

## **ARIZONA DEPARTMENT OF RACING**

### **SUBSTANTIVE POLICY STATEMENT 0002 RELATING TO EQUINE MEDICATION MODEL RULES**

Questions have been brought forward regarding the adoption of Equine Medication Model Rules in order to promote the safety and welfare of the industry, and protect the horses, jockeys, and wagering public against the use of excessive medication and/or prohibited drugs.

The current Department rules do not address many important provisions regarding pari-mutuel rules, equine veterinary practices, health and medication. The industry-approved Model Rules were enacted by the Racing Medication and Testing Consortium (RMTC) of the North American Pari-Mutuel Regulators Association (NAPRA) and Association of Racing Commissioners International (ARCI) to unify all racing jurisdictions under one standard set of medication regulations. This substantive policy statement is offered as guidance to persons interpreting Department statutes and rules.

This substantive policy statement is advisory only. A substantive policy statement does not include internal procedural documents that only affect the internal procedures of the agency and does not impose additional requirements or penalties on regulated parties or include confidential information or rules made in accordance with the Arizona administrative procedures act. If you believe that this substantive policy statement does impose additional requirements or penalties on regulated parties you may petition the agency under Arizona Revised Statutes section 41-1033 for a review of the statement.

### **SUBSTANTIVE POLICY STATEMENT**

In accordance with A.R.S. § 5-105 and A.R.S. § 5-115(B), it is a violation for any participant in pari-mutuel racing to perform the drugging or desensitizing of an animal participating in a race so that the performance of the animal is affected. In order to protect the integrity of the industry, the ARCI Equine Veterinary Practices Health and Medication Model Rules are adopted in their entirety, and as hereinafter amended, except as noted herein.

Approved Exceptions. Existing Department of Racing rules will be maintained in the following areas:

1. A Horse must be on the grounds of a commercial racetrack no later than 10:00 a.m. regardless of the time of its race. At county fair meets, unless being treated with furosemide, the stewards will have the discretion to determine when a horse scheduled to race must be on the grounds.
2. Pursuant to A.A.C. R19-2-121(P), veterinarians shall keep a written record of each horse's treatment and produce the record at the request of the Stewards or the Department.
3. Current Department policy prohibits a horse who is a confirmed bleeder from racing for 10 days following the first incident of bleeding. The current policy will be maintained.
4. ARCI-011-025(5)(n) is deleted. The time requirement (17 minutes) for a runner to be in the paddock is currently being amended in another rule package.

Temporary Exceptions Scheduled for Discussion. The following Model Rules' provisions are excluded until the Department and industry representatives have discussed these issues and a recommendation is brought before the Racing Commission. Current Department of Racing rules and policy will apply in the interim.

1. Penalties. (ARCI-011-020(B)) These provisions set recommended penalties for violations due to the presence of a drug carrying Category A, B, or C penalty.
2. Threshold Levels. (ARCI 011-020) This provision sets threshold levels for various medications.
3. Transfer of horses to licensed family members. (ARCI-011-020(B)(12)) This provision was established to ensure that a licensed trainer is not able to benefit financially during a period of suspension. The rule prohibits the transfer of a horse to licensed family members.
4. Split Sample Shipment. (ARCI-011-023(C)) This provision provides detailed procedures for split sample storage and shipment.
5. Out Of Competition Testing. (ARCI-011-022) This provision allows pari-mutuel racing jurisdictions authority to test racehorses owned and trained by licensees that may not be on the immediate permittee property.

#### APPLICABLE LAW

A.R.S. § 5-105 (A)thru (E)

A.R.S. § 5-115 (A)(1) and (4)

A.R.S. § 5-115 (B) (1) thru (4)

R19-2-112(1), (6), (9), (11) thru (17)

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