



**RULE-MAKING ORDER
PERMANENT RULE ONLY**

**CR-103P (October 2017)
(Implements RCW 34.05.360)**

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: January 14, 2019

TIME: 9:09 AM

WSR 19-03-081

Agency: Washington Horse Racing Commission

Effective date of rule:

Permanent Rules

31 days after filing.

Other (specify) _____ (If less than 31 days after filing, a specific finding under RCW 34.05.380(3) is required and should be stated below)

Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?

Yes No If Yes, explain:

Purpose: To update the threshold levels for anabolic steroids in plasma or serum. To create a new section to address environmental substances that may be the result of contamination.

Citation of rules affected by this order:

New: WAC 260-70-635

Repealed:

Amended: WAC 260-70-630

Suspended:

Statutory authority for adoption: RCW 67.16.020

Other authority:

PERMANENT RULE (Including Expedited Rule Making)

Adopted under notice filed as WSR 18-24-044 on November 28, 2018 (date).

Describe any changes other than editing from proposed to adopted version: The level of testosterone was increased by the ARCI model rules and has been incorporated into the draft with stakeholder support.

If a preliminary cost-benefit analysis was prepared under RCW 34.05.328, a final cost-benefit analysis is available by contacting:

Name:

Address:

Phone:

Fax:

TTY:

Email:

Web site:

Other:

**Note: If any category is left blank, it will be calculated as zero.
No descriptive text.**

**Count by whole WAC sections only, from the WAC number through the history note.
A section may be counted in more than one category.**

The number of sections adopted in order to comply with:

Federal statute:	New	___	Amended	___	Repealed	___
Federal rules or standards:	New	___	Amended	___	Repealed	___
Recently enacted state statutes:	New	___	Amended	___	Repealed	___

The number of sections adopted at the request of a nongovernmental entity:

New	___	Amended	___	Repealed	___
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The number of sections adopted on the agency's own initiative:

New	<u>1</u>	Amended	<u>1</u>	Repealed	___
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The number of sections adopted in order to clarify, streamline, or reform agency procedures:

New	<u>1</u>	Amended	<u>1</u>	Repealed	___
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The number of sections adopted using:

Negotiated rule making:	New	<u>1</u>	Amended	<u>1</u>	Repealed	___
Pilot rule making:	New	___	Amended	___	Repealed	___
Other alternative rule making:	New	___	Amended	___	Repealed	___

Date Adopted: January 11, 2019

Name: Douglas L Moore

Title: Executive Secretary

Signature:



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

(a) The following quantitative medications and/or metabolites are permissible in test samples up to the stated concentrations in urine:

Acepromazine - 10 ng/ml
Albuterol - 1 ng/ml
Bupivacaine - 5 ng/ml
Butorphanol - 300 ng/ml
Carboxydetomidine - 1 ng/ml
Clenbuterol - 140 pg/ml (in quarter horse and mixed breed races the presence of clenbuterol is prohibited)
Mepivacaine - 10 ng/ml
Promazine - 25 ng/ml
Pyrilamine - 25 ng/ml

(b) The following quantitative medications and/or metabolites are permissible in test samples up to the stated concentrations in serum or plasma:

Betamethasone - 10 pg/ml
Butorphanol - 2 ng/ml
Clenbuterol - 2 pg/ml (in quarter horse and mixed races the presence of clenbuterol is prohibited)
Cetirizine - 6 ng/ml
Cimetidine - 400 ng/ml
Dantrolene - 100 pg/ml
Detomidine - 1 ng/ml
Dexamethasone - 5 pg/ml
Diclofenac - 5 ng/ml
DMSO - 10 mcg/ml
Firocoxib - 20 ng/ml
Glycopyrrrolate - 3 pg/ml
Guaifenesin - 12 ng/ml
Isoflupredone - 100 pg/ml
Lidocaine - 20 pg/ml
Methocarbamol - 1 ng/ml
Methylprednisolone - 100 pg/ml
Omeprazole - 10 ng/ml
Prednisolone - 1 ng/ml
*Procaine penicillin - 25 ng/ml
Ranitidine - 40 ng/ml
Triamcinolone acetonide - 100 pg/ml
Xylazine - 200 pg/ml

* Administration of procaine penicillin to those horses entered must be reported to the commission and may require surveillance up to six hours prior to post time.

(c) Hair samples in pre- or post-race testing for quarter horses and mixed breed races may not be found to contain clenbuterol, ractopamine, zilpaterol, or albuterol in any concentration.

(d) Where a permitted medication has thresholds in both urine and serum or plasma, as set forth in this section, it is not a defense to a violation that the permitted medication does not exceed both thresholds.

(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:~~

~~Arsenic — 0.3 mcg/ml urine
Caffeine — 100 ng/ml serum or plasma
Cobalt — 50 ppb serum or plasma*~~

~~* A level of 25 ppb in serum or plasma will result in the horse being placed on the official veterinarians list until such time as the level drops below the 25 ppb.~~

~~Benzoylcegonine — 50 ng/ml urine
Estranediol — 0.045 mcg/ml free + conjugated (5a-oestrane-3 β ,17a-diol), in the urine of male horses, other than geldings
Gamma Aminobutyric Acid (GABA) — 110 ng/ml in serum or plasma
Hydrocortisone — 1 mcg/ml urine
Methamphetamine — 10 ng/ml
Methoxytyramine — 4 mcg/ml, free + conjugated urine
Morphine Glucuronides — 50 ng/ml urine
Salicylate salicylic acid — 750 mcg/ml serum or plasma
Theobromine — 2 mcg/ml urine
Tramadol — 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 after hydrolysis of conjugates in urine:~~

~~Boldenone (Equipoise) - 15 ng/ml urine in ((intact males)) male horses other than geldings - 1 ng/ml in urine for geldings, fillies or mares.~~

~~Nandrolone (Durabolin) - 1 ng/ml urine in geldings, fillies, and mares, and for nandrolone metabolite (5a-oestrane-3 β ,17a-diol) - 45 ng/ml urine in ((intact males)) male horses other than geldings.~~

~~Testosterone - Not less than 20 ng/ml urine in geldings. Not greater than 55 ng/ml urine in fillies and mares (unless in foal). Samples from ((intact males)) male horses other than geldings will not be tested for the presence of testosterone.~~

~~(b) The following androgenic-anabolic steroids are permissible in test samples up to the stated free (not conjugated), concentration in plasma or serum:~~

~~Boldenone (equipoise) - 25 pg/ml for all horses regardless of sex.~~

~~Nandrolone (durabolin) - 25 pg/ml for fillies and mares and geldings, male horses other than geldings shall be tested for nandrolone in urine.~~

~~Testosterone - 100 pg/ml in fillies, mares, and geldings.~~

~~(c) The sex of the horse must be identified to the laboratory on samples submitted for all pre- and post-race testing designated specifically for AAS screening.~~

(d) If an anabolic steroid is reported as administered to any horse to assist it with recovery from injury or illness, the horse may be placed on the official veterinarian list until such time as a sample is submitted and the levels are reported below the approved thresholds.

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

NEW SECTION

WAC 260-70-635 Environmental substances. 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.

(1) The following substances are permissible in test samples up to the stated concentrations:

Arsenic - 0.3 mcg/ml urine
Caffeine - 100 ng/ml serum or plasma
Cobalt - 50 ppb serum or plasma*

* A level of 25 ppb in serum or plasma will result in the horse being placed on the official veterinarians list until such time as the level drops below the 25 ppb.

Benzoyllecgonine - 50 ng/ml urine
Estranediol - 0.045 mcg/ml free + conjugated (5a-estrane-3 β ,17a-diol), in the urine of male horses, other than geldings
Gamma aminobutyric acid (GABA) - 110 ng/ml in serum or plasma
Hydrocortisone - 1 mcg/ml urine
Methamphetamine - 10 ng/ml urine
Methoxytyramine - 4 mcg/ml, free + conjugated urine
Morphine glucuronides - 50 ng/ml urine
Salicylate salicylic acid - 750 mcg/ml serum or plasma
Theobromine - 2 mcg/ml urine
Tramadol - 50 ng/ml urine

(2) 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.