

CHAPTER 7890

MINNESOTA RACING COMMISSION

HORSE MEDICATION

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7890.0100 DEFINITIONS.

Subpart 1. **Scope.** The terms used in this chapter shall have the meanings given them in this part.

Subp. 2. **Analgesic.** "Analgesic" is a substance used to relieve pain.

Subp. 3. **Anesthetic.** "Anesthetic" is a substance used to effect a loss of feeling or sensation in any part of the body.

Subp. 4. **Bleeder.** "Bleeder" means, according to its context, either:

A. a horse which during a race or exercise is observed by the commission veterinarian or his or her designee to be shedding blood from one or both nostrils and in which no upper airway injury is noted during an examination by the commission veterinarian immediately following such a race or exercise;

B. a horse which, within 1-1/2 hours of such a race or exercise, is observed by the commission veterinarian, through visual and/or endoscopic examination, to be shedding blood from the lower airway; or

C. a horse which has been shipped into Minnesota and which meets the criteria in part 7890.0140, subpart 3.

Subp. 5. **Bleeder list.** "Bleeder list" means a tabulation of all bleeders maintained by the commission veterinarian.

Subp. 6. **Bute.** "Bute" means phenylbutazone or oxyphenbutazone.

Subp. 7. **Chemist.** "Chemist" means any official racing chemist designated by the commission.

Subp. 8. **Depressant.** "Depressant" is a substance used to diminish the function of the body, including the cardiovascular system, pulmonary system, urinary system, nervous system, musculoskeletal system, or any other systemic function of the body.

Subp. 9. **Detention barn.** "Detention barn" means a secured structure designated by the commission.

Subp. 10. **DMSO.** "DMSO" means dimethyl sulfoxide.

Subp. 11. **Horse.** "Horse" includes all horses registered for racing under the jurisdiction of the commission and, for purposes of this chapter, includes a stallion, colt, gelding, ridgling, filly, or mare.

Subp. 12. **Lasix®.** "Lasix®" means furosemide (4-chloro-N-furfuryl-5-sulfamoyl-lanthranilic acid).

Subp. 13. **Medication.** "Medication" is a substance, compound, or element, or combination thereof, which is or can be administered to a horse for the purpose of preventing, curing, or alleviating the effects of any disease, condition, ailment, or infirmity, or symptom thereof, or for altering in any way the behavior, attitude, temperament, or performance of a horse, including athletic performance. The term medication includes all analgesics, anesthetics, depressants, narcotics, stimulants, tranquilizers, and other classifications of medications. Nothing herein shall be deemed to include:

A. Bute, provided that the test sample does not contain more than three micrograms of the substance or metabolites thereof per milliliter of blood plasma.

B. Lasix®, provided, however, that it is administered pursuant to the provisions of part 7890.0140, subpart 7a, and further provided that the test sample does not contain:

- (1) more than 80 nanograms per milliliter of plasma furosemide;
- (2) less than 40 milligrams creatinine per 100 milliliters urine; and

(3) urine furosemide, measured in micrograms per milliliter, in a quantity such that the ratio of urine furosemide to urine creatinine exceeds 0.15.

C. Topical applications, such as antiseptics, ointments, salves, DMSO, leg rubs, and leg paints which may contain antibiotics (excluding procaine, penicillin, and chloranphenicol) but which may not contain benzocaine, steroids, or other medications.

D. Food additives, such as vitamins and electrolytes, provided such additives are administered orally and do not contain any medications.

Subp. 14. **Narcotic.** "Narcotic" is a substance used to induce a sleep or stupor and at the same time relieve pain.

Subp. 15. **Positive test.** "Positive test" means the detection of any medication or metabolites thereof in a test sample or a test level of Bute or Lasix® above the allowed level.

Subp. 16. **Stimulant.** "Stimulant" is a substance used to increase or excite the function of the body, including the cardiovascular system, pulmonary system, urinary system, nervous system, musculoskeletal system, or any other systemic function of the body.

Subp. 17. **Test level.** "Test level" means the concentration of Bute or Lasix® found in a test sample.

Subp. 18. **Test sample.** "Test sample" means any bodily substance including blood, urine, saliva, or other substance designated by the commission, taken from a horse under the supervision of the commission veterinarian for the purpose of analysis.

Subp. 19. **Tranquilizer.** "Tranquilizer" is a substance used to alter the psychic state.

Subp. 20. **Veterinarian.** "Veterinarian" means a doctor of veterinary medicine licensed by the commission to practice at a Minnesota racetrack.

Subp. 21. **Veterinarian's list.** "Veterinarian's list" means the tabulation of horses required to be maintained by part 7877.0175, subpart 8.

Statutory Authority: *MS s 240.23; 240.24*

History: 9 SR 2527; 10 SR 1908; 13 SR 38; 15 SR 2307; 16 SR 2207

7890.0110 MEDICATIONS PROHIBITED.

No person shall administer or cause to be administered to a horse within 48 hours of a race in which it is scheduled to run any medication (except as permitted by part 7890.0100, subpart 13, items A to D) by injection, oral or topical administration, rectal infusion or suppository, or by inhalation and no horse participating in a race shall carry in its body any substance foreign to the natural horse, except as permitted by part 7890.0100, subpart 13, items A to D.

Statutory Authority: *MS s 240.23; 240.24*

History: 9 SR 2527; 10 SR 1908; 11 SR 2201; 12 SR 2393

7890.0120 REPORTING PROCEDURES.

Subpart 1. **Veterinarians must keep records.** Veterinarians must submit daily to the commission veterinarian on a prescribed form a report of all medications and other substances (as provided in part 7890.0100, subpart 13, items A to D) which the veterinarian prescribed, administered, or dispensed for horses registered at a current race meeting. A log-book detailing other professional services performed while on the grounds of an association must be kept by veterinarians and shall be made immediately available to the commission veterinarian or the stewards upon request.

Subp. 2. **Administration of Bute to be reported.** If a horse is to race with Bute in its system, the trainer shall be responsible for marking the information on the entry blank for each race in which the horse shall use Bute. Changes made after the time of entry must be submitted on the prescribed form to the commission veterinarian no later than scratch time.

Statutory Authority: *MS s 240.23; 240.24*

History: 10 SR 1908; 11 SR 2201

7890.0130 FINDINGS OF CHEMIST.

Subpart 1. **Prima facie evidence.** A finding by a chemist of any medication, substance foreign to the natural horse, or Bute or Lasix® exceeding the allowable test levels provided

in part 7890.0100, subpart 13, items A and B, in the test sample of a horse shall be considered prima facie evidence that the medication, substance, Bute or Lasix® was administered to the horse and carried in the body of the horse while participating in a race.

Subp. 2. **Distributed purse money.** The fact that purse money has been distributed prior to the issuance of the chemist's report shall not be deemed a finding that no medication or Bute or Lasix® exceeding allowable levels was administered to the horse earning such purse money in violation of this chapter.

Statutory Authority: *MS s 240.23; 240.24*

History: *9 SR 2527; 10 SR 1908; 12 SR 2393; 16 SR 2207*

7890.0140 BLEEDERS.

Subpart 1. **Examination of bleeders.** A horse which is alleged to have bled in Minnesota must be physically examined by the commission veterinarian in order to confirm its inclusion on the bleeder list, veterinarian's list, or both. The examination must be performed within 1-1/2 hours following the finish of a race or exercise in which the horse has participated. At the time of the physical examination the commission veterinarian may also require an endoscopic examination to confirm the source of hemorrhage. The endoscopic examination shall be conducted by a veterinarian employed by the horse's owner or his or her agent, and shall be conducted in the presence of and in consultation with the commission veterinarian. The commission veterinarian shall decide, based upon his or her experience and professional training, whether the amount of hemorrhage is sufficient to cause such horse to be certified as a bleeder.

Subp. 2. **Confirmation of bleeder must be certified.** The confirmation of a bleeder examined pursuant to subpart 1 must be certified in writing by the commission veterinarian and such horse must be included on the bleeder list. Upon request, a copy of the certification shall be provided to the owner of the horse or his or her agent.

Subp. 3. **Bleeders imported from other jurisdictions.** A horse shipped into Minnesota from another jurisdiction may be considered a bleeder provided that the jurisdiction from which it was shipped certified the horse as a bleeder, and documentation to that effect is transmitted to and accepted by the commission veterinarian at the Minnesota racetrack to which it is shipped; and the transmission occurs prior to the initial entry of the horse into a race at the current race meeting.

Subp. 4. **Horses placed on bleeder list.** Bleeders shall be placed on a bleeder list and the list shall be posted in the office of the racing secretary. Horses certified as having bled in Minnesota shall also be placed on the veterinarian's list at the time of the observed bleeding and shall be ineligible to be entered in a race pursuant to subpart 5.

Subp. 5. **Restrictions on confirmed bleeders.** Confirmed bleeders shall be subject to the following restrictions:

A. For the first observed bleeding in Minnesota, the horse shall be placed on the bleeder list and the veterinarian's list and shall not be removed from the veterinarian's list without the approval of the commission veterinarian. Such a horse shall be ineligible to race for at least 16 days following the observed bleeding.

B. When a horse has been observed bleeding for the second time in Minnesota, the horse shall be placed on the veterinarian's list and shall not be removed from the list without the approval of the commission veterinarian. Such a horse shall be ineligible to race for at least 30 days following the observed bleeding.

C. When a horse has been observed bleeding for the third time in Minnesota, the horse shall be placed on the veterinarian's list and shall not be removed from the list for at least six months, and not until the commission veterinarian has approved its removal.

D. When a horse is observed bleeding a fourth time in Minnesota, the horse shall be barred from further pari-mutuel racing in Minnesota unless the horse has not been observed bleeding in Minnesota for a period of at least one year immediately preceding the observation of a fourth bleeding. In such event, the horse shall be placed on the veterinarian's list and shall not be removed from the list for at least six months, and not until the commission veterinarian has approved its removal.

E. When a horse is observed bleeding a fifth time in Minnesota, the horse shall be barred from further pari-mutuel racing in Minnesota.

Subp. 6. **Lasix® may be permitted for certified bleeders.** Upon request, any horse placed on the bleeder list shall, in its next race, be permitted the use of Lasix®. Once a horse has raced with Lasix®, it must continue to race with Lasix® in all subsequent races unless a request is made to discontinue the use. If the use of Lasix® is discontinued, the horse shall be prohibited from again racing with Lasix® unless it is later observed to be bleeding pursuant to subpart 1 or meets the requirements of subpart 3. Requests for the use of or discontinuance of Lasix® must be made to the commission veterinarian by the horse's trainer or assistant trainer on a form prescribed by the commission on or before the day of entry into the race for which the request is made.

Subp. 7. [Repealed, 14 SR 332]

Subp. 7a. **Conditions required for Lasix® administration.** Lasix® shall be administered intravenously by a veterinarian employed by the owner or trainer of the horse. The Lasix® must be administered at least four hours before scheduled post time for any bleeder entered to race and the dose level of Lasix® must be at least 150 milligrams and must not exceed 250 milligrams (no less than three nor more than five milliliters of a 50 milligram/milliliter or five percent solution) per administration.

The practicing veterinarian must deposit with the commission veterinarian an unopened supply of Lasix® and sterile hypodermic needles and syringes to be used for the administration. The Lasix® must be administered under the supervision of a person employed by the commission.

Subp. 8. [Repealed, 14 SR 332]

Subp. 9. [Repealed, 14 SR 332]

Subp. 10. **Responsibility of trainer.** The trainer is responsible for ensuring that the horse is available at the appropriate time for its treatment. At the time of treatment, the trainer must provide to the commission employee observing the treatment a statement signed by the trainer or assistant trainer that indicates the barn number and stall number where the horse will be detained following treatment and the names of all employees permitted by the trainer to be in contact with the horse during that time. The statements shall be on a form prescribed by the commission. After having been administered Lasix®, the horse shall at all times be in the care, custody, and under the visual supervision of the trainer or a licensed person assigned by the trainer. The horse must remain in its own stall until it is taken to the paddock to be saddled or harnessed for a race. It shall not be handled by anyone other than the trainer, the owner, or the employees listed on the trainer's signed statement. If emergency veterinary attention becomes necessary, the trainer is responsible for immediately notifying the commission veterinarian of the nature of the need and of the identity of the responding veterinarian. The trainer shall be responsible for the guarding, condition, care, and handling of the horse at all times.

Statutory Authority: *MS s 240.23; 240.24*

History: *9 SR 2527; 10 SR 1908; 13 SR 38; 14 SR 332; 14 SR 2008; 16 SR 2207*

7890.0150 DISCLOSURE OF APPROVED MEDICATIONS TO PUBLIC.

The names of all horses that have been approved for race day use of Bute or Lasix® must be identified in the daily racing program. The names of all horses that have been treated with Bute shall be posted on the public information boards in the grandstand by the association by one hour before post time of the first race on the day such horses are to race. Horses that are racing for the first time using Lasix®, must be so identified in the daily racing program.

Statutory Authority: *MS s 240.23; 240.24*

History: *10 SR 1908; 11 SR 2201; 16 SR 2207*

7890.0160 RESPONSIBILITY OF VETERINARIAN.

No veterinarian may administer a medication or substance foreign to the natural horse to any horse that is scheduled to race within 48 hours, except as permitted in part 7890.0100, subpart 13, or in the case of a medical emergency requiring immediate treatment. No veterinarian may place a nasogastric tube in a horse that is scheduled to race within 48 hours, except in the case of a medical emergency requiring immediate treatment. No veterinarian may

enter the stall of or otherwise handle a horse that is scheduled to race within four hours, except in the case of a medical emergency requiring immediate treatment. In emergency cases it is the responsibility of the attending veterinarian to notify the commission veterinarian of the nature of the emergency and the exact treatment provided. The notification must be made as soon as practical (within one-half hour of an emergency that occurs during training or racing hours or by 8:00 a.m. on the morning following an emergency which occurred during evening or night hours) and on a form prescribed by the commission.

Statutory Authority: *MS s 240.23; 240.24*

History: *16 SR 2207*