

**CHAPTER 45.
PROHIBITED PRACTICES AND
EQUINE TESTING**

3A O.S., § 204(A)

325:45-1-1. Purpose

It is the purpose of the rules in this Chapter to protect the integrity of horse racing, safeguard the health of horses, and defend the interests of the public and racing participants through the prohibition or control of all substances, as authorized under the provisions of the Oklahoma Horse Racing Act, 3A O.S., § 200 et seq. The rules contained within this Chapter shall be considered medication rules for the application of 75 O.S. § 250.4(B)(13)(b).

[Source: Amended at 16 Ok Reg 3307, eff 7-26-99; Amended at 35 Ok Reg, eff 12-18-17 (emergency)]

325:45-1-2. Definitions

In addition to the definitions provided at 3A O.S. § 200.1, the following words or terms, when used in this Chapter, shall have the following meanings, unless the context clearly indicates otherwise:

"Act" means the Oklahoma Horse Racing Act 3A O.S. § 200 et seq.

"Analog" means any chemical with structural or chemical similarity to the parent or original chemical.

"Assistant Trainer" means a person qualified and licensed by the Commission as an Assistant Trainer.

"Biological sample" means any physical sample collected from any part of a horse.

"Bleeder" means a horse that is bleeding through one or both nostrils or hemorrhaging in the lumen of the respiratory tract during or following exercise or a race.

"Chemical" means a substance having a specific molecular composition.

"Commissioner" means a member of the Oklahoma Horse Racing Commission.

"Conditions of a race" means the requirements which determine the eligibility of a horse to be entered in a race.

"Day" means a 24-hour period beginning and ending at midnight.

"Enclosure" means all buildings and grounds of the Organization licensee and shall include both public areas and areas with restricted access.

"Entered horse" means a horse appearing on the overnight sheet posted by the Racing Secretary.

"Horse" means any equine including mares, fillies, stallions, colts, and geldings.

"Listed threshold" means the maximum concentration of a substance detected in a post-race test which is permitted within a particular breed of horse by Commission rules.

"Metabolite" or **"metabolic derivative"** means any by-product resulting from a substance metabolizing within a horse's body.

"ml" means the standard unit of volume, milliliter.

"Naturally occurring substance" means any chemical, analog, metabolite, or metabolic derivative that exists naturally in the body of an untreated horse.

"ng" means the standard unit of weight, nanogram.

"Official Veterinarian" means a person who is licensed to practice veterinary medicine by the State of Oklahoma and employed by the Commission and qualified and licensed by the Commission as an Official Veterinarian.

"Out of competition testing" means any testing within the enclosure by the Official Veterinarian that is not pre-race testing or post-race testing.

"Organization license" means a state requirement for any person or entity conducting a race meeting in Oklahoma within the minimum standards required by the Act and the rules of the Commission.

"Owner" means any person who holds in whole or in part, any right, title or interest in a horse or any person who is a Lessee or Lessor of a horse and has been duly issued a currently-valid Owner license as a person responsible for such horse.

"Permitted substance" means any substance having a listed threshold for a particular breed of horse unless otherwise specified by Commission rules.

"pg" means the standard unit of weight, picogram.

"Plasma" means the fluid portion of the blood, which includes fibrinogen but does not include blood cells.

"Post-race testing" means the collection of biological samples by the Official Veterinarian or designee from any horse participating in a race and directed to report to the test barn following the finish of a race or as otherwise provided by Commission rules if the horse cannot report to the test barn.

"Practicing veterinarian" means a person employed by a trainer or owner to medically treat horses, is licensed to practice veterinary medicine by the State of Oklahoma, and is licensed as a veterinarian by the Commission.

"Pre-race testing" means the collection of

biological samples by the Official Veterinarian or designee from any horse entered to participate in a race prior to the actual running of the race.

"Prima Facie evidence" means evidence sufficient to establish a fact unless rebutted by other evidence.

"Primary Laboratory" means the laboratory or subcontractor of the laboratory approved by the Commission for primary analysis of biological samples.

"Prohibited substance" means any substance, chemical, or analog that is not listed by Commission rules as a permitted substance for a particular breed of horse or is not a naturally occurring substance.

"Race" means a contest between horses.

"Race day" means a day during a race meeting when live races are conducted at that racetrack.

"Racing Veterinarian" means a person who is licensed to practice veterinary medicine by the State of Oklahoma, employed by the organization licensee, and qualified and licensed by the Commission as a Racing Veterinarian.

"Referee Laboratory" means a Commission approved laboratory which accepts referee/split samples previously reported positive for prohibited substances reported as exceeding the listed threshold for a permitted substance, or reported as exceeding the concentration that naturally occurring substance may occur by the primary laboratory.

"Steward" means a duly appointed Racing Official with powers and duties specified by statutes or rules.

"Serum" means the liquid portion of plasma that remains after fibrinogen has been removed.

"Substance" means any kind of physical matter existing in a solid, liquid, or gaseous state or some combination thereof and includes any drugs or medications referred to under the Oklahoma Horse Racing Act, 3A O.S. § 200 et seq.

"Substance violation" means any violation of medication laws or the rules contained within this Chapter.

"Test Barn" means a structure with sufficient facilities to collect biological samples in the manner required by Commission rules.

"Trainer" means a person qualified and licensed by the Commission as a Trainer.

"ug" means the standard unit of weight, microgram."

"Veterinarian's list" means the veterinarian's list specified by OAC 325:20-1-23.

"Week" means a seven (7) day period.

"Year" means a 365 day period.

[Source: Amended at 16 Ok Reg 3307, eff 7-26-99;

Amended at 17 Ok Reg 2420, eff 6-26-00; Amended at 20 Ok Reg 1231, eff 5-27-03; Amended at 23 Ok Reg 2071, eff 5-9-06 (emergency); Amended at 23 Ok Reg 977, eff 5-11-06; Amended at 23 Ok Reg 2594, eff 6-25-06; Amended at 30 Ok Reg 511, eff 5-15-13; Amended at 35 Ok Reg, eff 12-18-17 (emergency)]

325:45-1-3. Intent of Medication Rules [REVOKED]

[Source: Amended at 16 Ok Reg 3307, eff 7-26-99; Revoked at 35 Ok Reg, eff 12-18-17 (emergency)]

325:45-1-4. Substance Violations

(a) Except as authorized by the provisions of this Chapter and Chapter 40 of the rules of the Commission, no substance shall be administered to any horse within 24 hours prior to the running of a race in which the horse is entered.

(b) The primary laboratory's detection of a prohibited substance in a biological sample collected from any horse during out-of-competition testing, pre-race testing, or post-race testing by the Official Veterinarian or designee shall constitute prima facie evidence that a substance violation occurred and may, at the discretion of the Stewards or Commission, result in summary suspension of the responsible trainer, disqualification of the horse, placement of the horse on the veterinarian's list, placement of the horse on the Stewards' list, and other penalties authorized by the Act and the rules of the Commission.

(c) The primary laboratory's detection of a permitted substance exceeding listed thresholds in a biological sample collected from any horse during post-race testing by the Official Veterinarian or designee shall constitute prima facie evidence that a substance violation occurred and may, at the discretion of the Stewards or Commission, result in summary suspension of the responsible trainer, disqualification of the horse, placement of the horse on the veterinarian's list, placement of the horse on the Stewards' list, and other penalties authorized by the Act and the rules of the Commission.

(d) The primary laboratory's detection of a naturally occurring substance exceeding listed thresholds or exceeding concentrations that the substance may naturally occur in a biological sample collected from any horse during post-race testing by the Official Veterinarian or designee shall constitute prima facie evidence that a substance violation occurred and may, at the discretion of the Stewards or Commission, result in summary suspension of the responsible trainer, disqualification of the horse, placement of the horse on the veterinarian's list, placement of the horse on

the Stewards' list, and other penalties authorized by the Act and the rules of the Commission.

(e) It shall be presumed that biological samples tested by a laboratory approved by the Commission are collected from the horse in question; that the integrity of the biological sample is preserved; that all accompanying procedures of collection, preservation, transfer to the laboratory, and analyses of the sample are correct and accurate; and that the report received from the laboratory pertains to the sample collected from the horse in question and correctly reflects the condition of the horse on the day the biological sample was collected.

(f) Except as otherwise provided by Commission rules, the Owner or Owners of a horse disqualified for a substance violation shall not participate in any portion of the purse or stakes and any trophy or other awards shall be returned to the Stewards for redistribution to other race participants.

(g) The trainer or owner contesting prima facie evidence of a substance violation shall have the burden of proof to establish that no substance violation occurred or that other evidence mitigates the severity of punishment.

[**Source:** Amended at 10 Ok Reg 4731, eff 9-28-93 (emergency); Amended at 11 Ok Reg 3195, eff 6-27-94; Amended at 13 Ok Reg 2159, eff 6-14-96; Amended at 20 Ok Reg 1231, eff 5-27-03; Amended at 23 Ok Reg 2071, eff 5-9-06 (emergency); Amended at 23 Ok Reg 2594, eff 6-25-06; Amended at 35 Ok Reg, eff 12-18-17 (emergency)]

325:45-1-5. Collection and Testing of Biological Samples

(a) The Official Veterinarian or designee shall collect biological samples from the winner of every race and from such other horses as the Stewards or the Commission may designate.

(b) The Official Veterinarian or designee may collect biological samples for pre-race testing, post-race testing, and out-of-competition testing as required by Commission rules, at his own discretion, or at the direction of the Stewards or the Commission.

(c) The Official Veterinarian or designee shall either retain the biological samples or submit the biological samples for testing as required by Commission rules.

(d) The primary biological sample shall be tested for the presence of prohibited substances, permitted substances, and naturally occurring substances by the primary laboratory.

(e) Both the trainer and owner of a horse shall be notified of any finding by the primary laboratory of a

substance violation and may request a split test as provided in this Chapter. The Commission employee that notifies a trainer or owner shall document the communication with sufficient detail to verify notice was provided.

[**Source:** Amended at 10 Ok Reg 4731, eff 9-28-93 (emergency); Amended at 11 Ok Reg 3195, eff 6-27-94; Amended at 12 Ok Reg 1697, eff 6-12-95; Amended at 16 Ok Reg 3307, eff 7-26-99; Amended at 20 Ok Reg 1231, eff 5-27-03; Amended at 23 Ok Reg 2071, eff 5-9-06 (emergency); Amended at 23 Ok Reg 2594, eff 6-25-06; Amended at 35 Ok Reg, eff 12-18-17 (emergency)]

325:45-1-6. Use of Permitted Substances

(a) Except as otherwise authorized by Commission rules:

(1) no horse carrying a prohibited substance in its body shall be brought within the enclosure, entered into a race, or participate in a race;

(2) no horse carrying a permitted substance in its body with a concentration exceeding listed thresholds shall participate in a race; or

(3) no horse carrying a naturally occurring substance in its body with a concentration exceeding the concentration such substance could occur naturally shall participate in a race.

(b) Any substance that masks or screens the presence or concentration of prohibited substances, permitted substances, or naturally occurring substances; or prevent or delay testing procedures shall be considered a prohibited substance.

[**Source:** Amended at 10 Ok Reg 4731, eff 9-28-93 (emergency); Amended at 11 Ok Reg 3195, eff 6-27-94; Amended at 16 Ok Reg 3307, eff 7-26-99; Amended at 20 Ok Reg 1231, eff 5-27-03; Amended at 23 Ok Reg 2071, eff 5-9-06 (emergency); Amended at 23 Ok Reg 2594, eff 6-25-06; Amended at 26 Ok Reg 808, eff 4-25-09; Amended at 35 Ok Reg, eff 12-18-17 (emergency)]

325:45-1-6.1. Listed Thresholds for Thoroughbreds

(a) The thresholds listed in this section shall be considered listed threshold for permitted substances or, if specified as such, naturally occurring substances in Thoroughbreds.

(b) Non-steroidal anti-inflammatories shall be considered prohibited substances except for the chemicals listed below and their corresponding

analogues and metabolites in concentrations not exceeding the listed threshold:

- (1) Diclofenac: 5 ng/ml in biological samples consisting of plasma or serum;
- (2) Dipyron: 20 ng/ml in biological samples consisting of plasma or serum;
- (3) Firocoxib: 20 ng/ml in biological samples consisting of plasma or serum;
- (4) Flunixin: 20 ng/ml in biological samples consisting of plasma or serum;
- (5) Ketoprofen: 2 ng/ml in biological samples consisting of plasma or serum;
- (6) Naproxen: 750 ng/ml in biological samples consisting of plasma or serum; or
- (7) Phenylbutazone: 2 ug/ml in biological samples consisting of plasma or serum.

(c) Corticosteroids shall be considered prohibited substances except for the chemicals listed below and their corresponding analogues and metabolites in concentrations not exceeding the listed threshold:

- (1) Betamethasone: 10 pg/ml in biological samples consisting of plasma or serum;
- (2) Dexamethasone: 5 pg/ml in biological samples consisting of plasma or serum;
- (3) Isoflupredone: 100 pg/ml in biological samples consisting of plasma or serum;
- (4) Methylprednisolone: 100 pg/ml in biological samples consisting of plasma or serum;
- (5) Prednisolone: 1 ng/ml in biological samples consisting of plasma or serum; or
- (6) Triamcinolone Acetonide: 100 pg/ml in biological samples consisting of plasma or serum.

(d) Other substances shall be considered prohibited substances except for the chemicals listed below and their corresponding analogues and metabolites in concentrations not exceeding the listed threshold:

- (1) Acepromazine: 10 ng/ml in biological samples consisting of urine;
- (2) Albuterol: 1 ng/ml in biological samples consisting of urine;
- (3) Butorphanol: 300 ng/ml of total Butorphanol in biological samples consisting of urine or 2 ng/ml of free butorphanol in biological samples consisting of plasma or serum;
- (4) Cetirizine: 6 ng/ml in biological samples consisting of plasma or serum;
- (5) Cimetidine: 400 ng/ml in biological samples consisting of plasma or serum;
- (6) Clenbuterol: 140 pg/ml in biological samples consisting of urine or at the level of detection in biological samples consisting of plasma or serum;
- (7) Dantrolene: 100 pg/ml of 5-

hydroxydantrolene in biological samples consisting of plasma or serum;

- (8) Detomidine: 1 ng/ml in biological samples consisting of plasma or serum;
- (9) Dimethyl Sulfoxide (DMSO): 10 ug/ml in biological samples consisting of plasma or serum;
- (10) Furosemide: 100 ng/ml in biological samples consisting of plasma or serum;
- (11) Glycopyrrolate: 3 pg/ml in biological samples consisting of plasma or serum;
- (12) Guaifenesin: 12 ng/ml in biological samples consisting of plasma or serum;
- (13) Lidocaine: 25 pg/ml of total 30H-lidocaine in biological samples consisting of plasma or serum;
- (14) Mepivacaine: 10 ng/ml in biological samples consisting of urine or at the level of detection in biological samples consisting of plasma or serum;
- (15) Methocarbamol: 1 ng/ml in biological samples consisting of plasma or serum;
- (16) Omeprazole: omeprazole sulfide- 10 ng/ml in biological samples consisting of plasma or serum;
- (17) Procaine Penicillin: 25 ng/ml in biological samples consisting of plasma or serum;
- (18) Pyrilamine: 50 ng/ml in biological samples consisting of plasma or serum;
- (19) Ranitidine: 40 ng/ml in biological samples consisting of plasma or serum; or
- (20) Xylazine: 200 pg/ml in biological samples consisting of plasma or serum.

(e) Androgenic-Anabolic Steroids (AAS) shall be considered prohibited substances except for the chemicals listed below and their corresponding analogues and metabolites in concentrations not exceeding the listed threshold:

- (1) The naturally occurring substance, boldenone, shall be permitted in concentrations not exceeding:
 - (A) 25 pg/ml in biological samples consisting of plasma or serum for all horses, regardless of sex;
 - (B) 1 ng/ml in biological samples consisting of urine for fillies, mares, or geldings; or
 - (C) 15 ng/ml in biological samples consisting of urine for male horses other than geldings.
- (2) The naturally occurring substance, nandrolone, shall be permitted in concentrations not exceeding:
 - (A) 25 pg/ml in biological samples consisting of plasma or serum for fillies, mares, and geldings;

- (B) 1 ng/ml in biological samples consisting of urine for fillies, mares, or geldings; or
- (C) 45 ng/ml in biological samples consisting of urine for male horses other than geldings.
- (3) The naturally occurring substance, testosterone, shall be permitted in concentrations not exceeding:
 - (A) 25 pg/ml in biological samples consisting of plasma or serum for fillies, mares, and geldings;
 - (B) 55 ng/ml in biological samples consisting of urine for fillies, mares (unless in foal); or
 - (C) 20 ng/ml in biological samples consisting of urine for geldings.
 - (D) The concentration of testosterone is not regulated or restricted in fillies or mares that are confirmed pregnant on the day of racing or in male horses other than geldings.
- (f) Environmental contaminants shall be considered prohibited substances except for the chemicals listed below and their corresponding analogs and metabolites in concentrations not exceeding listed threshold:
 - (1) Arsenic: 0.3 ug/ml total arsenic in biological samples consisting of urine;
 - (2) Atropine: 70 ng/ml in biological samples consisting of urine;
 - (3) Gamma Aminobutyric Acid (GABA): 110 ng/ml in biological samples consisting of plasma or serum;
 - (4) Hydrocortisone: 1 ug/ml in biological samples consisting of urine;
 - (5) Methoxytyramine: 4 ug/ml, in biological samples consisting of urine;
 - (6) Salicylate, Salicylic Acid: 750 ug/ml in biological samples consisting of urine or 6.5 ug/ml in biological samples consisting of plasma or serum;
 - (7) Theobromine: 2 ug/ml in biological samples consisting of urine or 0.3 ug/ml in biological samples consisting of plasma or serum;
 - (8) Cobalt: 50 ng/ml in biological samples consisting of plasma or serum;
 - (9) Caffeine: 100 ng/ml in biological samples consisting of plasma or serum; or
 - (10) Estradiol: 0.045 ug/ml in biological samples consisting of urine for male horses other than geldings.
- (g) The use of non-steroidal anti-inflammatories and corticosteroids are subject to the additional conditions:

- (1) The presence of more than two permitted non-steroidal anti-inflammatories in a biological sample consisting of plasma or serum is prohibited; or
- (2) The presence of more than two corticosteroids in a biological sample consisting of plasma or serum is prohibited.

[Source: Added at 35 Ok Reg, eff 12-18-17 (emergency)]

325:45-1-6.2. Listed Thresholds for Quarter Horses, Paints, and Appaloosas

- (a) The thresholds listed in this section shall be considered listed threshold for permitted substances or, if specified as such, naturally occurring substances in Quarter Horses, Paints, and Appaloosas.
- (b) Non-steroidal anti-inflammatories shall be considered prohibited substances except for the chemicals listed below and their corresponding analogs and metabolites in concentrations not exceeding the listed threshold:
 - (1) Diclofenac: 5 ng/ml in biological samples consisting of plasma or serum;
 - (2) Dipyron: 20 ng/ml in biological samples consisting of plasma or serum;
 - (3) Firocoxib: 20 ng/ml in biological samples consisting of plasma or serum;
 - (4) Flunixin: 20 ng/ml in biological samples consisting of plasma or serum;
 - (5) Ketoprofen: 2 ng/ml in biological samples consisting of plasma or serum;
 - (6) Naproxen: 750 ng/ml in biological samples consisting of plasma or serum; or
 - (7) Phenylbutazone: 2 ug/ml in biological samples consisting of plasma or serum.
- (c) Corticosteroids shall be considered prohibited substances except for the chemicals listed below and their corresponding analogs and metabolites in concentrations not exceeding the listed threshold:
 - (1) Betamethasone: 10 pg/ml in biological samples consisting of plasma or serum;
 - (2) Dexamethasone: 5 pg/ml in biological samples consisting of plasma or serum;
 - (3) Isoflupredone: 100 pg/ml in biological samples consisting of plasma or serum;
 - (4) Methylprednisolone: 100 pg/ml in biological samples consisting of plasma or serum;
 - (5) Prednisolone: 1 ng/ml in biological samples consisting of plasma or serum; or
 - (6) Triamcinolone Acetonide: 100 pg/ml in biological samples consisting of plasma or serum.
- (d) Other substances shall be considered prohibited substances except for the chemicals

listed below and their corresponding analogs and metabolites in concentrations not exceeding the listed threshold:

- (1) Acepromazine: 10 ng/ml in biological samples consisting of urine;
 - (2) Butorphanol: 300 ng/ml of total Butorphanol in biological samples consisting of urine or 2 ng/ml of free butorphanol in biological samples consisting of plasma or serum;
 - (3) Cetirizine: 6 ng/ml in biological samples consisting of plasma or serum;
 - (4) Cimetidine: 400 ng/ml in biological samples consisting of plasma or serum;
 - (5) Dantrolene: 100 pg/ml of 5-hydroxydantrolene in biological samples consisting of plasma or serum;
 - (6) Detomidine: 1 ng/ml in biological samples consisting of plasma or serum;
 - (7) Dimethyl Sulfoxide (DMSO): 10 ug/ml in biological samples consisting of plasma or serum;
 - (8) Furosemide: 100 ng/ml in biological samples consisting of plasma or serum;
 - (9) Glycopyrrolate: 3 pg/ml in biological samples consisting of plasma or serum;
 - (10) Guaifenesin: 12 ng/ml in biological samples consisting of plasma or serum;
 - (11) Lidocaine: 25 pg/ml of total 30H-lidocaine in biological samples consisting of plasma or serum;
 - (12) Mepivacaine: 10 ng/ml in biological samples consisting of urine or at the level of detection in biological samples consisting of plasma or serum;
 - (13) Methocarbamol: 1 ng/ml in biological samples consisting of plasma or serum;
 - (14) Omeprazole: omeprazole sulfide- 10 ng/ml in biological samples consisting of plasma or serum;
 - (15) Procaine Penicillin: 25 ng/ml in biological samples consisting of plasma or serum;
 - (16) Pyrilamine: 50 ng/ml in biological samples consisting of plasma or serum;
 - (17) Ranitidine: 40 ng/ml in biological samples consisting of plasma or serum; or
 - (18) Xylazine: 200 pg/ml in biological samples consisting of plasma or serum.
- (e) Androgenic-Anabolic Steroids (AAS) shall be considered prohibited substances except for the chemicals listed below and their corresponding analogs and metabolites in concentrations not exceeding the listed threshold:
- (1) The naturally occurring substance, boldenone, shall be permitted in concentrations not exceeding:

- (A) 25 pg/ml in biological samples consisting of plasma or serum for all horses, regardless of sex;
 - (B) 1 ng/ml in biological samples consisting of urine for fillies, mares, or geldings; or
 - (C) 15 ng/ml in biological samples consisting of urine for male horses other than geldings.
- (2) The naturally occurring substance, nandrolone, shall be permitted in concentrations not exceeding:
- (A) 25 pg/ml in biological samples consisting of plasma or serum for fillies, mares, and geldings;
 - (B) 1 ng/ml in biological samples consisting of urine for fillies, mares, or geldings; or
 - (C) 45 ng/ml in biological samples consisting of urine for male horses other than geldings.
- (3) The naturally occurring substance, testosterone, shall be permitted in concentrations not exceeding:
- (A) 25 pg/ml in biological samples consisting of plasma or serum for fillies, mares, and geldings;
 - (B) 55 ng/ml in biological samples consisting of urine for fillies, mares (unless in foal); or
 - (C) 20 ng/ml in biological samples consisting of urine for geldings.
 - (D) The concentration of testosterone is not regulated or restricted in fillies or mares that are confirmed pregnant on the day of racing or in male horses other than geldings.
- (f) Environmental contaminants shall be considered prohibited substances except for the chemicals listed below and their corresponding analogs and metabolites in concentrations not exceeding listed threshold:
- (1) Arsenic: 0.3 ug/ml total arsenic in biological samples consisting of urine;
 - (2) Atropine: 70 ng/ml in biological samples consisting of urine;
 - (3) Gamma Aminobutyric Acid (GABA): 110 ng/ml in biological samples consisting of plasma or serum;
 - (4) Hydrocortisone: 1 ug/ml in biological samples consisting of urine;
 - (5) Methoxytyramine: 4 ug/ml, in biological samples consisting of urine;
 - (6) Salicylate, Salicylic Acid: 750 ug/ml in biological samples consisting of urine or 6.5 ug/ml in biological samples consisting of plasma or serum;

(7) Theobromine: 2 ug/ml in biological samples consisting of urine or 0.3 ug/ml in biological samples consisting of plasma or serum;

(8) Cobalt: 50 ng/ml in biological samples consisting of plasma or serum;

(9) Caffeine: 100 ng/ml in biological samples consisting of plasma or serum; or

(10) Estradiol: 0.045 ug/ml in biological samples consisting of urine for male horses other than geldings.

(g) The use of non-steroidal anti-inflammatories and corticosteroids are subject to the additional conditions:

(1) The presence of more than two permitted non-steroidal anti-inflammatories in a biological sample consisting of plasma or serum is prohibited; or

(2) The presence of more than two corticosteroids in a biological sample consisting of plasma or serum is prohibited.

[Source: Added at 35 Ok Reg, eff 12-18-17 (emergency)]

325:45-1-7. Authority to Test Sample [REVOKED]

[Source: Amended at 10 Ok Reg 4731, eff 9-28-93 (emergency); Amended at 11 Ok Reg 3195, eff 6-27-94; Amended at 16 Ok Reg 3307, eff 7-26-99; Amended at 20 Ok Reg 1231, eff 5-27-03; Amended at 23 Ok Reg 2071, eff 5-9-06 (emergency); Amended at 23 Ok Reg 2594, eff 6-25-06; Revoked at 35 Ok Reg, eff 12-18-17 (emergency)]

325:45-1-8. Furosemide (Salix) Use with Detention Barn [REVOKED]

[Source: Amended at 20 Ok Reg 1231, eff 5-27-03; Revoked at 23 Ok Reg 2071, eff 5-9-06 (emergency); Revoked at 23 Ok Reg 2594, eff 6-26-06]

325:45-1-9. Furosemide Use

(a) Furosemide shall be permitted under the following conditions:

(1) The dose of Furosemide shall be administered intravenously.

(2) Furosemide shall not be administered within four hours of post time for the race in which the horse is entered.

(3) The concentration of Furosemide in the post-race biological sample consisting of blood or plasma shall not exceed the listed threshold.

(b) The following penalties shall be imposed for violations of this section:

(1) For a first offense, the Stewards shall impose a fine on the trainer of Five Hundred Dollars (\$500.00) for violation of this section.

(2) For a second offense involving the same horse within a one year period, the Stewards shall impose a fine on the trainer of One Thousand Dollars (\$1,000) for violation of this section unless the trainer was not notified of the first offense prior to the second running of the horse, in which case the Stewards shall impose a fine of Five Hundred Dollars (\$500.00) for the second offense.

(3) For a third offense or additional offenses involving the same horse within a one year period, the Stewards shall impose a fine on the trainer of Two Thousand Five Hundred Dollars (\$2,500) and may suspend the trainer for up to one year for violation of this section unless the trainer was not notified of the second offense prior to the third running of the horse, in which case the Stewards shall impose a fine of Two Thousand Five Hundred Dollars (\$2,500) and no trainer suspension for the third offense.

(4) When trainer has a third offense or additional offenses involving the same horse within a one year period, the horse shall be disqualified, the owner or owners of the horse shall not participate in any portion of the purse or stakes, and any trophy or other award shall be returned unless the trainer was not notified of the second offense prior to the third running of the horse.

(c) Entering a horse to race with Furosemide and failure to have a detectable concentration of Furosemide in the biological sample consisting of plasma or serum collected during post-race testing shall be a substance violation.

(1) The trainer of a horse entered to race with Furosemide without a detectable level of Furosemide in the biological sample collected during post-race testing shall be fined Five Hundred Dollars (\$500.00).

(2) The practicing veterinarian treating a horse entered to race with Furosemide without a detectable level of Furosemide in the biological sample collected during post-race testing shall also be subject to a Five Hundred (\$500.00) fine should the Stewards determine that there was negligence on the practicing veterinarian's part.

[Source: Amended at 10 Ok Reg 4731, eff 9-28-93 (emergency); Amended at 11 Ok Reg 3195, eff 6-27-94; Amended at 13 Ok Reg 2573, eff 06-28-96;

Amended at 17 Ok Reg 3525, eff 8-31-00 through 7-14-01 (emergency); Amended at 20 Ok Reg 1231, eff 5-27-03; Amended at 23 Ok Reg 2071, eff 5-9-06 (emergency); Amended at 23 Ok Reg 2594, eff 6-25-06; Amended at 24 Ok Reg 973, eff 5-11-07; Amended at 32 Ok Reg 1197, eff 8-27-15; Amended at 35 Ok Reg, eff 12-18-17 (emergency)]

325:45-1-9.1. Phenylbutazone Use

(a) Phenylbutazone shall be permitted under the following conditions:

(1) Phenylbutazone shall not be administered within twenty-four (24) hours prior to post time for the race in which the horse is entered.

(2) The concentration of Phenylbutazone in the post-race biological sample consisting of blood or plasma shall not exceed the listed threshold.

(b) The following penalties shall be imposed for violations of this section when the concentration of Phenylbutazone exceeds 2 ug/ml but does not exceed 5 ug/ml in a biological sample consisting of plasma or serum:

(1) For a first offense, the Stewards shall give the trainer a written warning of the violation of this section.

(2) For a second offense involving the same horse within a one year period, the Stewards shall impose a fine on the trainer of Two Hundred Fifty Dollars (\$250) and the Stewards may require the horse which is the subject of the second offense to pass an examination by the Official Veterinarian or designee before being eligible to participate in another race.

(3) For a third offense or additional offenses involving the same horse within a one year period, the Stewards shall impose a fine on the trainer of Five Hundred Dollars (\$500), the horse shall be disqualified, the owner or owners of the horse shall not participate in any portion of the purse or stakes, and any trophy or other award, and the Stewards shall require the horse which is the subject of the third or additional offenses to pass an examination by the Official Veterinarian or designee before being eligible to participate in another race.

(c) The following penalties shall be imposed for violations of this section when the concentration of Phenylbutazone exceeds 5 ug/ml in a biological sample consisting of plasma or serum:

(1) For a first offense, the Stewards shall impose a fine on the trainer of Five Hundred Dollars (\$500) and the Stewards shall require the horse which is the subject of the second

offense to pass an examination by the Official Veterinarian or designee before being eligible to participate in another race.

(2) For a second offense within a one year period, the Stewards shall impose a fine on the trainer of One Thousand Dollars (\$1,000), the horse shall be disqualified, the owner or owners of the horse shall not participate in any portion of the purse or stakes, and any trophy or other award, and the Stewards shall require the horse which is the subject of the second offense to pass an examination by the Official Veterinarian or designee before being eligible to participate in another race. If the horse which is the subject of the second offense is also the subject of the first offense, the horse shall be placed on the veterinarian's list for forty-five (45) days.

(3) For a third offense or additional offenses within a one year period, the Stewards shall impose a fine on the trainer of Two Thousand Five Hundred Dollars (\$2,500), the horse shall be disqualified, the owner or owners of the horse shall not participate in any portion of the purse or stakes, and any trophy or other award, and the Stewards shall require the horse which is the subject of the third offense to pass an examination by the Official Veterinarian or designee before being eligible to participate in another race. If the horse which is the subject of the second offense is also the subject of the first offense, the horse shall be placed on the veterinarian's list for sixty (60) days.

(4) For a fifth offense or additional offenses within a one year period, the trainer shall be referred to the Stewards for disciplinary action.

[Source: Added at 35 Ok Reg, eff 12-18-17 (emergency)]

325:45-1-10. Conditional Furosemide (Lasix) Use [REVOKED]

[Source: Amended at 20 Ok Reg 1231, eff 5-27-03; Revoked at 23 Ok Reg 2071, eff 5-9-06 (emergency); Revoked at 23 Ok Reg 2594, eff 6-25-06]

325:45-1-11. Trainer Responsibility

(a) The trainer of a horse which is the subject of a substance violation shall be responsible for the substance violation. At the discretion of the Stewards or Commission, a trainer and all other Commission licensed persons shown to have cared for, had custody of, or treated the horse which is the

subject of a substance violation may be fined or suspended or both.

(b) If the trainer is or plans to be absent from the enclosure on race day, the trainer may designate another licensed trainer or assistant trainer to be responsible for saddling horses after obtaining the Stewards approval for the substitution. Designation of an another licensed trainer or assistant trainer shall not relieve the trainer from absolute responsibility for the condition and eligibility of a horse.

(c) Failure to disclose the actual trainer of a horse participating in a race shall be grounds to disqualify the horse and subject the actual trainer to possible disciplinary action by the Stewards or the Commission.

(d) Any act or omission by a trainer or a person under the supervision of the trainer which prevents or interferes with the collection of biological samples as described by this Chapter shall be a violation of rules and a cause for disqualification of the horse involved and such other penalties as the Stewards or the Commission deem appropriate.

[**Source:** Amended at 20 Ok Reg 1231, eff 5-27-03; Amended at 23 Ok Reg 2071, eff 5-9-06 (emergency); Amended at 23 Ok Reg 2594, eff 6-25-06; Amended at 35 Ok Reg, eff 12-18-17 (emergency)]

325:45-1-12. Bleeder Lists

(a) At each race meeting, the Official Veterinarian or designee shall maintain a bleeder list.

(b) The Official Veterinarian shall identify horses demonstrating visible external evidence of exercise-induced pulmonary hemorrhage or the existence of hemorrhage in the trachea post-exercise upon endoscopic examination sufficient to impair the ability of the horse to race safely on the bleeder list.

(c) The Official Veterinarian shall post bleeder lists in the racing office and make bleeder lists available to Stewards and racing officials at all Oklahoma racetracks .

(d) The Official Veterinarian shall record any determination that a horse is a bleeder on the foal certificate of the horse.

[**Source:** Amended at 16 Ok Reg 3285, eff 5-5-99 (emergency); Amended at 17 Ok Reg 2420, eff 6-26-00; Amended at 20 Ok Reg 1231, eff 5-27-03; Amended at 23 Ok Reg 2071, eff 5-9-06 (emergency); Amended at 23 Ok Reg 2594, eff 6-25-06; Amended at 35 Ok Reg, eff 12-18-17 (emergency)]

325:45-1-13. Racing After Bleeding

(a) Following an occurrence of bleeding in which a horse demonstrates visible external evidence of exercise-induced pulmonary hemorrhage or the existence of hemorrhage in the trachea post-exercise upon endoscopic examination, the horse shall not be eligible to race for a period of not less than ten (10) days or some longer period specified by the Official Veterinarian.

(b) A horse that has a second occurrence of bleeding within 365 days of the first bleeding occurrence shall not be eligible to race for thirty (30) days or some longer period specified by the Official Veterinarian.

(c) A horse that has a third occurrence of bleeding within 365 days of the first bleeding occurrence shall not be eligible to race in this jurisdiction for 180 days or some longer period specified by the Official Veterinarian.

(d) Should a horse experience more than three occurrences of bleeding in a 365 day period, it shall not be eligible to race in Oklahoma.

[**Source:** Amended at 12 Ok Reg 1697, eff 6-12-95; Amended at 13 Ok Reg 1527, eff 3-28-96 (emergency); Amended at 13 Ok Reg 2161, eff 6-14-96; Amended at 16 Ok Reg 3285, eff 5-5-99 (emergency); Amended at 16 Ok Reg 3307, eff 7-26-99; Amended at 23 Ok Reg 2071, eff 5-9-06 (emergency); Amended at 23 Ok Reg 2594, eff 6-25-06; Amended at 35 Ok Reg, eff 12-18-17 (emergency)]

325:45-1-14. Racing Soundness Examination

(a) Each horse entered to race may be subject to a veterinary examination by the Official Veterinarian or designee for racing soundness and health on race day.

(b) Refusal or failure to present a horse for a veterinary examination by the Official Veterinarian may result in disqualification of the horse, placement of the horse on the veterinarian's list, or both.

[**Source:** Amended at 35 Ok Reg, eff 12-18-17 (emergency)]

325:45-1-15. Equine Drug Testing Laboratory Reports [REVOKED]

[**Source:** Amended at 10 Ok Reg 4731, eff 9-28-93 (emergency); Amended at 11 Ok Reg 3195, eff 6-27-94; Amended at 16 Ok Reg 3307, eff 7-26-99; Amended at 20 Ok Reg 1231, eff 5-27-03; Amended at 23 Ok Reg 2071, eff 5-9-06 (emergency); Amended at 23 Ok Reg 2594, eff 6-25-06; Revoked at 35 Ok Reg, eff 12-18-17 (emergency)]

325:45-1-16. Pre-Race Testing

(a) The Official Veterinarian, Stewards, or Commission may require any horse entered to race to submit to pre-race testing.

(b) If pre-race testing is required by the Official Veterinarian, Stewards, or Commission, no horse shall be eligible to start in a race until a biological sample has been collected from the horse by the Official Veterinarian.

[Source: Amended at 35 Ok Reg, eff 12-18-17 (emergency)]

325:45-1-17. Requirements for Official Testing

Organization Licensees shall provide equipment, necessary supplies, and services required by the Commission and the Official Veterinarian for the collection of biological samples.

[Source: Amended at 10 Ok Reg 4731, eff 9-28-93 (emergency); Amended at 11 Ok Reg 3195, eff 06-27-94; Amended at 23 Ok Reg 2071, eff 5-9-06 (emergency); Amended at 23 Ok Reg 2594, eff 6-25-0; Amended at 35 Ok Reg, eff 12-18-17 (emergency)]

325:45-1-18. Collection of Post-Race Samples

(a) Biological samples shall be collected only by the Official Veterinarian or designee except as otherwise provided by Commission rules.

(b) In the event a horse suffers catastrophic injury, the Racing Veterinarian may collect a biological sample from the injured horse prior to any necessary humane action.

(1) If the trainer is immediately available, the trainer may witness the collection of the biological sample.

(2) If the trainer is not immediately available, any other licensed individual may act as witness to the collection of the biological sample.

(c) Biological samples shall be collected by the Official Veterinarian or designee. Biological samples shall be collected in the test barn unless the Official Veterinarian approves otherwise, as follows:

(1) Each horse shall be cooled out for a minimum of thirty (30) minutes after the race before a post-race biological sample is collected;

(2) The collection of biological samples shall be witnessed, confirmed or acknowledged by the trainer of the horse being tested or the trainer's authorized representative or employee;

(3) The collection of biological samples may be witnessed by the owner;

(4) The Official Veterinarian or designee may decant the biological sample consisting of blood and may use such preservatives or substances necessary for the preservation of the biological sample;

(5) The trainer, the trainer's authorized representative or employee, or the owner, may witness the decanting of blood. Failure to witness the decanting process constitutes a waiver of the right to do so;

(6) Biological samples shall be sent to a primary laboratory designated by the Commission;

(7) When available, biological samples used for split testing may be sent to a referee laboratory at the election of the trainer or owner as otherwise provided by Commission rules;

(8) Biological samples shall remain in the custody of the Official Veterinarian or designee from the time the biological sample is collected until the biological sample is delivered for shipment to the primary or referee laboratory.

(9) No person shall break the seal of, remove, or otherwise attempt to alter any biological sample except for:

(A) The decanting of the biological sample by the Official Veterinarian or designee,

(B) The addition of preservatives or substances necessary for the preservation of the biological sample by the Official Veterinarian or designee, and

(C) The primary or referee laboratory in the process of testing.

(d) The Commission may direct the primary or referee laboratory to retain and preserve samples for future analysis.

(e) The distribution of purse money shall not be considered evidence of any official finding by the Commission regarding a substance violation.

[Source: Amended at 10 Ok Reg 4731, eff 9-28-93 (emergency); Amended at 11 Ok Reg 3195, eff 6-27-94; Amended at 13 Ok Reg 1797, eff 5-3-96 (emergency); Amended at 14 Ok Reg 2284, eff 6-12-97; Amended at 14 Ok Reg 2934, eff 7-11-97; Amended at 16 Ok Reg 1449, eff 5-28-99; Amended at 23 Ok Reg 2071, eff 5-9-06 (emergency); Amended at 23 Ok Reg 2594, eff 6-25-06; Amended at 29 Ok Reg 1222, eff 6-25-12; Amended at 35 Ok Reg, eff 12-18-17 (emergency)]

325:45-1-19. Official Testing

- (a) Only laboratories approved by the Commission may be used to test biological samples collected from designated horses
- (b) Approved primary and referee laboratories shall report directly to the Commission and Stewards.
- (c) The Commission shall publish a list of approved referee laboratories available for split testing.

[Source: Amended at 23 Ok Reg 2071, eff 5-9-06 (emergency); Amended at 23 Ok Reg 2594, eff 6-25-06; Amended at 35 Ok Reg, eff 12-18-17 (emergency)]

325:45-1-20. Split Tests

- (a) When the quantity of biological samples collected by operation of Commission rules permits, each test sample shall be divided into two portions so that one portion shall be used for primary testing and the second portion shall, if available, be retained for split testing.
- (b) Biological sample consisting of blood shall be collected and processed as provided by Commission rules. Biological samples consisting of urine shall be collected if available. Other biological samples may be collected at the direction of the Stewards or the Commission.
- (c) The Official Veterinarian or designee shall be responsible for the freezing, storage, safeguarding, and shipment of biological samples to primary or referee laboratories
- (d) When biological samples are available for split testing, an owner or trainer may request a split test, subject to the following conditions:
 - (1) The owner or trainer shall make the request for a split test in writing within forty-eight (48) hours following notification of a substance violation.
 - (2) All costs for split testing, including the shipment and testing of biological samples, shall be the financial responsibility of the requesting trainer or owner.
 - (3) Payment for the costs of split testing shall be paid within seventy-two (72) hours following notification of the cost of split testing to the requesting trainer or owner. Failure to make timely payment of split testing costs shall be deemed a waiver of a person's right to conduct a split test.
 - (4) Payment for the costs of split testing shall be in the form of a check from the horseman's bookkeeper account or cashier's check. No other forms of payment shall be accepted.

- (5) The trainer, the trainer's authorized representative or employee, the owner, or other licensed person designated by the owner may witness the packaging and shipping of biological samples. Failure to appear at the appointed time to witness the packaging and shipping of biological samples constitutes a waiver of the right to do so;
- (6) Failure of a trainer or owner to submit a timely request for split testing or failure to make timely payment for the costs of split testing shall constitute a waiver of any and all rights to have a split test performed.

(e) The results of the split test shall not prohibit the Commission from imposing appropriate penalties for substance violations, including the disqualification of a horse or other penalties imposed against the trainer.

- (1) If the primary test results are not confirmed by the split test, the Commission shall reimburse the trainer or owner requesting the split test the cost of shipment and testing.
- (2) Contradictory split test results or split test results that do not confirm the primary test results may be offered by an owner or trainer as evidence to rebut the prima facie evidence of a substance violation established by the primary test results. However, a request for a split test shall not obligate Commission staff to submit evidence of confirmatory split test results for the purposes of proving that a substance violation occurred.

(f) Nothing in this Section shall prevent the Commission or Executive Director from ordering first use of both sample portions for testing purposes.

[Source: Amended at 23 Ok Reg 2071, eff 5-9-06 (emergency); Amended at 23 Ok Reg 2594, eff 6-25-06; Amended at 30 Ok Reg 511, eff 5-15-13; Amended at 33 Ok Reg 1549, eff 9-11-16; Amended at 35 Ok Reg, eff 12-18-17 (emergency)]

325:45-1-21. Facilitating the Collection of Post-Race Urine Samples

When a horse has been in the test barn more than one-and-one-half (1-1/2) hours, a diuretic may be administered by the Official Veterinarian or designee for the purpose of facilitating the collection of a urine sample with permission of the Stewards and the trainer or the trainer's authorized test barn representative. The cost of administration of the diuretic is the responsibility of the owner.

[Source: Amended at 35 Ok Reg, eff 12-18-17

(emergency)]

325:45-1-22. Phenylbutazone Use [REVOKED]

[Source: Added at 10 Ok Reg 4731, eff 9-28-93 (emergency); Added at 11 Ok Reg 3195, eff 6-27-94; Amended at 23 Ok Reg 2071, eff 5-9-06 (emergency); Amended at 23 Ok Reg 2594, eff 6-25-06; Amended at 32 Ok Reg 1197, eff 8-27-15; Revoked at at 35 Ok Reg, eff 12-18-17 (emergency)]

325:45-1-23. Trainer Responsibility - Phenylbutazone [REVOKED]

[Source: Added at 10 Ok Reg 4731, eff 9-28-93 (emergency); Added at 11 Ok Reg 3195, eff 6-27-94; Amended at 23 Ok Reg 2071, eff 5-9-06 (emergency); Amended at 23 Ok Reg 2594, eff 6-25-06; Revoked at at 35 Ok Reg, eff 12-18-17 (emergency)]

325:45-1-24. Substance Classification and Penalties

Upon a finding of any substance violation, the Stewards shall consider the classification level of the substance violation as currently established by the UNIFORM CLASSIFICATION GUIDELINES OF FOREIGN SUBSTANCES (Version 13.2) as promulgated by the Association of Racing Commissioners International, Inc. and may impose penalties and disciplinary measures consistent with the recommendations contained therein, except not to conflict with the mandates of 325:45-1-9 and 325:45-1-22. Provided, however, that in the event a majority of the Stewards determine that aggravating or mitigating circumstances require imposition of a different penalty than the penalty suggested by the guidelines, the Stewards may impose a different penalty. In the event a majority of the Stewards wish to impose a penalty in excess of the authority granted them by 325:1-1-7, the Stewards may impose the maximum penalty authorized by state law and refer the matter to the Commission with specific recommendations for further action.

[Source: Added at 10 Ok Reg 4731, eff 9-28-93 (emergency); Added at 11 Ok Reg 3195, eff 6-27-94; Amended at 23 Ok Reg 2071, eff 5-9-06 (emergency); Amended at 23 Ok Reg 2594, eff 6-25-06; Amended at 34 Ok Reg 1322, eff 9-11-17; Amended at 35 Ok Reg, eff 12-18-17 (emergency)]

325:45-1-25. Use, Administration and Regulation of Furosemide (Salix) [REVOKED]

[Source: Added at 20 Ok Reg 2857, eff 6-4-03 through 7-14-04 (emergency); Added at 21 Ok Reg 3176, eff 9-11-04; Revoked at 23 Ok Reg 2071, eff 5-9-06 (emergency); Revoked at 23 Ok Reg 2594, eff 6-25-06]

325:45-1-26. Primary Laboratory's Request for Additional Test Time

The primary laboratory's official chemist may request additional time not exceeding ten (10) business days for testing and analysis from the Commission. The Commission shall notify the trainer and owner that additional time is granted.

[Source: Added at 23 Ok Reg 2071, eff 5-9-06 (emergency); Added at 23 Ok Reg 2594, eff 6-25-06; Amended at 35 Ok Reg, eff 12-18-17 (emergency)]

325:45-1-27. Prohibited Practices and Certain Penalties

The following items or therapies shall be prohibited within the enclosure:

- (1) Any substance which may endanger the health and welfare of a horse;
- (2) Any substance which has not been approved by the United States Food and Drug Administration for use in humans or animals;
- (3) Erythropoitin;
- (4) Darbepoietin;
- (5) Oxyglobin;
- (6) Hemopure;
- (7) Any substance that abnormally enhances the oxygenation of body tissue;
- (8) Any device or machine—which may endanger the health and welfare of a horse or may endanger the safety of a rider;
- (9) Extracorporeal Shock Wave Therapy or Radial Pulse Wave Therapy machines unless:

(A) Any treated horse shall not race for a minimum of ten (10) days following treatment.

(B) The use and possession of Extracorporeal Shock Wave Therapy machines shall be restricted to practicing veterinarians.

(C) Extracorporeal Shock Wave Therapy machines within the enclosure shall be registered with and approved by the Commission.

(D) Any treatments administered using a Extracorporeal Shock Wave Therapy machine shall be reported to the Official Veterinarian by the Trainer or practicing veterinarian no less than twenty-four (24) hours following treatment.

(10) The administration, within 24 hours prior to a race, of an alkalizing substance that can alter the pH of serum or plasma, concentration of bicarbonates, or total dissolved carbon dioxide in a horse.

(11) A blood gas machine or ozone generator.

[Source: Added at 23 Ok Reg 2071, eff 5-9-06 (emergency); Added at 23 Ok Reg 2594, eff 6-25-06; Amended at 35 Ok Reg, eff 12-18-17 (emergency)]

325:45-1-28. Report of Treatment: Procaine Penicillin Administration [REVOKED]

[Source: Added at 23 Ok Reg 2071, eff 5-9-06 (emergency); Added at 23 Ok Reg 2594, eff 6-25-06; Revoked at 31 Ok Reg 1777, eff 9-12-14]

325:45-1-29. Environmental Contaminants and Substances of Human Use

(a) The Commission recognizes that testing of biological samples may detect the presence of prohibited substances that are caused by environmental contamination and not through any fault of the trainer.

(b) Any biological sample containing an environmental contaminant shall be treated as a substance violation; however, evidence may be presented showing that the substance violation is the likely result of environmental contamination. The Stewards shall consider evidence of environmental contamination as a mitigating or explanatory evidence when making a determination about the appropriate punishment for the substance violation.

[Source: Added at 23 Ok Reg 2071, eff 5-9-06 (emergency); Added at 23 Ok Reg 2594, eff 6-25-06; Amended at 35 Ok Reg, eff 12-18-17 (emergency)]