

CHAPTER 319 VETERINARY PRACTICES AND DRUG TESTING

SUBCHAPTER A GENERAL PROVISIONS

RULE § 319.3 MEDICATION RESTRICTED

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

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

7 (c) ~~[Levels of]~~ Therapeutic drugs that are ~~[which are therapeutic and]~~ necessary for
8 treatment of illness or injury in race animals are permissible, provided that:

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

12 (2) the ~~[maximum permissible urine or blood]~~ concentration of the drug does not
13 exceed the maximum permissible concentration ~~[published limit, if any,]~~ on the written list
14 of therapeutic drugs.

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

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

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

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

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

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

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

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

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

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

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

50 (i) the name of the horse;

51 (ii) the name of the trainer;

52 (iii) the name of the veterinarian;

53 (iv) that the veterinarian has personally examined the horse and made an
54 accurate clinical diagnosis justifying the clenbuterol prescription;

55 (v) the proper dosage and route of administration; and

56 (vi) the expected duration of treatment; and

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

59 (3) A horse that has been administered clenbuterol under subsection (f)(2) shall be
60 placed on the Veterinarian's List for a period ending not less than 30 days after the last

61 administration of the drug as prescribed, subject to a negative clenbuterol test before
62 being removed from the list.

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

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

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

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