CALIFORNIA HORSE RACING BOARD
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MEDICATION AND TRACK SAFETY COMMITTEE MEETING

of the **California Horse Racing Board** will be held on **Wednesday, August 19, 2015**, commencing at **10:00 a.m.,** at the **Del Mar Surfside Race Place, (Downstairs General Admission Area) 2260 Jimmy Durante Blvd., Del Mar,** California. Non-committee Board members attending the committee meeting may not participate in the public discussion, official committee vote or committee closed session.

AGENDA

Action Items:

1. Report and update on **California's medication violations for fiscal year 2014-2015.**

2. Discussion and action regarding the **proposed addition to CHRB Rule 1846.6, Postmortem Examination Review,** to require a postmortem examination review of each equine fatality within a CHRB inclosure.

3. Discussion and action regarding the **proposed addition of CHRB Rule 1866.1, Presence of Clenbuterol in Quarter Horses, and proposed amendment to CHRB Rule 1844, Authorized Medication,** to prohibit the presence of clenbuterol in a quarter horse test sample.

4. Discussion and action regarding the **proposed amendment to CHRB Rule 1843.3, Penalties for Medication Violations,** to adjust the penalties for medication violations.

5. Discussion and action regarding the **proposed amendment to CHRB Rule 1689.1, Safety Vest Required,** to extend the requirement to wear a safety vest to pony riders who pony or lead a horse or who are mounted on any horse on the grounds of a facility under the jurisdiction of the Board.

6. Discussion regarding the **proposed development of a CHRB rule to require continuing education for trainers as a condition for license renewal.**

7. Discussion regarding the **report from staff explaining the process and science used for maintaining track surface conditions at California racetracks.**

8. Discussion regarding a report on the **American Association for Equine Practitioners (AAEP) Prescription for Racing Reform A 10-Point Plan for Action.**

9. **General Business:** Communications, reports, requests for future actions of the Committee.

Additional information regarding this meeting may be obtained from Jacqueline Wagner at the CHRB Administrative Office, 1010 Hurley Way, Suite 300, Sacramento, CA 95825; telephone (916) 263-6000; fax (916) 263-6042. A copy of this notice can be located on the CHRB website at www.chrb.ca.gov. *Information for requesting disability related accommodation for persons with a disability who require aids or services in order to participate in this public meeting, should contact Jacqueline Wagner.

MEDICATION AND
TRACK SAFETY COMMITTEE
Madeline Auerbach, Chairman
Alex Solis, Member
Rick Baedeker, Executive Director
Jacqueline Wagner, Assistant Executive Director

STAFF ANALYSIS
REPORT AND UPDATE ON
CALIFORNIA'S MEDICATION VIOLATION
FOR FISCAL YEAR 2014-2015

Medication and Track Safety Committee Meeting
August 19, 2015

BACKGROUND

Business and Professions Code section 19580 provides that the Board shall adopt regulations to establish policies, guidelines, and penalties relating to equine medication in order to preserve and enhance the integrity of horse racing in the state. Business and Professions Code section 19581 states no substance of any kind shall be administered by any means to a horse after it has been entered to race in a horse race, unless the Board has, by regulation, specifically authorized the use of the substance and the quantity and composition thereof.

Board Rule 1843, Medication, Drugs and Other Substances, provides that no horse participating in a race shall carry in its body any drug substance or its metabolites or analogues, foreign to the horse except as hereinafter expressly provided. No drug substance shall be administered to a horse which is entered to compete in a race to be run in this state except for approved and authorized drug substances as provided in these rules.

Urine and blood samples are obtained post-race from the winner of every race, the horses finishing second and third in certain stakes races, and from any other horses selected at random from each program, as well as other horses designated by the stewards. Post-race testing includes in-depth testing for anabolic steroids, narcotics, tranquilizers, depressants and potent stimulates. A positive post race test sample will result in the Board taking action against the license of the responsible party. Any licensee found to be responsible for the presence or administration of any drug substance resulting in a positive test may be subject to penalties as set forth in the Board's rules and regulations.

The Board's Equine Medical Director is prepared to update the Committee on California's medication violations for fiscal year 2014-15.

RECOMMENDATION

The item is presented for discussion.

CHRB's drug and medication violations for fiscal year 2014-2015.

A total of 89 medication or drug violations occurred in FY13-14 including 4 Class 1,2, or 3 violations and 86 Class 4 or 5 violations out of 41.969 samples analyzed.

	Class 1, 2 or 3 Drugs	Class 4 or 5 Drugs
Post-race Urine & Bloods **(10,106 urine and 11,726 blood samples)**	4 (0.04%)	73 (0.72%)
Work Bloods **(505 blood samples)**	None	13 (2.0%)
TCO2 **(18,234 Pre-race samples)**	None	N/A
Out of Competition **(1,398 blood samples)**	None	None

- Post-race samples are paired urine & blood samples meaning 20,220 samples were analyzed.
- Work Bloods are samples required for horses to be removed from the Veterinarian's List as Unsound.
- TCO2 Samples are drawn pre-race on Thoroughbreds and Harness.
- Out of Competition samples are primarily samples from horses not entered to race, but frequently includes horses nominated to stake races.
- 235 hair samples were analyzed either OOCT or post- race

Prior year violation data is available in the packet for the January, 2015 Medication and Track Safety Meeting, Agenda item #8:

http://www.chrb.ca.gov/Board/committee_packages/Jan-2015MTSC.pdf

Class 1, 2 or 3 Violations FY 14-15

Drug	SoCal TB's	NorCal TB's	Fairs	Cal Expo	Los Al	Total
Acepromazine		1				1
Gabapentin		1				1
Meprobamate*/ Carisoprodol			1			1
Zilpaterol					1	1
Total	0	2	1	0	1	4

* Meprobamate is a pharmacologically active metabolite of carisoprodol. This is considered a single violation.

Class IV & V Violations FY 14-15

Dexamethasone	**5**
Flunixin	**8**
Guaifenesin	**1**
Isofluprodone	**2**
Ketoprofen	**1**
Methylprednisolone	**2**
Phenylbutazone & Flunixin	**1**
Phenylbutazone & Ketoprofen	**1**
Methocarbamol	**6**
Phenylbutazone	**58**

There have been **85** Class IV or V violations from **68** trainers and **81** different horses. **73** of the violations were during racing; **13** phenylbutazone violations were working for removal from the Veterinarian's List under 1866. Eight phenylbutazone violations were over 5 ug/ml.

STAFF ANALYSIS
DISCUSSION AND ACTION REGARDING THE PROPOSED ADDITION OF CHRB RULE 1846.6, POSTMORTEM EXAMINATION REVIEW, TO REQUIRE A POSTMORTEM EXAMINATION REVIEW OF EACH EQUINE FATALITY WITHIN A CHRB INCLOSURE

Medication and Track Safety Committee Meeting
August 19, 2015

BACKGROUND

Business and Professions Code section 19440 provides that the California Horse Racing Board shall have all powers necessary and proper to enable it to carry out the purposes of this Chapter. Business and Professions Code section 19444(c) further states that in performing its responsibilities, the Board may conduct research to determine more fully the cause and prevention of horse racing accidents, the effects of drug substances on the race horses, and the means for detection of foreign drug substances. Additionally, CHRB Rule 1527, General Authority of Stewards, gives the Stewards at each racetrack the general authority and supervision over all licensees and other persons attendant on horses, and also over the inclosures of any recognized meeting. CHRB Rule 1541, Power to Order Examination of Horse, also gives Stewards the specific authority to order an examination of any horse within the inclosure at any time by such persons as they see fit. CHRB Rule 1560, Duties of the Official Veterinarian, requires that the Official Veterinarian at each race track report to the Board the names of all horses humanely destroyed or which otherwise expire at the meeting and the reasons there for. Finally, CHRB Rule 1846.5, Postmortem Examination, presently requires a postmortem examination of every horse which dies or is euthanized within an area under the jurisdiction of the Board at a designated diagnostic laboratory.

Currently, under CHRB Rule 1846.5, a postmortem examination (also referred to as a "necropsy") is performed in a diagnostic laboratory operated by the California Animal Health and Food Safety laboratory system on every horse that dies within the inclosure in California. Additionally, Safety Stewards regularly interview jockeys and trainers whenever a horse suffers a fatal injury on the racetrack in training or competition. Finally, inquiry into the cause and circumstances behind an equine fatality also arises when a law or rule violation is suspected. Nevertheless, a thorough review of a horse's recent training and medication history is rarely conducted in the absence of suspicious or illegal circumstances, and consequently there is little opportunity for the CHRB to identify trends and behaviors that could help prevent future injuries.

To date, several racing jurisdictions, including New York and Kentucky, have implemented similarly structured equine fatality review panels with the purpose of better understanding the circumstances leading up to a fatal injury with the long-term goal of reducing overall injuries. These fatality review panels are geared towards fact gathering and educating all involved parties, and have generally received positive reception.

ANALYSIS

The proposed addition of Board Rule 1846.6, Postmortem Examination Review, will establish a review process for every equine fatality that occurs within a CHRB inclosure, to be conducted by a three-person panel. Specifically, that panel will include a member of the Board of Stewards, a Safety Steward, and either the Equine Medical Director or a designated Official Veterinarian. The trainer and veterinarian for the deceased horse, as well as any other requested licensees, will be required to appear before the panel, and produce for review certain documents pertaining to the horse's training and medical history. Upon conclusion of the review, the panel will prepare and file a written report for the Executive Director which details their findings.

The creation of a postmortem examination review is meant to improve and encourage equine safety and welfare on the race track. The purpose of the postmortem examination review is to conduct an investigation into the circumstances surrounding an equine fatality in order to gain an understanding of all events that may have contributed to the incident. The act of conducting a postmortem examination review honors the deceased horse, provides case-specific recommendations to the horse's connections in order to prevent future injuries, and sends an unequivocal message to racing stakeholders and the general public that reducing equine fatalities is a major priority for the CHRB.

The postmortem examination review is intended to be an educational process for trainers and veterinarians, rather than a punitive effort, and will further advance the Board's research into the cause and prevention of horse racing accidents. The overall goal of the postmortem examination review is to establish a more interactive process to investigate and understand equine fatality more thoroughly, and importantly, provide feedback to licensees that may be of use in improving safety.

In May 2015, the Medication and Track Safety Committee considered an initial draft of proposed Rule 1846.6. At that time, the Committee indicated that they wanted language added that would further assure licensees that this process is purely meant for education and research purposes only, and would not be used as a basis for punishing misconduct. The current version of 1846.6 adds such intent language, and also makes several minor additions to clarify procedural details such as form and timing of notice, as well as the completion deadline for the panel's written report. Finally, pursuant to the Committee's instructions, the current version of 1846.6 removes the subsection describing authorization requirements for disclosing certain veterinary records imposed by the Veterinary Medical Board.

RECOMMENDATION

This item is presented to the Committee for discussion and action.

CALIFORNIA HORSE RACING BOARD
TITLE 4. CALIFORNIA CODE OF REGULATIONS
ARTICLE 15. VETERINARIAN PRACTICES.
PROPOSED ADDITION OF
RULE 1846.6. POSTMORTEM EXAMINATION REVIEW

(a) The Board shall conduct a postmortem examination review to determine the circumstances of each equine fatality within a California Horse Racing Board (CHRB) inclosure.

(b) The postmortem examination review shall be conducted by a member of the board of stewards, a safety steward and the Equine Medical Director or an official veterinarian designated by the Executive Director and Equine Medical Director.

(c) The trainer of the expired horse will be required to appear before the postmortem examination review panel. Additional licensees may also be required to appear at the discretion of the postmortem examination review panel. All licensees required to come before the postmortem examination review panel shall receive at least 10 days written notice before the date of the review panel.

(d) The trainer shall make available at the postmortem examination review the training records for the expired horse, which shall include exercise, medication and shoeing histories for a minimum of 60 days prior to the date of death of the horse.

(e) All CHRB licensed veterinarians attending or treating a horse having died within a CHRB inclosure shall make available at the postmortem examination review a summary medical record covering a minimum of 60 days prior to the date of death of the horse, or longer if requested by the postmortem review panel. The summary medical record shall include:

(1) A history or pertinent information as it pertains to the horse's medical status, including an interpretation of all diagnostic imaging and laboratory findings.

(2) Data, including that obtained by instrumentation, from the physical examination.

(3) Treatment and intended treatment plan, including medications, dosage and frequency of use.

(4) All medications and treatments prescribed and dispensed, including strength, dosage, route of administration, quantity, and frequency of use.

(5) Daily progress and disposition of the case.

(6) Copies of laboratory data, if requested by the postmortem review panel.

(7) Copies of diagnostic images including but not limited to radiographs, ultrasounds and nuclear scintigraphies, if requested by the postmortem review panel.

(f) Upon completion of the postmortem examination review, the postmortem examination review panel shall file a written report detailing their findings with the Executive Director and the owner or trainer of the expired horse within 90 days of the postmortem examination review.

(g) It is the intent of the CHRB that the postmortem examination review be conducted for education and research purposes only, and that disciplinary action will not be taken against any licensee as a direct result of the postmortem examination review panel's report.

Authority: Section 19440 and 19444(c), Business and Professions Code.

Reference: Sections 19345 and 19444(c), Business and Professions Code.

STAFF ANALYSIS
DISCUSSION AND ACTION REGARDING THE PROPOSED ADDITION OF CHRB RULE 1866.1, PRESENCE OF CLENBUTEROL IN QUARTER HORSES, AND PROPOSED AMENDMENT TO CHRB RULE 1844, AUTHORIZED MEDICATION, TO PROHIBIT THE PRESENCE OF CLENBUTEROL IN A QUARTER HORSE TEST SAMPLE.

Medication and Track Safety Committee Meeting
August 19, 2015

ISSUE

At its June 25, 2015 regular meeting, the California Horse Racing Board (CHRB or Board) approved for submission to the Office of Administrative Law (OAL) an emergency rulemaking file which would add Rule 1866.1, Presence of Clenbuterol in Quarter Horses, and would amend Rule 1844, Authorized Medication, in order to restrict the use of Clenbuterol in racing quarter horses. On July 31, 2015, OAL approved these emergency regulations, making them effective immediately. Pursuant to the Administrative Procedure Act (APA), the Board now has until January 2016 to pass these regulatory changes through the regular rulemaking process in order for them to become permanent CHRB regulations.

BACKGROUND

Clenbuterol is a beta-2 agonist approved for use as a bronchodilator in horses. Beta-2 agonists also have an anabolic-type effect through their muscle partitioning side effects. Clenbuterol is banned in human sport by the World Anti-doping Association for this reason. The drug is also abused in horses because of its anabolic effects. Clenbuterol became a problem in horse racing—especially quarter horse racing—when the CHRB and other racing authorities in the United States restricted the use of anabolic steroids. Quarter horses often engage in sprint racing. Accordingly, the preferred body-type for racing quarter horses is a well-muscled horse, which is easily accomplished and enhanced with the use of anabolic steroids.

The FDA approved formulation for horses was specifically formulated to make Ventiplulmin, the FDA approved brand, unpalatable to humans. Unapproved clenbuterol can be readily obtained though, and in fact in some countries it is allowed in food for animals to promote muscle weight gain. The official CHRB laboratory, the Maddy Laboratory at UC Davis School of Veterinary Medicine, has analyzed a number of non-FDA clenbuterol preparations from quarter horse racing in California and other southwest racing locations where quarter horse racing is prominent. Furthermore, several studies have described numerous side-effects associated with clenbuterol administration, including a repartitioning effect and major alterations in cardiac and skeletal muscle function, as well as affects on bone, immune, endocrine, and reproductive systems.

Los Alamitos Racecourse and the Pacific Coast Quarter Horse Racing Association (PCQHRA) began expressing concern to the CHRB in 2010 about what they perceived as unfair racing at Los Alamitos. Public confidence is critical to horse racing, and the perception of unfair competition amongst owners and trainers due to the use of clenbuterol became a serious issue for the public and licensees.

The CHRB conducted testing at Los Alamitos for their 2010 signature end of season races, the $2,000,000 Futurity and Champion of Champions. A total of 72 blood samples were obtained and tested. Of those samples, every sample (72 out of 72) contained detectable levels of clenbuterol in the horse's blood. Realistically, clenbuterol can be detected in blood for no more than four to seven days after administration, indicating that all of the tested horses had recently been administered clenbuterol. At the request of Los Alamitos Racecourse and PCQHRA, the CHRB suspended authorization of clenbuterol by breed and track for one year at a time, pursuant to Rule 1844.1. The suspension was in place for 2011, and upon conducting a similar testing program, the CHRB found that no horses tested positive for clenbuterol this time around. In 2013, however, a number of trainers began to once again push the limits on clenbuterol use. In Fiscal Year 2013-14 there were 13 clenbuterol violations at Los Alamitos. While trainers are sanctioned when caught, the public is not protected in these instances. Those who wager on races where certain horses have been administered clenbuterol have no recourse. The people who wager on a winning horse that has been administered clenbuterol—which often includes the horse's owners and trainers—are rewarded, while those who wager on a losing horse not administered clenbuterol become victims of an unfair and illegal performance enhancing scheme.

Beginning on February 28, 2014, the CHRB implemented and enforced the provisions of a memorandum authored by the Equine Medical Director entitled "Instructions Pursuant to Rule 1855, Medication Procedures and Related Instructions." The memorandum described procedures for how and when quarter horses should be placed on the Veterinarian's List when clenbuterol is prescribed to or detected in a horse, as well as the procedures for removing a horse from the list once it tests clear of clenbuterol. On May 26, 2015, however, the Office of Administrative Law released 2015 OAL Determination NO. 6 (OAL MATTER NO. CTU2014-1110-01), which declared that the abovementioned memorandum was an "underground regulation." The Board concluded that this determination created an emergency situation for quarter horse racing in California, and in response, directed staff to file an emergency regulation with OAL. On July 31, 2015, OAL approved the emergency addition of Rule 1866.1, Presence of Clenbuterol in Quarter Horses, and the emergency amendment to Rule 1844, Authorized Medication. Pursuant to the APA, these emergency regulations will remain in effect until January 2016, during which time the Board must submit these changes through the regular rulemaking process to make them permanent CHRB regulations.

ANALYSIS

The addition of Rule 1866.1, Presence of Clenbuterol in Quarter Horses, and the amendment to Rule 1844, Authorized Medication, will remain in effect as emergency regulations until January 2016. If the Board wishes these changes to become permanent regulations, it must submit these additions and amendments to OAL through the regular rulemaking process, which includes written notice, opportunity for public comment, and approval by OAL.

Rule 1866.1, Presence of Clenbuterol in Quarter Horses, as submitted now before the Committee, provides that a quarter horse prescribed clenbuterol will be placed on the Veterinarian's List until an official test sample shows there is no clenbuterol in the blood or urine of the quarter horse after a workout to demonstrate its physical fitness. A quarter horse placed on the Veterinarian's List for clenbuterol will not be allowed to start in a race until the horse is removed from the Veterinarian's List. Veterinarians prescribing clenbuterol must fill out and submit form CHRB-24 (Veterinarian Report) and also ensure they are in compliance with Rule

1864, Labeling of Medication. Administration of clenbuterol must also be reported by the trainer using form CHRB-60 (Trainer Medication Report).

Rule 1844, Authorized Medication, as submitted now before the Committee, eliminates authorization for any level of clenbuterol in quarter horses.

It should be noted that CHRB staff, in conjunction with the Equine Medical Director, have made minor adjustments to the text of proposed Rules 1866.1 and 1844 from how they were enacted as emergency regulations in order to address concerns about clarity and redundancy. The revised text also implements a 30-day maximum for clenbuterol prescriptions.

RECOMMENDATION

This item is presented to the Committee for discussion and action.

CALIFORNIA HORSE RACING BOARD
TITLE 4. CALIFORNIA CODE OF REGULATIONS
ARTICLE 15. VETERINARY PRACTICES
PROPOSED AMENDMENT OF
RULE 1844. AUTHORIZED MEDICATION

1844. Authorized Medication.

Consistent with the intent of these rules, drug substances and medications authorized by the Board for use may be administered to safeguard the health of the horse entered to race provided that:

(a) No person shall administer a drug substance to any horse entered to race except upon authorization of the official veterinarian in conformance with these rules.

(b) No drug substance, other than authorized bleeder medication, shall be administered to a horse entered to race within 24 hours of the race in which entered.

(c) Not more than one approved non-steroidal anti-inflammatory drug substance (NSAID) may be administered to a horse that is entered to race and shall be only one of the following authorized drug substances:

(1) Phenylbutazone in a dosage amount that the test sample shall contain not more than 2 micrograms of the drug substance per milliliter of blood plasma or serum.

(2) Flunixin in a dosage amount that the test sample shall contain not more than 20 nanograms of the drug substance per milliliter of blood plasma or serum.

(3) Ketoprofen in a dosage amount that the test sample shall contain not more than 10 nanograms of the drug substance per milliliter of blood plasma or serum.

(4) Metabolites or analogues of approved NSAIDs may be present in post race test samples.

(d) If the official chemist reports that a blood test sample contains an authorized NSAID in excess of the limit for that drug substance under this rule, the official veterinarian shall, in conjunction with the veterinarian who administered or prescribed the authorized drug substance, establish a dosage amount or time of administration of the drug substance that will comply with the limits under this rule; or the official veterinarian may, if in his/her judgment no such reduced dosage amount or amendment to time of administration will result in a test sample level within the limits of this rule, withdraw authorization for the use of any one NSAID.

(e) Official urine test samples may contain one of the following drug substances, their metabolites and analogs, in an amount that does not exceed the specified levels:

(1) Acepromazine; 10 nanograms per milliliter

(2) Mepivacaine; 10 nanograms per milliliter

(3) Albuterol; 1 nanograms per milliliter

(4) Procaine; 25 nanograms per milliliter

(5) Salicylates; 750 micrograms per milliliter

(6) Clenbuterol; 140 picograms per milliliter, except in quarter horses for which no level of clenbuterol is authorized.

(7) Omeprazole; 1 nanogram per milliliter

(8) Nandrolone; 1 nanograms per milliliter for geldings, fillies and mares; 45 nanograms for males other than geldings.

(9) Boldenone; 15 nanograms per milliliter in males other than geldings.

(10) Testosterone; 20 nanograms per milliliter in geldings.

(A) Testosterone at any level in males other than geldings is not a violation of this regulation.

(11) Testosterone; 55 nanograms per milliliter in fillies or mares.

(12) Butorphanol 300 nanograms per milliliter

(f) Official blood test samples may contain the following drug substances, their metabolites and analogs, in an amount that does not exceed the specified levels in serum or plasma:

(1) Bethamethasone; 10 picograms per milliliter

(2) Dantrolene; 100 picograms per milliliter

(3) Detomidine; 1 nanogram per milliliter

(4) Dexamethasone; 5 picograms per milliliter

(5) Diclofenac; 5 nanograms per milliliter

(6) Dimethylsulfoxide (DMSO); 10 micrograms per milliliter

(7) Firocoxib; 20 nanograms per milliliter

(8) Lidocaine; 20 picograms per milliliter

(9) Methocarbamol; 1 nanogram per milliliter

(10) Methylprednisolone; 100 picograms per milliliter

(11) Glycopyrrolate; 3 picograms per milliliter

(12) Prednisolone; 1 nanogram per milliliter

(13) Triamcinolone Acetonide; 100 picograms per milliliter

(14) Xylazine; 10 picograms per milliliter of serum or plasma

(15) Butorphanol; 2 nanograms per milliliter

(g) Official blood test samples shall not contain any of the drug substances, or their metabolites or analogs listed in subsection (e)-(1)(12).

(h) Procaine, following administration of procaine penicillin, is an authorized medication provided:

(1) Official blood test samples shall not contain any procaine, or its metabolites or analogs in excess of 25 nanograms per milliliter.

(2) all procaine penicillin administrations have been reported pursuant to Rule 1842 of this division,

(3) procaine penicillin was not administered after entry to race,

(4) the horse was under surveillance for a minimum of six hours prior to racing.

(i) All expenses related to surveillance and testing for procaine under subsection (h) of this regulation shall be paid by the owner of the horse.

Authority: Sections 19440 and 19562, Business and Professions Code.

Reference: Sections 19580 and 19581, Business and Professions Code.

CALIFORNIA HORSE RACING BOARD
TITLE 4. CALIFORNIA CODE OF REGULATIONS
ARTICLE 15. VETERINARY PRACTICES
PROPOSED ADDITION OF
RULE 1866.1. PRESENCE OF CLENBUTEROL IN QUARTER HORSES

1866.1. Presence of Clenbuterol in Quarter Horses

(a) A quarter horse prescribed clenbuterol will be placed on the Veterinarian's List for veterinary treatment until an official test sample shows that there is no clenbuterol in the blood or urine of the horse after a workout to demonstrate its physical fitness, pursuant to Rule 1866. Quarter horses on the Veterinarian's List for clenbuterol administration will not be allowed to start in a race until the horse is removed from the Veterinarian's List.

(1) Clenbuterol shall only be prescribed to an individual quarter horse for a specific diagnosis to last for a period of not more than 30 days for each prescription. The quarter horse's name, the specific diagnosis, dosage and duration of treatment of clenbuterol administration must be reported by the prescribing veterinarian to the Official Veterinarian on form CHRB-24 (Rev. 7/15) (Veterinarian Report), which is hereby incorporated by reference.

(2) Clenbuterol prescribed to an individual quarter horse for a specific diagnosis shall not last for more than 30 days for any prescription. Dispensed clenbuterol prescriptions must be labeled in compliance with Rule 1864, Labeling of Medication, and all other laws, including California Veterinary Medical Board regulations.

(3) Administration of clenbuterol to a quarter horse must be reported by the trainer of the horse to the Official Veterinarian on form CHRB-60 (Rev. 7/15) (Trainer Medication Report), which is hereby incorporated by reference.

(b) A quarter horse that, pursuant to Rules 1858 or 1859, is reported to have clenbuterol detected in blood, urine, or any other official test sample by the CHRB official

laboratory will be placed on the Veterinarian's List until an investigation has been conducted to determine the circumstances of the presence of clenbuterol in the official test sample, and until a subsequent official test sample fails to detect clenbuterol in the blood or urine of the horse after a workout to demonstrate its physical fitness, pursuant to Rule 1866.

(c) A quarter horse shall not be removed from the Veterinarian's List and allowed to start in a race until an official test sample fails to detect clenbuterol in the blood or urine of the horse after a workout to demonstrate its physical fitness pursuant to Rule 1866.

Authority: Sections 19440, 19562, and 19580 Business and Professions Code

Reference: Sections 19440, 19562, and 19580 Business and Professions Code

STAFF ANALYSIS
DISCUSSION AND ACTION REGARDING A PROPOSED AMENDMENT TO CHRB RULE 1843.3, PENALTIES FOR MEDICATION VIOLATIONS, TO ADJUST THE PENALTIES FOR MEDICATION VIOLATIONS

Medication and Track Safety Committee Meeting
August 19, 2015

ISSUE

The proposed amendment to Board Rule 1843.3, Penalties for Medication Violations, was last discussed at the May 2015 Medication and Track Safety Committee meeting. At that time, the California Thoroughbred Trainers (CTT) raised issues it had with the amended text, as well as with the current text of the regulation. As a result, the Committee agreed to modify the proposed amendment to eliminate modifications to subsection 1843.3 (*l*)(1), which stated that a trainer suspended for 45 days or more shall be banned from the inclosure and shall remove all signage, etc. The Committee also agreed to create new subparagraphs to address the revocation of a trainer's license.

In addition to making several clarifying changes to the text, the proposed amendment to Rule 1843.3 would: 1) eliminate the Category D penalties for phenylbutazone violations; 2) cause medication violations that occur within a specified time period to count as either a prior offense, or as an aggravating factor with regards to the determination of penalties for subsequent violations; and 3) prohibit suspended trainers from transferring their horses to any other licensee who has been an employee within the previous year.

ANALYSIS

At the May 2015 Medication and Track Safety Committee meeting, the Committee heard comments from the CTT. Specifically, the CTT objected to the proposal to deny the privileges of the inclosure to trainers whose license had been suspended for 45 days. The current version of Rule 1843.3 provides that a trainer whose license is suspended for 60 days shall be denied access to the inclosure. The CTT argued that the practical effect of the amendment would make a 45 day suspension far more onerous and may result in trainers' receiving lesser rather than greater lengths of suspension. The Committee did not disagree, so the proposed amendment of subparagraph 1843.3 (*l*)(1) has been modified to reinstate the original period of 60 days suspension. The CTT also stated that the current language of the 1843.3 text (not the language of the proposed amendment) included "revocation" of license within the same subparagraph(s) as "suspension" of license. The CTT suggested that the concepts belonged in separate paragraphs. The text of the regulation has been modified to provide for new subsections (k)(1) and (*l*)(2) to specifically address the revocation of a license.

All other modifications to the text of the proposed regulation were presented at the May 2015 Committee meeting. Subsection 1843.3(d), which stated all penalties incurred for a category A, B, C and D violation within a 12 month time frame would be considered cumulative increasing in severity with the repetition of an offence, has been modified for clarification. The proposed

text has been changed to eliminate subsection 1843.3(d). Instead, a new subsection 1843.3(f) has been added to provide that if a licensee has received a penalty for a Class A, B or C medication violation, and with a period of 12 months has a subsequent lesser violation (e.g. an A violation followed by a B violation), the earlier violation shall count as a "first violation" for the purposes of determining the penalty for the subsequent lesser violation. This means that if a trainer has had a violation at the same level or higher within 12 months of a subsequent violation, he or she does not get to "start over again" and the previous violation will count as a prior offense. A new subsection 1843.3(g) has been added to provide that if a licensee has received a penalty for a Class B, C or D medication violation, and within a period of 12 months has a subsequent greater violation (e.g. a D violation followed by a C violation), the earlier violation shall count as an aggravating factor for the purposes of determining the penalty for the subsequent greater violation. This means the first Class D violation will not automatically push the trainer into a second offense for the subsequent Class C violation.

In addition to the new subsections 1843.3(f) and (g) described above, the proposed amendment to Rule 1843.3 would eliminate the separate Category D penalties for phenylbutazone at the 2.1 ug/ml to 5.0 ug/ml level. Instead, such phenylbutazone violations would be Category C penalties. In addition, subsection 184.3.3(k) has been amended to prohibit suspended trainers from transferring their horses to any other licensee who has been an employee within the previous year.

BACKGROUND

Business and Professions Code section 19440 provides that the Board shall have all powers necessary and proper to enable it to carry out fully and effectually the purposes of this chapter. Responsibilities of the Board shall include adopting rules and regulations for the protection of the public and the control of horse racing and pari-mutuel wagering. Business and Professions Code section 19461 states every license granted under this chapter is subject to suspension or revocation by the Board in any case where the Board has reason to believe that any condition regarding it has not been complied with, or that any law, or any rule or regulation of the Board affecting it has been broken or violated. Business and Professions Code section 19580 provides the Board shall adopt regulations to establish policies, guidelines, and penalties relating to equine medication in order to preserve and enhance the integrity of horse racing in the state. Those policies, guidelines and penalties shall include, at a minimum, the provisions set forth in this article. Business and Professions Code section 19581 states no substance of any kind shall be administered by any means to a horse after it has been entered to race in a horse race, unless the Board has, by regulation, specifically authorized the use of the substance and the quantity and the composition thereof. Business and Professions Code section 19582 states violations of Section 19581, as determined by the Board are punishable as set forth in regulations adopted by the Board. The Board may classify violations of section 19581 based on each class of prohibited drug substances, prior violations within the previous three years, and prior violations within the violator's lifetime. The Board may provide for the suspension of a license for not more than three years, except as provided in subdivision (b), or a monetary penalty of not more than one hundred thousand dollars, or both, and disqualification from purses, for a violation of Section 19581. The actual amount of the monetary penalty imposed pursuant to this paragraph shall be determined only after due consideration has been given to all the facts, circumstances, acts, and

intent of the licensee, and shall not be solely based on the trainer-insurer rule, as established in Section 1843 and 1887 of Title 4 of the California code of Regulations. The punishment for second and subsequent violations of section 19581 shall be greater than the punishment for a first violation of section 19581 with respect to each class of prohibited drug substances, unless the administrative law judge, in findings of fact and conclusions of law filed with the Board, concludes that a deviation from this general rule is justified. A third violation of section 19581 during the lifetime of the licensee, determined by the Board to be at a class I or class II level, may result in the permanent revocation of the person's license. The administrative law judge shall, after consideration of the circumstances surrounding a violation specified in paragraph (1), file a decision with the Board that includes findings of fact and conclusions of law. Any person whose license is suspended or revoked pursuant to this section shall not be entitled to receive any material benefit or remuneration in any capacity or from any business activity permitted or allowed by the license during any period of its suspension or revocation. The penalties provided by this section are in addition to any other civil, criminal, and administrative penalties or sanctions provided by law, and do not supplant, but are cumulative to, other penalties or sanctions. Business and Professions Code section 19461 provides that every license granted under this chapter is subject to suspension or revocation by the Board in any case where the Board has reason to believe that any condition regarding it has not been complied with, or that any law, or any rule or regulation of the Board affecting it has been broken or violated. All proceedings to revoke a license shall be conducted in accordance with Chapter 5 of Part 1 of Division 3 of Title 2 of the Government Code. Government Code section 11425.50 states the decision shall be in writing and shall include a statement of the factual and legal basis for the decision. Board Rule 1843, Medication, Drugs and Other Substances, provides that no horse participating in a race shall carry in its body any drug substance or its metabolites or analogues, foreign to the horse except as hereinafter expressly provided. No drug substance shall be administered to a horse which is entered to compete in a race to be run in this state except for approved and authorized drug substances as provided in these rules. Board Rule 1843.2, Classification of Drug Substances, categorizes and defines drug substances based on the Association of Racing Commissioners International (ARCI) drug classifications. Board Rule 1843.3, Penalties for Medication Violations, defines the penalties medication violations involving the substances defined and categorized in Board Rule 1843.2. 1843.3(i) prohibits a person whose license is suspended or revoked due to a medication violation from transferring horses to licensed family members.

RECOMMENDATION

This item is presented for Committee discussion and action.

CALIFORNIA HORSE RACING BOARD
TITLE 4. CALIFORNIA CODE OF REGULATIONS
ARTICLE 15. VETERINARY PRACTICES
PROPOSED AMENDMENT OF
RULE 1843.3. PENALTIES FOR MEDICATION VIOLATIONS.

Medicaiton and Track Safety Committee Meeting
August 19,2015

(a) In reaching a decision on a penalty for a violation of Business and Professions Code section 19581, the Board, the board of stewards, the hearing officer or the administrative law judge shall consider the penalties set forth in subsections (d) and (e) of this Rule and any aggravating and mitigating circumstances. Deviation from these penalties is appropriate where the facts of the particular case warrant such a deviation, for example: there may be mitigating circumstances for which a lesser or no penalty is appropriate, and aggravating factors for which a greater penalty is appropriate ~~may increase the penalties beyond the minimum~~.

(b) Mitigating circumstances and aggravating factors, which must be considered, include but are not limited to:

(1) The past record of the licensee regarding violations of Business and Professions Code section 19581;

(2) The potential of the drug(s) to influence a horse's racing performance and the amount of the drug present;

(3) The legal availability of the drug and whether the drug was prescribed by a California Horse Racing Board (CHRB) licensed veterinarian to the horse;

(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 steps taken by an owner to safeguard against subsequent medication violations including, but not limited to, the transfer of the horse(s) to an unaffiliated trainer;

(A) For the purpose of this regulation "unaffiliated trainer" means a trainer or an assistant trainer who is not related by blood, marriage or domestic partnership, or who is not or was never employed by the trainer from whose care such horse(s) were transferred.

(7) The probability of environmental contamination or inadvertent exposure due to human drug use or other factors;

(8) The purse of the race;

(9) Whether the drug found to be present in the official test sample was one for which the horse was receiving treatment as determined and documented through the process described in Rule 1842 of this division;

(10) Whether there was any suspicious wagering pattern on the race;

(11) Whether the licensed trainer was acting under the advice of a CHRB licensed veterinarian.

(c) For the purpose of this regulation, the Board shall consider the classification of a drug substance as referred to in Rule 1843.2 of this division and the California Horse Racing Board (CHRB) Penalty Categories Listing By Classification, (4/15 ~~1/08~~), which is hereby incorporated by reference, if a determination is made that an official test sample from a horse contained:

(1) Any drug substance, medication, metabolites or analogues thereof foreign to the horse, whose use is not expressly authorized in this division, or

(2) Any drug substance, medication or chemical authorized by this article in excess of the authorized level or other restrictions as set forth in the article.

(d) Penalties for violation of each classification level are as follows:

CATEGORY "A" PENALTIES

Penalties for violations due to the presence of a drug substance in an official test sample, which CHRB drug classification is categorized as warranting a Category A penalty are as follows:

LICENSED TRAINER:		
1st offense	**2nd LIFETIME offense**	**3rd LIFETIME offense**
◦ Minimum one - year suspension absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum of a three-year suspension. **AND** ◦ Minimum fine of $10,000 or 10% of gross purse (greater of the two) absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum fine of $25,000 or 25% of purse (greater of the two). **AND** ◦ May be referred to the Board for any further action deemed necessary by the Board.	◦ Minimum two-year suspension absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum of a three-year suspension. **AND** ◦ Minimum fine of $20,000 or 25% of gross purse (greater of the two) absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum fine of $50,000 or 50% of purse (greater of the two). **AND** ◦ May be referred to the Board for any further action deemed necessary by the Board.	◦ Minimum three -year suspension absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum of permanent license revocation. **AND** ◦ Minimum fine of $25,000 or 50% of gross 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). **AND** ◦ May be referred to the Board for any further action deemed necessary by the Board.
LICENSED OWNER:		
1st offense	**2nd LIFETIME offense in owner's stable**	**3rd LIFETIME offense in owner's stable**
◦ Disqualification of horse and loss of purse. **AND** Horse may be placed on the veterinarian's list for up to 90 days and must pass a Board - approved examination pursuant to Rule 1846 before becoming eligible to be entered. **AND** ◦ Be subject to drug testing at the owner's expense and be negative for prohibited drug substances as defined in Rule 1843.1.	◦ Disqualification of horse and loss of purse. **AND** ◦ Horse shall-be placed on the veterinarian's list for up to 120 days and must pass a Board - approved examination pursuant to Rule 1846 before becoming eligible to be entered. **AND** ◦ Be subject to drug testing at the owner's expense and be negative for prohibited drug substances as defined in Rule 1843.1.	◦ Disqualification of horse, loss of purse and absent mitigating circumstances, minimum fine of $10,000. The presence of aggravating factors could be used to impose a maximum fine of $50,000. **AND** ◦ Horse shall be placed on the veterinarian's list for up to 180 days and must pass a Board-approved examination pursuant to Rule 1846 before becoming eligible to be entered. **AND** ◦ Be subject to drug testing at the owner's expense and be negative for prohibited drug substances as defined in Rule 1843.1. **AND** ◦ Referral to the Board with a recommendation of a suspension of owners license for a minimum of 90 days.

CATEGORY "B" PENALTIES

Penalties for violations due to the presence of a drug substance in an official test sample, which CHRB drug classification is categorized as warranting a Category B penalty are as follows:

LICENSED TRAINER:		
1st offense	2nd offense (two years time period)	3rd offense (five years time period)
◦ Minimum 30 -day suspension absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum of a 60-day suspension. **AND/OR** ◦ Minimum fine of $500 absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum fine of $10,000.	◦ Minimum 60-day suspension absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum of a 180-day suspension. **AND/OR** ◦ Minimum fine of $1,000 absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum fine of $20,000.	◦ Minimum 90-day suspension absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum of a one-year suspension. **AND/OR** ◦ Minimum fine of $2,500 absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum fine of $50,000 or 10% of purse (greater of the two). **AND** ◦ May be referred to the Board for any further action deemed necessary by the Board.
LICENSED OWNER:		
1st offense	2nd offense in stable (two years time period)	3rd offense in stable (five years time period)
◦ Disqualification of horse and loss of purse. **AND** ◦ Horse must pass a Board-approved examination pursuant to Rule 1846 before becoming eligible to be entered. **AND** ◦ Be subject to drug testing at the owner's expense and be negative for prohibited drug substances as defined in Rule 1843.1.	◦ Disqualification of horse and loss of purse. **AND** ◦ Horse must pass a Board-approved examination pursuant to Rule 1846 before becoming eligible to be entered. **AND** ◦ Be subject to drug testing at the owner's expense and be negative for prohibited drug substances as defined in Rule 1843.1.	◦ Disqualification of horse, loss of purse and absent mitigating circumstances minimum fine of $5,000. The presence of aggravating factors could be used to impose a maximum fine of $20,000. **AND** ◦ Horse shall be placed on the veterinarian's list for up to 45 days and must pass a Board-approved examination pursuant to Rule 1846 before becoming eligible to be entered. **AND** ◦ Be subject to drug testing at the owner's expense and be negative for prohibited drug substances as defined in Rule 1843.1.

CATEGORY "B" PENALTIES FOR RULE 1843.6 TOTAL CARBON DIOXIDE (TCO_2) TESTING

Penalties for violations due to exceeding permitted levels of TCO_2 as defined in Rule 1843.6 are as set forth below. All concentrations are for measurements in serum or plasma.

LICENSED TRAINER:		
1st offense TCO_2 (> 37.0mml/l-<39mml/l)	**2nd offense TCO_2 (> 37.0mml/l-<39mml/l)**	**3rd offense TCO_2 (> 37.0mml/l-<39mml/l)**
◦ Up to a 30-day suspension absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum of a-60-day suspension. **AND/OR** ◦ Minimum fine of $1,500 absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum fine of $5,000.	◦ Minimum 60-day suspension absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum of a 120-day suspension. **AND/OR** ◦ Minimum fine of $2,500 absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum fine of $10,000.	◦ Minimum 90-day suspension absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum of a 180-day suspension. **AND/OR** ◦ Minimum fine of $5,000 absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum fine of $15,000.
LICENSED OWNER:		
1st offense TCO_2 (> 37.0mml/l-<39mml/l)	**2nd offense TCO_2 (> 37.0mml/l-<39mml/l)**	**3rd offense TCO_2 (> 37.0mml/l-<39mml/l)**
◦ Disqualification of horse and loss of purse.	◦ Disqualification of horse and loss of purse.	◦ Disqualification of horse, loss of purse and in the absence of mitigating circumstances, $2,500 fine.
LICENSED TRAINER:		
1st offense TCO_2 (≥ 39.0mml/l)	**2nd offense TCO_2 (≥ 39.0mml/l)**	**3rd offense TCO_2 (≥ 39.0mml/l)**
◦ Minimum 30-day suspension absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum of a-60-day suspension. **AND/OR** ◦ Minimum fine of $2,500 absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum fine of $10,000.	◦ Minimum 60-day suspension absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum of a 180-day suspension. **AND/OR** ◦ Minimum fine of $5,000 absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum fine of $15,000.	◦ Minimum 90-day suspension absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum of a 365-day suspension. **AND/OR** ◦ Minimum fine of $10,000 absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum fine of $25,000.
LICENSED OWNER:		
1st offense TCO_2 (≥ 39.0mml/l)	**2nd offense TCO_2 (≥ 39.0mml/l)**	**3rd offense TCO_2 (≥ 39.0mml/l)**
◦ Disqualification of horse and loss of purse.	◦ Disqualification of horse and loss of purse.	◦ Disqualification of horse, loss of purse and a fine ranging from a minimum of $5,000, up to a maximum of $20,000.

CATEGORY "C" PENALTIES

Penalties for violations due to the presence of a drug substance in an official test sample, which CHRB drug classification is categorized as warranting a Category C penalty and for the presence of more than one non-steroidal anti-inflammatory (NSAID) in a plasma/serum sample, as defined in Rule 1844 of this division, and furosemide as defined in Rule 1845 of this division in an official test sample are as set forth below. All concentrations are for measurements in serum or plasma.

LICENSED TRAINER:		
1st offense	**2nd offense (365-day period)**	**3rd offense (365-day period)**
◦ Minimum fine of $500 to a maximum fine of $1,000 absent mitigating circumstances.	◦ Minimum fine of $1,000 to a maximum fine of $2,500, and up to a 15 - day suspension absent mitigating circumstances.	◦ Minimum fine of $2,500 and up to a 30 - day suspension absent mitigating circumstances

CATEGORY "C" PENALTIES FOR RULE 1844, AUTHORIZED MEDICATION (C) (1), (2), (3)

Penalties for violations due to overages for permitted non-steroidal anti-inflammatory drug substances (NSAIDs) as defined in Rule 1844 (c) (1), (2) and (3) of this division. All concentrations are for measurements in serum or plasma.

The official veterinarian shall consult with the treating veterinarian in all violations of 1844 (c). ~~With permission of the official veterinarian the trainer may elect to pay the minimum fine in lieu of a stewards' hearing.~~ If the trainer has not had an 1844 (c) violation within the previous three years, the official veterinarian or the board of stewards may issue a warning in lieu of a fine for violations of 1844 (c)(1), phenylbutazone, provided the reported level is below 5.1 mcg/ml.

LICENSED TRAINER:	**Phenylbutazone (2 ~~5~~.1-<5 ~~10~~.0mcg/ml) Flunixin (20-≤100 ng/ml) Ketoprofen (2 ~~11~~-< 50 ~~49~~ ng/ml)**	**Phenylbutazone (2 ~~5~~.1-<5 ~~10~~.0mcg/ml) Flunixin (20-≤100 ng/ml) Ketoprofen (2 ~~11~~-< 50 ~~49~~ ng/ml)**
1st offense	2nd offense (365-day period)	3rd offense (365-day period)
◦ Minimum fine of $500 to a maximum fine of $1,000.	◦ Minimum fine of $1,000 to a maximum fine of $2,500.	◦ Minimum fine of $2,500 to a maximum fine of $5,000.
LICENSED OWNER:	**Phenylbutazone (2 ~~5~~.1-<5 ~~10~~.0mcg/ml) Flunixin (20-≤100 ng/ml) Ketoprofen (2 ~~11~~-< 50 ~~49~~ ng/ml)**	**Phenylbutazone (2 ~~5~~.1-<5 ~~10~~.0mcg/ml) Flunixin (20-≤100 ng/ml) Ketoprofen (2 ~~11~~-< 50 ~~49~~ ng/ml)**
1st offense	2nd offense (365-day period)	3rd offense (365-day period)
No penalty administered.	No penalty administered.	No penalty administered.
LICENSED TRAINER:	**Phenylbutazone (≥ 10.0 mcg/ml) Flunixin (≥ 100 ng/ml) Ketoprofen (≥ 50 ng/ml)**	**Phenylbutazone (≥ 10.0 mcg/ml) Flunixin (≥ 100 ng/ml) Ketoprofen (≥ 50 ng/ml)**
1st offense	2nd offense (365-day period)	3rd offense (365-day period)
◦ Minimum fine of $1,000 to a maximum fine of $2,500.	◦ Minimum fine of $2,500 to a maximum fine of $5,000.	◦ Minimum fine of $5,000 to a maximum fine of $10,000.
LICENSED OWNER:	**Phenylbutazone (≥ 5 ~~10~~.0 mcg/ml) Flunixin (≥ 100 ng/ml) Ketoprofen (≥ 50 ng/ml)**	**Phenylbutazone (≥ 5 ~~10~~.0 mcg/ml) Flunixin (≥ 100 ng/ml) Ketoprofen (≥ 50 ng/ml)**
1st offense	2nd offense (365-day period)	3rd offense (365-day period)
◦ Horse must pass Board-approved examination pursuant to Rule 1846 before being eligible to run	◦ Disqualification of horse and loss of purse. If same horse, placed on veterinarian's list for up to 45-days, must pass Board-approved examination pursuant to Rule 1846 before being eligible to run.	◦ Disqualification of horse and loss of purse. Minimum $5,000 fine. If same horse, placed on veterinarian's list for 60 days, must pass Board-approved examination pursuant to Rule 1846 before being eligible to run.

(e) Violations due to the presence of a drug substance in an official test sample, which CHRB drug classification is categorized as warranting a Category "D" penalty, may result in a written warning to the licensed trainer and owner. ~~A Category "D" penalty for a first offense may result in a written warning or fine that will remain on the licensee's record for a period of two years. After the two year period, if the licensee has had no further violations of CHRB Rule 1843, the Category "D" penalty will be expunged from the licensee's record for penalty purposes.~~

CATEGORY "D" PENALTIES

1ST offense (365 day period)	2nd offense (365 day period)	3rd offense (365 day period)
Minimum of an official written warning to a maximum fine of $250.	Minimum of a $250 fine to a maximum fine of $500.	Minimum of a $500 fine to a maximum fine of $750.

~~**CATEGORY "D" PENALTIES FOR RULE 1844(c)(1) VIOLATIONS**~~

~~**Phenylbutazone 2.1ug/ml to 5.0 ug/ml**~~		
~~1st offense (365 day period)~~	~~2nd offense (365 day period)~~	~~3rd offense (365 day period)~~
~~Minimum of an official written warning to a maximum fine of $250.~~	~~Minimum of a $250 fine to a maximum fine of $500.~~	~~Minimum of a $500 fine to a maximum fine of $750.~~

(f) If a licensee has received a penalty for a Class A, B or C medication violation, and within a period of 12 months has a subsequent lesser violation (e.g. an A violation followed by a B violation), the earlier violation shall count as a "first violation" for the purposes of determining the penalty for the subsequent lesser violation.

(g) If a licensee has received a penalty for a Class B, C or D medication violation, and within a period of 12 months has a subsequent greater violation (e.g. a D violation followed by a C violation), the earlier violation shall count as an aggravating factor for the purposes of determining the penalty for the subsequent greater violation.

(~~f~~h) Any drug or its metabolite or analogue thereof found to be present in an official test sample that is not classified in Rule 1843.2 of this division shall be classified as a Class 1 substance and a Category "A" penalty until classified by the Board.

(gi) The administration of a drug substance to a race horse must be documented by the treating veterinarian through the process described in Rule 1842 of this division.

(~~h~~j) Any licensee found to be responsible for the administration of any drug substance resulting in a positive test may be subject to the same penalties set forth for the licensed trainer and his presence may be required at any and all hearings relative to the case.

(1) Any veterinarian found to be involved in the administration of any drug substance resulting in a positive test in Penalty Category "A" shall be referred to the California Veterinary Medical Board (CVMB) for consideration of further disciplinary action.

(2) Any veterinarian found to be involved in the administration of any drug substance resulting in a positive test in Penalty Category "B" or "C" may be referred to the CVMB for consideration of further disciplinary action upon the recommendation of the Equine Medical Director, the board of stewards or hearing officers.

(~~i~~k) A licensee who is suspended~~, or whose license is revoked,~~ because of a medication violation is not able to benefit financially during the period of suspension~~ or revocation~~. This includes, but is not limited to, ensuring that horses are not transferred to licensed family members or to any other licensee who has been an employee of the suspended licensee within the previous year.

(1) A licensee whose license is revoked because of a medication violation is not able to benefit financially following the revocation of his or her license. This includes, but is not limited to, ensuring that horses are not transferred to licensed family members or to any other licensee who has been an employee of the licensee whose license is revoked within the previous year.

(~~j~~l) ~~For the purpose of this regulation~~ "Licensed ~~licensed~~ family members" means any person who holds an occupational license issued by the CHRB and who is related to the suspended licensee, or the licensee whose license is revoked, by blood, or by marriage or domestic partnership, or who is related by blood to the spouse or domestic partner of such licensee.

(1) ~~For the purpose of this regulation,~~ Licensed ~~licensed~~ trainers suspended 60 days or more~~, or whose license is revoked,~~ shall be banned from all inclosures under the jurisdiction of the CHRB. In addition, during the period of suspension,~~ or revocation,~~ such trainer shall forfeit all assigned stall space and shall remove from the inclosures all signage, colors, advertisements, training-related equipment, tack, office equipment, and any other property.

(2) A trainer whose license is revoked shall be banned from all inclosures under the jurisdiction of the CHRB. In addition, such trainer shall forfeit all assigned stall space and shall remove from the inclosures

all signage, colors, advertisements, training-related equipment, tack, office equipment, and any other property.

Authority: Sections 19440, 19461 and 19580, Business and Professions Code.

Reference: Sections 19461, 19580, 19581 and 19582, Business and Professions Code. Section 11425.50, Government Code.

California Horse Racing Board (CHRB)
Penalty Categories
Listing by Classification

Class 1: Stimulant and depressant drugs that have the highest potential to affect performance and that have no generally accepted medical use in the racing horse. Many of these agents are Drug Enforcement Agency (DEA) schedule II substances. These include the following drugs and their metabolites: Opiates, opium derivatives, synthetic opioids and psychoactive drugs, amphetamines and amphetamine-like drugs as well as related drugs, including but not limited to apmorphine, nikethamide, mazindol, pemoline, and pentylenetetrazol.

Drug	Trade Name	Drug Class	Penalty Class
3, 4-methylenedioxypyprovalerone	MCVP, "BATH Salts"	1	A
Alfentanil	Alfenta	1	A
Amphetamine		1	A
Anileridine	Leritine	1	A
Apomorphine		1	A
Benzylpiperazine (BZP)		1	A
Carfentanil		1	A
Cathinone	Khat	1	A
α-Cobratoxin	Cobra Venom	1	A
Cocaine		1	B
Codeine		1	A
Darbepoetin	Aranesp	1	A
Darb-erythropoetin		1	A
Dermorphin	Frog Venom	1	A
Drug Enforcement Administration (DEA) Class 1 (all)		1	A
Dextromoramide	Palfium, Narcolo	1	A
Diamorphine		1	A
Donepezil	Aricept	1	A
Endorphins		1	A
Enkephalins		1	A
Erythropoietin (EPO)	Procrit, Epogen	1	A
Ethylmorphine	Dionin	1	A
Etorphine HCl	M99	1	A
Fentanyl	Sublimaze	1	A
Heroin		1	A
Hydrocodone (dihydrocodeinone)		1	A
Hydromorphone	Dilaudid	1	A

Listing by Classification

Class 1: Stimulant and depressant drugs that have the highest potential to affect performance and that have no generally accepted medical use in the racing horse. Many of these agents are Drug Enforcement Agency (DEA) schedule II substances. These include the following drugs and their metabolites: Opiates, opium derivatives, synthetic opioids and psychoactive drugs, amphetamines and amphetamine-like drugs as well as related drugs, including but not limited to apmorphine, nikethamide, mazindol, pemoline, and pentylenetetrazol.

Drug	Trade Name	Drug Class	Penalty Class
Hydroxyamphetamine	Paradrine	1	A
ITPP (myo-inositol trispyrophosphate)		1	A
Levorphanol	Levo-Dremoran	1	A
Lofentanil		1	A
Mazindol	Sanorex	1	A
Meperidine	Demerol	1	A
Mephentermine		1	A
Metaraminol	Aramine	1	A
Methadone	Dolophine	1	A
Methamphetamine	Desoxyn	1	A
Methaqualone	Quaalude	1	A
Methcathinone		1	A
Methylhexaneamaine	Geranamine	1	A
Methylphenidate	Ritalin	1	A
Metopon (methyldihydromorphinone)		1	A
Morphine		1	B
Nikethamide	Coramine	1	A
Oxycodone	Percodan	1	A
Oxymorphone	Numorphan	1	A
Pemoline	Cylert	1	A
Pentylenetetrazol	Metrazol, Nioric	1	A
Phenazocine	Narphen	1	A
Phencyclidine (PCP)	Sernylan	1	A
Phendimetrazine	Bontril, etc.	1	A
Phenmetrazine	Preludin	1	A
Picrotoxin		1	A
Piritramide		1	A
Recombinant Growth Hormones		1	A

Listing by Classification

Class 1: Stimulant and depressant drugs that have the highest potential to affect performance and that have no generally accepted medical use in the racing horse. Many of these agents are Drug Enforcement Agency (DEA) schedule II substances. These include the following drugs and their metabolites: Opiates, opium derivatives, synthetic opioids and psychoactive drugs, amphetamines and amphetamine-like drugs as well as related drugs, including but not limited to apmorphine, nikethamide, mazindol, pemoline, and pentylenetetrazol.

Drug	Trade Name	Drug Class	Penalty Class
Remifentanil	Ultiva	1	A
Recombinant Erythropoiesis Stimulating Agents		1	A
Snake Venoms		1	A
Strychnine		1	B
Somatrem	Protropin	1	A
Somatropin	Nutropin	1	A
Sufentanil	Sufenta	1	A
Synthetic cannabis	Spice, K2, Kronic	1	A
Venoms Not Otherwise		1	A
Ziconotide	Cone Snail Venom	1	A

Listing by Classification

Class 2: Drugs that have a high potential to affect performance, but less of a potential than Class 1. These drugs are 1) not generally accepted as therapeutic agents in racing horses, or 2) they are therapeutic agents that have a high potential for abuse.

Drug	Trade Name	Drug Class	Penalty Class
Acecarbromal		2	A
Acetophenazine	Tindal	2	A
Adinazolam		2	A
Alclofenac		2	B
Alcuronium	Alloferin	2	A
Alphaprodine	Nisentil	2	A
Alpidem	Anaxyl	2	A
Alprazolam	Xanax	2	A
Althesin	Saffan	2	A
Amisulpride	Solian	2	A
Amitriptyline	Elavil, Amitril, Endep	2	A
Amobarbital	Amytal	2	A
Amoxapine	Asendin	2	A
Amperozide		2	A
Anilopam	Anisine	2	A
Aprobarbital	Alurate	2	A
Articaine	Septocaine, Ultracaine, etc.	2	A
Atomoxetine	Strattera	2	A
Atracurium	Tracruim	2	A
Azacyclonol	Frenque	2	A
Azaperone	Stresnil, Suicalm, Fentaz (with Fentanyl)	2	A
Barbital	Veronal	2	A
Barbiturates	Benzo, BZD	2	A
Bemegride	Megimide, Mikedimide	2	A
Benoxaprofen		2	B
Benperidol		2	A
Bentazepam	Tiadipona	2	A
Benzactizine	Deprol, Bronchodiletten	2	A
Benzoctamine		2	A
Benzonatate		2	A
Benzphetamine	Didrex	2	A
Benztropine	Cogentin	2	A
Biriperone		2	A
Brimonidine	Alphagan	2	A
Bromazepam	Lexotan, Lectopam	2	A
Bromisovalum	Diffucord, etc.	2	A

Listing by Classification

Class 2: Drugs that have a high potential to affect performance, but less of a potential than Class 1. These drugs are 1) not generally accepted as therapeutic agents in racing horses, or 2) they are therapeutic agents that have a high potential for abuse.

Drug	Trade Name	Drug Class	Penalty Class
Bromocriptine	Parlodel	2	A
Bromperidol	Bromidol	2	A
Brotizolam	Brotocol	2	A
Bupivacaine	Marcaine	2	A
Buprenorphine	Temgesic	2	A
Buspirone	Buspar	2	A
Buspropion	Wellbutrin	2	A
Butabarbital (Secbutobarbitone)	Butacaps, Butasol, etc.	2	A
Butalbital (Talbutal)	Fiorinal	2	A
Butanilicaine	Hostacain	2	A
Butaperazine	Repoise	2	A
Butoctamide	Listomin	2	A
Caffeine		2	B
Camazepam	Paxor	2	A
Captodiame	Covatine	2	A
Carbidopa + levodopa	Sinemet	2	A
Carbromol	Mifudorm	2	A
Carisoprodol	Soma, Rela	2	B
Carphenazine	Proketazine	2	A
Carpipramine	Prazinil	2	A
Carticaine	Ultracain	2	A
Chloralose (Alpha-Chloralose)		2	A
Chloral betaine	Beta-Chlor	2	A
Chloral hydrate	Nactec, Oridrate, etc.	2	A
Chloraldehyde (chloral)		2	A
Chlordiazepoxide	Librium	2	A
Chlormezanone	Trancopal	2	A
Chloroform		2	A
Chlorhexidol		2	A
Chloroprocaine	Nesacaine	2	A
Chlorproethazine	Newiplege	2	A
Chlorpromazine	Thorazine, Largactil	2	A
Chlorprothixene	Taractan	2	A
Citalopram	Celex	2	A
Clobazam	Urbanyl	2	A
Clocapramine		2	A

Listing by Classification

Class 2: Drugs that have a high potential to affect performance, but less of a potential than Class 1. These drugs are 1) not generally accepted as therapeutic agents in racing horses, or 2) they are therapeutic agents that have a high potential for abuse.

Drug	Trade Name	DrugClass	Penalty Class
Clomethiazole		2	A
Clomipramine	Anafranil	2	A
Clonazepam	Klonopin	2	A
Clorazepate	Tranxene	2	A
Clothiapine	Entermin	2	A
Clotiazepam	Trecalmo, Rize	2	A
Cloxazolam	Enadel, Sepazon, Tolestan	2	A
Clozapine	Clozaril, Leponex	2	A
Codeine		2	B
Conorphone		2	A
Corticaine	Ultracain	2	A
Crotetamide		2	A
Cyamemazine	Tercian	2	A
Cyclobarbital	Phanodorm	2	A
Decamethonium	Syncurine	2	A
Demoxepam		2	A
Desipramine	Norpromine, Pertofrane	2	A
Dezocine	Dalgan®	2	A
Diazepam	Valium	2	B
Dichloralphenazone	Febenol, Isocom	2	A
Diethylpropion	Tepanil, etc.	2	A
Diethylthiambutene	Themalon	2	A
Dihydrocodeine	Parcodin	2	A
Dilorazepam	Briantum	2	A
Diprenorphine	M50/50	2	A
Dixyrazine	Esucos	2	A
Dopamine	Intropin	2	A
Doxacurium	Nuromax	2	A
Doxapram	Dopram	2	A
Doxefazepam	Doxans	2	A
Doxepin	Adapin, Sinequan	2	A
Droperidol	Inapsine, Droleptan, Innovar-Vet (with Fentanyl)	2	A
Duloxetine	Cymbalta, Ariclaim	2	A
Enciprazine		2	A
Ephedrine		2	A

Listing by Classification

Class 2: Drugs that have a high potential to affect performance, but less of a potential than Class 1. These drugs are 1) not generally accepted as therapeutic agents in racing horses, or 2) they are therapeutic agents that have a high potential for abuse.

Drug	Trade Name	DrugClass	Penalty Class
Epibatidine		2	A
Epinephrine		2	A
Ergoloid Mesylates (dihydroergocornine mesylate, dihydroergocristine mesylate and dihydroergocryptine mesylate)	Hydergine	2	A
Estazolam	Domnamid, Eurodin, Nuctalon	2	A
Ethamivan		2	A
Ethanol		2	A
Ethchlorvynol	Placidyl	2	A
Ethinamate	Valmid	2	A
Ethopropazine	Parsidol	2	A
Ethylisobutrazine	Diquel	2	A
Etidocaine	Duranest	2	A
Etifoxin	Stresam	2	A
Etizolam	Depas, Pasaden	2	A
Etodroxizine	Indunox	2	A
Etomidate		2	A
Fenarbamate	Tymium	2	A
Fenclozic acid	Myalex	2	B
Fenfluramine	Pondimin	2	A
Fluanisone	Sedalande	2	A
Fludiazepam	Erispam	2	A
Flunitrazepam	Rohypnol, Narcozep, Darkene, Hypnodorm	2	A
Fluopromazine	Psyquil, Siquil		
Fluoresone	Caducid	2	A
Fluoxetine	Prozac	2	A
Flupenthixol	Depixol, Fluanxol	2	A
Fluphenazine	Prolixin, Permitil, Anatensol	2	A
Flurazepam	Dalmane	2	B
Fluspirilene	Imap, Redeptin	2	A
Flutoprazepam	Restas	2	A
Fluvoxamine	Dumirox, Faverin, etc.	2	A
Galantamine	Reminyl	2	A
Gallamine	Flaxedil	2	A
Gepirone		2	A

Listing by Classification

Class 2: Drugs that have a high potential to affect performance, but less of a potential than Class 1. These drugs are 1) not generally accepted as therapeutic agents in racing horses, or 2) they are therapeutic agents that have a high potential for abuse.

Drug	Trade Name	DrugClass	Penalty Class
Glutethimide	Doriden	2	A
Halazepam	Paxipam	2	A
Haloperidol	Haldol	2	A
Haloxazolam	Somelin	2	A
Hemoglobin glutamers	Oxyglobin, Hemopure	2	A
Hexafluorenium	Myalexen	2	A
Hexobarbital	Evipal	2	A
Homophenazine	Pelvichthol	2	A
Hydrocodone (dihydrocodeinone)	Hycodan	2	A
Hydroxyzine	Atarax	2	B
Ibomal	Noctal	2	A
Imipramine	Imavate, Presamine, Tofranil	2	A
Isapirone		2	A
Isocarboxazid	Marplan	2	A
Isomethadone		2	A
Isoproterenol	Isoprel	2	A
Isoxicam	Maxicam	2	B
Ketamine	Ketalar, Ketaset, Vetalar	2	B
Ketazolam	Anxon, Laftram, Solatran, Loftran	2	A
Lenperone	Elanone-V	2	A
Levamisole	Ergamisol	2	B
Levomethorphan		2	A
Lidocaine	Xylocaine	2	B
Lithium	Lithizine, Duralith, etc.	2	A
Lobeline		2	A
Loflazepate, Ethyl	Victan	2	A
Loperamide	Imodium	2	B
Loprazolam	Dormonort, Havlane	2	A
Lorazepam	Ativan	2	A
Lormetazepam	Noctamid	2	A
Loxapine	Laxitane	2	A
Maprotiline	Ludiomil	2	A
Mebutamate	Axiten, Dormate, Capla	2	A
Meclofenoxate	Lucidiril, etc.	2	A
Medazepam	Nobrium, etc.	2	A

Listing by Classification

Class 2: Drugs that have a high potential to affect performance, but less of a potential than Class 1. These drugs are 1) not generally accepted as therapeutic agents in racing horses, or 2) they are therapeutic agents that have a high potential for abuse.

Drug	Trade Name	DrugClass	Penalty Class
Melperone	Eunerpan	2	A
Memantine	Akatinol, Namenda, Ebixa	2	A
Meparfynol	Oblivon	2	A
Mepazine	Pacatal	2	A
Mephenoxalone	Control, etc.	2	A
Mephenytoin	Mesantoin	2	A
Mephobarbital (Methylphenobarbital)	Mebaral	2	A
Mepivacaine	Carbocaine	2	B
Meprobamate	Equanil, Miltown	2	B
Mesoridazine	Serentil	2	A
Metaclazepam	Talis	2	A
Metazocine		2	A
Metharbital	Gemonil	2	A
Methohexital	Brevital	2	A
Methotrimeprazine	Levoprome, Neurocil, etc.	2	A
Methyprylon	Noludar	2	A
Metocurine	Metubine	2	A
Metomidate	Hypnodil	2	A
Mexazolam	Melex	2	A
Midazolam	Versed	2	A
Mirtazepine	Remeron	2	A
Modafinil	Provigil	2	A
Molindone	Moban	2	A
Moperone	Luvatren	2	A
Mosaprimine		2	A
Nalbuphine	Nubain	2	A
Nalorphine	Nalline, Lethidrone	2	A
Nefazodone	Serzone	2	A
Nimetazepam	Erimin	2	A
Nitrazepam	Mogadon	2	A
Nordiazepam	Calmday, Nordaz, etc.	2	A
Norepinephrine		2	A
Nortriptyline	Aventyl, Pamelor	2	A
Olanzepine	Zyprexa	2	A
Oxazepam	Serax	2	A

Listing by Classification

Class 2: Drugs that have a high potential to affect performance, but less of a potential than Class 1. These drugs are 1) not generally accepted as therapeutic agents in racing horses, or 2) they are therapeutic agents that have a high potential for abuse.

Drug	Trade Name	DrugClass	Penalty Class
Oxazolam	Serenal	2	A
Oxilofrine (hydroxyephedrine)		2	A
Oxyperitine	Forit, Integrin	2	A
Paliperidone	Invega	2	A
Pancuronium	Pavulon	2	A
Paraldehyde	Paral	2	A
Paroxetine	Paxil, Seroxat	2	A
Penfluridol	Cyperon	2	A
Pentobarbital	Nembutal	2	A
Perazine	Taxilan	2	A
Perfluorodecalin		2	A
Perfluoro decahydronaphthalen		2	A
Perfluorooctylbromide		2	A
Perfluorotripropylamine		2	A
Perfluorocarbons		2	A
Periciazine	Alodept, etc.	2	A
Perlapine	Hypnodin	2	A
Perphenazine	Trilafon	2	A
Phenaglycodol	Acalo, Alcamid, etc.	2	A
Phenelzine	Nardelzine, Nardil	2	A
Phenobarbital	Luminal	2	A
Phentermine	Iomamin	2	A
Piminodine	Alvodine, Cimadon	2	A
Pimozide	Orap	2	A
Pinazepam	Domar	2	A
Pipamperone	Dipiperon	2	A
Pipecuronium	Arduan	2	A
Pipequaline		2	A
Piperacetazine	Psymod, Quide	2	A
Piperocaine	Metycaine	2	A
Pipotiazine	Lonseren, Piportil	2	A
Pipradrol	Dataril, Gerondyl, etc.	2	A
Piquindone		2	A
Prazepam	Verstran, Centrax	2	A
Prilocaine	Citanest	2	A

Listing by Classification

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Drug	Trade Name	DrugClass	Penalty Class
Prochlorperazine	Darbazine, Compazine	2	A
Propanidid		2	A
Propiomazine	Largon	2	A
Propionylpromazine	Tranvet	2	B
Propiram		2	A
Propofol	Diprivan, Disoprivan	2	A
Propoxycaine	Ravocaine	2	A
Prothipendyl	Dominal	2	A
Protriptyline	Concordin, Triptil	2	A
Proxibarbital	Axeen, Centralgol	2	A
Pyrithyldione	Hybersulfan, Sonodor	2	A
Quazipam	Doral	2	A
Quetiapine	Seroquel	2	A
Racemethorphan		2	A
Racemorphan		2	A
Raclopride		2	A
Ractopamine	Raylean	2	A
Remoxipride	Roxiam	2	A
Reserpine	Serpasil	2	B
Rilmazafone		2	A
Risperidone		2	A
Ritanserin		2	A
Rivastigmine	Exelon	2	A
Rocuronium	Zemuron	2	A
Rofecoxib	Vioxx	2	B
Romifidine	Sedivet	2	B
Ropivacaine	Naropin	2	A
Secobarbital (Quinalbarbitone)	Seconal	2	A
Selegiline	Eldepryl, Jumex	2	A
Sertraline	Lustral, Zoloft	2	A
Spiclomazine		2	A
Spiperone		2	A
Succinylcholine	Sucostrin, Quelin, etc.	2	A

Listing by Classification

Class 2: Drugs that have a high potential to affect performance, but less of a potential than Class 1. These drugs are 1) not generally accepted as therapeutic agents in racing horses, or 2) they are therapeutic agents that have a high potential for abuse.

Drug	Trade Name	DrugClass	Penalty Class
Sulfondiethylmethane		2	A
Sulfonmethane		2	A
Sulforidazine	Inofal	2	A
Sulpiride	Aiglonyl, Sulpitil	2	A
Sultopride	Barnetil	2	A
Talbutal	Lotusate	2	A
Tandospirone		2	A
Temazepam	Restoril	2	A
Tetrabenazine	Nitoman	2	A
Tetracaine	Pontocaine	2	B
Tetrazepam	Musaril, Myolastin	2	A
Thebaine		2	A
Thialbarbital	Kemithal	2	A
Thiamylal	Surital	2	A
Thiethylperazine	Torecan	2	A
Thiopental	Pentothal	2	A
Thiopropazate	Dartal	2	A
Thioproperazine	Majeptil	2	A
Thioridazine	Mellaril	2	A
Thiothixene	Navane	2	A
Tiapride	Italprid, Luxoben, etc.	2	A
Tiletamine	Component of Telazol	2	A
Timiperone	Tolopelon	2	A
Tofisopam	Grandaxain, Seriel	2	A
Topirimate	Topamax	2	A
Tramadol	Ultram	2	A
Tranylcypromine	Parnate	2	A
Trazodone	Desyrel	2	A
Tretoquinol	Inolin	2	A
Triazolam	Halcion	2	A
Tribromethanol		2	A
Tricaine methanesulfonate	Finquel	2	A
Trichloroethanol		2	A
Tricholoethylene	Trilene, Trimar	2	A
Triclofos	Triclos	2	A

Listing by Classification

Class 2: Drugs that have a high potential to affect performance, but less of a potential than Class 1. These drugs are 1) not generally accepted as therapeutic agents in racing horses, or 2) they are therapeutic agents that have a high potential for abuse.

Drug	Trade Name	DrugClass	Penalty Class
Trifluomeprazine	Nortran	2	A
Trifluoperazine	Stelazine	2	A
Trifluperidol	Triperidol	2	A
Triflupromazine	Vetame, Vesprin	2	A
Trimipramine	Surmontil	2	A
Tubocurarine (Curare)	Metubin	2	A
Tybamate	Benvil, Nospan, etc.	2	A
Urethane		2	A
Valdecoxib		2	B
Valnoctamide	Nirvanyl	2	A
Venlafaxine	Efflexor	2	A
Veralipride	Accional, Veralipril	2	A
Vercuronium	Norcuron	2	A
Viloxazine	Catatrol, Vivalan, etc.	2	A
Vinbarbital	Delvinol	2	A
Vinylbital	Optanox, Speda	2	A
Yohimbine		2	A
Zaleplon	Sonata	2	A
Zilpaterol	Zilmax	2	A
Zolazepam		2	A
Zolpidem	Ambien, Stilnox	2	A
Zomepirac	Zomax	2	B
Zopiclone	Imovan	2	A
Zotepine	Lodopin	2	A
Zuclopenthixol	Ciatyl, Cesordinol	2	A

Listing by Classification

Class 3: Drugs that may or may not have generally accepted medical use in the racing horse, but the pharmacology of which suggests less potential to affect performance than drugs in Class 2.

Drug	Trade Name	DrugClass	Penalty Class
19-Norandrostenediol		3	B
19-Norandrostenedione		3	B
4-Hydroxytestosterone		3	B
Acebutolol	Sectral	3	B
Acepromazine	Atrovet, Notensil, PromAce®	3	B
Albuterol (Salbutamol)	Proventil, Ventolin	3	B
Almotriptan	Axert	3	A
Alprenolol		3	A
Ambenonium	Mytelase, Myeuran	3	B
Aminophylline	Aminophyllin, etc.	3	B
Amitraz	Mitaban	3	A
Amlodipine	Norvasc	3	A
Amyl nitrite		3	A
Arecoline		3	A
Arformeterol	Brovana	3	A
Atenolol	Tenormin	3	B
Atropine		3	B
Benazepril	Lotensin	3	A
Betaxolol	Kerlone	3	B
Bethanidine	Esbatal	3	A
Biperiden	Akineton	3	A
Bisoprolol	Zebeta, Bisobloc, etc.	3	B
Bitolterol	Effectin	3	B
Bolasterone		3	B
Boldenone	Equipoise	3	B
Boldione		3	B
Bretylium	Bretylol	3	B
Brimonidine	Alphagan	3	B
Bromfenac	Duract	3	A
Bromodiphenhydramine		3	B
Bufexamac		3	B
Bumetanide	Bumex	3	B
Butorphanol	Stadol, Torbugesic	3	B
N-Butylscopolamine	Bucospan	3	B
Candesartan	Atacand	3	B
Captopril	Capolen	3	B
Carazolol	Carbacel, Conducton	3	A

Listing by Classification

Class 3: Drugs that may or may not have generally accepted medical use in the racing horse, but the pharmacology of which suggests less potential to affect performance than drugs in Class 2.

Drug	Trade Name	DrugClass	Penalty Class
Carbachol	Lentin, Doryl	3	B
Carbamezapine	Tegretol	3	B
Carbinoxamine	Clistin	3	B
Carteolol	Cartrol	3	B
Carvedilol	Coreg	3	B
Celecoxib	Celebrex	3	B
Cimeterol		3	A
Clausterone	Methosorb	3	B
Clemastine	Tavist	3	B
Clenbuterol	Ventipulmin	3	B
Clidinium	Quarezan, Clindex	3	B
Clonidine	Catapres	3	B
Clostebol		3	B
Cobalt (>50ng/ml in blood)		3	B
Cyclandelate	Cyclospasmol	3	A
Cycrimine	Pagitane	3	B
Danazol	Danocrine	3	B
~~Dehydrochloromethyl- testosterone~~ Dehydrochloromethytestosterone		3	B
Deracoxib[2]	Deremaxx	3	~~C~~B
Desoxymethyl-testosterone		3	B
Detomidine	Dormosedan	3	B
Dextropropoxyphene	Darvon	3	B
Diazoxide	Proglycem	3	B
Diflunisal		3	C
Dimefline		3	A
Diphenhydramine	Benadryl	3	B
Dipyridamole	Persantine	3	B
Divalproex	Depakote	3	A
Dobutamine	Dobutrex	3	B
Doxazosin	Cardura	3	A
Doxylamine	Decapryn	3	B
Dromostanolone	Drolban	3	B
Dyphylline		3	B
Edrophonium	Tensilon	3	B
Eletriptan	Relpax	3	A
Enalapril (metabolite enaloprilat)	Vasotec	3	B

Ergoloid mesylates		3	C

Listing by Classification

Class 3: Drugs that may or may not have generally accepted medical use in the racing horse, but the pharmacology of which suggests less potential to affect performance than drugs in Class 2.

Drug	Trade Name	DrugClass	Penalty Class
Erthrityl tetranitrate	Cardilate	3	A
Esmolol	Brevibloc	3	B
Etamiphylline	Millophylline V	3	B
Ethacrynic acid	Edecrin	3	B
Ethosuximide	Zarontin	3	A
Ethylestrenol	Maxibolin, Organon	3	B
Ethylnorepinephrine	Bronkephrine	3	A
Etodolac	Lodine	3	C
Felbamate	Felbatol	3	A
Fenbufen	Gincopal	3	B
Fenoldopam	Corlopam	3	B
Fenoprofen	Nalfon	3	B
Fenoterol	Berotec	3	B
Fenspiride	Respiride, Respan, etc	3	B
Fentiazac		3	B
Flufenamic acid		3	B
Fluoxymesterone	Halotestin	3	B
Flupirtine	Katadolone	3	A
Flurbiprofen	Froben	3	B
Formebolone		3	B
Formoterol	Altram	3	B
Fosinopril	Monopril	3	A
Fosphenytoin	Cerebyx	3	B
Furazabol		3	B
Gabapentin	Neurontin	3	B
Gestrinone		3	B
Glycopyrrolate	Robinul	3	B
Guanadrel	Hylorel	3	A
Guanethidine	Ismelin	3	A
Guanabenz	Wytensin	3	B
Heptaminol	Corofundol	3	B
Homatropine	Homapin	3	B
Hydralazine	Apresoline	3	B
Indomethacin	Indocin	3	B
Ipratropium		3	B

Listing by Classification

Class 3: Drugs that may or may not have generally accepted medical use in the racing horse, but the pharmacology of which suggests less potential to affect performance than drugs in Class 2.

Drug	Trade Name	DrugClass	Penalty Class
Irbesarten	Avapro	3	A
Ibutilide	Corvert	3	B
Iloprost	Ventavis	3	A
Isoetharine	Bronkosol	3	B
Isosorbide dinitrate	Isordil	3	B
Kebuzone		3	B
Ketorolac	Toradol	3	B
Labetalol	Normodyne	3	B
Lamotrigine	Lamictal	3	A
Levobunolol	Betagan	3	B
Lisinopril	Prinivil, Zestril	3	A
Losartan	Hyzaar	3	B
Mabuterol		3	A
Mecamylamine	Inversine	3	B
Medetomidine	Domitor	3	B
Mefenamic acid	Ponstel	3	B
Mestanolone		3	B
Mesterolone		3	B
Metaproterenol	Alupent, Metaprel	3	B
Metenolone		3	B
Methachloline		3	A
Methandienone		3	B
Methandriol	Probolic	3	B
Methandrostenolone	Dianabol	3	A
Methantheline	Banthine	3	B
Methasterone		3	B
Methixene	Trest	3	A
Methoxamine	Vasoxyl	3	A
Methoxyphenamine	Orthoxide	3	A
Methsuximide	Celontin	3	A
Methyl-1-testosterone		3	B
Methylatropine		3	B
Methyldienolone		3	B
Methyldopa	Aldomet	3	A
Methylnortestosterone		3	B
Methyltestosterone	Metandren	3	B
Metolazone		3	B

Listing by Classification

Class 3: Drugs that may or may not have generally accepted medical use in the racing horse, but the pharmacology of which suggests less potential to affect performance than drugs in Class 2.

Drug	Trade Name	DrugClass	Penalty Class
Metoprolol	Lopressor	3	B
Mibefradil	Posicor	3	B
Mibolerone		3	B
Midodrine	Pro-Amiline	3	B
Minoxidil	Loniten	3	B
Moexipril (metabolite moexiprilat)	Uniretic	3	B
Muscarine		3	A
Nabumetone	Anthraxan, Relafen, Relifex	3	B
Nadol	Corgard	3	B
Naloxone	Narcan	3	A
Naltrexone	Revia	3	A
Naratriptan	Amerge	3	B
Nandrolone	Nandrolin, Laurabolin, Durabolin	3	B
Nebivolol		3	A
Nefopam		3	A
Neostigmine	Prostigmine	3	B
Niflumic acid	Nifluril	3	B
Nimesulide		3	B
Nitroglycerin		3	B
Norbolethone		3	B
Norclostebol		3	B
Norethandrolone		3	B
Nylidrin	Arlidin	3	A
Olmesartan	Benicar	3	A
Oxabolone		3	B
Oxandrolone	Anavar	3	B
Oxprenolol	Trasicor	3	B
Oxymesterone		3	B
Oxymetholone	Adroyd, Andarol	3	B
Papaverine	Pavagen, etc.	3	A
Paramethadione	Paradione	3	A
Pargyline	Eutonyl	3	A
Penbutolol	Levatol	3	B
Pentaerythritol tetranitrate	Duotrate	3	A
Pentazocine	Talwin	3	B
Pergolide		3	B

4-33

Perindopril	Biprel	3	A

Listing by Classification

Class 3: Drugs that may or may not have generally accepted medical use in the racing horse, but the pharmacology of which suggests less potential to affect performance than drugs in Class 2.

Drug	Trade Name	DrugClass	Penalty Class
Phenoxybenzamine	Dibenzyline	3	B
Phentolamine	Regitine	3	B
Phenylephrine	Isophrin, Neo-Synephrine	3	B
Phenylpropanolamine	Propadrine	3	B
Physostigmine	Eserine	3	A
Pindolol	Viskin	3	B
Pirbuterol	Maxair	3	B
Piretanide	Arelix, Tauliz	3	B
Piroxicam	Feldene	3	B
Prazosin	Minipress	3	B
Primidone	Mysoline	3	B
Procaine		3	B
Procaterol	Pro Air	3	A
Procyclidine	Kemadrin	3	B
Promazine	Sparine	3	B
Promethazine	Phenergan	3	B
Propantheline	Pro-Banthine	3	A
Propentophylline	Karsivan	3	B
Propranolol	Inderal	3	B
Prostanazol		3	B
Protokylol	Ventaire	3	A
Pseudoephedrine	Cenafed, Novafed	3	B
Pyridostigmine	Mestinon, Regonol	3	B
Pyrilamine	Neoantergan, Equihist	3	B
Quinapril	Accupril	3	A
Quinbolone		3	B
~~Ractopamine~~	~~Raylean~~	~~3~~	~~B~~
Ramipril	Altace	3	A
Ritodrine	Yutopar	3	B
Rizatriptan	Maxalt	3	B
Salmeterol		3	B
Scopolamine (Hyoscine)	Triptone	3	B
Sibutramine	Meridia	3	B
Sildenafil	Viagra	3	A
Sotalol	Betapace, Sotacor	3	B
Spirapril, Spiraprilat	Renormax	3	A

Listing by Classification

Class 3: Drugs that may or may not have generally accepted medical use in the racing horse, but the pharmacology of which suggests less potential to affect performance than drugs in Class 2.

Drug	Trade Name	DrugClass	Penalty Class
Stanazolol	Winstrol-V	3	B
Stenbolone		3	B
Sulindac	Clinoril	3	B
Sumatriptan	Imitrex	3	B
Tadalasil	Cialis	3	A
Telmisartin	Micardis	3	B
Tenoxicam	Alganex, etc.	3	B
Tepoxalin		3	C
Terazosin	Hytrin	3	A
Terbutaline	Brethine, Bricanyl	3	B
Testolactone	Teslac	3	B
Testosterone		3	B
Tetrahydrogestrinone		3	B
Theophylline	Aqualphyllin, etc.	3	B
Tiaprofenic acid	Surgam	3	B
Timolol	Blocardrin	3	B
Tolazoline	Priscoline	3	B
Tolmetin	Tolectin	3	B
Torsemide (Torasemide)	Demadex	3	B
Trandolapril (and metabolite, Trandolaprilat)	Tarka	3	B
Trenbolone	Finoplix	3	B
Trihexylphenidyl	Artane	3	A
Trimethadione	Tridione	3	B
Trimethaphan	Arfonad	3	A
Tripelennamine	PBZ	3	B
Valerenic acid		3	C
Valsartan	Diovan	3	B
Vardenafil	Levitra	3	A
Xylazine	Rompun, Bay Va 1470	3	B
Zolmitriptan	Zomig	3	B
Δ-1-androstene-3,17-diol		3	B
Δ-1-androstene-3,17-dione		3	B
Δ-1-dihydrotestosterone		3	B
~~Zilpaterol~~	~~Zilmax~~	~~3~~	~~A~~
Zonisamide	Zonegran	3	B

Listing by Classification

Class 4: This class includes therapeutic medications that would be expected to have less potential to affect performance than those in Class 3.

Drug	Trade Name	DrugClass	Penalty Class
Acetaminophen (Paracetamol)	Tylenol, Tempra, etc.	4	C
Acetanilid		4	B
Acetazolamide	Diamox, Vetamox	4	B
Acetophenetidin (Phenacetin)		4	B
Acetylsalicylic acid (Aspirin)		4	C
~~Aclomethasone~~ Alclomethasone	Aclovate	4	C
Adrenochrome monosemicarbazone salicylate		4	B
Aldosterone	Aldocortin, Electrocortin	4	B
Ambroxol	Ambril, etc.	4	~~B~~C
Amcinonide	Cyclocort	4	C
Amiloride	Moduretic, Midamor	4	B
Aminocaproic acid	Amicar, Caprocid	4	C
~~Aminodarone~~		4	~~B~~
~~2-Aminoheptaine~~ 2-Aminoheptane	Tuamine	4	B
Aminopyrine		4	B
Amiodarone		4	B
Amisometradine	Rolictron	4	B
Amlodipine	Norvasc, Ammivin	4	B
Amrinone		4	B
Anisotropine	Valpin	4	B
Antipyrine		4	B
Apazone (Azapropazone)	Rheumox	4	B
Aprindine		4	B
Baclofen	Lioresal	4	B
Beclomethasone	Propaderm	4	C
Benazepril	Lotrel	4	B
Bendroflumethiazide	Naturetin	4	B
Benoxinate	Dorsacaine	4	C
Benzocaine		4	C
Benzthiazide		4	B
Bepridil	Bepadin	4	B
Betamethasone	Betasone, etc.	4	C
Bethanechol	Urecholine, Duvoid	4	C
Bromhexine	Oletor, etc.	4	C
Brompheniramine	Dimetane, Disomer	4	B
Budesonide	Pulmacort, Rhinocort	4	C

Listing by Classification

Class 4: This class includes therapeutic medications that would be expected to have less potential to affect performance than those in Class 3.

Drug	Trade Name	Drug Class	Penalty Class
Butacaine	Butyn	4	B
Butamben (butyl aminobenzoate)	Butesin	4	C
Butoxycaine	Stadacain	4	B
Camphor		4	C
Carbazochrome		4	C
Carprofen	Rimadyl	4	B
Certirizine	Zyrtec	4	B
Chlormerodrin	Neohydrin	4	B
Chlorophenesin	Maolate	4	C
Chloroquine	Avloclor	4	C
Chlorothiazide	Diuril	4	B
Chlorpheniramine	Chlortriemton, etc.	4	B
Chlorthalidone	Hydroton	4	B
Chlorzoxazone	Paraflex	4	B
Ciclesonide	Alvesco, Omnaris, Omniair	4	B
Cinchocaine	Nupercaine	4	C
Clanobutin		4	C
Clibucaine	Batrax	4	C
Clidinium	Quarezan, Clindex, etc.	4	B
Clobetasol	Temovate	4	C
Clocortolone	Cloderm	4	C
Clofenamide		4	B
Clormecaine	Placacid	4	C
Cobalt (>25ng/ml in blood)		4	C
Colchicine		4	B
Cortisone	Cortone, etc.	4	C
Cyclizine	Merazine	4	B
Cyclobenzaprine	Flexeril	4	B
Cyclomethylcaine	Surfacaine	4	C
Cyclothiazide	Anhydron, Renazide	4	B
Cyproheptadine	Periactin	4	C
Dantrolene	Dantrium	4	C
Dembroxol (Dembrexine)	Sputolysin	4	C
Deoxycorticosterone	Percortin, DOCA, Descotone, Dorcostrin	4	C
Desonite	Des Owen	4	C
Desoximetasone	Topicort	4	C

Listing by Classification

Class 4: This class includes therapeutic medications that would be expected to have less potential to affect performance than those in Class 3.

Drug	Trade Name	Drug Class	Penalty Class
Dexamethasone	Azium, etc.	4	C
Dextromethorphan		4	C
Dibucaine	Nupercainal, Cinchocaine	4	C
Dichlorphenamide	Daramide	4	C
Diclofenac	Voltaren, Voltarol	4	C
Diflorasone	Florone, Maxiflor	4	C
Diflucortolone	Flu-Cortinest, etc.	4	C
Digitoxin	Crystodigin	4	B
Digoxin	Lanoxin	4	B
Dihydroergotamine		4	C
Diltiazem	Cardizem	4	B
Dimethisoquin	Quotane	4	B
Dimethylsulfoxide (DMSO) (>1 ug/ml in blood or >10ug/ml in urine)	Domoso	4	C
Diphenoxylate	Difenoxin, Lomotil	4	B
Dipyrone	Novin, Methampyrone	4	C
Disopyramide	Norpace	4	B
Dromostanolone	Drolban	4	C
Dyclonine	Dyclone	4	C
Eltenac		4	C
Ergonovine	Ergotrate	4	C
Ergotamine	Gynergen, Cafergot, etc.	4	C
Etanercept	Enbrel	4	B
Ethoheptazine	Zactane	4	B
Ethosuximide	Zarontin	4	B
Ethotoin	Peganone	4	B
Ethoxzolamide	Cardrase, Ethamide	4	C
Ethylaminobenzoate (Benzocaine)	Semets, etc.	4	C
Felodipine	Plendil	4	B
Fexofenadine	Allegra	4	C
Firocoxib		4	C
Flecainide	Idalon	4	B
Floctafenine	Idalon, Idarac	4	B
Flucinolone	Synalar, etc.	4	C
Fludrocortisone	Alforone, etc.	4	C
Flumethasone	Flucort, etc.	4	C

Listing by Classification

Class 4: This class includes therapeutic medications that would be expected to have less potential to affect performance than those in Class 3.

Drug	Trade Name	Drug Class	Penalty Class
Flumethiazide	Ademol	4	B
Flunarizine	Sibelium	4	B
Flunisolide	Bronilide, etc.	4	C
Flunixin	Banamine	4	C
Fluocinolone	Synalar	4	C
Fluocinonide	Licon, Lidex	4	C
Fluoroprednisolone	Predef-2X	4	C
Fluprednisolone	Alphadrol	4	C
Flurandrenolide	Cordran	4	C
Flurometholone	FML, Flarex	4	B
Fluticasone	Flixonase, Flutide	4	C
Guaifenesin (glycerol guiacolate)	Gecolate	4	C
Halcinonide	Halog	4	C
Halobetasol	Ultravate	4	C
Hexocyclium	Tral	4	B
Hexylcaine	Cyclaine	4	C
Hydrochlorthiazide	Hydrodiuril	4	C
Hydrocortisone (Cortisol)	Cortef, etc.	4	C
Hydroflumethiazide	Saluron	4	B
Ibuprofen	Motrin, Advil, Nurpin, etc.	4	~~B or~~ C
Infliximab	Remicade	4	B
Isoflupredone	Predef	4	C
Isometheptene	Octin, Octon	4	B
Isopropamide	Darbid	4	B
Isoxsuprine	Vasodilan	4	C
Isradipine	DynaCirc	4	B
Ketoprofen	Orudis	4	C
Letosteine	Viscotiol, Visiotal	4	C
Loratidine	Claritin	4	B
Meclizine	Antivert, Bonine	4	B
Meclofenamic acid	Arquel	4	C
Medrysone	Medriusar, etc.	4	C
Meloxicam	Mobic	4	C
Mepenzolate	Cantil	4	B
Mephenesin	Tolserol	4	B

Listing by Classification

Class 4: This class includes therapeutic medications that would be expected to have less potential to affect performance than those in Class 3.

Drug	Trade Name	Drug Class	Penalty Class
Meralluride	Mercuhydrin	4	B
Merbaphen	Novasural	4	B
Mercaptomerin	Thiomerin	4	B
Mercumalilin	Cumertilin	4	B
Mersalyl	Salyrgan	4	B
Metaxalone	Skelaxin	4	B
Methandrostenolone	Dianabol	4	C
Methantheline	Banthine	4	B
Methapyrilene	Histadyl, etc.	4	B
Methazolamide	Naptazane	4	C
Methdilazine	Tacaryl	4	B
Methocarbamol	Robaxin	4	C
Methotrexate	Folex, Nexate, etc.	4	B
Methscopolamine	Pamine	4	B
Methsuximide	Celontin	4	B
Methylchlorthiazide	Enduron	4	B
Methandrostenolone	Dianabol	4	C
Methylergonovine	Methergine	4	C
Methylprednisolone	Medrol	4	C
Methysergide	Sansert	4	B
Metiamide		4	B
Metoclopramide	Reglan	4	C
Mexilitine	Mexilil	4	B
Milrinone		4	B
Mometasone	Elocon	4	C
Montelukast	Singulair	4	C
Naepaine	Amylsine	4	C
Naphazoline	Privine	4	B
Naproxen	Equiproxen, Naprosyn	4	C
Nicardipine	Cardine	4	B
Nifedipine	Procardia	4	B
Nimodipine	Nemotop	4	B
Norethandrone		4	C
Nortestosterone		4	C
Olsalazine	Dipentum	4	B

Listing by Classification

Class 4: This class includes therapeutic medications that would be expected to have less potential to affect performance than those in Class 3.

Drug	Trade Name	Drug Class	Penalty Class
Orphenadrine	Norlfex	4	B
Oxaprozin	Daypro, Deflam	4	C
Oxymetazoline	Afrin	4	B
Oxyphenbutazone	Tandearil	4	C
Oxyphencyclimine	Daricon	4	B
Oxyphenonium	Antrenyl	4	B
Paramethasone	Haldrone	4	C
Pentoxyfylline	Trental, Vazofirin	4	C
Phenacemide	Phenurone	4	B
Phensuximide	Milontin	4	B
Phenylbutazone		4	C
Phenytoin	Dilantin	4	B
Polythiazide	Renese	4	B
Pramoxine	Tronothaine	4	C
Prednisolone	Delta-Cortef, etc.	4	C
Prednisone	Meticorten, etc.	4	C
Probenecid		4	C
Procainamide	Pronestyl	4	B
Propafenone	Rythmol	4	B
Propantheline	Pro-Banthine	4	B
Proparacaine	Ophthaine	4	C
Propylhexedrine	Benzedrex	4	B
Quinidine	Quinidex, Quinicardine	4	B
Salicylamide		4	C
Salicylate		4	C
Spironalactone	Aldactone	4	B
Sulfasalazine	Azulfidine, Azaline	4	C
Terfenadine	Seldane, Triludan	4	B
Tetrahydrozoline	Tyzine	4	B
Theobromine		4	C
Thiosalicylate		4	C
Thiphenamil	Trocinate	4	B
Tocainide	Tonocard	4	B
Tranexamic acid		4	C
Triamcinolone	Vetalog, etc.	4	C

Listing by Classification

Class 4: This class includes therapeutic medications that would be expected to have less potential to affect performance than those in Class 3.

Drug	Trade Name	Drug Class	Penalty Class
Triamterene	Dyrenium	4	B
Trichlormethiazide	Naqua, Naquasone	4	C
Tolmetin	Tolectin	4	B
Tridihexethyl	Pathilon	4	B
Trimeprazine	Temaril	4	B
Triprolidine	Actidil	4	B
Tuaminoheptane	Tuamine	4	C
Vedaprofen		4	C
Verapamil	Calan, Isoptin	4	B
Xylometazoline	Otrivin	4	B
Zafirlukast	Accolate	4	C
Zeranol	Ralgro	4	C
Zileuton	Zyflo	4	C

Listing by Classification

Class 5: This class includes ***the following*** therapeutic medications for which concentration limits have been established.

Drug	Trade Name	DrugClass	Penalty Class
Acenocoumarol		5	C
Anisindione		5	D
Cilostazol	Pletal	5	D
Cimetidine	Tagamet	5	D
Cromolyn	Intel	5	D
Dicumarol	Dicumarol	5	D
Dimethylsulfoxide (DMSO)	Domoso	5	D
Dimethylsulphone (MSM)		5	D
Diphenadione		5	D
Esomeprazole	Nexium	5	D
Famotidine	Gaster, etc.	5	D
Lansoprazole		5	D
Mesalamine	Asacol	5	D
Misoprostel	Cytotec	5	D
Nedocromil	Tilade	5	C
Nizatidine	Axid	5	D
Omeprozole	Prilosec, Losec	5	D
Pantoprazole	Protonix	5	D
Phenindione	Hedulin	5	D
Phenprocoumon	Liquamar	5	D
Pirenzapine	Gastrozepin	5	D
Polyethylene glycol		5	C
Rabeprazole	Aciphex	5	C
Ranitidine	Zantac	5	D
Warfarin	Coumadin, Coufarin	5	D

STAFF ANALYSIS
DISCUSSION AND ACTION REGARDING THE PROPOSED AMENDMENT TO CHRB RULE 1689.1, SAFETY VEST REQUIRED, TO EXTEND THE REQUIREMENT TO WEAR A SAFETY VEST TO PONY RIDERS WHO PONY OR LEAD A HORSE OR WHO ARE MOUNTED ON ANY HORSE ON THE GROUNDS OF A FACILITY UNDER THE JURISDICTION OF THE BOARD

Medication and Track Safety Committee Meeting
August 19, 2015

BACKGROUND

In March 2015 the proposed amendment to Board Rule 1689.1, Safety Vest Required, was submitted to the Office of Administrative Law (OAL) for review. The proposed amendment provided that no pony rider shall pony or lead a horse or be mounted on a horse on the grounds of a racing association, racing fair, or authorized training facility unless wearing a safety vest. The transcript of the hearing for adoption of Rule 1689.1 submitted to OAL with the closing file revealed that the Board was unclear on who would be required to wear a safety vest. The discussion during the adoption hearing questioned if the proposed regulation also included trainers who would be required to wear a safety vest, or if everybody who is on a horse while on the race track would be required to wear a safety vest. The OAL disapproved the rulemaking action based on the Clarity standard of Government Code section 11349.1. The OAL disapproval stated the language of the regulation that no "pony rider" shall pony or lead a horse unless wearing a safety vest appeared to conflict with the Board's description of the intent of the regulation at the adoption hearing and in the Final Statement of Reasons that "...everybody who is on a horse on the race track should be wearing a vest." The text of the regulation has been modified to address OAL's concerns. New subsection (a)(1) states "No person licensed by the Board as a pony rider shall pony or lead a horse or be mounted on a horse on the grounds of a racing association, racing fair, or authorized training facility unless wearing a safety vest."

Business and Professions Code section 19420 provides that jurisdiction and supervision over meetings in this State where horse races with wagering on their results are held or conducted, and over all persons or things having to do with the operation of such meetings, is vested in the Board. Business and Professions Code section 19481 states that in performing its responsibilities, the Board shall establish safety standards governing equipment for horse and rider to improve the safety of horses, riders, and workers in the racing inclosure. Board Rule 1689.1 requires jockeys and apprentice jockeys to wear safety vests when riding in a race. Additionally, the rule provides that jockeys, apprentice jockeys and exercise riders must wear a safety vest when they train or exercise any horse on the grounds of a racing association or racing fair. Rule 1689.1 specifies that safety vests shall meet the British Equestrian Trade Association (BETA) standard for horse riders' body and shoulder protectors. Safety vests protect the inner organs, ribs and spine. The padding helps prevent or lessen an injury from the impact of a fall, and reduce the amount of damage should the wearer be hit by a hoof.

ANALYSIS

The proposed amendment to Rule 1689.1 would add subsection (a)(1) to state that no person licensed by the Board as a pony rider shall pony or lead a horse or be mounted on a horse on the grounds of a racing association, racing fair, or authorized training facility unless wearing a safety vest. The proposed amendment would add pony riders to the list of those who must wear a safety vest. The rule was last amended in July 2010 when harness drivers and assistant starters were added to the list of those who must wear a safety vest. The starting gate crews are addressed in the current rule under subsection 1689.1 (b), which provides that an assistant starter shall not handle any horse unless wearing a safety vest.

RECOMMENDATION

This item is presented for Committee discussion and action.

CALIFORNIA HORSE RACING BOARD
TITLE 4. CALIFORNIA CODE OF REGULATIONS
ARTICLE 8. RUNNING THE RACE
PROPOSED AMENDMENT TO
RULE 1689.1. SAFETY VEST REQUIRED

1689.1. Safety Vest Required.

(a) No jockey or apprentice jockey shall ride in a race unless wearing a safety vest, nor shall a jockey, apprentice jockey, or exercise rider, train or exercise any horse on the grounds of a racing association, racing fair, or authorized training facility unless wearing a safety vest.

(1) No person licensed by the Board as a pony rider shall pony or lead a horse or be mounted on a horse on the grounds of a racing association, racing fair, or authorized training facility unless wearing a safety vest.

(b) No driver shall be mounted in or riding on a sulky, nor shall an assistant starter handle any horse on the grounds of a racing association, racing fair, or authorized training facility unless wearing a safety vest.

(c) Safety vests required to be worn in accordance with this regulation shall:

(1) Provide a minimum of shock absorbing protection to the upper body, as evidenced by a label indicating that the safety vest meets one of the following standards:

(A) "Level 1" under the British Equestrian Trade Association (BETA) 2009 Standard for Horse Riders' Body and Shoulder Protectors, or

(B) American Society for Testing Materials (ASTM) standard F2681-08, or

(C) Shoe and Allied Trades Research Association (SATRA) (1999) Jockey Vest Standard, Document M6 Issue 3, Australian Racing Board (ARB) 3.

(2) Cover the entire torso from the collarbone to a line level with the hip bone allowing a vee opening in the front neckline;

(3) Weigh no more than 2 pounds.

(4) No vest shall be altered from its original manufactured design. This includes, but is not limited to:

(A) Cutting the vest to customize fit.

(B) Removal of manufacturer's labels.

(C) Removal of protective padding.

(d) The weight of a safety vest shall not be included in the weight of a jockey or apprentice jockey when weighing out or weighing in or when adding weight to make up a weight assignment.

Authority: Sections 19420, 19481 and 19562, Business and Professions Code.

Reference: Sections 19481, Business and Professions Code.

STAFF ANALYSIS
DISCUSSION REGARDING THE PROPOSED DEVELOPMENT OF A CHRB RULE TO REQUIRE CONTINUING EDUCATION FOR TRAINERS AS A CONDITION FOR LICENSE RENEWAL.

Medication and Track Safety Committee Meeting
August 19, 2015

BACKGROUND

Business and Professions Code section 19520 provides that every person who participates in the racing of horses, including trainers, shall be licensed by the Board pursuant to the rules and regulations.

The California Horse Racing Board (CHRB) and the University of California, Davis (U.C. Davis), have collaborated to establish the Racing Injury Prevention Program. Research from the U.C. Davis program has lead to new information that prompted the design of three education modules. These education modules contain the latest methods for detecting the first signs of injury in a horse and how to prevent such injuries before they become catastrophic. Trainers, veterinarians and all horsemen could benefit from viewing the education modules. Each module concentrates on a specific anatomical site. Currently modules for the scapula and humerus have been completed. Modules for the fetlock, cannon bone and carpus (knee) are planned for the near future. Once these modules are completed, approximately 75% of the racing and training injuries will have been addressed. There is enough material through the research findings done at U.C. Davis to create a total of twenty-one modules in all.

The "Bone Physiology/Bone Training" education module currently under development by Drs. Stover and Bramlage was sponsored by The Jockey Club and previewed at the Welfare and Safety of the Racehorse Summit in Lexington, KY on July 8, 2015. Accompanying this education module was the model rule developed by the Association of Racing Commissioners International (ARCI). The ARCI rule requires four hours of approved continuing education to maintain a current license as a trainer.

National continuing education efforts are underway in Washington, Indiana, Colorado, Kentucky, and New York. Recently, the New York State Gaming Commission collaborated with the Cornell University College of Veterinary Medicine to educate its trainers and owners with an online continuing education program.

ANALYSIS

The CHRB is currently exploring the concept of developing a regulation to require trainers and assistant trainers to take continuing education to maintain their CHRB license. The continuing education requirement would be tied to the renewal of the license.

The goal of the proposed regulation is to keep our trainers informed of the latest developments and techniques for injury detection, prevention and rehabilitation of the racehorse. However, there are several issues that need to be resolved, including provisions for out-of-state trainers and the Breeder's Cup.

RECOMMENDATION

This item is presented for Committee discussion.

DISCUSSION ON THE PROCESS AND SCIENCE USED FOR MAINTAINING TRACK SURFACE CONDITIONS AT CALIFORNIA RACETRACKS

Medication and Track Safety Committee Meeting

August 19, 2015

BACKGROUND

Business and Professions Code section 19841 requires the Board to establish safety standards to govern the uniformity and content of the track base and racing surface in order to improve the safety of horses, riders and workers at the racetrack. Article 3.5 Track Safety Standards of the Board's Rules and Regulations contains the rules that govern the CHRB Track Safety program. These safety standards primarily describe rail and track design specifications. The rules do not reflect the racing surface test and evaluation technology that has developed in the industry over the last 10 years.

The California Horse Racing Board (CHRB) Racing Safety Program was initiated in 2010 to establish standards for the evaluation of dirt, synthetic and turf racing surfaces. An understanding of critical issues for minimizing the incidence of fatal injuries at the racetrack has been developed by this program:

- Fatal injuries are predominately due to cumulative damage to a particular musculoskeletal component. This cumulative damage occurs as the result of repetitive training and racing.

- The racing surface plays a role in establishing the load, and therefore the cumulative damage, to the musculoskeletal system during racing and training.

- For over 80% of fatal musculoskeletal injuries, a pre-existing condition has developed over time that leads to the fatal breakdown.

- The hardness and consistency of the racing surface are the critical surface variables that affect the load transferred to the horse's musculoskeletal system.

- The CHRB has focused on verifying technology and test processes to establish acceptable operating ranges for California's racing surfaces.

The CHRB has established two test protocols for all three types of racing surfaces. A full evaluation of the track is conducted at the beginning of every race meeting. Daily measurements are taken on a selective basis to monitor variations that may require the attention of the track superintendant.

ANALYSIS

The CHRB uses a two-tiered process for monitoring track surface conditions at California racetracks. A track Safety Steward in Sacramento is dedicated to track safety issues. A field Safety Steward is assigned to each racetrack meeting. At the beginning of each race meeting, the track Safety Steward and field Safety Steward mutually conduct a comprehensive evaluation of the racing surfaces. Subsequently, on each racing day, the field Safety Steward gathers the data to measure critical track performance parameters. He delivers the data to the track Safety Steward and they discuss issues and trends. They mutually agree on whether the data needs to be discussed with the association Track Superintendant. This data is presented to the Track Superintendant as information to be considered during formulation of maintenance and renovation plans.

Dirt racing surfaces provide the most variability in performance, primarily because of the effect of moisture content on material properties and maintenance procedures on surface hardness. The redesign of the Santa Anita racetrack in 2010 and 2011 from a synthetic to a dirt surface afforded the CHRB the opportunity to develop an extensive data base on the variables that affect dirt track performance. The mechanical hoof tester is used at least once a year on every California dirt track to measure the overall hardness of the surface. The variables that are now measured on a regular basis (that directly affect the hardness of the surface) include the moisture content of the cushion material, composition of the cushion material, the cushion depth and the pad hardness. Pad hardness is measured with a Clegg Impact Tester.

There is one synthetic race track still operating in California at Golden Gate Fields (GGF). The surface was put into operation in 2008. The performance of the GGF surface has been shown to be primarily dependent on changes in the wax and fiber content of the Tapeta surface. GGF has adopted a regular maintenance protocol that restores the resilience of the surface through the addition of new fiber material. The mechanical hoof tester is used at least once a year to measure the overall hardness of the synthetic surface.

Turf course racing surfaces are used at four California racetracks (Santa Anita, Del Mar, Golden Gate Fields and Santa Rosa). The installation of a new turf course at Del Mar in 2014 afforded the CHRB the opportunity to identify acceptable ranges for surface hardness. Surface hardness for each turf course is now regularly measured at the start of each meeting with the Clegg Impact Tester and the Going Stick Penetrometer. Results at Del Mar and Santa Anita have shown a strong correlation between vertical forces measured by the two instruments. During the meeting, Clegg measurements are taken on a daily basis to check the hardness of the surface. Turf course hardness is primarily impacted by moisture content. Regular moisture measurements can be correlated with hardness measurements to optimize watering schedules. Turf course hardness is also affected by aeration maintenance procedures. Turf course safety also depends on the consistency of the turf course. During the racing meeting, the field Safety Steward conducts regular visual inspections of the turf course to determine if divots and uneven areas are a concern.

The CHRB has been working with Biomechanically Applied Engineering (BAE) (under the direction of Dr. Michael Peterson) since 2012 to help establish a data base of the measurements taken during the Track Safety Program. BAE is developing the national Maintenance Quality System that will ultimately be used to correlate injury data, track design and setup information,

seasonal and daily race meeting test data and maintenance operations tracking. Nine different race tracks are participating in the program including Del Mar and Santa Anita in California and all three major racetracks in New York.

RECOMMENDATION

This item is presented for Committee discussion.

STAFF ANALYSIS
DISCUSSION REGARDING
A REPORT ON THE
AMERICAN ASSOCIATION FOR EQUINE PRACTITIONERS (AAEP)
PRESCRIPTION FOR RACING REFORM: A 10-POINT PLAN FOR ACTION

Medication and Track Safety Committee Meeting
August 19, 2015

BACKGROUND

The American Association of Equine Practitioners (AAEP) Racing Committee has identified ten key items through which veterinarians as individuals and the AAEP as an entity can continue to positively affect the health and welfare of the racehorse and help ensure the success of the racing industry.

The Board's Equine Medical Director is prepared to report to the Committee on the AAEP's Prescription for Racing Reform: A 10 Point Plan for Action.

RECOMMENDATION

The item is presented for discussion.

AAEP Prescription for Racing Reform: A 10-Point Plan for Action

Horse racing in the United States faces significant challenges to its long-term viability. Aside from the threats of increased global competition for the wagering dollar and a soft national economy, the public's perception of medication usage and catastrophic injuries threatens the sport's future success.

The AAEP Racing Committee has identified 10 key items through which equine veterinarians as individuals and the AAEP as an entity can continue to positively affect the health and welfare of the racehorse and help ensure the success of the racing industry. The AAEP will:

1. **Continue support of National Uniform Medication Program in all U.S. racing jurisdictions.**
   The AAEP supports the implementation of this program in all U.S. racing jurisdictions. Lack of uniform medication rules presents significant challenges to owners and trainers who race horses in multiple jurisdictions, often leading to confusion about how to best implement appropriate therapeutic regimens. The AAEP fully supports the adoption of all components of the NUMP and seeks continued involvement as the program evolves.

2. **Recommend to the Racing Medication & Testing Consortium the development of regulations banning the use of anabolic steroids in training.**
   It is prudent for the horse racing industry to recognize the negative impact that the use of any systemic anabolic steroids has on the sport. While the administration of anabolic steroids is banned in racehorses for at least 30 days prior to competition, the AAEP advocates for this ban to extend to racehorses that are actively training at a racetrack or training center.

   There are indications for the therapeutic use of systemic anabolic steroids in the race horse based upon a medical diagnosis and treatment plan. However, the AAEP believes it is difficult to justify their use in race horses that are actively training and racing.

3. **Recommend to the Racing Medication & Testing Consortium a 48-hour restricted administration time for NSAIDs as part of uniform medication policy.**
   Research indicates that there is a remaining anti-inflammatory effect of phenylbutazone at 24 hours after administration. This coincides with pre-race examinations performed by regulatory veterinarians attempting to determine the soundness of a horse for racing. Additionally, no pari-mutuel racetracks in the U.S. allow a horse to be entered less than 48 hours before a race. Horses should be evaluated with no effect of anti-inflammatory drugs influencing this decision. In order for regulatory veterinarians to best detect horses at risk for injury when performing pre-race examinations, the AAEP supports a 48-hour withdrawal guideline for NSAIDs.

4. **Support clear uniform regulations for compounded medication.**
   Due to permanent or temporary unavailability of certain medications, legally compounded medications are a necessity to the equine practitioner and their patients. Yet there are some compounds that are either illegally produced or inappropriately manufactured. The AAEP, in cooperation with the appropriate regulatory bodies, will work to establish a "Compounded Medication Policy" for racing jurisdictions, understanding that there are various regulations at the state level that would affect any uniform policy.

5. **Support the implementation of a national uniform program for comprehensive out-of-competition testing.**
   Certain substances are poorly controlled through post-race sampling alone. An effective out-of-competition testing program is imperative to deter the administration of performance-enhancing drugs that negatively impact horse health and the integrity of the sport. The AAEP seeks to support the efforts of the appropriate regulatory bodies in developing a comprehensive out-of-competition testing program and welcomes opportunities for collaboration.

6. **Support and advocate the development and implementation of effective security measures to enforce medication rules.**
   The AAEP supports and is willing to assist in developing security measures to help deter medication rules violations. Proper security not only deters nefarious actions detrimental to the integrity of racing and the welfare of the horse but also helps level the playing field for those that would not break the rules of racing.

7. **Support meaningful medication rule violation sanctions for horses, veterinarians and other licensees, as appropriate.**
   The trainer absolute insurer rule has been a mainstay of racing rules for many years. The AAEP feels this rule is appropriate, yet there are times when other licensees are involved in rules violations. The AAEP supports penalties for all licensees (including suspension of individual horses from racing) that are commensurate with the violation incurred.

8. **Create national uniform procedures for Veterinarian's List reciprocity and management criteria.**
   A national reciprocity agreement requiring racing jurisdictions to respect the Veterinarian's List in other states must be developed and implemented. The Veterinarian's List identifies horses deemed unfit and ineligible to race for various veterinary medical reasons. Each racing jurisdiction has its own process and criteria to ensure how and when a horse is fit to return to racing or training in that state. However, in some instances, a horse on the Veterinarian's List in one state can race in another state without meeting those health and soundness standards.

The AAEP Racing Committee, working in conjunction with the Racing Regulatory Veterinary Group, will develop a national uniform program and work to implement that program through the Association of Racing Commissioners International Model Rules.

9. **Investigate alternative exercise-induced pulmonary hemmorhage management strategies with the intent to eliminate race-day medication.**
   The recent American College of Veterinary Internal Medicine review of existing EIPH research showed that there is very little research on alternative strategies beyond race-day furosemide. Few other medications have been studied and virtually no medication strategies outside race-day treatments have been researched.

   The AAEP will pursue alternative EIPH strategies by facilitating a meeting of scientists, including experts in the fields of equine EIPH, pulmonary function and human sports medicine, with the stated goal of identifying research priorities that may yield effective alternatives to current race-day EIPH treatment protocols.

10. **Upon finding efficacious methods to manage EIPH, the AAEP will propose that the Racing Medication & Testing Consortium amend its uniform medication policy in order to eliminate race-day medication.**
    If an alternative of equal or greater efficacy to furosemide can be found that will not require race-day administration, the AAEP will support the cessation of race-day furosemide.