

**CALIFORNIA HORSE RACING BOARD  
15-DAY NOTICE OF MODIFICATION TO THE TEXT OF THE PROPOSED  
AMENDMENT OF RULE 1845, AUTHORIZED BLEEDER MEDICATION**

Pursuant to the requirements of Government Code section 11346.8(c) and section 44 of Title 1 of the California Code of Regulations, the California Horse Racing Board (Board) is providing notice of changes that have been made to the text of the proposed addition of Board Rule 1845, Authorized Bleeder Medication.

The Board is also providing notice that a document incorporated by reference is available for public inspection and comment.

**CHANGES TO THE PROPOSED TEXT**

The originally proposed text was noticed to the public on January 24, 2020 and was subject of a public hearing on March 26, 2020. The modifications reflected in this Notice are in response to recommendations made by stakeholders and Board members.

A copy of the full text of the regulations with the proposed changes indicated is attached for your review. Additions to the originally proposed text appear in double underlined text and deletions are shown in ~~double strikethrough~~.

§ Rule 1845, Authorized Bleeder Medication

Proposed section (a)(1) has been modified from the prohibition of furosemide to foals of the 2018 crop and thereafter to only prohibiting furosemide for two-year-olds. This modification would bring the Board's rules governing the administration of furosemide to racehorses into alignment with the other major racing jurisdictions in the United States and all major race tracks in the country. Additionally, the proposed amendment would prevent a situation where horses in the same race had different rules applied governing the administration of furosemide because of their varying ages, thus putting some horses at a disadvantage.

**WRITTEN COMMENT PERIOD**

Any interested person may submit a written statement relating to the modified language during the public comment period from **March 27, 2020 to April 11, 2020**. All written comments must be submitted to the CHRB no later than **5:00 p.m. on April 11, 2020**. The Board will only consider comments received at the Board's office by that time. Submit written comments to:

Zachary Voss, Policy and Regulations Analyst  
California Horse Racing Board  
1010 Hurley Way, Suite 300  
Sacramento, CA 95825  
Email: [zavoss@chr.ca.gov](mailto:zavoss@chr.ca.gov)

All written comments received by April 11, 2020, which pertain to the indicated text changes will be reviewed and responded to by the Board's staff as part of the completion of the rulemaking file. Please limit your comments to the modifications to the text and form incorporated by reference. Text proposed to be added to the rulemaking in this comment period is displayed in double underline and proposed deletions to the rulemaking in this comment period is displayed in ~~double strikethrough~~.

Questions concerning the proposed amendments may be addressed to Zachary Voss at (916) 263-6036, emailed to [zavoss@chr.ca.gov](mailto:zavoss@chr.ca.gov), or mailed to the address above. If Zachary Voss is not available, questions concerning the proposed amendment may be directed to Amanda Drummond, Policy and Regulations Manager, at (916) 263-6033 or [amdummond@chr.ca.gov](mailto:amdummond@chr.ca.gov).

#### **AVAILABILITY OF RULEMAKING DOCUMENTS ON THE INTERNET**

Copies of this notice, the original Notice of Proposed Rulemaking, the Initial Statement of Reasons, the original proposed text of the regulations, additional documents and information to the record, and the revisions to the proposed text of the regulations can be accessed via the CHR website at: [http://www.chr.ca.gov/rules\\_law.asp](http://www.chr.ca.gov/rules_law.asp).

CALIFORNIA HORSE RACING BOARD  
March 27, 2020

CALIFORNIA HORSE RACING BOARD  
TITLE 4. CALIFORNIA CODE OF REGULATIONS  
ARTICLE 15. VETERINARY PRACTICES  
RULE 1845. AUTHORIZED BLEEDER MEDICATION

1845. Authorized Bleeder Medication.

(a) The only authorized bleeder medication for the control of exercise-induced pulmonary hemorrhage (EIPH) shall be furosemide, and it shall only be administered by a single intravenous injection, in a dosage of not less than 150 mg and not more than ~~500~~250 mg, on the grounds of the racetrack where the horse will race, and no later than four hours prior to the post time of the race for which the horse is entered. It shall only be administered to a horse that is registered on the authorized bleeder medication list.

(1) Furosemide is prohibited for two-year-olds foals of the 2018 crop year and thereafter.

(ab) A horse is registered on the authorized bleeder medication list as follows:

(1) The trainer and the owner's veterinarian shall determine whether furosemide is medically necessary to control EIPH and is not otherwise contraindicated for that horse; and

(2) Prior to entry for race, the official veterinarian approves form CHRB-194 (Rev. 01/16), Authorized Bleeder Medication and Medical History Request, which is hereby incorporated by reference, submitted to the official veterinarian by the trainer and owner's veterinarian.

(bc) Once registered, any horse that will be administered furosemide shall:

(1) Arrive on the grounds of the racetrack where the horse will race no later than five hours prior to the post time of the race for which the horse is entered; and

(2) Be assigned to a pre-race security stall prior to the scheduled post time for the race in which it is entered, and shall remain there until it is taken to the receiving barn or the paddock to be saddled or harnessed for the race.

(A) The pre-race security stall shall be identified by the posting of a form CHRB-234 (New 09/15), Detention Stall Sign, which is hereby incorporated by reference. The trainer shall post the Detention Stall Sign no later than eight hours prior to the post time of the race for which the horse is entered or, for a horse arriving from off the grounds of the racetrack, when the horse is placed in the pre-race security stall.

(B) While in the pre-race security stall, the horse shall be in the care, custody, control, and constant view of the trainer, or a licensed employee assigned by the trainer. The trainer shall be responsible for the condition, care and handling of the horse while it remains in the pre-race security stall.

(C) The official veterinarian may permit a horse to leave the pre-race security stall to engage in track warm-up heats prior to a race.

(ed) Furosemide shall be administered only after:

(1) The trainer, owner, or the owner's veterinarian has consulted with the furosemide veterinarian regarding the condition of the horse and the furosemide veterinarian has examined the horse sufficient to establish a veterinary-client-patient relationship within the meaning of California Code of Regulations, title 16, section 2032.1; or

(2) The trainer, owner, or owner's veterinarian has consulted with the official veterinarian or racing veterinarian and the furosemide veterinarian has examined the horse sufficient to establish a veterinary-client-patient relationship within the meaning of

California Code of Regulations, title 16, section 2032.1, and that the consulting official veterinarian or racing veterinarian directly supervises the furosemide veterinarian, or California registered veterinary technician, who administers furosemide.

(~~de~~) The person who administers furosemide pursuant to subsection (~~ef~~)(1) of this regulation shall notify the official veterinarian of the treatment of the horse. Such notification shall be made on form CHRB-36 (New 08/04), Bleeder Treatment Report, which is hereby incorporated by reference, not later than two hours prior to post time of the race for which the horse is entered.

(1) The trainer or a licensed employee of the trainer shall be present and observe the furosemide administration.

(~~ef~~) The horsemen's organization, trainers' organization, and racing association shall enter into an agreement to provide for race-day furosemide administration. The agreement to provide for race-day furosemide administration shall be submitted to the Board in accordance with Rule 1433 of this Division. The agreement shall describe the racing association's program for the administration of race-day furosemide, the minimum level of staffing necessary to carry out the program, and the projected costs to horsemen for such administration.

(1) Furosemide shall be administered by a furosemide veterinarian or California-registered veterinary technician under the direct supervision of the furosemide veterinarian. The furosemide veterinarian or California registered veterinary technician who provides race-day furosemide administration shall be employed by the racing association and shall not have a current business relationship, or prior veterinarian-client-patient relationship, with participating licensees within 30 days of the date he or she is

employed to administer furosemide.

(2) All parties present during the administration of furosemide shall certify in writing that they have witnessed the furosemide administration by signing the form CHRB-36 (New 08/04), Bleeder Treatment Report. The furosemide veterinarian or California registered veterinary technician shall place the syringe used to administer furosemide in an evidence bag which will be sealed in front of the witnesses. The witnesses shall sign the sealed evidence bag. The syringe used to administer furosemide shall be provided to and securely stored by the Board in accordance with subsection (h~~i~~) of this regulation.

(3) "Furosemide veterinarian" is defined as the veterinarian, licensed by the Board, and hired by the racing association to administer race-day furosemide to horses registered on the authorized bleeder medication list.

(4) "Owner's veterinarian" is defined as the veterinarian, licensed by the Board, and hired by the owner to provide veterinary care to horses.

(f~~g~~) A horse registered to be administered furosemide shall receive 250 mg of furosemide intravenously unless an alternative dose of not less than 150 mg and not more than ~~500~~250 mg has been determined after consultation between the trainer, owner, or owner's veterinarian, and the furosemide veterinarian pursuant to subsection (e~~d~~).

(g~~h~~) In the event of an adverse reaction or other emergency related to the administration of furosemide, the furosemide veterinarian, or California registered veterinary technician, who administered furosemide shall attend the horse until the arrival of the owner's veterinarian.

(h~~i~~) The syringe used to administer furosemide shall be provided to and securely stored by the Board until all testing of the horse is completed. In the event of a positive

test finding as defined in this article, the Board may order, or the owner or trainer may request, the retained syringe be tested for prohibited substances. The results of the test may be used in any action before the Board.

(ij) A horse that has been administered furosemide must show a detectable concentration of the drug in post-race serum, plasma, or urine samples, as follows:

(1) The official laboratory shall measure the specific gravity of post-race urine samples to ensure samples are sufficiently concentrated for proper chemical analysis. The specific gravity of such samples shall not be below 1.010.

(2) If the specific gravity of the post-race urine sample is determined to be below 1.010, or if the urine sample is not available for testing, quantitation of furosemide in serum or plasma shall then be performed. Concentrations may not exceed 100 nanograms of furosemide per milliliter of serum or plasma.

(jk) A horse registered on the official authorized bleeder medication list must remain on the list unless the trainer or owner's veterinarian requests the horse be removed. The request must be made using form CHRB-194 (Rev. 01/16), and must be submitted to the official veterinarian prior to the time of entry. A horse removed from the authorized bleeder medication list may not be placed back on the list for a period of 60 calendar days unless the official veterinarian determines it is medically necessary for the horse. If a horse is removed from the authorized bleeder medication list a second time in a 365-day period, the horse may not be placed back on the list for a period of 90 calendar days.

(kl) If the official veterinarian observes a horse bleeding externally from one or both nostrils during or after a race or workout, and determines such bleeding is a direct result

of EIPH, the horse shall be ineligible to race for the following periods:

- First incident -14 days;
- Second incident within 365-day period -30 days;
- Third incident within 365-day period -180 days;
- Fourth incident within 365-day period -barred from racing lifetime.

For the purposes of counting the number of days a horse is ineligible to run, the day after the horse bled externally is the first day of such period.

(~~h~~) The owner(s) of a registered horse shall:

(1) Pay all costs associated with the materials used in the administration of furosemide, including the syringe and medication, and reasonable administrative costs as set under the race-day furosemide agreement entered into by the horsemen's organization, trainers' organization, and the racing association.

(2) Consent to the procedures in this section and agree that the pre-race examination conducted under the direction of the official veterinarian or racing veterinarian shall constitute a veterinary-client-patient relationship within the meaning of California Code of Regulations, title 16, section 2032.1.

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

Reference: Sections 19580, 19581 and 19582,  
Business and Professions Code.