



# HISA REGULATIONS

## Definitions

AAEP: American Association of Equine Practitioners

Act: The Horseracing Integrity and Safety Act of 2020.

Administration: Providing, supplying, supervising, facilitating, or otherwise participating in the Use.

Adverse Analytical Finding: A report from a Laboratory

Adverse Passport Finding: A report identified as an Adverse Passport Finding as described in the applicable Policies.

Agency: The United-States Anti-Doping Agency or any entity contracted by the Authority.

Aggravating Circumstances: Circumstances involving, or actions by, a Covered Person or Covered Person would be likely to enjoy the performance-enhancing effects or consequences of the performance-enhancing effects of the anti-doping or medication control rule violation(s) beyond the otherwise applicable period of Ineligibility; the Covered Person engaged in deceptive or obstructive conduct to avoid the detection or adjudication of an anti-doping or medication control rule violation; or the Covered Person engaged in Tampering. For the avoidance of doubt, the examples of circumstances and conduct described herein are not exclusive and other similar circumstances or conduct may also justify Aggravating Circumstances and the imposition of a longer period of Ineligibility.

Anti-Doping Stewards Panel: Impartial stewards or former stewards appointed by the Agency cases on a rotating basis pursuant to Article 8.2 (a).

Arbitration Procedures: The arbitration procedures for the Equine Anti-Doping and Medication Control Protocol developed pursuant to the Act.

Association Veterinarian: A Veterinarian.

Association: Shall have the same definition as Racetrack

Attempt: Purposely engaging in conduct that constitutes a substantial step in a course of conduct planned to culminate in the commission of an anti-doping or medication control rule violation. Provided, however, there shall be no anti-doping or medication control rule violation based solely on an Attempt to commit a violation if the Person renounces the Attempt prior to it being discovered by a third party not involved in the Attempt.

Attending Veterinarian: A Veterinarian

Atypical Finding: A report from a Laboratory.

Atypical Passport Finding: A report described as an Atypical Passport Finding as described in the Policies.

Authority: The Horseracing Integrity and Safety Authority.

Billing Standards: The Standards.

Bled – the observation of blood from one or both nostrils as a result of exercise induced pulmonary hemorrhage

Breeder: A Person

Chain of Custody: The sequence of individuals or organizations who have responsibility for the custody of a Sample.

Claiming Race: A race in which a horse after leaving the starting gate may be claimed (purchased for a designated amount) in accordance with State Racing Commission rules

Commission: The Federal Trade Commission

Concussion: An injury to the brain that results in temporary loss of normal brain function

Consequences of Anti-Doping and Medication Control Rule Violations (“Consequences”): Covered Person’s violation of an anti-doping rule may result in one or more of the following: (a) Disqualification means the results in a particular Race are invalidated, with all resulting Consequences including forfeiture of any purses, points, and prizes; (b) Ineligibility as set forth in Article 10.12; (c) Provisional Suspension means the Covered Horse or Covered Person is barred temporarily from participating in any Covered Horserace or activity involving Covered Horses or Racetracks as set forth in Article 10.12 (Status During Ineligibility or Provisional Suspension) prior to the final decision pursuant to Article 8; (d) Fine; and (e)

Public Disclosure means the dissemination or distribution of information to the general public or Persons.

Contaminated Product: A product (other than normal feed or water) that contains a Prohibited Substance that is not disclosed on the product label or in information available in a reasonable internet search.

Cooperate: Failure by the Responsible Person. At the request of the Agency, a Covered Person's failure to (a) make available any facility, office, stall, equipment, feed, medicine, etc.; (b) submit to under oath transcribed interviews; (c) provide immediate access to records related to any Covered Horse; and (d) provide immediate access to electronically stored data, including emails, computers, and mobile phones and devices without alteration.

Covered Horse: Any thoroughbred horse, or any other horse made subject to this Protocol or the breed governing organization for such horse beginning on the earlier of (1) the date of the horse's first timed and reported Workout; (2) the date of the horse's first timed and reported workout at a Training Facility; (3) the date of the horse's entry in a Covered Horserace; or (4) the date of the horse's nomination for a Covered Horserace, and ending on the date on which the Agency collection, after notification of retirement.

Covered Horserace: Any horserace event involving Covered Horses collection process for all Covered Horses in connection with the event.

Covered Persons: All Trainers.

Decision Limit: The value of the result for a Threshold Substance

Disqualification: See Consequences of Anti-Doping and Medication Rule Violations above.

Doping Control: All steps and processes from test distribution planning through to ultimate disposition of any appeal and the enforcement of Consequences).

Epistaxis: Blood from one or both nostrils as a result of exercise induced pulmonary hemorrhage

Equine Ambulance: A vehicle for the transport of an injured horse

Equine Constituencies: Collectively, Owners.

Failure to Comply: A term used to describe anti-doping rule violations under Articles 2.3 and/or 2.5 of the Protocol.

Fault: Fault is any breach of duty or any lack of care appropriate to a particular situation. For a Fault reduction in connection with an Adverse Analytical Finding, or the fact that the Covered Person only has a short time left in a career, or the timing of the racing calendar, would not be relevant factors to be considered in reducing the period of Ineligibility under Article 10.6.

Fine: See Consequences of Anti-Doping and Medication Control Rule Violations above.

Further Analysis: Further Analysis occurs when a Laboratory or a "B" Sample after an analytical result for that "A" Sample or that "B" Sample has been reported by the Laboratory. There is no limitation on a Laboratory's authority to conduct repeat or confirmation analysis, or to analyze a Sample with additional Analytical Methods, or to perform any other type of additional analysis on an "A" Sample or "B" Sample prior to reporting an analytical result on that Sample. That is not considered Further Analysis.

Groom: A Covered Person.

Ineligibility: See Consequences of Anti-Doping and Medication Control Rule Violations above

Jockey: A rider or driver of a Covered Horse

Laboratory Documentation Package (LDP): The material (physical or electronic) produced by a Laboratory. This includes abbreviated Laboratory Documentation Packages.

Laboratory Standards: The Equine Laboratory Standards developed pursuant to the Act.

Laboratory: An Agency activities.

Major Infractions: Anti-doping and medication control rule violations under this Protocol.

Marker: A compound, group of compounds or biological variable(s) that indicates the Use.

Metabolite: Any substance produced from a Prohibited Substance by a biotransformation process.

Minimum Reporting Levels: The estimated concentration of a Prohibited Substance or its Metabolite(s) or Marker(s).

Minor Infractions: Article 2.1 Presence, Article 2.2 Use, Article 2.7 Possession of a Covered Horse's competitive results stemming from a violation involving a Secondary Substance or a Secondary Method only; and Ineligibility resulting from

intractability.

**Negative Finding:** A Test and/or relevant Technical Document(s) and/or Technical Letter(s), concludes that no Prohibited Substance(s) or its Metabolite(s) or Marker(s) of a Prohibited Method(s) based on the applied Initial Testing Procedure(s) or Confirmation Procedure(s).

**No Advance Notice Testing,** and where the Covered Horse is continuously chaperoned or in a secure location (a stall, for example) from the moment of notification through Sample provision.

**No Fault or Negligence:** The Covered Person's, the Covered Person must also establish how the Prohibited Substance entered the Covered Horse's system.

**Nominated Person:** A Person (or their designees or agents) shall be the Nominated Person for that Sample collection. If no Nominated Person is promptly identified as described above, the Person who has custody or control of the Covered Horse or granted the DCO or Chaperone access to the Covered Horse shall be the Nominated Person for that Sample collection.

**Official Veterinarian:** A Veterinarian.

**Out-of-Competition:** Any period which is not during Race Day.

**Owner:** A Person post-claim Race.

**Paddock Judge:** A person, licensed by the State Racing Commission as an official to perform the duties of a Paddock Judge

**Person:** A natural person or an organization or other entity

**Policy:** A document approved by the Commission. Compliance with a Policy (as opposed to another alternative standard, practice or procedure) shall be sufficient to conclude that the procedures addressed by the Policy were performed properly. Policies shall include any Standards or Protocol.

**Pony Horse:** Any horse that accompanies a racehorse on the racetrack

**Possession:** The actual, physical Possession, or the constructive Possession (which shall be found only if the Person or the premises in which a Prohibited Substance or Prohibited Method exists); provided, however, that if the Person does not have exclusive control over the Prohibited Substance or Prohibited Method or the premises in which a Prohibited Substance or Prohibited Method exists, constructive Possession shall only be found if the Person knew about the presence of the Prohibited Substance or Prohibited Method and intended to exercise control over it. There shall be no anti-doping rule or medication control violation based solely on Possession if, prior to receiving notification of any kind that the Person has committed an anti-doping or medication control rule violation, the Person has taken concrete action demonstrating that the Person never intended to have Possession and has renounced Possession by explicitly declaring it to an Agency. Notwithstanding anything to the contrary in this definition, the purchase (including by any electronic or other means) of a Prohibited Substance or Prohibited Method constitutes Possession by the Person who makes the purchase.

**Post-Mortem Veterinary Examination:** Examination conducted following the fatality of a horse

**Primary Method:** See Regulation 4.2 (b)

**Primary Substance:** See Regulation 4.2 (b)

**Prohibited List:** The Equine Prohibited List identifying the Prohibited Substances.

**Prohibited Method:** Any method so described on the Prohibited List.

**Prohibited Substance:** Any substance, or class of substances, so described on the Prohibited List.

**Protocol:** The Equine Anti-Doping and Medication Control Protocol.

**Provisional Hearing:** For purposes of Article 7, an expedited, abbreviated hearing occurring prior to an adjudication under Article 8 to resolve a challenge to a Provisional Suspension.

**Provisional Suspension:** See Consequences of Anti-Doping and Medication Control Rule Violations pending a final decision by the Agency regarding the Laboratory's accreditation status.

**Publicly Disclose:** See Consequences of Anti-Doping and Medication Control Rule Violations above.

**Race Day:** The day commencing at 12:00 a.m. on the day a Covered Horse collection on the day the Covered Horse is scheduled to start a Race or Workout (and prior to the Covered Horse being removed from the Race or Workout) through the end of such Race or Workout and any post-Race Sample collection process related to such Race or Workout.

**Race Period:** The period commencing 48 hours prior to a Covered Horse's collection process related to such Race or

Workout.

Racetrack: An organization licensed by a State Racing Commission.

Registered Testing Pool: The pool of all Covered Horses.

Regulatory Veterinarian: A Veterinarian.

Responsible Person: One person (not an entity) shall be designated in the registration with the Authority (or competed in a Race, whichever is earlier), the Responsible Person shall be the Owner post-claim Race. If a Covered Horse stops training for a period of time, the designation may be transferred to the Owner prior to the effective date. If the Owner is an entity, the managing Owner shall be named.

Results Management: The process encompassing the timeframe between notification, or in certain cases (e.g., Atypical Finding), such pre-notification investigation and review, through the charge until the final resolution of the matter, including the end of the first instance adjudication process and any appeals (if an appeal was lodged).

ROAP – the Racing Officials Accreditation Program

Safety Officer: A person responsible for ensuring that all activities and practices involving the training and racing of horses at the track meet required safety standards and regulatory guidelines

Sample Collection Session: All of the sequential activities that directly involve the Covered Horse Barn or is otherwise discharged from Sample collection obligations.

Sample or Specimen: Any biological material collected for the purposes of Doping Control.

Secondary Method: See Regulation 4.2 (b)

Secondary Substance: See Regulation 4.2 (b)

Special Event: A series of individual national Covered Horseraces conducted together under an organizing body (e.g., TOBA Graded Stakes Committee, Triple Crown Productions, Breeders' Cup Limited) and for which a significant increase of resources and Sample.

Stakes Race: Any race so designated by the Racetrack at which such race is run, including, without limitation, the races comprising the Breeders' Cup World Championships and the races designated as graded stakes by the American Graded Stakes Committee of the Thoroughbred Owners and Breeders Association

Standard: See Policy.

Starting Gate Personnel: Any person licensed as an assistant starter or any person who handles a horse in the starting gate

State Racing Commission: The regulatory body established or recognized by a state or the federal government that has jurisdiction over the conduct of horseracing within the applicable State with authority to regulate, approve, or license Covered Persons.

Steward: A duly appointed racing official with powers and duties specified by statute or rules

Strict Liability: The rule which provides that under Article 2.1 and Article 2.2 it is not necessary that intent, Fault in order to establish an anti-doping or medication control rule violation.

Substantial Assistance: For purposes of Article 10.7.1, a Person providing Substantial Assistance must: (1) fully disclose in a signed written statement or recorded interview all information they possess in relation to anti-doping or medication control rule violations or other proceeding described in Article 10.7, and (2) fully Cooperate or adjudication body. Further, the information provided must be credible and must comprise an important part of any case or proceeding which is initiated or, if no case or proceeding is initiated, must have provided a sufficient basis on which a case or proceeding could have been brought.

Tampering: Intentional conduct which subverts the Doping Control (or Responsible Person) to disclose to the Agency or Authority.

Target Testing: Selection of specific Covered Horses.

Technical Document (TD): A document published containing mandatory technical requirements provided by the Agency on specific anti-doping and medication control topics.

Testing and Investigations Standards: The Equine Testing.

Testing: The parts of the Doping Control.

**Threshold Substance:** A Prohibited Substance, for which the identification and quantitative determination (e.g., concentration, ratio, score) is in excess of a pre-determined Decision Limit.

**Threshold:** The maximum permissible level of the concentration, ratio, or score for a Threshold Substance for a Threshold Substance. Thresholds can only be adopted for (i) substances endogenous to the horse, and (ii) substances arising from plants traditionally grazed or harvested as equine feed.

**Trafficking:** Selling, giving, transporting, sending, delivering or distributing (or Possessing for any such purpose) a Prohibited Substance (either physically or by any electronic or other means) by a Covered Person only unless the circumstances as a whole demonstrate such Prohibited Substances are not intended for genuine and legal therapeutic purposes or are intended to impact sport performance.

**Trainer:** A Person

**Training Facility:** A location that is not a Racetrack

**Treatment:** Any substance, medication, supplement, feed additive, etc. that is not normal food or water.

**Unsuccessful Attempt Report:** A detailed report of an unsuccessful attempt to collect a Sample setting out the date of the attempt, the location visited, the exact arrival and departure times at the location, the steps taken at the location to try to find the Covered Horse (including details of any contact made with Persons), and any other relevant details about the attempt.

**Use:** The utilization, application, ingestion, injection, or consumption by any means whatsoever of any Prohibited Substance.

**Veterinarian:** A licensed veterinarian who provides veterinarian services to Covered Horses.

**Whereabouts Failure:** The Failure to Comply due to inaccurate information provided in a Whereabouts Filing.

**Whereabouts Filing:** Information provided by or on behalf of a Covered Horse.

**Whereabouts Policy:** The Equine Whereabouts Policy developed pursuant to the Act.

**Workout:** An official timed running of a Covered Horse over a predetermined distance not associated with a Race, including a Covered Horse's first qualifying Race.

# Protocol

## 1 DEFINITION OF ANTI-DOPING AND MEDICATION CONTROL RULE VIOLATIONS

1.1 Medication control rule violations are defined as the occurrence of one or more violations of Article 2.15 or one or more violations of Articles 2.4 or 2.5 involving only Secondary Substances. Anti-Doping rule violations are defined as the occurrence of one or more of the violations set forth in Article 2.4 through Article 2.15 that are not medication control rule violations.

## 2 ANTI-DOPING AND MEDICATION CONTROL RULE VIOLATIONS

2.1 The purpose of Article 2 is to specify the circumstances and conduct which constitute anti-doping and medication control rule violations. Cases will be initiated based on the assertion that one or more of these specific rules have been violated

2.10 Possession

2.11 Trafficking or Attempted

2.12 Administration

2.12 (a) Administration.

2.12 (b) Administration are not intended for genuine and legal therapeutic purposes or are intended to impact sport performance.

2.12 (c) Administration.

2.13 Complicity or Attempted Complicity by a Covered Person

2.13 (a) Assisting, encouraging, aiding, abetting, conspiring, covering up or any other type of intentional complicity or Attempted complicity involving an anti-doping or medication control rule violation, Attempted anti-doping or medication control rule violation, or violation of Article 10.12 (a) by a Covered Person.

2.14 Acts by a Covered Person to Discourage or Retaliate Against Reporting to Authorities

2.14 (a) Where such conduct does not otherwise constitute a violation of Article 2.9:

2.14 (a) (1) Any act which threatens or seeks to intimidate another Person with the intent of discouraging the Person from the good faith reporting of information that relates to an alleged anti-doping or medication control rule violation or alleged non-compliance with the Protocol to the Agency, law enforcement, a regulatory or professional disciplinary body, an Article 8 or Article 11 adjudication body, or any Person conducting an investigation for the Agency, the Authority, or a State Racing Commission.

2.14 (a) (2) Retaliation against a Person who, in good faith, has provided evidence or information that relates to an alleged anti-doping or medication control rule violation or alleged non-compliance with the Protocol to the Agency, law enforcement, regulatory or professional disciplinary body, an Article 8 or Article 11 adjudication body, or Person conducting an investigation for the Agency, the Authority, or a State Racing Commission.

2.14 (b) For purposes of Article 2.14, retaliation, threatening, and intimidation does not include an act taken against such Person in good faith and that is a proportionate response.

2.15 Medication Control Violation

2.15 (a) Covered Persons must ensure that all otherwise permitted medication administered to a Covered Horse in their care is the minimum necessary to address the diagnosed health concerns, recommended by a Veterinarian, justified by the Covered Horse's medical condition(s) as diagnosed by a Veterinarian, and given in the best interests of the Covered Horse's health and welfare.

2.15 (b) Possession must be in compliance with state and federal law.

2.15 (c) The Responsible Person, if there is no Responsible Person) is strictly liable for a violation of this Article 2.15, i.e., a medication control violation. Other Covered Persons have committed a medication control violation if they had knowledge or should have had knowledge that for 2.15 (a) the medication was not the minimum necessary to treat the diagnosed medical condition(s), was not recommended by a Veterinarian, was not justified by the Covered Horse's medical condition(s) as diagnosed by a Veterinarian, or was not given in the best interests of the Covered Horse's health and welfare and for 2.15 (b) the Possession of the medication was not in compliance with state or federal law.

2.2 The anti-doping and medication control rule violations described in this Article 2 may only be committed by Covered Persons.

2.3 To establish a Covered Person must demonstrate that the elements of a violation by a Covered Person have been established and the Covered Person intended the conduct that constituted or resulted in a violation. To establish a Veterinarian committed a violation, the Agency must demonstrate the elements of a violation and that the Veterinarian knew or should have known that their conduct constituted a rule violation

2.4 Presence of a Prohibited Substance

2.4 (a) It is the Responsible Persons'.

2.4 (b) Sufficient proof of an anti-doping or medication control rule violation under Article 2.4 is established by any of the following:

2.4 (b) (1) presence of a Prohibited Substance, if there is no Responsible Person) waives analysis of the B Sample and the B Sample is not analyzed;

2.4 (b) (2) where the Covered Horse's found in the A Sample; or

2.4 (b) (3) when the Laboratory, if there is no Responsible Person) waives analysis of the second part of the split Sample.

2.4 (c) Subject to the terms of Article 2.4 (a)

2.4 (c) (1) sufficient proof of an anti-doping or medication control rule violation under Article 2.4 by a Covered Person who is not a Responsible Person (or Owner if there is no Responsible Person) is established by any of the criteria set forth in Article 2.4 (b)

2.4 (c) (2) demonstration by the Agency

2.4 (d) Excepting those substances for which a Minimum Reporting Level, Threshold, or Decision Limit shall constitute an anti-doping or medication control rule violation.

2.4 (e) As an exception to the general rule of Article 2.4, the Prohibited List.

2.4 (f) In the event a Responsible Person to have resulted from Use of the Prohibited Substance or Prohibited Method prior to the horse becoming a Covered Horse.

2.5 Use or Attempted

2.5 (a) It is a Responsible Person's.

2.5 (b) Subject to the terms of Article 2.5 (a), to establish an anti-doping or medication control rule violation for Use if there is no Responsible Person), the Agency must demonstrate that the Covered Person had knowledge or should have had knowledge of the Use of the Prohibited Substance in the Covered Horse.

2.5 (c) The impact of the Use performance is not material. It is sufficient that the Prohibited Substance or Prohibited Method was Used or Attempted to be Used for an anti-doping or medication control rule violation to be committed.



## 2.6 Evading, Refusing or Failing to Submit a Covered Horse to Sample Collection

2.6 (a) Evading Sample collection or refusing or failing to submit the Covered Horse to Sample collection by a Covered Person without compelling justification.

2.6 (b) If a Covered Horse is intractable, and thereby fails to provide the Sample sought, no violation will be found on this basis, but the Covered Horse shall not be permitted to participate in a Race until the Responsible Person notifies the Agency that the Covered Horse is no longer intractable, and the Agency successfully collects a Sample. [see end note 1]

## 2.7 Whereabouts Failures regarding a Covered Horse

2.7 (a) Any combination of three Whereabouts Failures and results in Ineligibility for the Covered Horse as described in 10.1 (b)

2.7 (a) (1) If the Responsible Person changes with respect to a Covered Horse with Whereabouts Failures, the Whereabouts Failures of the Covered Horse remain with the Covered Horse for purposes of Article 2.7 (a) but do not count against the Whereabouts Failures for the new Responsible Person as described in Articles 2.7 (a) and 2.7 (b)

2.7 (a) (2) In the circumstance described in Article 2.7 (a) (1) if a Covered Horse accrues three Whereabouts Failures in a twelve-month period but the new Responsible Person has not accrued three Whereabouts Failures with respect to that Covered Horse, an Article 2.7 (a) violation has been committed and the Agency shall initiate the case against the new Responsible Person on behalf of the Covered Horse. However, such Responsible Person shall not receive a violation or period of Ineligibility. The Covered Horse shall receive Consequences consistent with the Protocol.

2.7 (b) Any combination of six Whereabouts Failures on average annually, as described more fully in the Whereabouts Policy, constitutes an anti-doping rule violation.

2.7 (c) It is the Responsible Person's of the Covered Horse.

## 2.8 Failure by a Covered Person

## 2.9 Tampering by a Covered Person

# 3 PROOF OF DOPING AND MEDICATION CONTROL

## 3.1 Burdens and Standards of Proof

3.1 (a) The Agency adjudication body must be satisfied that, based on the evidence, the occurrence of the anti-doping or medication control rule violation was more probable than not. Similarly, where the Protocol places the burden of proof upon the Covered Person alleged to have committed an anti-doping or medication control rule violation to rebut a presumption or establish specified facts or circumstances the standard of proof also shall be by a preponderance of the evidence.

## 3.2 Methods of Establishing Facts and Presumptions

3.2 (a) Facts related to anti-doping or medication control rule violations may be established by any reliable means, including admissions. The following rules of proof shall be applicable in doping and medication control cases:

3.2 (a) (1) Analytical methods, Minimum Reporting Levels are presumed to be scientifically valid and shall not be subject to challenge unless required by applicable law.

3.2 (a) (2) Laboratories.

3.2 (a) (2) (i) If the Covered Person rebuts the preceding presumption by showing that a departure from the Laboratory Standards shall have the burden to establish that such departure did not cause the Adverse Analytical Finding.

3.2 (a) (3) Departures from any other Standards or procedures of the Agency or other anti-doping or medication control rule violation, as follows:

3.2 (a) (3) (i) a departure from the Testing and Investigations Standards shall have the burden to establish that such departure did not cause the Adverse Analytical Finding;

3.2 (a) (3) (ii) a departure from this Protocol or Testing and Investigations Standards shall have the burden to establish that such departure did not cause the anti-doping or medication control rule violation;

3.2 (a) (3) (iii) a departure from this Protocol related to the requirement to provide notice to the Responsible Person and Owner of the B Sample opening which could reasonably have caused an anti-doping rule violation based on an Adverse Analytical Finding shall have the burden to establish that such departure did not cause the Adverse Analytical Finding; or

3.2 (a) (3) (iv) a departure from this Protocol related to Responsible Person and Owner notification which could reasonably have caused an anti-doping rule violation based on a Whereabouts Failure, in which case the Agency shall have the burden to establish that such departure did not cause the Whereabouts Failure.

3.2 (a) (4) Non-appealable and final factual findings of a court, or administrative body of competent jurisdiction shall be irrebuttable evidence against the Covered Person to whom the decision pertained of those facts unless the Covered Person establishes that the decision violated principles of due process.

3.2 (a) (5) The steward, arbitrator, or hearing body under Article 11 reviewing an alleged anti-doping or medication control rule violation may draw an inference adverse to the Covered Person who is asserted to have committed an anti-doping or medication control rule violation based on the Covered Person's refusal to Cooperate and/or their failure to appear and respond to questioning by the Agency, arbitrator, and hearing body (as applicable) at any hearing contemplated under the Protocol. This inference is independent from the Covered Person being found to have committed a violation for failing to Cooperate.

## **4 THE PROHIBITED LIST**

### **4.1 Publication and Revision of the Prohibited List**

4.1 (a) This Protocol shall be bound by the Prohibited List and any revisions thereto, from the date they go into effect, without further formality. It is the responsibility of all Covered Persons to familiarize themselves with the most up-to-date version of the Prohibited List and all revisions thereto.

### **4.2 Prohibited Substances**

#### **4.2 (a) 4.2.1 Prohibited Substances**

4.2 (a) (1) The Prohibited List has determined in its sole discretion that the medical, veterinary, or other scientific evidence or experience supports: [see end note 2]

4.2 (a) (1) (i) Their actual or potential to impact performance in future Covered Horseraces;

4.2 (a) (1) (ii) Their actual or potential masking properties; and/or

4.2 (a) (1) (iii) Their actual or potential detrimental impact on horse welfare.

4.2 (a) (2) The Prohibited List Administration during the Race Period.

4.2 (a) (3) Prohibited Substances by general category (e.g., anabolic agents) or by specific reference to, or example of, a particular substance or method.

#### 4.2 (b) Primary Substances

4.2 (b) (1) For purposes of application of Articles 7.4 and 10, the Prohibited List

#### 4.3 The Prohibited List

4.3 (a) The Commission's based on an argument that the substance or method did not have the potential to be a masking agent, did not have the potential to impact performance, or did not have the potential to impact the horse's welfare.

#### 4.4 Monitoring Program

4.4 (a) The Authority at all times of some substances prohibited on Race Day only or the combined Use of multiple substances at low doses ("stacking")—in order to establish prevalence of Use or to be able to implement adequate decisions in regard to their analysis by Laboratories. The monitoring program list of substances should be reviewed annually.

### 5 TESTING AND INVESTIGATIONS

#### 5.1 Purpose of Testing and Investigations

5.1 (a) Testing and investigations may be undertaken for any anti-doping or medical control purpose, including for identifying the horse, or other purpose authorized by the Act.

#### 5.2 Authority to Test

5.2 (a) Any Covered Horse may be required by the Agency to provide a Sample at any time and at any place by the Agency.

5.2 (b) The Agency

5.2 (c) The Agency may test or direct the Testing of any Covered Horse which has not retired via official notification of retirement provided to the Agency. A Covered Horse that has been fatally injured or dies prior to retirement remains subject to Agency jurisdiction, including Sample collection.

5.2 (d) The Agency may test or direct the Testing of any Covered Horse during a Covered Horse's period of Ineligibility.

#### 5.3 Testing Requirements

5.3 (a) The Agency.

#### 5.4 Disclosure Requirements

5.4 (a) The prospective Responsible Person (or Responsible Person) shall at the time of registering with the Authority (and prior to competing in any Race) declare in writing to the Agency. The Agency may request Treatment records for the horse prior to it becoming a Covered Horse. Upon declaration of a Prohibited Substance or Prohibited Method prohibited at all times, the Agency, in its sole discretion, may require the Covered Horse to sit out (i.e., not compete in a Race) for a period up to the period of Ineligibility applicable for the Prohibited Substance or Prohibited Method for Covered Horses and provide one or more negative Samples. [see end note 3]

#### 5.5 Covered Horse Whereabouts Information

5.5 (a) Whereabouts information for Covered Horses for Article 2.7 violations as provided in Article 10.3 (a)

(2). The Agency shall coordinate the identification of such Covered Horses and the collection of their whereabouts information. Whereabouts information shall be maintained by the Agency in accordance with the Whereabouts Policy.

#### 5.6 Retired Covered Horses Returning to Covered Horseraces

5.6 (a) If an Owner wishes to retire a Covered Horse, then written notice of such retirement shall be provided to the Agency. If a Covered Horse is retired and then the Owner wishes to return the Covered Horse to active participation in Covered Horseraces, the Covered Horse shall not be entered in a Covered Horserace until the Covered Horse has been made available for Testing, by giving six months prior written notice to the Agency.

5.6 (b) If a Covered Horse is retired from horseracing while subject to a period of Ineligibility, the Owner must notify the Agency in writing of such retirement. If the Owner then wishes to return the Covered Horse to active competition in Covered Horseraces, the Owner shall provide the Agency with six months written notice and the Covered Horse shall not be entered in Covered Horseraces until the Covered Horse has been made available for Testing for at least six months or the remainder of the Covered Horse's period of Ineligibility, whichever is longer.

#### 5.7 Investigations and Intelligence Gathering

5.7 (a) The Agency.

### 6 ANALYSIS OF SAMPLES

6.1 Samples or any third party shall have a right to access or use of a Sample. Samples shall be analyzed in accordance with the following principles:

#### 6.1 (a) Use of Accredited, Approved Laboratories, and Other Laboratories

6.1 (a) (1) For purposes of directly establishing an Adverse Analytical Finding.

6.1 (a) (2) As provided in Article 3.2, facts related to anti-doping or medication control rule violations may be established by any reliable means. This would include, for example, reliable Laboratory or other forensic testing conducted outside of accredited or approved laboratories.

#### 6.1 (b) Purpose of Analysis of Samples and Data

6.1 (b) (1) Samples urine, blood, hair, or other matrix, including for DNA or genomic profiling, or for any other legitimate anti-doping or medical control purpose.

#### 6.1 (c) Research on Samples and Data

6.1 (c) (1) Samples, related analytical data, and Doping Control information may be used for anti-doping or medication control research purposes. Samples and related analytical data or Doping Control information used for research purposes shall first be processed in such a manner as to prevent Samples and related analytical data or Doping Control information being traced back to a particular Covered Horse or Covered Person.

#### 6.1 (d) Standards for Sample Analysis and Reporting

6.1 (d) (1) Laboratories.

6.1 (d) (2) At the time of initial analysis, laboratories as any other analytical result.

#### 6.1 (e) Further Analysis

6.1 (e) (1) There shall be no limitation on the authority of a Laboratory at any time, whether

6.1 (e) (1) (i) prior to the time the Agency notifies a Covered Person that the Sample is the basis for an Article 2.4 anti-doping or medication control rule violation or that the Sample is negative or

6.1 (e) (1) (ii) after a Sample for the purpose of Article 6.1 (b) at any time exclusively at the direction of the Agency. Further Analysis of Samples.

6.1 (f) Split of A or B Sample

6.1 (f) (1) Where the Agency (with approval from the Agency) wishes to split an A or B Sample shall be followed.

## 7 RESULTS MANAGEMENT

7.1 Results Management

7.1 (a) Results management. All communication must be conducted confidentially.

7.1 (b) Adverse Analytical Finding Reports

7.1 (b) (1) Upon receipt of an A Sample Adverse Analytical Finding that caused the Adverse Analytical Finding. Subject to Article 7.1 (b) (2) the Agency may, but need not, communicate with the Responsible Person and Owner during such review.

7.1 (b) (2) If the initial review of an Adverse Analytical Finding under Article 7.1 (b) (1) does not reveal a departure that caused the Adverse Analytical Finding, then the Agency after the State Racing Commission elects to enter into an agreement incorporating the confidentiality provisions of Article 12.2 (a) Written notice from the Agency pursuant to this Article 7.1 (b) (2) shall include the information described in Article 12.1 (a) (1) (i), as well as notify the Responsible Person and Owner of:

7.1 (b) (2) (i) the Adverse Analytical Finding;

7.1 (b) (2) (ii) the specific potential Protocol violation;

7.1 (b) (2) (iii) the Responsible Person's and Owner's opportunity to promptly provide an explanation regarding the Adverse Analytical Finding within a short deadline;

7.1 (b) (2) (iv) for those substances identified in the Laboratory Standards is authorized in order to preserve the scientific integrity of the Sample in accordance with the Laboratory Standards, that the B Sample has been tested;

7.1 (b) (2) (v) if the B Sample has not been tested, the date, time, and place where the B Sample will be tested and amount the Responsible Person or Owner must pay to have the B Sample tested and Laboratory Documentation Package, the B Sample analysis may be deemed irrevocably waived in the Agency's sole discretion; and

7.1 (b) (2) (vi) any Provisional Suspension imposed. The Agency.

7.1 (b) (3) Except for when the B Sample has been analyzed in accordance with Article 7.1 (b) (2) (iv), where paid for by the Responsible Person, or such longer time as may be reasonably required under the circumstances without undue delay. A Responsible Person and Owner accept the A Sample analytical results by waiving the requirement for B Sample analysis. If waived, the Agency may nonetheless elect to proceed with the B Sample analysis.

7.1 (b) (4) If the B Sample proves negative, then, unless the Agency takes the case as an anti-doping or medication control rule violation under Article 2.5, the entire Test shall be considered negative, and the Responsible Person and Owner shall be so informed.

7.1 (b) (5) If a Prohibited Substance analysis confirms the presence—and quantity, if applicable—of a Prohibited Substance or Prohibited Method in the Sample, or the B Sample analysis is waived (in

accordance with this Protocol), the Responsible Person, if no Responsible Person) shall be charged with an anti-doping rule violation and the Responsible Person and Owner shall be given written notice of:

7.1 (b) (5) (i) the Protocol violation being asserted;

7.1 (b) (5) (ii) the basis of that assertion,

7.1 (b) (5) (iii) the additional information set forth in Article 12.1 (a) (1) (i);

7.1 (b) (5) (iv) the maximum Consequences that the Agency may seek to impose;

7.1 (b) (5) (v) the Responsible Person's (or Owner's, if no Responsible Person) right within ten calendar days [see end note 4] of the notice, to challenge the violation and Consequences in accordance with the Arbitration Procedures; and

7.1 (b) (5) (vi) that, if the Responsible Person, if no Responsible Person) does not request review by a steward or arbitrator within the time limit indicated in subsection 7.1 (b) (5) (v) of this Article, the Consequences will be imposed immediately. If not already provided to the Responsible Person and Owner, once received by the Agency and to the applicable State Racing Commission upon the State Racing Commission electing to enter into an agreement incorporating the confidentiality provisions of Article 12.2 (a)

7.1 (b) (6) If the B Sample may, under appropriate circumstances (e.g., evidence the B Sample did not confirm due to microbial degradation), still charge Covered Persons with an anti-doping rule violation under Article 2.5 and the Agency shall notify the applicable Covered Person in accordance with Article 7.1 (b) (5).

7.1 (b) (7) After notification of a potential anti-doping rule violation, if at any point during the Results Management (if prior notice was given), and the Authority of the Agency's decision.

7.1 (b) (8) Notification to a Covered Person or by email to the Covered Person's most recent email address on file with the Authority. Actual notice may be accomplished by any other means.

#### 7.1 (c) Atypical Findings Reports

7.1 (c) (1) When a Sample analysis is reported as an Atypical Finding. The Agency may, but need not, communicate with the Responsible Person and Owner during such investigation. If the Agency decides to not treat the matter as an Adverse Analytical Finding, then the Agency may, but need not, communicate with the applicable Responsible Person and Owner. If the Agency decides to move forward with the matter as an Adverse Analytical Finding, then the Agency shall communicate with the Responsible Person and Owner as set forth in Article 7.1 above.

#### 7.1 (d) Atypical Passport Findings Reports (when available)

7.1 (d) (1) Review of Atypical Passport Findings.

7.1 (d) (2) At such time as the Agency is satisfied that an anti-doping or medication control rule violation has occurred, it shall promptly charge the Responsible Person (or Owner, if no Responsible Person) as provided in Article 7.1 (b) (5), as applicable. The Agency shall also send the Owner a copy of the charge sent to the Responsible Person.

#### 7.2 Results Management for Anti-Doping and Medication Control Rule Violations Not Covered by Article 7.1

7.2 (a) The Agency shall conduct any follow-up investigation required into any potential anti-doping or medication control rule violation not covered by Article 7.1. At such time as the Agency is satisfied that an anti-doping or medication control rule violation has occurred, it shall promptly charge the applicable Covered Person, providing information as identified in Article 7.1 (b) (5) as applicable.

#### 7.3 Identification of Prior Anti-Doping and Medication Control Rule Violations

7.3 (a) Before giving a Covered Person written notice of an asserted anti-doping or medication control rule violation as provided above, the Agency shall attempt to determine whether any prior anti-doping or medication control rule violation under this Protocol exists.

#### 7.4 Provisional Suspensions

##### 7.4 (a) Provisional Suspension.

7.4 (a) (1) For each alleged violation of Articles 2.4 and/or 2.5 involving a Primary Substance shall, at the time of notification (or charge, if no notification), impose a Provisional Suspension.

7.4 (a) (2) For each alleged Article 2.7 violation in which a Covered Horse accrues three Whereabouts Failures in a twelve-month period, the Agency may impose a Provisional Suspension on such Covered Horse.

7.4 (a) (3) For each alleged violation of Articles 2.4 and/or 2.5 involving a Primary Substance shall, at the time of notification (or charge, if no notification), impose a Provisional Suspension who were notified of the alleged violation (or charged, if no notification) against them.

7.4 (a) (4) For all other violations, the Agency may impose a Provisional Suspension on the Covered Person who was notified of the alleged violation (or charge, if no notification) against them.

7.4 (b) Where a Provisional Suspension is imposed pursuant to Article 7.4 (a), the applicable Covered Person, shall be given either: (a) an opportunity for a Provisional Hearing either before or on a timely basis after imposition of the Provisional Suspension; or (b) an opportunity for an expedited final adjudication in accordance with Article 8 on a timely basis after imposition of the Provisional Suspension.

7.4 (b) (1) Provisional Hearings should be imposed shall be upheld.

7.4 (b) (2) The Agency's analysis to have been completed in order to establish probable cause.

7.4 (c) If a Provisional Suspension shall not be subject to any further Provisional Suspension on account of a violation of Article 2.4.

7.4 (d) In all cases where a Covered Person has been notified of an anti-doping or medication control rule violation (or charged, if no notification), but a Provisional Suspension has not been imposed on them, the Covered Person shall be offered the opportunity to accept a Provisional Suspension voluntarily pending the resolution of the matter.

#### 7.5 Resolution or Imposition of Consequences

7.5 (a) A Covered Person against whom an anti-doping or medication control rule violation is asserted may admit that violation at any time, expressly waive their right to adjudicate the matter pursuant to Article 8 and Article 11 and accept the Consequences that have been offered by the Agency.

7.5 (b) Alternatively, if the Covered Person against whom an anti-doping or medication control rule violation is asserted fails to inform the Agency in writing that they dispute a charged anti-doping or medication control rule violation within ten calendar days of the Agency sending the charge, then the Covered Person shall be deemed to have admitted the violation, to have waived their rights under Article 8 and Article 11, and to have accepted the Consequences that have been offered by the Agency.

7.5 (c) In cases where Article 7.5. (a) or Article 7.5 (b) applies, an adjudication under Article 8 shall not be required. Instead, the Agency shall promptly issue a release confirming the commission of the anti-doping and/or medication control rule violation(s) and the Consequences that release in accordance with Article 12.2 (b)

#### 7.6 Retirement

7.6 (a) If a Covered Horse, or potential non-analytical violation, the Agency retains jurisdiction to complete its Results Management process. If a Covered Horse is retired or is deceased or a Covered Person retires before any Results Management process has begun, and the Agency had jurisdiction over the Covered Horse or Covered Person at the time the anti-doping or medication control rule violation was committed, the Agency

has authority to conduct Results Management in respect of that anti-doping or medication control rule violation.

## **8 RIGHT TO A FAIR PROCESS AND REASONED DECISION**

8.1 For any Covered Person shall provide the Covered Person the opportunity for resolution before an impartial steward or arbitrator as set forth below. A timely reasoned decision specifically including an explanation of the reason(s) for any period of Ineligibility as provided in Article 12.2.

### **8.2 Procedures for Minor Infractions**

8.2 (a) Where a Covered Person is alleged to have committed a Minor Infraction and the Covered Person within fourteen calendar days after the final written submission. Subject to the terms of Article 11, decisions rendered pursuant to this Article 8.2 shall be final and binding.

### **8.3 Procedures for Major Infractions**

8.3 (a) Where a Covered Person is alleged to have committed a Major Infraction and the Covered Person within fourteen calendar days after the conclusion of the Major Infraction hearing. Subject to the terms of Article 11, decisions rendered pursuant to this Article 8.3 shall be final and binding.

### **8.4 Expedited Matters**

8.4 (a) For matters involving Major Infractions proportionately to ensure resolution of the matter prior to the Covered Horserace.

## **10 SANCTIONS**

### **10.1 Ineligibility of Covered Horses**

10.1 (a) For each violation involving any Prohibited Substance.

10.1 (b) For a violation of Article 2.7 in which a Covered Horse accrues three Whereabouts Failures in a twelve-month period or a violation of Article 2.6 regarding a specific Covered Horse, such Covered Horse shall be Ineligible for twelve months and may be required to submit a negative Sample prior to returning from Ineligibility.

10.1 (c) Under this Protocol, the Responsible Person is the sole representative of interests in a Covered Horse with respect to Ineligibility and/or retaining competitive results and shall be the sole party representing the interests of the Covered Horse in any adjudication under Article 8 or Article 11.

### **10.10 Allocation of Collected Forfeited Purses**

10.10 (a) If a Covered Horse, all purses, other prizes, and trophies must be repaid or surrendered as applicable to the Race organizer and the other Covered Horses' positions adjusted accordingly.

### **10.11 Multiple Violations for Covered Persons**

#### **10.11 (a) Second or Third Major Infractions**

10.11 (a) (1) For a Covered Person's that qualifies in accordance with Article 10.11 (d), the period of Ineligibility shall be the greater of:

10.11 (a) (1) (i) a six-month period of Ineligibility; or

10.11 (a) (1) (ii) a period of Ineligibility in the range between: i.) the sum of the period of Ineligibility imposed for the first violation plus the period of Ineligibility otherwise applicable to the second violation treated as if it were a first violation, not taking into account any reduction under Article



10.7 for either violation, and ii.) twice the period of Ineligibility otherwise applicable to the second violation treated as if it were a first violation, not taking into account any reduction under Article 10.7.

10.11 (a) (2) The period of Ineligibility with respect to the second violation.

10.11 (a) (3) A third (or greater) Major Infraction will result in a period of Ineligibility of a minimum of double the period of Ineligibility that would apply if it were a second violation up to a lifetime Ineligibility.

10.11 (a) (4) The period of Ineligibility established may then be further reduced by the application of Article 10.7.

#### 10.11 (b) Multiple Minor Infractions

10.11 (b) (1) A Covered Person's in its discretion may require additional education for Covered Persons who have committed one or more Minor Infractions.

10.11 (b) (2) A Covered Person's shall be treated as a Major Infraction for all purposes under this Protocol.

#### 10.11 (c) Additional Rules for Certain Potential Multiple Violations

10.11 (c) (1) For purposes of imposing sanctions under Article 10, an anti-doping or medication control rule violation will only be considered a second violation if the Agency can establish that the Covered Person committed the additional anti-doping or medication control rule violation after they received notice of the first anti-doping or medication control rule violation pursuant to Article 7, or after the Agency made reasonable efforts to give notice of the first anti-doping or medication control rule violation. If the Agency cannot establish this, the violations shall be considered together as one single first violation, and the sanction imposed shall be based on the violation that carries the more severe sanction.

10.11 (c) (2) If, after the imposition of a sanction for a first anti-doping or medication control rule violation, the Agency as provided in Article 10.9.

#### 10.11 (d) Multiple Anti-Doping or Medication Control Rule Violations Qualification

10.11 (d) (1) For purposes of Article 10, each Major Infraction must take place within the same five-year period in order to be considered multiple violations.

### 10.12 Status During Ineligibility

#### 10.12 (a) Prohibition against Participation during Ineligibility [see end note 6]

10.12 (a) (1) No Covered Horse or Provisional Suspension, participate in any capacity in a Race, Workout, and any activity at a Racetrack. [see end note7]

10.12 (a) (2) No Covered Person or Provisional Suspension participate in any capacity in a Race, Workout, any activity (other than authorized anti-doping education or rehabilitation programs) at a Racetrack, and any activity involving Covered Horses or have an individual participate in any capacity on their behalf in any prohibited activity.

10.12 (a) (3) Covered Horses shall remain subject to Testing and the requirement to provide whereabouts information during a period of Ineligibility.

#### 10.12 (b) Violation of the Prohibition of Participation during Ineligibility

10.12 (b) (1) Where a Covered Horse violates the prohibition against participation during Ineligibility described in Article 10.12 (a), the results of such participation shall be Disqualified and a new period of Ineligibility equal in length to the original period of Ineligibility shall be added to the end of the original

period of Ineligibility for the Covered Horse and the Covered Person.

10.12 (b) (2) If a Covered Horse violates the prohibition against participation during Ineligibility, the Responsible Person for the Covered Horse shall also receive a new period of Ineligibility equal in length to the original period of Ineligibility added to the end of the original period of Ineligibility. If the original period of Ineligibility already expired, the new period of Ineligibility shall start on the date of acceptance or imposition. If the Responsible Person did not serve an original period of Ineligibility, the period of Ineligibility for violating the prohibition against participation shall range from a reprimand to one year.

10.12 (b) (3) The new period of Ineligibility. This decision may be appealed under Article 11.

10.12 (c) A Covered Horse described in Article 10.12 (a) shall receive no credit for any period of Provisional Suspension served and the results of such participation shall be Disqualified.

10.12 (d) Where a Covered Person shall impose sanctions for a violation of Article 2.13 for such assistance.

### 10.13 Automatic Publication of Sanction

10.13 (a) A mandatory part of each sanction shall include automatic publication, as provided in Article 12.2.

### 10.2 Ineligibility

10.2 (a) The period of Ineligibility for a violation of Article 2.4, 2.5, or 2.10 shall be as follows, subject to potential elimination, reduction, or suspension pursuant to Article 10.8, 10.9, or 10.10.

10.2 (a) (1) The period of Ineligibility shall be two years where:

10.2 (a) (1) (i) The anti-doping rule violation involves a Primary Substance.

10.2 (a) (1) (ii) The anti-doping rule violation involves a Secondary Substance pursuant to Article 10.4

10.2 (a) (1) (iii) The anti-doping rule violation involves a Secondary Substance fourth (or greater) violation pursuant to Article 10.11 (b).

10.2 (a) (2) If Article 10.2.(a) does not apply, the Consequences, and no period of Ineligibility and a Fine and a 30-day period of Ineligibility as described in Article 10.6 (a) (2).

### 10.3 Ineligibility of Covered Persons for Other Anti-Doping and Medical Control Rule Violations

10.3 (a) The period of Ineligibility for anti-doping and medication control rule violations other than as provided in Article 10.1 shall be as follows, subject to potential reduction pursuant to Articles 10.6 and 10.7:

10.3 (a) (1) For violations of Article 2.6 2.9, 2.11, 2.12 (a), 2.12. (b), 2.13, or 2.14, the period of Ineligibility shall be two years.

10.3 (a) (2) For violations of Article 2.7, the period of Ineligibility shall be one year.

10.3 (a) (3) For violations of Article 2.8, 2.12 (c), or 2.15, the period of Ineligibility.

### 10.4 Aggravating Circumstances

10.4 (a) If the Agency case, that case shall be processed as if it was a Major Infraction.

## 10.5 No Violation where there is No Fault or Negligence

10.5 (a) If a Covered Person. [see end note 5]

## 10.6 Reduction of a Covered Person's

10.6 (a) Reduction of Sanctions for Violations of Articles 2.4, 2.5, and 2.10 Based on Degree of Fault

10.6 (a) (1) Where an anti-doping rule violation involves a Primary Substance

10.6 (a) (2) Where an anti-doping rule violation involves a Secondary Substance.

10.6 (a) (3) Contaminated Products.

10.6 (b) Reduction of Sanctions for Other Anti-Doping and Medication Control Rule Violations Based on Fault

10.6 (b) (1) Article 2.7 Violations

10.6 (b) (1) (i) Where the anti-doping rule violation is based on Article 2.7 (Whereabouts Failures), the period of Ineligibility shall range between six months and one year, depending on the Responsible Person's degree of Fault. The flexibility regarding the period of Ineligibility in this Article is not available to a Responsible Person where a pattern of last-minute whereabouts changes or other conduct raises a serious suspicion that the Responsible Person was trying to avoid the Covered Horse being available for Testing

10.6 (b) (2) Other Anti-Doping and Medication Control Rule Violations

10.6 (b) (2) (i) The period of Ineligibility for anti-doping and medication control rule violations not covered by Article 10.6 (a) and 10.6 (b) (1) may be reduced from two years to six months based on the Covered Person's degree of Fault.

10.6 (b) (2) (ii) Contaminated Products.

## 10.7 Elimination, Reduction, or Suspension of Period of Ineligibility

10.7 (a) Substantial Assistance in Discovering or Establishing Other Violations

10.7 (a) (1) The Agency, which results in:

10.7 (a) (1) (i) the Agency discovering or bringing forward an anti-doping or medication control rule violation by another Covered Person; or

10.7 (a) (1) (ii) which results in a criminal or disciplinary body discovering or bringing forward a sport-related criminal offense or the breach of professional or sports rules by another Person or as directed to a third party by the Agency; or

10.7 (a) (1) (iii) which results in the Agency provided by the Covered Person described in subsections (i) – (iii) above. If the Covered Person fails to continue to Cooperate. The Agency's decisions in the context of this Article 10.7.1 are not subject to challenge.

10.7 (a) (2) Admission of an Anti-Doping or Medication Control Rule Violation in the Absence of Other Evidence

10.7 (a) (2) (i) Where a Covered Person voluntarily admits the commission of an anti-doping or medication control rule violation before having received notice of a Sample collection which could establish an anti-doping or medication control rule violation (or, in the case of an anti-doping or medication control rule violation other than Article 2.4, before receiving first notice of the admitted violation pursuant to Article 7) and that admission is the only reliable evidence of the violation at

the time of admission, then the period of Ineligibility may be reduced, but not below one-half of the period of Ineligibility otherwise applicable after reduction pursuant to Article 10.6.

#### 10.8 Commencement of Ineligibility Period

10.8 (a) Except as provided below, the period of Ineligibility.

##### 10.8 (a) (1) Credit for Provisional Suspension Served

10.8 (a) (1) (i) If a Provisional Suspension which may ultimately be imposed.

10.8 (a) (1) (ii) Except as provided for in 10.8 (a) (2), no credit against a period of Ineligibility elected not to participate.

10.8 (a) (2) Where there have been substantial delays in the adjudication process or other aspects of Doping Control) can establish that such delays are not attributable to the Covered Person, the body imposing the sanction may start the period of Ineligibility collection or the date on which an alleged anti-doping or medication control rule violation last occurred.

#### 10.9 Disqualification of Results in Races Subsequent to Sample Collection or Commission of an Anti-Doping or Medication Control Rule Violation

10.9 (a) In addition to the automatic Disqualification) through the commencement of any Provisional Suspension including forfeiture of any trophies, points, rankings, prizes, purses, and other compensation.

### 11 APPEAL OF ARTICLE 8 DECISIONS

#### 11.1 Decisions Subject to Review

11.1 (a) Any final decision by a steward or arbitrator under Article 8 may be appealed by the Covered Person found to have committed the anti-doping or medication control rule violation or by the Responsible Person on behalf of the Covered Horse which has been given a period of Ineligibility. Decisions made under this Protocol may be appealed as set forth below in Articles 11.2 - 11.3 or as otherwise provided in the Protocol or Policies. Such decisions shall remain in effect while under appeal unless the appellate body orders otherwise.

#### 11.2 Review by Administrative Law Judge

11.2 (a) With respect to the decisions described in Article 11.1, on application which shall include the opening brief by the Commission, and whether the decision rendered pursuant to Article 8 was arbitrary, capricious, an abuse of discretion, or otherwise not in accordance with law. The administrative law judge's reasoned hearing decision, including the decision to affirm, reverse, modify, set aside, or remand for further proceedings, in whole or in part, shall be provided to the Agency and the Covered Person within 60 calendar days after the conclusion of the hearing. Subject to the terms of Article 11.3 below, decisions rendered by the administrative law judge pursuant to this Article 11.2 shall be final and binding.

#### 11.3 Review by the Commission

11.3 (a) The Commission or the Covered Person not later than 30 calendar days after the date on which the administrative law judge issues his or her decision, review the administrative law judge's decision which was rendered pursuant to Article 11.2. If the Commission denies an application for review by the Agency or the applicable Covered Person, which the Commission may do in its discretion, the decision of the administrative law judge shall constitute the final decision of the Commission. In considering whether to review the administrative law judge's decision, the Commission shall consider whether any of the following

circumstances exists:

11.3 (a) (1) a prejudicial error was committed in the conduct of the proceeding conducted pursuant to Article 11.2,

11.3 (a) (2) the decision involved an erroneous application of the Protocol, or

11.3 (a) (3) an exercise of discretion or a decision of law or Policy or Covered Person who is the subject of the anti-doping or medication control rule violation, the Commission may consider additional evidence which is material and for which reasonable grounds exist for the failure by a party to submit such evidence. The Commission may accept such additional evidence in writing or through testimony, or the Commission may remand the proceeding to the administrative law judge for the consideration of such additional evidence, in the Commission's discretion. The Commission's reasoned decision, including the decision to affirm, reverse, modify, set aside, or remand for further proceedings, in whole or in part, the decision of the administrative law judge, shall be provided to the Agency and the Covered Person within 30 calendar days after the conclusion of any hearing conducted pursuant to this Article 11.3 or final written submission. Decisions rendered by the Commission pursuant to this Article 11.3 shall be final and binding.

## **12 CONFIDENTIALITY AND REPORTING**

### **12.1 Information Concerning Adverse Analytical Findings, and other Asserted Anti-Doping or Medication Control Rule Violations**

#### **12.1 (a) Notice of Anti-Doping or Medication Control Rule Violations to Covered Persons**

12.1 (a) (1) Notice to Covered Persons of anti-doping or medication control rule violations asserted shall occur under Articles 7 and 12.1 (a) (1) (i) of this Protocol.

12.1 (a) (1) (i) The contents of an anti-doping or medication control rule violation notice shall include, at a minimum, the Covered Horse's and shall not invalidate the notice or affect the Disqualification of results under this Protocol.

#### **12.1 (b) Notice of Protocol Violations to State Racing Commissions**

12.1 (b) (1) The Agency must notify the applicable State Racing Commission of the assertion of an anti-doping or medication control rule violation after the State Racing Commission elects to enter into an agreement incorporating the confidentiality provisions of Article 12.2 (a). The Agency may in its sole discretion delay notice to the State Racing Commission for case- or investigation-related reasons.

#### **12.1 (c) Status Reports**

12.1 (c) (1) When the Agency has given notice of an anti-doping or medication control rule violation under Article 12.1 (b) the Agency shall provide a written notice of the resolution of the matter to any State Racing Commission which has been notified and to the Authority.

### **12.2 Public Disclosure**

12.2 (a) After notice of an anti-doping or medication control rule violation has been provided to the Covered Person information about the alleged violation as it deems appropriate, including but not limited to:

12.2 (a) (1) the identity of any Covered Person who is notified of a potential anti-doping or medication control rule violation and the applicable Covered Horse,

12.2 (a) (2) the Prohibited Substance and nature of the violation involved, and

12.2 (a) (3) whether the Covered Person and the State Racing Commission(s) or Covered Person or the Agency gives written authorization for the Authority or State Racing Commission to publicly disclose the information.

12.2 (b) No later than twenty calendar days after a decision pursuant to Article 8, a resolution has been reached between the Agency or reprimand has been imposed under Article 10.12 (b) the Agency must Publicly Disclose the disposition of the anti-doping or medication control matter including the anti-doping or medication control rule violated (if any), the name of the Covered Person who committed the violation and any Covered Horse involved (if any), the Consequences imposed, and reasoned decision under Article 8 (if any), unless doing so could compromise an ongoing investigation or proceeding. The Agency must also Publicly Disclose within twenty calendar days the results of appellate decisions concerning anti-doping or medication control rule violations, including the information described above.

12.2 (c) Publication shall be accomplished at a minimum by placing the required information on the Agency's website and leaving the information up for the period by which it may be the basis for multiple violations under Article 10.11.

### 12.3 Other Reporting

12.3 (a) The Agency activities. The Agency may also publish reports showing the name of any Covered Horses tested and the date of each Testing.

### 12.4 Data Privacy

12.4 (a) The Agency may collect, store, process or disclose personal information relating to Covered Persons and Covered Horses where necessary and appropriate to conduct their anti-doping and medication control activities under the Protocol but shall take appropriate steps to maintain its confidentiality and to maintain such information in compliance with applicable law.

## 13 APPLICATION AND RECOGNITION OF DECISIONS

13.1 Any decision regarding a violation of the Protocol shall be recognized by all Covered Persons and such Covered Persons shall take all necessary action to render such decision under this Protocol effective. The Agency shall recognize and implement other anti-doping and medication control decisions rendered by organizations with jurisdiction over Covered Persons and Covered Horses if the Agency finds that the decision purports to be within the authority of that body and the anti-doping and medication control rules of that body in relevant part are otherwise consistent with this Protocol.

## 14 STATUTE OF LIMITATIONS

14.1 No anti-doping or medication control rule violation proceeding may be commenced unless the Covered Person has been notified of the anti-doping or medication control rule violation as provided in Article 7, or notification has been reasonably attempted, within ten years from the date the violation is asserted to have occurred; however, a Covered Person's past conduct that occurred more than ten years prior to an anti-doping or medication control charge may be admitted as pattern and practice evidence in connection with the anti-doping or medication control rule violation for conduct committed after the Effective Date.

## 15 EDUCATION

15.1 The Agency.

## 16 ADDITIONAL ROLES AND RESPONSIBILITIES OF COVERED PERSONS

16.1 Owners' Responsibilities (when not also Responsible Person)

16.1 (a) No matter how many owners, there must be one representative on file with the Authority to receive communication on behalf of all ownership interests.

16.1 (b) Update changes in ownership interests prior to the effective date.

16.1 (c) Owners accept decisions made removing their Covered Horse from Races in accordance with these rules and delegate their interest in their Covered Horse adhering to these rules to the Responsible Person.

16.1 (d) Owners.

16.1 (e) Understand the anti-doping and medication control rules and what conduct constitutes an anti-doping or medication control rule violation.

16.1 (f) Cooperate.

16.1 (g) Provide truthful information to the Authority in all interactions and filings.

16.1 (h) Not engage in improper, insulting, or obstructive behavior toward Agency personnel in relation to their duties.

16.1 (i) Not engage in any acts intended to intimidate, threaten, discourage, or retaliate against an individual who has or intends to report alleged violations of this Protocol to authorities or Cooperate with investigations regarding violations of this Protocol.

## 16.2 Responsible Persons' Responsibilities

16.2 (a) Update designations as to the identity of the Responsible Person for a Covered Horses prior to the effective date.

16.2 (b) Treatment Records: Keep updated Treatment records in an electronic database designated by the Agency or in any other form designated by the Agency. The records must include the name of the Covered Horse, and all Treatments administered to any of the Responsible Person's Covered Horse(s). The records must detail the date and time of administration, the name of the substance, route of administration, amount, duration (if multiple dosing), name of person administering and authorizing administration, the reason for administration (such as procedure and diagnosis), and any other information prudent to the health and welfare of the Covered Horse. These records must be updated within 24 hours of administration and will be kept for at least a term determined at the Agency's sole discretion.

16.2 (c) Ensure that all treatments and medications administered to a Covered Horse.

16.2 (d) File and update whereabouts information in accordance with the Whereabouts Policy for which they are responsible.

16.2 (e) Ensure a Nominated Person.

16.2 (f) Provide truthful information to the Authority in all interactions and filings.

16.2 (g) Make Covered Horses for which they are responsible available for sample collection at any time and any place.

16.2 (h) Take responsibility for what a Covered Horse for which they are responsible ingest and Use.

16.2 (i) Ensure no Prohibited Substance.

16.2 (j) Understand the anti-doping and medication control rules and what conduct constitutes an anti-doping or medication control rule violation.

16.2 (k) Immediately notify the Authority has been bred, is determined to be pregnant, and is no longer pregnant.

16.2 (l) Immediately notify the Authority dies.

16.2 (m) Provide Agency access to treatment records on Covered Horses.

16.2 (n) Supervise assistance, keepers, subordinate trainers by vetting at the time of hire, monitoring activities related to Covered Horses, ensuring they understand their responsibilities under the anti-doping and medication control rules, and creating and maintaining systems to ensure subordinates compliance with the anti-doping and medication control rules.

16.2 (o) Inform medical personnel, including without limitation Veterinarians for which they are responsible does not occur.

16.2 (p) Cooperate.

16.2 (q) For all purposes under the Protocol for which they are responsible retaining competitive results and/or not receiving a period of Ineligibility.

16.2 (r) Not engage in improper, insulting, or obstructive behavior toward Agency personnel in relation to their duties.

16.2 (s) Not engage in any acts intended to intimidate, threaten, discourage, or retaliate against an individual who has or intends to report alleged violations of this Protocol to authorities or Cooperate with investigations regarding violations of this Protocol.

### 16.3 Veterinarians' Responsibilities

16.3 (a) Immediately notify the Authority in writing with information on when a female Covered Horse has been bred, is determined to be pregnant, and is no longer pregnant.

16.3 (b) Cooperate.

16.3 (c) Treatment Records: Keep updated Treatment records in an electronic database designated by the Agency or in any other form designated by the Agency (if applicable), the name of the substance, route of administration, amount, duration, name of person administering (if applicable) and authorizing administration, the reason for administration (such as procedure and diagnosis), and any other information prudent to the health and welfare of the Covered Horse. These records must be updated within 24 hours of administration and will be kept for at least a term determined at the Agency's sole discretion.

16.3 (d) Provide Agency access to medical records on Covered Horses.

16.3 (e) Provide truthful information to the Authority in all interactions and filings.

16.3 (f) Understand the anti-doping and medication control rules and what conduct constitutes an anti-doping or medication control rule violation.

16.3 (g) Ensure that all treatment and medication administered to a Covered Horse by or at the direction or approval of the Veterinarian is given in the best interests of the Covered Horse's health and welfare and justified by the horse's medical condition.

16.3 (h) Not engage in any acts intended to intimidate, threaten, discourage, or retaliate against an individual who has or intends to report alleged violations of this Protocol to authorities or Cooperate with investigations regarding violations of this Protocol.

### 16.4 Other Covered Persons' Responsibilities

16.4 (a) Understand the anti-doping and medication control rules and what conduct constitutes an anti-doping or medication control rule violation.

16.4 (b) Cooperate.

16.4 (c) Provide truthful information to the Authority in all interactions and filings.

16.4 (d) Ensure no Prohibited Substance in their care.

16.4 (e) Not engage in improper, insulting, or obstructive behavior toward Agency personnel in relation to their duties.

16.4 (f) Make Covered Horses under their care available for sample collection at any time and any place.

16.4 (g) Not engage in any acts intended to intimidate, threaten, discourage, or retaliate against an individual who has or intends to report alleged violations of this Protocol to authorities or Cooperate with investigations regarding violations of this Protocol.

## 17 WAIVER AND RELEASE

17.1 As a condition of participating in or preparing for a Race or working with a Covered Horse and their designees from any claim, demand or cause of action, known or unknown, now or hereafter arising, including attorney's fees, resulting from acts or omissions which occurred in good faith.



## **18 AMENDMENT AND INTERPRETATION OF THIS PROTOCOL**

18.1 This Protocol, the Prohibited List, and the Policies may be amended from time to time by the Commission.

18.2 This Protocol shall be interpreted as an independent and autonomous text and not by reference to existing law or statutes.

18.3 The headings used for the various parts and Articles of this Protocol are for convenience only and shall not be deemed part of the substance of this Protocol or to affect in any way the language of the provisions to which they refer.

18.4 The World Anti-Doping Code ("Code"), the comments annotating various provisions of the Code, and Policies shall be used to interpret this Protocol. If there is a conflict, this Protocol shall prevail.

18.5 This Protocol shall not apply retroactively to matters pending before the Effective Date.

18.5 (a) A Presence violation after the Effective Date stemming from Use or Administration prior to the Effective Date shall not be a violation for the Covered Horse, the Responsible Person, and any related Covered Persons.

18.5 (b) The relevant State Racing Commission retains authority prior to the Effective Date.

## **19 TRANSITIONAL PROVISIONS**

19.1 General Application of the 2022 Protocol

19.1 (a) The 2022 Protocol shall apply in full as of July 1, 2022 (the "Effective Date").

19.2 Additional Protocol Amendments

19.2 (a) Any additional Protocol amendments shall go into effect as provided in Article 18.1.

## **9 AUTOMATIC DISQUALIFICATION OF COVERED HORSE'S RESULTS**

9.1 An anti-doping or medication control rule violation, arising from a Race Day test or that occurred on the Race Day or for purposes of Prohibited Method of the result in the Race obtained by the Covered Horse(s), including forfeiture of any trophies, points, rankings, prizes, purses, and other compensation.

## **34 Equine Ambulance**

34.1 A dedicated horse ambulance must be always available for rapid deployment during racing or training periods. The definition of an equine ambulance Thoroughbred Race Day Injury Management Guidelines". A minimum of one ambulance with personnel trained to operate the ambulance must be available during training and racing hours. It is recommended that a second ambulance be available in the case of multiple equine injuries or failure of the primary horse ambulance.

## **Prohibited List**

### **20 Prohibited at All Times (Race Day and Out of Competition)**

20.1 Prohibited Substance(s)

20.1 (a) S0 Non-approved Substances

20.1 (a) (1) Any pharmacological substance which is not addressed by any of the subsequent sections of the List and with no current approval by any governmental regulatory health authority for veterinary or human therapeutic use (e.g., drugs under pre-clinical or clinical development or discontinued, designer drugs) or any substance not universally recognised by veterinary regulatory authorities as a valid veterinary therapeutic treatment is prohibited at all times.

20.1 (b) S1 Anabolic Agents - The following substances, and other substances with similar chemical structure or similar biological effect(s), are prohibited.

20.1 (b) (1) Anabolic Androgenic Steroids (when administered exogenously), including but not limited to:

- 20.1 (b) (1) (i) 1-Androstenediol (5 $\alpha$ -androst-1-ene-3 $\beta$ , 17 $\beta$ -diol)
- 20.1 (b) (1) (ii) 1-Androstenedione (5 $\alpha$ -androst-1-ene-3, 17-dione)
- 20.1 (b) (1) (iii) 1-Androsterone (3 $\alpha$ -hydroxy-5 $\alpha$ -androst-1-ene-17-one)
- 20.1 (b) (1) (iv) 1-Epiandrosterone (3 $\beta$ -hydroxy-5 $\alpha$ -androst-1-ene-17-one)
- 20.1 (b) (1) (ix) 7 $\alpha$ -hydroxy-DHEA
- 20.1 (b) (1) (l) Norethandrolone
- 20.1 (b) (1) (li) Oxabolone
- 20.1 (b) (1) (lii) Oxandrolone
- 20.1 (b) (1) (liii) Oxymesterone
- 20.1 (b) (1) (liv) Oxymetholone
- 20.1 (b) (1) (lix) Stenbolone
- 20.1 (b) (1) (lv) Prasterone (dehydroepiandrosterone, DHEA, 3 $\beta$ -hydroxyandrost-5-en-17-one)
- 20.1 (b) (1) (lvi) Prostanazol (17 $\beta$ -[(tetrahydropyran-2-yl) oxy]-1'H-pyrazolo[3,4:2,3]-5 $\alpha$ -androstane)
- 20.1 (b) (1) (lvii) Quinbolone
- 20.1 (b) (1) (lviii) Stanozolol
- 20.1 (b) (1) (lx) Testosterone
- 20.1 (b) (1) (lxi) Tetrahydrogestrinone (17-hydroxy-18 $\alpha$ -homo-19-nor-17 $\alpha$ -pregna-4,9,11-trien-3-one)
- 20.1 (b) (1) (lxii) Tibolone
- 20.1 (b) (1) (lxiii) Trenbolone (17 $\beta$ -hydroxyestr-4,9,11-trien-3-one)
- 20.1 (b) (1) (v) 1-Testosterone (17 $\beta$ -hydroxy-5 $\alpha$ -androst-1-en-3-one)
- 20.1 (b) (1) (vi) 4-Androstenediol (androst-4-ene-3 $\beta$ ,17 $\beta$ -diol)
- 20.1 (b) (1) (vii) 4-Hydroxytestosterone (4,17 $\beta$ -dihydroxyandrost-4-en-3-one)
- 20.1 (b) (1) (viii) 5-Androstenedione (androst-5-ene-3,17-dione)
- 20.1 (b) (1) (x) 7 $\beta$ -hydroxy-DHEA
- 20.1 (b) (1) (xi) 7-Keto-DHEA
- 20.1 (b) (1) (xii) 19-Norandrostenediol (estr-4-ene-3,17-diol)
- 20.1 (b) (1) (xiii) 19-Norandrostenedione (estr-4-ene-3,17-dione)
- 20.1 (b) (1) (xiv) Androstanolone (5 $\alpha$ -dihydrotestosterone, 17 $\beta$ -hydroxy-5 $\alpha$ -androstan-3-one)
- 20.1 (b) (1) (xix) Boldione (androsta-1,4-diene-3,17-dione)
- 20.1 (b) (1) (xl) Methyl-1-testosterone (17 $\beta$ -hydroxy-17 $\alpha$ -methyl-5 $\alpha$ -androst-1-en-3-one)
- 20.1 (b) (1) (xli) Methylclostebol
- 20.1 (b) (1) (xlii) Methyldienolone (17 $\beta$ -hydroxy-17 $\alpha$ -methylestra-4,9-dien-3-one)

- 20.1 (b) (1) (xliii) Methylnoretestosterone (17 $\beta$ -hydroxy-17 $\alpha$ -methylene-4-en-3-one)
- 20.1 (b) (1) (xliv) Methyltestosterone
- 20.1 (b) (1) (xlix) Norclostebol (4-chloro-17 $\beta$ -ol-estr-4-en-3-one)
- 20.1 (b) (1) (xlv) Metribolone (methyltrienolone, 17 $\beta$ -hydroxy-17 $\alpha$ -methylene-4,9,11-trien-3-one)
- 20.1 (b) (1) (xlvii) Mibolerone
- 20.1 (b) (1) (xlviii) Nandrolone (19-nortestosterone)
- 20.1 (b) (1) (xlix) Norboletone
- 20.1 (b) (1) (xv) Androstenediol (androst-5-ene-3 $\beta$ ,17 $\beta$ -diol)
- 20.1 (b) (1) (xvi) Androstenedione (androst-4-ene-3,17-dione)
- 20.1 (b) (1) (xvii) Bolasterone
- 20.1 (b) (1) (xviii) Boldenone
- 20.1 (b) (1) (xx) Calusterone
- 20.1 (b) (1) (xxi) Clostebol
- 20.1 (b) (1) (xxii) Danazol ([1,2]oxazolo[4',5':2,3]pregna-4-en-20-yn-17 $\alpha$ -ol)
- 20.1 (b) (1) (xxiii) Dehydrochloromethyltestosterone (4-chloro-17 $\beta$ -hydroxy-17 $\alpha$ -methylandrosta-1,4-dien-3-one)
- 20.1 (b) (1) (xxiv) Desoxymethyltestosterone (17 $\alpha$ -methyl-5 $\alpha$ -androst-2-en-17 $\beta$ -ol and 17 $\alpha$ -methyl-5 $\alpha$ -androst-3-en-17 $\beta$ -ol)
- 20.1 (b) (1) (xxix) Ethylestrenol (19-norpregna-4-en-17 $\alpha$ -ol)
- 20.1 (b) (1) (xxv) Drostanolone
- 20.1 (b) (1) (xxvi) Epiandrosterone (3 $\beta$ -hydroxy-5 $\alpha$ -androstan-17-one)
- 20.1 (b) (1) (xxvii) Epi-dihydrotestosterone (17 $\beta$ -hydroxy-5 $\beta$ -androstan-3-one)
- 20.1 (b) (1) (xxviii) Epitestosterone
- 20.1 (b) (1) (xxx) Fluoxymesterone
- 20.1 (b) (1) (xxxi) Formebolone
- 20.1 (b) (1) (xxxii) Furazabol (17 $\alpha$ -methyl [1,2,5] oxadiazolo[3',4':2,3]-5 $\alpha$ -androstan-17 $\beta$ -ol)
- 20.1 (b) (1) (xxxiii) Gestrinone
- 20.1 (b) (1) (xxxiv) Mestanolone
- 20.1 (b) (1) (xxxix) Methasterone (17 $\beta$ -hydroxy-2 $\alpha$ ,17 $\alpha$ -dimethyl-5 $\alpha$ -androstan-3-one)
- 20.1 (b) (1) (xxxv) Mesterolone
- 20.1 (b) (1) (xxxvi) Metandienone (17 $\beta$ -hydroxy-17 $\alpha$ -methylandrosta-1,4-dien-3-one)
- 20.1 (b) (1) (xxxvii) Metenolone
- 20.1 (b) (1) (xxxviii) Methandriol

20.1 (b) (2) Other Anabolic Agents, including but not limited to:

- 20.1 (b) (2) (i) • Clenbuterol, Selective androgen receptor modulators [SARMs, e.g., andarine, LGD-4033 (ligandrol) enobosarm (ostarine), RAD140, AC-262536, GW 501516, YK-11, BMS-564,929, S-23, LGD-121071, LY-245247, GSK 2881078, LGD-2226, S-40503, TFM-4AS-1 and

LGD-3033], Zeranol, Zilpaterol, Ractopamine

20.1 (c) S2 Peptide Hormones, Growth Factors, Related Substances, and Mimetics -The following substances, and other substances with similar chemical structure or similar biological effect(s), are prohibited.

20.1 (c) (1) Erythropoietins (EPO) and Agents affecting erythropoiesis, including but not limited to:

20.1 (c) (1) (i) Erythropoietin-Receptor Agonists, including but not limited to: Darbepoetins (dEPO), Erythropoietins (EPO), EPO-based constructs [e.g., EPO-Fc, methoxy polyethylene glycol-epoetin beta (CERA)], EPO-mimetic agents and their constructs (e.g., CNTO-530, peginesatide)

20.1 (c) (1) (ii) Hypoxia-Inducible Factor (HIF) Activating Agents, including but not limited to: • Cobalt, Daprodustat (GSK1278863), IOX2, Molidustat (BAY 85-3934), Roxadustat (FG-4592), Vadadustat (AKB-6548), Xenon, Argon

20.1 (c) (1) (iii) Exceptions: a.) Injectable Cobalt: maximum 1mg over 24 hours period (recognized, legitimate treatment) b.) Oral Cobalt: maximum 5mg over 24 hours period (nutritional supplement)

20.1 (c) (1) (iv) GATA Inhibitors, including but not limited to: K-11706

20.1 (c) (1) (v) Transforming Growth Factor-beta (TGF- $\beta$ ) signalling inhibitors, including but not limited to: Luspatercept, Sotatercept

20.1 (c) (1) (vi) 1.5 Innate Repair Receptor Agonists, including but not limited to: Asialo EPO, Carbamylated EPO (CEPO)

20.1 (c) (2) Peptide Hormones and their Releasing Factors, including but not limited to:

20.1 (c) (2) (i) Chorionic Gonadotrophin (CG) and Luteinizing Hormone (LH) and their Releasing Factors in Males and Geldings, including but not limited to: Buserelin, Deslorelin, Gonadorelin, Goserelin, Leuprorelin, Nafarelin, Triptorelin

20.1 (c) (2) (ii) Corticotrophins and their Releasing Factors, including but not limited to: Corticorelin

20.1 (c) (2) (iii) 2.3 Growth Hormone (GH), its analogues and fragments, including but not limited to: Growth hormone analogues, e.g., lonapegsomatropin, somapacitan, and somatrogen; Growth hormone fragments, e.g., AOD-9604 and hGH 176-191

20.1 (c) (2) (iv) 2.4 Growth hormone releasing factors, including but not limited to: Growth hormone-releasing hormone (GHRH) and its analogues, e.g., CJC-1293, CJC-1295, sermorelin and tesamorelin; Growth hormone secretagogues (GHS), e.g., lenomorelin (ghrelin) and its mimetics, MK-677 (ibutamoren), anamorelin, ipamorelin, macimorelin and tabimorelin; GH-releasing peptides (GHRPs), e.g., alexamorelin, GHRP-1, GHRP-2 (pralmorelin), GHRP-3, GHRP-4, GHRP-5, GHRP-6, and examorelin (hexarelin)

20.1 (c) (3) Growth factors and growth factor modulators, including but not limited to:

20.1 (c) (3) (i) Fibroblast growth factors (FGFs)

20.1 (c) (3) (ii) Hepatocyte growth factor (HGF)

20.1 (c) (3) (iii) Insulin-like growth factor 1 (IGF-1) and its analogues

20.1 (c) (3) (iv) Mechano growth factors (MGFs)

20.1 (c) (3) (v) Platelet-derived growth factor (PDGF)

20.1 (c) (3) (vi) Thymosin- $\beta$ 4 and its derivatives e.g., TB-500

20.1 (c) (3) (vii) Vascular endothelial growth factor (VEGF)

20.1 (c) (3) (viii) and other growth factors or growth factor modulators affecting muscle, tendon or

ligament protein synthesis/degradation, vascularisation, energy utilization, regenerative capacity or fibre type switching.

20.1 (d) S3 Beta-2 Agonists - The following substances, and other substances with similar chemical structure or similar biological effect(s), are prohibited.

20.1 (d) (1) All selective and non-selective beta-2 agonist, including all optical isomers, are prohibited, including but not limited to:

- 20.1 (d) (1) (i) Arformoterol
- 20.1 (d) (1) (ii) Fenoterol
- 20.1 (d) (1) (iii) Formoterol
- 20.1 (d) (1) (iv) Higenamine
- 20.1 (d) (1) (ix) Indacaterol
- 20.1 (d) (1) (v) Levosalbutamol
- 20.1 (d) (1) (vi) Olodaterol
- 20.1 (d) (1) (vii) Procaterol
- 20.1 (d) (1) (viii) Reproterol
- 20.1 (d) (1) (x) Salbutamol
- 20.1 (d) (1) (xi) Salmeterol
- 20.1 (d) (1) (xii) Terbutaline
- 20.1 (d) (1) (xiii) Tretoquinol (trimetoquinol)
- 20.1 (d) (1) (xiv) Tulobuterol
- 20.1 (d) (1) (xv) Vilanterol

20.1 (d) (2) Exceptions:

20.1 (d) (2) (i) Inhaled beta-2 agonists e.g., albuterol (salbutamol) when prescribed by a veterinarian as a bronchodilator at an appropriate dose.

20.1 (e) S4 Hormone and Metabolic Modulators - The following substances, and other substances with similar chemical structure or similar biological effect(s), are prohibited.

20.1 (e) (1) Aromatase Inhibitors, including but not limited to:

- 20.1 (e) (1) (i) • 2-Androstenol (5 $\alpha$ -androst-2-en-17-ol)
- 20.1 (e) (1) (ii) • 2-Androstenone (5 $\alpha$ -androst-2-en-17-one)
- 20.1 (e) (1) (iii) • 3-Androstenol (5 $\alpha$ -androst-3-en-17-ol)
- 20.1 (e) (1) (iv) • 3-Androstenone (5 $\alpha$ -androst-3-en-17-one)
- 20.1 (e) (1) (ix) • 4-Androstene-3,6,17 trione (6-oxo)
- 20.1 (e) (1) (v) • Aminoglutethimide
- 20.1 (e) (1) (vi) • Anastrozole

20.1 (e) (1) (vii) • Androsta-1,4,6-triene-3,17-dione (androstatrienedione)

20.1 (e) (1) (viii) • Androsta-3,5-diene-7,17-dione (arimistane)

20.1 (e) (1) (x) • Exemestane

20.1 (e) (1) (xi) • Formestane

20.1 (e) (1) (xii) • Letrozole

20.1 (e) (1) (xiii) • Testolactone

20.1 (e) (2) Anti-estrogenic substances [Anti-estrogens and selective estrogen receptor modulators (SERMS)], including but not limited to:

20.1 (e) (2) (i) • Bazedoxifene

20.1 (e) (2) (ii) • Clomifene

20.1 (e) (2) (iii) • Cyclofenil

20.1 (e) (2) (iv) • Fulvestrant

20.1 (e) (2) (v) • Ospemifene

20.1 (e) (2) (vi) • Raloxifene

20.1 (e) (2) (vii) • Tamoxifen

20.1 (e) (2) (viii) • Toremifene

20.1 (e) (3) Agents preventing activin receptor IIB activation, including but not limited to:

20.1 (e) (3) (i) • Activin A-neutralizing antibodies

20.1 (e) (3) (ii) • Activin receptor IIB competitors such as: o Decoy activin receptors (e.g., ramatercept (ACE-031), dalantercept (ACE-041))

20.1 (e) (3) (iii) • Anti-activin receptor IIB antibodies (e.g., bimagramab)

20.1 (e) (3) (iv) • Myostatin inhibitors such as: o Agents reducing or ablating myostatin expression o Myostatin-binding proteins (e.g., follistatin, myostatin propeptide) o Myostatin-neutralizing antibodies (e.g., domagrozumab, landogrozumab, stamulumab)

20.1 (e) (4) Metabolic Modulators

20.1 (e) (4) (i) 4.1 Activators of the AMP-Activated Protein Kinase (AMPK), including but not limited to: AICAR, SR9009, Peroxisome proliferator-activated receptor delta (PPAR $\delta$ ) agonists, e.g., 2-(2-methyl-4-((4-methyl-2-(4-(trifluoromethyl)phenyl)thiazol-5-yl)methylthio)phenoxy) acetic acid (GW1516, GW501516)

20.1 (e) (4) (ii) Insulins and Insulin-Mimetics

20.1 (e) (4) (iii) Meldonium

20.1 (e) (4) (iv) Trimetazidinet

20.1 (e) (5) Thyroid hormone and thyroid hormone modulators, including but not limited to:

20.1 (e) (5) (i) Thyroxine

20.1 (e) (5) (ii) Tetraiodothyronine

20.1 (e) (5) (iii) Triiodothyronine

20.1 (f) S5 Diuretics and Masking Agents

20.1 (f) (1) The following diuretics and masking agents are prohibited, as are other substances with a similar chemical structure or similar biological effect(s), including but not limited to:

20.1 (f) (1) (i) • Acetazolamide

20.1 (f) (1) (ii) • Amiloride

20.1 (f) (1) (iii) • Bumetanide

20.1 (f) (1) (iv) • Chlortalidone

20.1 (f) (1) (ix) • Canrenone

20.1 (f) (1) (v) • Desmopressin

20.1 (f) (1) (vi) • Etacrynic acid

20.1 (f) (1) (vii) • Indapamide

20.1 (f) (1) (viii) • Metolazone

20.1 (f) (1) (x) • Plasma expanders, e.g., intravenous administration of albumin, dextran, hydroxyethyl starch and mannitol

20.1 (f) (1) (xi) • Probenecid

20.1 (f) (1) (xii) • Spironolactone

20.1 (f) (1) (xiii) • Thiazides, e.g., bendroflumethiazide, chlorothiazide and hydrochlorothiazide

20.1 (f) (1) (xiv) • Triamterene

20.1 (f) (1) (xv) • Vaptans, e.g., tolvaptan

20.1 (f) (2) Exceptions:

20.1 (f) (2) (i) • Drospirenone; pamabrom; and topical ophthalmic administration of carbonic anhydrase inhibitors (e.g., dorzolamide, brinzolamide)

20.1 (f) (2) (ii) • Furosemide

20.1 (f) (2) (iii) • Trichlormethiazide for treatment of edema

20.1 (f) (2) (iv) • Use of any S5 agent, such as plasma expanders for procedures performed for life-saving purposes.

20.1 (g) S6 Miscellaneous Substances - The following substances, and other substances with similar chemical structure or similar biological effect(s), are prohibited.

20.1 (g) (1) Bisphosphonates, including but not limited to:

20.1 (g) (1) (i) • Alendronate

20.1 (g) (1) (ii) • Clodronic acid

20.1 (g) (1) (iii) • Ibandronate

20.1 (g) (1) (iv) • Pamidronate

20.1 (g) (1) (v) • Risedronate

20.1 (g) (1) (vi) • Tiludronic acid

20.1 (g) (1) (vii) • Zoledronic acid

20.1 (g) (1) (viii) Exceptions: Bisphosphonates administered for the purpose of diagnostic imaging (gamma scintigraphy).

20.1 (g) (2) Toxins & Venoms of any species or derivatives of them, and their synthetic analogues, including but not limited to:

20.1 (g) (2) (i) • Alpha-cobratoxin

20.1 (g) (2) (ii) • Dermorphin

20.1 (g) (2) (iii) • Ziconotide

20.1 (g) (3) Altrenogest in Males or Geldings

20.1 (g) (4) Pitcher plant extract

## 20.2 Prohibited Method(s)

### 20.2 (a) M1 Manipulation of Blood and Blood Components

20.2 (a) (1) The Administration or reintroduction of any quantity of autologous, allogenic (homologous) or heterologous blood, or red blood cell products of any origin into the circulatory system.

20.2 (a) (2) Artificially enhancing the uptake, transport or delivery of oxygen. Including, but not limited to: Perfluorochemicals; efaproxiral (RSR13) and modified haemoglobin products, e.g., haemoglobin-based blood substitutes and microencapsulated haemoglobin products, excluding supplemental oxygen by inhalation.

20.2 (a) (3) Any form of intravascular manipulation of the blood or blood components by physical or chemical means.

20.2 (a) (4) Withdrawal of blood for any purpose other than for diagnostic/Laboratory testing procedures.

20.2 (a) (5) Exceptions:

20.2 (a) (5) (i) Procedures performed for life-saving purposes.

20.2 (a) (5) (ii) Use of veterinary regenerative therapies (autologous conditioned serum or platelet-rich plasma), for the treatment of musculoskeletal injury or disease.

### 20.2 (b) M2 Chemical and Physical Manipulation

20.2 (b) (1) Tampering, including, but not limited to, Sample substitution and/or adulteration, e.g., addition of proteases to Sample.

20.2 (b) (2) Use of chemical castration or immunocastration.

### 20.2 (c) M3 Gene and Cell Doping

20.2 (c) (1) The following, with the potential to enhance performance or modify the heritable genome, are prohibited:



20.2 (c) (1) (i) The use of nucleic acids or nucleic acid analogues that may alter genome sequences and/ or alter gene expression by any mechanism. This includes but is not limited to gene editing, gene silencing and gene transfer technologies.

20.2 (c) (1) (ii) The use of normal or genetically modified cells.

20.2 (c) (1) (iii) Modification of the heritable genome

## 21 Prohibited on Race Day

21.1 Medications administered by Official Veterinarians are not prohibited.

21.2 Substances prohibited on Race Day must not be administered during the Race Period, which commences 48 hours prior to a Covered Horse's start in any Race or Workout.

21.3 Prohibited Substance(s)

21.3 (a) S7 Supplements and feed additives and substances capable at any time of causing an action or effect, or both an action and effect, within one or more of the following mammalian body systems:

21.3 (a) (1) the blood system

21.3 (a) (10) the urinary system

21.3 (a) (2) the cardiovascular system

21.3 (a) (3) the digestive system

21.3 (a) (4) the endocrine system

21.3 (a) (5) the immune system

21.3 (a) (6) the musculoskeletal system

21.3 (a) (7) the nervous system

21.3 (a) (8) the reproductive system

21.3 (a) (9) the respiratory system

21.3 (b) All substances, including all optical isomers, e.g., d- and l- where relevant.

21.3 (c) Metabolites, artifacts, and isomers of S7 substances.

21.3 (d) Exceptions:

21.3 (d) (1) • Normal food and water.

21.3 (d) (10) • Orally administered glucosamine.

21.3 (d) (11) • Orally administered vitamins.

21.3 (d) (12) • Ranitidine.

21.3 (d) (13) • Registered vaccines against infectious agents.

21.3 (d) (2) • Electrolytes sodium, potassium, and chloride only.

21.3 (d) (3) • Altrenogest in female horses.

21.3 (d) (4) • Antimicrobials (antibiotics) and other anti-infective agents, excluding procaine penicillin or other antimicrobial/anti-infective agents containing other Prohibited Substances.

21.3 (d) (5) • Antiparasitic/anthelmintics approved and registered for use in horses, excluding levamisole or other antiparasitic/anthelmintics metabolising to and/or containing other Prohibited Substances.

21.3 (d) (6) • Cimetidine.

21.3 (d) (7) Furosemide during Workouts

21.3 (d) (8) • Omeprazole.

21.3 (d) (9) • Orally administered chondroitin sulphate.

21.3 (e) S7 substances do not include substances for which there is no current approval by any governmental regulatory health authority for veterinary or human therapeutic use (e.g., drugs under pre-clinical or clinical development or discontinued, designer drugs) and any substance not universally recognised by veterinary regulatory authorities as a valid veterinary therapeutic treatment that fall within S0 and are therefore prohibited at all times.

#### 21.4 Prohibited Method(s)

21.4 (a) M4 Alkalinization

21.4 (b) Exceptions:

21.4 (b) (1) Furosemide during Workouts

## 22 Prohibited in Workouts

22.1 The Prohibited on Race Day portion of the List is applicable for Workouts except for furosemide. See Definition of Race Day in the Equine Program Definitions, including official timed workouts.

## 23 Other Prohibited Periods

23.1 Prohibited Substance(s)

23.1 (a) None

23.2 Prohibited Method(s)

23.2 (a) M5 Intra-articular Injection

23.2 (a) (1) Intra-articular injections are prohibited on Race Day, and the fourteen (14) calendar days preceding Race Day. The Covered Horse is ineligible to race for fourteen (14) calendar days post administration of the intra-articular injection.

## 24 Table of Ineligibility Periods for Covered Horse (Protocol Article 10.1)

24.1 S0 Non-approved Substances - 14 months

24.1 (a) Exception: human substances of abuse, e.g., cocaine, MDMA - 0 months

24.10 M3 Gene and Cell Doping - LIFE

24.11 S7 Supplements and feed additives and substances capable at any time of causing an action or effect, or both an action and effect, within one or more of the following mammalian body systems: the nervous system; the cardiovascular system; the respiratory system; the digestive system; the urinary system; the reproductive system; the musculoskeletal system; the blood system; the endocrine system; the immune system - 0 months

24.12 M4 Alkalinization - 0 months

24.2 S1 Anabolic Agents - 14 months

24.2 (a) Exception: zilpaterol/ractopamine where established no Fault ( feed contamination) - 6 months

24.3 S2 Peptide Hormones, Growth Factors, Related Substances, and Mimetics - 6 months

24.4 S3 Beta-2 Agonists - 14 months

24.5 S4 Hormone and Metabolic Modulators - 3 months

24.6 S5 Diuretics and Masking Agents - 0 months

24.7 S6 Miscellaneous Substances

24.7 (a) Bisphosphonates - LIFE

24.7 (b) Other - 0 months

24.8 M1 Manipulation of Blood and Blood Components - 6 months

24.9 M2 Chemical and Physical Manipulation - 0 months

## **Safety**

### **25 Equine Medical Director**

25.1 The Authority electing to enter into an agreement with the Authority), Safety Officer (subject to the applicable State Racing Commission electing to enter into an agreement with the Authority if such individual is employed by the State Racing Commission), or Association Veterinarian.

25.2 The Equine Medical Director, or their designee(s), shall be responsible for:

25.2 (a) Creating a culture of safety for horses, riders, and racetrack personnel

25.2 (b) Overseeing all aspects of equine safety, racetrack safety, and safety of personnel working with horses by ensuring that all activities and practices involving the training and racing of horses at the track meet required safety standards and regulatory guidelines

25.2 (c) Implementing a Risk Management and Injury Prevention program with oversight of the Safety and Welfare Committee

25.2 (d) Overseeing Regulatory and their interface with racetrack stewards

25.2 (e) Provide guidance to Attending Veterinarians on safety issues

25.2 (f) Maintaining and annually reviewing standard operating procedures and protocols

25.2 (g) Coordinating and overseeing Emergency Drills (e.g., equine injury, starting gate malfunction)

25.2 (h) Reporting all equine injuries and fatalities to the Authority within 72 hours of injury

25.2 (i) Reporting all human injuries to the Authority within 72 hours of injury

25.2 (j) Interfacing with the Authority for accreditation compliance and resolution of deficiencies

## 26 Safety and Welfare Committee

26.1 Each jurisdiction shall have a Safety and Welfare Committee to review the circumstances around fatalities, injuries, and racetrack safety issues with the goal of identifying possible contributing (risk) factors that can be mitigated. The Committee composition may vary among Racetracks within a jurisdiction. The Committee shall include at a minimum a Regulatory Veterinarian, a racetrack Association Veterinarian (subject to the applicable State Racing Commission electing to enter into an agreement with the Authority if such individual is employed by the State Racing Commission), horsemen's representative, Jockey, racetrack management individual, and a racetrack maintenance individual. Subject to the applicable State Racing Commission electing to enter into an agreement with the Authority, a Regulatory Veterinarian shall Chair the Safety and Welfare Committee. When the Equine Medical Director is not a committee member, the Equine Medical Director shall be an ad hoc member of the Safety and Welfare Committee. A physician consultant may be identified for human injury discussions. In any jurisdiction where the applicable State Racing Commission does not elect to enter into an agreement with the Authority to establish a Safety and Welfare Committee, the Racetracks in such jurisdiction shall establish and implement the Safety and Welfare Committee, subject to the Authority's approval of the individuals constituting the Safety and Welfare Committee.

26.2 The Safety and Welfare Committee shall be responsible for:

26.2 (a) Review of all equine catastrophic injuries and the circumstances surrounding those injuries, including, at a minimum:

26.2 (a) (1) interviews with Trainers, and when appropriate, a physician consultant

26.2 (a) (2) review of race or training video footage, if applicable

26.2 (a) (3) review of racetrack surface conditions and weather information

26.2 (a) (4) convening a meeting with the connections of the horse (at a minimum, the Regulatory Veterinarian, exercise rider, and/or racetrack manager) to:

26.2 (a) (4) (i) convey the findings of the review

26.2 (a) (4) (ii) acquire additional information useful for developing strategies for injury prevention

26.2 (a) (4) (iii) provide continuing education or continuing education recommendations related to cause of equine injury, if available, to persons related to affected horse

26.2 (a) (5) evaluation of factors that may have contributed to injuries (e.g., crop use)

26.2 (a) (6) evaluation of the effectiveness of protocols/procedures for managing the equine injury scenario

26.2 (a) (7) developing strategies to mitigate identified factors that may have contributed to the injury

26.2 (a) (8) preparing and submitting a report that summarizes the findings to the Authority within 60 days of injury

26.2 (b) Review of all environmental factors related to racing and training that may have contributed to human injury occurrences including:

26.2 (b) (1) evaluation of external factors (e.g., equine, racetrack, environmental noise, activity, lighting) that may have contributed to injuries

26.2 (b) (2) evaluation of the effectiveness of protocols/procedures for managing the human injury scenario

26.2 (b) (3) development of strategies to mitigate identified factors that may have contributed to the injury

26.2 (b) (4) prepare and submit a report that summarizes the findings to the Authority within 60 days of injury

26.2 (c) Consideration of racetrack safety issues brought to the Committee's attention

26.2 (d) Summary review of all injuries and considerations, and if applicable a review of an increased

occurrence of injuries during a race meet, to review existing practices, develop strategies to reduce or mitigate injury occurrence, to enhance identification of horses or conditions for which intervention is warranted, and enhance racetrack safety for equine and human participants.

26.2 (d) (1) prepare and submit a report that summarizes the findings to the Authority within 60 days of the end of the race meet

## **27 Research**

27.1 The Racetrack Safety Committee shall establish priorities for analysis of equine, Jockey; Owners; Trainers; Jockeys; racetrack maintenance supervisors; and racetrack administrators/managers.

27.2 Funding will be designated specifically for racehorse industry research.

27.3 Funding priorities will include:

27.3 (a) proposals for analysis of the Authority's data

27.3 (b) proposals for investigating technological, epidemiological, biomechanical, psychophysiological approaches to reduce risk and injury of racehorses and riders

27.3 (c) projects for advancing knowledge to enhance the welfare of racehorses, riders, racehorse personnel, and the racehorse industry

27.3 (d) micro-grants for resolving immediate gaps in knowledge, and

27.3 (e) fellowship proposals to conduct research in racetrack apprenticeships.

27.4 Mechanisms for reviewing, administering, and monitoring research proposals will include consideration of existing resources (e.g., Grayson-Jockey Club Research Foundation).

## **28 Education**

28.1 The Racetrack Safety Committee will develop priorities for training, continuing education, and development of continuing education resources. Priorities will be established by seeking input from representatives from industry constituents: State Racing Commissioners; racetrack maintenance supervisors; and racetrack administrators/managers.

28.2 Funding will be designated specifically for training and continuing education.

28.3 Project priorities will include:

28.3 (a) development of training programs for members of the racehorse industry,

28.3 (b) development of educational resources for members of the racehorse industry,

28.3 (c) training grants to draw new individuals into any aspect of the racehorse industry pipeline,

28.3 (d) equine management internships/externships,

28.3 (e) development of guidelines, training materials, and applications (e.g., cell phone apps) to facilitate and standardize data collection and submission to the Authority, and

28.3 (f) development of resources for advancing public engagement in racing.

28.4 Mechanisms for centralizing, offering, and giving credit for meeting continuing education requirements will include consideration of existing resources (e.g., HorsemenU - <https://horsemenu.mclms.net/en/>).

## **29 Specific Regulations**

29.1 All Covered Persons should take reasonable steps to ensure care, nutrition and environment are optimal for the health of racehorses; to prevent unnecessary pain and distress; and to prevent avoidable risks for illness, injury, and disease. Similarly, reasonable steps should be taken to ensure the health of all individuals that participate in the racing industry.

### 30 Racetrack Positions

30.1 Each racetrack shall have the following positions sharing responsibilities for human and equine health, safety and welfare.

#### 30.2 Stewards

30.2 (a) The stewards for each meeting shall be responsible for the conduct of the race meeting in accordance with the State laws, the racing rules and regulations of the jurisdiction, and these regulations.

30.2 (b) The stewards shall enforce these regulations and the racing rules and regulations of the applicable jurisdiction.

30.2 (c) The stewards' authority includes oversight of all racing officials, track management, licensed personnel, other persons responsible for the conduct of racing, and patrons, as necessary to ensure compliance with these regulations.

30.2 (d) The stewards shall have authority to resolve conflicts or disputes related to racing and to discipline violators in accordance with the provisions of these regulations.

30.2 (e) To qualify for appointment as a Steward, the appointee shall meet the experience, education, and examination requirements necessary to be accredited by the Racing Officials Accreditation Program (<http://www.horseracingofficials.com/accreditation>) and be in good standing with all racing jurisdictions.

#### 30.2 (f) Stewards' List

30.2 (f) (1) The stewards shall maintain a list of first-time starters and horses with 60 or 90 day breaks since last race. These horses will be required to perform a 5/8th mile work in a time of 1:03 or better before allowed to start in a race.

30.2 (f) (2) The stewards shall maintain a Stewards' List of the horses which are ineligible to be entered in a race because of poor or inconsistent performance (e.g., beaten over 25 lengths) or behavior on the racetrack that endangers the health or safety of other participants in racing.

30.2 (f) (3) A horse which has been placed on the Stewards' List because of inconsistent performance or behavior, may be removed from the Stewards' List when, in the opinion of the stewards, the horse can satisfactorily perform competitively in a race without endangering the health or safety of other participants in racing.

30.2 (f) (4) For horses placed on the Stewards' List for poor performance, horses must perform a 5/8th mile work in a time of 1:03 or better before allowed to start in a race.

30.2 (g) The requirements of these regulations for any steward employed by a State Racing Commission are subject to the applicable State Racing Commission electing to entering into an agreement with the Authority. If the applicable State Racing Commission does not enter into such an agreement, then the Racetracks in such jurisdiction shall implement the requirements set forth in this Section, subject to the Authority's approval of the individuals named as stewards.

#### 30.3 Safety Officer

30.3 (a) Racetracks, to ensure that all activities and practices involving the training and racing of horses at the track meet required safety standards and regulatory guidelines. Regardless of whether a racetrack conducts Graded Stakes, all Racetracks are encouraged to have a Safety Officer.

30.3 (b) The Safety Officer shall:

30.3 (b) (1) Monitor daily stable area activities and practices in the barn area and on the racetrack for compliance with regulations

30.3 (b) (10) Conduct random checks of ship-in documentation (Coggins and health certificates) at the stable gate

- 30.3 (b) (11) Conduct random license checks in the stable area;
- 30.3 (b) (12) Conduct random barn inspections to monitor safety and regulatory compliance, including fire safety regulations;
- 30.3 (b) (13) Conduct random inspections to protect against equine neglect;
- 30.3 (b) (14) Conduct random inspections of veterinary vehicles to monitor regulatory and safety compliance;
- 30.3 (b) (15) Advise stewards of all planned and random inspections;
- 30.3 (b) (16) Oversee the fire safety in the stable area;
- 30.3 (b) (17) Assist the state steward and/or chief Regulatory Veterinarian in conducting the Trainer Examination;
- 30.3 (b) (18) Assist stewards during formal hearings;
- 30.3 (b) (19) Serve as a member of the Safety and Welfare Committee;
- 30.3 (b) (2) Conduct pre-meet racetrack safety inspections with racetrack personnel
- 30.3 (b) (20) Serve as a point person for inquiries from racing licensees on rules questions;
- 30.3 (b) (21) Make recommendations to the racetrack management and regulators to ensure the welfare of horses and riders, integrity of racing and compliance with horse racing laws and regulations
- 30.3 (b) (3) Work with outriders to monitor compliance with racetrack rules during morning workouts
- 30.3 (b) (4) Monitor starting gate procedures
- 30.3 (b) (5) Monitor ambulance and medical personnel protocols for horses and riders
- 30.3 (b) (6) Report any observation of an unsound horse to Regulatory Veterinarian
- 30.3 (b) (7) Assist Regulatory Veterinarians with follow-up on horses barred from training or vanned off during training and racing
- 30.3 (b) (8) Conduct random inspections of safety equipment (helmets and vests)
- 30.3 (b) (9) Review ship-in/ship-out lists and investigate horses that leave the Association grounds for short periods of time

#### 30.4 Regulatory Veterinarian

- 30.4 (a) Subject to the last paragraph of this Section, the State Regulatory Veterinarian shall:
  - 30.4 (a) (1) be employed by the State Racing Commission or similar agency having jurisdictional authority
  - 30.4 (a) (2) be a graduate Veterinarian and licensed to practice in the respective jurisdiction
  - 30.4 (a) (3) be qualified to objectively and competently provide the regulatory duties
  - 30.4 (a) (4) refuse employment or payment, directly or indirectly, from any Owner or Trainer of a horse racing or intending to race in this jurisdiction while employed as a Regulatory Veterinarian for the State Racing Commission
  - 30.4 (a) (5) refrain from directly treating or prescribing for any horse under his/her jurisdiction except in cases of emergency, accident, or injury
- 30.4 (b) Should the State Racing Commission, some of the Regulatory Veterinarian responsibilities, as indicated by an asterisk (\*), may be shared with or deferred to, a racetrack-employed (Association) Veterinarian. The Association Veterinarian is responsible for adhering to and upholding the rules and regulations of the Authority and the State Racing Commission.

30.4 (c) The Regulatory Veterinarian responsibilities include:

30.4 (c) (1) \* recommend to the stewards any horse deemed unsafe to be raced, or a horse that it would be inhumane to allow to race

30.4 (c) (10) \* maintain the Veterinarians' List of horses ineligible to race

30.4 (c) (11) have jurisdiction over the Attending licensed Veterinarians within the enclosure

30.4 (c) (12) review and consult with the applicants and the Stewards/State Racing Commission regarding State Racing Commission license applications of Attending Veterinarians, veterinary technicians or assistants, vendors of medical supplies and equipment, and non-Veterinarian health care providers (massage therapists, nutritionists, physical therapists, etc.)

30.4 (c) (13) \* collaborate with the Equine Medical Director, Chief Veterinarian of the State Department of Agriculture, and other regulatory agencies to take measures to control communicable and/or reportable equine diseases

30.4 (c) (2) \* conduct pre-race inspections on all potential starters on race day

30.4 (c) (3) \* inspect any horse when there is a question as to the physical condition of such horse independent of the horse's entry status

30.4 (c) (4) \* be present in the paddock during saddling, on the racetrack during the post parade and at the starting gate until the horses are dispatched from the starting gate for the race

30.4 (c) (5) \* recommend to the stewards the scratching of any horse that is, in the opinion of the Regulatory Veterinarian, injured, ill, or otherwise unable to compete due to a medical or health-related condition

30.4 (c) (6) \* inspect any horse which appears in physical distress during the race or at the finish of the race; and shall report to the stewards, the Equine Medical Director, and the Authority

30.4 (c) (7) \* provide emergency medical care to horses injured racing and effect case transfer to the Attending Veterinarian

30.4 (c) (8) \* be authorized to euthanize any horse deemed to be so seriously injured that it is in the best interests of the horse to so act

30.4 (c) (9) \* report to the Equine Medical Director and submit to the Authority the names of all horses euthanized or which otherwise expire at the meeting and the reasons therefore

30.4 (d) The Regulatory Veterinarians are authorized access to any and all horses housed on racetrack grounds regardless of entry status. Veterinarians are authorized to perform examinations of any horse randomly, to observe horses during training activities, and to perform pre-race veterinary examinations, and post-race observations. Veterinarians, in consultation with the stewards, have the absolute authority to place a horse on the Veterinarians' List.

30.4 (e) Veterinary examinations shall be performed by Regulatory Veterinarians on the day of examination and will be accessible by all Regulatory Veterinarians at the racing venue for respective horses.

30.4 (f) Assessment of Condition to Work

30.4 (f) (1) Trainer must apply 48 hours in advance for permission to work a horse

30.4 (f) (2) Trainer must examine the horse and watch the horse jog, and submit to the State Racing Commission a co-signed statement that the horse is fit to perform a work

30.4 (g) Assessment of Racing Condition

30.4 (g) (1) Pre-race screening: Regulatory Veterinarian shall perform pre-race screenings of entered horses to include, but not limited to, a review of past performances, lay-ups (>60 days without a timed workout or race), previous pre-race inspection findings, last 30 days medical history, previous injury and lameness diagnostics, intra-articular corticosteroid injections, previous surgery, and individual horse risk factors to identify horses that may be at increased risk for injury.

30.4 (g) (10) Training observations: Regulatory Veterinarians.



30.4 (g) (11) Horses which have not started in more than 365 days will be placed on the Veterinarians' List and must satisfy the same requirements for removal from the Veterinarians' List as horses designated as "unsound".

30.4 (g) (12) Horses which have not made a start prior to Feb. 1 of their 4-year-old year will be placed on the Veterinarians' List and must satisfy the same requirements for removal from the Veterinarians' List as horses designated as "unsound".

30.4 (g) (2) Pre-race veterinary inspection: Every horse entered to participate in an official race shall be subjected to a veterinary inspection by a Regulatory Veterinarian prior to starting in the race for which it is entered on race day not later than two hours prior to the official post time for the race in which the horse is to compete.

30.4 (g) (3) The Trainer of each horse or a representative of the Trainer who is knowledgeable about the horse and able to communicate with the Regulatory Veterinarian must present the horse for inspection as required by the examining Veterinarian. Horses presented for examination must have bandages removed; the legs must be clean and dry. Prior to examination horses may not be placed in ice nor shall any device or substance be applied that impedes veterinary clinical assessment.

30.4 (g) (4) Inspection findings shall be submitted to the Authority.

30.4 (g) (5) The Veterinarian's inspection of each horse prior to participating in a race shall include at a minimum:

30.4 (g) (5) (i) Ascertain the ID of the horse (tattoo, microchip and/or or markings if no tattoo or microchip).

30.4 (g) (5) (ii) Ascertain the sex of the horse; report changes to the relevant authority prior to scratch time.

30.4 (g) (5) (iii) 3. Perform an overall inspection of the entire horse, assessing general appearance, behavior (alert, dull, etc.), posture, and body condition, and making notations about any scars, abrasions and healing lacerations or post-op surgical incisions. The Veterinarian will at a minimum inspect the head, neck, thorax, abdomen, thoracic limbs (fore limbs) and pelvic limbs (hind limbs).

30.4 (g) (5) (iv) Perform a brief stethoscope exam to assess for heart murmurs and irregular rhythms.

30.4 (g) (5) (ix) Record the presence (or removal since last start) of aluminum pads or bar shoes. The Veterinarian must ascertain if the Trainer intends to run the horse with aluminum pads or bar shoes and if so, that information should be reported to the Stewards and the Paddock Judge. If a horse, according to its history, is wearing a bar shoe for the first time, the Veterinarian must ask the Trainer if the horse has been "nerved." If the horse has been "nerved," the Veterinarian must promptly report it to the relevant authority. (The Nerved List must be updated and redisplayed in the claim box, and the foal certificate needs to be stamped).

30.4 (g) (5) (v) Special attention is to be given to any potential eye problems. A recommendation to scratch the horse is made to the Stewards if a painful eye is found, with or without corneal scarring, corneal edema and/or perceived visual impairment. Corneal scarring, corneal edema and perceived visual impairment is noted. The horse must have unimpaired vision in at least one eye.

30.4 (g) (5) (vi) 6. Perform a meticulous digital palpation on both forelimbs to assess the following structures: a. With each forelimb foot on the ground, palpate from proximal to distal each forelimb dorsally, assessing the carpus (knee), third metacarpal bone (cannon bone), metacarpophalangeal joint (fetlock), proximal phalanx (pastern) and the foot. b. Continuing, with the foot on the ground, palpate from proximal to distal each forelimb, palmarly assessing the knee, superficial digital flexor tendon, deep digital flexor tendon, suspensory ligament, second and fourth metacarpal bones (splints), fetlock sesamoid bones, palmar aspect of the pastern and heels of the foot. c. Continuing, with each forelimb now raised off the ground and flexing the pastern, fetlock, and knee; assess a pain response and range of motion of each joint in flexion; flex each joint individually so that in the case of a pain response, you can more accurately determine the affected joint. d. Continuing, with each forelimb raised off the ground, palpate from proximal to distal each forelimb, palmarly assessing the superficial digital flexor tendon, deep digital flexor tendon, suspensory ligament, second and fourth metacarpal bones (splints), fetlock sesamoid bones, palmar aspect of the pastern and heels of the foot. e. Palpate the hind legs and other parts of the horse's body as indicated.

30.4 (g) (5) (vii) Investigate any painful response or sign of active inflammation and, when necessary, request information regarding previous diagnostic imaging that may have been

performed from the Trainer or assistant Trainer.

30.4 (g) (5) (viii) Record any reduction in joint flexion, any old surgical site and or surgical hardware, and all changes in the pertinent anatomy, including pin and freeze fire scars.

30.4 (g) (5) (x) Observe the horse jogging in hand, moving towards and away from the Veterinarian so that both hind end and front end motion can be evaluated. Any observation made by the Veterinarian about the way the horse travels is recorded, such as Wide, Paddles, Stiff, and Choppy. Make note of a horse that starts the jog in hand with a slightly uneven gait, but after one or two strides evens out. The Veterinarian may ask the handler to take a turn around the shed row and then reevaluate the horse jogging, or may request the horse be observed jogging on the pavement instead of the shed row. Proper restraint is very important during the jog since a fractious horse is difficult to evaluate. The jog should be neither too fast nor too slow for proper evaluation. While jogging, a horse's overall condition and conformation can also be assessed.

30.4 (g) (5) (xi) 11. If the horse does not jog sound or warm up to the Veterinarian's satisfaction, this must be communicated clearly and concisely to the Trainer, a scratch is recommended to the Stewards, and the horse is placed on the Vet's List and the Trainer is so informed.

30.4 (g) (5) (xii) If, during the running of the race, horses are injured or become unsound or lame, the horses shall be placed on the Veterinarians' List and the Regulatory Veterinarian.

30.4 (g) (5) (xiii) Post-race visual observations shall be performed by a Regulatory Veterinarian on all horses leaving the racecourse at the conclusion of every race.

30.4 (g) (6) Visual observation in the paddock and saddling area, during the parade to post, and at the starting gate

30.4 (g) (7) Any other inspection deemed necessary by the Regulatory Veterinarian consultation for ridden horse after parade to the post and at the starting gate

30.4 (g) (7) (i) If, prior to starting, a horse is determined to be unfit for competition, or if the Veterinarian is unable to make a determination of racing soundness, the Veterinarian will recommend to the stewards the horse be scratched.

30.4 (g) (7) (ii) Horses scratched upon the recommendation of the Regulatory Veterinarian.

30.4 (g) (8) If, during the running of the race, horses are injured or become unsound or lame, the horses shall be placed on the Veterinarians' List and the Regulatory Veterinarian.

30.4 (g) (9) Post-race visual observations shall be performed by a Regulatory Veterinarian on all horses leaving the racecourse at the conclusion of every race.

30.4 (g) (9) (i) If horses are determined to have bled.

30.4 (g) (9) (ii) If horses are determined to have skin lacerations, swellings, or welts that resulted from crop use, the stewards and Attending Veterinarians

#### 30.4 (h) Veterinarians' List

30.4 (h) (1) A Veterinarians' List shall be maintained by the Authority that this horse is unfit to race.

30.4 (h) (2) Trainers and Owners shall be notified within 72 hours that their horse has been placed on the Veterinarians' List.

30.4 (h) (3) At a minimum:

30.4 (h) (3) (i) Horses placed on the Veterinarians' List for unsoundness or lameness, or bleeding at the nostrils will remain on the list for a minimum of 10 days

30.4 (h) (3) (ii) Horses placed on the Veterinarians' List multiple times for unsoundness or lameness within the previous 365 days will remain on the Veterinarians' List for a minimum of 45 days for the 2nd time, 75 days for the 3rd time, and 180 days for the 4th time or greater times.

30.4 (h) (3) (iii) Horses placed on the Veterinarians' List multiple times for bleeding at the nostrils within the previous 365 days will remain on the Veterinarians' List for a minimum of 30 days for the 2nd time, 180 days for the 3rd time, and barred from further racing for the 4th time

30.4 (h) (3) (iv) Horses placed on the Veterinarians' List for illness will remain on the list for a minimum of 10 days

30.4 (h) (3) (v) Horses treated with shock-wave therapy will be placed on the Veterinarians' List for a minimum of 30 days

30.4 (h) (3) (vi) Horses administered any intra-articular treatment within any joint(s) will be placed on the Veterinarians' List for a minimum of 14 days

30.4 (h) (3) (vii) Horses administered more than one (1) intra-articular corticosteroid treatment in the same joint within 30 days will be placed on the Veterinarians' List for a minimum total of 30 days

30.4 (h) (3) (viii) Horses that have had an orthopedic or respiratory surgical procedure will be placed on the Veterinarians' List and must be examined and have an official workout in order to be eligible for entry to race

30.4 (h) (4) Horses on the Veterinarians' List are ineligible to start in a race or participate in an official timed workout in any jurisdiction until released by a Regulatory Veterinarian.

30.4 (h) (5) Diagnostic testing can be required for any horse placed on the Veterinarians' List, at the discretion of the Equine Medical Director, Regulatory Veterinarian.

30.4 (h) (6) Removal of horses from the Veterinarians' List

30.4 (h) (6) (i) Regulatory Veterinarians.

30.4 (h) (6) (ii) Attending Veterinarians within 7 days of a proposed work before the horse is eligible to work. This report must include the diagnosis of the injury, the treatment provided, and a statement that the Attending Veterinarian has performed a follow-up examination and believes the horse is fit to resume training.

30.4 (h) (6) (iii) Entry of horses cannot occur until the first day after removal from the List.

30.4 (h) (6) (iv) Unsoundness: Subsequent to Attending Veterinarian after that work If the horse is deemed to be unsound before, during or after the workout or to have bled; the stay on the Veterinarians' List will be extended to a total of 30 days before the horse is eligible for consideration of removal from the Veterinarians' List by the process listed above. Further diagnostic testing may be required.

30.4 (h) (6) (v) Starting Gate Scratch: Horses scratched at the starting gate for reasons other than unsoundness may be permitted to enter future races at the discretion of the Regulatory Veterinarian. The Regulatory Veterinarian may consult the Starter.

30.4 (h) (6) (vi) Sickness: A horse placed on the Veterinarians' List as sick can be removed from the Veterinarians' List provided sound health has been declared by the Attending Veterinarian.

30.4 (h) (6) (vii) Medication Violation In addition to any requirements of the Equine Anti-Doping and Medication Control Program, if a horse is placed on the Veterinarians' List for positive test or overage, administration that the horse is serviceably sound and in fit physical condition to exert its best effort in a race or timed workout b. Provide a published workout at a minimum of 5/8 mile in a time of 1:03 or better observed by a Regulatory Veterinarian

30.4 (i) In any jurisdiction where the applicable State Racing Commission does not elect to enter into an agreement with the Authority consistent with this Section, the Authority shall employ a Veterinarian to serve as the Lead Veterinarian in such jurisdiction. The Lead Veterinarian shall perform all of the duties, obligations and responsibilities of the Regulatory Veterinarian in these regulations. The Racetracks in the applicable jurisdiction shall reimburse the Authority for all costs associated with the employment of the Lead Veterinarian. Such reimbursement shall be shared by the Racetracks in such jurisdiction proportionally by total handle wagered in the applicable state.

### 30.5 Attending Veterinarian

30.5 (a) Only Veterinarians licensed by the State Racing Commission may attend to horses at any location under the jurisdiction of the State Racing Commission.

30.5 (b) Veterinarians attending at any location under the jurisdiction of the State Racing Commission are under the authority of the Regulatory Veterinarian and the Stewards.

30.5 (c) The following limitations apply to drug treatments of horses that are engaged in activities, including training, related to racing:

30.5 (c) (1) 1. No drug may be prescribed, dispensed, or administered except in the context of a valid Veterinarian-client patient relationship between an Attending Veterinarian, the Owner (who may be represented by the Trainer or other agent) and the horse. The Owner is not required to follow the Veterinarian's instructions, but no drug may be administered without a Veterinarian having examined the horse and provided the treatment recommendation. Such relationship requires the following:

30.5 (c) (1) (i) The Veterinarian, with the consent of the Trainer (agent of the Owner), has accepted responsibility for making medical judgments about the health of the horse,

30.5 (c) (1) (ii) The Veterinarian has sufficient knowledge of the horse to make a preliminary diagnosis of its medical condition

30.5 (c) (1) (iii) The Veterinarian has performed an examination of the horse and is acquainted with the keeping and care of the horse,

30.5 (c) (1) (iv) The Veterinarian is available to evaluate and oversee treatment outcomes, or has made appropriate arrangements for continuing care and treatment,

30.5 (c) (1) (v) The relationship is maintained by veterinary visits as needed,

30.5 (c) (1) (vi) The medical judgments of the Veterinarian are independent and are not dictated by the Trainer or Owner of the horse.

30.5 (d) No prescription drug may be administered except as allowed by law and prescribed by an Attending Veterinarian.

30.5 (e) The Trainer and Veterinarian are both responsible to ensure compliance with these limitations on drug treatments of horses, except the medical judgment to recommend a drug treatment or to prescribe a drug is the responsibility of the Veterinarian and the decision to proceed with a drug treatment that has been so recommended is the responsibility of the Owner (who may be represented by the Trainer or other agent).

### 30.6 Veterinarian Treatment Restrictions

30.6 (a) Only Licensed Trainers or their designees shall be permitted to authorize veterinary medical treatment of horses under their care, custody, and control at locations under the jurisdiction of the State Racing Commission.

30.6 (b) Except as otherwise provided by this subsection, no person other than a Veterinarian licensed to practice veterinary medicine in the State and licensed by the State Racing Commission may administer a prescription or controlled medication, drug, chemical or other substance (including any medication, drug, chemical or other substance by injection) to a horse at any location under the jurisdiction of the State Racing Commission.

30.6 (c) Attending Veterinarians, or an emergency. Any unauthorized contact may result in the horse being scratched from the race in which it was scheduled to compete and may result in further disciplinary action by the stewards.

30.6 (d) The Regulatory Veterinarian is not present.

30.6 (e) No person shall possess a hypodermic needle, syringe capable of accepting a needle or injectable of any kind on racetrack grounds, unless otherwise approved by the State Racing Commission.

30.6 (f) At any location under the jurisdiction of the State Racing Commission, Veterinarians may use only one-time disposable syringe and needle, and shall dispose of both in a manner approved by the State Racing

Commission and state and governmental regulations.

30.6 (g) If a person has a medical condition which makes it necessary to have a syringe at any location under the jurisdiction of the State Racing Commission, that person may request permission of the Stewards and/or the State Racing Commission in writing, furnish a letter from a licensed physician explaining why it is necessary for the person to possess a syringe, and must comply with any conditions and restrictions set by the stewards and/or the State Racing Commission

## **31 Racehorse Monitoring**

31.1 All horses, including stable and Pony Horses entering the racetrack grounds must have:

31.1 (a) Proof of health certificate and required vaccinations to include:

31.1 (a) (1) Certificate of veterinary inspection within the prior 3 days or fewer days if high risk situations dictate

31.1 (a) (2) Verification of EEE/WEE/WNV (encephalitides), rabies, and tetanus vaccinations within the prior 12 months

31.1 (a) (3) Verification of EHV1 (influenza) and EHV4 (rhinopneumonitis) vaccinations within the prior 90 days or fewer days if high risk situations dictate

31.1 (a) (4) Verification of Negative Equine Infectious Anemia (Coggins) Test within the calendar year or in a shorter period of time if high risk situations dictate

31.1 (b) The following information must be submitted to the Authority:

31.1 (b) (1) Horse identification

31.1 (b) (2) Origin of horse

31.1 (b) (3) Date of entry

31.1 (b) (4) Verification of certificate of veterinary inspection

31.1 (b) (5) Verification of vaccinations

31.1 (c) Horses moving interstate must meet the entry requirements of the destination state, racing State Racing Commission, and individual racetrack or training center

31.2 Horses exiting the racetrack - the following information must be submitted to the Authority:

31.2 (a) Horse identification

31.2 (b) Intended destination

31.2 (c) Date of exit

## **32 Racehorse Treatment History**

32.1 Veterinary Reports

32.1 (a) All Veterinarians shall provide the Treatment records pursuant to the Equine Anti-Doping and Medication Control Program. In addition to the uses set forth in the Equine Anti-Doping and Medication Control Program, such records may be utilized for purposes of research to enhance the safety and welfare of racehorses.

32.1 (b) In addition to the information required to be submitted by Veterinarians in the Equine Anti-Doping and

Medication Control Program, every Veterinarian who examines or treats a Covered Horse shall within 24 hours of examination/treatment submit the following information in an electronic database designated by the Agency:

- 32.1 (b) (1) The identity of the horse treated
- 32.1 (b) (2) The name of the Trainer of the horse
- 32.1 (b) (3) The name of the Veterinarian
- 32.1 (b) (4) Contact information for the Veterinarian (phone, email address)
- 32.1 (b) (5) Presence of unsoundness and response to diagnostic tests
- 32.1 (b) (6) Diagnosis
- 32.1 (b) (7) Condition treated
- 32.1 (b) (8) Any non-surgical procedure performed (including but not limited to diagnostic tests, imaging, and shockwave treatment) including the structures examined/treated and date and time of the procedure
- 32.1 (b) (9) Any surgical procedure performed including the date and time of the procedure

32.1 (c) Failure to adhere to these reporting requirements shall subject the Veterinarian to the sanctions as set forth in Equine Anti-Doping and Medication Control Program.

## 32.2 Responsible Persons' Records

32.2 (a) In addition to the information required to be submitted by Responsible Persons in the Equine Anti-Doping and Medication Control Program, a Responsible Person is responsible for maintaining a record of medical, therapeutic, and surgical treatments for every horse in his or her control. . In addition to the uses set forth in the Equine Anti-Doping and Medication Control Program, such records may be used by Regulatory Veterinarians in the performance of their duties at the Racetrack, for transfer of 30 day medical records to the new Trainer of a claimed horse, and for purposes of research to enhance the safety and welfare of racehorses. Such records may also be accessed by the State Racing Commission or the Stewards. Failure to provide accurate and complete records shall subject the Responsible Person to the sanctions as set forth in Equine Anti-Doping and Medication Control Program.

### 32.2 (b) Medical treatments

32.2 (b) (1) Treatment, for the purposes of this section, means any medication or substance containing a medication administered to a horse by a Licensed Trainer or his or her designee. This section includes the administration of medications that are prescribed by a Veterinarian but administered by the Trainer or his or her designee. This section also includes those treatments that are administered by a Veterinarian not licensed by the State Racing Commission. Treatment, for the purposes of this section, specifically excludes medications or procedures administered by a Veterinarian licensed by the State Racing Commission or that Veterinarian's employee.

32.2 (b) (2) Medical treatment records must include the following information:

32.2 (b) (2) (i) Name of the horse (or, if unnamed, the registered name of the dam and year of foaling);

32.2 (b) (2) (ii) Name of Trainer

32.2 (b) (2) (iii) Generic name of the drug (e.g. phenylbutazone, methocarbamol) or brand name if a non-generic drug is used;

32.2 (b) (2) (iv) Name and address of the prescribing Veterinarian;

32.2 (b) (2) (ix) First and last name, and contact information (phone, email address) of the individual that administered the treatment

32.2 (b) (2) (v) Date of the treatment;

32.2 (b) (2) (vi) Route of administration;

32.2 (b) (2) (vii) Dosage administered;

32.2 (b) (2) (viii) Approximate time (to the nearest hour) of each treatment;

32.2 (c) Therapeutic and surgical procedures (e.g., physiotherapy, acupuncture, chiropractic, surgeries) for every horse in his or her control.

32.2 (d) Records must include the following information:

32.2 (d) (1) Name of the horse (or, if unnamed, the registered name of the dam and year of foaling);

32.2 (d) (2) Name of Trainer

32.2 (d) (3) Name of procedure or surgery

32.2 (d) (4) Date of the procedure/surgery

32.2 (d) (5) First and last name of the individual that administered the procedure/surgery

32.2 (e) Records for Horses Shipping to the Racetrack: If a horse is not stabled at a facility under the Authority's jurisdiction for the full 30 days prior to a race or working off the Veterinarians' List, the Responsible Person shall obtain and maintain the following information for the previous 30 days.

32.2 (e) (1) Name of the horse (or, if unnamed, the registered name of the dam and year of foaling);

32.2 (e) (2) Generic name of the drug (e.g. phenylbutazone, methocarbamol, corticosteroids)

32.2 (e) (3) Brand name of the drug if a non-generic is used

32.2 (e) (4) Date of the treatment

32.2 (e) (5) Route of administration

32.2 (e) (6) Dosage administered

32.2 (e) (7) Surgical procedures

32.2 (f) Records for horses returning to the racetrack after being stabled at a non-racetrack facility for more than 60 days:

32.2 (g) The following information must be obtained, documented, and maintained:

32.2 (g) (1) the last 30 days of exercise activity at the facility

32.2 (g) (2) the last 30 days of treatments and procedures at the facility

32.2 (h) Failure to adhere to these reporting requirements shall subject the Responsible Person to the sanctions as set forth in Equine Anti-Doping and Medication Control Program.

### **33 Claiming Races**

#### **33.1 Transfer of Claimed Horse Records**

33.1 (a) Entry of horses for the potential of being claimed in a Claiming Race as the agent of the Owner) consent for transfer of all Trainer and veterinary examination and treatment records for the last 30 days to the new Trainer of the claimed horse.

33.1 (b) If a horse is successfully claimed by a new Trainer, the previous Trainer must transfer Trainer records and authorize transfer of veterinary records to the new Owner within 5 days of transfer of the horse to the new Trainer.

### 33.2 Void Claim

33.2 (a) Title to a horse which is claimed shall be vested in the successful claimant from the time the field has been dispatched from the starting gate and the horse becomes a starter.

33.2 (b) The claim shall be voided and ownership of the horse retained by the original Owner if:

33.2 (b) (1) The horse dies on the racetrack

33.2 (b) (2) The horse is euthanized before leaving the racetrack

33.2 (b) (3) The horse is vanned off of the racetrack by discretion of the Regulatory Veterinarian

33.2 (b) (4) The Regulatory Veterinarian, unsound, or lame before the horse is released to the successful claimant.

33.2 (c) The claim shall not be voided if, prior to the race in which the horse is claimed, the claimant elects to claim the horse regardless of whether the Regulatory Veterinarian or unsound.

### 33.3 Waiver Claiming Option

33.3 (a) At time of entry into a Claiming Race may opt to declare a horse ineligible to be claimed provided:

33.3 (a) (1) The horse has not started in 120 days, and

33.3 (a) (2) The horse's last start must have been for a claiming price, and

33.3 (a) (3) The horse is entered for a claiming price equal or greater than the price it last started for.

### 33.4 Claim Price Ratio

33.4 (a) The purse to claim price ratio should not be greater than 1.6:1 to ensure that the purses for Claiming Races appropriately reflect the value of the horses entered in such races (in which the value of the horse is approximately equal to the winner's share of the purse).

## 35 Paddock Safety

35.1 Racetracks shall plan for and have protocols in place to manage the safety of their Saddling Paddocks and Walking Rings. Such protocols should include crowd management policies as well as emergency response procedures for human and equine injuries. A paramedic must be present during saddling. The paddock must be accessible for equine and human ambulances.

## 36 Necropsy Examinations

36.1 All horses that die or are euthanized on the racetrack shall have an autopsy (necropsy) examination performed within 24 hours of death.

36.2 Relationships shall be established prior to need by the Regulatory Veterinarian with facilities (e.g., veterinary diagnostic laboratory) and personnel (e.g., veterinary pathologist) with capabilities and expertise to perform necropsy examination of racehorses using the protocols detailed in the American Association of Equine Practitioners (AAEP) Guidelines for Necropsy of Racehorses. These relationships and contact information shall be included in the necropsy standard operating procedure. The Veterinarian performing the necropsy shall not be an Attending Veterinarian of the affected horse.

36.3 Transportation options for necropsy cases and invoicing for the transportation and necropsy shall be identified prior to need and included in a standard operating procedure. Secure storage, pending transport, and transportation



of the body should be managed in such a way that tissue degradation and the development of post-mortem artifacts are minimized. Care shall also be taken to implement good infection control practices with respect to equine infectious and/or zoonotic disease.

36.4 4. Field necropsy is strongly discouraged. When a field necropsy is the only practical option available, necropsy examinations shall be performed under direct or indirect supervision of a board-certified pathologist including phone call guidance or video conferencing. Necropsies shall be performed in a secure area on all horses that die or are euthanized on racetrack premises, isolated from the general public. As stated above, in all instances, the Veterinarian performing the necropsy shall not be an Attending Veterinarian of the affected horse.

36.5 Gross necropsy examination findings must be submitted by the local Regulatory Veterinarian within 72 hours of receiving the necropsy report, and updates submitted to the Database within 72 hours as the results of ancillary tests and the final report are received. This workflow shall be included in the necropsy standard operating procedures.

## **37 Prohibited Practices**

37.1 Use of physical or veterinary procedures to mask the effects or signs of injury so as to allow training or racing to the detriment of the horse's health and welfare

37.2 2. Use of extracorporeal shock wave therapy in a manner that may desensitize any limb structures during racing or training

37.3 Surgical or chemical neurectomy to cause desensitization of musculoskeletal structures associated with the limbs

37.4 Thermocautery including but not limited to pinfiring and freeze firing, or application of any substance to cause vesiculation or blistering of the skin, or a counter-irritant effect

37.5 Use of a device to deliver an electrical shock to the horse including but not limited to cattle prods and batteries.

37.6 Use of electrical medical therapeutic devices including magnetic wave therapy, laser, electro-magnetic blankets, boots, electro-shock, or any other electrical devices within 24 hours of the start of the published post time for which a horse is scheduled to race.

## **38 Shock Wave Therapy**

38.1 The use of Extracorporeal Shock Wave Therapy or Radial Pulse Wave Therapy shall be disclosed no less than 48 hours prior to use and shall not be permitted unless the following conditions are met:

38.1 (a) Any Extracorporeal Shock Wave Therapy or Radial Pulse Wave Therapy may only be performed with machines that are:

38.1 (a) (1) registered and approved for use by the State Racing Commission; and

38.1 (a) (2) used at a previously disclosed location that is approved by the State Racing Commission

38.1 (b) The use of Extracorporeal Shock Wave Therapy or Radial Pulse Wave Therapy shall be limited to licensed Veterinarians and must be reported within 24-hours of treatment to the Authority

38.1 (c) Any treated horse shall be placed on the Veterinarians' List and shall not be permitted to race or breeze for a minimum of 30 days following treatment;

38.2 The Veterinarian will be suspended from the racetrack for a period of 5 days if Shock Wave Treatments have not been reported within 120 hours of any treatment or procedure administered to a Covered Horse. For each subsequent omission of reporting, an additional 5 days suspension will be added. If there are 3 violations in a calendar year, the Veterinarian will be suspended for 6 months in the subsequent calendar year

## **39 Riding Crop**

39.1 Use of Riding Crop

39.1 (a) A Jockey who uses a crop during a race or workout shall do so only in a professional manner consistent with maintaining focus and concentration of the horse for safety of horses and riders, or for

encouragement to achieve optimal performance.

39.1 (b) A rider may:

39.1 (b) (1) use the crop on the hindquarters to activate and focus the horse a maximum of 6 times during a race. The 6 uses shall be in increments of 2 or less. The rider must allow at least two strides for the horse to respond before using the crop again.

39.1 (b) (2) tap the horse on the shoulder with the crop while both hands are holding on to the reins and both hands are touching the neck of the horse.

39.1 (b) (3) show or wave the crop to the horse without making contact with the horse

39.1 (b) (4) use the crop to preserve the safety of horses and riders

39.1 (c) A rider may not:

39.1 (c) (1) raise the crop with the rider's wrist above the rider's helmet when using the crop

39.1 (c) (2) injure the horse with the crop (e.g., welts, bruises, lacerations)

39.1 (c) (3) use the crop on any part of the horse's body other than the shoulders or hindquarters

39.1 (c) (4) use the crop during the post parade or after the finish of the race other than to avoid a dangerous situation or preserve the safety of horses and riders

39.1 (c) (5) use the crop if the horse is clearly out of the race or has obtained its maximum placing

39.1 (c) (6) use the crop persistently even though the horse is showing no response

39.1 (c) (7) use a crop on a two (2) year-old horse in races before April 1 of each year other than to avoid a dangerous situation or preserve the safety of horses and riders

39.1 (c) (8) strike another horse or person with the crop

39.1 (d) Stewards will monitor the use of the crop by riders and are authorized to apply penalties for inappropriate crop use

39.1 (e) In any race in which a Jockey will ride without a crop, an announcement of that fact shall be made over the public address system

39.1 (f) Jockeys

## 39.2 Riding Crop Specifications

39.2 (a) Riding crops are subject to inspection and approval by the stewards and the clerk of the scales.

39.2 (b) All riding crops must be soft-padded.

39.2 (b) (1) Riding crops shall have a shaft and a cushioned flap or a soft tube and must conform to the following dimensions and construction:

39.2 (b) (1) (i) The maximum allowable weight shall be eight ounces

39.2 (b) (1) (ii) The maximum allowable length, including the cushioned flap or soft tube attachment, shall be 30 inches

39.2 (b) (1) (iii) The minimum diameter of the shaft shall be three-eighths of one inch

39.2 (b) (1) (iv) The shaft, beyond the grip, must be smooth, with no protrusions or raised surface, and covered by shock absorbing material that gives a compression factor of at least one millimeter throughout its circumference

39.2 (b) (2) There shall be no binding within seven inches of the end of the shaft

39.2 (b) (3) The cushioned flap or soft tube is the only allowable attachment to the shaft and must meet the following specifications:

39.2 (b) (3) (i) Shall have a maximum length beyond the shaft of one inch

39.2 (b) (3) (ii) Shall have a minimum width of 0.8 inches and a maximum width of 1.6 inches

39.2 (b) (3) (iii) There shall be no other reinforcements or additions beyond the end of the shaft

39.2 (b) (3) (iv) Shall be made of shock absorbing material with a compression factor of at least five millimeters throughout its circumference

39.2 (b) (3) (v) Shall be made of a waterproof, ultraviolet, and chemical resistant foam material that is durable and preserves its shock absorption in use under all conditions

39.2 (b) (3) (vi) The cushioned flap or soft tube shall be replaced after reasonable wear and tear is visibly evident

39.2 (c) Riding crops shall not be altered and should have an appropriate label or marking designating that the riding crop meets the required standards as established by the Authority

### 39.3 Riding Crop Penalties

39.3 (a) Violations of this rule will be categorized as follows with the understanding that use of the crop for the safety of horse and rider will not count towards the total crop uses. Unless the Stewards determine the merits of an individual case warrant consideration of an aggravating or mitigating factor, the penalties for violations are as follows:

39.3 (a) (1) Class 1 Violation – ten or more strikes over the limit; horse Disqualified minimum 5-day suspension; 10 points

39.3 (a) (2) Class 2 Violation – four (4) to nine (9) strikes over the limit; horse disqualified minimum 3-day suspension; 5 points

39.3 (a) (3) Class 3 Violation – One (1) to three (3) strikes over the limit; Jockey minimum 3-day suspension; 5 points

39.3 (b) Stewards will submit violations to the Authority to identify when multiple violations of this rule warrant additional suspensions consistent with the following schedule:

39.3 (b) (1) 11- 15 points - 7 days

39.3 (b) (2) 16-20 points - 15 days

39.3 (b) (3) 21 or more points - 30 days

39.3 (c) Points assigned will expire according to the following schedule: (NOTE: Points are expunged from the date of final adjudication of the violation and not from the date of the violation. Mandatory suspensions are based on points accumulated for multiple violations and do not apply to a single violation.)

39.3 (c) (1) Class 3 Violation - 6 months

39.3 (c) (2) Class 2 Violation - 1 year

39.3 (c) (3) Class 1 Violation - 1 year

39.3 (d) A Jockey cannot receive multiple infractions/violations on the same race card without verbal confirmation of an infraction before running of subsequent races on the same race card. Failure of notification will result in only one infraction/violation for the entire race card.

## **40 Other Devices**

40.1 Other than an approved crop, no person may be in Possession or apply a device at any time, mechanical, electrical or other expedient designed to affect the speed or performance of a horse

### 40.2 Other Device Penalties

40.2 (a) First offense: Loss of eligibility to obtain a racing license in all racing jurisdictions for 10 years.

40.2 (b) Second offense: Loss of eligibility to obtain a racing license in all racing jurisdictions for life.

## **41 Communication/Video devices**

41.1 Should a rider wish to be equipped with a communication or video device during training, the device must be approved by the Stewards. The use of a hand-held device is prohibited for Jockeys and exercise riders while on the racetrack.

## **42 Horseshoes**

42.1 Traction devices, other than rims raised 2mm or less from the ground surface of the horseshoe, are prohibited on forelimb and hindlimb horseshoes during racing and training on dirt or synthetic racetracks.

42.2 Traction devices are prohibited on forelimb and hindlimb horseshoes during training and racing on the turf.

42.3 Traction devices include but are not limited to rims, bends, jar calks and stickers.

## **43 Racing Surface Monitoring and Maintenance**

43.1 Racetracks shall have data collection protocols in place to assist in the consistent maintenance of all racing surfaces. All racing surface maintenance and test data shall be recorded in either written or an electronic format and submitted to the Authority to facilitate research studies related to surface consistency, surface performance and safety related objectives.

43.2 Testing and maintenance should be done based on written standard operating procedures which are reviewed annually and updated as needed. Procedures shall include, but not be limited to, the following:

### 43.3 Racetrack configuration

43.3 (a) Racetracks that undergo major dirt race surface renovation must consider installation of a synthetic surface

43.3 (b) Racetracks shall have inside, outside, and gap rails designed, constructed, and maintained to provide for the safety of Jockeys and horses

43.3 (b) (1) marker poles must be at a minimum, 10 feet inside the inner rail

43.3 (b) (2) Rails shall be inspected prior to each race meet and daily during training and racing events

### 43.3 (c) Gaps

43.3 (c) (1) All gaps must be clearly marked, must have protective padding covering any sharp edges or unique angles, and have proper mechanisms to allow for secure closure when needed

43.3 (c) (2) Main gaps/on-gaps should include signage with safety rules, racetrack hours and other applicable rules

43.3 (c) (3) For races breaking from a chute there should be sufficient temporary rail extension to guide horses from ducking in or out

#### 43.3 (d) Starting gate

43.3 (d) (1) All gates must be inspected pre-race meet and documented to be in proper working condition

43.3 (d) (2) All gates must have protective padding to ensure the safety of the horse, Jockey, and gate personnel. Protective padding should protect the riders and gate personnel from contact with sharp edges and help to distribute impact loads. All padding should be designed to ensure durability for outdoor use and be able to maintain safety and integrity during all weather conditions.

43.3 (d) (3) Gates should be inspected and tested each race day before the races and each morning before schooling is held

43.3 (d) (4) At no time shall any personnel ride on the gate while the gate is in motion or being transported

43.3 (d) (5) Racetracks shall have annually reviewed, documented standard operating procedures in place for the removal of the starting gate after the start of each race as needed in a safe and timely manner. This plan shall also include procedures for gate removal if the primary removal mechanism fails.

43.3 (d) (6) All gate personnel must always wear protective gear when working on or around the starting gate. This gear shall include regulatory approved helmets and safety vests.

43.3 (d) (7) During racing hours, if the starting gate becomes inoperable racing may not continue until the starting gate is brought back to safe operating standards or a comparable, alternate gate is positioned.

43.3 (d) (8) During racing hours, a racetrack should ensure that an assistant starter is available for each horse entry in an official race

43.3 (d) (9) A Racetrack available for racehorse schooling during designated gate training hours

43.3 (e) Emergency Racetrack Warning System An emergency racetrack warning system shall be operational on all racing and training racetracks.

43.3 (e) (1) The emergency warning system shall be approved by the State Racing Commission (subject to the applicable State Racing Commission electing to enter into an agreement with the Authority); if such agreement does not exist, the emergency warning system shall be approved by the Authority

43.3 (e) (2) The emergency warning system shall be tested bi-weekly before training or racing

43.3 (e) (3) During training, when the warning system is activated, all persons on horseback shall slow to a walk and no one on horseback shall enter the racetrack.

43.3 (e) (4) The racetrack announcer shall be trained to utilize the Public Address system to:

43.3 (e) (4) (i) Warn riders of potentially dangerous situations and provide direction (e.g., loose horse, gate not moved)

43.3 (e) (4) (ii) Warn customers of potentially dangerous situations and provide direction (e.g., weather, evacuation)

#### 43.4 Racetrack and Surface Monitoring

43.4 (a) Results of all race and training racetrack and surface examinations/tests shall be submitted to the Authority within one week of knowing test results, unless otherwise indicated

43.4 (a) (1) Annually

43.4 (a) (1) (i) Racetrack and training track configurations/geometries and method of determination (e.g., surveyor's report, laser, GPS mapping, other) shall be submitted to the Authority.

43.4 (a) (1) (ii) The racetrack surface material shall be windrowed and the base surveyed. The results shall be submitted to the Authority within one week of completion.

#### 43.4 (a) (2) Before each race meet

43.4 (a) (2) (i) Geometry and slopes of straights and turns, and slopes at each distance marker pole shall be documented. The results shall be submitted to the Authority within one week of completion.

43.4 (a) (2) (ii) Distance marker poles shall have proper distance from the finish line, measured 3 feet from the inside rail. The results shall be submitted to the Authority within one week of completion.

43.4 (a) (2) (iii) Surface material samples of race and training racetracks shall be analyzed for material composition prior to racing or training and with enough time to rectify any imbalances. The analysis and any resulting actions shall be reported to the Authority at least one week prior to the racetrack opening for training or racing. Tests shall include: 1. Dirt surfaces - particle size distribution, shape, bulk density, organic content, and if applicable, salinity 2. Synthetic surfaces - particle size distribution, shape, bulk density, organic content, and if applicable, salinity; and wax, oil, and fiber content 3. Turf surfaces - soil chemistry including soil pH, organic carbon, major nutrients (e.g., phosphorus, potassium, calcium, magnesium, sulfur), and soluble salts

43.4 (a) (2) (iv) Document turf grass species

43.4 (a) (2) (v) Racetracks that have Graded Stakes Races shall perform the following tests: 1. Dirt and Synthetic Surfaces a. Mechanical properties of race and training racetracks shall be determined prior to each race meet by testing with a system capable of simulating vertical hoof impact and measuring at a minimum surface stiffness and maximum impact force (e.g., Orono Biomechanical Surface Tester) b. Cushion and base geometries shall be determined prior to each race meet of race and training racetracks using a system with the minimum capabilities of Ground Penetrating Radar 2. Turf Surfaces a. Mechanical properties shall be determined prior to each race meet using a system with the minimum capabilities of measuring penetration and shear properties

43.4 (a) (3) Daily measurements, using standard operating protocols, shall be taken at the beginning of all daily training and racing sessions for race and training racetracks. The results shall be submitted to the Authority weekly.

43.4 (a) (3) (i) i. Moisture content 1. Taken at each ¼ mile marker pole at locations 5 and 15 feet outside the inside rail ii. Cushion depth 1. Taken at each ¼ mile marker pole at locations 5 and 15 feet outside the inside rail iii. Weather – maintain daily weather log including: 1. ambient temperature, apparent temperature, dewpoint, humidity, wind speed and direction, wind gusts, heat index, windchill, and solar radiation 2. precipitation - rain, snow, ice

#### 43.5 Surface maintenance

43.5 (a) Surface equipment inventory, surface maintenance logs, and surface material addition/renovation logs shall be maintained and submitted to the Authority.

43.5 (a) (1) Document use, repair, and maintenance of all equipment used on all racing surfaces

43.5 (a) (1) (i) Synthetic or dirt surfaces - include time of use, direction around the racetrack, and speed of the equipment (e.g., water trucks, harrows, conditioners, floats, cultivators, and graders)

43.5 (a) (1) (ii) Turf surfaces - include time of use, direction around the racetrack, and speed of all equipment (e.g., rollers, aerators, turf cutters and mowers); re-sodding, cut lengths

43.5 (a) (1) (iii) Settings of all equipment should be documented as well as methods used to ensure that the settings are accurate. For example, how harrow tooth depth is checked, and the methods used to adjust the harrow teeth to accommodate for wear should be documented and periodic inspections should be performed.

43.5 (a) (2) Annually and before each race meet

43.5 (a) (2) (i) Equipment inventory including use and description

43.5 (a) (3) Daily

43.5 (a) (3) (i) Dirt 1. Time, duration, speed, and type (e.g., harrow and harrow depth, rip, seal) of maintenance, and direction of travel 2. Water administration – date, time, method, duration, amount, area of application 3. Additive administration – product, date, time, duration, amount

43.5 (a) (3) (ii) Synthetic 1. Date, time, duration, speed, and type (e.g., harrow and harrow depth, rip) of maintenance, and direction of travel 2. Water administration – date, time, method, duration, amount, area of application 3. Additive administration – product, date, time, duration, amount

43.5 (a) (3) (iii) Turf 1. Date, time, duration, speed, and type (e.g., mowing, aerating) of maintenance 2. Water administration – date, time, method, duration, amount, area of application 3. Additive administration – product, date, time, duration, amount

43.5 (a) (4) Material addition In determining the makeup of new material to be added to the racetrack, existing material shall be tested. The result of such testing shall be submitted to the Authority. Documentation of the source, timing, quantity, and method of all additions to the surfaces shall be submitted to the Authority including:

43.5 (a) (4) (i) for dirt tracks - sand, silt, clay, organic material, or chemicals (e.g., acids)

43.5 (a) (4) (ii) for synthetic tracks - wax, other binders, fiber, rubber, or other additives

43.5 (a) (4) (iii) for turf tracks - top dressing, fertilizer, pesticides, fungicides, seeding and sod replacement

43.5 (a) (4) (iv) for dirt tracks - new material shall be screened through a minimum ¼ inch screen prior to being added into the existing material

## **44 Safety Training and Continuing Education**

### **44.1 Uniform National Trainers Test**

44.1 (a) Subject to the applicable State Racing Commission, the State Racing Commission shall require the use of the Uniform National Trainers Test in addition to any State examinations. This test should have a written component and include practical interviews that demonstrate knowledge and proficiency in basic horsemanship skills, knowledge of racing office protocols, state specific information, and basic horse health care. In the event that a State Racing Commission does not elect to enter into an agreement with the Authority, the Racetracks in such state shall take action to ensure that all Trainers certify completion of the Uniform National Trainers Test in addition to any State examinations.

### **44.2 Continuing Education**

44.2 (a) Subject to the applicable State Racing Commission, the State Racing Commission shall identify existing, or provide locally, training opportunities for all racetrack employees having roles in racetrack safety or direct contact with the horse.

44.2 (b) Required annual (calendar year) continuing education shall include:

44.2 (b) (1) Regulatory Veterinarians - at least eight (8) hours continuing education specific to racetrack regulatory medicine (e.g., RegVet CE webinars, Racing Medication and Testing Consortium; Global Symposium on Racing, University of Arizona)

44.2 (b) (10) Jockeys/Exercise Riders – at least two (2) hours annual safety and Jockey/exercise rider protocols delivered locally in English and Spanish prior to the beginning of a race meet; specific Jockey training (e.g., North American Racing Academy) is encouraged

44.2 (b) (11) Starters/Assistant Starters – at least two (2) hours annual safety training either delivered locally prior to the beginning of a race meet or through the ROAP Certification

44.2 (b) (12) Equipment Operators – at least two (2) hours annual safety training either delivered locally prior to the beginning of a race meet or through a continuing education program (e.g., heavy equipment operators)

44.2 (b) (2) Attending Veterinarians - at least eight (8) hours continuing education specifically applicable to racetrack practice

44.2 (b) (3) Racing Officials (e.g., Stewards) - shall be either accredited or actively participating in gaining accreditation through the ROAP and Certification Programs. Maintenance of the ROAP accreditation requires at least sixteen (16) hours of continuing education every 2 calendar years

44.2 (b) (4) Trainers - at least four (4) hours annual continuing education (e.g., HorsemenU.mclms.net)

44.2 (b) (5) Assistant Trainers - at least four (4) hours annual continuing education (e.g., HorsemenU.mclms.net)

44.2 (b) (6) Owners – module on life of a racehorse

44.2 (b) (7) Racetrack Surface Managers - at least four (4) hours annual continuing education (e.g., Track Superintendents Field Day, Turf Managers Certification Program)

44.2 (b) (8) Grooms - at least two (2) hours annual continuing education offered in English and Spanish (e.g., local delivery, The [Groom] Elite Program, Groom Development Program)

44.2 (b) (9) Outriders – at least two (2) hours annual safety and outrider protocol training delivered locally prior to the beginning of a race meet

## **45 Emergency Preparedness**

### **45.1 Emergency Drills**

45.1 (a) Emergency protocols shall be reviewed or drills shall be conducted before the beginning of a race meet that demonstrate proficiency in managing the following emergencies.

45.1 (a) (1) Starting gate malfunction

45.1 (a) (2) Paddock emergencies - AAEP Thoroughbred Race Day Injury Management Guidelines serve as the standard of care

45.1 (a) (3) Equine injury – AAEP Thoroughbred Race Day Injury Management Guidelines serve as the standard of care

45.1 (a) (4) Jockey injury

45.1 (a) (5) Loose horse

45.1 (a) (6) Fire

45.1 (a) (7) Lightning delay

45.1 (a) (8) Hazardous weather condition

45.1 (a) (9) Multiple injury scenario (horse(s) + Jockey(s))

### **45.2 Catastrophic Injury**



45.2 (a) Racetracks shall plan for and have protocols in place for instances of catastrophic injury to horses during racing and training at racetrack(s) and training facilities. Regulatory Veterinarians must be trained, and their proficiency verified, in identifying and stabilizing common musculoskeletal injuries. Protocols should include, but not be limited to requiring collection of blood (and urine samples whenever possible), in sufficient volume, to permit comprehensive drug testing. Planning shall include appropriate means of communication to the public, such as through the AAEP On-Call Program or AAEP trained spokespersons.

#### 45.3 Fire Safety

45.3 (a) Racetracks shall plan for and have protocols in place for instances of fire within their enclosures. Fire and life safety inspections are required to be done in accordance with the local authority and appropriate National Fire Protection Association (NFPA) standards and shall be conducted at the required frequency.

#### 45.4 Dangerous Weather Conditions

45.4 (a) The purpose of dangerous weather protocols is to establish standardized safety policies and to share these with trackside personnel. The goal is the consistent and appropriate implementation of such plans to be proactive in minimizing risk of dangerous condition related mortality and morbidity.

45.4 (b) Hazardous Weather The racetrack shall develop, implement, and annually review a hazardous (dangerous) weather protocol which includes:

45.4 (b) (1) The racetrack shall designate the personnel responsible for monitoring weather conditions, immediately investigating any known impending threat of dangerous weather conditions, and determining if conditions exist which warrant delay and/or cancellation of a performance and/or the notification to the public of such dangerous weather conditions. The first priority of all decisions made shall be the well-being and safety of all persons and animals.

45.4 (b) (2) Use a designated weather watcher and a reliable source for monitoring the weather (e.g., National Weather Service)

45.4 (b) (3) The racetrack shall implement a dangerous weather protocol, which includes for extreme heat and chill factors (e.g., wind chill factor  $\leq 10^{\circ}\text{F}$ , heat index  $\geq 105^{\circ}$ , wet bulb temperature) and air quality.

45.4 (b) (3) (i) The racetrack shall designate a responsible official for monitoring weather conditions during training and racing hours.

45.4 (b) (3) (ii) The stewards shall commence a race delay when weather conditions pose risks to equine and/or racetrack personnel welfare.

45.4 (b) (3) (iii) The racetrack shall designate a responsible official for enforcing any weather associated training delay

#### 45.4 (c) Lightning

45.4 (c) (1) The racetrack shall develop, implement, and annually review a comprehensive Emergency Action Plan which includes:

45.4 (c) (1) (i) Use a designated weather watcher and a reliable source for monitoring the weather (e.g., National Weather Service)

45.4 (c) (1) (ii) The racetrack shall implement or subscribe to a commercial, real-time lightning detection service that has been independently and objectively verified. The lightning detection service must include strike distance/radius notifications enabling lightning delay decision-making. The detection service must be available to the stewards at all times and to designated officials during training and racing hours.

45.4 (c) (1) (iii) Identify safe locations from the lightning hazard in advance of an event and have such shelter site identified with signage. Assure safe, unobstructed access to these areas. Be certain that these are above ground level in case of flooding.

45.4 (c) (1) (iv) Identify areas unsafe from lightning such as locations with open areas such as

gazebos, porches, press boxes and open garages

45.4 (c) (1) (v) Avoid tall objects (trees, poles, towers, and elevated areas)

45.4 (c) (1) (vi) Avoid large bodies of water

45.4 (c) (1) (vii) Have a clear means of communication in English and Spanish to alert the directions through a sound system

45.4 (c) (1) (viii) Notify participants of impending danger prior to the event with signage and voice communicate warnings/announcements.

45.4 (c) (2) Establish a chain of command at each racetrack that identifies a specific person who is to determine that it is necessary to remove participants from the racetrack or activity. This person has absolute and unchallenged authority to suspend the activity.

45.4 (c) (2) (i) The racetrack shall designate a responsible official for monitoring lightning conditions during training and racing hours.

45.4 (c) (2) (ii) The racetrack shall designate a responsible official for enforcing any training delay

- i. Identify specific criteria for completely cancelling, suspending, and resuming the racing, training, or other racetrack grounds activity
1. Consider lightning safety guidelines such as the National Athletic Trainers' Association Position Statement, or more recent evidence-based recommendations.
2. At a minimum:
  - a. When lightning is detected within 8 miles radius of the racetrack, suspension of all outdoor training activities and alert participants to seek shelter. Outdoor training activities may resume 30 minutes after the last lightning strike within an 8-mile radius as indicated by the lightning detection service.
  - b. The stewards shall commence a race delay when lightning is detected within an 8-mile radius of the racetrack and remain in effect until a minimum of 30 minutes has passed since the last strike is observed within an 8-mile radius and after the last sound of thunder is heard.
  - c. Consideration of the time it takes to notify and mobilize spectators in large numbers so they can be safe

#### 45.5 Infectious Disease Management

45.5 (a) Plans and protocols shall be in place to manage an infectious disease outbreak. Such protocols shall be based on guidelines recommended by the AAEP General Biosecurity Guidelines and AAEP Healthy Horse Protocols: Biosecurity Guidelines for Racetrack Entry and Stabling or more recent versions, or developed in consultation with the appropriate State agency/official (e.g., State Department of Agriculture Veterinarian).

45.5 (b) The Regulatory Veterinarian, and racetrack operators) in basic biosecurity protocols.

45.5 (c) During an infectious disease outbreak, the above requirements may be revised as dictated by the circumstances, and all responsible parties will adhere to disease control measures implemented by State State Racing Commission and/or state veterinary authority.

45.5 (d) The Equine Medical Director must notify the Chief Veterinarian of the State Department of Agriculture to enable timely and accurate reporting of disease outbreaks at the racetrack to the Equine Disease Communication Center (<https://www.equinediseasecc.org/>).

## 46 Safety and Health of Jockeys

### 46.1 Jockey Qualifications

46.1 (a) Eligibility

46.1 (a) (1) A Jockey.

46.1 (a) (2) The stewards may require that any Jockey be reexamined and may refuse to allow any Jockey to ride pending completion of such examination.

## 46.2 Unsafe Riding

46.2 (a) Positioning a horse during a race that results in endangerment to other horses and riders (e.g., clipping heels of another horse, moving into another horse) will be subject to steward examination and rider penalty.

46.2 (b) Stewards may, in their discretion, take disciplinary action against, suspend, make ineligible to ride, or Fine or exercise rider found to be non-compliant.

## 46.3 Human Ambulance Support

46.3 (a) A racetrack shall provide a properly staffed and equipped ALS ambulance during training and racing hours. If the ambulance is being used to transport an individual, the racetrack may not conduct a race, or allow horses with riders on the racetrack, until the ambulance is replaced.

46.3 (b) Racetracks shall ensure the ALS ambulance staff has been trained in concussion management. Any Jockey who falls or is thrown from a horse during a race must be examined by the ALS staff. ALS staff shall report their findings to the Stewards who will determine if the Jockey may continue riding.

46.3 (c) Unless otherwise approved by the State Racing Commission or the Stewards, an ambulance shall follow the field at a safe distance during the running of races.

46.3 (d) The ambulance must be parked at an entrance to the racing strip except when the ambulance is being used to transport an individual or when it is following the field during the running of a race.

## 46.4 Accident Reporting System

46.4 (a) All Racetracks shall develop standard operating procedures for the collection of data associated with all incidents resulting in Jockey within 7 days of the injury occurrence. Covered Persons involved and/or witness to the circumstances surrounding the injury shall make themselves available to and cooperate with those collecting data for the database.

46.4 (b) Data collected shall include:

46.4 (b) (1) Injuries sustained by humans and equines

46.4 (b) (2) Cause of the incident

46.4 (b) (3) Weather

46.4 (b) (4) Area the incident occurred (i.e. nearest pole marker on the track, paddock, stable area, walking path)

46.4 (b) (5) Witness statements

## 46.5 Jockey and Exercise Rider Medical History Information

46.5 (a) Jockeys and exercise riders shall securely attach to their safety vest, medical information cards containing relevant medical history, injury, drug allergies and current medication pertinent to emergent care any time mounted on a horse at a racetrack.

46.5 (b) Stewards shall confirm compliance during their safety vest inspections at the beginning of the season and their random inspections throughout the racing season.

46.5 (c) Stewards may, in their discretion, take disciplinary action against, suspend, make Ineligible or exercise rider found to be noncompliant.

## 46.6 Equipment

#### 46.6 (a) Helmets

46.6 (a) (1) Any person mounted on a horse or stable pony anywhere on racetrack grounds must wear a properly secured safety helmet at all times.

46.6 (a) (2) All Starting Gate Personnel must wear a properly secured safety helmet at all times while performing their duties or handling a horse.

46.6 (a) (3) The safety helmet may not be altered in any manner nor shall the product marking be removed or defaced.

46.6 (a) (4) The Stewards shall inspect safety helmets at the beginning of a racing season and randomly throughout the racing season.

46.6 (a) (5) The Clerk of Scales shall report to the Stewards any variances of safety helmets seen during the course of their work.

46.6 (a) (6) The helmet must comply with one of the following minimum safety standards or later revisions:

46.6 (a) (6) (i) American Society for Testing and Materials (ASTM 1163)

46.6 (a) (6) (ii) European Standards (EN-1384 or PAS-015 or VG1)

46.6 (a) (6) (iii) Australian/New Zealand Standards (AS/NZ 3838 or ARB HS 2012); or

46.6 (a) (6) (iv) Snell Equestrian Standard 2001

#### 46.6 (b) Vests

46.6 (b) (1) Any person mounted on a horse or stable pony on the racetrack grounds must wear a properly secured safety vest at all times.

46.6 (b) (2) All Starting Gate Personnel must wear a properly secured safety vest at all times while performing their duties or handling a horse.

46.6 (b) (3) The safety vest may not be altered in any manner nor shall the product marking be removed or defaced.

46.6 (b) (4) The Stewards shall inspect safety vests at the beginning of a racing season and randomly throughout the racing season.

46.6 (b) (5) The Clerk of Scales shall report to the Stewards any variances of safety vests seen during their course of work.

46.6 (b) (6) The safety vest must comply with one of the following minimum standards or later revisions:

46.6 (b) (6) (i) British Equestrian Trade Association (BETA):2000 Level 1

46.6 (b) (6) (ii) Euro Norm (EN) 13158:2000 Level 1

46.6 (b) (6) (iii) American Society for Testing and Materials (ASTM) F2681-08 or F1937

46.6 (b) (6) (iv) Shoe and Allied Trade Research Association (SATRA) Jockey Vest Document M6-3

46.6 (b) (6) (v) Australian Racing Board (ARB) Standard 1.1998

#### 46.7 Jockey Drug and Alcohol Testing

46.7 (a) Subject to the applicable State Racing Commission. The program shall include provisions for

medications prescribed by licensed medical doctors that do not affect mental and physical abilities. In the event that a State Racing Commission does not elect to enter into an agreement with the Authority, the Racetracks in such states shall develop and implement a random testing program for drugs and alcohol for Jockeys, subject to the approval of the Authority.

## **End Notes**

1. Comment to Article 2.3.2: This Article does not apply to a Covered Horse that does not provide a urine Sample due to the lack of need to urinate. Any challenge based on Intractability will be adjudicated in accordance with the procedures for Minor Infractions.
2. Comment to Article 4.2.1: Additional guidance on the use of therapeutic substances is available through the Agency's website.
3. Any challenge to a sit out period based on Article 5.4 will be adjudicated in accordance with the procedures for Minor Infractions
4. If a deadline set forth in the Protocol falls on a weekend or federal holiday, the deadline will be the next business day
5. Comment to Article 10.5: This Article will only apply in truly exceptional circumstances, for example, where a Covered Person could prove that, despite all due care, they or their Covered Horse were sabotaged by a competitor or a Covered Horse ingested feed contaminated at the time of manufacture, growth, or harvest. Conversely, No Fault or Negligence would not apply, for example, in the following circumstances: (a) a positive test resulting from a mislabeled or contaminated supplement; (b) the Administration of a Prohibited Substance by someone employed, supervised, or contracted, or requested by any Covered Person associated with the Covered Horse to provide care, training, or other services to a Covered Horse; and (c) sabotage or contamination of the Covered Horse's food or drink by a Covered Person associated with the Covered Horse.
6. Comment to Article 10.12.1: The Agency expect that State Racing Commission will determine the impact a period of Ineligibility has on a license to ensure compliance with the Protocol
7. Comment to Article 10.12.1.1: The Responsible Person, or Owner if no Responsible Person, has three business days to arrange for the Covered Horse to leave the Racetrack