



**COLORADO**

**Department of Revenue**

Enforcement Division - Racing

# COLORADO RACING COMMISSION RULES

1 C.C.R. 208-1



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**CHAPTER 4**  
**--- OFFICIALS - HORSES ---**

**100's --- GENERAL PROVISIONS**

**4.100** - The Division shall establish a board of three judges/stewards. Two members of the Board shall be appointed by and be employees of the Division. One member shall be an employee of the association conducting the races and shall be approved by the Commission prior to commencing work. The Division shall also appoint a veterinarian, and other officials that the Commission deems necessary who shall be employees of the Division. All other officials shall be appointed by the association with the approval of the Commission.

**4.102** - The criteria to be considered for approval or denial of racing officials shall be:

:1 - Experience specialized to the position;

:2 - Criminal record;

:3 - Racing history;

:4 - Conflict of interest;

:5 - Physical conditions required; and

:6 - The best interests of the racing industry.

**4.104** - The Commission reserves the right to demand a change of any of the officials or employees for any reason which the Commission deems good and sufficient, and any successor to any official or employee replaced shall be approved by the Commission. A racing official may be fined, suspended or removed at any time for incompetence and/or failure to follow or enforce these Rules or the law.

**4.106** - No one interested in the result of a race either because of ownership of any animal entered, or of its sire or bitch/dam or because of bets or otherwise, shall act as a racing official.

**4.108** - Racing officials shall not accept, directly or indirectly, any gratuity, reward or favor in connection with racing at the meet.

**4.110** - Racing officials shall not directly or indirectly wager on any race at the meet at which they are employed.

**4.112** - Racing officials shall immediately report to the Board any observed violations of these Rules or the law.

**4.114** - Complaints against an official(s) shall be made to the Board in writing, signed by the complainants. All complaints shall be reported to the Commission together with action taken on

them by the Board. If the complaint involves the Board then it shall be made in writing directly to the Commission/Division.

**4.116** - No racing official shall serve in more than one official capacity simultaneously during a race meet unless prior approval from the Commission or the Director has been obtained. In no event shall a racing official serve in more than one official capacity where there is a potential conflict of interest.

**4.118** - When a vacancy occurs among the racing officials, other than the Board, prior to post time of the first race of the day or when a vacancy occurs after the racing day has started, the Association shall fill the vacancy with an official approved by the Board. The appointment shall be effective only for the day unless the association fails to fill the vacancy on the following day and has notified the Board of its action not less than one (1) hour before the post time of the first race of the day. The appointment shall be reported immediately to the Division by the Board. When a vacancy occurs among the racing officials for a period of longer than one racing day, the association shall fill the vacancy with an official approved by the division and notify the division in writing of the substitution prior to the change.

**4.120** - If one (1) or more Board members are absent, the Division shall appoint a replacement member(s) to act on a temporary basis.

#### **200's --- BOARD OF JUDGES/STEWARDS**

**4.200** - The Law and these Rules supersede the conditions of a race; and in matters pertaining to racing, the order of the Board supersede the orders of the association officers.

**4.202** - Should any case occur which may or may not be covered by these Rules or the law, the Board shall determine what action is appropriate in conformity with justice and in the interest of racing; and when a penalty is not provided, the Board are hereby given authority to exercise their full power, recommending to the Commission the imposition of more severe penalties, if in their judgment, the penalty should be more severe; but should they be unable to reach a majority decision in three (3) days, the case shall be referred to the Commission for action as it deems proper.

**4.204** - All questions pertaining to the Board's authority shall be determined by a majority of the Board.

**4.206** - The Board shall supervise all entries and declarations and may, without notice, refuse the entries of any person or the transfer of any entries.

**4.208** - The Board shall have the power to determine all questions arising with reference to entries and racing. The Board in its discretion shall determine whether any action shall be taken against any animal participating in a race.

**4.210** - The Board has the power at any time to order an examination of any animal by any person(s) as they think fit.

**4.212** - The Board may permit a person to act pending action on their application.

**4.214** - The judges shall closely observe the operation of the lure and hold the lure operator to strict accountability for any inconsistency of operation.

**4.216** - The Board shall report all objections with regard to the race and complaints to the Division and shall cause to be investigated anything that comes within their jurisdiction.

**4.218** - The racing officials and the Board shall have the right to call on any person in whose name an animal is entered to produce proof that the animal entered is not the property either wholly or in part of any person who is disqualified; or to produce proof of the extent of their interest or property in the animal and failing of proof shall declare the animal out of the race.

**4.220** - The Board may, on its own initiative, call for proof that an animal is not disqualified in any respect and in default of such proof they may declare the animal disqualified.

**4.222** - Permission must be obtained from the stewards to exercise or work a horse between races. A public announcement must be made giving the name of the horse and explaining the purpose for the horse being on the racing strip.

**4.224** - The stewards may substitute a jockey of their choice on any horse, or place a trainer of their selection temporarily in charge of a horse.

**4.226** - The validity of a fair start shall be the decision of the Board, and such a decision shall be final, after consultation with the starter.

**4.228** - The stewards are vested with the power to determine the extent of disqualification in case of fouls.

Should the stewards determine that there is more than one incident of interference in a race where disqualification is warranted, the stewards shall deal with the incidents in the order in which the incident occurs during the race from start to finish; except in the case where the same horses are involved in multiple incidents. Once a horse has been disqualified, it should remain placed behind the horse with which it interfered. The stewards shall make a conscious effort to place and maintain as placed, every and all horses placed behind others for interference.

**4.230** - Certain rules at Class A tracks may be waived by the stewards with the permission of the Commission.

**4.232** - A hearing officer or the Board have the power to impose discipline for violations of these Rules or of the Law any person subject to their jurisdiction. The hearing officer or the Board may impose fines, suspension, disqualifications or combinations thereof for infractions of the Law or these Rules.

**4.234** - During each racing day one Division judge and the presiding judge from the association shall be at the office building at the racetrack where the race meet is being held no later than weighing-in time in order to exercise the authority and perform the duties imposed upon them by these Rules.

**4.236** - Three (3) stewards must be on duty during racing hours. At least one (1) steward must be on duty each morning from the time the entry box is opened for scratch time until after the draw has been completed.

**4.238** - (*Modified Effective date May 15, 2015*) In determining the places of the horses at the finish of the race, the board shall consider only the relative position of the respective noses of the horses.

**4.240** - The Board shall promptly display the number of the first three (3) animals in each race in order of their finish. Whenever it is considered advisable to consult a picture from the photo finish camera, the Board may post without waiting for a picture the placements as are in their opinion unquestionable and after consulting the picture make the other placements. If the Board differs in its placement, the majority shall prevail.

**4.242** - (*Modified Effective date May 15, 2015*) A race shall not be declared official until: In horse racing, the stewards have determined the complete order of finish.

**4.244** - Nothing in these Rules shall be construed to prevent the Board from correcting an error before the display of the sign "official" or from recalling the sign "official" in case it has been displayed through error.

### **300's --- ANNOUNCER - HORSE**

**4.300** - The announcer shall be charged with the responsibility of all normal announcement procedures made at the racetrack or simulcast facility.

**4.302** - Announcements to solicit wagering shall not be made. In order that the wagering public is not shut out announcements may be made designating post time.

**4.304** - The announcer may call the finish of the race as the announcer sees it. However, the announcer must advise the public that the call is not official and advise the public to hold all tickets until the judges have made the race official.

**CHART WRITER** *(Deleted Effective date May 15, 2015)*

**4.400** - *(Deleted Effective date May 15, 2015)* The chart writer shall provide an accurate accounting of each greyhound's performance in a race to be used in the program. The accounting shall include the call of the race, the running time of each greyhound and an accurately worded comment describing the greyhound's performance. The names of the greyhounds shall appear in the order of their post positions, the post positions to be designated by numerals placed at the left and in line with the names of the greyhounds in each race. These numerals shall also be prominently displayed on each greyhound.

**CLERK OF SCALES** *(Deleted Effective date May 15, 2015)*

**4.410** - *(Deleted Effective date May 15, 2015)* The clerk of scales shall weigh each greyhound in and out on a scale sealed by the duly authorized sealer of weights and measurers.

**4.412** - *(Deleted Effective date May 15, 2015)* The clerk of scales shall immediately record the called weight. Any overweight underweight, limit heavy, limit light or variation in the two (2) pound rule shall immediately be brought to the attention of the judges or the Division representative.

**4.414** - *(Deleted Effective date May 15, 2015)* The clerk of scales shall make available to the judges a copy of the weight sheet before each day's performance. A Division representative shall observe the weighing-in of all greyhounds.

**4.416** - *(Deleted Effective date May 15, 2015)* The clerk of scales shall promptly report to the judges any infraction of these Rules as to weight or weighing.

**KENNEL MASTER** *(Deleted Effective date May 15, 2015)*

**4.420** - *(Deleted Effective date May 15, 2015)* The kennel master shall unlock the kennels immediately before weigh-in time to see that the kennels are in perfect repair and that nothing has been deposited in any of the kennels for the greyhound's consumption and shall be sure that the kennels are sprayed, disinfected and kept in proper sanitary condition. The kennel master or any assistant must receive the greyhounds from the trainers, one at a time, and see that the greyhounds are placed in their kennel. The kennel master will be responsible from that time until the greyhounds are removed for the last race, all under the supervision of the paddock judge.

**4.422** - *(Deleted Effective date May 15, 2015)* After the greyhounds are placed in the lock-out kennels no person other than the kennel master, racing officials, person(s) approved by the Commission or Division or designated representatives of the Commission or Division shall be allowed in or near the lock-out kennels.

**4.424** - *(Deleted Effective date May 15, 2015)* The kennel master shall be present while the lead-outs are placing greyhounds in and removing greyhounds from the lock-out kennel.

**LEAD-OUT** *(Deleted Effective date May 15, 2015)*

**4.430** - *(Deleted Effective date May 15, 2015)* Owners, trainers or attendants will not be allowed to lead their greyhounds from the paddock to the starting box, except in unofficial schooling races. The greyhounds shall be walked from the paddock to the starting box by lead outs provided by each Association for that purpose. For pre-race inspections and sample collection and all purse races, lead outs will not be allowed to lead more than one (1) greyhound in the paddock area or to the starting box unless approved by the Division.

**4.432** - *(Deleted Effective date May 15, 2015)* Lead-outs will be required to present a neat appearance and conduct themselves in an orderly manner and must be attired in clean uniforms provided by the association.

**4.434** - *(Deleted Effective date May 15, 2015)* The Lead-outs must carefully place the greyhound in its proper position in the starting box before the race and then retire to an assigned place.

**4.436** - *(Deleted Effective date May 15, 2015)* Lead-outs will not be permitted to have any interest in the greyhounds racing for the association.

**4.438** - *(Deleted Effective date May 15, 2015)* Lead-outs shall be assigned a post position by lot and a record thereof shall be maintained by the paddock judge.

**4.440** - *(Deleted Effective date May 15, 2015)* Lead-outs are prohibited from holding any conversation with the public, either in the paddock, enroute to the starting box, or while returning to the paddock.

**4.442** - *(Deleted Effective date May 15, 2015)* Smoking in restricted areas of the paddock is prohibited.

**4.444** - *(Deleted Effective date May 15, 2015)* Lead-outs are prohibited from wagering on the result of any greyhound racing at the racetrack where they are assigned while on duty and/or in uniform or on any race they will be working.

**4.446** - *(Deleted Effective date May 15, 2015)* Only authorized lead-outs employed by the racing association shall take greyhounds to the starting box during official schooling races.

**4.448** - *(Deleted Effective date May 15, 2015)* Lead-outs must be physically able to perform all the duties required of a lead-out.

**4.450** - *(Deleted Effective date May 15, 2015)* Greyhounds shall be walked to the starting box for each race. For schooling races no more than two (2) greyhounds per leadout shall be allowed unless approved by the Board of Judges.

**4.452** - *(Deleted Effective date May 15, 2015)* Lead-outs must be trained in the proper handling of greyhounds prior to handling any greyhound.

**LURE OPERATOR** *(Deleted Effective date May 15, 2015)*

**4.460** - *(Deleted Effective date May 15, 2015)* The lure operator shall be furnished a room as free as possible of any disturbance that could possibly distract his complete attention on the operation of the lure.

**4.462** - *(Deleted Effective date May 15, 2015)* The lure operator must at all times run a consistent lure and report immediately to the judges if any problem should occur which would prevent the running of a consistent lure.

**4.464** - *(Deleted Effective date May 15, 2015)* The lure operator must run the lure completely around the racing strip at least two (2) times prior to the first post time to determine that the lure is in perfect working condition.

**4.466** - *(Deleted Effective date May 15, 2015)* The lure must be tested upon correcting any malfunction involving the lure or starting box prior to resuming the program.

***Paddock Judge and Identifier*** *(Deleted Effective date May 15, 2015)*

**4.470** - *(Deleted Effective date May 15, 2015)* A greyhound shall not be permitted to start in a schooling or purse race that has not been fully identified, properly ear tattooed, and checked against the card index system of identification maintained by each association. The identification cards shall be filled in and completed by the paddock judge before greyhounds are entered for schooling or for a purse race.

**4.472** - *(Deleted Effective date May 15, 2015)* The paddock judge shall fully identify and check against the card index system of identification maintained by the association all greyhounds starting in schooling and purse races. Any greyhound's identification which does not conform to the card index identification shall be reported to the judges.

**4.474** - *(Deleted Effective date May 15, 2015)* As each greyhound is weighed in there shall be an identification tag attached to its collar indicating the number of the race in which the greyhound is entered and its post position. This tag shall not be removed until the greyhound has been weighed out and blanketed.

**4.476** - *(Deleted Effective date May 15, 2015)* The paddock judge shall verify the identification card with the greyhound. A secondary verification of the identification card and the greyhound shall be made by a racing official.

**4.478** - *(Deleted Effective date May 15, 2015)* Before leaving the paddock for the starting box, every greyhound must be equipped with a regulation muzzle and blanket. The muzzles and blankets used shall be approved by the paddock judge and shall be carefully examined in the paddock before the greyhound leaves for the post.

**4.480** - *(Deleted Effective date May 15, 2015)* During the process of blanketing the greyhounds prior to leaving the paddock to go onto the racing strip for their assigned races, a racing official will check with the paddock judge for verification that the correct blankets are placed on the correct greyhounds.

**4.482** - *(Deleted Effective date May 15, 2015)* Unless approved by the Division, the groom shall be in possession of only one (1) greyhound at the time the paddock judge and the clerk of scales make their identification, and after the greyhound has been correctly identified the groom shall be handed the correct blanket for the greyhound in possession.

**4.486** - *(Deleted Effective date May 15, 2015)* Any medicine, antiseptic, fluid or matter containing a color causing the marring or discoloration of identification marks of a greyhound which could change the identity of the greyhound will not be used.

**RACING SECRETARY** *(Deleted Effective date May 15, 2015)*

**4.490** - *(Deleted Effective date May 15, 2015)* The racing secretary shall discharge all duties whether expressed or required by these Rules, shall keep a complete record of all races, and shall receive all stakes, entrance money and pay over all monies so collected to officers or persons as may be entitled to receive the same.

**4.492** - *(Deleted Effective date May 15, 2015)* The racing secretary shall receive all entries and declarations.

**4.494** - *(Deleted Effective date May 15, 2015)* The racing secretary shall inspect all papers and documents dealing with trainers and owners, partnership agreements, appointment of authorized agents, adoption of assumed names and may demand production of the same in order to be satisfied as to their validity and authenticity and that these Rules in regard thereto have been complied with, which papers shall be available to the Board and Division at all times.

**4.495** - *(Modified Effective date May 15, 2015)* The Racing Secretary shall use his/her best efforts to ensure that each registration paper received carries a current vaccination certificate verified by a Division Veterinarian, and if leased, a lease agreement.

**4.496** - *(Deleted Effective date May 15, 2015)* Conditions of races shall not conflict with these Rules.

**4.497** - *(Deleted Effective date May 15, 2015)* The Racing Secretary shall not remove a greyhound from active racing status for rest and/or an injury without using a *Uniform Greyhound Injury and Take-off Report*.

**4.500** - The racing secretary shall each day, as soon as the entries have closed and have been compiled and the declarations have been made, post in a conspicuous place a list thereof. Any newspaper desiring the list shall also be furnished a copy.

**4.502** - *(Deleted Effective date May 15, 2015)* If the racing secretary should allow a greyhound to start in a race without its entrance money or stake having been paid, the racing secretary shall be liable for it.

**4.504** - *(Deleted Effective date May 15, 2015)* When there is more than one (1) racetrack operating in the State, greyhounds racing at one (1) racetrack shall not be allowed to enter, to race or school

officially at another racetrack, while eligible for official racing, during the duration of the meet without the consent of the racing secretary.

**STARTER** (DELETED EFFECTIVE DATE MAY 15, 2015)

**4.510** - (Deleted Effective date May 15, 2015) The starter shall give orders and take all measures, including assurance that the muzzles and blankets fit properly before greyhounds enter the starting box, not in conflict with these Rules as are necessary to secure a fair start.

**4.512** - (Deleted Effective date May 15, 2015) The greyhounds shall be started from a type of starting box approved by the Commission and there shall be no start until, and no recall after the doors of the starting box have opened.

**4.514** - (Deleted Effective date May 15, 2015) The starter shall report causes of delay, if any should occur, to the judges.

**4.516** - (Deleted Effective date May 15, 2015) A false start, due to any faulty action of the starting box, break in the machinery or other cause, is void. However, the judges, after consulting with the Division veterinarian, may allow the greyhounds to be started again as soon as practical, or the race may be canceled at the discretion of the judges.

**4.518** - (Deleted Effective date May 15, 2015) All boxes to be used during a performance shall be tested prior to the first race of the performance.

**4.520** - (Deleted Effective date May 15, 2015) The starter at all racetracks in the state of Colorado may hand trip the starting boxes for each race run during any given performance during the course of any particular meet.

**DIVISION VETERINARIAN**

[See Chapter 5 – Veterinary Practices – Division Veterinarian]

**400's --- OTHER OFFICIALS (HORSE)**

**CLERK OF SCALES**

**4.600** - The clerk of scales shall be in charge of the scales for the purpose of insuring that jockeys carry the correct assigned weight. The clerk shall weigh out all jockeys, record all overweights and cause the overweights to be announced publicly or posted in a conspicuous place prior to the running of each race. The clerk shall report all weight changes and names of jockeys reporting late to the stewards.

**HANDICAPPER**

**4.610** - The handicapper shall assign the weights to be carried by each horse in a handicap.

**4.612** - After publication of weights has been made, there shall be no changing of weights except to correct errors or to make legitimate penalty adjustments.

### ***HORSE IDENTIFIER***

**4.620** - The identifier shall assure that every horse that races is in fact the horse that it is represented to be. If a horse cannot be properly identified for any reason, it shall be reported to the stewards, who shall cause the horse to be scratched.

**4.622** - A horse will not be allowed to start unless the horse is identified from its original or duplicate foal certificate and tattooed on the upper lip by an official tattooer for the appropriate breed registry.

### ***HORSEMEN'S BOOKKEEPER***

**4.630** - Monies may not be deducted from a horseman's account by any person other than the owner, the owner's authorized agent or other duly authorized person with a notarized document setting forth the amount to be withdrawn, except an association may withhold any amount due the association for jockey fees, pony fees, starting fees, nomination fees or monies due the association or the State or as otherwise provided by Law.

### ***JOCKEY ROOM CUSTODIAN***

**4.640** - The jockey room custodian shall see that proper conduct and cleanliness are maintained in the jockey and scale rooms.

**4.642** - The jockey room custodian shall see that no person, other than jockeys, valets, racing officials or Commission member or Division personnel, is admitted to the jockey's room two (2) hours prior to the post time of the first race or thereafter on race days without permission of the stewards.

**4.644** - The jockey room custodian shall supervise the valets in the performance of their duties.

**4.646** - The jockey room custodian shall see that the proper colors are worn and that the jockeys are neat in appearance when they leave the jockey's room to ride and is responsible for the safekeeping of all registered colors which must be clean and in good repair.

**4.648** - The jockey room custodian shall report to the stewards any irregularities that occur in the jockey's and scale rooms.

### ***OUTRIDERS***

**4.650** - There shall be a minimum of two (2) outriders during live racing.

**4.652** - The leading outrider shall be in charge of the parade and shall see that the parade does not

exceed the maximum time of twelve (12) minutes, except for emergencies.

**4.654** - The outriders shall not permit any rider to dismount, except for emergencies, and shall see that the jockeys and pony riders conduct themselves in conformity with these Rules.

**4.656** - The outriders shall observe the jockeys and pony riders in order to prevent the use of illegal equipment. The outriders are responsible for keeping conversation at a minimum.

**4.658** - The outriders shall report to the stewards any unusual conduct or any person in the parade who is not neatly attired.

### ***PADDOCK JUDGE***

**4.660** - A horse's equipment shall be recorded by the paddock judge when the horse is brought to the paddock for its first race at the meet. A change in equipment from what a horse carried in its last previous race may not be made without the consent of the paddock judge prior to the time the horse is due in the paddock.

**4.662** - The paddock judge is responsible for the cleanliness of the paddock and shall supervise all the activity within the paddock.

**4.664** - The paddock judge with the cooperation of the veterinarian, a plater and an identifier is responsible for assuring that every horse that races is the proper horse and is fit to race.

**4.666** - The paddock judge and the veterinarian shall inspect bandages used on a horse just prior to the participation in a race and may order the removal and replacement of any bandage if they see fit to do so. Should there be any circumstances in the use of a bandage which indicates fraud, it shall be reported to the stewards for appropriate action.

**4.668** - The paddock judge is responsible for having a plater available to insure that all horses are properly shod.

**4.670** - The paddock judge shall keep a record of the equipment every horse carries and shall be responsible for allowing or disallowing any equipment change except as provided for elsewhere in these Rules.

**4.672** - The paddock judge shall give the command "riders up" and the order to proceed to the post parade at the proper time.

### ***PATROL JUDGE***

**4.680** - If a video film patrol system approved by the Commission is inadequate for full coverage of the racing strip, the stewards shall require a patrol judge(s) to be assigned to view the races from a vantage point(s) which the stewards shall also assign.

**4.682** - Each patrol judge shall communicate observations of the race to the stewards

immediately following the running of each race via a communication system provided by the association.

### ***PLACING JUDGE***

**4.690** - The placing judges shall be responsible for determining the actual order of finish for each race. In making that determination they shall consider only the nose of each horse.

**4.692** - A photo finish camera system approved by the Commission shall be in operation at the finish line of each racetrack merely to aid the placing judges.

### ***RACING SECRETARY***

**4.700** - The racing secretary shall be responsible for all of the racing office activity and shall supervise all of the racing office personnel in the performance of their duties.

**4.702** - The stable superintendent or the racing secretary as designated by the association is responsible for assigning and maintaining up-to-date records of assignments of all stalls and tack rooms and shall from time to time during the meet provide the Division office with a copy of these records.

**4.704** - The stable superintendent or the racing secretary as designated by the association is responsible for maintaining an inventory of all horses racing at the meet.

**4.706** - In order to be in accordance with the Law, the racing secretary shall include at least one (1) Colorado Bred race in the conditions for each race day.

**4.708** - The racing secretary shall be responsible for the receipt of all entries and may as agent for the association receive money in payment of fees attached to races, and shall be responsible for the receipt of all declarations prior to the established scratch time for a race.

**4.710** - The racing secretary shall establish and announce times for the opening and closing of the entry box.

**4.712** - The racing secretary shall reject the entry of a horse that is ineligible for any reason and shall maintain a file of the registration papers of each horse registered for racing at the meet and a record of all races run during the meet in order to aid in determining eligibility and the compilation of program information.

**4.714** - The racing secretary shall not accept the entry of a horse in any owner's name other than the name on the registration papers or on a transfer which the racing secretary has personally transacted and which has been approved by the stewards.

**4.716** - The racing secretary shall not accept the entry of a horse that has been placed on the veterinarian's, steward's or starter's list.

**4.718** - After the entry box has closed, the racing secretary shall examine the entries for completeness, accuracy and eligibility, shall make preparations for the draw and shall make a public announcement of the draw in order that interested persons may be present. After the draw is conducted, the racing secretary shall post on a bulletin board in the racing office the names of all entries and their final disposition.

**4.720** - The racing secretary shall furnish the information needed for the printing of the program at the expense of the association.

**4.722** - The racing secretary shall make the clocker's records available to all newspapers and recognized publications for the purpose of information dissemination. A copy of each days workouts shall be posted in a conspicuous place in the racing office and in the grandstands.

### ***RACING VETERINARIAN (ASSOCIATION)***

[See Chapter 5 – Veterinary Practices – Association Veterinarian]

### ***STABLE SUPERINTENDENT***

**4.730** - The stable superintendent is responsible, under the direct supervision of the association and the broad supervision of the Division, for the overall sanitation, safety, fire protection and security of the stable area and shall implement and enforce the rules, policies and programs of the Commission, Division and the association.

**4.732** - In the interest of health, the stable superintendent shall impose such requirements upon incoming horses and/or horses stabled at the racetrack as directed by the Division veterinarian.

**4.734** - The stable superintendent shall insure that manure is not permitted to accumulate in the stable area and shall also cause such necessary spraying of the stable area to keep flies, mosquitoes and other insects at a minimum.

### ***STARTER***

**4.740** - The starter is responsible for all activity on the racing strip from the time the horses enter the strip for the post parade up through the actual start of the race and shall supervise the outriders, assistant starters, pony riders and jockeys in the performance of their duties during this time.

**4.742** - All races shall be started out of a starting gate which is approved by the Commission.

**4.744** - The starter shall load horses in the starting gate in order of post position except for good cause as determined by the starter and shall endeavor to secure a fair start.

**4.746** - Assistant starters shall be assigned their position by the starter.

**4.748** - First time starters and unruly horses shall be required to school to the starter's satisfaction. A horse required to school shall be placed on the starter's list, which shall be posted on the bulletin board in the racing office, and shall be refused entry until removed by the starter from the list.

**4.750** - The starter shall promptly notify the stewards of any problems at the gate which adversely affects the race.

***TIMER/CLOCKER***

**4.760** - The official clocker shall record the times of all workouts, trials, or “morning races” on the racetrack for horses eligible to be entered at the meet, and shall promptly deliver those records to the racing secretary with a copy to the stewards.

***TRACK SUPERINTENDENT***

**4.770** - The track superintendent is responsible for the condition of the racing strip and shall insure that proper equipment is kept in the best possible condition and properly manned by qualified personnel.

**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** - *(Deleted Effective date May 15, 2015)*

**5.204** - *(Modified Effective date May 15, 2015)* The Division Veterinarian shall cooperate with other State and Federal Agency Veterinarians to insure compliance at the horse racetrack with health certificate and vaccination requirements.

**5.206** - *(Modified Effective date May 15, 2015)* When a live horse 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** - *(Modified Effective date May 15, 2015)* Paddocks, starting gates, and other facilities and equipment at a horse racetrack which is subject to contact by animals must be kept in a clean condition and free of dangerous surfaces by the association.

**5.212** - *(Modified Effective date May 15, 2015)* Sanitary equipment at a horse 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** - *(Deleted Effective date May 15, 2015)*

**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, Health Certificate, and any other Commission or Track required health related documents are 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** - (*Modified Effective date May 15, 2015*) 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.

**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** - (*Modified Effective date May 15, 2015*) Any horse entered for racing must be present on the grounds at least forty eight (48) 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** – (*Modified Effective date May 15, 2015*) 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, or another method) to a horse at any location under the jurisdiction of the Commission. Non-Veterinarians found in possession or control of any syringe, tubing, or other apparatus that may be used to deliver unauthorized treatments to a horse may be subject to Summary Suspension and other administrative action.

**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. Alternative forms of therapy shall not be performed to a horse on race day unless approved in advance by the division veterinarian.

**5.252** - (*Modified Effective date May 15, 2015*) The timeframe when authorized medication treatments for a horse shall be given are as follows: (1) Prevention of exercise induced pulmonary hemorrhage (EIPH) by the administration of furosemide no less than 4 hours prior to post time in the race they are entered, and (2) The use of NSAIDS as stated in Rule # 5.312 no less 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.

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

### ***Unauthorized Medications***

**5.300** – (*Modified Effective date May 15, 2015*) 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, All United States Drug Enforcement Agency (DEA) Schedule I Drugs, and many Schedule II drugs. Also found in this Class are drugs that are potent stimulants of the central nervous system. Drugs in this Class have no generally accepted medical use in the racing horse and their pharmacological potential for altering the performance of a 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 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 racing horse. The following groups of drugs are in this class:

- (A) Opiate partial agonists, or agonist-antagonists;
- (B) Non-opiate psychotropic drugs. These drugs may have stimulant, depressant, analgesic or neuroleptic effects;
- (C) Miscellaneous drugs that 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 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 racing horse. The following groups of drugs are in this Class:

- (A) Drugs affecting the autonomic nervous system that 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 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;
- (E) Potent diuretics affecting renal function and body fluid composition; and
- (F) Anabolic and/or androgenic steroids.

#### **4: Class 4**

This category is comprised primarily of therapeutic medications routinely used in racing horse. 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 that have a mild central analgesic effect;
- (B) Drugs affecting the autonomic nervous system that 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) Antihistamines that do not have a significant CNS depressant effect. This does not include H2 blocking agents, which are Class 5.
- (D) Mineralocorticoid drugs;
- (E) Skeletal muscle relaxants;
- (F) Anti-inflammatory drugs – These drugs may reduce pain as a consequence of their anti-inflammatory action:
  - (I) Non-steroidal anti-inflammatory drugs (NSAIDS);
  - (II) Corticosteroids (Glucocorticoids); and
  - (III) Miscellaneous anti-inflammatory agents.
- (G) Less potent diuretics;
- (H) Cardiac glycosides and antiarrhythmic agents including:
  - (I) Cardiac glycosides;
  - (II) Antiarrhythmic agents (exclusive of Lidocaine, Bretylium and Propranolol); and
  - (III) Miscellaneous cardiotoxic drugs.
- (I) Topical anesthetics—Agents not available in injectable formulations;
- (J) Antidiarrheal drugs;
- (K) 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 by the racing jurisdiction as well as certain miscellaneous agents. Included specifically are agents that have very localized actions 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 -** (*Modified Effective date May 15, 2015*) 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, no generally-accepted use in equine care exists

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 appropriate federal agency (eg. the United States Food and Drug Administration) 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 the following substances OR 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) AMINOIZIDAZOLE CARBOXAMIDE RIBONUCLEOTIDE (AICAR);

(B) COB VENO OR DERIVATIVES THEREOF;

(C) AND DARBOPOETIN

(D) EQUINE GROWTH HORMONE

(E) ERYTHROPOIETIN (EPO)

(F) HOME PURE®

(G) MYO-INOSITOL TRIPYROPHOSPHATE (ITPP)

- (H) OXYGLOBIN®
- (I) VENOMS OR DERIVATIVES THEREOF
- (J) THYMOSIN BETA

4: The use of extracorporeal shock wave therapy or radial pulse wave therapy shall not be permitted.

(A) Any person participating in the use of extracorporeal shock wave therapy and/or the possession of extracorporeal shock wave therapy machines in violation of this rule shall be considered to have committed a prohibited practice and is subject to disciplinary action.

(B) Extracorporeal shock wave therapy is considered a prohibited practice, and thus shall be a “Class A penalty” violation as referred to on the penalty category chart under CRCR 5.441.

### ***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** – *(Modified Effective date May 15, 2015)*

### ***Non-Steroidal Anti-Inflammatory Drugs (NSAIDs)***

(a) NSAIDs listed below may only be used in a manner consistent with the restrictions herein.

(b) NSAIDs listed below shall not be present in a racing horse biological sample at the laboratory concentration of detection.

(c) The presence of more than one NSAID shall constitute a NSAID stacking violation as follows:

A. Class 1 NSAID Stacking Violation (Penalty Class B) occurs when:

I. Two non-steroidal anti-inflammatory drugs are both found at individual levels determined to exceed the following restrictions:

- a. Flunixin – 20 nanograms per milliliter of plasma or serum;
- b. Ketoprofen – 2 nanograms per milliliter of plasma or serum;
- c. Phenylbutazone – 2 micrograms per milliliter of plasma or serum; or
- d. any other non-steroidal anti-inflammatory drugs – detected at any concentration.

II. Three or more non-steroidal anti-inflammatory drugs are all found at individual levels determined to exceed the following restrictions:

- a. Flunixin – 3 nanograms per milliliter of plasma or serum;
- b. Ketoprofen – 1 nanograms per milliliter of plasma or serum;
- c. Phenylbutazone – 0.3 micrograms per milliliter of plasma or serum; or
- d. any other non-steroidal anti-inflammatory drugs – detected at any concentration.

- B. A Class 2 NSAID Stacking Violation (Penalty Class C) occurs when:
- I. Any one substance found in excess of the restrictions listed in subsection (A)(1) above in combination with any one of the following substances at levels below, but in excess of the following levels:
    - 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.
- 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:
    - 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.

(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).

**5.317** - Furosemide shall be the only authorized bleeder medication. Furosemide may be administered by authorized persons only, intravenously or intramuscularly 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 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** - (*Modified Effective date May 15, 2015*) All practicing Veterinarian s at horse racetracks shall complete, sign, and deliver to the Veterinarian representing the Division of Racing Events at the time designated by the Division Veterinarian but by no later than 2:00 p.m. on a form provided by the Division indicating all furosemide treatments anticipated for the following day's races. The Veterinarian, or other persons so designated by the Director, representing the Division of Racing Events shall ensure that enough furosemide and syringes are provided to or by the practicing Veterinarian. Additionally, the Division designee will schedule a Division representative that shall accompany each practicing Veterinarian, as required, while in the restricted barn area on race days. The syringe for the furosemide shall be prepared by the Division representative or by the practicing Veterinarian. All preparation and administration of any race day's medication shall be in view of and witnessed by the Division representative. The syringes used in all administrations shall be returned to the test barn by the Division representative. 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. If the trainer or their authorized representative is not present and on time for the Lasix injection, the horse will not receive Lasix and may be scratched the same race week and placed on the stewards list. The race week ends Sunday after the last race. Once the dosage has been administered to a horse that is scheduled to race that day, the practicing Veterinarian shall leave the stall, and that stall shall be designated as containing an "in today" horse. The administering authority or association may assess a fee on licensed owners of treated horses to recoup the reasonable cost of the furosemide injection in these rules.

**5.322** - A bleeder 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.

**5.330** - 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 - 7 days
- Second time bleeder - 14 days
- Third time bleeder - 30 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 that the 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 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 - 25 pg/ml for all horses regardless of sex.
  - (b) Nandrolone - 25 pg/ml for fillies, mares, and geldings. Male horses other than geldings shall be tested for Nandrolone in urine. (see CRCR 5.331 (3)(b)(ii)).
  - (c) Testosterone -
    - (i) In geldings - 25 pg/ml
    - (ii) In fillies and mares - 25 pg/ml
- (3) Total Concentrations of these AAS shall not exceed the following total concentrations in urine after hydrolysis of conjugates:
  - (a) Boldenone (Equipoise® is the undecylenate ester of Boldenone)
    - (i) In male horses other than geldings - 15 ng/ml in urine
    - (ii) In fillies, geldings, and mares - 1 ng/ml in urine
  - (b) Nandrolone (Durabolin® is the phenylpropionate ester and deca-durabolin® is the decanoate ester)

- (i) In fillies, geldings, and mares - 1 ng/ml in urine
  - (ii) In male horses other than geldings - 45 ng/ml in urine (AS 5 $\alpha$ -estrane-3 $\beta$ ,17 $\alpha$ -diol) of urine
  - (c) Testosterone
    - (i) In geldings --- 20 ng/ml in urine
    - (ii) In fillies and mares --- 55 ng/ml in urine
    - (iii) In male horses other than geldings minimum thresholds will not apply
- (4) All 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 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** - *(Modified Effective date May 15, 2015)* Any person desiring to have drugs or medication 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** - *(Modified Effective date May 15, 2015)* A copy of the authorized drug and medication list will be posted in a conspicuous place in the kennel area where greyhounds are kenneled, so 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** - (*Modified Effective date May 15, 2015*) All medication and/or drugs retained in 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 Division designee, Stewards, or the Commission at any time on any horse entered or eligible to race in Colorado. Such extra testing may include, but is not limited to, the following:

#### **Out of Competition Testing for Blood and/or Gene Doping Agents**

(1) Any horse on the grounds at a racetrack or training center, 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, whether located in Colorado or in another ARCI jurisdiction. This rule does not apply to therapeutic medications approved by the FDA for use in the horse.

(2) The Commission Veterinarian, or any licensed veterinarian authorized by the Commission, may at any time, take a urine, blood, saliva, and/or hair samples from a horse for this purpose.

(3) Prohibited substances, practices and procedures are defined as:

- (a) Blood doping agents including, but not limited to Erythropoietin (EPO), Darbopoetin, Oxyglobin, Hempure, Aranesp 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;
- (c) Growth hormones, Insulin-Like Growth factor, Endorphin/Enkephalins, the non-therapeutic administration of whole blood or packed red blood cells.
- (d) Naturally produced venoms, synthetic analogues of venoms, derivatives of venoms, or synthetic analogues of derivatives of venoms;
- (e) Substances capable of producing a repartitioning effect that are not FDA approved for use in horses, including, but not limited to, Ractopamine, Zilpaterol, or any similar agent;
- (f) AAS (androgenic-anabolic steroids) other than Stanozolol, Nandrolone, Boldenone, Testosterone, and metabolites thereof;
- (g) The presence in a horse of any substance that the Colorado Division of Racing Events defines as prohibited; and
- (h) The presence in a horse of any substance or biomarker indicative of a prohibited practice as defined by the Racing Medication and Testing Consortium (RMTC) or the World Anti-Doping Agency (WADA).

(4) An owner, trainer, or any authorized designee shall fully cooperate with the Division Veterinarian, or his/ her designee by:

- (a) Locating and identifying any horse designated for out of competition testing;
- (b) Making the horse available for the collection of the specimen at an agreed upon stall or other safe location; and
- (c) Observing the collection of the specimen.

(5) The collection shall occur no later than six (6) hours after notice of intent to collect a specimen from a horse is received. If the collection does not occur within the time provided, then any horse that is designated for testing may be barred from racing in Colorado and placed on the Veterinarian's list and the Steward's List for a period of 180 days and the owner and trainer of the horse may be subject to the penalties for medication violations of prohibited substances.

(6) The owner and/or trainer of the horses may be subject to any other sanctions allowed by Colorado Law and regulations, including fine or suspension of license. The executive director, Stewards, or hearing officer may summarily suspend and or penalize any trainer and/ or authorized representative or designee who does not fully cooperate with a Commission employee or Division Representative in assisting and identifying an eligible horse or providing a safe stall to collect samples in a timely fashion.

(7) A horse that is barred from racing in Colorado and placed on the Veterinarians list for 180 days shall remain barred from racing:

- (a) Upon sale or transfer of the horse to another owner or trainer until the expiration of the 180 days; and

(b) Until the horse is determined by the Commission to test negative for any substance described in Section 4 of this Administrative Regulation, and is approved for Racing by the Division Veterinarian and the Chief State Steward.

(8) The Commission shall approve the laboratories for screening, confirmation, and split sample testing. Out of competition samples will be sent to the official laboratory of the Commission, or other laboratory as designated by the Commission with reports made in accordance with the provisions of these medication rules and the penalty provisions thereof. (See CRCR 5.423)

(9) In the absence of extraordinary mitigating circumstances, a minimum penalty of ten (10) year suspension will be assessed for a violation of this rule, with additional penalties for any drug not FDA approved for use in horses.

**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 or refrigerator 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 representative 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** - (*Modified Effective date May 15, 2015*) A split sample shall be removed from the split sample freezer or refrigerator by a Commission representative in the presence of a representative of the horsemen's association.

- 1: The owner, trainer or designee shall witness the packing of 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 detected substance is on the Environmental Contaminant List, adopted by the Commission as part of the Colorado Division of Racing Events Estimated Therapeutic Medications Withdrawal Times, the Division shall not proceed with disciplinary actions, as long as the detected level does not exceed the adopted environmental threshold.

**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** - (*Modified Effective date May 15, 2015*)

- (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, Hearing Officers, or the Commission shall use the *Penalty Guideline Listing* 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*, available at 1881 Pierce Street, Room 108, Lakewood CO 80214-1494 during normal business hours.
- (3) If a licensed Veterinarian is administering or prescribing a drug not listed in the RCI *Uniform Classification Guide lines for Foreign Substance* or shown in the *Penalty Guideline Listing* (provided below), 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,
- (f) The current RCI Classification of the drug, and;
- (g) Whether there are Multiple Medication Violations in accordance with the ARCI-011-0020 Medications and Prohibited Substances Penalties for Multiple Medication Violations (MMV), from the Association of Racing Commissioners International (provided below).

## **PENALTY GUIDELINE LISTING**

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> <li style="text-align: center;"><b>and</b></li> <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> <li><b>and</b></li> <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> <li style="text-align: center;"><b>and</b></li> <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> <li style="text-align: center;"><b>and</b></li> <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> <li style="text-align: center;"><b>and</b></li> <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> <li style="text-align: center;"><b>and</b></li> <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>◦ Loss of purse.</li> </ul>	<ul style="list-style-type: none"> <li>◦ Loss of purse.</li> </ul>	<ul style="list-style-type: none"> <li>◦ Loss of purse and \$50,000 fine.</li> <li><b>AND</b></li> <li>◦ Referral to the Commission with a recommendation of a suspension for a minimum of 90 days.</li> </ul>
<b>horse</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.</li> <li style="text-align: center;"><b>AND</b></li> <li>◦ In accordance with CRCR 5.612, 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.</li> <li style="text-align: center;"><b>AND</b></li> <li>◦ In accordance with CRCR 5.612, 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.</li> <li style="text-align: center;"><b>AND</b></li> <li>◦ In accordance with CRCR 5.612, 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>

**PENALTY GUIDELINE LISTING**

*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. Except for those violations specified in 5.441(2)(a)\*:*

<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 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> <p>Minimum fine of \$2,500 and a minimum 180 day suspension absent mitigating circumstances if the presence of a nerve blocking drug is detected.</p>	<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 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> <p>Minimum fine of \$2,500 and a minimum 180 day suspension absent mitigating circumstances if the presence of a nerve blocking drug is detected.</p>	<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 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>Minimum fine of \$2,500 and a minimum 180 day suspension absent mitigating circumstances if the presence of a nerve blocking drug is detected.</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>◦ Loss of purse.</li> </ul>	<ul style="list-style-type: none"> <li>◦ Loss of purse.</li> </ul>	<ul style="list-style-type: none"> <li>◦ Loss of purse, and in the absence of mitigating circumstances a \$5,000 fine.</li> </ul>
<b>HORSE:</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.</li> </ul> <p align="center"><b>AND</b></p> <ul style="list-style-type: none"> <li>◦ In accordance with CRCR 5.612, 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> <p>*Prohibited use of Nerve blocking drugs, will require a horse to be placed on the Veterinarian’s list for 180 days and must pass a Commission approved examination before becoming eligible to be entered.</p>	<ul style="list-style-type: none"> <li>◦ Disqualification.</li> </ul> <p align="center"><b>AND</b></p> <ul style="list-style-type: none"> <li>◦ In accordance with CRCR 5.612, Horse shall be placed on the Veterinarian’s list for 60 days and must pass a Commission-approved examination before becoming eligible to be entered.</li> </ul> <p>*Prohibited use of Nerve blocking drugs, will require a horse to be placed on the Veterinarian’s list for 180 days and must pass a Commission approved examination before becoming eligible to be entered.</p>	<ul style="list-style-type: none"> <li>◦ Disqualification.</li> </ul> <p align="center"><b>AND</b></p> <ul style="list-style-type: none"> <li>◦ In accordance with CRCR 5.612, 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> <p>*Prohibited use of Nerve blocking drugs, will require a horse to be placed on the Veterinarian’s list for 180 days and must pass a Commission approved examination before becoming eligible to be entered.</p>

**PROPOSED AMENDMENT TO 5.441 CATEGORY C CHART**

*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 (2.0- 5.0 mcg/ml) Flunixin (21-99 ng/ml) Ketoprofen (2.00- 50.0 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 \$250 absent mitigating circumstances.	Minimum fine of \$1000 absent mitigating circumstances.
2 <sup>nd</sup> Offense (365-day period) in any jurisdiction	Minimum fine of \$500 absent mitigating circumstances.	Minimum fine of \$1,500 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 (2.0- 5.0 mcg/ml) Flunixin (21-99 ng/ml) Ketoprofen (2.00- 50.0 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 must 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	Loss of purse. If same horse, placed on Veterinarian’s list for 45 days, and then must 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	Loss of purse. Minimum \$5,000 fine. If same horse, placed on Veterinarian’s list for 60 days, and then 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.
<b>HORSE</b>	<b>Phenylbutazone (2.0- 5.0 mcg/ml) Flunixin (21-99 ng/ml) Ketoprofen (2.00- 50.0 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>
1st Offense (365-day period) in any jurisdiction	In accordance with CRCR 5.612, horse required to pass Commission-approved examination before being eligible to run.	Disqualification. <b>AND</b> In accordance with CRCR 5.612, horse will be placed on Veterinarian’s list for 30 days, and then must pass Commission-approved examination before being
2nd Offense (365-day period) in any jurisdiction	Disqualification. <b>AND</b> In accordance with CRCR 5.612, If same horse, placed on Veterinarian’s list for 45 days, must pass Commission-approved examination before being eligible to run.	Disqualification. <b>AND</b> In accordance with CRCR 5.612, If same horse, placed on Veterinarian’s list for 45 days, must pass Commission-approved examination before being eligible to run.
3rd Offense (365-day period) in any jurisdiction	Disqualification. <b>AND</b> In accordance with CRCR 5.612, If same horse, placed on Veterinarian’s list for 60 days, must pass Commission-approved examination before being eligible to run.	Disqualification. <b>AND</b> In accordance with CRCR 5.612, 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.



## **Penalties**

### **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 ARCI Uniform Classification for Foreign Substances shall be assigned points based upon the medication's penalty guideline as follows:

<b>Penalty Class</b>	<b>Points If Controlled Therapeutic Substance</b>	<b>Points If Non-Controlled Substance</b>
<b>Class A1</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 shall be included in the Stewards' or Commission Ruling. Such Ruling shall be included in the ARCI official database and the ARCI shall assign points consistent with section (A) for advisory purposes for medication violations where points have not been assigned by regulatory action. Points assigned by such regulatory ruling 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. Points will be assessed after a ruling is rendered, and penalty enhancement shall be applied to future violations. The Stewards' 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 and certified 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 Stewards 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.
- (e) The official ARCI record shall constitute prima facie evidence 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 Stewards or Commission shall include 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

MMV'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 Stewards' or Commission Ruling shall distinguish between the penalty for the underlying offense and the enhancement based upon the trainer's cumulative points.

(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 as follows:

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

- (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) On Multiple Medication Violation (MMV) offenses, the Division, Board of Stewards, and Hearing Officer shall consider points given in all other States, regardless of whether they have formally adopted the ARCI-001-020 Medications and Prohibited Substances Penalty Chart for Multiple Medication Violations (MMV). The Division shall consider all cumulative points, and such enhanced penalty shall run consecutive to the Colorado penalty assessment.
- (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 Stewards or the Commission.
- (11) 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.

A licensed trainer shall not 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 hereby cites the following sources:

(1) Version 8.00 December 2014 of the Association of Racing Commissioners International Uniform Classification Guidelines for Foreign Substances;  
by the Association of Racing Commissioners International, 1510 Newtown Pike, Suite 210, Lexington, Kentucky, USA 40511. This rule does not include any later Amendments or Editions of the *ARCI Uniform Classification Guidelines for Foreign Substances*

Certified copies of the complete text of the referenced materials are maintained at the Colorado Department of Revenue Division of Racing Events, 1881 Pierce Street, Room 108, Lakewood Colorado 80214-1494, and may be inspected at that address during normal business hours. Certified copies shall be provided at requestors cost.

**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. The valid Health Certificate shall be less than 30 days old, however the Commission or Racing Office, with approval of the Division, can change the requirement in emergency circumstances;
- :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 fifteen (15) 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** – (Modified Effective date May 15, 2015) 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, positive test or overage, physical distress, unsoundness, infirmity or any other medical condition. Horses so listed are ineligible to enter to race in any jurisdiction until released by the Division Veterinarian or their designee.

**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. A horse placed on a veterinarian's list for a positive test may only be removed with the authorization of the division veterinarian.

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** - (Modified Effective date May 15, 2015) 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 for a specified amount of time (pursuant to CRCR 5.441). In the interest of health, safety, and welfare of the racing animal, the horse will be immediately placed on the Veterinarian's List for the minimum days specified in the Penalty Guideline Chart in CRCR 5.441 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 a first offense overage of an authorized medication, where the violation would not result in a loss of purse, pursuant to rules 5.312.

In cases where a split sample comes back negative, the horse must pass a Commission-approved examination before becoming eligible for entry, and then shall be removed from the Veterinarian's List after passing the exam.

## **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** - *(Deleted Effective date May 15, 2015)*

**5.708** - *(Deleted Effective date May 15, 2015)*

**5.712** - *(Deleted Effective date May 15, 2015)*

**5.714** - *(Deleted Effective date May 15, 2015)*

**5.716** - *(Deleted Effective date May 15, 2015)*

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

**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.