

7890.0100 DEFINITIONS.

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

Subp. 1a. **Alkalinizing agents.** "Alkalinizing agents" means substances, including bicarbonate of soda (sodium bicarbonate or baking soda), that are used to increase the plasma or serum pH, bicarbonate level, or TCO₂ level of a horse.

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

Subp. 2a. **Androgenic-anabolic steroids (AAS).** "Androgenic-anabolic steroids (AAS)" means a group of compounds derived from testosterone or prepared synthetically to promote general body growth.

Subp. 2b. **Anesthetic.** "Anesthetic" is a substance used to effect a loss of feeling or sensation in any part of the body.

Subp. 3. **Animal chiropractor.** "Animal chiropractor" means a Doctor of Chiropractic who is licensed under Minnesota Statutes, sections 148.01 to 148.108, and registered with the Minnesota Board of Chiropractic Examiners under parts 2500.7010 to 2500.7080 to perform services on animals.

Subp. 3a. **Antibody.** "Antibody" means a protein produced after stimulation by an antigen that acts specifically against that antigen in an immune response.

Subp. 3b. [Repealed, 41 SR 1322]

Subp. 3c. **Biological product.** "Biological product" means any virus, therapeutic serum, toxin, antitoxin, or analogous product applicable to the prevention, treatment, or cure of diseases or injuries.

Subp. 3d. [Renumbered subp 3f]

Subp. 3e. **Biological sample.** "Biological sample" means any material, including but not limited to blood, urine, hair, saliva, and other body specimens, collected from a horse.

Subp. 3f. **Bisphosphonates.** "Bisphosphonates" means any of a class of drugs that slows the breakdown of bone by osteoclasts.

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. 5a. **Blood doping.** "Blood doping" means various techniques used to increase the oxygen-carrying capacity of blood.

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

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

Subp. 7a. **Complete feed.** "Complete feed" means a thoroughly blended mixture of different feed ingredients formulated to meet specific nutrient requirements that allows for greater efficiency in feeding and provides better control of nutrient intake.

Subp. 7b. **Compounding.** "Compounding" means preparing, mixing, assembling, packaging, and labeling a drug for an identified individual horse as a result of a practitioner's prescription drug order. Compounding does not include mixing or reconstituting a drug according to the product's labeling or to the manufacturer's directions.

Subp. 7c. **Darbepoetin alfa.** "Darbepoetin alfa" is a synthetic analog of erythropoietin that stimulates the bone marrow to produce red blood cells. Chemically, it is a 165 amino acid protein containing five N-linked oligosaccharide chains.

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. 10a. **Erythropoietin (EPO).** "Erythropoietin (EPO)" is a glycoprotein that stimulates the production of red blood cells by stem cells in bone marrow. Produced mainly by the kidneys, it is released in response to decreased levels of oxygen in body tissue. Using recombinant DNA technology, EPO has been synthetically produced and chemically it is a 165 amino acid protein containing three N-linked oligosaccharide chains.

Subp. 10b. **Feed contaminant.** Substances in equine feed arising from contamination during cultivation, processing or treatment, storage, or transportation.

Subp. 10c. **Feed supplement.** "Feed supplement" means a material used with another to improve the nutritive balance or performance of the total ration. Feed supplement is intended to be fed undiluted as a supplement to other feeds, offered free choice with other parts of the ration, or further diluted and mixed to produce a complete feed.

Subp. 10d. **Flunixin meglumine.** "Flunixin meglumine" is a nonsteroidal anti-inflammatory drug with the chemical name 3-pyridine-carboxylic acid.

Subp. 10e. **Furosemide.** "Furosemide" means 4-chloro-N-furfuryl-5-sulfamoylanthranilic acid.

Subp. 10f. **Growth factor.** "Growth factor" means a substance that promotes cellular growth.

Subp. 10g. **Hemoglobin-based oxygen carrier.** "Hemoglobin-based oxygen carrier" is an intravenous solution consisting of chemically stabilized cross linked hemoglobin that carries oxygen to tissues upon infusion.

Subp. 10h. **Hemopure®.** "Hemopure®" is a chemically stabilized bovine cross-linked hemoglobin that carries oxygen to tissues. Chemically it is hemoglobin glutamer-250 (bovine) or HBOC-201.

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. 11a. **Intra-articular (IA).** "Intra-articular" or "IA" means in the joint space.

Subp. 11b. **Intramuscular (IM).** "Intramuscular" or "IM" means in the muscle.

Subp. 11c. **Intravenous (IV).** "Intravenous" or "IV" means in the vein.

Subp. 11d. **Ketoprofen.** "Ketoprofen" is a nonsteroidal anti-inflammatory drug with the chemical name 2-(3-benzoylphenyl)propionic acid.

Subp. 12. [Repealed, 25 SR 1609]

Subp. 12a. **Limit of detection (LOD).** "Limit of detection" or "LOD" means the lowest concentration of the drug that can be detected by a particular laboratory method.

Subp. 12b. **Limit of quantitation (LOQ).** "Limit of quantitation" or "LOQ" means the lowest concentration of the drug that can be reliably quantified by a particular laboratory method and is generally higher than the LOD.

Subp. 13. **Measurement uncertainty (MU).** "Measurement uncertainty" means a value (with units of concentration) that is determined experimentally and characterizes the variability of the analytical process. It is used to eliminate all reasonable variability originating from the measurement process. It is a property of the method used and unique to each laboratory unless measures have been taken to standardize between laboratories.

Subp. 13a. **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. Medication includes all alkalinizing agents, analgesics, anesthetics, depressants, narcotics, stimulants, tranquilizers, and other classifications of medications. Nothing herein shall be deemed to include:

A. Nonsteroidal anti-inflammatory drugs (NSAIDs):

(1) The use of one of the following three approved NSAIDs shall be permitted under the following conditions:

(a) phenylbutazone, provided that the test sample does not contain more than 0.3 micrograms of the substance thereof per milliliter of blood plasma or serum; or

(b) flunixin, provided that the test sample does not contain more than five nanograms of the substance thereof per milliliter of blood plasma or serum; or

(c) ketoprofen, provided that the test sample does not contain more than two nanograms of the substance thereof per milliliter of blood plasma or serum.

(2) No NSAIDs can be administered within the 48 hours before post time for the race in which the horse is entered. The use of all but one of the approved NSAIDs shall be discontinued at least 48 hours before the post time for the race in which the horse is entered.

(3) The presence of more than one NSAID in the post-race test sample, or sample taken after an official timed workout, is not permitted and shall constitute a Class B violation under the Association of Racing Commissioners International Uniform Classification Guidelines for Foreign Substances and Recommended Penalties.

(4) Any horse to which an NSAID has been administered shall be subject to having a blood and/or urine sample taken at the direction of the official veterinarian to determine the quantitative NSAID levels and/or the presence of other drugs which may be present in the blood or urine sample.

B. Furosemide, provided, however, that it is administered pursuant to the provisions of part 7890.0140, subpart 7a. The concentration of furosemide must not exceed 100 nanograms per milliliter of serum or plasma in the post-race blood sample.

C. Topical applications, such as antiseptics, ointments, salves, leg rubs, and leg paints which may contain antibiotics (excluding procaine penicillin and chloramphenicol) but which shall not contain ethanol, DMSO, corticosteroids, topical anesthetics including benzocaine and lidocaine, or other medications.

D. Vitamins and electrolytes, provided the vitamins and electrolytes are administered orally and do not contain any medications, sodium bicarbonate, or other alkalizing agents.

Subp. 13b. [Repealed, 41 SR 1322]

Subp. 13c. **Metabolite.** "Metabolite" means the substance produced by the metabolism of a specific medication.

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

Subp. 14a. **NSAID stacking.** "NSAID stacking" occurs when a post-race sample is found to contain the presence of multiple nonsteroidal anti-inflammatory drugs in violation of the restrictions in subpart 13a, item A, and part 7890.0110, subpart 10.

Subp. 14b. [Repealed, 40 SR 1393]

Subp. 14c. **NSAIDs.** "NSAIDs" means nonsteroidal anti-inflammatory drugs.

Subp. 14d. **Out-of-competition testing.** "Out-of-competition testing" is the taking of blood, urine, or another biological sample from a horse at any time other than race day.

Subp. 14e. **Overage.** "Overage" means the detection of any medication or metabolites, substance foreign to the natural horse, androgenic anabolic steroid, or endogenous, dietary, or environmental substance in a test sample that exceeds the regulatory limits as established by subpart 13a, items A to D, and part 7890.0110, subparts 7, item C; 7a; 9; and 10.

Subp. 14f. **PO.** "PO" means orally.

Subp. 14g. **Positive test.** "Positive test" means the detection of any medication or metabolites, substance foreign to the natural horse, androgenic anabolic steroid, or endogenous, dietary, or environmental substance thereof in a test sample above the limit of detection of the official testing laboratory.

Subp. 15. **Prescription number.** "Prescription number" means the unique identification number assigned by the veterinarian, pharmacist, or other supplier to the prescription.

Subp. 15a. **Prohibited practice.** "Prohibited practice" means a practice that jeopardizes the health and welfare of the horse, the welfare and safety of the rider and other participants, as well as the integrity of horse racing.

Subp. 15b. **Regulatory limit.** "Regulatory limit" is the concentration of a drug and/or its metabolite below which no administrative action is taken.

Subp. 15c. **Restricted list.** "Restricted list" means a list of horses that are ineligible to race until removed from the list by a commission veterinarian.

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. 16a. **Synthetic analogue.** "Synthetic analogue" means a molecular or chemical compound made in a laboratory that is structurally similar to the natural compound and exhibits similar effects.

Subp. 16b. **TCO₂.** "TCO₂" means the total concentration of all forms of carbon dioxide in the sample including bicarbonate and carbonate as well as dissolved CO₂.

Subp. 17. **Test level.** "Test level" means the concentration of NSAIDs, furosemide, medications or metabolites, substances foreign to the natural horse, androgenic anabolic steroids, or endogenous, dietary, or environmental substances found in a test sample.

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

Subp. 18a. **Threshold.** "Threshold" means a concentration of a substance in the serum, plasma, or urine of a horse above which a laboratory reports a finding.

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

Subp. 19a. **Venom.** "Venom" means toxic or poisonous secretions of an animal such as the snake, snail, scorpion, spider, and others.

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 240.03; 240.13; 240.15; 240.16; 240.19; 240.23; 240.24*

History: *9 SR 2527; 10 SR 1908; 13 SR 38; 15 SR 2307; 16 SR 2207; 24 SR 1568; 25 SR 1609; 26 SR 1438; 28 SR 1482; 31 SR 1277; 33 SR 8; 34 SR 83; 34 SR 1135; 35 SR 375; 35 SR 627; 36 SR 1407; 37 SR 1664; 39 SR 1739; 40 SR 1393; 41 SR 1322; 44 SR 1047; 46 SR 6; 46 SR 1210*

Published Electronically: *May 12, 2022*