

Office of the Revisor of Statutes

Administrative Rules



TITLE: Adopted Permanent Rules Relating to Horse Racing: Stabling, Medication, and Veterinary Practices

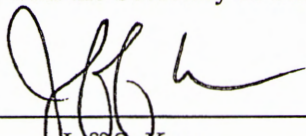
AGENCY: Minnesota Racing Commission

REVISOR ID: R-4498

MINNESOTA RULES: Chapters 7876, 7877, 7890, 7891, and 7892



The attached rules are approved for
filing with the Secretary of State



Jeff S. Kase
Deputy Revisor

182560

1.1 **Minnesota Racing Commission**1.2 **Adopted Permanent Rules Relating to Horse Racing: Stabling, Medication, and**
1.3 **Veterinary Practices**1.4 **7876.0100 ON-TRACK STABLING.**

1.5 Subpart 1. [See repealer.]

1.6 Subp. 2. **Allocation of stalls.** The association shall allocate stalls pursuant to a written
1.7 stall application and agreement, on forms approved by the commission.1.8 *[For text of subps 3 and 4, see M.R.]*1.9 Subp. 4a. **Horses without required documentation.** If a horse arrives at a licensed
1.10 racetrack without all documentation required under this part, the horse shall be denied entry
1.11 to the grounds of the licensed racetrack or kept in an isolation area until the required
1.12 documentation is submitted to the commission veterinarian.1.13 *[For text of subps 5 to 7, see M.R.]*1.14 Subp. 8. **Documents to be kept.** The association shall cause all stall applications,
1.15 stall agreements, correspondence, and documents that influenced its decision to grant or
1.16 deny stalls to be retained until the close of the race meeting or for such longer period as the
1.17 commission may direct.1.18 *[For text of subp 9, see M.R.]*1.19 Subp. 10. **Original certificate of veterinary inspection.** Each horse arriving on the
1.20 grounds of a licensed racetrack must be accompanied by an original certificate of veterinary
1.21 inspection issued not more than ten days prior to arrival. The certificate of veterinary
1.22 inspection must be completed by an accredited veterinarian and must contain complete
1.23 equine infectious anemia (EIA) test results, including the date, laboratory, and accession
1.24 number of the most recent negative EIA test results. The certificate must also contain rectal
1.25 temperature and date of most recent vaccination with a Food and Drug

Administration-approved modified live or killed vaccine specific for EHV-1. The certificate of veterinary inspection must be surrendered to the stable gate personnel for immediate transmittal to the commission veterinarian. The certificate of veterinary inspection will remain valid for 30 days from the date of issue, with the date of issue counted as day one. Horses leaving the facility and returning during this 30-day period do not have to be accompanied by a new certificate of veterinary inspection. Horses leaving and returning after the 30-day period will need to be accompanied by a new original health certificate issued not more than ten days prior to arrival.

[For text of subp 10a, see M.R.]

Subp. 11. Record of negative test for equine piroplasmiasis. When a suspected case of equine piroplasmiasis (EP) is reported by a government agency within North America, the commission, the executive director, or the deputy director, in consultation with the chief commission veterinarian, has the authority to require proof of an equine piroplasmiasis (EP) test taken within 12 months of the date of entry upon the racetrack when a horse enters or is already on the grounds of the racetrack. No horse shall be allowed to enter the grounds of a licensed racetrack unless the horse has had the required test. The test must indicate a negative C-ELISA result for *Theileria equi*. Record of the negative test shall be attached to the certificate of veterinarian inspection (CVI) and presented at the stable gate when the horse first enters the grounds of a licensed racetrack.

7876.0110 OFF-TRACK STABLING.

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

Subp. 3. Horses must be at racetrack for race day inspection. All horses shipped from another racetrack or off-track stabling facility to a racetrack for a race must be at the racetrack no later than 8:00 a.m. or later if approved by the stewards on the day on which the horse is scheduled to race.

3.1 Subp. 4. **Original certificate of veterinary inspection.** Any horse arriving on the
3.2 grounds of a licensed racetrack must be accompanied by an original certificate of veterinary
3.3 inspection issued not more than ten days prior to arrival. The certificate of veterinary
3.4 inspection must be completed by an accredited veterinarian and must contain complete
3.5 equine infectious anemia (EIA) test results, including the date, laboratory, and accession
3.6 number of the most recent negative EIA test. The certificate must also contain rectal
3.7 temperature and date of most recent vaccination with a Food and Drug
3.8 Administration-approved modified live or killed vaccine specific for EHV-1. The certificate
3.9 of veterinary inspection must be surrendered to the stable gate personnel for immediate
3.10 transmittal to the commission veterinarian. The certificate of veterinary inspection will
3.11 remain valid for 30 days from the date of issue, with the date of issue counted as day one.
3.12 Horses leaving the facility and returning during this 30-day period do not have to be
3.13 accompanied by a new certificate of veterinary inspection. Horses leaving and returning
3.14 after the 30-day period will need to be accompanied by a new original certificate of veterinary
3.15 inspection issued not more than ten days prior to arrival.

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

3.17 Subp. 5. **Record of negative test for equine piroplasmiasis.** When a suspected case
3.18 of equine piroplasmiasis (EP) is reported by a government agency within North America,
3.19 the commission, the executive director, or the deputy director, in consultation with the chief
3.20 commission veterinarian, has the authority to require proof of an equine piroplasmiasis (EP)
3.21 test taken within 12 months of the date of entry upon the racetrack when a horse enters or
3.22 is already on the grounds of the licensed racetrack. No horse shall be allowed to enter the
3.23 grounds of a licensed racetrack unless the horse has had the required test. The test must
3.24 indicate a negative C-ELISA result for *Theileria equi*. Record of the negative test shall be
3.25 attached to the certificate of veterinarian inspection (CVI) and presented at the stable gate
3.26 when the horse first enters the grounds.

4.1 Subp. 6. **Horses without required documentation.** If a horse arrives at a licensed
4.2 racetrack without all documentation required under this part, the horse shall be denied entry
4.3 to the grounds of the licensed racetrack or kept in an isolation area until the required
4.4 documentation is submitted to the commission veterinarian.

4.5 **7876.0120 ON- AND OFF-TRACK STABLING OF NONRACING HORSES.**

4.6 Subpart 1. **Certificate of veterinary inspection.** Any horse arriving on the grounds
4.7 of a licensed racetrack must be accompanied by an original certificate of veterinary inspection
4.8 issued not more than ten days prior to the arrival. The certificate of veterinary inspection
4.9 must be completed by an accredited veterinarian and must contain complete equine infectious
4.10 anemia (EIA) test results, including the date, laboratory, and accession number of the most
4.11 recent negative EIA test. The certificate must also contain rectal temperature and date of
4.12 most recent vaccination with a Food and Drug Administration-approved modified live or
4.13 killed vaccine specific for EHV-1. The certificates of veterinary inspection must be
4.14 surrendered to stable gate personnel for immediate transmittal to the commission veterinarian.
4.15 The certificate of veterinary inspection will remain valid for 30 days from the date of issue,
4.16 with the date of issue counted as day one. Horses leaving the facility and returning during
4.17 this 30-day period do not have to be accompanied by a new certificate of veterinary
4.18 inspection. Horses leaving and returning after the 30-day period will need to be accompanied
4.19 by a new original certificate of veterinary inspection issued not more than ten days prior to
4.20 arrival. The horse must also have a negative equine piroplasmosis test as prescribed in part
4.21 7876.0100, subpart 11, or 7876.0110, subpart 5.

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

4.23 Subp. 3. **Horses without required documentation.** If a horse arrives at a licensed
4.24 racetrack without all documentation required under this part, the horse shall be denied entry
4.25 to the grounds of the licensed racetrack or kept in an isolation area until the required
4.26 documentation is submitted to the commission veterinarian.

5.1 **7877.0175 DUTIES AND RESPONSIBILITIES OF RACING OFFICIALS.**

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

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

5.5 A. horses that are scratched because of illness, injury, or unsoundness;

5.6 B. horses that are pulled up because of lameness or other injury during a race;

5.7 C. horses that are bleeders, pursuant to part 7890.0140, subpart 1;

5.8 D. horses that test positive for a prohibited substance or medication overage;

5.9 E. horses that have received a medication or treatment invoking a mandatory
5.10 stand-down time; and

5.11 F. horses otherwise considered unfit to race in the professional judgment of the
5.12 commission veterinarian.

5.13 The veterinarian's list shall be posted in a conspicuous and accessible place outside the
5.14 commission veterinarian's office, and any horse whose name is on the list shall be ineligible
5.15 to start in a race for seven calendar days, or until the commission veterinarian removes it
5.16 from the list, whichever is later. All workouts required by the commission veterinarian for
5.17 the purpose of potentially removing a horse from the veterinarian's list must be conducted
5.18 under the same medication requirements as those for race days. Horses requiring an official
5.19 timed workout must have a published workout observed by the commission veterinarian,
5.20 must pass a post-workout assessment of racing condition by the commission veterinarian,
5.21 and are subject to testing under chapter 7892. Any horse with a positive test in violation of
5.22 chapter 7890 shall not be released from the veterinarian's list until another official timed
5.23 workout is completed and a negative post-workout test is obtained.

6.1 For purposes of this subpart, the seven-day period during which a horse is ineligible
6.2 to start begins to run on the first day the horse is placed on the list. The veterinarian's list
6.3 is binding on all racetracks under the jurisdiction of the commission and shall include horses
6.4 on the veterinarian's list in other racing jurisdictions.

6.5 The commission veterinarian shall conduct racing soundness examinations pursuant
6.6 to part 7891.0100. If the veterinarian finds that any horse is unfit to race the veterinarian
6.7 shall notify the stewards immediately in writing.

6.8 The commission veterinarian shall monitor horses in the paddock, post parade, and
6.9 starting gate for signs of illness or injury and shall tend to disabled horses pursuant to part
6.10 7883.0160, subpart 14.

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

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

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

6.21 In the event of a veterinary emergency where the owner's veterinarian is not on racetrack
6.22 grounds, the commission veterinarian may administer emergency treatment to a horse after
6.23 consulting with the owner or the owner's agent if they are present on racetrack grounds. In
6.24 all cases, the owner's veterinarian will be notified and the case transferred to the owner's
6.25 veterinarian as soon as the owner's veterinarian is present.

7.1 Subp. 8a. [See repealer.]

7.2 *[For text of subps 9 to 15, see M.R.]*

7.3 **7890.0110 MEDICATIONS AND PRACTICES PROHIBITED.**

7.4 *[For text of subps 1 to 8, see M.R.]*

7.5 Subp. 9. **Endogenous, dietary, and environmental substances.** No endogenous,
7.6 dietary, or environmental substances shall be allowed in the test sample of a horse except
7.7 as provided in the Racing Commissioners International Endogenous, Dietary, or
7.8 Environmental Substances Schedule, which is incorporated by reference.

7.9 Subp. 10. **Medications.** No medications other than those specifically permitted under
7.10 this chapter shall be allowed in the post-race test sample of a horse. Serum or urine thresholds
7.11 on permitted controlled therapeutic medications shall not exceed those found in the
7.12 Association of Racing Commissioners International Controlled Therapeutic Medication
7.13 Schedule for Horses, which is incorporated by reference.

7.14 *[For text of subps 11 and 12, see M.R.]*

7.15 Subp. 13. **Use of electrical or mechanical devices.** No electrical, mechanical, or
7.16 battery-powered device or machine may be used to administer therapy or treatment to a
7.17 horse within 48 hours of the time the horse is scheduled to race, unless approved in advance
7.18 by the stewards in consultation with the commission veterinarian.

7.19 **7890.0120 REPORTING PROCEDURES.**

7.20 Subpart 1. **Veterinarians must keep records.** Veterinarians must submit daily to the
7.21 commission veterinarian, in writing or electronically on a prescribed form, a report of all
7.22 horses treated at a licensed racetrack. The form shall contain the date and time, name of
7.23 horse treated, trainer of horse, any medications, drugs, substances (as provided in part
7.24 7890.0100, subpart 13, items A to D), or procedures prescribed, administered, dispensed,
7.25 or performed for horses registered at a current race meeting, and any other information

8.1 requested by the commission veterinarian. The form must be filed by the treating veterinarian
8.2 not later than noon on the day following treatment. The form shall be signed by hand or
8.3 digitally by the treating veterinarian. The form is considered private and its content shall
8.4 not be disclosed except in the course of an investigation of a possible violation of chapters
8.5 7869 to 7899, or in a proceeding before the stewards or commission, or to the trainer or
8.6 owner of record at the time of treatment. A timely and accurate filing of the form that is
8.7 consistent with the analytical results of a positive test may be used as a mitigating factor in
8.8 determining the nature and extent, if any, of a rules violation.

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

8.10 **7890.0140 BLEEDERS.**

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

8.12 Subp. 6. **Furosemide may be permitted.** A horse is eligible to race with furosemide
8.13 if the licensed trainer and licensed veterinarian determine that it would be in the horse's best
8.14 interests to race with furosemide. Once a horse has raced with furosemide, it must continue
8.15 to race with furosemide in all subsequent races unless a request is made to discontinue the
8.16 use. If the use of furosemide is discontinued, the horse shall be prohibited from again racing
8.17 with furosemide unless it is later observed to be bleeding pursuant to subpart 1 or the horse
8.18 is claimed or transferred to a different licensed trainer. A horse that is claimed or transferred
8.19 to a different licensed trainer is eligible to race with furosemide if the new trainer and a
8.20 licensed veterinarian employed by the new owner or trainer determine that it would be in
8.21 the horse's best interest to race with furosemide. Requests for the use of or discontinuance
8.22 of furosemide must be made to the commission veterinarian by the horse's current trainer
8.23 or assistant trainer on a form prescribed by the commission on or before the day of entry
8.24 into the race for which the request is made.

8.25 Subp. 7. [Repealed, 14 SR 332]

9.1 Subp. 7a. **Conditions required for furosemide administration.** Furosemide shall
9.2 be administered intravenously by a licensed veterinarian employed by the owner or trainer
9.3 of the horse, or by the commission veterinarian. The furosemide must be administered a
9.4 minimum of four hours before scheduled post time for any bleeder entered to race and the
9.5 dose level of furosemide must be no less than 150 milligrams and must not exceed 250
9.6 milligrams (no less than three nor more than five milliliters of a 50 milligram/milliliter or
9.7 five percent solution) per administration, except in cases where the horse has been determined
9.8 by the commission veterinarian and the treating veterinarian to be a severe bleeder. In these
9.9 cases, doses of up to 500 milligrams (no more than ten milliliters of a 50 milligram/milliliter
9.10 or five percent solution) may be permitted. Any such horse that is claimed or transferred to
9.11 a different licensed trainer shall revert to a dose of 150 mg to 250 mg unless the new trainer
9.12 and a licensed veterinarian request a different dose and that dose is approved by the
9.13 commission veterinarian.

9.14 The practicing veterinarian must deposit with the commission veterinarian an unopened
9.15 supply of furosemide and sterile hypodermic needles and syringes to be used for the
9.16 administration. The furosemide must be administered under the supervision of a person
9.17 employed by the commission.

9.18 A horse on the official furosemide list must show a detectable concentration of the drug
9.19 in the post-race serum or plasma sample.

9.20 *[For text of subps 8 to 10, see M.R.]*

9.21 **7891.0100 RACING SOUNDNESS EXAMINATION.**

9.22 *[For text of subps 1 to 1b, see M.R.]*

9.23 Subp. 1c. **Trainer must post stall.** On each race day, trainers shall post a sign outside
9.24 the entered horse's stall stating that the horse is "in today." The sign shall be posted by 8:00
9.25 a.m. on race day and must be removed after the horse has returned from racing on that day.

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

10.2 **7892.0120 TAKING OF SAMPLES.**

10.3 Subpart 1. **Horses tested.**

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

10.5 C. Out-of-competition testing for blood doping agents, gene doping agents, growth
10.6 hormone, exogenous anabolic steroids, and clenbuterol may be performed at the request
10.7 and under the direction of the stewards or the commission veterinarian on any horse
10.8 nominated for stakes or specific racing series or events as agreed to on the nomination form
10.9 by the owner of the horse. Horses to be tested may be selected at random or as otherwise
10.10 reasonably determined by the stewards or commission veterinarian. Split samples shall be
10.11 collected in accordance with subpart 5.

10.12 *[For text of items D and E, see M.R.]*

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

10.14 **REPEALER.** Minnesota Rules, parts 7876.0100, subpart 1; and 7877.0175, subpart 8a,
10.15 are repealed.

April 10, 2018

VIA EMAIL ONLY

Nancy Breems
Secretary of State, Elections Division
180 State Office Building
100 Rev Dr Martin Luther King Jr Blvd
St. Paul, Minnesota 55155-1299
official.documents@state.mn.us

**Re: *In the Matter of the Proposed Amendments to Rules Governing
Horse Medications and Medical Testing*
OAH 60-9011-34700; Revisor R-4498**

Dear Ms. Breems:

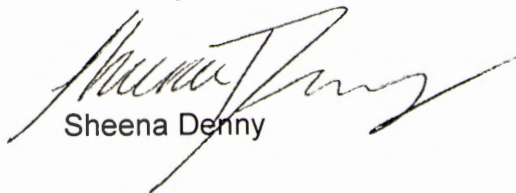
Enclosed for filing is an electronic copy of the above-entitled adopted rules.

Please send the agency copy of the rules to:

Patricia M. Sifferle
General Counsel
Minnesota Racing Commission
15201 Zurich St NE Ste 212
Columbus, MN 55025

If you have any questions regarding this matter, please contact Katie Lin at
(651) 361-7911 or katie.lin@state.mn.us.

Sincerely,


Sheena Denny

Enclosures

cc: Patricia M. Sifferle (via email)