

Notice of Intent
Office of the Governor
Division of Administration
Racing Commission

The Louisiana State Racing Commission hereby gives notice that it intends to amend the following rule(s). In March 2009, the Racing Commission amended Section 1721 of title 35, Part I of the Administrative Code which addressed the use of modern therapeutic medications in race horses. Notably, the rule was amended to restrict the use of exogenous anabolic steroids to align with national racing standards and in order for Louisiana to maintain its' eligibility to hold stakes races recognized by the American Graded States Committee, National Thoroughbred Owners and Breeders Association.

Following increased regulation of the use of steroids in race horses, there is an emerging trend toward the use of products containing beta-adrenergic agonists drugs, such as ractopamine which is administered as "Paylean." Beta-adrenergic agonists drugs have a known potential to affect performance, and as such, the use of such agents has been the object of regulation for some time. Many beta-adrenergic agonists have the ability to partition nutrient supply to increase muscle growth and decrease fat deposition producing a similar effect as steroids.

Paylean, a beta-adrenergic agonists, is a common ingredient in certain feed products approved by the Federal Food and Drug Administration for use in other animals, such as swine. As such, it is readily available in feed stores. Paylean is not approved for use in horses, and the use of beta-adrenergic agonists, like Paylean, in race horses has long been prohibited under the Rules of Racing.

The proposed amendments are designed to achieve two specific objectives: (1) prevent and prohibit the possession of feed and other products containing Paylean at racetracks licensed by the Commission to protect against the use of products which contain drugs with a known potential to effect the performance of a race horse; (2) protect horses stabled at racetracks from the inadvertent exposure or ingestion of products which are strictly prohibited by the Rules of Racing.

This proposed rule has no known impact on family formation, stability, and/or autonomy as described in R.S. 49:972.

Title 35
HORSE RACING
Part I. General Provisions
Chapter 17. Corrupt and Prohibited Practices

§1727 Drugs Which Affects Performance; Guarding Horse

A. No person shall administer, or cause or knowingly permit to be administered, or connive at the administration of any drug not permitted by Chapter 15 to any horse to be entered or entered for a race. ~~Every owner, trainer or groom must guard, or cause to be guarded, each horse owned, trained or attended by him in such manner as to prevent any person or persons from administering to the horse, by any method, any drug, not permitted by Chapter 15.~~

B. No person shall feed, or cause or knowingly permit to be fed, or connive in any manner to feed

products which contain any drug not permitted by Chapter 15 to a horse to be entered or entered for a race.

C. Every owner, trainer or groom must guard, or cause to be guarded, each horse owned, trained or attended by him in such manner as to prevent any person or persons from administering to the horse, by any method, or feeding to a horse products which contain any drug, not permitted by Chapter 15.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:148.

HISTORICAL NOTE: Adopted by the Racing Commission in 1971, promulgated by the Department of Commerce, Racing Commission, LR 2:449 (December 1976), amended LR 3:45 (January 1977), LR 4:287 (August 1978), LR 12:11 (January 1986).

§1743 Possession of Drugs, Syringes or Needles

A. No person shall have in his possession, within the confines of a race track or within its stables, buildings, sheds or grounds, or within an auxiliary (offtrack) stable area, where horses are lodged or kept which are eligible to race over a race track of any association holding a race meeting, any prohibited drugs, hypodermic syringes or hypodermic needles or similar instruments which may be used for injection. Anything herein to the contrary notwithstanding, a licensed veterinarian may have in his possession such drugs, instruments or appliances, etc., as required in the practice of general veterinary medicine.

B. No person shall have in his possession, within the confines of a race track or within its stables, buildings, sheds or grounds, or within an auxiliary (offtrack) stable area, where horses are lodged or kept which are eligible to race over a race track of any association holding a race meeting, any feed products containing drugs not otherwise and expressly approved for use in race horses.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:141 and R.S. 4:148.

HISTORICAL NOTE: Adopted by the Racing Commission in 1971, promulgated by the Department of Commerce, Racing Commission, LR 2:449 (December 1976), amended LR 3:45 (January 1977), LR 4:288 (August 1978), amended by the Department of Economic Development, Racing Commission, LR 16:765 (September 1990).

Charles A. Gardiner III

Executive Director