



PROPOSED RULE MAKING

CR-102 (June 2012)

(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 12-17-069 ; or
 Expedited Rule Making--Proposed notice was filed as WSR _____; or
 Proposal is exempt under RCW 34.05.310(4) or 34.05.330(1).

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 8, 2013 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 doug.moore@whrc.state.wa.us
 fax (360) 459-6461 by (date) March 6, 2013

Assistance for persons with disabilities: Contact
 Patty Sorby by March 6, 2013
 TTY (360) 459-6462 or () _____

Date of intended adoption: March 8, 2013
 (Note: This is NOT the effective date)

Purpose of the proposal and its anticipated effects, including any changes in existing rules: Adopts acceptable threshold levels in post race samples on therapeutic medications used in treating horses.

Reasons supporting proposal: To protect the horses and ensure that medications used in treating them are used in a manner to ensure all participants safety.

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
 2/1/2013

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: February 01, 2013

TIME: 8:28 AM

WSR 13-04-050

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 or has a school district fiscal impact statement been prepared under section 1, chapter 210, Laws of 2012?

Yes. Attach copy of small business economic impact statement or school district fiscal 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 12-07-010, filed 3/9/12, effective 4/9/12)

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

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

Acepromazine - 25 ng/ml urine
Albuterol - 1 ng/ml urine
Benzocaine - 50 ng/ml urine
Bupivacaine - 5 ng/ml urine
Betamethasone - 60 ng/ml urine
Clenbuterol - 25 pg/ml serum or plasma
Dexamethasone - 1.5 mc/ml serum or plasma
Diclofenac - 5 ng/ml serum or plasma
DMSO - 10 mc/ml serum or plasma
Firocoxib - 40 ng/ml serum or plasma
Glycopyrrolate - 3.5 pg/ml serum or plasma
Lidocaine - 50 ng/ml urine
Mepivacaine - 10 ng/ml urine
Methocarbamol - 1 ng/ml serum or plasma
Methylprednisolone - 1.3 ng/ml serum or plasma
Prednisolone - 2 ng/ml serum or plasma
Procaine - 25 ng/ml urine
Promazine - 25 ng/ml urine
Pyrilamine - 50 ng/ml urine
Salicylates - 750,000 ng/ml urine
Theobromine - 2000 ng/ml urine
Triamcinolone acetoneide - 1 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
Benzoylecgonine - 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 α -oestrane-3 β ,17 α -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.