

- (d) All Extracorporeal Shock Wave Therapy or Radial Pulse Wave Therapy treatments must be reported to the official veterinarian on the prescribed form not later than the time prescribed by the official veterinarian. Any horse treated with Extracorporeal Shock Wave Therapy or Radial Pulse Wave Therapy shall be added to a list of ineligible horses. This list shall be kept in the race office and accessible to the drivers and/or their authorized agents during normal business hours and be made available to other regulatory jurisdictions.
  - (e) A horse that receives any such treatment without full compliance with this section and similar rules in any other jurisdiction in which the horse was treated shall be placed on the Judge's List.
  - (f) Any person participating in the use of Extracorporeal Shock Wave Therapy or Radial Pulse Wave Therapy and/or the possession of Extracorporeal Shock Wave Therapy or Radial Pulse Wave Therapy machines in violation of this rule shall be considered to have committed a Prohibited Practice and is subject to a Class A Penalty.
- (5) The use of a nasogastric tube (a tube longer than six inches) for the administration of any substance within 24 hours prior to the post time of the race in which the horse is entered is prohibited without the prior permission of the official veterinarian or his/her designee.

Adopted in Version 1.4 ARCI 8/27/02 NAPRA 10/2/02

Version 2.1 to 3.0 ARCI 4/3/04 NAPRA 4/3/04: Amended new rule language

Version 4.3 to 4.4 ARCI Board 12/10/08: Shockwave to 10 days

Version 5.6 to 5.7 ARCI Board 4/9/2014 Amended language in ARCI-025-015 (4) pertaining to Extracorporeal Shock Wave Therapy or Radial Pulse Wave Therapy

### ***ARCI-025-020 Medications and Prohibited Substances***

Upon a finding of a violation of these medication and prohibited substances rules, the judges shall consider the classification level of the violation as listed in at the time of the violation in the Uniform Classification Guidelines of Foreign Substances as promulgated by the Association of Racing Commissioners International and impose penalties and disciplinary measures consistent with the recommendations contained therein. The judges shall also consult with the official veterinarian to determine if the violation was a result of the administration of a therapeutic medication as documented in a veterinarian's Medication Report Form received per ARCI-011-010 (C). The judges may also consult with the laboratory director or other individuals to determine the seriousness of the laboratory finding or the medication violation. Penalties for all medication and drug violations shall be investigated and reviewed on a case by case basis. Extenuating factors include, but not limited to:

- (1) The past record of the trainer, veterinarian and owner in drug cases;
- (2) The potential of the drug(s) to influence a horse's racing performance;
- (3) The legal availability of the drug;

- (4) Whether there is reason to believe the responsible party knew of the administration of the drug or intentionally administered the drug ;
- (5) The steps taken by the trainer to safeguard the horse;
- (6) The probability of environmental contamination or inadvertent exposure due to human drug use;
- (7) The purse of the race;
- (8) Whether the drug found was one for which the horse was receiving a treatment as determined by the Medication Report Form;
- (9) Whether there was any suspicious betting pattern in the race, and;
- (10) Whether the licensed trainer was acting on the advice of a licensed veterinarian.

As a result of the investigation, there may be mitigating circumstances for which a lesser or no penalty is appropriate for the licensee and aggravating factors, which may increase the penalty beyond the minimum.

#### A. Uniform Classification Guidelines

The following outline describes the types of substances placed in each category. This list shall be publicly posted in the offices of the official veterinarian and the racing secretary.

##### (1) Class 1

Opiates, opium derivatives, synthetic opioids, psychoactive drugs, amphetamines, ~~and U.S. United States~~ Drug Enforcement Agency (DEA) ~~scheduled-Schedule I-and-II~~ drugs ~~and many Schedule II~~. Also found in this class are drugs ~~which-that~~ are potent stimulants of the ~~nervous system~~ Central Nervous System (CNS). Drugs in this class have no generally accepted medical use in the ~~racehorse-racing horse~~ and their ~~pharmacological pharmacologic~~ potential for altering the performance of a ~~race-racing horse~~ is very high.

##### (2) Class 2

Drugs placed in this category have a high potential for affecting the outcome of a race. Most are not generally accepted as therapeutic agents in the ~~racehorse racing horse~~. Many are products intended to alter consciousness or the psychic state of humans, and have no approved or indicated use in the horse. Some, such as injectable local anesthetics, have legitimate use in equine medicine, but should not be found in a ~~racehorse racing horse~~. The following groups of drugs are placed in this class:

- (a) Opiate partial agonists, or agonist-antagonists;
- (b) Non-opiate psychotropic drugs, ~~which. These drugs~~ may have stimulant, depressant, analgesic or neuroleptic effects;
- (c) Miscellaneous drugs which might have a stimulant effect on the ~~central nervous system~~-(CNS);
- (d) Drugs with prominent CNS depressant action;

- (e) Antidepressant and antipsychotic drugs, with or without prominent CNS stimulatory or depressant effects;
- (f) Muscle blocking drugs ~~which~~that have a direct neuromuscular blocking action;
- (g) Local anesthetics ~~which~~that have a reasonable potential for use as nerve blocking agents (except procaine); and
- (h) Snake venoms and other biologic substances, which may be used as nerve blocking agents.

(3) Class 3

Drugs placed in this class may or may not have an accepted therapeutic use in the horse. Many are drugs that affect the cardiovascular, pulmonary and autonomic nervous systems. They all have the potential of affecting the performance of a ~~racehorse~~ racing horse. The following groups of drugs are placed in this class:

- (a) Drugs affecting the autonomic nervous system ~~which~~that do not have prominent CNS effects, but which do have prominent cardiovascular or respiratory system effects (~~bronchodilators~~, Bronchodilators are included in this class);
- (b) A local anesthetic ~~which~~that has nerve blocking potential but also has a high potential for producing urine residue levels from a method of use not related to the anesthetic effect of the drug (procaine);
- (c) Miscellaneous drugs with mild sedative action, such as the sleep inducing antihistamines;
- (d) Primary vasodilating/hypotensive agents; and
- (e) Potent diuretics affecting renal function and body fluid composition;
- (e)(f) Anabolic and/or androgenic steroids or other drugs.

(4) Class 4

~~This category is comprised~~ Drugs placed in this class comprise primarily ~~of~~ therapeutic medications routinely used in ~~racehorses~~ racing horses. These may influence performance, but generally have a more limited ability to do so. Groups of drugs assigned to this category include the following:

- (a) Non-opiate drugs ~~which~~that have a mild central analgesic effect;
- (b) Drugs affecting the autonomic nervous system ~~which~~that do not have prominent CNS, cardiovascular or respiratory effects
  - (A) Drugs used solely as topical vasoconstrictors or decongestants
  - (B) Drugs used as gastrointestinal antispasmodics
  - (C) Drugs used to void the urinary bladder

- (D) Drugs with a major effect on CNS vasculature or smooth muscle of visceral organs.
- (E) Antihistamines which do not have a significant CNS depressant effect (This does not include H1 blocking agents, which are listed in Class 5);

(c) Antihistamines that do not have a significant CNS depressant effect. This does not include H2 blocking agents, which are in Class 5.

~~(e)~~(d) Mineralocorticoid drugs;

~~(d)~~(e) Skeletal muscle relaxants;

~~(e)~~(f) Anti-inflammatory drugs—~~those that~~. These drugs may reduce pain as a consequence of their anti-inflammatory ~~actions, which include:~~action.

- (A) Non-Steroidal Anti-Inflammatory Drugs (NSAIDs);

- (B) Corticosteroids (glucocorticoids); and

- (C) Miscellaneous anti-inflammatory agents.

~~(f) Anabolic and/or androgenic steroids and other drugs;~~

- (g) Less potent diuretics;

- (h) Cardiac glycosides and ~~antiarrhythmics including:~~ antiarrhythmic agents.

- (A) Cardiac glycosides;

- (B) ~~Antirhythmic~~-Antiarrhythmic agents (exclusive of lidocaine, bretylium and ~~propanolol~~propranolol); and

- (C) Miscellaneous cardiotonic drugs.

- (i) Topical Anesthetics--agents not available in injectable formulations;

- (j) Antidiarrheal ~~agents; and~~drugs;

- (k) Miscellaneous drugs including:

- (A) Expectorants with little or no other pharmacologic action;

- (B) Stomachics; and

- (C) Mucolytic agents.

#### (5) Class 5

Drugs in this category are therapeutic medications for which concentration limits have been established by the racing jurisdictions as well as certain miscellaneous agents. Included specifically are agents, ~~which that~~ have very localized ~~action~~actions only, such as anti-ulcer drugs and certain ~~anti-allergenic~~antiallergenic drugs. The anticoagulant drugs are also included.

#### B. Penalties

- (1) In issuing penalties against individuals found guilty of medication and drug violations a regulatory distinction shall be made between the detection of

therapeutic medications used routinely to treat racehorses and those drugs that have no reason to be found at any concentration in the test sample on race day.

- (2) The judges or the commission will use the Racing Medication and Testing Consortium's penalty category and schedule as a starting place in the penalty stage of the deliberations for a rule violation for any drug listed in the *Association of Racing Commissioners International Uniform Classification Guidelines for Foreign Substances*.
- (3) If a licensed veterinarian is administering or prescribing a drug not listed in the RCI *Uniform Classification Guide lines for Foreign Substances* or shown in the *RMTC Penalty Guideline Listing*, the identity of the drug shall be forwarded to the official veterinarian to be forwarded to the Racing Medication and Testing Consortium for classification.
- (4) Any drug or metabolite thereof found to be presenting a pre- or post-race sample which is not classified in the most current RCI *Uniform Classification Guidelines for Foreign Substances* shall be assumed to be a RCI Class 1 Drug and the trainer and owner shall be subject to those penalties as set forth in schedule "A" unless satisfactorily demonstrated otherwise by the Racing Medication and Testing Consortium, with a penalty category assigned.
- (5) The penalty categories and their related schedules, if applicable, shall be on the following criteria:
  - (a) Whether the drug is approved by the U.S. Food and Drug Administration for use in the horse;
  - (b) Whether the drug is approved by the U.S. Food and Drug Administration for use in any species;
  - (c) Whether the drug has any legitimate therapeutic application in the equine athlete;
  - (d) Whether the drug was identified as "necessary" by the RMTC Veterinary Advisory Committee;
  - (e) Whether legitimate, recognized therapeutic alternatives exist, and;
  - (f) The current RCI Classification of the drug.
- (6) The penalty categories "A", "B" and "C" and their related schedules for Trainers and Owners are shown in the following tables.

The following are recommended penalties for violations due to the presence of a drug carrying a Category “A” penalty and for violations of ARCI-011-015: Prohibited Practices:

<b>LICENSED TRAINER:</b>		
<b>1<sup>st</sup> offense</b>	<b>2<sup>nd</sup> LIFETIME offense in any jurisdiction</b>	<b>3<sup>rd</sup> LIFETIME offense in any jurisdiction</b>
<ul style="list-style-type: none"> <li>◦ Minimum one-year suspension absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum of a three-year suspension.</li> </ul> <p style="text-align: center;"><b>AND</b></p> <ul style="list-style-type: none"> <li>◦ Minimum fine of \$10,000 or 10% of total purse (greater of the two) 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).</li> </ul> <p style="text-align: center;"><b>AND</b></p> <ul style="list-style-type: none"> <li>◦ May be referred to the Commission for any further action deemed necessary by the Commission.</li> </ul>	<ul style="list-style-type: none"> <li>◦ Minimum three-year suspension absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum of license revocation with no reapplication for a three-year period.</li> </ul> <p style="text-align: center;"><b>AND</b></p> <ul style="list-style-type: none"> <li>◦ Minimum fine of \$25,000 or 25% of total purse (greater of the two) absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum of \$50,000 or 50% of purse (greater of the two).</li> </ul> <p style="text-align: center;"><b>AND</b></p> <ul style="list-style-type: none"> <li>◦ May be referred to the Commission for any further action deemed necessary by the Commission.</li> </ul>	<ul style="list-style-type: none"> <li>◦ Minimum five-year suspension absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum of license revocation with no reapplication for a five-year period.</li> </ul> <p style="text-align: center;"><b>AND</b></p> <ul style="list-style-type: none"> <li>◦ Minimum fine of \$50,000 or 50% of total purse (greater of the two) absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum of \$100,000 or 100% of purse (greater of the two).</li> </ul> <p style="text-align: center;"><b>AND</b></p> <ul style="list-style-type: none"> <li>◦ May be referred to the Commission for any further action deemed necessary by the Commission.</li> </ul>
<b>LICENSED OWNER:</b>		
<b>1<sup>st</sup> offense</b>	<b>2<sup>nd</sup> LIFETIME offense in owner’s stable in any jurisdiction</b>	<b>3<sup>rd</sup> LIFETIME offense in owner’s stable in any jurisdiction</b>
<ul style="list-style-type: none"> <li>◦ Disqualification and loss of purse.</li> </ul> <p style="text-align: center;"><b>AND</b></p> <ul style="list-style-type: none"> <li>◦ Horse shall be placed on the veterinarian’s list for 90 days and must pass a commission-approved examination before becoming eligible to be entered.</li> </ul>	<ul style="list-style-type: none"> <li>◦ Disqualification and loss of purse.</li> </ul> <p style="text-align: center;"><b>AND</b></p> <ul style="list-style-type: none"> <li>◦ Horse shall be placed on the veterinarian’s list for 120 days and must pass a commission-approved examination before becoming eligible to be entered.</li> </ul>	<ul style="list-style-type: none"> <li>◦ Disqualification, loss of purse and \$50,000 fine.</li> </ul> <p style="text-align: center;"><b>AND</b></p> <ul style="list-style-type: none"> <li>◦ Horse shall be placed on the veterinarian’s list for 180 days and must pass a commission-approved examination before becoming eligible to be entered.</li> </ul> <p style="text-align: center;"><b>AND</b></p> <ul style="list-style-type: none"> <li>◦ Referral to the Commission with a recommendation of a suspension for a minimum of 90 days.</li> </ul>

The following are recommended penalties for violations due to the presence of a drug carrying Category “B” penalty, for the presence of more than one NSAID in a plasma/serum sample, subject to the provisions set forth in ARCI-025-020(E) and for violations of the established levels for total carbon dioxide:

<b>LICENSED TRAINER:</b>		
<b>1<sup>st</sup> offense</b>	<b>2<sup>nd</sup> offense (365-day period) in any jurisdiction</b>	<b>3<sup>rd</sup> offense (365-day period) in any jurisdiction</b>
<ul style="list-style-type: none"> <li>◦ Minimum 15-day suspension absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum of a 60-day suspension.</li> </ul> <p style="text-align: center;"><b>AND</b></p> <ul style="list-style-type: none"> <li>◦ Minimum fine of \$500 absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum of \$1,000.</li> </ul>	<ul style="list-style-type: none"> <li>◦ Minimum 30-day suspension absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum of a 180-day suspension.</li> </ul> <p style="text-align: center;"><b>AND</b></p> <ul style="list-style-type: none"> <li>◦ Minimum fine of \$1,000 absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum of \$2,500.</li> </ul>	<ul style="list-style-type: none"> <li>◦ Minimum 60-day suspension absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum of a one-year suspension.</li> </ul> <p style="text-align: center;"><b>AND</b></p> <ul style="list-style-type: none"> <li>◦ Minimum fine of \$2,500 absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum of \$5,000 or 5% of purse (greater of the two).</li> </ul> <p style="text-align: center;"><b>AND</b></p> <ul style="list-style-type: none"> <li>◦ May be referred to the Commission for any further action deemed necessary by the Commission.</li> </ul>
<b>LICENSED OWNER:</b>		
<b>1<sup>st</sup> offense</b>	<b>2<sup>nd</sup> offense in stable (365-day period) in any jurisdiction</b>	<b>3<sup>rd</sup> offense in stable (365-day period) in any jurisdiction</b>
<ul style="list-style-type: none"> <li>◦ Disqualification and loss of purse [in the absence of mitigating circumstances]*.</li> </ul> <p style="text-align: center;"><b>AND</b></p> <ul style="list-style-type: none"> <li>◦ Horse must pass a commission-approved examination before becoming eligible to be entered.</li> </ul>	<ul style="list-style-type: none"> <li>◦ Disqualification and loss of purse [in the absence of mitigating circumstances]*.</li> </ul> <p style="text-align: center;"><b>AND</b></p> <ul style="list-style-type: none"> <li>◦ Horse must pass a commission-approved examination before becoming eligible to be entered.</li> </ul>	<ul style="list-style-type: none"> <li>◦ Disqualification and loss of purse, and in the absence of mitigating circumstances a \$5,000 fine.*</li> </ul> <p style="text-align: center;"><b>AND</b></p> <ul style="list-style-type: none"> <li>◦ Horse shall be placed on the veterinarian’s list for 45 days and must pass a commission-approved examination before becoming eligible to be entered.</li> </ul>

\* (The RMTC recommendation called for loss of purse to happen in absence of mitigating circumstances the Joint Model Rules Committee has made loss of purse mandatory in their proposal)

The following are recommended penalties for violations due to the presence of a drug carrying a Category “C” penalty and overages for permitted NSAIDs and furosemide: *(All concentrations are for measurements in serum or plasma.)*

<b>LICENSED TRAINER</b>	<b>Phenylbutazone (&gt;2.0-5.0 mcg/ml) Flunixin (&gt;20-100 ng/ml) Ketoprofen (&gt;102-50 ng/ml) Furosemide (&gt;100 ng/ml) and no furosemide when identified as administered**</b>	<b>Phenylbutazone (&gt;5.0 mcg/ml) Flunixin (&gt;100 ng/ml) Ketoprofen (&gt;50 ng/ml) and CLASS C Violations</b>
1 <sup>st</sup> Offense (365-day period) in any jurisdiction	Minimum fine of a written warning to a maximum fine of \$500	Minimum fine of \$1,000 absent mitigating circumstances
2 <sup>nd</sup> Offense (365-day period) in any jurisdiction	Minimum fine of a written warning to a maximum fine of \$750	Minimum fine of \$1,500 and 15-day suspension absent mitigating circumstances
3 <sup>rd</sup> Offense (365-day period) in any jurisdiction	Minimum fine of \$500 and to a maximum fine of \$1,000	Minimum fine of \$2,500 and 30-day suspension absent mitigating circumstances
<b>LICENSED OWNER</b>	<b>Phenylbutazone (&gt;2.0-5.0 mcg/ml) Flunixin (&gt;20-100 ng/ml) Ketoprofen (&gt;102-50 ng/ml) Furosemide (&gt;100 ng/ml) and no furosemide when identified as administered**</b>	<b>Phenylbutazone (&gt;5.0 mcg/ml) Flunixin (&gt;100 ng/ml) Ketoprofen (&gt;50 ng/ml) AND CLASS C VIOLATIONS</b>
1 <sup>st</sup> Offense (365-day period) in any jurisdiction	Horse may be required to pass commission-approved examination before being eligible to run.	Loss of purse. Horse must pass commission-approved examination before being eligible to run
2 <sup>nd</sup> Offense (365-day period) in any jurisdiction	Horse may be required to pass commission-approved examination before being eligible to run	Loss of purse. If same horse, placed on veterinarian’s list for 45 days, must pass commission-approved examination before being eligible to run
3 <sup>rd</sup> Offense (365-day period) in any jurisdiction	Disqualification and loss of purse. Horse must pass commission-approved examination before being eligible to run	Loss of purse. Minimum \$5,000 fine. If same horse, placed on veterinarian’s list for 60 days, must pass commission-approved examination before being eligible to run



\*If the trainer has not had more than one violation within the previous two years, the Stewards/Judges 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.

- (7) The recommended penalty for a violation involving a drug that carries a Category “D” penalty is a written warning to the trainer and owner. Multiple violations may result in fines and/or suspensions
- (8) Any licensee of the commission, including veterinarians, found to be responsible for the improper or intentional administration of any drug resulting in a positive test may, after proper notice and hearing, be subject to the same penalties set forth for the licensed trainer.
- (9) The licensed owner, veterinarian or any other licensed party involved in a positive laboratory finding shall be notified in writing of the hearing and any resulting action. In addition their presence may be required at any and all hearings relative to the case.
- (10) Any veterinarian found to be involved in the administration of any drug carrying the penalty category of “A” shall be referred to the State Licensing Board of Veterinary Medicine for consideration of further disciplinary action and/or license revocation. This is in addition to any penalties issued by the judges or the commission.
- (11) Any person who the judges or the commission believe may have committed acts in violation of criminal statutes may be referred to the appropriate law enforcement agency. Administrative action taken by the judges or the commission in no way prohibits a prosecution for criminal acts committed, nor does a potential criminal prosecution stall administrative action by the judges or the commission.
- (12) Procedures shall be established to ensure that a licensed trainer is not able to benefit financially during the period for which the individual has been suspended. This includes, but is not limited to, ensuring that horses are not transferred to licensed family members.

(13) Multiple Medication Violations (MMV)

- (a) A trainer who receives a penalty for a medication violation based upon a horse testing positive for a Class 1-5 medication with Penalty Class A-D, as provided in the most recent version of the ARCI Uniform Classification Guidelines for Foreign Substances, shall be assigned points as follows:

<b>Penalty Class</b>	<b>Points If Controlled Therapeutic Substance</b>	<b>Points If Non-Controlled Substance</b>
<b>Class A<sup>6</sup></b>	N/A	6
<b>Class B</b>	2	4
<b>Class C</b>	1	2
<b>Class D</b>	½	1

- (b) The points assigned to a medication violation by the Judges or Commission ruling shall be included in the ARCI official database and the ARCI shall assign points consistent with Section 13(b) for advisory purposes for medication violations where points have not been assigned by regulatory action. Points assigned by such regulatory action or by the ARCI shall reflect, in the case of multiple positive tests as described in paragraph (d), whether they shall thereafter constitute a single violation. The Judges' or Commission Ruling shall be posted on the official website of the Commission and within the official database of the Association of Racing Commissioners International. If an appeal is pending, that fact shall be noted in such Ruling. No points shall be applied until a final adjudication of the enforcement of any such violation.
- (c) A trainer's cumulative points for violations in all racing jurisdictions shall be maintained by the Association of Racing Commissioners International. Once all appeals are waived or exhausted, the points shall immediately become part of the trainer's official ARCI record and shall be considered by the Commission in its determination to subject the trainer to the mandatory enhanced penalties by the Judges or Commission as provided in this regulation.
- (d) Multiple positive tests for the same medication incurred by a trainer prior to delivery of official notice by the commission may be treated as a single violation. In the case of a positive test indicating multiple substances found in a single post-race sample, the

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<sup>6</sup> Except for Class 1 and 2 environmental contaminants, *e.g.*, cocaine which shall be determined by the stewards based upon the facts of the case.

Judges may treat each substance found as an individual violation for which points will be assigned.

- (e) The official ARCI record shall be used to advise the Judges or Commission of a trainer's past record of violations and cumulative points. Nothing in this administrative regulation shall be construed to confer upon a licensed trainer the right to appeal a violation for which all remedies have been exhausted or for which the appeal time has expired as provided by applicable law.
- (f) The Judges or Commission shall consider all points for violations in all racing jurisdictions as contained in the trainer's official ARCI record when determining whether the mandatory enhancements provided in this regulation shall be imposed.
- (g) In addition to the penalty for the underlying offense, the following enhancements shall be imposed upon a licensed trainer based upon the cumulative points contained in his/her official ARCI record:

<b>Points</b>	<b>Suspension in days</b>
3-5.5	30
6-8.5	60
9-10.5	180
11 or more	360

MMP's are not a substitute for the current penalty system and are intended to be an additional uniform penalty when the licensee:

- (i) Has more than one violation for the relevant time period, and
  - (ii) Exceeds the permissible number of points.
- (h) The suspension periods as provided above, shall run consecutive to any suspension imposed for the underlying offense.
  - (i) The Judges' or Commission Ruling shall distinguish between the penalty for the underlying offense and any enhancement based upon a Judges or Commission review of a trainer's cumulative points and regulatory record, which may be considered an aggravating factor in a case.
  - (j) Any trainer who has received a medication violation may petition the ARCI to expunge the points received for the violation for the purpose of the MMV system only. The points shall be expunged by the ARCI or upon request of the trainer as follows:

<b>Penalty Classification</b>	<b>Time to Expungement</b>
A	Permanent
B	3 years
C	2 years
D	1 year

### C. Medication Restrictions

- (1) A finding by the commission approved laboratory of a prohibited drug, chemical or other substance in a test specimen of a horse is prima facie evidence that the prohibited drug, chemical or other substance was administered to the horse and, in the case of a post-race test, was present in the horse's body while it was participating in a race. Prohibited substances include:
  - (a) Drugs or medications for which no acceptable threshold concentration has been established;
  - (b) Controlled therapeutic medications in excess of established threshold concentrations or administration within the restricted time period as set forth in the ARCI Controlled Therapeutic Medication Schedule, Version \_\_\_\_\_;
  - (c) Substances present in the horse in excess of concentrations at which such substances could occur naturally; and
  - (d) Substances foreign to a horse at concentrations that cause interference with testing procedures.
- (2) Except as otherwise provided by this chapter, a person may not administer or cause to be administered by any means to a horse a prohibited drug, medication, chemical or other substance, including any restricted medication pursuant to this chapter during the 24-hour period before post time for the race in which the horse is entered.

### D. Medical Labeling

- (1) No person on association grounds where horses are lodged or kept, excluding licensed veterinarians, shall have in or upon association grounds which that person occupies or has the right to occupy, or in that person's personal property or effects or vehicle in that person's care, custody or control, a drug, medication, chemical, foreign substance or other substance that is prohibited in a horse on a race day unless the product is labeled in accordance with this subsection.
- (2) Any drug or medication which is used or kept on association grounds and which, by federal or state law, requires a prescription must have been validly prescribed by a duly licensed veterinarian, and in compliance with the applicable state statutes. All such allowable medications must have a prescription label which is securely attached and clearly ascribed to show the following:

- (a) The name of the product;
- (b) The name, address and telephone number of the veterinarian prescribing or dispensing the product;
- (c) The name of each patient (horse) for whom the product is intended/prescribed;
- (d) The dose, dosage, duration of treatment and expiration date of the prescribed/dispensed product; and
- (e) The name of the person (trainer) to whom the product was dispensed.

E. Non-Steroidal Anti-Inflammatory Drugs (NSAIDs)

- (1) The use of ~~one of three approved~~ NSAIDs shall be ~~permitted under~~ governed by the following conditions:
  - (a) ~~Not to exceed the following permitted serum or plasma threshold concentrations which are consistent with administration by a single intravenous injection at least 24 hours before the post time for the race in which the horse is entered: NSAIDs included in the ARCI Controlled Therapeutic Medication Schedule are not to be used in a manner inconsistent with the restrictions contained therein.~~
    - ~~(A) Phenylbutazone — 2 micrograms per milliliter;~~
    - ~~(B) Flunixin — 20 nanograms per milliliter;~~
    - ~~(C)(A) Ketoprofen — 10 nanograms per milliliter.~~
  - (b) ~~These or any other NSAID are prohibited to be administered within the 24 hours before post time for the race in which the horse is entered. NSAIDs not included on the ARCI Controlled Therapeutic Medication Schedule are not to be present in a racing horse biological sample at the laboratory concentration of detection.~~
  - (d) ~~The presence of more than one of the three approved NSAIDs with the exception of Phenylbutazone in a concentration below 0.5 microgram per milliliter of serum or plasma, or any unapproved NSAID in the post race serum or plasma sample is not permitted. The use of all but one of the approved NSAIDs shall be discontinued at least 48 hours before the post time for the race in which the horse is entered. The presence of more than one NSAID may constitute a NSAID stacking violation consistent with the following restrictions:~~
    - A. Class 1 NSAID Stacking Violation (Penalty Class B) occurs when:
      - i. Two non-steroidal anti-inflammatory drugs are found at individual levels determined to exceed the following restrictions:
        - g. Diclofenac – 5 nanograms per milliliter of plasma or serum;
        - h. Firocoxib - 20 nanograms per milliliter of plasma or serum;
        - i. Flunixin – 20 nanograms per milliliter of plasma or serum;
        - j. Ketoprofen – 2 nanograms per milliliter of plasma or serum;

- k. Phenylbutazone – 2 micrograms per milliliter of plasma or serum;  
or
- l. all other non-steroidal anti-inflammatory drugs – laboratory concentration of detection
- ii. Three or more non-steroidal anti-inflammatory drugs are found at individual levels determined to exceed the following restrictions:
  - a. Diclofenac – 5 nanograms per milliliter of plasma or serum;
  - b. Firocoxib - 20 nanograms per milliliter of plasma or serum;
  - c. Flunixin – 3 nanograms per milliliter of plasma or serum;
  - d. Ketoprofen – 1 nanograms per milliliter of plasma or serum;
  - e. Phenylbutazone – 0.3 micrograms per milliliter of plasma or serum; or
  - f. all other non-steroidal anti-inflammatory drugs – laboratory concentration of detection.

B. A Class 2 NSAID Stacking Violation (Penalty Class C) occurs when:

- i. Any one substance noted in Subsection (A)(i) above is found in excess of the restrictions contained therein in combination with any one of the following substances at levels below the restrictions so noted but in excess of the following levels:
  - a. Flunixin – 3.0 nanograms per milliliter of plasma or serum;
  - b. Ketoprofen – 1 nanogram per milliliter of plasma or serum; or
  - c. Phenylbutazone – 0.3 micrograms per milliliter of plasma or serum;

C. A Class 3 NSAID Stacking Violation (Penalty Class C, fines only) occurs when:

- i. Any combination of two of the following non-steroidal anti-inflammatory drugs are found in excess of the noted restrictions:
  - a. Flunixin – 3 nanograms per milliliter of plasma or serum;
  - b. Ketoprofen – 1 nanogram per milliliter of plasma or serum; or
  - c. Phenylbutazone – 0.3 micrograms per milliliter of plasma or serum.

~~(e)~~

- (2) Any horse to which a NSAID has been administered shall be subject to having a blood and/or urine sample(s) taken at the direction of the official veterinarian to determine the quantitative NSAID level(s) and/or the presence of other drugs which may be present in the blood or urine sample(s).

## F. Furosemide

- (1) Furosemide may be administered intravenously to a horse, which is entered to compete in a race. Except under the instructions of the official veterinarian or the racing veterinarian for the purpose of removing a horse from the Veterinarian's List or to facilitate the collection of a post-race urine sample, furosemide shall be permitted only after the official veterinarian has placed the horse on the Furosemide List. In order for a horse to be placed on the Furosemide List the following process must be followed.
  - (a) After the horse's licensed trainer and licensed veterinarian determine that it would be in the horse's best interests to race with furosemide the official veterinarian or his/her designee shall be notified using the prescribed form, that the horse is to be put on the Furosemide List.
  - (b) The form must be received by the official veterinarian or his/her designee by the proper time deadlines so as to ensure public notification.
  - (c) A horse placed on the official Furosemide List must remain on that list unless the licensed trainer and licensed veterinarian submit a written request to remove the horse from the list. The request must be made to the official veterinarian or his/her designee, on the proper form, no later than the time of entry.
  - (d) After a horse has been removed from the Furosemide List, the horse may not be placed back on the list for a period of 60 calendar days unless it is determined to be detrimental to the welfare of the horse, in consultation with the official veterinarian. If a horse is removed from the official Furosemide List a second time in a 365-day period, the horse may not be placed back on the list for a period of 90 calendar days.
  - (e) Furosemide shall only be administered on association grounds.
  - (f) Furosemide shall be the only authorized bleeder medication
- (2) The use of furosemide shall be permitted under the following circumstances on association grounds where a detention barn is utilized:
  - (c) Furosemide shall be administered by the official veterinarian, the racing veterinarian or his/her designee no less than four hours prior to post time for the race for which the horse is entered.
  - (d) Any veterinarian or vet techs participating in the administration process must be prohibited from working as private veterinarians or technicians on the race track or with participating licensees;
  - (c) A horse qualified for furosemide administration must be brought to the detention barn within time to comply with the four-hour administration requirement specified above.
  - (d) The dose administered shall not exceed 500 mg. nor be less than 150 mg.
  - (e) Furosemide shall be administered by a single, intravenous injection.
  - (f) After treatment, the horse shall be required by the Commission to remain in the detention barn in the care, custody and control of its trainer or the trainer's designated representative under association and/or Commission security supervision until called to the saddling paddock.



- (3) The use of furosemide shall be permitted under the following circumstances on association grounds where a detention barn is not utilized:
  - (a) Furosemide shall be administered by the official veterinarian, the racing veterinarian or his/her designee no less than four hours prior to post time for the race for which the horse is entered.
  - (b) Any veterinarian or vet techs participating in the administration process must be prohibited from working as private veterinarians or technicians on the race track on or with participating licensees;
  - (c) The furosemide dosage administered shall not exceed 500 mg. nor be less than 150 mg.
  - (d) Furosemide shall be administered by a single, intravenous injection.
  - (e) After treatment, the horse shall be required by the Commission to remain in the proximity of its stall in the care, custody and control of its trainer or the trainer's designated representative under general association and/or Commission security surveillance until called to the saddling paddock.
- (4) Test results must show a detectable concentration of the drug in the post-race serum, plasma or urine sample.
  - (a) The specific gravity of post-race urine samples may be measured to ensure that samples are sufficiently concentrated for proper chemical analysis. The specific gravity shall not be below 1.010. If the specific gravity of the urine is found to be below 1.010 or if a urine sample is unavailable for testing, quantitation of furosemide in serum or plasma shall be performed;
  - (b) Quantitation of furosemide in serum or plasma shall be performed when the specific gravity of the corresponding urine sample is not measured or if measured below 1.010. Concentrations may not exceed 100 nanograms of furosemide per milliliter of serum or plasma.
- (5) The administering authority or association may assess a fee approved by the commission on licensed owners of treated horses to recoup the reasonable costs associated with the administration of furosemide in the manner prescribed in these rules.

#### G. Bleeder List

- (1) The official veterinarian shall maintain a Bleeder List of all horses, which have demonstrated external evidence of exercise induced pulmonary hemorrhage from one or both nostrils during or after a race or workout as observed by the official veterinarian.
- (2) Every confirmed bleeder, regardless of age, shall be placed on the Bleeder List and be ineligible to race for the following time periods:
  - (a) First incident – 14 days;
  - (b) Second incident within 365 day period – 30 days;
  - (c) Third incident within 365 day period –180 days;
  - (d) Fourth incident within 365-day period – barred for racing lifetime.

- (3) For the purposes of counting the number of days a horse is ineligible to run, the day the horse bled externally is the first day of the recovery period.
- (4) The voluntary administration of furosemide without an external bleeding incident shall not subject the horse to the initial period of ineligibility as defined by this policy.
- (5) A horse may be removed from the Bleeder List only upon the direction of the official veterinarian, who shall certify in writing to the judges the recommendation for removal.
- (6) A horse which has been placed on a Bleeder List in another jurisdiction pursuant to these rules shall be placed on a Bleeder List in this jurisdiction.

#### H. Environmental Contaminants and Substances of Human Use

COMMITTEE NOTE: Consortium says that potential substances identified in this section will be put through the same scientific review process in order to determine whether a threshold concentration can be established.

- (1) ~~The following substances can be environmental~~ Environmental contaminants in that they are endogenous to the horse or that they can arise from plants traditionally grazed or harvested as equine feed or are present in equine feed because of contamination during the cultivation, processing, treatment, storage or transportation phases:
- (2) The following drugs are recognized as substances of human use and addiction and which could be found in the horse due to its close association with humans:
- ~~(3) Regulatory thresholds have been set for the following substances.~~
  - (a) ~~Caffeine—100 nanograms of caffeine per milliliter of serum or plasma~~
- ~~(4)~~(3) If the preponderance of evidence presented in the hearing shows that a positive test is the result of environmental contamination ~~or, including~~ inadvertent exposure due to human drug use, ~~it or dietary intake, or is endogenous to the horse, those factors~~ should be considered as a mitigating factor in- in mitigation of any disciplinary action taken against the affected trainer. Disciplinary action shall only be taken if test sample results exceed the regulatory thresholds in the most recent version of the ARCI Endogenous, Dietary, or Environmental Substances Schedule.
- ~~(5)~~(4) The identification and adoption of these uniform thresholds for certain substances shall not preclude an individual jurisdiction from maintaining thresholds for substances ~~no~~ not on this list which predate the adoption of this regulation in such jurisdiction.

#### I. Androgenic-Anabolic Steroids

- (1) No AAS shall be permitted in test samples collected from racing horses except for endogenous concentrations of the naturally occurring substances **boldenone, nandrolone,** and testosterone at concentrations less than the indicated thresholds.
- (2) Concentrations of these AAS shall not exceed the following free (*i.e.*, not conjugated) steroid concentrations in plasma or serum:
  - (a) Boldenone – A confirmatory threshold not greater than 25 picograms/milliliter for all horses, regardless of sex;

- (b) Nandrolone – A confirmatory threshold not greater than 25 picograms/milliliter for fillies, mares, and geldings; males horses other than geldings shall be tested for Nandrolone in urine (see (2)(b)(B) below);
  - (c) Testosterone – A confirmatory threshold not greater than 25 picograms/milliliter for fillies, mares, and gelding.
- (3) Total concentrations of these AAS shall not exceed the following total concentrations in urine after hydrolysis of conjugates:
- (a) Boldenone - A confirmatory threshold not greater than 1 nanogram/milliliter for fillies, mares, and geldings; a confirmatory threshold not greater than 15 nanograms/milliliter in male horses other than geldings;
  - (b) Nandrolone - A confirmatory threshold not greater than 1 nanogram/milliliter for fillies, mares, and geldings; a confirmatory threshold not greater than 45 nanograms/milliliter (as 5 $\alpha$ -estrane-3 $\beta$ ,17 $\alpha$ -diol) of urine in male horses other than geldings;
  - (c) Testosterone – A confirmatory threshold of not greater than 55 nanograms/milliliter of urine in fillies and mares (unless in foal); a confirmatory threshold of not less than 20 nanograms/milliliter in geldings
- (4) Any other AAS are prohibited in racing horses.
- (5) The sex of the horse must be identified to the laboratory on all pre-race and post-race samples designated for AAS testing.
- (6) If an anabolic steroid has been administered to a horse in order to assist in its recovery from illness or injury, that horse may be placed on the Veterinarian’s List in order to monitor the concentration of the drug or metabolite in urine or blood. After the concentration has fallen below the designated threshold for the administrated AAS, the horse is eligible to be removed from the list.

## J. Alkalinizing Substances

The use of agents that elevate the horse’s TCO<sub>2</sub> or Base excess level above those existing naturally in the untreated horse at normal physiological concentrations is prohibited. The following levels also apply to blood gas analysis:

- (3) The regulatory threshold for TCO<sub>2</sub> is 37.0 millimoles per liter of plasma/serum or a base excess level of 10.0 millimoles, and;
- (4) The decision level to be used for the regulation of TCO<sub>2</sub> is 37.0 millimoles per liter of plasma/serum plus the measurement uncertainty of the laboratory analyzing the sample, or a base excess level of 10.4 millimoles per liter of plasma/serum.

Adopted in Version 1.4 ARCI 8/27/02 NAPRA 10/2/02

Version 1.4 to 2.0 ARCI 4/26/03 NAPRA 4/14/03: Rule topic was renumbered to ARCI-011-023

Version 2.1 to 3.0 ARCI 4/3/04 NAPRA 4/3/04: Amended and modified new rule language

Version 3.2 to 3.3 ARCI 12/7/05: Added and modified rule language

Version 4.0 to 4.1 ARCI 4/26/07: Added new rule language

Version 4.1 to 4.15 ARCI Board of Directors meeting 12/5/2007: Amended rule language

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Version 5.8 Rules

Approved by ARCI Board of Directors July 31, 2014

Version 4.3 to 4.4 ARCI Board 12/10/08: Amended language  
Version 4.4 to 4.5 ARCI 4/23/09: Amended language added Alkalinizing Substances  
Version 4.7 to 4.8 ARCI Board 10/22/10 Amended language regarding Phenylbutazone level 5.0 to 2.0  
Version 4.8 to 4.9 ARCI Board 7/27/11 Amended language regarding Class C penalties  
Version 5.0 to 5.1 ARCI Board 4/27/2012 Made furosemide administration fee subject to approval of commission  
Version 5.2 to 5.3 ARCI Board 12/7/12 included reference to “ARCI Controlled Therapeutic Medication Schedule”  
Version 5.4 to 5.5 ARCI Board 7/31/13 included language adopting Multiple Medication Violations (MMV)  
Version 5.5 to 5.6 ARCI Board 12/9/2013 Amended Androgenic-Anabolic Steroid language  
Version 5.6 to 5.7 ARCI Board 4/9/2014 Amended language in ARCI-025-020 (B)(13) pertaining to Multiple Medication Violation (MMV)  
Version 5.6 to 5.7 ARCI Board 4/9/2014 Amended language in ARCI-025-020 (B)(13) pertaining to Multiple Medication Violation (MMV)  
Version 5.6 to 5.7 ARCI Board 4/9/2014 Deleted language in ARCI-025-020 (H) pertaining to Anti-Ulcer Medications  
Version 5.6 to 5.7 ARCI Board 4/9/2014 Amended language in ARCI-025-020 (I) pertaining to Androgenic Anabolic Steroids  
[Version 5.7 to 5.8 ARCI Board of Directors 7/31/2014 Reconciled ARCI-025-020\(A\) with Uniform Classification Guidelines language.](#)  
[Version 5.7 to 5.8 ARCI Board of Directors 7/31/2014 Updated ARCI-025-020\(B\) to reflect amended levels of Ketoprofen](#)  
[Version 5.7 to 5.8 ARCI Board of Directors 7/31/2014 Amended ARCI-025-020\(E\) to reflect Class 1-3 NSAID Stacking Penalties](#)  
[Version 5.7 to 5.8 ARCI Board of Directors 7/31/2014 Amended ARCI-025-020\(H\) in relation to Environmental Contaminants and Substances of Human Abuse](#)

### ***ARCI-025-022 Out of Competition Testing for Blood and/or Gene Doping Agents***

- (1) Any horse on the grounds at a racetrack or training center under the jurisdiction of the commission; or under the care or control of trainer or owner licensed by the commission is subject to testing for blood and/or gene doping agents without advance notice. This rule does not apply to therapeutic medications approved by the FDA for use in the horse.
- (2) Horses to be tested may be selected at random, with probable cause, or as determined by the commission;
- (3) The Commission Veterinarian, or any licensed veterinarian or licensed veterinary technician authorized by the commission, may at any time, take a urine, blood or hair sample from a horse for this purpose.
- (4) Prohibited substances, practices and procedures are defined as:
  - (a) Blood doping agents including, but not limited to Erthropoietin (EPO), Darbepoetin, Oxyglobin, Hempure, Aransep or any substance that abnormally enhances the oxygenation of body tissues.
  - (b) Gene doping agents or the non-therapeutic use of genes, genetic elements, and/or cells that have the capacity to enhance athletic performance or produce analgesia.
- (5) Cooperation with the Commission Veterinarian, or any licensed veterinarian or licensed veterinary technician authorized by the commission, includes:
  - (a) Assisting in the immediate location and identification of the horse selected
  - (b) for out of competition testing;