

CALIFORNIA HORSE RACING BOARD  
TITLE 4. DIVISION 4. CALIFORNIA CODE OF REGULATIONS  
ARTICLE 15. VETERINARY PRACTICES  
RULE 1843.2. CLASSIFICATION OF DRUG SUBSTANCES

JUSTIFICATION FOR CHANGE WITHOUT REGULATORY EFFECT

In 2018, the California Horse Racing Board (CHRB/Board) amended Board Rule 1843.2, Classification of Drug Substances. The primary purpose of the amendment was to bring the regulation in line with the Association of Racing Commissioners International (ARCI) Model Rules of Racing Uniform Classification Guidelines for Foreign Substances (Uniform Classification). The ARCI is a national horse racing organization composed of the governmental regulators of horse racing in the United States, Canada, Mexico Jamaica and Trinidad-Tobago. The ARCI developed its Model Rules of Racing to set standards and best practices in horseracing, and to ensure the quality of drug testing programs and the security of the wagering system. California's adoption of the ARCI Model Rule guidelines, which include the ARCI Uniform Classification, promotes uniformity in the various states' horse racing regulations and ensures that California's regulations are in agreement with other racing jurisdictions nationwide. The uniformity of regulations between the various racing jurisdictions provides clarity for horsemen and equine veterinary practitioners. The amendment to Rule 1843.2 was intended to update the Board's Classification of Drug Substances to bring Rule 1843.2 in line with the ARCI Uniform Classification. The document was renamed, and the list of drug substances was reordered to match the ARCI listing. (The Board's list of drug substances was organized alphabetically within each penalty class; class "A" through "D." The new Classification of Drug Substances is ordered alphabetically by "Drug/Substance.")

While the Board generally follows the ARCI classifications, there are some differences. One difference is the classification of the drug/substance Cobalt. The ARCI uses one listing for cobalt. The CHRB has two listing for cobalt. The ARCI Uniform Classification lists cobalt as a single drug class "3" with a "B" penalty class. The ARCI Special Notations recommend penalties based on the level of cobalt in the test sample. The ARCI Special Notations make penalty recommendations for cobalt concentrations of less than 25 parts per billion (ppb); cobalt in concentrations of 25 ppb and greater, but less than 50 ppb; and concentrations of 50 ppb or greater.

The Board's Classification of Foreign Substances places cobalt in two classes, depending on the levels determined to be present in the sample. This has been done for purposes of clarity, so there will be no questions about the penalty class. Cobalt in excess of 25 ppb, but less than 50 ppb, is a drug class "4" and penalty class "C" violation. Cobalt in concentrations in excess of 50 ppb is a drug class "3" and penalty class "B" violation. The effect of the differences in the ARCI and the Board's listing of cobalt classifications is minimal, as both treat cobalt in concentrations of 25 ppb and greater, but less than 50 ppb, as a lesser offense, while cobalt in concentrations of 50 ppb or greater is a more serious violation.

When the Board reordered its classification of drug substances to follow the ARCI model, it created two rows for cobalt: one row for violations in excess of 25 ppb, but less than 50 ppb, and one for violations in excess of 50 ppb. Yet, both row's "Drug/Substance" columns read "Cobalt

(in excess of 50.00 ppb).” (See page 12 of CHRB Classification of Foreign substances) This has not been an issue, as persons who must refer to the CHRB Classification of Foreign Substances understand that the first cobalt row’s drug and penalty class, and the Special Notation are for cobalt concentration in excess of 25.0 ppb, but at or below 50.0 ppb. To provide clarity and avoid any possible confusion, however, the Board proposes to change the “Drug/Substance” column in the first row to “Cobalt (in excess of 25.0 ppb).” The change will make the “Drug/Substance” column consistent with the remainder of the row.