

**THE JOCKEY CLUB
THOROUGHBRED SAFETY COMMITTEE
RECOMMENDATION
August 14, 2011**

Recommendation: Reformed Racing Medication Rules

Based upon review of current racing regulations, discussions with industry policy makers, veterinarians, trainers, owners, horsemen's associations, drug testing laboratories and feedback from customers, the Thoroughbred Safety Committee calls for:

“The immediate adoption by the Association of Racing Commissioners International and United States racing authorities of the proposed Reformed Racing Medication Rules and new penalty structure.”

The proposed [Reformed Racing Medication Rules](#) include Racing Medication and Testing Consortium accreditation of all laboratories to ensure the accuracy, precision, and the reliability of test results.

A simplified system of categorizing substances administered to the horse is included in the Reformed Racing Medication Rules. Substances are either (i) controlled therapeutic medications subject to regulatory limits or administration guidelines or (ii) prohibited substances having no place in competition. Guidelines for the administration of controlled therapeutic medications most commonly used to treat horses in training are included to reduce the chance of administration errors.

The Reformed Racing Medication Rules provide a new starting point to better align penalty structures among racing jurisdictions. The penalty structure provided will not only allow for states to act unified in their sanctioning but also strengthens penalties for repeat violators.

Additionally, the document recommends security best practices to assist state commissions and racing associations with security procedures to address in-today horses.

REFORMED RACING MEDICATION RULES

SEPTEMBER 2011

The intent of these reformed racing medication regulations is to heighten the integrity of horse racing by eliminating the influences of Drugs and/or Medications on the outcome of competitions.

1. Definitions

a. The terms used herein shall mean:

- i. Medication. Any drug, medication, or other substance or relevant metabolite or analogue thereof which can exert a pharmacological effect on any physiological system of a horse. For purposes of these rules, a Medication may be further classified and subsequently defined as either a Controlled Therapeutic Medication or a Prohibited Substance.
- ii. Legend Medication. Any Medication requiring the following legend on its label: "Caution: Federal Law prohibits dispensing without a prescription."
- iii. Administer or Administration. Any action which causes a Medication to enter into the body of a horse.
- iv. Laboratory. The official racing chemical detection laboratory designated by the relevant racing regulatory authority and meeting the accreditation requirements of the Racing Medication and Testing Consortium (RMTC).
- v. Sample. Any body substance or fluid, including, but not limited to, tissue, hair, blood or urine obtained from a horse at the direction of the relevant racing regulatory authority, including its designees, for the purposes of determining the presence and/or concentration of Medication(s) through analysis using procedures in accordance with the accreditation standards of the RMTC.
- vi. Positive Test. A finding by the Laboratory that a Prohibited Substance is present in the sample or that the presence and, concentration of a Controlled Therapeutic Medication (s) or relevant metabolites thereof in the Sample exceed the limits:
 1. Published and/or allowed by the relevant racing regulatory authority or
 2. Expected from compliance with published administration and withdrawal guidelines
- vii. Practicing Veterinarian. A veterinarian meeting all licensing requirements of the relevant state and racing regulatory authority to practice at a location under the jurisdiction of the relevant racing authority.
- viii. Official Veterinarian. A veterinarian meeting all licensing requirements of the relevant state and racing regulatory authority to practice at a location under the jurisdiction of the relevant racing regulatory authority and employed by the racetrack, racing association or the racing regulatory authority to act in an official capacity.
- ix. Licensed Trainer. A person licensed and duly authorized by the relevant racing regulatory authority as a trainer to conduct business as a trainer at a location under the jurisdiction of the relevant racing regulatory authority.
- x. Licensed Owner. A person licensed and duly authorized by the relevant racing regulatory authority as an owner to conduct business as an owner at a location under the jurisdiction of the relevant racing regulatory authority.

- xi. Stewards. Officials responsible for the regulation of racing within the jurisdiction of the relevant racing regulatory authority.
- xii. Licensee. A person licensed and duly authorized by the relevant racing regulatory authority to conduct business at a location under the jurisdiction of the relevant racing regulatory authority.
- xiii. Controlled Therapeutic Medication(s). A Medication approved by the Association of Racing Commissioners International (RCI) and the RMTC the concentration of which may not exceed specified regulatory limits, published herein or complying with administration and withdrawal guidelines published herein, in Samples collected from a horse following a race in which it was a competitor.
- xiv. Prohibited Substance. A Medication that
 - 1. Is not a Controlled Therapeutic Medication and,
 - 2. May not be present at a concentration greater than the lower limit of detection in Samples collected from a horse following a race in which it was a competitor

2. Trainer Responsibility

- a. Only Licensed Trainers, Licensed Owners, or their designees shall be permitted to authorize veterinary medical treatment of horses under their care, custody, and control at locations under the jurisdiction of the relevant racing regulatory authority.
- b. The Licensed Trainer shall be responsible for:
 - i. Knowing the rules of the relevant racing regulatory authority
 - ii. The accurate and timely Administration of Controlled Therapeutic Medication(s) to a horse sufficiently accounting for such withdrawal time(s) necessary to avoid Positive Test(s).
 - iii. Consulting with Practicing Veterinarians and other qualified professionals on veterinary medical issues affecting horses under their care, custody, and control.
 - iv. As determined by Laboratory analysis of Sample(s) from horses under their care, custody or control, any Positive Test for either:
 - 1. The presence of any Prohibited Substance, or
 - 2. Exceeding the regulatory limits of any Controlled Therapeutic Medication(s).
 - v. Maintaining a record for at least one year of all Medication(s) Administered to horses under their care, custody, and control to include the following:
 - 1. Name of horse, and
 - 2. Date of each Administration, and
 - 3. Name, dosage and route of Medication Administered, and
 - 4. Name of Practicing Veterinarian, Licensed Trainer or their designee responsible for Administering or prescribing the Medication.
 - vi. Preventing the Administration of any Controlled Therapeutic Medication(s), Prohibited Substance(s) or any other Medication that could result in a Positive Test in Samples collected after a race in which a horse was a competitor.
 - vii. Using only the veterinary medical services of Practicing Veterinarians as defined, to treat horses at locations under the jurisdiction of the relevant racing regulatory authority.
 - viii. Assuring the adequate security, custody, care, health, condition, fitness for competition and safety of horses under their care, custody, and control.

- ix. Maintaining appropriate records and knowledge of the medication history, requirements and status of horses under their care, custody, and control.
- x. Immediately reporting to officials of the relevant racing regulatory authority and/or Official Veterinarian any knowledge or suspicion that unauthorized contact with or Administration of a Medication(s) to a horse has occurred.
- xi. Attending or delegating the attendance of an authorized and duly licensed agent for the collection of Sample(s) from horses under their care, custody and control.
- xii. Assuring any horse under their care, custody, and control that has been entered to race is present at the designated location on the racing association property not less than four (4) hours prior to the scheduled post time of the first race on the day for which the horse is entered to compete.
- xiii. Maintaining absolute control, custody, and security of all Medications within their premises authorized to be in their possession.

3. General Veterinary Rules and Duties

- a. Upon authorization from the Licensed Trainer, Licensed Owner, Practicing Veterinarian or their respective designees shall be responsible for the Administration of any Medications(s) to a horse.
- b. All hypodermic needles and syringes shall be used once and safely disposed at designated areas as provided by the relevant racing regulatory authority.
- c. The Official Veterinarian shall recommend to the Stewards or the relevant racing regulatory authority officials and/or relevant licensure authority any disciplinary actions upon Practicing Veterinarian(s).
- d. All Medications must be secured and labeled pursuant to all applicable federal, state, and local regulations or guidelines.
- e. Only properly labeled Medication(s) are permitted at locations under the jurisdiction of the relevant racing regulatory authority that have been:
 - i. Generally accepted in equine veterinary practice, or
 - ii. Expressly approved for use by the Official Veterinarian.
- f. Medications or veterinary procedures are not permitted at locations under the jurisdiction of the relevant racing regulatory authority that:
 - i. Pose an unacceptable risk to the health and welfare of the horse, or
 - ii. Endanger the safety of the rider, or
 - iii. Adversely affect the integrity or public perception of racing.
- g. Only veterinarians licensed by the relevant state veterinary medical authority and the relevant racing regulatory authority in addition to other such licenses or permits as the Official Veterinarian may reasonably require shall be permitted on locations under the jurisdiction of the relevant racing regulatory authority to:
 - i. Prescribe any Medication, or
 - ii. Administer or authorize to Administer any Legend Medication or other substance commonly regarded and accepted as a veterinary practice, or
 - iii. Perform veterinary medical procedures as described in the relevant veterinary practices act, or
 - iv. Possess hypodermic needle(s) or syringe(s), or
 - v. Possess Legend Medication(s) and/or similar substances unless all labeling requirements as established by the relevant regulatory authority for such substances have been met.
- h. The Official Veterinarian shall be responsible for:
 - i. Administration of any Medication(s) to a horse 24 hours prior to post time of the race in which the horse is entered to compete.

- ii. Enforcing a mandatory rest period from racing or timed workouts for all horses observed to have bled from the nostril(s) with the day bleeding was first observed counted as the first day, as follows:
 - 1. First incident – 30 days rest
 - 2. Second incident within 365-day period – 60 days rest
 - 3. Third incident within 365-day period – 180 days rest
 - 4. Fourth incident within 365-day period – permanent ban from racing
 - iii. The physical examination, including, but not limited to, endoscopic, medical imaging or other such diagnostic examinations of any horse under the jurisdiction of the relevant racing regulatory authority as deemed necessary upon consideration of factors including racing performance.
 - i. Racing regulatory authorities shall mutually and reciprocally enforce periods of rest mandated from racing or workouts for all horses observed to have bled from the nostril(s).
 - j. Horses completing periods of mandatory rest shall become eligible for return to racing and/or workouts only upon the written authorization of the Official Veterinarian after completion of observed workout(s) without visible bleeding from the nostrils.
 - k. The Official Veterinarian shall be responsible for maintenance of veterinarian's list(s) containing horses under periods of mandatory rest and/or ineligibility for racing for reasons including, but not limited to, Positive Tests, bleeding, soundness or other medical issues.
- 4. Prohibited Substances and/or Acts
 - a. The presence of any Prohibited Substance excluding other Medication(s)
 - i. Generally accepted in equine veterinary practice, and
 - ii. Not resulting in a Positive Test in Samples collected after a race in which a horse was entered to compete.
 - b. The possession of Medication(s) at locations under jurisdiction of the relevant racing regulatory authority without permission of the Official Veterinarian that:
 - i. Are not approved by the Federal Drug Administration for use in horses, animals, or humans, or
 - ii. Are not properly labeled, or
 - iii. Do not have generally recognized legitimate therapeutic use in the horse.
 - c. At any location that conducts, records and/or submits official timed workout information under jurisdiction of the relevant racing regulatory authority, the possession and/or use of Medications that:
 - i. Enhance the oxygenation of body tissues, or
 - ii. Affect physiological systems through prolonged influences upon genetic, metabolic, oxygenation of blood or tissues, or cellular regulation and function.
 - d. The Medications described in paragraphs (i) through (ii) above are classified as Prohibited Substances, must never appear in Samples, and include but are not limited to:
 - i. Erythropoietin and analogues
 - ii. Darbepoetin and analogues
 - iii. Oxyglobin®
 - iv. Hemopure®.
 - v. AICAR (Aminoimidazole carboxamide ribonucleotide)
 - vi. ITPP (myo-inositol trispyrophosphate)
 - vii. Thymosin beta
 - viii. Cobra Venom or derivatives thereof
 - ix. Snail Venom (ziconotide) or derivatives thereof

- x. Equine Growth hormone and analogues
 - xi. Medication(s) or substances that have no generally recognized legitimate therapeutic use in the horse
 - xii. Medication(s) or substances that have not been approved by the Federal Drug Administration for use in horses, animals or humans.
 - e. Samples may be obtained from any horse for Laboratory analysis for the presence of Prohibited Substances described under 4(c)(i) through (ii) above or appearing in 4(d)(i) through (xii) above. The presence of Prohibited Substances described under 4(c)(i) through (ii) above or appearing in 4(d)(i) through (xii) above shall result in a Positive Test.
 - f. The administration of Controlled Therapeutic Medications to a horse within 24 hours of the post time of the race in which a horse is entered to compete shall result in a scratch except that the Official Veterinarian or designee only may Administer not less than 150 mg and not more than 500 mg of furosemide intravenously not less than four (4) hours before the scheduled post time for which a horse is entered to compete.
 - g. Contact with a horse by a veterinarian, other than the Official Veterinarian, their designee or unless authorized by the Official Veterinarian or their designee, any time within 24 hours before the scheduled post time of the race for which a horse is entered to compete shall result in a scratch.
 - i. Associations must provide security procedures and processes reasonably sufficient to deter and detect inappropriate contact with a horse that is entered to compete.
 - ii. Exhibit 2 are security best practices for information purposes to assist racing associations in the preparation of security plans to deter and detect inappropriate contact with horses.
 - h. The use of Extracorporeal Shock Wave Therapy or Radial Pulse Wave Therapy or other similar procedures that are capable of producing periods of anesthesia, analgesia, anti-inflammatory or general suppression to normal response to pain are not permitted within seven (7) days of the of post time of the race in which a horse is entered to compete.
 - i. The use of hydrotherapy, ice packs and topical freezes are prohibited within two (2) hours of post time of the race or prior to any pre-race inspection on the day of the race for which a horse is entered to compete.
5. Controlled Therapeutic Medications and Restrictions
- a. No horse participating in a race shall carry in its body any Medication or metabolites except as provided herein.
 - b. The following Controlled Therapeutic Medications, analogues or metabolites thereof may not be present in Samples, collected after a race in which a horse was a competitor, submitted to Laboratory for analysis in excess of the following regulatory limits:
 - i. Two (2) micrograms of phenylbutazone per milliliter of serum or plasma.
 - ii. Twenty (20) nanograms of flunixin per milliliter of serum or plasma.
 - iii. One Hundred (100) picograms of Boldenone per milliliter of plasma or serum in screening tests and twenty-five (25) picograms per milliliter of plasma or serum in confirmatory tests in all horses regardless of gender.
 - iv. One Hundred (100) picograms of Nandrolone per milliliter of plasma or serum in screening tests and twenty-five (25) picograms per milliliter of plasma or serum in confirmatory tests in geldings, fillies, and mares. Forty-five (45) nanograms per milliliter in urine of male horses other than geldings. Plasma or serum from intact male horses shall not be tested for Nandrolone.

- v. One Hundred (100) picograms of Testosterone per milliliter of plasma or serum in screening tests and twenty-five (25) picograms per milliliter of plasma or serum in confirmatory tests in geldings, fillies, and mares. Plasma or serum from intact male horses shall not be tested for testosterone.
 - vi. Twenty-five (25) picograms of clenbuterol per milliliter of serum or plasma.
 - vii. Three and five-tenths (3.5) picograms of glycopyrrolate per milliliter of serum or plasma.
 - viii. Ten (10) micrograms of DMSO per milliliter of serum or plasma
 - ix. One (1) nanogram of methocarbamol (Robaxin-V) per milliliter of serum or plasma (subject to research).
 - x. Ten (10) nanograms of 2-(1-hydroxy) promazine sulfoxide, the primary urinary metabolite of acepromazine, per milliliter of urine.
 - xi. Twenty-five (25) nanograms of total 3-hydroxypropazine, the primary urinary metabolite of promazine, per milliliter of urine.
 - xii. Ten (10) nanograms of total 4-hydroxymepivacaine, the primary urinary metabolite of mepivacaine, per milliliter of urine.
 - xiii. Fifty (50) nanograms of benzocaine per milliliter of urine.
 - xiv. Fifty (50) nanograms of procaine per milliliter of urine.
 - xv. Seven hundred fifty (750) micrograms of total salicylates per milliliter of urine.
 - xvi. Fifty (50) nanograms of furosemide per milliliter of urine except that not less than 150 mg or not more than 500 mg of furosemide only is Administered intravenously not less than four (4) hours before the scheduled post time for which a horse is entered to compete then up to one hundred (100) nanograms of furosemide per milliliter of serum of plasma will not result in a Positive Test. Specific gravity of urine Sample(s) less than 1.010 shall result in analysis of serum or plasma Sample(s) to quantify the presence of furosemide.
 - xvii. Thirty-six (36) millimoles of Carbon Dioxide per liter of blood except that not less than 150 mg or not more than 500 mg of furosemide only is Administered intravenously not less than four (4) hours before the scheduled post time for which a horse is entered to compete then up to thirty-seven (37) millimoles of Total Carbon Dioxide per liter of blood will not result in a Positive Test.
- c. One hundred (100) nanograms or less of caffeine per milliliter of serum or plasma shall not result in a Positive Test.
 - d. One of the following Controlled Therapeutic Medications may be Administered not less than 24 hours before the scheduled post time for which a horse is entered to compete:
 - i. Flunixin
 - ii. Phenylbutazone
 - e. The following Controlled Therapeutic Medications shall not be Administered less than 24 hours before the scheduled post time for which a horse is entered to compete:
 - i. Cimetidine
 - ii. Omeprazole
 - iii. Ranitidine
 - f. The following Controlled Therapeutic Medications shall not be Administered less than 48 hours before the scheduled post time for which a horse is entered to compete:
 - i. Diclofenac
 - ii. DMSO
 - iii. Glycopyrrolate
 - iv. Salicylates

- g. The following Controlled Therapeutic Medications shall not be Administered less than 96 hours before the scheduled post time for which a horse is entered to compete:
 - i. Acepromazine
 - ii. Albuterol
 - iii. Atropine
 - iv. Benzocaine
 - v. Buscopan
 - vi. Butorphanol
 - vii. Clenbuterol
 - viii. Dantrolene
 - ix. Detomidine
 - x. Lidocaine
 - xi. Mepivacaine
 - xii. Methocarbamol
 - xiii. Pentazocine
 - xiv. Promazine
 - xv. Tripeleminamine
 - xvi. Xylazine
- h. The following Controlled Therapeutic Medications shall not be Administered less than 7 days before the scheduled post time for which a horse is entered to compete:
 - i. Beclomethasone
 - ii. Betamethasone
 - iii. Dexamethasone
 - iv. Flumethasone
 - v. Isoflupredone
 - vi. Isoxsuprine
 - vii. Methylprednisolone
 - viii. Prednisolone
 - ix. Procaine Penicillin
 - x. Triamcinolone acetonide
- i. The following Controlled Therapeutic Medications shall not be Administered less than 60 days before the scheduled post time for which a horse is entered to compete:
 - i. Boldenone
 - ii. Nandrolone
 - iii. Testosterone
- j. Contact with a horse 24 hours prior to the post time of the race for which a horse is entered to compete shall only be by licensed personnel notwithstanding veterinarians approved under Section 4(f) above and shall only be permitted for general husbandry purposes including, but not limited to, feeding, watering, bandaging, applying tack, applying topical dressings such as antiseptics, ointments, salves, leg rubs, leg paints, hoof care products, and liniments, provided that such activities do not result in the Administration of Controlled Therapeutic Medication(s) or Prohibited Substance(s).
- k. Upon the request of the Official Veterinarian and/or other designee of the relevant racing regulatory authority, Samples for Laboratory analysis may be obtained from any horse at any time prior to the post time for the race in which the horse is entered to compete and may be requested at any time prior to exiting the racing surface(s).

6. Determination of Violations and Penalties

- a. All Medications are subject to classification as either a Controlled Therapeutic Medication or a Prohibited Substance.

- b. Determination of violations shall require consideration of:
 - i. The classification as either a Controlled Therapeutic Medication or a Prohibited Substance, and
 - ii. The presence and/or concentration of Medication(s) or relevant metabolites thereof present in Samples determined through analysis by Laboratory.
- c. Determination of penalties shall require consideration of:
 - i. The classification as either a Controlled Therapeutic Medication or a Prohibited Substance; and
 - ii. Whether the Medication or relevant metabolites thereof are approved by the Federal Drug Administration for use in horses, animals, or humans and/or have a generally accepted legitimate therapeutic use in the horse; and
 - iii. Prior licensing history considering violations and/or penalties for all parties involved, including history in locations under jurisdiction of other racing regulatory authorities; and
 - iv. All relevant facts, evidence and testimony, including aggravating and mitigating circumstances; and
 - v. Guidelines for penalties for violations of these rules attached as Exhibits 1(A-D) and incorporated herein by reference.
- d. All racing regulatory authorities shall:
 - i. Mutually and reciprocally enforce all penalties assessed against trainers, owners, horses and/or veterinarians in any other racing jurisdiction; and
 - ii. In the determination of penalties, consider all violations previously determined by all racing regulatory authorities when assessing penalties against trainers, owners, horses and/or veterinarians.
- e. Non-classified substances are substances that are not classified as either a Controlled Therapeutic Medication or a Prohibited Substance and shall be forwarded to the relevant racing regulatory authority or its designee for classification in consultation with the RCI and RMTTC.
- f. Positive Tests may be subjected to additional analysis at the request of the Licensed Trainer.
- g. Associated parties, including, but not limited to, trainers, owners, veterinarians and horses may be subject to penalties.
- h. Stewards shall void a claim lodged on a horse upon notification of a Positive Test at the request of the Claimant. Claimant must then return such horse in good general health within 24 hours of the notification by the Stewards of the Positive Test.
- i. The relevant racing regulatory authority may retain custody of a portion of each Sample obtained for Laboratory analysis for subsequent use, including, but not limited to, future quality assurance efforts, additional testing or for satisfaction of requests for independent confirmatory testing.

7. Penalties

- a. Exhibit 1(A). Schedule of penalties for violations due to Positive Test for the presence of a Prohibited Substance subject to Category "A" penalty.
- b. Exhibit 1(B). Schedule of penalties for violations due to Positive Test for the presence of a Controlled Therapeutic Medication other than Phenylbutazone, Flunixin and Furosemide subject to Category "B(i)" penalty.
- c. Exhibit 1(C). Schedule of penalties for violations due to Positive Test for the presence of phenylbutazone, flunixin and furosemide subject to Category "B(ii)" penalty.
- d. Exhibit 1(D). Recommended penalties for violations due to elevated concentrations of TCO₂ (millimoles per liter of blood).

Exhibit 1(A). Schedule of penalties for violations due to Positive Test for the presence of a Prohibited Substance subject to Category “A” penalty:

LICENSED TRAINER:		
1st offense	2nd LIFETIME offense in any jurisdiction	3rd LIFETIME offense in any jurisdiction
<ul style="list-style-type: none"> ◦ Minimum 60 days to one-year suspension absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum suspension for three-years. <p style="text-align: center;">AND</p> <ul style="list-style-type: none"> ◦ Minimum fine of \$10,000 and 10% of total purse absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum of \$25,000 or 25% of purse (greater of the two). <p style="text-align: center;">AND</p> <ul style="list-style-type: none"> ◦ May be referred for possible further action deemed necessary by the Commission. 	<ul style="list-style-type: none"> ◦ Minimum one-year suspension absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum license revocation for five years. <p style="text-align: center;">AND</p> <ul style="list-style-type: none"> ◦ Minimum fine of \$25,000 and 10% of total purse absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum of \$50,000 and 10% of purse. <p style="text-align: center;">AND</p> <ul style="list-style-type: none"> ◦ May be referred for possible further action deemed necessary by the Commission. 	<ul style="list-style-type: none"> ◦ Minimum three-year suspension absent mitigating circumstances. The presence of aggravating factors could be used to impose a permanent license revocation. <p style="text-align: center;">AND</p> <ul style="list-style-type: none"> ◦ Minimum fine of \$50,000 and 10% of total purse absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum of \$100,000 and 10% of purse. <p style="text-align: center;">AND</p> <ul style="list-style-type: none"> ◦ May be referred for possible further action deemed necessary by the Commission.
LICENSED OWNER:		
1st offense	2nd LIFETIME offense in owner's stable in any jurisdiction	3rd LIFETIME offense in owner's stable in any jurisdiction
<ul style="list-style-type: none"> ◦ No fine <p style="text-align: center;">AND</p> <ul style="list-style-type: none"> ◦ Disqualification and redistribution of purse and possible further action deemed necessary by the Commission absent mitigating circumstances. 	<ul style="list-style-type: none"> ◦ Minimum fine of \$25,000 absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum of \$50,000. <p style="text-align: center;">AND</p> <ul style="list-style-type: none"> ◦ Disqualification and redistribution of purse and possible further action deemed necessary by the Commission absent mitigating circumstances. 	<ul style="list-style-type: none"> ◦ Minimum fine of \$50,000 absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum of \$100,000. <p style="text-align: center;">AND</p> <ul style="list-style-type: none"> ◦ Disqualification and redistribution of purse and possible further action deemed necessary by the Commission absent mitigating circumstances.
SUBJECT HORSE:		
1st offense	2nd LIFETIME offense in any jurisdiction	3rd LIFETIME offense in any jurisdiction
<ul style="list-style-type: none"> ◦ Horse shall be suspended from competition pending review by Official Veterinarian. ◦ Horses with Positive Tests for Medication(s) described in 4(c) & (d) of the Equine Veterinary Practices and Medication Section shall be suspended from competition for 1 year. 	<ul style="list-style-type: none"> ◦ Horse shall be suspended from competition pending review by Official Veterinarian. ◦ Horses with Positive Tests for Medication(s) described in 4(c) & (d) of the Equine Veterinary Practices and Medication Section shall be suspended from competition for 3 years. 	<ul style="list-style-type: none"> ◦ Horse shall be suspended from competition pending review by Official Veterinarian. ◦ Horses with Positive Tests for Medication(s) described in 4(c) & (d) of the Equine Veterinary Practices and Medication Section shall be permanently suspended from competition.
PRACTICING VETERINARIAN and/or ASSOCIATED PERSON:		
1st offense	2nd LIFETIME offense in any jurisdiction	3rd LIFETIME offense in any jurisdiction
<ul style="list-style-type: none"> ◦ Minimum 60-day suspension. 	<ul style="list-style-type: none"> ◦ Minimum one-year suspension. 	<ul style="list-style-type: none"> ◦ Minimum three-year suspension and recommended to licensure board for further action.

Exhibit 1(B). Schedule of penalties for violations due to Positive Test for the presence of a Controlled Therapeutic Medication other than Phenylbutazone, Flunixin, and Furosemide subject to Category "B" penalty.

LICENSED TRAINER:		
1st offense	2nd offense within two years in any jurisdiction	3rd offense within five years in any jurisdiction
<ul style="list-style-type: none"> The presence of aggravating factors could be used to impose a maximum of a 15-day suspension. <p style="text-align: center;">AND</p> <ul style="list-style-type: none"> Minimum fine of \$1,000 absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum of \$5,000. 	<ul style="list-style-type: none"> Minimum 30-day suspension absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum of a 120-day suspension. <p style="text-align: center;">AND</p> <ul style="list-style-type: none"> Minimum fine of \$2,500 absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum of \$7,500. 	<ul style="list-style-type: none"> Minimum 180-day suspension absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum of a one-year suspension. <p style="text-align: center;">AND</p> <ul style="list-style-type: none"> Minimum fine of \$5,000 absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum of \$10,000. <p style="text-align: center;">AND</p> <ul style="list-style-type: none"> May be referred for possible further action deemed necessary by the Commission.
LICENSED OWNER:		
1st offense	2nd offense within two years in any jurisdiction	3rd offense within five years in any jurisdiction
<ul style="list-style-type: none"> No fine <p style="text-align: center;">AND</p> <ul style="list-style-type: none"> Disqualification and redistribution of purse in the absence of mitigating circumstances. 	<ul style="list-style-type: none"> Minimum fine of \$5,000 absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum of \$10,000. <p style="text-align: center;">AND</p> <ul style="list-style-type: none"> Disqualification and redistribution of purse in the absence of mitigating circumstances. 	<ul style="list-style-type: none"> Minimum fine of \$10,000 absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum of \$20,000. <p style="text-align: center;">AND</p> <ul style="list-style-type: none"> Disqualification and redistribution of purse in the absence of mitigating circumstances.
SUBJECT HORSE:		
1st offense	2nd offense within 365-day period in any jurisdiction	3rd offense within 365-day period in any jurisdiction
<ul style="list-style-type: none"> Horse must pass test(s) as required by Official Veterinarian or other designee of relevant racing regulatory authority before returning to competition. 	<ul style="list-style-type: none"> Horse suspended from competition for 45-days and must pass test by Official Veterinarian or other designee of relevant racing regulatory authority before returning to competition. 	<ul style="list-style-type: none"> Horse suspended from competition for 60-days and must pass test by Official Veterinarian or other designee of relevant racing regulatory authority before returning to competition.
PRACTICING VETERINARIAN and/or ASSOCIATED PERSON:		
1st offense	2nd offense within one year in any jurisdiction	3rd offense within two years in any jurisdiction
<ul style="list-style-type: none"> No suspension 	<ul style="list-style-type: none"> Referral to licensure authority 	<ul style="list-style-type: none"> Referral to licensure authority

Exhibit 1(C). Schedule of penalties for violations due to Positive Test for the presence of Phenylbutazone, Flunixin, and Furosemide subject to Category “B(ii)” penalty * & ** & ***

LICENSED TRAINER	Phenylbutazone (>2.0-5.0 ug/ml serum or plasma) Flunixin (>20-100 ng/ml serum or plasma) Furosemide (>100 ng/ml serum or plasma or failure to indicate Administration)	Phenylbutazone (>5.0 ug/ml serum or plasma) Flunixin (>100 ng/ml serum or plasma)
1 st Offense within a 365-day period in any jurisdiction	◦ Minimum of verbal warning to a maximum fine of \$500.	◦ Minimum fine of \$1000 absent mitigating circumstances.
2 nd Offense within a 365-day period in any jurisdiction	◦ Minimum of verbal warning to a maximum fine of \$750.	◦ Minimum fine of \$1,500 and 15-day suspension absent mitigating circumstances.
3 rd Offense within a 365-day period in any jurisdiction	◦ Minimum fine of \$500 to a maximum fine of \$1,000.	◦ Minimum fine of \$2,500 and 30-day suspension absent mitigating circumstances.
LICENSED OWNER		
1 st Offense within a 365-day period in any jurisdiction	◦ No penalty	◦ Presence of aggravating circumstances may result in disqualification and redistribution of purse.
2 nd Offense within a 365-day period in any jurisdiction	◦ No penalty	◦ Disqualification and redistribution of purse.
3 rd Offense within a 365-day period in any jurisdiction	◦ Disqualification and loss of purse.	◦ Minimum \$5,000 fine plus disqualification and redistribution of purse.
SUBJECT HORSE		
1st Offense within a 365-day period in any jurisdiction	◦ Horse may be required to pass test by Official Veterinarian or other designee of relevant racing regulatory authority before returning to competition.	◦ Horse must pass test by Official Veterinarian or other designee of relevant racing regulatory authority before returning to competition.
2 nd Offense within a 365-day period in any jurisdiction	◦ Horse must pass test by Official Veterinarian or other designee of relevant racing regulatory authority before returning to competition.	◦ Horse suspended from competition for 45-days and must pass test by Official Veterinarian or other designee of relevant racing regulatory authority before returning to competition.
3rd Offense within a 365-day period in any jurisdiction	◦ Horse must pass test by Official Veterinarian or other designee of relevant racing regulatory authority before returning to competition.	◦ Horse suspended from competition for 60-days and must pass test by Official Veterinarian or other designee of relevant racing regulatory authority before returning to competition.

*If the trainer has not had more than one violation within the previous two years, the stewards are encouraged to issue a warning in lieu of a fine provided the reported level is below 3.0 mcg/ml absent of aggravating factors.

**After a two year period, if the licensee has had no further violations, any penalty due to an overage in the 2.0-5.0 category will be expunged from the licensee’s record for penalty purposes.

***Penalty structures are currently under review to analyze feasibility of a point system for selected infractions of controlled therapeutic medications

Exhibit 1(D). Recommended penalties for violations due to the presence of TCO2 (millimoles per liter of blood)

LICENSED TRAINER	TCO2 (> 36.0mmol/l- <=39mmol/l)*	TCO2 (> 39mmol/l)
1 st Offense within a 365-day period in any jurisdiction	◦ Minimum fine of \$2,500 and 30-day suspension absent mitigating circumstances and 10% of purse.	◦ Minimum fine of \$5,000 and 60-day suspension absent mitigating circumstances and 10% of purse.
2 nd Offense within a 365-day period in any jurisdiction	◦ Minimum fine of \$7,500 and 60-day suspension absent mitigating circumstances and 10% of purse.	◦ Minimum fine of \$10,000 and 90-day suspension absent mitigating circumstances and 10% of purse.
3 rd Offense within a 365-day period in any jurisdiction	◦ Minimum fine of \$12,500 and 90-day suspension absent mitigating circumstances and 10% of purse.	◦ Minimum fine of \$15,000 and 120-day suspension absent mitigating circumstances and 10% of purse.
LICENSED OWNER	TCO2 (> 36.0mmol/l- <=39mmol/l)*	TCO2 (> 39mmol/l)
1 st Offense within a 365-day period in any jurisdiction	◦ Disqualification and loss of purse.	◦ Minimum fine of \$2,500 and disqualification and loss of purse.
2 nd Offense within a 365-day period in any jurisdiction	◦ Minimum fine of \$2,500 and disqualification and loss of purse.	◦ Minimum fine of \$5,000 and disqualification and loss of purse.
3 rd Offense within a 365-day period in any jurisdiction	◦ Minimum fine of \$5,000 and disqualification and loss of purse.	◦ Minimum fine of \$10,000 and disqualification and loss of purse.
SUBJECT HORSE	TCO2 (> 36.0mmol/l- <=39mmol/l)*	TCO2 (> 39mmol/l)
1st Offense within a 365-day period in any jurisdiction	◦ No penalty	◦ Horse must pass test by Official Veterinarian or other designee of relevant racing regulatory authority before returning to competition.
2nd Offense within a 365-day period in any jurisdiction	◦ Horse may be required to pass test by Official Veterinarian or other designee of relevant racing regulatory authority before returning to competition.	◦ Horse suspended from competition for 45-days and must pass test by Official Veterinarian or other designee of relevant racing regulatory authority before returning to competition.
3rd Offense within a 365-day period in any jurisdiction	◦ Horse must pass test by Official Veterinarian or other designee of relevant racing regulatory authority before returning to competition.	◦ Horse suspended from competition for 60-days and must pass test by Official Veterinarian or other designee of relevant racing regulatory authority before returning to competition.
PRACTICING VETERINARIAN	TCO2 (> 36.0mmol/l- <39mmol/l)*	TCO2 (> 39mmol/l)
1st Offense within a 365-day period in any jurisdiction	◦ No penalty	◦ Minimum 15-day suspension and referral to licensure authority.
2nd Offense within a 365-day period in any jurisdiction	◦ Referral to licensure authority	◦ Minimum 30-day suspension and referral to licensure authority.
3rd Offense within a 365-day period in any jurisdiction	◦ Referral to licensure authority	◦ Minimum 45-day suspension and referral to licensure authority.

***except not less than 150 mg or not more than 500 mg of furosemide only is Administered not less than four (4) hours prior to post time for which a horse is entered to compete then up to thirty-seven (37) millimoles Carbon Dioxide per liter of blood will not result in a Positive Test.**

Exhibit 2: Recommended best practices (“Guidelines”) for securing horses entered to compete (Guidelines are not a warranty, guarantee or assurance and do not relieve or lessen the duties of the relevant racing regulatory authority or of the racetrack or racing association to assure the safety and security of horses on the day for which they are entered to compete.):

1. The administration of any Controlled Therapeutic Medication to a horse within 24 hours of the scheduled post time for which a horse is entered to compete shall result in a scratch except for the Administration of not less than 150 mg and not more than 500 mg of furosemide intravenously only by the Official Veterinarian or designee only not less than four (4) hours prior to the scheduled post time of the race for which a horse is entered to compete.
2. Contact with a horse by a veterinarian other than an Official Veterinarian or designee any time 24 hours prior to the post time of the race for which a horse is entered to compete shall result in a scratch.
3. Contact with a horse on the day the horse is entered to compete shall only be by licensed personnel notwithstanding veterinarians approved under Section 4(g) above and shall only be permitted for general husbandry purposes, including, but not limited to, feeding, watering, bandaging, applying tack, applying topical dressings such as antiseptics, ointments, salves, leg rubs, leg paints, hoof care products, and liniments, provided that such activities do not result in the Administration of Controlled Therapeutic Medication(s) or Prohibited Substance(s).
4. Horse(s) arriving on racing association property less than four (4) hours prior to the scheduled post time of the first race on the day for which the horse is entered to compete are subject to scratch.
5. All horses entered to compete that do not reside on racing association property are required to go directly to the receiving barn upon arriving on association grounds and are subject to heightened surveillance, which may include electronic or video monitoring, at the owner’s expense, including, but not limited to, Laboratory analysis of Samples obtained at any time while on association property prior to the post time for the race in which the horse is entered to compete and may be requested at any time prior to exiting the racing surface(s).
6. All horses entered to compete should be clearly identified by signs plainly stating “IN TODAY” displayed clearly next to or on the stall doors not less than twenty-four (24) hours prior to the scheduled post time of the race in which the horse is entered to compete, or be subject to scratch. “IN TODAY” signs should contain the tattoo number, color and sex of the entered horse, along with a local 800 number for track security in order to facilitate reporting violations. Copies of a horse identifier’s list of entered horses with their tattoo numbers should be made available to security personnel who patrol the general barn area to be used for checks of “IN TODAY” horses.
7. All horses on the association grounds may be required to report to a receiving barn forty-five (45) minutes prior to the scheduled post time for the race in which the horse is entered to compete.
8. All barns, associated storage rooms, tack rooms, dormitory rooms and vehicles authorized to be present on racing association property are subject to search by security personnel employed or contracted by the racing association and/or the relevant racing regulatory authority.
9. Earned Surveillance:
 - a. All horses racing from a stable that is the subject of repeated violations involving Controlled Therapeutic Medications and/or the subject of medication violations involving Prohibited Substances shall report to the receiving barn eight (8) hours prior to the scheduled post time for the race in which the horse is entered to compete for a period of not less than 30 days.
 - b. Such stables meeting these criteria shall also be subject to increased scrutiny by security personnel, including, but not limited to, “ride-along” programs involving the use of security personnel assigned to directly monitor the Licensee for a period of time, use of video surveillance, increased random visits to the barn,

- c. The Licensed Trainer whose horse(s) are subject to Earned Surveillance shall be responsible for additional costs thereof.
10. Vet "ride-along" program: Investigators or security personnel shall accompany Practicing Veterinarians during their rounds for the day, particularly between the hours of 10 (p.m.) to 6 (a.m.). Wherever feasible and practical, different Practicing Veterinarians should be selected for a "ride-along" program. Consideration should also be given to doing this with vendors on a periodic basis as well.
 11. Training of Security Personnel: Racing associations should develop comprehensive training programs that enable backstretch security personnel to expand their knowledge and abilities in policing and securing the stable area. Associations should support and participate in available security training opportunities, such as those provided by the Thoroughbred Racing Protective Bureau (TRPB) and the Organization of Racing Investigators. These programs should promote use of "best practices" to secure horses on race day.
 12. Reporting and Communication: All racing associations and commissions shall display and support a toll-free, anonymous tip line. Association investigators should, through appropriate dissemination mechanisms such as TRPB, ensure information regarding alleged untoward activity on the part of licensees, improper race-day substances, or other useful or actionable intelligence gleaned during their race meeting is shared among their peers and to racing commission investigators.
 13. Failure by a licensee to cooperate with searches may result in fines and suspensions.