

CALIFORNIA HORSE RACING BOARD
TITLE 4. CALIFORNIA CODE OF REGULATIONS
ARTICLE 15. VETERINARY PRACTICES
RULE 1869. PROHIBITED DRUG SUBSTANCES IN OUT-OF-COMPETITION
TESTING.

Text of Modified Regulations

Changes are illustrated with underline for proposed additions and by ~~strikethrough~~ for proposed deletions.

1869. Prohibited Drug Substances in Out-of-Competition Testing.

(a) In addition to those drugs, substances, doping agents, and medications described in Rule 1867(a), the following substances are prohibited from being present in any official out-of-competition test sample collected in accordance with Rules 1859, 1859.1, and 1859.25:

(1) Anabolic androgenic steroids and their metabolites and isomers, except naturally occurring endogenous anabolic steroids as authorized in Rule 1844;

(A) Notwithstanding the foregoing, anabolic androgenic steroids may be used in a horse that is out of competition, provided that:

1. The anabolic agent has been approved by the United States Food and Drug Administration (FDA) for use in the United States;

2. The administration is pursuant to a valid veterinary prescription, and both the administration and prescription are carried out in accordance with all rules and regulations in this division;

3. The administration is reported to an Official Veterinarian within seventy-two (72) hours by the trainer or owner on form CHRB-60 (Rev. 7/15) (Trainer Medication Report), which is hereby incorporated by reference, regardless of whether or not the

horse is treated within or outside of a licensed inclosure;

4. The horse remains on the Veterinarian's List for a minimum of six months following the administration of the anabolic androgenic steroids, and shall be removed from the list only after the horse demonstrates, to the satisfaction of the official veterinarian or the racing veterinarian, that it is raceably sound and in fit physical condition to exert its best effort in a race by performing satisfactorily in a workout or qualifying race. Additionally, a blood, urine and/or other biological test sample taken after such workout or qualifying race shall be free of all prohibited substances described in Rule 1843 before the horse can be removed from the Veterinarian's List.

(2) The following anabolic agents: selective androgen receptor modulators, tibolone, and zeranol;

(3) Erythropoietin-Receptor agonists;

(4) Hypoxia-inducible factor stabilizers, except out-of-competition blood samples may contain cobalt in an amount that does not exceed 50 nanograms per milliliter;

(5) Altrenogist, Chorionic Gonadotropin and Luteinizing Hormone and their releasing factors in males;

(A) Notwithstanding the foregoing, altrenogist may be prescribed to a male horse that is out of competition, provided that the administration is pursuant to a valid veterinary prescription, and both the administration and prescription are carried out in accordance with all rules and regulations in this division.

1. The administration is reported to an Official Veterinarian within seventy-two (72) hours by the trainer or owner on form CHRB-60 (Rev. 7/15) (Trainer Medication Report), which is hereby incorporated by reference, or on form CHRB-24 (Rev.

~~7/15~~7/18) (Veterinarian Report) if administered by a CHRB licensed veterinarian.

(6) Corticotrophins and their releasing factors;

(A) Notwithstanding the foregoing, adrenocorticotrophic hormone (ACTH) may be used in a horse that is out of competition, provided that:

1. The administration is pursuant to a valid veterinary prescription, and both the administration and prescription are carried out in accordance with all rules and regulations in this division;

2. The administration is reported to an Official Veterinarian within seventy-two (72) hours by the trainer or owner on form CHRB-60 (Rev. 7/15) (Trainer Medication Report), regardless of whether or not the horse is treated within or outside of a licensed inclosure.

(7) Beta-2 agonists, including all optical isomers;

(A) Notwithstanding the foregoing, clenbuterol and albuterol may be used in a horse that is out of competition, provided that the administration is pursuant to a valid veterinary prescription, and both the administration and prescription are carried out in accordance with all rules and regulations in this division.

(8) The following aromatase inhibitors: aminoglutethimide, anastrozole, androsta-1,4,6-triene-3,17-dione (androstatrienedione), 4-androstene-3,6,17 trione (6-oxo), exemestane, formestane, letrozole, testolactone;

(9) The following selective estrogen receptor modulators: raloxifene, tamoxifen, toremifene;

(10) The following anti-estrogenic substances: clomiphene, cyclofenil, fulvestrant;

(11) The following agents modifying myostatin function(s): myostatin inhibitors;

(12) The following metabolic modulators: activators of the AMP-activated protein kinase, Peroxisome Proliferator Activated Receptor δ (PPAR δ) agonists, insulins, trimetazidine, Thyroxine, and thyroid modulators/hormones containing T4 (tetraiodothyronine/thyroxine), T3 (triiodothyronine), or combinations thereof.

(A) Notwithstanding the foregoing, Thyroxine (T4) shall not be considered a prohibited substance provided that such treatment is made pursuant to a valid veterinary prescription, and both the administration and prescription are carried out in accordance with all rules and regulations in this division.

(13) The following diuretics and masking agents: desmopressin, furosemide, plasma expanders, probenecid, torsemide, acetazolamide, amiloride, bumetanide, canrenone, chlorthalidone, etacrynic acid, indapamide, metolazone, spironolactone, thiazides, triamterene, trichlormethiazide, vasopressin receptor antagonists, and vaptans.

(A) Notwithstanding the foregoing, furosemide and trichlormethiazide may be used in a horse that is out of competition, provided that the administration is pursuant to a valid veterinary prescription, and both the administration and prescription are carried out in accordance with all rules and regulations in this division.

(B) Additionally, notwithstanding the foregoing, the above diuretics may be administered in an emergency situation in order to safeguard the health of the horse, provided that such treatment is:

1. Made pursuant to a valid veterinary prescription, and both the administration and prescription are carried out in accordance with all rules and regulations in this division, and
2. The administration is reported to the Official Veterinarian on either form CHRB-60

(Rev. 7/15) (Trainer Medication Report) by the trainer, or on form CHRB-24 (Rev. ~~7/15~~01/18) (Veterinarian Report), if administered by a CHRB licensed veterinarian, which is hereby incorporated by reference, by the treating veterinarian within twenty-four (24) hours.

(b) Therapeutic substances that are not otherwise prohibited pursuant to this regulation are permitted for use when a horse is out of competition, provided such substances have been approved by the FDA for use in the United States, and are prescribed and administered in accordance with all applicable federal and state laws and regulations, including but not limited to all CHRB rules and regulations and Title 16 California Code of Regulations section 2032.1.

(c) A finding by the official laboratory that an official out-of-competition test sample taken from a horse contains a drug substance or its metabolites or analogues which is prohibited under this regulation shall be prima facie evidence the drug substance has been administered to the horse.

(1) If the official out-of-competition test sample was obtained outside a licensed enclosure, the trainer, owner, foreman, groom, and/or any other licensee shown by a preponderance of the evidence to have been responsible for the care, custody and control of the horse may be fined, and/or have his or her license suspended or revoked.

(2) If the official out-of-competition test sample was obtained inside a licensed enclosure, the trainer is the absolute insurer of and responsible for the condition of the horses under his or her care, regardless of the acts of third parties, except as otherwise provided in this article, and may be fined, and/or have his or her license suspended or revoked.

(3) The defenses described in Rule 1888 shall be available to any person charged with a violation of this regulation.

(d) The Board, the board of stewards, the hearing officer, or the administrative law judge shall assess a penalty for violation of this section based upon the classifications and penalties set forth in Rules 1843.2 and 1843.3.

(e) A race day prohibition or restriction of a substance under this Article is not applicable to an out-of-competition test unless otherwise stated.

(f) A finding by the official laboratory that an official out-of-competition test sample taken from a horse contains a drug substance or its metabolites or analogues that are prohibited under this regulation shall require that horse to be automatically placed on the Veterinarian's List for a minimum of 180 days from the date the owner and trainer waive their right to a split sample or from the date that a split sample laboratory confirms the presence of the prohibited substance, whichever date is later.

NOTE: Authority cited: Sections 19420, 19440, 19562, and 19580, Business and Professions Code. Reference: Sections 19440, 19580 and 19583, Business and Professions Code.

HISTORY:

1. New rule filed 6-24-19; effective 6-24-19.