those veterinarians licensed by the Commission to attend horses that are on association grounds;
- (8) Additionally, with respect to horses in his/her care or custody, the trainer is responsible for:
 - (a) The proper identity, custody, care, health, condition and safety of horses;
 - (b) Ensuring that at the time of arrival at locations under the jurisdiction of the Commission a valid health certificate and a valid negative Equine Infectious Anemia (EIA) test certificate accompany each horse and which, where applicable, shall be filed with the racing secretary;
 - (c) Having each horse in his/her care that is racing, or is stabled on association grounds, tested for Equine Infectious Anemia (EIA) in accordance with the jurisdiction's law and for filing evidence of such negative test results with the racing secretary;
 - (d) Using the services of those veterinarians licensed by the Commission to attend horses that are on association grounds;
 - (e) Immediately reporting the alteration of the sex of a horse to the horse identifier and the racing secretary;
 - (f) Promptly reporting to the racing secretary and the official veterinarian when a posterior digital neurectomy (heel nerving) is performed and ensuring that such fact is designated on its certificate of registration;
 - (g) Promptly notifying the official veterinarian of any reportable disease and any unusual incidence of a communicable illness in any horse in his/her charge;
 - (h) Promptly reporting the serious injury and/or death of any horse at locations under the jurisdiction of the Commission to the stewards and the official veterinarian and compliance with the rules in this chapter governing post-mortem examinations;
 - (i) Maintaining a knowledge of the medication record and status;
 - (j) Immediately reporting to the stewards and the official veterinarian knowledge or reason to believe, that there has been any administration of a prohibited medication, drug or substance;
 - (k) Ensuring the fitness to perform creditably at the distance entered;
 - (l) Ensuring that every horse he/she has entered to race is present at its assigned stall for a pre-race soundness inspection as prescribed in this chapter;
 - (m) Ensuring proper bandages, equipment and shoes;
 - (n) Presence in the paddock at least 20 minutes before post time or at a time otherwise appointed before the race in which the horse is entered;
 - (o) Personally attending in the paddock and supervising the saddling thereof, unless excused by the stewards; and
 - (p) Attending the collection of a urine or blood sample or delegating a licensed employee or the owner to do so.

Adopted in Version 1.4 ARCI 8/27/02 NAPRA 10/2/02

Version 2.1 to 3.0 ARCI 4/3/04 NAPRA 4/3/04: Modify rule language

Version 6.1 to 6.2 ARCI Meeting of the Members 3/24/2016 Amended ARCI-011-025, Language pertaining to Medical Labeling

ARCI-011-030 Physical Inspection of Horses

A. Assessment of Racing Condition

- (1) Every horse entered to participate in an official race shall be subjected to a veterinary inspection prior to starting in the race for which it is entered.
- (2) The inspection shall be conducted by the official veterinarian or the racing veterinarian.
- (3) The agency or the association employing the examining veterinarian(s) should provide a staffing level of not less than 2 veterinarians.
- (4) The trainer of each horse or a representative of the trainer must present the horse for inspection as required by the examining veterinarian. Horses presented for examination must have bandages removed; the legs must be clean. Prior to examination horses may not be placed in ice nor shall any device or substance be applied that impedes veterinary clinical assessment.
- (5) The assessment of a horse's racing condition shall include:
 - (a) Proper identification of each horse inspected;
 - (b) Observation of each horse in motion;
 - (c) Manual palpation and passive flexion of both forelimbs;
 - (d) Visual inspection of the entire horse and assessment of overall condition;
 - (e) Clinical observation in the paddock and saddling area, during the parade to post and at the starting gate, during the running of the race, and following the race until the horse has exited the race track; and,
 - (f) Any other inspection deemed necessary by the official veterinarian and/or the racing veterinarian.
- (6) The official veterinarian and/or the racing veterinarian shall maintain a permanent continuing health and racing soundness record of each horse inspected.
- (7) The official veterinarian and/or the racing veterinarian are authorized access to any and all horses housed on association grounds regardless of entry status.
- (8) If, prior to starting, a horse is determined to be unfit for competition, or if the veterinarian is unable to make a determination of racing soundness, the veterinarian will recommend to the Stewards the horse be scratched.
- (9) Horses scratched upon the recommendation of the official veterinarian and/or the racing veterinarian are to be placed on the Veterinarian's List.

B. Veterinarian's List

- (1) The official veterinarian shall maintain the Veterinarian's List of all horses which are determined to be unfit to compete in a race due to illness, unsoundness, injury, infirmity, heat exhaustion, positive test or overage, administration of a medication invoking a mandatory stand down time, administration of shock-wave therapy, positive out-of-competition test, or any other assessment or determination by the regulatory veterinarian that the horse is unfit to race.
- (2) Horses so listed are ineligible to start in a race in any jurisdiction until released by an official veterinarian or racing veterinarian except when there is an unforeseen

administrative issue in releasing the horse from the Veterinarian's List of another racing jurisdiction.

- (3) A horse may be released from the Veterinarian's List when a minimum of seven days has passed from the time the horse was placed on the Veterinarian's List.
- (4) A horse placed on the Veterinarian's List for being unfit to compete in a race due to illness, physical distress, unsoundness, injury, infirmity, heat exhaustion, or any other assessment of determination by the regulatory veterinarian that warrants withdrawal from the race shall be released from the list only after the following has been met:
 - a. establish or demonstrate to the satisfaction of the official veterinarian or the racing veterinarian that the horse is serviceably sound and in fit physical condition to exert its best effort in a race or pass the Assessment of Racing Condition by the official veterinarian and/or the racing veterinarian,
 - b. provide a published work of a minimum of four furlongs at 0:52 for Thoroughbreds (220 yards at 13.3 seconds for Quarter Horses) observed by the official veterinarian and/or the racing veterinarian for horses that are listed as unsound or lame; other listed reasons above may be required to work at the discretion of the official veterinarian. Prior to such work, a declaration in writing must be provided by the attending veterinarian as to the fitness of the subject horse, and,
 - c. submit to a post-work biologic sample collection for laboratory confirmation for compliance with ARCI-011-020 at the expense of the current owner unless otherwise provided in the local jurisdiction. Violations of ARCI-011-020 may result in penalties consistent with ARCI-011 Equine Veterinary Practices, Health, and Medication.
- (5) A horse placed on the Veterinarian's List for Positive Test or Overage, administration of a medication invoking a mandatory stand down time, administration of shock-wave therapy, positive out-of-competition test, or any other veterinary administrative withdrawal shall be released from the list only after the following have been met:
 - a. establish or demonstrate to the satisfaction of the official veterinarian or the racing veterinarian that the horse is serviceably sound and in fit physical condition to exert its best effort in a race or it has passed the Assessment of Racing Condition by the official veterinarian and/or the racing veterinarian, and
 - b. at the discretion of the official veterinarian, it has provided a published work at a minimum of four furlongs in 0:52 (220 yards in 13.3 seconds for Quarter Horses) observed by the official veterinarian and/or the racing veterinarian and submit to a post-work biologic sample collection for laboratory confirmation for compliance with ARCI-011-020 at the expense of the current owner. Violations of ARCI-011-020 may result in penalties consistent with ARCI-011 Equine Veterinary Practices, Health, and Medication.
- (6) Horses having generated a positive finding on a biological sample collected pursuant to this section shall not be released from the vet's list until generating a negative test.

C. Postmortem Examinations

- (1) The Commission may require a postmortem examination of any horse that dies or is euthanized on association grounds.
- (2) The Commission may require a postmortem examination of any horse that dies or is euthanized at recognized training facilities within this jurisdiction.
- (3) If a postmortem examination is to be conducted, the Commission shall take possession of the horse upon death for postmortem examination. All shoes and equipment on the horse's legs shall be left on the horse.
- (4) If a postmortem examination is to be conducted, the Commission or its representative shall collect blood, urine, bodily fluids, or other biologic specimens immediately, if possible before euthanization. The Commission may submit blood, urine, bodily fluids, or other biologic specimens collected during a postmortem examination for analysis. The presence of a prohibited substance in a specimen collected during the postmortem examination may constitute a violation.
- (5) All licensees shall be required to comply with postmortem examination requirements as a condition of licensure. In proceeding with a postmortem examination the Commission or its designee shall coordinate with the owner or the owner's authorized agent to determine and address any insurance requirements.
- (6) Postmortem examinations shall be conducted according to the most recent edition of the *American Association of Equine Practitioners Guidelines for the Necropsy of Racehorses*.

Adopted in Version 1.4 ARCI 8/27/02 NAPRA 10/2/02

Version 2.1 to 3.0 ARCI 4/3/04 NAPRA 4/3/04: Modify rule language

Version 4.4 to 4.5 ARCI 4/23/09 Amend language

Version 4.6 to 4.7 ARCI Board 12/6/09 Amended Postmortem Examination

Version 7.0 to 8.0 ARCI Board 4/20/2017 Amended ARCI-011-030(B)

(EDITOR'S NOTE: The information below is included for commissions' use in case it is required because of it being cited in the above rule. It is not part of the Model Rules rather it is only included for reference.)

AAEP GUIDELINES FOR THE NECROPSY OF RACEHORSES

General Guidelines

The AAEP recommends that all horses that die or are euthanized at a licensed racetrack or training facility undergo a complete necropsy by a board-certified veterinary pathologist at an accredited veterinary diagnostic laboratory. Necropsy findings should be entered into The Jockey Club Equine Injury Database.

It is recommended that regular communication and interaction between the on-site regulatory veterinarian(s), practicing racetrack veterinarians, and the pathology staff at the diagnostic laboratory be established. This will enhance the necropsy process and the resultant information. It will also facilitate collaborative efforts when specific research interests are identified.

Transportation options for necropsy cases should be identified prior to need. Storage, pending transport, and transportation of the body should be managed in such a way that tissue degradation and the development of post-mortem artifacts are minimized. Care should also be taken to employ good infection control practices with respect to equine infectious and/or zoonotic disease.

If time or distance constraints preclude the transport of a deceased horse to the veterinary diagnostic laboratory, a field necropsy is recommended.

Field Necropsy

It is recommended for racetracks where field necropsy must be performed that a dedicated facility be available for performing necropsies. This facility should be located in a secluded area and be enclosed and covered for both privacy and protection from the elements. (A temperature-controlled environment is recommended in areas where extreme weather conditions may exist.) Facility design should allow an equine ambulance to drive through. The enclosure should contain a large, well-drained concrete or asphalt slab with a rough finish providing adequate traction. Ample hot and cold water supply and hose are required to clean the area. Disinfection and/or sanitization protocols should be employed following each necropsy.

Field necropsy requires advance communication with carcass removal companies to determine requirements to insure that necropsied remains can be removed. Carcass removal and disposal should be performed by a licensed animal disposal company and in compliance with local, state, and federal regulations.

Regulatory veterinarians are encouraged to seek guidance from veterinary pathologists to establish field necropsy protocols. Minimum standards for field necropsy are as follows:

For appendicular injuries, the affected limb at the site of the injury should undergo gross dissection (+/- diagnostic imaging, toxicology, histopathology) and appropriate documentation of findings (written description and photography). The necropsy report should include identification of the affected anatomical structure(s) including a description of gross lesions found in bones, joints, ligaments, tendons, skin and blood vessels.

For non-appendicular conditions, reasonable effort should be made to determine and document the cause of death. For sudden death occurring during or immediately after a race, the cardiovascular and respiratory systems warrant as comprehensive an examination as is possible.

Race-related Fatalities

For race-related fatalities, a 'best practice' inquest protocol is recommended that incorporates ante-mortem information (examples include: interviews with personnel relevant to the horse and/or the incident, exercise history, race replay video, medical history) and post-mortem findings.

Ante- or immediately post-mortem blood samples (and urine, when available) should be collected, maintained under chain of custody protocols, and submitted to the official racing laboratory.

Approved by the AAEP Board of Directors, August 2009.

Thoroughbred Rule 1211 Amendment Summary

This amendment prohibits horses from running without shoes, unless permission is obtained from the Stewards.

Thoroughbred Rule 1211 Mark Up

1211. A thoroughbred horse, starting in a race, shall not be shod with ordinary or training shoes or turn down shoes, or be allowed to start a race without shoes, unless the Stewards grant permission to run without shoes prior to the race. Horses entered to race or training at Oaklawn Park are prohibited from wearing toe grabs with a height greater than four millimeters, bends, jar caulks, stickers or any other appliance worn on the front shoes.

Thoroughbred Rule 1216 Amendment Summary

This amendment corrects the Lasix exception rule number from 1217, which is incorrect, to 1232, the correct Rule number, and adds the new 24-hour ban prior to post time, prohibiting the administration of any drug except Lasix.

Thoroughbred Rule 1216 Mark Up

1216. No person shall administer, permit or authorize the administration of any drug, narcotic, stimulant, tranquilizer, depressant, local anesthetic, steroids, NSAIDS or any substance which interferes with recognized testing procedures, except as permitted by Rule 1232, in any manner whatsoever, internally or externally, to any horse within 24 hours of the scheduled post time of the race in which the horse is entered to run. The administration of any drugs or chemical substance shall be done at the risk of the person or persons administering, authorizing or permitting the administration, and all such persons shall assume the risk that if the horse tests positive after an analysis by the Racing Commission Chemist, it shall be a violation of Rule 1233, whether the drug or chemical substance was administered before or after 24 hours prior to the scheduled post time.

Thoroughbred Rule 1231 Amendment Summary

This amendment lowers the allowable TCO₂ level from 39 to 37 millimoles per liter to comply with national standards for graded stakes races. This change was made on an emergency basis for 2017, and is required for graded stakes races at Oaklawn to be certified as meeting national industry standards.

Thoroughbred Rule 1231 Mark Up

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 NaHCO₃) 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 TCO₂ (total dissolved carbon dioxide) concentration level.

2. Blood samples for TCO₂ shall be drawn at the discretion of the State Veterinarian.

3. The TCO₂ 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 TCO₂ which exceeds the levels described above, the following penalties shall apply:

a. The first time the laboratory reports an excessive TCO₂ level, the trainer shall be fined \$1,000 and the purse shall be redistributed.

b. The second time the laboratory reports an excessive TCO₂ 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 TCO₂ 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 TCO₂ testing.

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

Thoroughbred Rule 1233 Amendment Summary

This amendment merely corrects the Rule number referenced from 1217 to 1232 to correct an error in the existing book.

Thoroughbred Rule 1233 Mark Up

1233. THE TRAINER SHALL BE RESPONSIBLE FOR AND BE THE ABSOLUTE INSURER OF THE CONDITION OF AN ENTRY THE TRAINER ENTERS REGARDLESS OF THE ACTS OF THIRD PARTIES. Should the chemical analysis of saliva, urine or blood specimen detect the presence of any drug, medication or chemical substances, including but not limited to narcotics, stimulants, tranquilizers, depressants, steroids, NSAIDS not specifically permitted by Rule 1232, or any substance which interferes with testing procedures, the trainer of the horse may, in the discretion of the Stewards, subject to appeal to the Racing Commission, be fined, suspended and ruled off the track. In addition, any other person responsible for the care or attendance of the horse may be penalized as determined by the Stewards or Racing Commission.

- (a) A licensed assistant trainer shall assume the same duties and responsibilities as imposed on the holder of a trainer's license. The designation of an assistant trainer shall not relieve the trainer's absolute responsibility for the condition of the entry, but shall, in addition, place the assistant trainer under such absolute responsibility. It is the intent of this Rule that both the trainer and the assistant trainer may, in the discretion of the Stewards or Racing Commission, be fined, ruled off or otherwise penalized under the absolute insurer Rule for the same incident or infraction.
- (b) The trainer shall be responsible for:
 - (1) Using the services of those veterinarians licensed by the Commission to attend horses that are on association grounds;
 - (2) Immediately reporting the alteration of the sex of a horse to the horse identifier and the racing secretary;

Thoroughbred Rule 1245 Amendment Summary

This amendment allows horses to be disqualified for the remainder of the calendar year rather than through the end of the Oaklawn meet in May of each year. In the past, a horse could violate a Rule near the end of the meet and be suspended for only a few days, until the end of the meet. Under this amendment, a horse can be suspended until December 31 of each year.

Thoroughbred Rule 1245 Mark Up

1245. Any horse that has been the subject of a fraudulent practice or other violation of the Rules may be disqualified by the Stewards for no longer period than the remainder of the calendar year.

Thoroughbred Rule 1269(f) Amendment Summary

This amendment prohibits the administration of drugs beginning 24 hours prior to post time and also contains language requiring the proper treatment of horses. The old Rule allowed the administration of drugs prior to 6:00 PM the day before the race. This amendment adopting a 24-hour ban is the standard in the industry.

Thoroughbred Rule 1269(f) Mark Up

1269. (f) Twenty-four hour ban.

(1) Except as provided in 1232, no substance shall be administered to a horse entered to race by hypodermic injection within 24 hours prior to the scheduled post time for the race in which the horse is entered;

(2) No foreign substance shall be administered to a horse entered to race by oral administration, nasogastric tubing, topical administration that can penetrate the skin, rectal infusion, suppository or inhalation, within 24 hours prior to the scheduled post time for the race in which the horse is entered.

(g) Humane Treatment of Horses.

(1) No person shall subject any animal to any form of cruelty, mistreatment, neglect, abuse, abandonment or injury on the grounds of a track licensee;

(2) No person shall deprive any animal of necessary care, sustenance, shelter or veterinary care on the grounds of a track licensee.

(h) Observe Sanitary, Safety Human Rules

A trainer shall see to it that the stables and immediate surrounding area assigned to him or her are sanitary at all times and that the common livestock practices are observed and that the fire prevention rules (especially no-smoking in the stable area) are strictly observed at all times.

Thoroughbred Rule 2069 Amendment Summary

This amendment lowers the breath and urine sample alcohol testing levels for jockeys to 0.00%. The old Rule would have allowed jockeys to have up to 0.05% alcohol concentration in their system.

Thoroughbred Rule 2069 Mark Up

2069. The Stewards may at any time require any licensee having direct physical contact with horses or direct responsibility for some portion of the day's racing program, or whose duties place him or her in a position of danger, or who commits an act that endangers a horse or human to provide breath or urine samples for analysis. If a licensee declines to provide a sample, or if a sample shows a positive level of any nonprescription, prohibited or illegal drug, or an alcohol concentration greater than 0.05 % and 0.00% for jockeys. The Stewards may decline to license or may suspend any license theretofore granted to, and may exclude any such person for a period not exceeding the licensing year and may fine any such person any amount up to the maximum amount permitted by Arkansas law.

Thoroughbred Rule 2169 Amendment Summary

This amendment requires owners to pay two jockeys if the owner double-books jockeys and one jockey does not ride in the race. This amendment is to protect jockeys who are double booked, and do not get to ride in a race.

Thoroughbred Rule 2169 Mark Up

2169.

(a) In the absence of a specific contract or special agreement, the following jockey mount fees apply:

<u>PURSE</u>	<u>WINNING MOUNT</u>	<u>SECOND MOUNT</u>	<u>THIRD MOUNT</u>	<u>LOSING MOUNTS</u>
Purses up to \$24,999	10% of win purse	5% of place purse	5% of show purse	\$70
\$25,000-49,999	10% of win purse	5% of place purse	5% of show purse	\$75
\$50,000-99,999	10% of win purse	5% of place purse	5% of show purse	\$85
\$100,000 and up	10% of win purse	5% of place purse	5% of show purse	\$105

(1) If any owner or trainer engages two or more jockeys for the same race, the owner or trainer shall be required to pay each of the jockeys the appropriate fee pursuant to Rule 2169 whether the jockey rides in the race or not.

(2) A jockey fee shall be considered earned when the jockey is weighed out by the Clerk of Scales for that race.

(b) If any owner or trainer engages two or more jockeys for the same race, the owner or trainer shall be required to pay each of the jockeys the appropriate fee pursuant to Rule #2169 whether the jockey rides in the race or not.

Thoroughbred Rule 2216 Amendment Summary

This amendment prohibits entries from being made by text message to the personal telephones of racing office employees.

Thoroughbred Rule 2216 Mark Up

2216--The Racing Secretary may also allow entries to be made by telephone or other electronic means in a manner and form acceptable to the Racing Secretary. Entries may not be made via text messages to the personal phone of any racing office employee.

Thoroughbred Rule 2281 Amendment Summary

This amendment provides a procedure for selecting entries when more than 12 horses enter a race.

Thoroughbred Rule 2281 Mark Up

2281--If more than twelve (12) horses are entered for any purse race, a list of names not to exceed six (6) may be drawn in order of preference from the overflow entries and listed as eligible to start, if originally carded horse or horses are excused from the race. ~~A new drawing shall be taken from all horses on the also-eligible list, and their order of eligibility and post positions shall be determined by the sequence in which they are drawn.~~ The owner or trainer of any horse on the also-eligible list shall, if he does not intend to start, so notify the Racing Secretary not later than scratch time.

Thoroughbred Rule 2094(g) Amendment Summary

This amendment clarifies the Stewards' authority to order licensees to attend hearings and produce documents when they are investigating a complaint or incident in a race.

Thoroughbred Rule 2094(g) Mark Up

2094. (g) The Stewards may issue a written directive or order requiring any licensee to submit documents or personally appear as part of a Stewards' investigation or inquiry.

Thoroughbred Rule 2094(h) Amendment Summary

This amendment ensures that all parties understand that appeals from Stewards' Rulings to the Commission are *de novo*.

Thoroughbred Rule 2094(h) Mark Up

2094. (h) The Commission is not bound by the findings or penalties imposed by the Stewards. In any appeal to the Commission from a Stewards' Ruling, the Commission shall determine all issues *de novo*.

Thoroughbred Rule 2094(i) Amendment Summary

This amendment requires owners/trainers of a horse that is placed on the Stewards List for poor or inconsistent performances to obtain the Stewards' permission prior to entering the horse to run again after the horse has been placed on the List.

Thoroughbred Rule 2094(i) Mark Up

2094. (i) The Stewards shall maintain a "List" of horses that they determine exhibit poor or inconsistent performances during a race. Horses placed on the "List" will not be allowed to enter a race until the Stewards have given the owner / trainer permission to enter the horse in a race subsequent to the date the horse is placed on the "List."

Thoroughbred Rule 2094(j) Amendment Summary

This amendment allows the Stewards to place a horse on the Stewards List when more than one person claims ownership of a horse, and provides that the ownership conflicts must be settled before the horse can be entered in a race.

Thoroughbred Rule 2094(j) Mark Up

2094. (j) The Stewards shall also place a horse on the Stewards' "List" when the Stewards determine there are questions or issues involving the proper owner(s) of the horse. All issues involving the ownership of a horse must be resolved prior to entry in a race.

Thoroughbred Rule 2094(k) Amendment Summary

This amendment requires an owner to give the Stewards immediate notice when the owner changes trainers for any horse. This amendment is necessary because the trainer is the absolute insurer of the condition of a horse entered to race.

Thoroughbred Rule 2094(k) Mark Up

2094. (k) No owner or trainer shall move, or permit to be moved, any horses in a trainer's care to another trainer without immediately notifying the Stewards.

Thoroughbred Rule 2162 Amendment Summary

This amendment prohibits advertising on jockeys' attire without the consent of the owner, the Stewards and the franchise holder.

Thoroughbred Rule 2162 Mark Up

2162. In riding a race, a jockey must be neat in appearance and must wear conventional attire and the racing colors of the owner or owners of the horse the jockey is riding. No advertising on the jockey's attire is permitted without the approval of the stewards, owner and the Franchise Holder.

Thoroughbred Rule 2444 Amendment Summary

This amendment governs a situation when an original claim is declared invalid in situations where there are multiple claims, and voids all remaining claims that were made for the horse, resulting in the horse being returned to the original owner.

Thoroughbred Rule 2444 Mark Up

2444. If more than one claim is filed for the same horse, the title to the horse shall be determined by lot under the direction and supervision of one or more of the Stewards. After title to the claimed horse is determined by lot under this rule, all other claims on that horse in a race shall be deemed null and void. Accordingly, if the winning claim determined by lot under this rule is subsequently ruled invalid for any reason, title to the horse shall be returned to the owner of the horse prior to the lot draw. The successful claimant shall be responsible for all expenses for the care and maintenance of the horse from the time the horse is transferred to the claimant until the time the horse is returned to the prior owner following invalidation of the winning claim.

Greyhound Rule 1359 Amendment Summary

This amendment authorizes fines up to \$100,000 for Rules violations, to conform the Rule to current Arkansas law. Some of the races at Southland have up to a million dollars in purses. Under the old Rule, the maximum fine was \$1,000.

Greyhound Rule 1359 Mark Up

1359. The Board of Judges shall take notice of corrupt and fraudulent practices and any other infraction of the Rules and Regulations of the Commission. The Board of Judges shall exclude from all places under their control persons who are ruled off. The Board of Judges may also exclude any person declared guilty of any corrupt or fraudulent practices by greyhound racing authorities of any other state or country. The Board of Judges may suspend for no greater period than the duration of the meeting plus 30 days, anyone whom they have authority to supervise, and/or they may impose a fine not exceeding the maximum amount authorized by Ark. Code Ann. 23-111-203. The Board of Judges may also suspend any person declared guilty of any corrupt or fraudulent practice by greyhound racing authorities of any other state or country. All such suspensions and fines must be paid to the Commission. If the punishment so imposed is not in the opinion of the Board of Judges sufficient, they shall so report to the Commission. The Board of Judges shall, each day, make a report in writing to the Commission of all infractions of the Rules and of all Rulings coming before them during the meeting.

Greyhound Rule 1362 Amendment Summary

This amendment authorizes fines up to \$100,000 for Rules violations, to conform the Rule to current Arkansas law. Some of the races at Southland have up to a million dollars in purses. Under the old Rule, the maximum fine was \$1,000.

Greyhound Rule 1362 Mark Up

1362. Any person, firm, Association, or corporation penalized or disciplined under the Law, or under these Rules, or who is otherwise aggrieved by any action, proceeding, or decision of a Racing Official or Franchise Holder licensed by the Commission may appeal to the Commission for a review of such action, proceeding, or decision by requesting a hearing before the Commission, which may take whatever action it deems appropriate, including the imposition of a fine not exceeding the maximum amount authorized by Ark. Code Ann. 23-111-203.