

ARKANSAS REGISTER

Proposed Rule Cover Sheet



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Name of Department _____

Agency or Division Name _____

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Previous Agency Name, If Applicable _____

Contact Person _____

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Name of Rule _____

Newspaper Name _____

Date of Publishing _____

Final Date for Public Comment _____

Location and Time of Public Meeting _____

Thoroughbred Rule 2263(A) Amendment Summary

This amendment governs eligibility of horses testing positive for certain drugs named in the rule; adds clenbuterol and the beta-2 agonists to the list of drugs tested for prior to a race. Any horse testing positive for clenbuterol and the other listed drugs shall not be eligible to start a race at Oaklawn until it subsequently tests negative for such substance in a form and substance acceptable to the Stewards.

Thoroughbred Rule 2263(A) Mark Up

2263(A)

(a) Any horse exhibiting a positive response to a test for the presence of any [clenbuterol or other beta-2 agonists, or](#) antibodies of any blood doping agent, including, but not limited to, Erythropoietin, Darbepoetin, Oxyglobin and Hemopure, (a “Blood Doping Agent”) shall be ineligible to start or race until the owner or trainer, at his or her own expense, provides proof, in a form and substance acceptable to the Stewards, of a subsequent negative test result for [the presence of clenbuterol or other beta-2 agonists and](#) antibodies of Blood Doping Agents from a laboratory approved by the Commission, provided any such test sample and test must be obtained and conducted under collection and test procedures acceptable to the Commission Veterinarian. The [beta-2 agonists and](#) Blood Doping Agents to be tested for shall include [clenbuterol](#), Erythropoietin, Darbepoetin, Oxyglobin, Hemopure and such other [beta-2 agonists and](#) blood doping agents determined from time to time by the Commission Veterinarian.

(b) Notwithstanding any inconsistent provision of these Rules, the trainer of the horse shall not be subject to application of the trainer’s responsibility penalty based solely on a finding by the laboratory that the [beta-2 agonist or](#) Blood Doping Agent first detected in the initial positive test remains present in the horse in a subsequent sample taken from that horse for purposes of any subsequent test for [beta-2 agonists and](#) Blood Doping Agents performed on the horse in an effort to determine the horse’s re-eligibility to start and race again pursuant to subsection (a) of this Rule.