

DECLARATION OF EMERGENCY

Office of the Governor

Division of Administration

Racing Commission

The Louisiana State Racing Commission is exercising the emergency provisions of the Administrative Procedures Act, R.S. 49:953(B), and pursuant to the authority granted under R.S. 4:141 et seq., adopts the following emergency rule effective January 1, 2012 and it shall remain in effect for 120 days or until this rule takes effect through the normal promulgation process, whichever comes first.

The proposed amendment serves to bring Louisiana into compliance with the requirements of the Thoroughbred Owners and Breeders Association "TOBA" effective January 1, 2012. These requirements implemented by TOBA require that in order to maintain graded stakes race accreditation in Louisiana, for all horses entered in a Graded Stakes Race, the maximum post-race analytical test result levels of the blood of such horse, regardless of time of administration, for drug, phenylbutazone shall be 2.0 micrograms per milliliter.

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 15. Permitted Medication

§1505. Nonsteroidal and/or Anti-Inflammatory Medication

A. No nonsteroidal and/or anti-inflammatory medication may be administered to or used on a horse in training and eligible to be raced at a race meeting in this state except by a licensed veterinarian or a licensed trainer, or under his or her personal order; provided, however, that any such medication given hypodermically may only be administered by a licensed veterinarian. The nonsteroidal, anti-inflammatory medications designated below may be used in training but may not be administered within 24 hours of a race in which a horse is entered. The maximum analytical test result levels of the urine and blood of such horse, regardless of time of administration, shall be as follows, unless otherwise specified herein.

Post-Race Urine Levels

Total of Drug and/or Metabolite

Phenylbutazone 165 micrograms per milliliter

Oxyphenylbutazone 165 micrograms per milliliter

Post-Race Blood Levels

Total of Drug and/or Metabolite

Phenylbutazone 5.0 micrograms per milliliter

Oxyphenylbutazone 5.0 micrograms per milliliter

B. In addition to any other urine or blood specimens required to be tested and analyzed, the stewards may order the taking of a blood specimen from any horse from which a urine specimen has been taken or will be taken while the horse is at the special barn and/or test barn as provided in §5761 which blood specimen shall be delivered to the state chemist for testing and analysis.

C. For all horses entered in a Graded Stakes Race, the maximum analytical test result levels of the blood of such horse, regardless of time of administration, shall be as follows

Post-Race Blood Levels

Total of Drug and/or Metabolite

Phenylbutazone 2.0 micrograms per milliliter

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:141 and R.S. 4:142.

HISTORICAL NOTE: Promulgated by the Department of Commerce, Racing Commission, LR 9:547 (August 1983).

Charles A. Gardiner III

Executive Director