

FINAL STATEMENT OF REASONS

UPDATED INFORMATIVE DIGEST

There have been no changes in applicable laws or to the effect of the proposed regulation from the laws and effects described in the Notice of Proposed Action.

The Board adopted Rule 1843.3, Penalties for Medication Violations, at its September 27, 2018 Regular Board Meeting.

TECHNICAL, THEORETICAL, AND/OR EMPIRICAL STUDY, REPORTS OR DOCUMENTS

In proposing the amendment of Rule 1843.3 the Board relied on the Association of Racing Commissioners International's (ARCI) Model Rules of Racing, Version 8.4 approved by ARCI Board of Directors July 2018. The ARCI Model Rules have always been available on the ARCI website, and had anyone from the public contacted the Board to request information regarding the ARCI Model Rules, they would have been directed to the ARCI website, or provided with copies of the appropriate Model Rule (ARCI-011-020 Medications and Prohibited Substances, subsection B, Penalties.)

LOCAL MANDATE DETERMINATION

The adoption of Rule 1843.3 does not impose any mandate on local agencies or school districts.

SUMMARY AND RESPONSE TO COMMENTS RECEIVED DURING THE ORIGINAL NOTICE PERIOD OF AUGUST 3, 2018 TO SEPTEMBER 17, 2018.

No comments were received during the original notice period of August 3, 2018 to September 17, 2018.

SUMMARY AND RESPONSE TO COMMENTS RECEIVED AT THE SEPTEMBER 27, 2018 REGULATORY HEARING.

No comments were received during the September 27, 2018 regulatory hearing.

The adoption of Rule 1843.3 has no significant adverse economic impact on small business.

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ALTERNATIVE DETERMINATION

The Board has determined that no alternative would be more effective in carrying out the purpose for which the regulation was proposed, would be as effective as and less burdensome to affected private persons than the proposed regulation, or would be more cost effective to affected private persons and equally effective in implementing the statutory policy or other provision of law. The

proposed amendment will modify subsection 1843.3(d) to correct a discrepancy in the licensed trainer phenylbutazone levels within the Category “C” penalty chart. The Licensed Trainer category, 2nd offense within 365-day period, which currently reads “Phenylbutazone (\geq 10.0 mcg/ml),” will be changed to “Phenylbutazone (\geq 5.0 mcg/ml).” The proposed amendment will bring the Licensed Trainer levels in line with the Licensed Owner. The Board invited interested persons to present statements or arguments with respect to alternatives to the proposed regulations at the scheduled hearing or during the written comment period. No alternatives were proposed.

No alternatives that would lessen any adverse economic impact on small business were proposed.