

Minnesota Racing Commission

Proposed Permanent Rules Relating to Horse Racing: Nonmedication; Pari-Mutuel Pools; Class C Licenses; Stewards; Races; Harness Races

7869.0100 DEFINITIONS.

[For text of subps 1 to 25, see M.R.]

Subp. 26. **Field.** "Field" means, ~~according to its context, either:~~

- ~~A. the entire group of horses in a race; or~~
- ~~B. the highest numbered horse within the capacity of the totalizator, and all horses of a higher number grouped together for wagering purposes.~~

[For text of subps 27 to 41, see M.R.]

Subp. 41a. **Official timed workout.** "Official timed workout" means a timed workout required and supervised by a commission veterinarian.

[For text of subps 42 to 62, see M.R.]

Subp. 63. **Supplemental fee.** "Supplemental fee" means a fee set by the association that ~~must~~ may be required to be paid at a prescribed time to make a horse eligible for a stakes race.

[For text of subps 64 to 69, see M.R.]

7871.0070 INFORMATION WINDOW.

Each association shall provide at least one information or complaint window where complaints may be made by members of the public. ~~Complaint forms must include the name, address, and telephone number of the complainant, the date and nature of the complaint, and the department or persons with whom the complaint was made. When a patron makes a complaint, the association shall forward a copy of the complaint along with the action or proposed action taken, if any, to the commission staff within 48 hours~~

~~of the complaint.~~ A current set of all Minnesota commission rules regarding pari-mutuel wagering shall be available for public inspection during racing hours at every such window.

7871.0150 EMERGENCY PROCEDURES WHEN POOLS ARE COMMINGLED AT THE CLASS A FACILITY OR AT AN ALTERNATIVE FACILITY.

[For text of subps 1 to 2, see M.R.]

Subp. 2a. **Wagering interface interruption when Class A facility is host racetrack.** If the host mutuel manager determines that a guest track has not transmitted its pools to the host track in a timely manner or if ~~a manual merge otherwise~~ jeopardizes the integrity of the host track's pools; ~~or delays the host track's program; or a manual merge is attempted and failed,~~ the guest track must be excluded from the wagering pools. ~~In the event of a manual merge:~~

A. ~~The guest tote system operator must inform the host tote system operator of the total amount in the pool, the total dollars on winning wagers, and the total dollars on the losing wagers in the pool. The guest tote system operator shall send that information via a facsimile machine to the host tote system.~~

B. ~~The stewards at the host racetrack must be notified when the procedure has been completed in order to declare the race official.~~

C. ~~The licensee's tote system representative shall prepare a report indicating that the transfer of data could not be completed electronically and that the pools were merged manually. The report shall also include the following:~~

(1) ~~a copy of the pool print report prior to the failure of the transfer of data;~~

(2) ~~a copy of the final pool print report;~~

(3) ~~a brief statement as to where the failure occurred, when the stewards were notified, and for what time period were prices delayed; and~~

~~(4) - a worksheet from the host track signed by the host tote system representative, the host mutuel manager, and the state representative from the host's state racing commission showing total dollars bet in each pool and the final prices.~~

[For text of subps 3 to 5, see M.R.]

7873.0110 APPROVAL OF PARI-MUTUEL POOLS.

Subpart 1. **Request.** Upon written request of a Class B or D licensee, or on its own motion, the commission may approve pari-mutuel pools, including types of betting, number and placement of multiple pools in racing programs, and other issues related to pari-mutuel pools ~~which~~ that promote the purposes of Minnesota Statutes, chapter 240, and the rules of the commission.

Subp. 2. **Basis for approving pari-mutuel pools.** When considering a request for approval of pari-mutuel pools, the commission must consider the success and integrity of racing; the public health, safety, and welfare; and the public interest, necessity, and convenience; ~~as well as the following factors:~~

- ~~A. the integrity of the licensee;~~
- ~~B. the financial strength of the licensee;~~
- ~~C. the ability of the licensee to operate a racetrack and conduct horse racing, including licensee's facilities, systems, policymakers, managers, and personnel;~~
- ~~D. past compliance of the licensee with statutes, rules, and orders regarding pari-mutuel horse racing;~~
- ~~E. the licensee's market, including area, population, and demographics;~~
- ~~F. the performance of the racetrack with previously approved pari-mutuel pools;~~
- ~~G. the impact approving the pari-mutuel pool will have on the economic viability of the racetrack, including attendance and pari-mutuel handle;~~

- H. ~~the quantity and quality of economic activity and employment generated;~~
- I. ~~state tax revenues from racing and related economic activity;~~
- J. ~~the entertainment and recreation opportunities for Minnesota citizens;~~
- K. ~~the variety of racing;~~
- L. ~~the quality of racing;~~
- M. ~~the availability and quality of horses;~~
- N. ~~the development of horse racing;~~
- O. ~~the quality of racetrack facilities;~~
- P. ~~security;~~
- Q. ~~purses;~~
- R. ~~benefits to Minnesota breeders and horse owners;~~
- S. ~~competition among racetracks and with other providers of entertainment and recreation as well as its effects;~~
- T. ~~the social effects;~~
- U. ~~community and government support;~~
- V. ~~sentiment of horsepersons; and~~
- W. ~~any factors related to pari-mutuel pools which the commission deems crucial to its decision-making, as long as the same factors are considered with regard to all racetracks.~~

Subp. 3. **Live racing days; director of pari-mutuel racing authority.** The Upon request from an association's director of pari-mutuel racing or, the commission's director of pari-mutuels is delegated the authority to approve variation and changes in the pari-mutuel pools previously approved by the commission, placement of pools in the program, and

~~simuleasts requested by the licensee that meet the criteria in subpart 2. The director of pari-mutuel racing or the commission's director of pari-mutuels is delegated the authority to approve changes in the placement of pari-mutuel pools in the program, the addition of approved pari-mutuel pools to the program, and changes in simulcasting requests by the licensee that meet the criteria in subpart 2. Before approving a change in the pick six a pick (n) pool, the director of pari-mutuel racing or the commission's director of pari-mutuels must consult with the commission's deputy or executive committee director.~~

Subp. 4. **Additional money added.** With the approval of the ~~commission~~ commission's executive director or deputy director, the association may guarantee a minimum payout in any pari-mutuel pool. If the guaranteed payout exceeds the amount available for distribution from the amounts wagered, the association shall provide the difference by paying the holders of any winning ticket designating the official winners in the pool.

7873.0187 GRAND SLAM.

Subpart 1. **Scope.** The grand slam is a form of pari-mutuel wagering that requires the selection of the official first-, second-, or third-place finisher in each of the first three races in a series of four designated grand slam races in a single day. A completed winning grand slam wager requires the selection of the official first place finisher in the fourth and final event in the same series of races.

Subp. 2. **Price of tickets.** Grand slam tickets must be sold singly in not less than 50-cent denominations.

Subp. 3. **Ticket is evidence of binding contract.** A grand slam ticket shall be evidence of a binding contract between the holder of the ticket and the racing association and the ticket shall constitute an acceptance of the grand slam wager provisions and rules.

Subp. 4. **Scratches.** If a designated grand slam selection is scratched or declared a nonstarter, the actual favorite as evidenced by the amounts wagered in the win pool at the time wagering closes will be substituted for the nonstarting selection.

Subp. 5. **Calculation of pool.** The net grand slam pool shall be distributed from a single betting pool to participants who selected the first-, second-, or third-place finisher in the first three races of a series of four grand slam races completing a winning wager with the selection of the first place finisher in the fourth and final grand slam event in the same series, based upon the official order of finish. If there are no winning wagers taking into account all four segments of the grand slam wager, then the pool shall be distributed as a single betting pool to those who selected the first place finisher in the fourth and final grand slam event in this series of races along with the greatest number of first-, second-, or third-place finishes, each of which had an accompanying show pari-mutuel payout, in each of the first three races in the series of four grand slam designated races.

Subp. 6. **Dead heats for first in any of grand slam races.** If two or more betting interests dead heat for first in any of the selected grand slam races, the grand slam pool shall be distributed from a single betting pool with a winning wager including each betting interest participating in the dead heat provided each entrant has a pari-mutuel show payout within its race.

Subp. 7. **Dead heats for second or third in any of first three races in a series of four designated grand slam contests.** If two or more betting interests dead heat for second or third, then the grand slam pool shall be distributed from a single betting pool with a winning wager, including the betting interest that finished first or any betting interest involved in the dead heat for second or third, providing the horse has a show pari-mutuel payout.

Subp. 8. **Cancellation of grand slam.** If at least two contests included as part of a grand slam wager are canceled, declared "no contest," or scratched down to fewer than five

betting interests following the start of the day's racecard, then the grand slam pool shall be canceled and all grand slam wagers for the individual performance shall be refunded.

Subp. 9. **Single race canceled or declared no contest.** If at least one race included as part of a grand slam wager is canceled, declared "no contest," or scratched down to fewer than five betting interests following the start of the day's racecard, then the net pool shall be distributed from a single betting pool to those bettors whose selections finished first, second, or third in the greatest number of grand slam contests in the first three races in a series of four designated grand slam contests. In determining a pari-mutuel distribution under this subpart, a finish of first in the final and fourth designated grand slam contest race for the performance in question shall have the same weight as a finish of first, second, or third in the greatest number of grand slam contests in the first three races in a series of four designated grand slam contests.

7873.0230 INFORMATION WINDOW.

Each association shall provide at least one information or complaint window where complaints may be made by members of the public. ~~Complaint forms must include the name, address, and telephone number of the complainant, the date and nature of the complaint, and the department or persons with whom the complaint was made. When a patron makes a complaint, the association shall forward a copy of the complaint along with the action or proposed action taken, if any, to the commission staff within 48 hours of the complaint.~~ A current set of all commission rules regarding the conduct of pari-mutuel wagering shall be available for public inspection during racing hours at every such window.

7874.0100 GENERAL PROVISIONS.

Subpart 1. **Scope.** Subpart 2 applies for the purpose of administering the direct deposit of taxes and₂ breakage, and breeders' funds, pursuant to Minnesota Statutes, section 240.15, subdivisions 1 and 2 shall apply.

Subp. 2. **Payment of pari-mutuel tax taxes, breakage, and breeders' fund funds.**

Taxes, breakage, and breeders' funds collected by an association must be remitted to the commission ~~within~~ no more than seven days of ~~after the day on~~ end of the month in which it was ~~they were~~ collected. The remittance must be accomplished by a direct deposit in a financial institution designated by the commissioner of management and budget and approved by the commission or by ~~daily~~ delivery to the commission office. ~~On those days when the seventh day is a holiday or a weekend day, the payment must be made by the succeeding business day.~~ At No more than seven days after the close of each month in which racing is conducted, the association must report to the commission all deposits of taxes ~~and~~, breakage, and breeders' funds for that month.

[For text of subps 3 to 5, see M.R.]

7875.0200 EQUIPMENT.

Subpart 1. **Equipment.** Each association must include equipment, devices, or apparatus necessary to start, time, film or tape, and photograph the finish of every race. Equipment necessary to view photographs, films, and tapes of each race must be provided. Each association must include pari-mutuel equipment, devices, or apparatus necessary to sell and cash tickets, compile pari-mutuel data, and display odds. An association also must include adequate internal communications equipment. The facilities must be in compliance with the requirements of the ADA insofar as offering special accommodations or alternative equipment to disabled individuals. ~~An association shall provide the commission office with a pari-mutuel console for purposes of displaying and viewing current racing information.~~

[For text of subps 2 and 3, see M.R.]

Subp. 4. **Starting gates.** At least two starting gates must be in service on each race day and shall be tested daily prior to the first race. Class D licensees are required to have one starting gate. ~~Two tractors or teams of draught horses~~ pieces of equipment

or vehicles capable of pulling the starting gates shall be positioned to pull any gate from a racecourse. Thoroughbred and quarter horse starting gates must be padded to prevent injury to jockeys, assistant starters, and horses. The arms of a standardbred starting gate shall have a screen or shield in front of each horse, and the arms shall be perpendicular to the rail when extended.

[For text of subps 5 to 9, see M.R.]

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 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 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.

7877.0110 PROCEDURE FOR OBTAINING CLASS C LICENSE.

[For text of subps 1 to 3, see M.R.]

Subp. 4. **Racing officials.** Each association shall submit to the commission for its approval or disapproval the names of all persons whom the association has selected as racing officials, and other employees whose duties relate to the actual running of races. The list shall include, where applicable, the following racing officials:

[For text of items A to S, see M.R.]

T. timer; ~~and~~

U. track superintendent; and

V. any other official as designated by the commission.

The list of racing officials' names shall be submitted to the commission in writing at least 30 days prior to the opening of each race meeting.

The association shall be responsible for filing a complete application for a Class C license with respect to each nominee who has not been previously licensed by the commission as a racing official.

The commission may request any person whose name is proposed as a racing official to submit to a physical examination and to forward the results of ~~said~~ the examination to the commission. The request shall be made only where there is a reasonable basis for suggesting that the applicant's physical condition would hinder or prevent ~~him or her~~ the applicant from performing the duties of a racing official.

The commission shall act on the association's list of officials at a meeting of the commission. If commission staff recommends disapproval of an official, the association shall be notified of that recommendation in advance of the commission's meeting.

Under no circumstances shall an identifier, placing judge, or patrol judge be approved by the commission unless the person has satisfactorily passed an optical examination within 90 days prior to approval evidencing 20-20 vision (corrected) and the ability to distinguish colors.

7877.0170 DUTIES AND RESPONSIBILITIES OF CLASS C LICENSEES.

Subpart 1. **Owners.** Horse owners shall have the ~~following~~ responsibilities: in items A to E.

[For text of items A to E, see M.R.]

Subp. 2. **Trainers.** Trainers shall have the following responsibilities.

A. A trainer shall keep in ~~his or her~~ the trainer's charge or under ~~his or her~~ the trainer's supervision at the racetrack horses owned only by owners who are licensed by the commission.

B. A trainer shall ascertain the true identity of all horses in ~~his or her~~ the trainer's charge.

C. A trainer ~~shall be~~ is responsible for horses ~~he or she~~ the trainer enters as to eligibility; weight or other allowances claimed; physical fitness of the horse to perform credibly at the distance entered; absence of prohibited medication; proper shoeing, bandaging, and equipment; and timely arrival in the paddock.

(1) No trainer may start or permit a horse in ~~his or her~~ the trainer's custody, care, or control to be started or to participate in any timed workout, if ~~he or she~~ the trainer knows, or ~~might~~ in the exercise of due care should have known, ~~or has cause to believe~~, that the horse has received any medication, alkalinizing agent, blood doping agent, venom, or substance foreign to the natural horse in contravention of the provisions of chapter 7890.

(2) No trainer may administer a medication, alkalinizing agent, blood doping agent, venom, 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.

~~(2)~~ (3) The commission shall consider any positive test to be prima facie evidence that the trainer is responsible for such positive test unless ~~he or she~~ the trainer can prove by substantial evidence that neither the trainer nor any employee or agent of the trainer was responsible for the administration of the medication.

~~(3)~~ (4) A trainer must guard each horse ~~trained by him or her~~ in the trainer's charge in such a manner and for such time prior to racing the horse as to prevent the administration of any medication, alkalinizing agent, blood doping agent, venom, or substance foreign to the natural horse in contravention of the provisions of chapter 7890.

D. A trainer must obtain a designated stall assignment from the association before occupying any stall on the racetrack grounds.

E. A trainer must register each horse in ~~his or her~~ the trainer's charge within 24 hours of the horse's arrival on the grounds of an association by completing forms provided by the racing secretary. At the same time, any trainer of thoroughbred, quarter horses,

Arabian, or other breeds must submit with that registration a description of the owner's colors for each horse in ~~his or her~~ the trainer's charge.

F. Each trainer must provide a current list of all persons in ~~his or her~~ the trainer's employ to the association's security office and must ensure that those persons are licensed by the commission no later than the next racing day after those employees arrive on the grounds of an association. Upon discharge of an employee, the trainer shall report that fact to the association's security office by no later than the end of that racing day.

G. The trainer shall supply each horse in ~~his or her~~ the trainer's care with adequate food, water, medical treatment, exercise, and shelter, and shall comply with all applicable provisions of Minnesota Statutes, chapter 343.

H. A trainer may use only veterinarians licensed by the commission to tend horses in ~~his or her~~ the trainer's care that are entered to race or at any time that the horses are on the grounds of an association.

[For text of items I and J, see M.R.]

K. A thoroughbred, quarter horse, Arabian, or other breed trainer shall personally attend ~~his or her~~ the trainer's horses in the paddock, and shall supervise ~~his or her~~ the trainer's horses' preparation to race, unless excused by the stewards because of illness or other emergency.

L. If a trainer is responsible for two or more horses in any race, the trainer shall instruct the jockeys or drivers ~~he or she~~ the trainer has engaged that each shall give ~~his or her~~ the trainer's best effort and that each horse shall be ridden or driven to win.

[For text of item M, see M.R.]

N. A trainer is responsible for notifying the racing secretary of any circumstances that would necessitate changing a horse's registration or eligibility papers. This includes notifying the racing secretary when a horse is "nerved" pursuant to part

7897.0100, subpart 11, and immediately reporting the alteration of the sex of a horse to the horse identifier ~~and~~, racing secretary, and commission veterinarian.

[For text of items O and P, see M.R.]

Q. A trainer must promptly report the death of any horse in ~~his or her~~ the trainer's care on the grounds of an association to the commission veterinarian and must comply with part 7891.0110 governing postmortem examinations.

R. If a trainer must be absent because of illness or any other cause, the trainer shall appoint another licensed trainer to fulfill ~~his or her~~ the absent trainer's duties, and promptly report the appointment to the stewards. The absent trainer and substitute trainer will have joint responsibility for the condition of the horses normally trained by the absent trainer.

S. Trainers licensed as owners must train all horses owned wholly or in part by them.

T. Each trainer shall comply with ~~all provisions of~~ Minnesota Statutes, chapter 176, and all rules adopted under that chapter.

[For text of subp 2a, see M.R.]

Subp. 3. **Jockeys and apprentice jockeys.** Jockeys and apprentice jockeys shall have the following responsibilities.

A. An apprentice jockey must ride with a five-pound weight allowance beginning with ~~his or her~~ the jockey's first mount and for one full year thereafter, unless the jockey is riding in stakes races, handicap races, or substituting for a journeyman jockey who is unable to fulfill a riding engagement. If after one full year from the date of ~~his or her~~ the jockey's fifth winning mount the apprentice jockey has failed to ride 40 winners, ~~he or she~~ the jockey's shall continue to ride with a five-pound weight allowance for up to two years from the date of ~~his or her~~ the jockey's fifth winning mount or until

~~he or she~~ the jockey has ridden a total of 40 winners, whichever comes first. Apprentice allowances may be waived with the stewards' permission at the time of entry by the trainer or the trainer's designee. If an apprentice jockey is unable to ride for a period of 14 consecutive days or more after the date of the jockey's fifth winning mount because of service in the United States armed forces, enrollment in an institution of secondary or postsecondary education, or because of physical disability, the commission may extend the time during which the apprentice weight allowance may be claimed for a period not to exceed the period the apprentice jockey was unable to ride.

[For text of items B to G, see M.R.]

H. No jockey may weigh-out if ~~he or she~~ the jockey is more than two pounds over the weight assigned to ~~his or her~~ the jockey's horse without permission of the owner or trainer, and under no circumstances shall the overweight exceed seven pounds.

I. If employing an agent, a jockey is bound by all commitments made by the agent. If not employing an agent, the jockey shall conduct ~~his or her~~ business as if ~~he or she were his or her own~~ the jockey is the agent.

J. A jockey must fill ~~his or her~~ all riding engagements. However, no jockey may be forced to ride a horse ~~he or she~~ that the jockey believes to be unsafe, or to ride on a race course ~~he or she~~ the jockey believes to be unsafe.

K. A jockey unable to fulfill ~~his or her~~ riding engagements because of illness or injury must pass a physical examination conducted by a licensed physician or paramedic before resuming race riding.

[For text of item L, see M.R.]

~~M. A jockey must wear a protective helmet with a buckled chin strap while mounted upon any horse at a licensed racetrack. A jockey must wear a safety vest when~~

~~riding in any official race. The safety vest must comply with one of the following minimum standards or later revisions:~~

- ~~(1) British Equestrian Trade Association (BETA):2000 Level 1;~~
- ~~(2) Euro Norm (EN) 13158:2000 Level 1;~~
- ~~(3) American Society for Testing and Materials (ASTM) F2681-08 or F1937;~~
- ~~(4) Shoe and Allied Trade Research Association (SATRA) Jockey Vest Document M6 Issue 3; or~~
- ~~(5) Australian Racing Board (ARB) Standard 1, 1998.~~

~~N. M.~~ In any race, a jockey must ride to win or to finish as near as possible to first. A jockey shall not ease ~~his or her~~ the jockey's horse without cause, even if the horse has no apparent chance to earn a portion of the purse.

~~Ø. N.~~ A jockey must make ~~his or her~~ the jockey's best effort to control and guide ~~his or her~~ the jockey's horse in such a way so as not to endanger ~~his or her~~ the jockey's own horse or other horses and jockeys, nor to cause a foul.

~~P. O.~~ A jockey must unsaddle ~~his or her~~ the jockey's own horse before weighing in.

(1) A jockey shall weigh in at no less than the same weight at which the jockey weighed out, and if under that weight, and after consideration of mitigating circumstances by the board of stewards, the jockey's mount may be disqualified from any portion of the purse money.

(2) In the event of a disqualification, all money wagered on the horse shall be refunded unless the race has been declared official.

(3) A jockey's weight shall include clothing, boots, saddle and its attachments, and any other equipment except the bridle, bit, blinkers, number cloth, overgirth, reins, and breast collar.

(4) Upon approval of the stewards, the jockeys may be allowed up to three pounds more than published weights to account for inclement weather clothing and equipment.

(5) The postrace weight of jockeys includes any sweat, dirt, and mud that have accumulated on the jockey, and the jockey's clothing, safety equipment, and overgirth. This accounts for additional weight, depending on specific equipment, as well as weather, track, and racing conditions.

~~Q. P.~~ Each jockey must check the stewards' daily video replay list in the jockeys' room and report to the stewards, at the time designated, if so required by the list.

~~R. Q.~~ A jockey must notify the stewards in writing on a form provided by the commission if ~~he or she~~ the jockey intends to sever a business relationship with an agent or if ~~he or she~~ the jockey intends to change agents. The notification must be signed by both the jockey and agent.

~~S. R.~~ A jockey not prohibited by contract may agree to give first or second call on ~~his or her~~ the jockey's services to any licensed owner or trainer. Such agreements must be in writing if for a period of more than 30 days.

~~T. S.~~ A jockey employed by a racing stable on a regular salaried basis shall not ride against the stable. No owner or trainer shall employ or engage a jockey to prevent the jockey from riding another horse.

~~U. T.~~ Conflicting claims for the services of a jockey shall be decided by the stewards.

~~V. U.~~ A jockey mount fee shall be considered earned by a jockey when ~~he or she~~ the jockey is weighed out by the clerk of scales, except in the following cases:

(1) (a) When the jockey does not weigh out and ride in a race for which engaged because an owner or trainer engaged more than one jockey for the same race. In such a case, the owner or trainer shall pay a jockey mount fee that is equal to that earned by the jockey who rode the horse to each jockey engaged for the race.

(b) In the event an owner or trainer elects to remove a jockey from a mount after naming a rider at the time of the draw, the stewards shall require a double jockey fee to be paid if the named rider is available to ride in that race. The fee to be paid to the jockey who was removed from the mount is equal to that earned by the jockey who rode the horse.

(2) When a jockey, of the jockey's own free will, elects to be taken off a mount where injury to the horse or rider is not involved.

(3) When the stewards replace the jockey with a substitute jockey for reasons other than the jockey suffering an injury during the time between weighing out and the start of the race.

(4) Any conditions or considerations not covered by this part shall be addressed at the discretion of the stewards. All jockey protests must be filed prior to the race.

~~W. V.~~ Whenever a jockey from a foreign country, excluding Mexico or Canada, rides in Minnesota, the jockey must present a declaration sheet stating that ~~he or she~~ the jockey is a holder of a valid license and not under suspension, and that ~~he or she~~ the jockey agrees to be bound by the commission's rules. This sheet shall be retained by the clerk of scales and, at the conclusion of the jockey's participation in racing, shall be returned to the jockey properly endorsed by the clerk of scales stating whether or not the jockey incurred any penalty or had a fall.

~~W.~~ W. No jockey shall willfully or purposely touch, strike, or jostle another jockey or horse, either with hands or riding crop, from the time they leave the paddock until after dismounting from a race.

~~X.~~ X. A jockey who is suspended for less than ten days for a riding infraction may be allowed to ride in a stakes or trial race that was designated by the stewards prior to the start of the race season. Permission to race will be granted at the stewards' discretion, based on the circumstances of the suspension.

[For text of subps 4 to 10, see M.R.]

Subp. 11. Required safety equipment for all licensees.

A. A person mounted on or driving a horse on association grounds, and a person handling a horse at the starting gate, must wear a properly secured safety helmet at all times. The helmet must comply with one of the following minimum safety standards or later revisions:

- (1) American Society for Testing and Materials (ASTM 1163);
- (2) European Standards (EN-1384 or PAS-015 or VG1);
- (3) Australian/New Zealand Standards (AS/NZ 3838 or ARB HS 2012); or
- (4) Snell Equestrian Standard 2001.

B. A person mounted on a horse or racing in a sulky on association grounds, and a person handling a horse at the starting gate, must wear a properly secured safety vest at all times. The safety vest must comply with one of the following minimum standards or later revisions:

- (1) British Equestrian Trade Association (BETA):2000 Level 1;
- (2) Euro Norm (EN) 13158:2000 Level 1;

(3) American Society for Testing and Materials (ASTM) F2681-08 or F1937;

(4) Shoe and Allied Trade Research Association (SATRA) Jockey Vest Document M6 Issue 3; or

(5) Australian Racing Board (ARB) Standard 1.1998.

C. A safety helmet or a safety vest shall not be altered in any manner nor shall the product marking be removed or defaced.

7877.0175 DUTIES AND RESPONSIBILITIES OF RACING OFFICIALS.

[For text of subps 1 to 3, see M.R.]

Subp. 4. **Paddock judge.** The paddock judge shall have the responsibilities in items A to L.

[For text of items A to K, see M.R.]

L. The paddock judge shall compile a schooling list comprised of any horse that is horses that are fractious or unruly in the paddock, and shall supervise the paddock schooling of those horses or that exhibit poor or inconsistent behavior in the paddock that could endanger the safety of other participants in racing. The schooling list shall be provided to the stewards at the end of each race day and posted in the race office. No horse on the schooling list may be eligible to race until removed from the list by the paddock judge. To be removed from the schooling list, a horse must be schooled in the paddock and demonstrate to the satisfaction of the paddock judge and the stewards that the horse is capable of performing safely in the paddock.

[For text of subp 4a, see M.R.]

Subp. 5. **Identifier.** The identifier shall have the responsibilities in items A and B.

A. The identifier ~~shall check~~ is responsible for checking the identification of all horses entering the paddock by checking the microchip, tattoo numbers, freeze branding, or other identification method approved by the appropriate breed registry, as well as the sex, color, and markings, and comparing those with documents of registration, eligibility, or breeding, as necessary to ascertain a horse's identity.

The identifier shall notify the stewards immediately upon detecting any discrepancy in a horse's microchip, tattoo numbers, freeze brand, other approved identification method, markings, or other identifying characteristics.

The identifier ~~shall supervise~~ is responsible for supervising the identification of any horse on the grounds of an association before approving the horse for microchipping, tattooing, freeze branding, or other approved identification method.

B. The identifier shall be responsible to the paddock judge for maintaining a card that will list all equipment worn, including shoes, and the microchip, tattoo, or freeze brand number, or other approved identification method, for each horse racing at the meeting. The identifier shall compare the equipment actually being used on the horse with the approved equipment listed on the card.

[For text of subps 6 and 7, see M.R.]

Subp. 8. **Commission veterinarian.** The commission veterinarian shall maintain a list of the following:

- A. horses that are scratched because of illness or injury;
- B. horses that are pulled up because of lameness or other injury during a race;
- C. horses that are bleeders, pursuant to part 7890.0140, subpart 1; and
- D. horses otherwise considered unfit to race in the professional judgment of the commission veterinarian or the association veterinarian.

The veterinarian's list shall be posted ~~in the racing secretary's~~ outside the commission veterinarian's office, and any horse whose name is on the list shall be ineligible to start in a race for five calendar days, or until the commission veterinarian or association veterinarian removes it from the list, whichever is later. All workouts required by the commission veterinarian for the purpose of potentially removing a horse from the veterinarian's list must be conducted under the same medication requirements as those for race days. For purposes of this subpart, the five-day period during which a horse is ineligible to start begins to run on the first day the horse is placed on the list. The veterinarian's list is binding on all racetracks under the jurisdiction of the commission and shall include horses on the veterinarian's list in other racing jurisdictions.

The commission veterinarian shall conduct racing soundness examinations pursuant to part 7891.0100. If the veterinarian finds that any horse is unfit to race ~~he or she~~ the veterinarian shall notify the stewards immediately in writing.

The commission veterinarian shall supervise the operation of a barn for the detention and testing of horses after each race pursuant to chapter 7890.

The commission veterinarian must post in a location accessible to all trainers, a list of all horses registered as "nerved" pursuant to part 7897.0100, subpart 11.

The commission veterinarian shall have the authority to draw and submit blood to the diagnostic laboratory from any horse or pony on the grounds of an association for the purpose of testing for equine infectious anemia (EIA) and other reportable infectious diseases as determined by the Minnesota Board of Animal Health, and shall supervise the removal from the racetrack of any horse or pony having positive EIA or reportable infectious disease test results.

In the event of a veterinary emergency where the owner's veterinarian is not on racetrack grounds, the commission veterinarian or association veterinarian may administer emergency treatment to a horse after consulting with the owner or the owner's agent if they are present on racetrack grounds. In all cases, the owner's veterinarian will be notified

and the case transferred to the owner's veterinarian as soon as the owner's veterinarian is present.

In the absence of an association veterinarian, a commission veterinarian shall assume the duties and responsibilities of the association veterinarian.

[For text of subps 8a to 15, see M.R.]

7878.0140 CONTINUING EDUCATION.

Subpart 1. **Licensee shall successfully complete refresher training.** No security officer's license may be renewed unless the licensee or ~~his or her~~ the appointing authority furnishes the commission proof that the licensee is currently certified in cardiopulmonary resuscitation and has successfully completed, on an annual basis, at least eight hours of refresher training in the areas of:

- A. first aid; and
- B. security plan, policy, and procedure of the racing association; ~~and~~
- C. ~~cardiopulmonary resuscitation.~~

Subp. 2. **Commission must approve courses.** Prior to receiving credit for course approval, the appointing authority or the licensee must submit to the commission a detailed outline of the course and the instructors' credentials. All POST Board certified courses ~~will~~ shall be considered by the commission to be approved continuing education courses. ~~Approval must be gained from the commission ten days prior to commencement of the course. Upon approval, the commission shall issue a letter to the appointing authority.~~ Approval of continuing education courses shall be based on relevance to knowledge, skills, and abilities needed for security officers. Approved courses of continuing education credit will be granted at the rate of one hour for each 50 minutes of class sessions.

7883.0100 ENTRIES AND SUBSCRIPTIONS.

[For text of subps 1 to 15a, see M.R.]

Subp. 16. **Workout requirements.** In order to be eligible:

[For text of items A and B, see M.R.]

C. A first-time starters starter must have gate approval and a minimum of two timed workouts, one of which must be out of the gate, within no more than 60 days prior to the race in which it is entered.

D. A horse, other than a first-time starter, which has not started for a period of more than one year or more shall not be eligible to start until it has completed three timed workouts, at least one of which must be ~~before a~~ an official timed workout observed and approved by a commission veterinarian. ~~The timed workout before a commission veterinarian must occur within~~ no more than 30 days and no less than 48 hours prior to the race for which the horse is entered.

E. Official timed workouts shall be conducted under the same medication and testing rules applicable to racing. A horse is not eligible to be entered in a race until negative results of post-workout medication testing have been returned to the commission veterinarian.

~~E.~~ F. For all county fairs in which the average daily handle for the preceding year was less than \$150,000 all workout requirements shall be waived except that in the case of a horse that has not started for a period of one year, the owner or trainer must contact the commission veterinarian prior to entry for an examination and workout as determined by the commission veterinarian.

For the purposes of items D and ~~E~~ F, and removing a horse from the stewards' list, all workouts must be conducted under the same medication requirements as those for race days.

[For text of subps 17 and 18, see M.R.]

7883.0140 CLAIMING RACES.

[For text of subps 1 to 7, see M.R.]

Subp. 8. **Voided claims.** If a claim is voided by the stewards, the horse claimed shall be returned to the original owner who, in turn, shall refund all claim money to the unsuccessful claimant.

~~A. A claim made on a horse that suffers a fatality during the running of the race or is euthanized for a disarticulated joint, compound comminuted fracture, or fracture of the skull, spine, or pelvis, any of which occurred during or directly after the race, is automatically voided unless, prior to the race in which the horse is claimed, the claimant had elected to claim the horse regardless of the disposition of the horse.~~

~~B. An election made in item A shall be entered on the claim form in accordance with claiming rules.~~

[For text of subps 9 to 11, see M.R.]

Subp. 12. **Disclosure of bred mare.** If a filly or mare has been bred and is in foal, she is ineligible to be entered into a claiming race unless:

A. full written disclosure of that fact, on a form prescribed by the commission, is on file with and posted in the office of the racing secretary; and posted at the office of the commission veterinarian. The written disclosure must include, at a minimum, the date of last cover and the name of the stallion;

~~B. the breeding slip has been deposited with the racing secretary; and~~

~~C. B.~~ all payments due for the service in question and for any live progeny resulting from that service are paid in full; and

~~D. C.~~ the release of the breeding slip to the successful claimant at the time of the claim is guaranteed; ~~or,~~

~~E. in the alternative to items A to D, a licensed veterinarian's certificate dated at least 40 days after the last breeding of the mare or filly is on file with the racing secretary stating that the mare or filly is not in foal.~~

[For text of subps 13 to 31, see M.R.]

Subp. 32. **Report of corticosteroid joint injections.** The trainer of a claimed horse shall, within 72 hours after the race is made official, provide to the new trainer an accurate record of all corticosteroid joint injections that were administered to the horse within 30 days before the race.

7883.0160 POST TO FINISH.

[For text of subps 1 to 5, see M.R.]

Subp. 6. **Interference and willful fouling.** ~~The following rules shall~~ Items A to E apply with respect to the running of a race.

[For text of items A and B, see M.R.]

C. During a race no jockey shall willfully or carelessly strike or touch another jockey or another jockey's horse or equipment with the effect of interfering with that horse or jockey, nor shall a jockey strike the jockey's horse on or about the head area.

D. For willful fouling or careless riding, a jockey may be fined or suspended, or both, by the stewards according to the nature and seriousness of the offense.

E. A jockey whose horse has been disqualified or who unnecessarily caused the horse to change or shorten its stride for the purpose of losing a race may be fined or suspended.

Subp. 6a. **Use of riding crop.** Items A to E apply with respect to the use of a riding crop.

A. A jockey shall use a riding crop in a manner consistent with using the jockey's best efforts to win.

B. A jockey must not use the riding crop indiscriminately.

C. A jockey must not strike a horse more than three consecutive times without pausing to only push on the horse giving it a chance to respond before using the riding crop again.

D. Jockeys are prohibited from striking a horse:

(1) on the head, flanks, or on any part of its body other than the shoulders or hind quarters;

(2) during the post parade except when necessary to control the horse;

(3) excessively or brutally causing welts or breaks in the skin;

(4) when the horse is clearly out of the race or has obtained its maximum placing;

(5) persistently even ~~though~~ when the horse is showing no response under the riding crop; or

(6) after the race.

E. Correct uses of the riding crop are:

~~(a)~~ (1) showing horses the riding crop before hitting them;

~~(b)~~ (2) using the riding crop in rhythm with the horse's stride; and

~~(c)~~ (3) using the riding crop as an aid to maintain a horse running straight.

~~D. For willful fouling or careless riding a rider may be fined or set down or both by the stewards according to the nature and seriousness of the offense.~~

~~E. A jockey whose horse has been disqualified or who unnecessarily caused his or her horse to change or shorten its stride for the purpose of losing a race may be fined or suspended.~~

[For text of subps 7 to 13, see M.R.]

Subp. 14. ~~Horse becomes crippled or disabled or otherwise unable to finish.~~ The following procedures shall Items A to E apply if a horse during the running of a race becomes crippled disabled or otherwise obviously unable to finish (~~broken bone, profuse bleeding, or other equally disabling condition~~).

A. ~~It~~ The horse shall be dismounted, unsaddled by the jockey or ~~an~~ another MRC licensee, and removed from the course ~~without passing the stand~~ by horse ambulance.

[For text of items B to E, see M.R.]

7884.0270 EXPANDED HOMESTRETCH RACING.

Subpart 1. **Authority.** With the approval of the commission, a Class B or D licensee may expand the width of its homestretch by no less than ten feet nor more than 14 feet inward in relation to the width of the remainder of the racetrack.

Subp. 2. **Rules.** In the event the homestretch is expanded pursuant to subpart 1, the following shall apply:

A. When entering or while going through the homestretch for the first time in a race, no horse shall use the expanded inside lane in an attempt to pass other horses or improve its position. ~~Any~~ A horse ~~which~~ that does so shall be disqualified and placed ~~last~~ in the order of finish at the discretion of the stewards, whose decision shall be final.

B. The lead horse in the homestretch shall maintain its position giving the trailing horses full access to the expanded inside lane. If, in the opinion of the stewards, the lead horse changes course in the homestretch in an attempt to prevent a trailing horse from passing, ~~said~~ the horse shall be placed accordingly.

C. Horses using the expanded inside lane, during the homestretch drive for the finish of the race must first have complete clearance of the pylons marking the inside boundary of the race course. ~~Any~~ A horse or sulky running over one or more of the pylons or going inside the pylons, while attempting to use the expanded inside lane, may be disqualified and placed ~~last in the order of finish~~ at the discretion of the stewards, whose decision shall be final.

D. During the final one-eighth mile of a race, a horse may only be driven into the expanded homestretch lane for the purpose of passing another horse and shall not be driven into the expanded homestretch lane for the purpose of blocking a trailing horse. It shall be presumed that ~~any~~ a horse driven into the expanded homestretch lane which blocks a trailing horse, without advancing on the horse it was allegedly attempting to pass, was being driven for the purpose of blocking a trailing horse. If, in the opinion of a majority of the stewards, a horse is driven into the expanded homestretch lane for the purpose of blocking a trailing horse, the driver of the blocking horse may be fined ~~and/or~~ or suspended, or both, and the horse may be placed accordingly.

7890.0100 DEFINITIONS.

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

[For text of subps 1a to 3a, see M.R.]

Subp. 3b. [See repealer.]

[For text of subps 3c to 12b, see M.R.]

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. Nonsteroidal anti-inflammatory drugs (NSAIDs):

(1) The use of one of the three approved NSAIDs shall be permitted under the following conditions, with the exception of two-year-old race horses where no concentration of any NSAIDs, other than ~~but~~ phenylbutazone, are allowed in the plasma or serum sample taken after racing or official timed workouts:

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

(b) flunixin, provided that the test sample does not contain more than 20 nanograms of the substance thereof per milliliter of blood plasma or serum; and

(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 24 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 of the three approved NSAIDs, with the exception of phenylbutazone in a concentration below 0.3 micrograms per milliliter of serum or plasma and flunixin with a concentration below three nanograms per milliliter of serum or plasma, or any unapproved NSAID in the post-race serum or plasma sample, or sample taken after an official timed workout is not permitted; and shall constitute an NSAID stacking violation as follows:~~

(a) a Class 1 NSAID Stacking Violation (Penalty Class B) occurswhen:

i. two nonsteroidal anti-inflammatory drugs are found at individual levels exceeding the following restrictions:

<u>Diclofenac</u>	<u>5 nanograms per milliliter of plasma or serum;</u>
<u>Firocoxib</u>	<u>20 nanograms per milliliter of plasma or serum;</u>
<u>Flunixin</u>	<u>20 nanograms per milliliter of plasma or serum;</u>
<u>Ketoprofen</u>	<u>2 nanograms per milliliter of plasma or serum;</u>
<u>Phenylbutazone</u>	<u>2 micrograms per milliliter of plasma or serum; or</u>
<u>all other nonsteroidal anti-inflammatory drugs</u>	<u>laboratory concentration of detection;</u>

ii. three or more nonsteroidal anti-inflammatory drugs are found at individual levels exceeding the following restrictions:

<u>Diclofenac</u>	<u>5 nanograms per milliliter of plasma or serum;</u>
<u>Firocoxib</u>	<u>20 nanograms per milliliter of plasma or serum;</u>
<u>Flunixin</u>	<u>3 nanograms per milliliter of plasma or serum;</u>
<u>Ketoprofen</u>	<u>1 nanogram per milliliter of plasma or serum;</u>
<u>Phenylbutazone</u>	<u>0.3 micrograms per milliliter of plasma or serum; or</u>
<u>all other nonsteroidal anti-inflammatory drugs</u>	<u>laboratory concentration of detection;</u>

(b) a Class 2 NSAID Stacking Violation (Penalty Class C) occurswhen:

i. any one substance noted in unit (a), subunit (i), is found in excess of the restrictions contained therein in combination with any one of the following substances at levels below the restrictions so noted but in excess of the following levels:

<u>Flunixin</u>	<u>3 nanograms per milliliter of plasma or serum;</u>
<u>Ketoprofen</u>	<u>1 nanogram per milliliter of plasma or serum; or</u>
<u>Phenylbutazone</u>	<u>0.3 micrograms per milliliter of plasma or serum; or</u>

(c) a Class 3 NSAID Stacking Violation (Penalty Class C, fines only) occurs when any combination of two of the following nonsteroidal anti-inflammatory drugs are found at or below the restrictions in unit (a), but in excess of the noted restrictions:

<u>Flunixin</u>	<u>3 nanograms per milliliter of plasma or serum;</u>
<u>Ketoprofen</u>	<u>1 nanogram per milliliter of plasma or serum; or</u>
<u>Phenylbutazone</u>	<u>0.3 micrograms per milliliter of plasma or serum.</u>

(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, benzocaine, DMSO, lidocaine, steroids, or other medications.

D. Vitamins and electrolytes, provided the vitamins and electrolytes are administered orally and do not contain any medications.

[For text of subp 13a, see M.R.]

Subp. 13b. [See repealer.]

[For text of subps 13c to 21, see M.R.]

7890.0110 MEDICATIONS AND PRACTICES PROHIBITED.

[For text of subps 1 and 2, see M.R.]

Subp. 3. Extracorporeal shock wave therapy or radial pulse wave therapy.

The use of extracorporeal shock wave therapy or radial pulse wave therapy shall not be permitted unless the following conditions are met:

A. any treated horse shall not be permitted to race for a minimum of ten days following treatment with day one being the first day of treatment;

B. the use of extracorporeal shock wave therapy or radial pulse wave therapy machines shall be limited to veterinarians licensed by the commission and must be performed in a central location at the licensed racetrack determined by the commission veterinarian during hours specified by the commission veterinarian;

C. any extracorporeal shock wave therapy or radial pulse wave therapy machines on association grounds must be registered with the commission veterinarian prior to use; and

D. all extracorporeal shock wave therapy or radial pulse wave therapy treatments must be recorded on a form prescribed by the commission, and provided to the commission veterinarian 24 hours prior to use treatment.

[For text of subps 4 to 12, see M.R.]

7890.0130 FINDINGS OF CHEMIST.

Subpart 1. **Prima facie evidence.** A ~~post-race~~ finding by a chemist of any positive test or overage in the test sample of a horse taken after a race or official timed workout shall be considered prima facie evidence that the medication or ~~metabolites~~ metabolite, androgenic anabolic ~~steroids~~ steroid, substance foreign to the natural horse, or endogenous, dietary, or environmental ~~substances~~ substance, ~~NSAIDs~~ NSAID, or furosemide was administered to the horse prior to the race or official timed workout

and carried in the body of the horse while participating in a the race or official timed workout. A horse racing on furosemide must show a detectable concentration of the drug or metabolites in the post-race serum or plasma sample. A finding by a chemist of any venom or blood doping agent in the test sample of a horse shall be considered prima facie evidence that the venom or blood doping agent was administered to the horse prior to the race or official timed workout and carried in the body of the horse while participating in a race or official timed workout. A finding by a chemist of a level of TCO₂ greater than 37 millimoles per liter of blood in the test sample of a horse shall be considered prima facie evidence that an alkalinizing agent was administered to the horse prior to the race or official timed workout after which the test sample was taken.

[For text of subp 2, see M.R.]

7892.0120 TAKING OF SAMPLES.

Subpart 1. Horses tested.

A. ~~Blood and/or urine~~ After every race, test samples shall be taken from at least two horses, one of which must be the winning horse ~~in every race~~.

B. ~~Blood and/or urine~~ Test samples may be taken from ~~randomly selected~~ other horses on the grounds of a licensed racetrack as designated by the stewards or the commission veterinarian at any time upon suspicion that a violation of chapter 7890 has occurred. Horses to be tested may be selected at random or as otherwise reasonably determined by the stewards or commission veterinarian. Test results shall note whether the tested horse was racing in a competition at the time of the test.

C. Out-of-competition testing for blood ~~and/or~~ or gene doping agents or both may be performed under the direction of the stewards or the commission veterinarian on horses nominated for graded stakes as agreed to on the nomination form by the owner of the horse. Split samples shall be collected in accordance with subpart 5.

D. The stewards or commission veterinarian may require that specimens of hair, saliva, or other body fluid or excretion may be taken from a tested horse as deemed necessary by the stewards or the commission veterinarian to determine whether a violation of chapter 7890 has occurred.

E. Any owner, trainer, or other person having care, custody, or control of a horse required to be tested must submit the horse immediately.

[For text of subps 2 to 6, see M.R.]

7895.0275 STANDARDBRED REGISTRATION.

[For text of subp 1, see M.R.]

Subp. 2. **Foal certification.** In order for a horse bred in Minnesota to be registered and subsequently certified as Minnesota-bred, the ~~following~~ requirements in items A to C must be met:

A. The USTA certificate of registration must be ~~embossed by the Racing Commission or~~ available for review through the official registering agency prior to entry into any restricted race.

[For text of items B and C, see M.R.]

[For text of subps 3 to 5, see M.R.]

7897.0100 PROHIBITED ACTS.

[For text of subps 1 to 19, see M.R.]

Subp. 20. **Possession, administration to, or presence in a horse of a prohibited drug, substance, medication or metabolites, biological product, growth hormone, hormone releasing factor, venom, or synthetic analog of venom.**

A. No person may possess or administer, on the premises of a licensed association under the jurisdiction of the commission, a prohibited drug, substance foreign

to the natural horse, medication or metabolites, biological product, blood doping agent, growth hormone, venom, synthetic analogue of venom, derivative of venom, or synthetic analogue of a derivative of venom, or a synthetic or natural analogue of a hormone releasing factor that has not been approved by the United States Department of Agriculture (USDA) or the United States Food and Drug Administration (FDA) for any use in humans or animals without prior permission of the stewards or judges and commission veterinarian.

B. No person may possess or administer a prohibited drug, substance, medication or metabolites, biological product, venom, synthetic analogue of venom, derivative of venom, synthetic analogue of a derivative of venom, synthetic or natural analogue of a hormone releasing factor, or growth hormone on the premises of a facility under the jurisdiction of the commission:

[For text of subitems (1) to (4), see M.R.]

C. The presence in or administration to a horse of the following, on the premises of a licensed association under the jurisdiction of the commission, is prohibited at any time:

[For text of subitem (1), see M.R.]

(2) naturally produced venoms, synthetic analogues of venoms, derivatives of venoms, synthetic analogues of derivatives of venoms, synthetic or natural analogues of hormone releasing factors, or growth hormone;

[For text of subitems (3) and (4), see M.R.]

[For text of items D to F, see M.R.]

[For text of subp 21, see M.R.]

REPEALER. Minnesota Rules, parts 7870.0510; 7871.0020; 7871.0080; 7871.0090, subpart 3; 7871.0120; 7871.0130; 7871.0140; 7873.0185, subpart 8; 7873.0188, subpart 8; 7884.0230, subparts 3 and 3a; 7890.0100, subparts 3b and 13b; and 7899.0100, are repealed.