

**CALIFORNIA HORSE RACING BOARD
15-DAY NOTICE OF MODIFICATION TO THE TEXT OF THE
PROPOSED ADDITION OF
RULE 1867.1, USE OF BISPHOSPHONATES PROHIBITED**

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 (CHRB or Board) is providing notice of changes that have been made to the text of the proposed addition of Board Rule 1867.1, Use of Bisphosphonates Prohibited.

The CHRB 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 October 18, 2019 and was subject of a public hearing on December 12, 2019. The modifications reflected in this Notice are in response to recommendations made by the Office of Administrative Law (OAL).

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~~.

§ 1867.1 Use of Bisphosphonates Prohibited

Proposed section (c) has been modified to add clarity. Specifically, “Notwithstanding subsections (a) and (b) above,” have been added to subsection (c) to clarify that methylene diphosphate may be administered when used in combination with the radionuclide technetium 99m in spite of subsections (a) and (b). This modification will clarify that this is the only exception to the use of bisphosphonates within a CHRB inclosure.

WRITTEN COMMENT PERIOD

Any interested person may submit a written statement relating to the modified language during the public comment period from **February 3, 2020 to February 18, 2020**. All written comments must be submitted to the CHRB no later than **5:00 p.m. on February 18, 2020**. The CHRB will only consider comments received at the CHRB’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

All written comments received by February 18, 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-strike through~~.

Questions concerning the proposed amendments may be addressed to Zachary Voss at (916) 263-6036, emailed to 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.

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 CHRb website at: http://www.chrb.ca.gov/rules_law.asp.

CALIFORNIA HORSE RACING BOARD
February 3, 2020

**CALIFORNIA HORSE RACING BOARD
TITLE 4. CALIFORNIA CODE OF REGULATIONS
ARTICLE 15. VETERINARY PRACTICES
PROPOSED ADDITION OF
RULE 1867.1. USE OF BISPHOSPHONATES PROHIBITED**

Text of Modified Proposed Regulations

Changes are illustrated with double underline for proposed additions and by ~~double
strike through~~ for proposed deletions.

1867.1. Use of Bisphosphonates Prohibited.

(a) Bisphosphonates may not be administered to any horse within a CHRB inclosure.

(b) No licensee shall bring into a CHRB inclosure a horse that has been administered a bisphosphonate within the previous six months.

(c) Notwithstanding subsections (a) and (b) above, ~~f~~For nuclear imaging purposes, methylene diphosphonate may be administered when used in combination with the radionuclide technetium 99m.

Authority: Sections 19440, 19562, 19580 and 19581, Business and Professions Code.

Reference: 19440, 19580, and 19581, Business and Professions Code.