



# PROPOSED RULE MAKING

## CR-102 (June 2004)

(Implements RCW 34.05.320)

Do NOT use for expedited rule making

**Agency:** Washington Horse Racing Commission

- Preproposal Statement of Inquiry was filed as WSR 9-22-089 ; or
- Expedited Rule Making--Proposed notice was filed as WSR \_\_\_\_\_; or
- Proposal is exempt under RCW 34.05.310(4).

- Original Notice
- Supplemental Notice to WSR \_\_\_\_\_
- Continuance of WSR \_\_\_\_\_

**Title of rule and other identifying information:** (Describe Subject) WAC 260-70-630 Threshold levels

**Hearing location(s):**

Auburn City Council Chambers  
25 W. Main  
Auburn, WA 98002

Date: March 9, 2012 Time: 9:30 a.m.

**Submit written comments to:**

Name: Douglas L Moore  
Address: 6326 Martin Way, Suite 209  
Olympia, WA 98516-5578  
e-mail [dmoore@whrc.state.wa.us](mailto:dmoore@whrc.state.wa.us)  
fax (360)459-6461 by (date) March 6, 2012

**Assistance for persons with disabilities:** Contact

Patty Sorby by March 6, 2012

TTY (360) 459-6462 or ( ) \_\_\_\_\_

**Date of intended adoption:** March 9, 2012

(Note: This is NOT the effective date)

**Purpose of the proposal and its anticipated effects, including any changes in existing rules:** Removes the restriction that jockey's may not own horses and allows them to own with certain restrictions.

**Reasons supporting proposal:** Ensures transparency for stakeholders and the public on true ownership of horses.

**Statutory authority for adoption:** RCW 67.16.020

**Statute being implemented:**

**Is rule necessary because of a:**

- Federal Law?  Yes  No
  - Federal Court Decision?  Yes  No
  - State Court Decision?  Yes  No
- If yes, CITATION:

**DATE**  
1/11/2012

**NAME** (type or print)  
Douglas L Moore

**SIGNATURE**  
*Douglas L Moore*

**TITLE**  
Deputy Secretary

**CODE REVISER USE ONLY**

**OFFICE OF THE CODE REVISER  
STATE OF WASHINGTON  
FILED**

**DATE: January 11, 2012**

**TIME: 3:41 PM**

**WSR 12-03-056**

**Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters:**

**Name of proponent:** (person or organization)

- Private  
 Public  
 Governmental

**Name of agency personnel responsible for:**

Name	Office Location	Phone
Drafting..... Douglas L Moore	6326 Martin Way, Suite 209 Olympia, WA 98516-5578	(360) 459-6462
Implementation.... Robert J Lopez	6326 Martin Way, Suite 209 Olympia, WA 98516-5578	(360) 459-6462
Enforcement..... Robert J Lopez	6326 Martin Way, Suite 209 Olympia, WA 98516-5578	(360) 459-6462

**Has a small business economic impact statement been prepared under chapter 19.85 RCW?**

Yes. Attach copy of small business economic impact statement.

A copy of the statement may be obtained by contacting:

Name:

Address:

phone ( ) \_\_\_\_\_

fax ( ) \_\_\_\_\_

e-mail \_\_\_\_\_

No. Explain why no statement was prepared. Not applicable

**Is a cost-benefit analysis required under RCW 34.05.328?**

Yes A preliminary cost-benefit analysis may be obtained by contacting:

Name:

Address:

phone ( ) \_\_\_\_\_

fax ( ) \_\_\_\_\_

e-mail \_\_\_\_\_

No: Please explain: Not applicable

AMENDATORY SECTION (Amending WSR 08-17-051, filed 8/14/08, effective 9/14/08)

**WAC 260-70-630 Threshold levels.** (1) Permitted medications.

(a) The following quantitative medications are permissible in test samples up to the stated concentrations:

Procaine - 25 ng/ml urine  
Benzocaine - 50 ng/ml urine  
Mepivacaine - 10 ng/ml urine  
Lidocaine - 50 ng/ml urine  
Bupivacaine - 5 ng/ml urine  
Clenbuterol - 25 pg/ml serum or plasma  
Acepromazine - 25 ng/ml urine  
Promazine - 25 ng/ml urine  
Salicylates - 750,000 ng/ml urine  
Albuterol - 1 ng/ml urine  
Pyrilamine - 50 ng/ml urine  
Theobromine - 2000 ng/ml urine  
Methocarbamol - 1 ng/ml serum or plasma  
Glycopyrrolate - 3.5 pg/ml serum or plasma  
DMSO - 10 mc/ml serum or plasma  
Firocoxib - 40 ng/ml serum or plasma

(b) The official urine or blood test sample may not contain more than one of the above substances, including their metabolites or analogs, and may not exceed the concentrations established in this rule.

(2) Environmental substances.

(a) Certain substances can be considered "environmental" in that they are endogenous to the horse or that they can arise from plants traditionally grazed or harvested as equine feed or are present in equine feed because of contamination or exposure during the cultivation, processing, treatment, storage, or transportation phases. Certain drugs are recognized as substances of human use and could therefore be found in a horse. The following substances are permissible in test samples up to the stated concentrations:

Caffeine - 100 ng/ml serum or plasma  
Benzoyllecgonine - 50 ng/ml urine  
Morphine Glucuronides - 50 ng/ml urine

(b) If a preponderance of evidence presented shows that a positive test is the result of environmental substance or inadvertent exposure due to human drug use, that evidence should be considered as a mitigating factor in any disciplinary action taken against the trainer.

(3) Androgenic-anabolic steroids.

(a) The following androgenic-anabolic steroids are permissible in test samples up to the stated concentrations:

Stanozolol (Winstrol) - 1 ng/ml urine in all horses regardless of sex.

Boldenone (Equipoise) - 15 ng/ml urine in intact males. No level is permitted in geldings, fillies or mares.

Nandrolone (Durabolin) - 1 ng/ml urine in geldings, fillies, and mares, and for nandrolone metabolite (5 $\alpha$ -oestrane-3 $\beta$ ,17 $\alpha$ -diol) - 45 ng/ml urine in intact males.

Testosterone - 20 ng/ml urine in geldings. 55 ng/ml urine in fillies and mares. Samples from intact males will not be tested for the presence of testosterone.

(b) All other androgenic-anabolic steroids are prohibited in race horses.