

CHAPTER 7876
MINNESOTA RACING COMMISSION
HORSE RACING; STABLING

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7876.0100 ON-TRACK STABLING.

Subpart 1. **Allocation of stalls.** The racing secretary shall be responsible for stall allocation unless the association appoints a committee to perform that function and so notifies the commission.

Subp. 2. **Forms.** The association shall allocate stalls pursuant to a written stall application and agreement, on forms approved by the commission.

Subp. 3. **Notice.** The association shall give each applicant written notice with regard to each stall requested. The notice shall specify whether each application was accepted, denied, or placed on a pending status. The notice shall be given no later than five days before the first day of the race meeting, or ten days after receipt of the stall application, whichever shall be last to occur. The association shall give the applicant written notice of final action on an application.

Subp. 4. **Discretion.** The association shall be allowed broad discretion in allocating stalls, but its actions shall be governed by the best interests of racing and of the race meeting.

Subp. 5. **Restrictions.** No action on a stall application shall be based upon:

A. the race, color, creed, religion, national origin, disability, marital status, sexual orientation, or sex of the applicant;

B. an arbitrary or capricious decision, or a decision not related to the best interests of racing or of the race meeting; and

C. the payment, transfer, or delivery to the association or to any person designated by it, of money, property, or other thing of value, or upon the applicant's promise to make such payment, transfer, or delivery.

Subp. 6. **Misuse of property.** Previous misuse of racetrack property by an applicant may be considered when stall assignments are made.

Subp. 7. **Minnesota residents have preference.** In considering stall applications that are of substantially equal merit, the association shall give preference to applications submitted with respect to horses owned by Minnesota residents.

Subp. 8. **Documents to be kept.** The association shall cause all stall applications, stall agreements, correspondence, and documents that influenced its decision to grant or deny stalls, including past performance charts, to be retained until the close of the race meeting or for such longer period as the commission may direct.

Subp. 9. **Secure area.** The on-track stabling site is considered a secure area and only designated licensees are permitted within the confines of this area.

Subp. 10. **Original certificate of veterinary inspection.** Any horse arriving on the grounds must be accompanied by an original certificate of veterinary inspection issued not more than ten days prior to arrival. The certificate of veterinary inspection must be completed by an accredited veterinarian and must contain complete equine infectious anemia test results, including the date, laboratory, and accession number of the most recent negative EIA test. The certificate of veterinary inspection must be surrendered to the stable gate personnel for immediate transmittal to the commission veterinarian. The certificate of veterinary inspection will remain valid for 30 days from the date of issue, with the date of issue counted as day one. Horses leaving the facility and returning during this 30-day period do not have to be accompanied by a new certificate of veterinary inspection. Horses leaving and returning after the 30-day period will need to be accompanied by a new original health certificate issued not more than ten days prior to arrival.

Subp. 10a. **Renewal of 30-day certificate of veterinary inspection.** The certificate of veterinary inspection for horses leaving and returning on an ongoing basis throughout the meet must be renewed within the first five days of each month.

Subp. 11. **Record of negative test for equine piroplasmiasis.** When an active case of equine piroplasmiasis (EP) is reported by a government agency within North America, the Racing Commission, the executive director, or the deputy director, in consultation with the chief commission veterinarian, has the authority to require proof of an equine piroplasmiasis (EP) test taken within 12 months of the date of entry upon the racetrack when a horse enters or is already on the confines of the racetrack. No horse shall be allowed to enter the confines of any association holding a license to conduct a race meeting or race in Minnesota unless the horse has had the required test. The test must indicate a negative result for *Theileria equi* and *Babesia caballi*. Record of the negative test shall be attached to the certificate of veterinarian inspection (CVI) and presented at the stable gate when the horse first enters the confines.

Statutory Authority: *MS s 240.03; 240.23; 240.24*

History: *9 SR 2527; 11 SR 2201; 34 SR 1135; 35 SR 627; 36 SR 1407; 39 SR 1739*

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7876.0110 OFF-TRACK STABLING.

Subpart 1. **Stabling.** A horse racing at a licensed race meeting may be stabled within the confines of the racetrack, at another racetrack licensed by the commission or other racing jurisdiction, or at off-track facilities. The association conducting the meeting shall provide temporary stabling for horses eligible to race that are brought to a race from another racetrack or off-track facilities.

Subp. 2. **Requirements of commission must be met at racetrack.** All workout, tattooing, freeze branding, microchips, approval from the starting gate, and eligibility requirements of the commission or stewards must be secured at a licensed racetrack at which racing is being conducted. However, workouts may be obtained at sites approved by the commission and which are staffed by a clocker or clockers licensed by the commission.

Subp. 3. **Horses must be at racetrack for race day inspection.** All horses shipped from another racetrack or off-track stabling facility to a racetrack for a race must be at the racetrack no later than 9:00 a.m. or later if approved by the stewards on the day on which the horse is scheduled to race.

Subp. 4. **Original certificate of veterinary inspection.** Any horse arriving on the grounds must be accompanied by an original certificate of veterinary inspection issued not more than ten days prior to arrival. The certificate of veterinary inspection must be completed by an accredited veterinarian and must contain

complete equine infectious anemia test results, including the date, laboratory, and accession number of the most recent negative EIA test. The certificate of veterinary inspection must be surrendered to the stable gate personnel for immediate transmittal to the commission veterinarian. The certificate of veterinary inspection will remain valid for 30 days from the date of issue, with the date of issue counted as day one. Horses leaving the facility and returning during this 30-day period do not have to be accompanied by a new certificate of veterinary inspection. Horses leaving and returning after the 30-day period will need to be accompanied by a new original certificate of veterinary inspection issued not more than ten days prior to arrival.

Subp. 4a. **Renewal of 30-day certificate of veterinary inspection.** The certificate of veterinary inspection for horses leaving and returning on an ongoing basis throughout the meet must be renewed within the first five days of each month.

Subp. 5. **Record of negative test for equine piroplasmiasis.** When an active case of equine piroplasmiasis (EP) is reported by a government agency within North America, the Racing Commission, the executive director, or the deputy director, in consultation with the chief commission veterinarian, has the authority to require proof of an equine piroplasmiasis (EP) test taken within 12 months of the date of entry upon the racetrack when a horse enters or is already on the confines of the racetrack. No horse shall be allowed to enter the confines of any association holding a license to conduct a race meeting or race in Minnesota unless the horse has had the required test. The test must indicate a negative result for *Theileria equi* and *Babesia caballi*. Record of the negative test shall be attached to the certificate of veterinarian inspection (CVI) and presented at the stable gate when the horse first enters the confines.

Statutory Authority: *MS s 240.03; 240.23; 240.24*

History: *9 SR 2527; 10 SR 2161; 14 SR 2008; 15 SR 2307; 33 SR 8; 34 SR 1135; 35 SR 627; 36 SR 1407; 39 SR 1739*

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7876.0120 ON- AND OFF-TRACK STABLING OF NONRACING HORSES.

Subpart 1. **Certificate of veterinary inspection.** Any horse arriving on the grounds must be accompanied by an original certificate of veterinary inspection issued not more than ten days prior to the arrival. The certificate of veterinary inspection must be completed by an accredited veterinarian and must contain complete equine infectious anemia (EIA) test results, including the date, laboratory, and accession number of the most recent negative EIA test. The certificates of veterinary inspection must be surrendered to stable gate personnel for immediate transmittal to the commission veterinarian. The certificate of veterinary inspection will remain valid for 30 days from the date of issue, with the date of issue counted as day one. Horses leaving the facility and returning during this 30-day period do not have to be accompanied by a new certificate of veterinary inspection. Horses leaving and returning after the 30-day period will need to be accompanied by a new original certificate of veterinary inspection issued not more than ten days prior to arrival. The horse must also have a negative equine piroplasmiasis test as prescribed in part 7876.0100, subpart 11, or 7876.0110, subpart 5.

Subp. 2. **Renewal of 30-day certificate of veterinary inspection.** The certificate of veterinary inspection for horses leaving and returning on an ongoing basis throughout the meet must be renewed within the first five days of each month.

Statutory Authority: *MS s 240.03; 240.23; 240.24*

History: *28 SR 1482; 35 SR 627; 36 SR 1407; 39 SR 1739*

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7876.0130 OUTBREAKS OF INFECTIOUS OR COMMUNICABLE EQUINE DISEASES.

Subpart 1. **Limited application.** This part applies only when the Racing Commission, its executive director, or its deputy director, in consultation with the commission veterinarian, has determined there have been cases in North America of an infectious or communicable equine disease that presents a serious and immediate threat to the health of horses at a licensed racetrack. When this part applies, it supersedes any conflicting provisions elsewhere in rule.

Subp. 2. **Notice.** When this part applies, the commission shall post a notice on its Web site and shall also make other reasonable efforts to notify all affected racetracks and horse persons in a timely manner, which shall include sending notice via mail or e-mail when possible. The commission shall also promptly provide notice in the same manner as soon as the commission, its executive director, or its deputy director, in consultation with the commission veterinarian, has determined the threat has subsided and this part no longer applies.

Subp. 3. **Certificate of veterinary inspection.** A horse entering the enclosure of the licensed racetrack must be accompanied by an original certificate of veterinary inspection issued within the preceding 72 hours. No horse trailers, vans, or other equine transport vehicles will be allowed to enter the enclosure of a licensed racetrack if the driver does not present the required health certificate for each horse being transported. The certificate must contain the following:

A. documentation that an accredited veterinarian, as defined in part 1721.0010, subpart 2, physically examined the horse on the date the health certificate was issued;

B. a statement from the examining veterinarian that, at the time of examination, the horse did not exhibit any clinical signs of disease and the horse's temperature was normal;

C. a statement from the examining veterinarian that the examining veterinarian verified with the horse's owner or trainer that, to the best of the owner's or trainer's knowledge, the horse has not been exposed to any other horse with a contagious or infectious disease in the past 30 days or other time period recommended by the Board of Animal Health;

D. complete equine infectious anemia (EIA) test results, including the date, laboratory, and accession number of the most recent negative EIA test; and

E. if required by the commission veterinarian, documentation that the horse has been vaccinated by an accredited veterinarian with a Food and Drug Administration-approved modified live or killed vaccine specific for EHV-1 not less than 14 days and not more than 60 days prior to arrival at the licensed racetrack. The vaccination date, brand name, serial number, and expiration date of the vaccine must appear on the certificate.

Subp. 4. **Nonadmission of certain horses.** No horse may be admitted to the grounds of a licensed racetrack if it has, within the preceding 30 days, been in a county or province, or adjacent county or province, where any racetrack, training facility, or stable is under quarantine due to an infectious or communicable equine disease.

Subp. 5. **Isolation of certain horses.** If a horse arrives at a licensed racetrack within 30 days of the most recently initiated quarantine date applicable to that horse, or if a horse has tested positive for any contagious or infectious disease within the preceding six months, the following requirements shall apply:

A. after arrival at the licensed racetrack, the horse's owner or trainer shall procure and pay for a blood test or nasal swab, or both, as required by the commission veterinarian; and

B. the horse shall be held in an isolation area or removed from the licensed racetrack until the horse's owner or trainer presents documentation indicating that the blood test or nasal swab, or both, as required by the commission veterinarian, shows no presence of infectious or communicable disease.

Statutory Authority: *MS s 240.03; 240.23; 240.24*

History: *41 SR 1322*

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