

### **Sec. 319.3. Medication Restricted.**

(a) Except as otherwise provided by this section, a horse or greyhound participating in a race may not carry in its body a prohibited drug, chemical, or other substance.

(b) Furosemide at or below the approved tolerance level in a horse that has been admitted to the furosemide program is permissible. The maximum permissible concentration shall be published on the list of therapeutic drugs posted under subsection (c) of this section.

(c) Therapeutic drugs that are necessary for treatment of illness or injury in race animals are permissible, provided that:

(1) the therapeutic drug is on a written list of permissible levels of therapeutic medications that is approved by the executive secretary, maintained by the commission veterinarian, and posted in the commission veterinarians' office; and

(2) the concentration of the drug does not exceed the maximum permissible concentration on the written list of therapeutic drugs.

(d) Except as otherwise provided by this chapter, a person may not administer or cause to be administered to a horse or greyhound a prohibited drug, chemical, or other substance, by injection, oral or topical administration, rectal infusion or suppository, nasogastric intubation, inhalation, or any other means during the 24-hour period before the post time for the race in which the animal is entered.

(e) A positive finding by a chemist of a prohibited drug, chemical, or other substance in a test specimen of a horse or greyhound collected on the day of a race, subject to the rules of the commission relating to split specimens, is prima facie evidence that the prohibited drug, chemical, or other substance was administered to the animal and was carried in the body of the animal while participating in a race.

**(f) Except as provided in paragraph (2) of this subsection, clenbuterol is prohibited and shall not be administered to a horse participating in racing at any time.**

**(1) Any horse that is the subject of a finding by the stewards that a test specimen contains clenbuterol shall immediately be placed on the Veterinarian's List for not less than 60 days.**

**(A) In order to have a horse removed from the Veterinarian's List after being placed on the list under this subsection, the trainer must contact a commission veterinarian to schedule a time and test barn location where the horse must be presented after the sixtieth day in order for a commission veterinarian to obtain test specimens to be submitted to the official laboratory for testing.**

**(B) The cost of each test conducted under this section, including applicable shipping costs, shall be borne by the owner and must be paid in full at the time the specimens are shipped to the laboratory.**

**(C) The collected specimens must not have any detectable level of clenbuterol. If no detectable level of clenbuterol is present, the horse shall be removed from the Veterinarian's List. If a detectable level of clenbuterol is present, then the horse shall remain on the Veterinarian's List until such time that a test specimen reveals no detectable level of clenbuterol.**

**(D) A horse placed on the Veterinarian's List pursuant to this subsection may not be entered in a race until it has been removed from the list.**

**(2) A horse may only be administered clenbuterol if:**

**(A) the clenbuterol is prescribed by a licensed veterinarian;**

**(B) within 24 hours of initiating treatment, the trainer or owner has submitted to the Commission a form prescribed by the Commission and signed by the veterinarian, indicating:**

- (i) the name of the horse;**
- (ii) the name of the trainer;**
- (iii) the name of the veterinarian;**
- (iv) that the veterinarian has personally examined the horse and made an accurate clinical diagnosis justifying the clenbuterol prescription;**
- (v) the proper dosage and route of administration; and**
- (vi) the expected duration of treatment; and**

**(C) only FDA-approved clenbuterol that is labeled for use in the horse is prescribed and dispensed.**

**(3) A horse that has been administered clenbuterol under paragraph (2) of this subsection shall be placed on the Veterinarian's List for a period ending not less than 30 days after the last administration of the drug as prescribed, subject to a negative clenbuterol test before being removed from the list.**

**(A) In order to have a horse removed from the Veterinarian's List after being placed on the list pursuant to paragraph (2) of this subsection, the trainer must contact a commission veterinarian to schedule a time and test barn location where the horse must be presented after the thirtieth day in order for a commission veterinarian to obtain test specimens to be submitted to the official laboratory for testing.**

**(B) The cost of each test conducted under this section, including applicable shipping costs, shall be borne by the owner and must be paid in full at the time the specimens are shipped to the laboratory.**

**(C) The collected specimens must not have any detectable level of clenbuterol. If no detectable level of clenbuterol is present, the horse shall be removed from the Veterinarian's List. If a detectable level of clenbuterol is present, then the horse shall remain on the Veterinarian's List until such time that a test specimen reveals no detectable level of clenbuterol.**

**(D) A horse placed on the Veterinarian's List pursuant to paragraph (2) of this subsection may not be entered in a race until it has been removed from the list.**

Effective date of September 10, 2018