

**CHAPTER 5**  
**--- VETERINARY PRACTICES, ANIMAL HEALTH AND MEDICATION ---**

**100's --- GENERAL**

**5.100** - All Division, association, and practicing veterinarians at the track shall be licensed to practice veterinary medicine in Colorado in accordance with the Law.

**5.110** - Every person having care and custody of a racing animal including but not limited to veterinarians, owners, trainers, assistant trainers, kennel helpers and grooms shall comply with the current animal health care and medication standards as adopted by the commission.

Failure to comply with the minimum procedures or standards approved, pursuant to this section, may result in a fine, penalty, or revocation of license.

Licensees will be provided written notice of any changes to the minimum procedures or standards approved, pursuant to this section, and will have thirty (30) days, unless otherwise specified, in which to comply with such changes.

**5.120** - The division veterinarian shall have the authority to require follow-up care to any racing animal seen for injury or other reason. Any requirements so imposed by the division veterinarian shall be documented and give specific referral instructions and time frame to complete.

It will be the trainers responsibility to seek adequate care as instructed by the veterinarian. Documentation shall be provided to the division veterinarian within 48 hours of treatment.

Failure to provide proper care to a racing animal, pursuant to this section, may result in a fine, penalty, or revocation of license.

**200's --- VETERINARY PRACTICE**

**DIVISION VETERINARIAN**

**5.200** - A veterinarian who is employed by the Division or an association shall not be permitted, during the period of his employment, to treat or prescribe for any horse on the racetrack or registered to race at any racetrack, for compensation or otherwise, except in case of emergency, in which case a full and complete report shall be made to the Board. An owner or trainer shall not employ or pay compensation to any veterinarian, either directly or indirectly, during the period of the veterinarian's employment by the Division or an association.

**5.202** - The Division veterinarian shall publish guidelines concerning the use of medication to assist the horsemen and greyhoundmen in preventing medication violations; however, the guidelines shall not supersede any of the privileges or requirements of these Rules.

**5.204** - The Division veterinarian shall cooperate with other State and Federal Agency veterinarians to insure compliance at the horse or greyhound racetrack with health certificate and vaccination requirements.

**5.206** - When a live horse or greyhound race meet is in progress, the Division veterinarian may post in a conspicuous place rules guaranteeing approved, systematic and effective insect control against flies, mosquitoes, ticks, fleas and other insects.

**5.208** - The Division veterinarian shall insure that horses are stabled in individual box stalls and that greyhounds are housed in individual crates with separate feeding and watering facilities and that stables and kennels and immediate surrounding areas are maintained in an approved sanitary condition at all times, and that satisfactory drainage is provided; also, that manure and other refuse is promptly and properly removed.

**5.210** - Paddocks, starting gates, starting boxes and other facilities and equipment at a horse or greyhound racetrack which are subject to contact by different animals must be kept in a clean condition and free of dangerous surfaces by the association.

**5.212** - Sanitary equipment at a horse or greyhound racetrack must be used for collecting samples.

**5.214** - Any horse or greyhound coming to a Colorado track from another track where a contagious disease is confirmed and present, must be approved for entry to the stables or kennels by the Division veterinarian. Requirements for entry may include, but not be limited to, the following: proof of vaccination, health certificate, proof of certain laboratory tests.

**5.215** - The Division veterinarian shall have the authority to place any greyhound which was scratched for sickness, injury or shows a pattern of performing poorly on the veterinarian's schooling list. The greyhound will remain on the list for a minimum of six (6) days or until released by a Division veterinarian. The list will be maintained for the association racing secretary and the board of judges indicating the date that the greyhound was placed on the list and the date that the greyhound was removed from the list. Greyhounds placed on the veterinarian's list shall not be eligible for entry to a schooling race until released by a Division veterinarian.

**5.216** - The Division veterinarian shall have the authority to require a horse to continue to use any authorized medication during official workouts, if in the veterinarian's opinion a workout is necessary to assure consistency of effort of the horse.

#### ***ASSOCIATION VETERINARIANS [SEE ALSO DIVISION VETERINARIANS]***

**5.220** - The association, after consultation with State authorities, and the veterinarian representing the Division, shall establish policies consistent with allowing only healthy horses to enter the racetrack. All horses entering the state shall be required to meet the current regulations as established by the Colorado Department of Agriculture. All horses entering Colorado tracks, whether from in-state or out-of-state, must have a negative Coggins test for Equine Infectious Anemia (EIA) within twelve (12) months prior to entering the racetrack grounds.

The racing secretary shall not accept a horse's registration papers unless its coggins test is current at the time that it enters the racetrack grounds.

**5.222** - The association veterinarian at a horse racetrack shall make reports to the Division veterinarian with respect to, but not necessarily limited to, the following:

:1 - Racing injuries;

:2 - Other injuries or illnesses that occur while the horses are on the premises;

:3 - Scratches;

:4 - Other conditions that relate to animal health and welfare that may need attention;

:5 - A copy of the veterinarian's list which includes dates on and off and the reason the horse is listed; and

:6 - Any deaths occurring during a race or euthanasia performed on the track grounds.

Report forms for the above will be provided by the Division.

These reports will be submitted at time intervals determined by the Division veterinarian.

**5.224** - The association shall, at the request of the Division veterinarian, provide isolation facilities where horses ordered isolated by the Division veterinarian may be kept. Approved sanitary measures shall be implemented in cooperation with the State veterinarian of the Department of Agriculture and the Commission shall be kept informed.

### ***PRACTICING VETERINARIANS***

**5.228** – Veterinarians licensed by the Commission and practicing at any location under the jurisdiction of the Commission are under the authority of the Division veterinarian and the stewards. The Division veterinarian shall recommend to the stewards or the Commission the discipline that may be imposed upon a veterinarian who violates the rules.

**5.230** - Before being permitted to practice on the racetrack, a veterinarian must be approved by the Division veterinarian and licensed by the Division. Practicing veterinarians shall report treatments given in conformity with the directions of the Division veterinarian.

**5.232** - A licensed veterinarian administering any authorized medication to a horse entered to race must report the same upon forms furnished by the Division to the Division veterinarian or authorized assistant. Any unreported medication is deemed an unauthorized medication.

**5.234** - Veterinarians practicing veterinary medicine on a horse racetrack when a live meet is in progress shall use one-time disposable type needles and shall dispose of them in an approved manner.

**5.236** - All practicing veterinarians at a horse racetrack must maintain individual medication records on all horses treated by him or her during the course of a meet. The record must include the horse's name, trainer's name, date, all medications administered or prescribed (including authorized medicine), and their dosage and signed by the practicing veterinarian. A copy of a horse's medication record, as it pertains to an alleged violation, may be requested by the veterinarian representing the Division of Racing Events and/or stewards. This record must be submitted within forty-eight (48) hours of request. All records will be considered confidential except as introduced in a hearing as evidence of an alleged violation.

**5.238** - A practicing veterinarian and/or trainer at a horse racetrack shall report to the Division veterinarian, on a form provided, any death or euthanasia of a horse at the track while under his or her care. These reports must be submitted within twenty-four (24) hours of the death of the horse.

**5.240** - An animal that dies or has been euthanized shall not be removed from the track premises without the permission of the veterinarian representing the Division of Racing Events. The veterinarian representing the Division of Racing Events must be notified by the practicing veterinarian in a timely manner. In the event a practicing veterinarian is not in attendance, the trainer or his/her authorized representative shall report the death of the animal to the veterinarian representing the Division of Racing Events within twenty-four (24) hours of the death of the animal. In the case of a greyhound, should the veterinarian representing the Division of Racing Events not be available, the greyhound may be removed to a private veterinarian's office and shall remain there until such notification is made.

**5.242** - A practicing veterinarian at a horse racetrack shall report to the veterinarian representing the Division of Racing Events upon discovery the presence, or suspected presence of any reportable disease as defined by the United States Department of Agriculture. The report shall include the horse's name, trainer, barn and stall number in addition to the diagnosis.

**5.244** - Veterinarians shall not have contact with an entered horse within the twenty-four (24) hours prior to the scheduled post time of the first race in which the horse is entered on any given calendar day except for the administration of Furosemide under the guidelines as set forth in rule #5.318 unless approved by the Division veterinarian.

1: Veterinarians having any other contact with an entered horse within the twenty-four (24) hours prior to the scheduled post time of the first race in which the horse is entered on any given calendar day shall report the reason for the contact to the Division veterinarian no later than one (1) hour prior to the scheduled post time of the first race in which the horse is entered on any given calendar day.

2: Any horse entered for racing must be present on the grounds at least five (5) hours prior to the scheduled post time of the first race in which the horse is entered on any given calendar day.

## **TREATMENT RESTRICTIONS**

**5.248** – No person other than a veterinarian licensed to practice veterinary medicine in this jurisdiction and licensed by the Commission may administer a prescription or controlled medication, drug, chemical or other substance (including any medication, drug, chemical or other substance by injection) to a horse at any location under the jurisdiction of the Commission.

**5.250** - All horses certified as bleeders must be given furosemide not less than four (4) hours nor more than twenty-four (24) hours prior to the scheduled post time of the first race in which the horse is entered on any given calendar day.

**5.251** – Any person, other than an authorized licensed caregiver or a licensed Veterinarian, practicing alternative forms of therapy including, but not limited to, chiropractic, dentistry, acupuncture, and massage therapy, must have a valid support license issued by the Division and such therapies must be prescribed by, and under the supervision of, a licensed practicing Veterinarian.

**5.252** - Prevention of exercise induced pulmonary hemorrhage (EIPH) by the administration of furosemide, and the use of NSAIDS as stated in Rule # 5.312, shall be the only authorized treatments of a horse within the twenty-four (24) hours prior to the scheduled post time of the first race in which the horse is entered on any given calendar day.

## **300's --- MEDICATION AND PROHIBITED SUBSTANCES**

### **UNAUTHORIZED MEDICATIONS**

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

#### **1: Class 1**

Opiates, opium derivatives, synthetic opioids, psychoactive drugs, amphetamines and U.S. Drug Enforcement Agency (DEA) scheduled I and II drugs. Also found in this Class are drugs which are potent stimulants of the nervous system. Drugs in this Class have no generally accepted medical use in the racehorse and their pharmacological potential for altering the performance of a race is very high.

#### **2: Class 2**

Drugs 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. 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. The following groups of drugs are in this class:

- (A) Opiate partial agonists, or agonist-antagonists;
- (B) Non-opiate psychotropic drugs, which 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 have a direct neuromuscular blocking action;
- (G) Local anesthetics which 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 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. The following groups of drugs are in this Class:

- (A) Drugs affecting the autonomic nervous system which do not have prominent CNS effects, but which do have prominent cardiovascular or respiratory system effects (Bronchodilators are included in this Class);
- (B) A local anesthetic which 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;
- (F) Anabolic and/or androgenic steroids;

#### 4: Class 4

This category is comprised primarily of therapeutic medications routinely used in racehorses. 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 have a mild central analgesic effect;
- (B) Drugs affecting the autonomic nervous system which do not have prominent CNS, cardiovascular or respiratory effects;
  - (I) Drugs used solely as topical vasoconstrictors or decongestants
  - (II) Drugs used as gastrointestinal antispasmodics
  - (III) Drugs used to void the urinary bladder
  - (IV) Drugs with a major effect on CNS vasculature or smooth muscle of visceral organs.
  - (V) Antihistamines which do not have a significant CNS depressant effect (This does not include H1 blocking agents, which are listed in Class 5);
- (C) Mineralocorticoid drugs;
- (D) Skeletal muscle relaxants;
- (E) Anti-inflammatory drugs—Those that may reduce pain as a consequence of their anti-inflammatory actions, which include:
  - (I) Non-steroidal anti-inflammatory drugs (NSAIDS);
  - (II) Corticosteroids (Glucocorticoids); and
  - (III) Miscellaneous anti-inflammatory agents.
- (F) Less potent diuretics;
- (G) Cardiac glycosides and antiarrhythmics including:
  - (I) Cardiac glycosides;
  - (II) Antiarrhythmic agents (exclusive of Lidocaine, Bretylium and Propanolol); and

(III) Miscellaneous cardiotoxic drugs.

(H) Topical anesthetics—Agents not available in injectable formulations;

(I) Antidiarrheal agents; and

(J) Miscellaneous drugs including:

(I) Expectorants with little or no other pharmacologic action;

(II) Stomachics; and

(III) Mucolytic agents.

**5: Class 5**

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

**5.301-** No person shall administer or apply or cause to be administered or applied to any animal participating in a race any unauthorized medication.

**5.302 -** No person shall administer or apply or cause to be administered or applied to any animal participating in a race any medication which might cause masking or interfere with the testing of urine, saliva, blood or other body fluids or tissues conducted pursuant to the provisions of these rules. Any drug or medication so administered or applied shall be deemed unauthorized as defined in these Rules.

**5.304 -** A person shall not administer or apply or cause to be administered or applied to any animal any medication which might have the effect of stimulating, exciting or depressing any animal or which could otherwise alter the normal performance of an animal during a race. Any medication so administered or applied shall be deemed unauthorized as defined in this section.

**5.306 -** If the Division veterinarian determines or has reasonable cause to believe that an animal entered to race has been administered an unauthorized medication, the animal must be scratched from an entry to a race. The Division veterinarian shall report the matter to the Board immediately.

**5.308 –** The following are considered prohibited practices:

1: The possession or use of a drug, substance or medication on the premises of a facility under the jurisdiction of the Commission for which a recognized analytical method has not been developed to detect and confirm the administration of such substance, or the use of which may endanger the health and welfare of the horse or endanger the safety of the rider; or the use of which may adversely affect the integrity of racing; or,

2: The possession or use of a drug, substance, or medication on the premises of a facility under the jurisdiction of the Commission that has not been approved by the United States Food and Drug Administration (FDA) for any use in human or animal is forbidden without prior permission of the Commission or its designee.

3: The possession and/or use of blood doping agents, including but not limited to those listed below, on the premises of a facility under the jurisdiction of the Commission is forbidden:

(A) Erythropoietin;

(B) Darbepoetin;

(C) Oxyglobin®; and

(D) Hemopure®.

4: The use of extracorporeal shock wave therapy or radial pulse wave therapy shall not be permitted unless the following conditions are met:

(A) Any treated horse shall not be permitted to race for a minimum of ten (10) days following treatment;

(B) The use of extracorporeal shock wave therapy or radial pulse wave therapy machines shall be limited to veterinarians licensed to practice by the Commission;

(C) Any extracorporeal shock wave therapy or radial pulse wave therapy machines on the association grounds must be registered with and approved by the Commission or its designee before use; and

(D) All extracorporeal shock wave therapy or radial pulse wave therapy treatments must be reported to the Division veterinarian on the prescribed form not later than the time prescribed by the Division veterinarian.

5: The use of a nasogastric tube (a tube longer than six inches) for the administration of any substance within twenty-four (24) hours prior to the post time of the race in which the horse is entered is prohibited without the prior permission of the Division veterinarian or his/her designee.

#### ***AUTHORIZED MEDICATIONS - HORSES ONLY***

**5.310** - If a horse is to run under the influence of an authorized medication, it is the responsibility of the person entering the horse to accurately note the medication(s) on the entry card. Association racing office personnel responsible for compiling the program must accurately note Lasix (aka, Furosemide) in the program as per the entry cards unless notified otherwise.

**5.312** – Phenylbutazone, Flunixin (Banamine) and Ketoprofen will be the only non-steroidal anti-inflammatory drugs (NSAID) approved for horse racing.

- a) When approved, the test level for Phenylbutazone or its metabolite, Oxyphenylbutazone shall not exceed 5 micrograms per milliliter of blood, serum, or plasma.
- b) When approved, the test level for Flunixin (Banamine) shall not exceed 0.5 micrograms per milliliter of blood serum or plasma.
- c) When approved, the test level for Ketoprofen shall not exceed 0.01 microgram (10 nanograms) per milliliter of blood serum or plasma.
- d) The penalties for having an excess level of Phenylbutazone, Flunixin (Banamine), or Ketoprofen are as follows:

**FIRST OFFENSE PER TRAINER PER YEAR**

<b><u>Phenylbutazone</u></b>	<b><u>Flunixin (Banamine)</u></b>	<b><u>Ketoprofen</u></b>	<b><u>Penalty</u></b>
2.5 to 5.0 mcg.:	.25 to .50 mcg.:	5 to 10 ng/ml:	verbal warning
5.1 to 7.5 mcg.:	.51 to .75 mcg.:	11 to 15 ng/ml:	\$200.00 fine
7.6 to 10.0 mcg.:	.76 to 1.0 mcg.:	16 to 20 ng/ml:	\$250.00 fine
above 10.0 mcg.:	above 1.0 mcg.:	above 20 ng/ml:	\$500.00 fine, loss of purse summary suspension and search

**SECOND OFFENSE PER TRAINER PER YEAR**

<b><u>Phenylbutazone</u></b>	<b><u>Flunixin (Banamine)</u></b>	<b><u>Ketoprofen</u></b>	<b><u>Penalty</u></b>
2.5 to 5.0 mcg.:	.25 to .50 mcg.:	5 to 10 ng/ml:	verbal warning
5.1 to 7.5 mcg.:	.51 to .75 mcg.:	11 to 15 ng/ml:	\$250.00 fine and loss of purse
7.6 to 10.0 mcg.:	.76 to 1.0 mcg.:	16 to 20 ng/ml:	\$500.00 fine and loss of purse
above 10.0 mcg.:	above 1.0 mcg.:	above 20 ng/ml:	\$1000.00 fine, loss of purse, summary suspension and search

- e) Horses entered to race on Phenylbutazone, Flunixin (Banamine) or Ketoprofen must show a detectable level of the drug in any pre or post-race blood and/or urine sample.

f) Under no circumstances shall a horse be allowed to have more than one non-steroidal anti-inflammatory drug (NSAID) in its blood and/or urine, unless otherwise approved by the Commission veterinarian, in special circumstances only, in which Phenylbutazone must be less than 1 mcg. The penalty for violating this rule is a \$500.00 fine.

**5.317** - Furosemide may be administered intravenously to a horse, which is entered to compete in a race or to facilitate the collection of a post-race urine sample. In order for a horse to be allowed to participate in a race on Furosemide, the following process must be followed:

1: A horse shall be entered properly to participate on Furosemide and then such horse will be automatically added by the Division veterinarian to the Division test barn medication database for the current race meet. All first time usage of Furosemide by horses participating in a race, shall be designated properly in the official program. The Division veterinarian and the board of stewards shall monitor the usage and discontinuance of the administration of Furosemide during the current race meet for all non-bleeders.

2: Furosemide shall be administered only on Association grounds.

3: Upon the request of the Division representative, the veterinarian administering the authorized bleeder medication shall surrender the syringe used to administer such medication, which may then be submitted for testing.

**5.318** - For Horses only, pre-race use of injectable Furosemide (Lasix) as a bleeder preventative medication is authorized provided that its use has been approved by the veterinarian representing the Division of Racing Events and that the quantity injected is not less than 150 mg nor more than 500 mg and that the injection is administered not less than four (4) hours prior to scheduled post time. Furosemide may be administered by intravenous or intramuscular injection only.

**5.319** - The Division 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 as observed by the Division veterinarian.

1: All horses which have demonstrated external evidence of exercise induced pulmonary hemorrhage from one or both nostrils during or after a workout may be observed by the association veterinarian and/or practicing veterinarian and may be reported on a form supplied by the Division veterinarian to be placed on the bleeder list.

**5.320** - All practicing veterinarians at horse racetracks shall complete, sign, and deliver to the veterinarian representing the Division of Racing Events on a form provided by the Division indicating all furosemide treatments. All forms must be submitted at a time to be determined by the veterinarian representing the Division of Racing Events. In addition, the trainer or his authorized representative must be present when the furosemide is administered and sign the above-mentioned form indicating they witnessed the furosemide injection. Furosemide treatments may be witnessed by a representative of the Division.

**5.322** - A bleeder certificate or stamp shall be attached to the foal certificate in the racing secretary's office. The Division veterinarian may accept other documentation of certification of a bleeder.

**5.324** - The veterinarian representing the Division of Racing Events and/or stewards may require that a suspected bleeder come to the test barn after a race or workout for confirmation that bleeding did occur. A horse exhibiting EIPH must be certified as a bleeder by the Division veterinarian before it can be entered to run on furosemide. Only the Division veterinarian after consultation with the practicing veterinarian may remove a horse from the bleeder list.

A horse may be removed from the bleeder list prior to its first start at a given meet in Colorado if it meets the following criteria:

(A) It has only bled one time in the past; and

(B) It has not participated in an official race at any track during the previous six (6) months or it has raced officially in the previous six (6) months and finished 5<sup>th</sup> or worse the majority of times that it ran on furosemide according to *The Daily Racing Form*.

If a horse qualifies to be removed from the bleeder list according to the criteria above, and it subsequently bleeds, it will be considered a first time bleeder for the purposes of the veterinarian's list. Once the horse is placed on the bleeder list a second time, the horse will be considered a bleeder for its lifetime in Colorado and may not be removed from the list again for any reason.

**5.326** - Horses certified to race on furosemide must show a detectable level of the drug in blood and/or urine.

**5.328** - A horse which has been approved by the Division veterinarian for the use of furosemide (Lasix) to prevent epistaxis and subsequently races in a jurisdiction that does not allow the use of furosemide (Lasix) must be re-approved by the Commission veterinarian before being allowed to race under the influence of furosemide in Colorado.

**5.330** - During any consecutive six (6) month period, horses exhibiting EIPH will be placed on the veterinarian's list for the following minimum periods of time, which includes the day the horse bleeds:

First time bleeder - 4 days

Second time bleeder - 9 days

Third time bleeder - 21 days

A longer period of time on the veterinarian's list for each incident may be imposed if the practicing veterinarian attending the horse and the Division veterinarian agree that it is necessary.

In the event a horse bleeds more than 3 times during a six (6) month period, it may be banned indefinitely from racing in Colorado if the Board of Stewards and the Division veterinarian after consultation with the practicing veterinarian determine that, based on past performance, this action is warranted.

For a horse from another state with a current bleeder certificate in effect, the first time horse bleeds in Colorado the horse shall be considered a second time bleeder for purposes of time period on the veterinarian's list.

### **5.331 - Androgenic-Anabolic Steroids (AAS)**

- (1) No AAS shall be permitted in test samples collected from racing horses, except for residues of the major metabolite of Stanozolol, Nandrolone, and the naturally occurring substances, Boldenone and Testosterone, at concentrations less than the indicated thresholds.
- (2) Concentrations of these AAS shall not exceed the following urine threshold concentrations for total drug (i.e., free drug or metabolite and drug or metabolite liberated from its conjugates):
  - (a) 16 $\beta$ -hydroxystanozolol (metabolite of Stanozolol (Winstrol®)) – 1 ng/ml in urine for all horses regardless of sex;
  - (b) Boldenone (Equipose® is the undecylenate ester of Boldenone) in male horses other than geldings --- 15 ng/ml in urine. No Boldenone shall be permitted in geldings or female horses.
  - (c) Nandrolone (Durabolin® is the phenylpropionate ester and deca-durabolin® is the decanoate ester) –
    1. In geldings --- 1 ng/ml in urine
    2. In fillies and mares --- 1 ng/ml in urine.
    3. In male horses other than geldings --- 45 ng/ml in urine
  - (d) Testosterone
    1. In geldings --- 20 ng/ml in urine
    2. In fillies and mares --- 55 ng/ml in urine
    3. In male horses other than geldings minimum thresholds will not apply
- (3) All other AAS are prohibited in racing horses.
- (4) Post-race urine samples must have the sex of the horse identified to the laboratory.
- (5) Any horse to which an anabolic steroid has been administered in order to assist in the recovery from illness or injury may be placed on the veterinarian's list in order to monitor the concentration of the drug or metabolite in urine. After the concentration has fallen below the designated threshold for the administered AAS, the horse is eligible to be removed from the list. Any laboratory testing to determine the concentration of an administered AAS shall be done at the trainer's and/or the owner's sole expense.

**5.332** -Trainers must be able to have verified by a practicing veterinarian the need for any prescription medication in their possession.

**5.334** - All horse medications that require a prescription must be stored in the tackroom when not in use.

### ***PENALTIES***

**5.340** - In the event that an animal establishes a track record in a race and if it later develops that the chemical analysis of any sample taken indicates the presence of an unauthorized medication, then the track record shall be null and void.

### ***MEDICATION RESTRICTIONS***

**5.350** - A person, with the exception of a licensed veterinarian, shall not have in their possession or within their kennels/stables, buildings, grounds or vehicles where animals are kept, any injectable medication or hypodermic needle or syringe, unless the Division veterinarian has authorized the medication or hypodermic needle or syringe to be possessed by this person.

**5.352** - The Commission, or Division veterinarian, for good cause, may forbid the use of any medication. Thereafter, the medication shall not be used for official schooling/workouts or races.

**5.354** - All medication and drugs maintained in a racing kennel or farms or kennels at which racing greyhounds are housed must be stored in a single cabinet, locker, storage box or bin, or chest equipped with a locking device and may be portable. Such storage facility must be locked at all times when the kennel is unattended regardless of exterior doors or gates. Any medication or drug located in a racing kennel or farms or kennels at which racing animals are housed not in the locked storage container shall be deemed unauthorized and subject to seizure unless exempted in writing by the Division Veterinarian.

**5.356** - Any person desiring to have drugs or medication on the premises of a racetrack or anywhere where racing greyhounds are trained or kenneled, which may be used on greyhound or human, shall obtain written permission from the Division veterinarian prior to bringing the substances onto the premises, and shall record the possession in writing with the Division veterinarian. A kennel medication list must be posted on the premises, must bear the signature of the Division veterinarian, and is to be renewed March 1 of each year. A new trainer must submit a new medication list within ten (10) days of assuming his duties or sign the list on file with the Division veterinarian. Any medication possessed on the premises of a racetrack or wherever racing greyhounds are trained or kenneled for which written permission has not been obtained shall be deemed unauthorized.

**5.358** - A copy of the authorized drug and medication list will be posted in a conspicuous place in the kennel area where racing greyhounds are kenneled in order that a Division representative may check the list when inspecting the kennel.

**5.359** – 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.

1: 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(s) (horse/greyhound) for whom the product is intended/prescribed or the name of the person (trainer and/or stable/kennel) to whom the product was dispensed;
- (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.

### ***MEDICAL LABELING***

**5.360** - All medication and/or drugs retained in a racing kennel or farms or kennels at which racing greyhounds are housed must be in containers that exhibit the correct manufacturer's label or a pharmaceutical prescription label as indicated in rule #5.359. Certain treatments that are prepared in large quantities and transferred to smaller containers for easy application may be labeled by the trainer of record but only if the primary ingredients are on the medication list. Any medication and/or drugs stored or retained in a container other than that indicated by label shall be deemed unauthorized and subject to seizure regardless if such medication or drug is listed on the veterinarian medication list.

### ***400's --- TESTING***

**5.400** - Any Division representative may take for analysis samples of any drugs, medicines or other substances which are found in the area where racing animals are being raced, trained or kenneled/stabled or are found in the possession of any person connected with the racing of animals.

### ***REPORTING TO THE TEST BARN***

**5.402** - The Board and/or Division veterinarian, at their discretion, may take or cause to have taken any or all of the following specimens from a designated animal: saliva, urine, blood or other body fluid. In addition, biopsy or necropsy samples may be taken from a designated animal.

**5.404** - Refusal to allow the taking of any specimen or any act or threat to impede or prevent or otherwise interfere therein shall be reported to the Board who shall take disciplinary action as they deem proper.

**5.410** – The official winning horse and any other horse ordered by the Commission and/or the stewards shall be taken to the test barn to have a blood and urine sample taken at the direction of the Division veterinarian.

**5.412** - Random or extra testing may be required by the stewards or the Commission at any time on any horse on association grounds.

**5.414** – Unless otherwise directed by the stewards or the Division veterinarian, a horse that is selected for testing must be taken directly to the test barn.

**5.416** - A track security guard shall monitor access to the test barn area during and immediately following each racing performance. All persons who wish to enter the test barn area must be currently licensed by the Commission, display their Commission identification badge and have a legitimate reason for being in the test barn area.

### ***SAMPLE COLLECTION***

**5.420** - During the taking of a sample by a representative of the Division, the owner, trainer, witness or chemist representing them may be present at all times. The sample shall be placed in an authorized container and shall be immediately sealed and the evidence of the sealing may be indicated thereon by the signature of the owner or trainer or kennel/stable representative. The veterinarian or assistant representing the Division shall deliver the sample to the laboratory selected by the Division for a report on the chemical analysis of the sample.

### ***PROCEDURE IN EVENT OF POSITIVE TEST***

**5.423** – Split samples obtained in accordance with rule #5.420 above shall be secured and made available for further testing in accordance with the following procedures:

1: A split sample shall be secured in the test barn under the same manner as the portion of the specimen acquired for shipment to a primary laboratory until such time as specimens are packed and secured for shipment to the primary laboratory. Split samples shall then be transferred to a freezer at a secure location approved by the Commission.

2: A freezer for storage of split samples shall be equipped with two hasps or other devices to provide for use of two independent locks. One lock shall be the property of the Commission and one lock shall be the property of a representative of the group representing a majority of the horsemen at a race meeting. The locks shall be closed and locked so as to prevent access to the freezer at all times except as specifically provided by these rules.

3: A freezer for storage of split samples shall be opened only for depositing or removing split samples, for inventory, or for checking the condition of samples.

4: When a freezer used for storage of split samples is opened, it shall be attended by both a representative of the Commission and the owner, trainer or designee. A log shall be maintained that shall be used each time a split sample freezer is opened to specify each person in attendance, the purpose for opening the freezer, identification of split samples deposited or removed, the date and time the freezer was opened, and the time the freezer was closed and to verify that both locks were secured prior to and after opening of the freezer.

5: Any evidence of a malfunction of a split sample freezer or samples that are not in a frozen condition during storage shall be documented in the log and immediately reported to the Division veterinarian or a designated Commission representative.

**5.424** - A trainer or owner of a horse having been notified that a written report from a primary laboratory states that a prohibited substance has been found in a specimen obtained pursuant to these rules may request that a split sample corresponding to the portion of the specimen tested by the primary laboratory be sent to another laboratory approved by the Commission. The request must be made in writing and delivered to the stewards as stated in the split sample policy after the trainer of the horse receives written notice of the findings of the primary laboratory. Any split sample so requested must be shipped in the time frame stated in the split sample policy.

**5.425** – The owner or trainer requesting testing of a split sample shall be responsible for the cost of shipping and testing. Failure of the owner, trainer or designee to appear at the time and place designated by the Division veterinarian shall constitute a waiver of all rights to split sample testing. Prior to shipment, the Division veterinarian shall confirm the split sample laboratory's willingness to provide the testing requested, the laboratory's willingness to send results to both the person requesting the testing and the Commission, and arrangements for payment satisfactory to the split sample laboratory. If a reference laboratory will accept split samples, that laboratory must be included among the laboratories approved for split sample testing.

**5.426** – Prior to opening the split sample freezer, the Commission shall provide a split sample chain of custody verification form that shall provide a place for recording the following information and such other information as the Division veterinarian may require. The form shall be fully completed during the retrieval, packaging, and shipment of the split sample. The split sample chain of custody form requirements are:

- 1: The date and time the sample is removed from the split sample freezer;
- 2: The sample number;
- 3: The address where the split sample is to be sent;
- 4: The name of the carrier and the address where the sample is to be taken for shipment;
- 5: Verification of retrieval of the split sample from the freezer;

- 6: Verification of each specific step of the split sample packaging in accordance with the recommended procedure;
- 7: Verification of the address of the split sample laboratory on the split sample package;
- 8: Verification of the condition of the split sample package immediately prior to transfer of custody to the carrier; and
- 9: The date and time custody of the sample is transferred to the carrier

**5.427** - A split sample shall be removed from the split sample freezer by a Commission representative in the presence of a representative of the horsemen's association.

1: The owner, trainer or designee shall pack the split sample for shipment in the presence of the representative of the Commission, in accordance with the packaging procedures recommended by the Commission. A form shall be signed by both the horsemen's representative and the Commission representative to confirm the packaging of the split sample. The exterior of the package shall be secured and identified with initialed tape, evidence tape or other means to prevent tampering with the package.

2: The package containing the split sample shall be transported in a manner prescribed by the Commission to the location where custody is transferred to the delivery carrier charged with delivery of the package to the Commission approved laboratory selected by the owner or trainer.

3: The owner, trainer or designee and the Commission representative shall inspect the package containing the split sample immediately prior to transfer to the delivery carrier to verify that the package is intact and has not been tampered with.

4: The split sample chain of custody verification form shall be completed and signed by the representatives of the Division and the owner or trainer. A Commission representative shall keep the original and provide a copy for the owner or trainer.

**5.430** - The following procedures shall apply in the event that a laboratory analysis of urine, saliva or other sample taken from the animal indicates the presence of an unauthorized medication.

**5.431** – If a substance that is detected by ImmunoAssay testing (a.k.a. ELISA) is on the Environmental Contaminant List, adopted by the Commission as part of the animal welfare and medication policy, but has not been confirmed by another type of test, the Division shall not proceed with administrative action.

**5.432** - In the event a positive laboratory test result is obtained, the Division shall cause an investigation to be conducted immediately.

**5.433** – The Commission may adopt, as part of the animal welfare and medication policy, a therapeutic medication list that contains medications deemed to have therapeutic properties on racehorses. Such published list shall give acceptable withdrawal times that should be allowed under normal circumstances. This rule shall only pertain to drugs that are mass-produced in a regulated drug manufacturing facility and does not pertain to compounded drugs which are individually prepared and tailored to the needs of a specific patient. During the course of a race meet, the Division Director, given good cause and in consultation with the State’s primary testing laboratory, and/or the Division veterinarian and the Colorado Racing Commission veterinarian, may change the recommended detection time in order to better inform the owners, trainers and veterinarians to avoid violations.

**5.434** - Within a reasonable period of time after a positive test result has been received from the laboratory, the Board or hearing officer shall hold a formal hearing to determine the reasons and responsibility for any alleged medication violation. The hearing shall be conducted pursuant to these Rules.

**5.436** - Pending a formal hearing, the Board may summarily suspend any person in accordance with the provisions of the Law and these Rules.

**5.438** - Whenever a medication violation occurs as provided in these Rules, the Board, a hearing officer, or the Commission may take disciplinary action as is provided by these Rules and the Law against any of the following persons:

:1 - Any person(s) responsible for the proper care and protection of an animal if the Board, a hearing officer, or the Commission find the persons(s) to have been negligent, reckless, or willful in failing to prevent the administration of the unauthorized medication in question;

:2 - Any person(s) found by the Board, a hearing officer, or the Commission to have administered or have attempted to administer any unauthorized medication; or

:3 - Any person(s) found by the Board, a hearing officer, or the Commission to have conspired in the administration of any unauthorized medication.

**5.440** – Upon a finding of a violation of these medication and prohibited substances rules, the stewards or hearing officer 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 Board or hearing officer shall also consult with the Division veterinarian to determine the nature and seriousness of the laboratory finding or the medication violation and if the violation was a result of the administration of a therapeutic medication as documented in a veterinarian’s report received per rule #5.236. Provided, however, that in the event that the hearing officer or a majority of the Board determine that mitigating circumstances require imposition of a lesser penalty, they may impose the lesser penalty. In the event that the hearing officer or a majority of the Board wish to impose a greater penalty or a penalty in excess of the authority granted them, then, and in such event, they may impose the maximum penalty authorized and refer the matter

to the Commission with specific recommendations for further action. In determining if there are mitigating circumstances surrounding a medication violation for substances, the Board or hearing officer may consider, but not limited to the following:

1. The past record of the trainer in drug cases;
2. The potential of the drug(s) to influence a horse's racing performance;
3. The availability of the drug;
4. Whether there is reason to believe the responsible party knew of the administration of the drug use;
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 veterinarian report(s), and;
9. Whether there was any suspicious betting pattern in the race.

#### 5.441 –

- (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 stewards 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.

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><b><i>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).</i></b></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><b>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.</b></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-011-020 E.(1)(c) 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 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 (5.1-9.9 mcg/ml) Flunixin (21-99 ng/ml) Ketoprofen (11-49 ng/ml) Furosemide (&gt;100 ng/ml) and no furosemide when identified as administered**</b>	<b>Phenylbutazone (≥10.0 mcg/ml) Flunixin (≥100 ng/ml) Ketoprofen (≥50 ng/ml) and CLASS C Violations</b>
1 <sup>st</sup> Offense (365-day period) in any jurisdiction	Minimum fine of \$250 absent mitigating circumstances	Minimum fine of \$500 absent mitigating circumstances
2 <sup>nd</sup> Offense (365-day period) in any jurisdiction	Minimum fine of \$500 absent mitigating circumstances	Minimum fine of \$1,000 and 15-day suspension absent mitigating circumstances
3 <sup>rd</sup> Offense (365-day period) in any jurisdiction	Minimum fine of \$1,000 and 15-day suspension absent mitigating circumstances	Minimum fine of \$2,500 and 30-day suspension absent mitigating circumstances
<b>LICENSED OWNER</b>	<b>Phenylbutazone (5.1-9.9 mcg/ml) Flunixin (21-99 ng/ml) Ketoprofen (11-49 ng/ml) Furosemide (&gt;100 ng/ml) and no furosemide when identified as administered**</b>	<b>Phenylbutazone (≥10.0 mcg/ml) Flunixin (≥100 ng/ml) Ketoprofen (≥50 ng/ml) AND CLASS C VIOLATIONS</b>
1 <sup>st</sup> Offense (365-day period) in any jurisdiction		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		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		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

- (6) 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.
- (7) 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.
- (8) 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.
- (9) 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 stewards or the commission.
- (10) Any person who the stewards 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 stewards or the commission in no way prohibits a prosecution for criminal acts committed, nor does a potential criminal prosecution stall administrative action by the stewards or the commission.

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.

The Commission adopts as part of Rule 5.441 of the Colorado Racing Commission rules certain Association of Racing Commissioners International Uniform Classification Guidelines for Foreign Substances referred to in this Rule 5.441. Such guidelines are published by the Association of Racing Commissioners International. These guidelines were promulgated by the Association of Racing Commissioners model rules committee. This rule does not include amendments to or later editions of the incorporated guidelines.

Certified copies of the complete text of the material incorporated are maintained at the Colorado Department of Revenue Division of Racings Events, 1881 Pierce Street, Room 108, Lakewood, Colorado 80214-1494, and may be inspected by contacting the Rule Coordinator at that address during normal business hours. The incorporated material may also be examined at any state publications depository library. Certified copies shall be provided at cost upon request.

**5.442** - The director may direct that the primary laboratory retain and preserve by freezing for possible future analysis any materials provided to the laboratory. Such materials may include, but are not limited to, samples of blood, samples of urine, or seized drugs, medicines, or other substances. The fact that purse money in a race has been distributed prior to the issuance of a laboratory report based upon analysis of such materials shall neither constitute a finding nor create a presumption that a substance prohibited by these rules was not administered to the animal.

### ***500's --- TRAINER RESPONSIBILITY***

**5.500** - Whenever the laboratory test results are obtained as indicated herein, there shall be a rebuttable presumption that the trainer and/or assistant trainer of the animal were responsible for the administration of the unauthorized medication. At any hearing conducted to determine responsibility for the administration of any unauthorized medication, unless other evidence of sufficient credibility and weight is presented to the contrary, the Board, a hearing officer, or the Commission may make a finding in accordance with the presumption.

**5.502** - The trainer shall be responsible for and the absolute insurer of the condition of the animals entered for his or her kennel/stable regardless of the acts of third parties except as provided in these rules. If the chemical analysis of a sample indicates the presence of an unauthorized drug or medication regardless of the effect on the racing condition or the performance of an animal in a race, the trainer of the animal and any other person shown to have care or attendance of the animal or shown to have administered or conspired to have administered the drug are subject to disciplinary action. The owner of the animal shall not participate in the purse distribution of that race, a redistribution of that purse shall be ordered, and the animal shall be declared unplaced for every purpose except for pari-mutuel wagering and the grading system as it pertains to greyhound racing. "Unplaced for every purpose" means any placement based upon the race would be declared invalid and the purse or prize for any such race would be returned. "Unplaced for every purpose" includes, but is not limited to, any placement, purses or prizes that an owner may have earned in subsequent races, for which the horse would not have been qualified due to the presence of an unauthorized medication found in a previous race. A trophy received by the owner of the animal shall be returned.

**5.504** - A trainer whose horse has been claimed remains responsible for any violation of rules regarding that horse's participation in the race in which the horse is claimed.

**5.506** – The trainer is responsible for:

- :1 Maintaining the assigned stable area in a clean, neat and sanitary condition at all times;
- :2 Using the services of those veterinarians licensed by the Commission to attend to horses that are on association grounds.

**5.508** – Additionally, with respect to horses in his/her care or custody, the trainer is responsible for:

- :1 The proper identity, custody, care, health, condition and safety of horses;
- :2 Ensuring that at the time of arrival at locations under the jurisdiction of the Commission a valid health certificate and a valid negative Equine Infectious Anemia (EIA) test certificate accompany each horse and which, where applicable, shall be filed with the racing secretary;

- :3 Having each horse in his/her care that is racing, or is stabled on Association grounds, tested for Equine Infectious Anemia (EIA) in accordance with the jurisdiction's law and for filing evidence of such negative test results with the racing secretary;
- :4 Using the services of those veterinarians licensed by the Commission to attend horses that are on association grounds;
- :5 Immediately reporting the alteration of the sex of a horse to the horse identifier and the racing secretary;
- :6 Promptly reporting to the racing secretary and the Division veterinarian when a Posterior Digital Neurectomy (heel nerving) is performed and ensuring that such fact is designated on its certificate of registration;
- :7 Promptly notifying the Division veterinarian of any reportable disease and any unusual incidence of a communicable illness in any horse in his/her charge;
- :8 Promptly reporting the serious injury and/or death of any horse at locations under the jurisdiction of the Commission to the stewards and the Division veterinarian and compliance with the rules in this chapter governing postmortem examinations;
- :9 Maintaining a knowledge of the medication record and status;
- :10 Immediately reporting to the stewards and the Division veterinarian knowledge or reason to believe, that there has been any administration of a prohibited medication, drug or substance;
- :11 Ensuring the fitness to perform creditably at the distance entered;
- :12 Ensuring proper bandages, equipment and shoes;
- :13 Presence in the paddock at least twenty (20) minutes before post time or at a time otherwise appointed before the race in which the horse is entered;
- :14 Personally attending in the paddock and supervising the saddling thereof, unless excused by the stewards; and
- :15 Attending the collection of a urine or blood sample or delegating a licensed employee or the owner to do so.

### ***600's --- PHYSICAL INSPECTION OF HORSES***

#### ***ASSESSMENT OF RACING CONDITION***

**5.600** - The Division veterinarian or in the event an association veterinarian is available then the association veterinarian approved by the Commission shall be upon the racetrack and shall be

available to examine any horse just prior to scratch time in the morning and one (1) hour prior to post time before the first race on race days. Upon examining a horse at any time, should the veterinarian determine that a horse is unsound for racing, the veterinarian shall immediately report that fact to the stewards and shall place the horse on the veterinarian's list.

**5.602** - The Division veterinarian or in the event an association veterinarian is available then the association veterinarian approved by the Commission may cause a horse to be placed in isolation or declared permanently ineligible to race if the horse has symptoms of chronic unsoundness or has proven to be unmanageable due to medical reasons. A horse which the Division veterinarian has declared to be permanently ineligible to race shall be reported to the stewards who shall then write a formal ruling against the horse and shall also write the reason for the ruling on the horse's registration papers.

**5.604** - On live race days a Division veterinarian or in the event an association veterinarian is available then the association veterinarian approved by the Commission for that purpose shall cause a pre-race inspection to be made of all horses that are racing that day and shall observe the horses in the paddock, during the post parade, in and around the starting gate, during the running of the race and following the race up through the unsaddling of the horses.

### ***VETERINARIAN'S LIST***

**5.608** – The Division veterinarian shall maintain the veterinarian's list of all horses which are determined to be unfit to compete in a race due to illness, physical distress, unsoundness, infirmity or any other medical condition.

**5.610** - Except as provided in CRCR 5.330 and unless authorized by the Division veterinarian, a horse placed on the Veterinarian's list must remain on that list a minimum of four (4) calendar days after the day the horse was placed on the veterinarian's list.

**5.611** - A horse may be removed from the veterinarian's list after the minimum days provided by rule #5.610 when, in the opinion of the Division veterinarian and/or the association veterinarian or a practicing veterinarian not representing the horse or trainer, the horse has satisfactorily recovered the capability of competing in a race.

1: If a practicing veterinarian removes a horse from the veterinarian's list, a form provided by the Division veterinarian shall be signed and submitted to the stewards.

**5.612** - Any horse from which a positive test sample was collected and confirmed by the Commissions' primary testing laboratory shall be placed on the veterinarian's list and must pass a Commission-approved examination before becoming eligible for entry. Subsequent laboratory testing that may be required in the approved examination process shall be at the expense of the owner or trainer of the horse. Any horse from which a positive test sample was collected and confirmed by the Commissions' primary testing laboratory in the initial sample test or in any required subsequent laboratory testing, may also be subject to disciplinary action by the stewards, a hearing officer or the Commission prior to the horse's next entry. This shall not apply to an overage of an authorized medication, where the violation would not result in a loss of purse, pursuant to rules 5.312 and 5.326.

### **700's --- PHYSICAL INSPECTION OF GREYHOUNDS**

**5.700** - Every owner, trainer, or authorized agent shall immediately whenever requested by the Division submit their greyhound(s) to any veterinarian designated by the Division for an examination or tests as the veterinarian may deem advisable.

**5.702** - Any test or examination made by the Division veterinarian may be witnessed by a Division representative and by the owner, trainer, or assistant trainer of the greyhound(s) being examined or tested.

**5.706** - Upon request by the Division veterinarian, a greyhound shall be made available for examination at weighing-in time, pre-race inspection, or sample collection. Any greyhound showing signs of illness or injury, falls or performs poorly during a race may be examined by the veterinarian.

**5.708** - The Division veterinarian shall have the authority to scratch any greyhound at any time for health or physical reasons to insure that a greyhound entered for a race is in racing condition. If any greyhound is not in proper physical condition the greyhound shall be reported to the Board of Judges. If a greyhound is scratched by the veterinarian it shall be placed on the veterinarian's schooling list. Any greyhound placed on a veterinarian's schooling list may not be removed until such time as the veterinarian releases it.

**5.712** - It is the responsibility of the trainer or their delegate to report any greyhounds that may be in season to the judges and the veterinarian. Greyhounds that are in season will not be allowed on the racetrack. For the purposes of proof, a greyhound that is 90% or greater cornified vaginal epithelial cell off a vaginal smear, shall be considered in season.

**5.714** - The Division veterinarian shall make the determination if a female greyhound is in season by any means deemed appropriate. Females coming in season during the race meet must not be accepted for entry within twenty one (21) days from date of coming in season and must be approved by the Division veterinarian prior to being schooled and will not be allowed to school until such time as the veterinarian releases it.

**5.716** - A female greyhound in milk due to pregnancy or false pregnancy shall not be accepted for entry until approved by the Division veterinarian prior to being re-schooled.

### **800's --- POSTMORTEM EXAMINATION**

**5.800** - If an animal with a registration certificate or copy on file in the racing office dies or is euthanized, this fact will be reported to the Division veterinarian who shall note the death on the face of the registration certificate and will have the certificate or a certified duplicate copy of the certificate sent to the official registry approved by the Commission.

**5.802** - The Commission and/or Division veterinarian may conduct a postmortem examination of any racing animal that is injured in this jurisdiction while in training or in competition and that subsequently expires or is destroyed. In proceeding with a postmortem examination the

Commission or its designee shall coordinate with the trainer and/or owner to determine and address any insurance requirements.

**5.804** – The Commission and/or Division veterinarian may conduct a postmortem examination of any racing animal that expires while housed on association grounds or at recognized training facilities within this jurisdiction. Trainers and owners shall be required to comply with such action as a condition of licensure.

**5.806** – The Commission and/or Division veterinarian may take possession of the racing animal upon death for postmortem examination. The Commission may submit blood, urine, and other bodily fluid specimens or other tissue specimens collected during a postmortem examination for analysis. Upon completion of the postmortem examination, the carcass may be returned to the owner or disposed of at the owner's option.

**5.808** – The presence of a prohibited substance in a specimen collected during the postmortem examination may constitute a violation.