

**Washington Horse Racing Commission
2022 Trainers and Owners Manual**

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General Information for Trainers and Owners

Introduction

The purpose of this manual is to assist trainers and owners in complying with the Washington Horse Racing Commission's (WHRC) *Rules of Racing*, Title 260 WAC.

The following information provides an overview of the key issues that often result in rule violations and subsequent disciplinary actions. In addition, the WHRC, Emerald Downs and the Washington Horsemen's Benevolent and Protective Association (WHBPA) are committed to improving safety in horse racing and preventing injuries to people and horses. Trainers are responsible for providing a safe workplace for their employees and horses.

The *Rules of Racing* can be found on the Washington Horse Racing Commission (WHRC) web page at www.whrc.wa.gov.

The stewards are available to answer questions regarding WHRC rules and policies.

Licensing

It is the trainer's responsibility to ensure that every person he/she employs is properly licensed by the WHRC before the employee is allowed to work. Trainers must also pay the industrial insurance premiums required to cover employees, which includes pony riders, grooms, exercise riders, and assistant trainers. Trainers must ensure each employee is properly licensed before he/she is allowed to work.

If a trainer intends to either exercise or pony horses, including their own, they must obtain the proper license to ensure that they are qualified to perform those duties. A trainer may also obtain a grooms license and pay the associated L & I premium on themselves to ensure industrial insurance coverage.

Any time a trainer releases an employee, the trainer is required to notify the Board of Stewards or the WHRC office within forty-eight hours. There are several ways to notify the commission, in person or by phone at either 253-931-6372 or 360-459-6462. The trainer will be responsible to pay any industrial insurance premiums due until such notification is made. If possible, trainers who release an employee should retrieve the person's license. The license should be returned to the WHRC staff at Emerald Downs. If necessary, Emerald Downs can issue a "pass" to your former employee to allow the person to look for work.

Debit/credit cards

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The WHRC accepts Visa, Master Card, and Discover cards as payment for license fees, Labor and Industries premiums and any other payments due to the WHRC. A 3% service fee is added to the payment to cover the cost of processing and equipment.

Groom sharing

Some trainers share grooms to assist with cleaning stalls, etc., but in order to participate in this practice each trainer involved must pay the industrial insurance premiums for that groom separately. Any trainer discovered using a groom without the proper industrial insurance coverage is subject to disciplinary action by the board of stewards.

Industrial Insurance (L&I) Calculations

Industrial insurance for WHRC licensed assistant trainers, pony riders, exercise riders and grooms at Emerald Downs and the Class C meets during the live racing, is provided through the Department of Labor and Industries (L&I) Horse Industry Account. However, to be covered under the Horse Industry Account the trainer and employee (assistant trainer, pony rider, exercise rider and groom) must be validly licensed by the WHRC.

Industrial insurance premiums are calculated and collected as follows:

- Trainers are not required to make upfront payments at the time of licensing, but will be billed monthly for employees and horses in training.
- Coverage only applies for the months paid.
- Coverage under the Horse Industry Account is required for all employees working on the grounds of a Washington race track during the track's licensed race meet and periods of training. Coverage under the Horse Industry Account while off the grounds of a Washington race track (e.g., at a farm, training center, or out-of-state race track) is optional.
- If a trainer wishes to continue coverage out-of-state, or at a farm, prior to the start or after the end of training at a Washington race track, the trainer must notify the commission and report employees at the beginning of each month. (All licenses will be considered cancelled on the last day that horses are eligible to occupy stalls at a track, unless the trainer notifies the commission that they wish to continue farm coverage.)
- There is no difference in premiums at Class A or B tracks, (Emerald Downs), or at Class C tracks. Trainers at the Class C tracks will be assessed the appropriate industrial insurance premiums from the day the WHRC assumes authority at race meet until the final race day. Trainers wishing coverage under the Horse Industry Account either before or after the race meet will be assessed the farm rates.

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Premiums are based on the following risk classes (license types):

1. Grooms (including Assistant Trainers) – Industrial insurance for grooms is available in two ways, monthly or daily. A trainer can pay for an entire month for a groom at the rate of \$168.45 per month, or if a groom works less than fifteen days in a given month the trainer can pay a daily pro-rated premium, for 2022 \$5.61 per day. Additionally, there is no difference in the rate for grooms at the track or at the farms. Assistant trainers are assessed at the same premium as grooms. (Assistant trainers must also obtain a groom’s license however this fee is included in the assistant trainer’s license fee.) Examples:
 - a. Trainer A hires three grooms and each work fifteen days or more in the month at the same time, the trainer would be charged $\$168.45 \times 3$ for a total of \$505.35.
 - b. Trainer B has three grooms who work fifteen days or more for the month. Additionally, the trainer needs an extra groom to assist for the entire day for five days throughout the month. The trainer would be charged \$168.45 for each of the three grooms and a daily rate of \$5.61 for the five days the extra groom was used. $\$168.45 \times 3$ for \$505.35 plus $\$5.61 \times 5$ for \$28.05 for a total of \$532.50.
 - c. Trainer C has one groom who works only Saturday and Sundays, when the trainer has a horse in. With four weekends in a month, the trainer would be charged the daily rate for eight days $\$5.61 \times 8 = \44.88 .

Trainers are responsible to report when grooms are hired or released within forty-eight hours. Failure to report the dates in the time frame would result in a trainer being charged the industrial insurance premium for the entire month (or for the days not reported if less than fifteen days total in a month).

For trainers who do not have a full-time groom, they will automatically be charged the pro-rated daily rate for a “temporary groom” on any days that they have horses entered to run. If the trainer is not anticipating using a groom to assist with paddocking horses or other duties that race day, it is their responsibility to notify the WHRC office or they will be invoiced for the groom.

Trainers with full-time grooms are allowed to use a “temporary groom” without being charged the daily L & I premium on race days if needed to assist with paddocking horses. The “temporary groom” used is not allowed to perform any other duties during the day such as cleaning stalls, feeding, etc. They may only assist in preparing and paddocking a horse which is in that day.

If a trainer requires a “temporary groom” for the entire day, the groom must be declared and the daily premium paid.

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The industrial insurance premiums are the same for grooms whether they are employed at the track or at a farm. Coverage under the Horse Industry Account is optional at the farm.

2. Exercise and pony riders – Industrial insurance premiums for these licenses are calculated two different ways, one for Washington race track coverage and another for farm coverage. For coverage at the track, a trainer will be charged a rate of \$1.41 per horse, per day. **All horses in a trainers care will be charged, including pony horses. This requires trainers to be responsible to accurately track and report and identify horses as they come and go onto the track, or from barn to barn. If a trainer fails to report a horse on the in and out slips, a fine will be assessed and the trainer will be assessed the per horse, per day premium for the entire period the horse(s) was on the grounds.** If a trainer fails to report when a horse arrives on the grounds and it is discovered, the trainer may be charged the premium for that horse calculated from the first day horses are allowed on the grounds for training up to the date discovered. If a trainer reports a horse on the grounds, and that horse is shipped out and is not reported accurately, the trainer will be charged for each day until the report is received.

For a trainer who wishes to extend coverage for exercise and pony riders at a farm, the trainer will be assessed a rate of \$21.14 per day, per employee, regardless of the number of hours worked. This coverage is optional, but if a trainer wishes coverage under the Horse Industry Account, the trainer must declare the name and the number of employees scheduled to work at the first of the month, along with the days they are expected to work. If circumstances change during the month and work days are added or subtracted, the trainer is responsible to notify the commission, or they will be charged for the scheduled days.

Independent Pony riders, whose pony horses are not counted in a licensed trainers daily horse count, will be required to pay the horse premium themselves.

Examples:

- a. Trainer A has ten horses on the grounds for the entire month of April. The trainer would be assessed premium for ten horses for thirty days, which is a total of 300 horse days resulting in a monthly premium of \$423.00 ($300 \times \$1.41 = \423.00).
- b. Trainer B has ten horses on the grounds for fifteen days in the month of April. Two horses leave for the last fifteen days of the month. The trainer would be assessed premium for ten horses for fifteen days and eight horses for the last fifteen days ($10 \times 15 \times \$1.41 = \211.50) + ($8 \times 15 \times \$1.41 = \169.20) for a total monthly premium of \$380.70).
- c. Trainer C has two exercise or pony riders at the farm, each exercise or pony rider works ten days during the month. The trainer is charged for twenty days at \$21.14 for a total of \$422.80.

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Exercise and pony riders that are employed at a farm are required to obtain a separate license indicating their work place. There is no fee for the second license. If an individual has a farm license to either exercise or pony and is not reported by a trainer as working in the month, that license will be cancelled and coverage would not be extended. Trainers who fail to properly report work days by farm employees or who attempt to under report work days may have conditions placed on their trainer's license, including the inability to insure farm employees under the Horse Industry Account.

Industrial Insurance (L&I) Payments

At the end of each month the HBPA staff will give the horse count for each trainer to the WHRC. The WHRC will generate an invoice for each trainer from this data as close to the first of the month as possible. The invoice will contain the number of stalls occupied by horses during the month at the track, the number of grooms employed, and if applicable, the number of exercise or pony riders employed at the farm or out of state and days worked. The invoice will be hand delivered if possible or mailed to the trainer. Trainers should review the invoice and verify with their records that the invoice is accurate. If the trainer feels there are some errors with the invoice, they should contact the HBPA immediately. The trainer will have fifteen days from the date of the invoice to submit payment for the Labor and Industries premiums. Failure to make the payment within the fifteen days will result in a steward's conference being scheduled and a fine being assessed. If the payment is not received by the end of the month the trainer's license will be suspended until such time that the premiums are paid in full.

ATTENTION TRAINERS

Beginning with the first invoices issued in April for the March payments, if payment is not received within fifteen days from the date of the invoice, a conference notice will automatically be generated by the board of stewards. If payment is not received prior to the scheduled hearing, a fine of \$100.00 will be assessed along with the L & I Payment and the trainer will be suspended. There will be no exceptions to this process.

On-the-Job Injuries

When an employee reports an on-the-job injury the trainer should notify the WHBPA or the WHRC as soon as possible. An accident form must be filled out by the trainer as soon as possible and returned to either the WHBPA or the WHRC office. This form helps with the employee's claim being processed in a timely manner. It is important that each trainer keep accurate employee records to assist with monitoring L&I claims. Injured worker claims directly affect the cost of industrial insurance premiums. Each trainer needs to assist in improving worker safety by ensuring employees are qualified and know how to perform their jobs safely.

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Using Washington Industrial Insurance Coverage Out-of-State

Trainers who want to purchase industrial insurance coverage and intend to extend the coverage to employees' out-of-state must contact the HBPA to determine eligibility for coverage. If the WHRC does not receive notification that the trainer wants to extend the employee's coverage, the licenses of the employees will be considered cancelled as of the last day that horses are on the premises of the association.

Minor Work Permits

If a trainer employs anyone under the age of 18, they are required by L & I to acquire a minor work permit. This includes anyone working in any capacity including exercise riders, pony riders, the trainers own children or a relative. There are many minors working on the backstretch and the permit for hiring them is inexpensive compared to the consequences if they are injured and the employer does not have the proper documentation. For more information on minor work permits visit www.Teenworkers.LNI.wa.gov, Email TeenSafety@LNI.wa.gov or call the local Department of Labor and Industries office. Trainers can obtain a minor work permit at the Department of Licensing on-line at www.dol.wa.gov/business/minorworkpermit.html.

Unlicensed or Improperly Licensed Personnel

As noted above, a trainer is required to notify the Board of Stewards or the WHRC office of the names of every assistant trainer and groom in the trainer's employ and to insure that all of the trainer's employees (assistant trainers, pony riders, exercise riders and grooms) are properly licensed by the WHRC before the employee is allowed to work.

Paddock Help

The owner of the horse that is racing may assist the trainer in preparing and bringing the horse to the paddock. A trainer also may use the pony person that they have engaged for the race to assist in the paddock. The pony person may not return to the stable or test barn and perform groom duties, (bathing, etc.). They may only assist from the receiving barn through the paddock. ***A trainer may use another trainer to assist in the paddock, but they will pay the daily L & I premium. This would provide the trainer with coverage if he/she was injured in the paddock, while assisting the other trainer.***

If a trainer does not have a groom employed, the only person(s) that can assist the trainer is the owner of the specific horse, or a "temporary groom"

Temporary Owner's License

Each racing season there are a number of owners who are unable to obtain their license prior to their horse racing. In these situations, the rules allow the trainer to submit an

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application for license on behalf of the owner. When applying for a temporary owner's license the trainer must pay the entire owner's license fees and L&I premiums at the time of application. The trainer must also have enough information (name, address, telephone numbers, etc.,) to submit the owner's license application. Once the application is received by the WHRC, it will be sent to the owner to be completed. The owner has fourteen days to complete the license application process by providing a signed application, fingerprints, and any other information that may be required by the WHRC.

If the owner fails to complete the application process within fourteen days, his/her owner's license will be suspended. This will affect the owner's ability to run horses in Washington and other jurisdictions. A fine may also be assessed to the owner and/or trainer depending on who the stewards find responsible for the application not being completed on time.

Whenever a trainer submits a license application on behalf of an owner they need to inform the owner of this process and make sure he/she completes the application within the fourteen-day limit. Trainers need to know the deadline for the owner getting their application process completed and make sure the process is complete before entering the horse. If the owner fails to complete the application process, the horse will not be allowed to race.

Registration Papers

Trainers are responsible to ensure that registration papers reflect correct ownerships prior to turning them into the race office. If there has been an ownership change, make sure the papers reflect the correct ownership. If the horse is going to race under a stable name, the papers must show the stable as the owner of the horse. The ownership transfer portion of the papers should be properly signed off prior to turning the papers into the race office.

ANY ownership change that occurs after the papers have been turned into the race office must be changed with the WHRC office. It is the owner's responsibility to make these changes unless they have an authorized agent that can legally sign for them. If the registration papers are removed from the office and later returned, they must be under the original ownership unless a change of ownership has been made with the WHRC office. The WHRC may require notarized bills of sale for ownership changes. The WHRC registration clerks are notaries so they will assist with notarizing the documents if necessary. If papers are turned in with incorrect owners, the WHRC may require a bill of sale prior to correcting errors. Additionally, please ensure that correct sex is noted, (stallion or geldings), when turning in papers. If a horse is gelded after the papers have been registered in the race office it is the trainers responsibility to notify the race office and ensure the proper forms are sent to the Jockey Club to reflect the change.

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Digital Registration Papers and Microchipping for Identification

Horses that were not tattooed prior to January 1, 2020 will no longer receive a physical tattoo. All horses will be microchipped and identified using the technology. Horses which have been microchipped must still be verified by the TRPB technician prior to racing. All owners and trainers should familiarize themselves with the new Jockey Club and TRPB requirements. Foal papers beginning with 2 year-olds of 2020 will be issued electronically.

Owners and trainers need to become familiar with the process of registering their papers with the race office prior to entry. Facsimiles or copies of the foal papers are not accepted for racing purposes. Owners are required to register with the Jockey Club and using an account, register their foal papers with the racing secretary. At that time, the racing secretary has control of the electronic papers and must release them back to the owner upon request. Jockey Fees and other obligations must be satisfied prior to the racing association releasing the papers.

Partnerships/Partnership Disputes

The WHRC encourages licensees entering into partnerships to review the following rule for their benefit and to avoid financial issues or disputes that may arise:

WAC 260-280-035 Partnerships. Partnerships which result in a dispute over financial obligations, ownership, or other issues may be addressed by the board of stewards under the following conditions:

- (1) An agreement, signed and notarized by each partner, is on file with the commission indicating ownership percentage, purse distribution, and any financial obligations prior to dispute.
- (2) A copy of a notarized agreement, signed by each partner, is presented to the commission with the requirement in subsection (1) of this section and is dated prior to the dispute.
- (3) The board of stewards may mediate any dispute if all parties are in agreement with the attempt to mediate. Failure to settle the dispute at an initial mediation will result in all the horses involved being placed on the stewards list until the matter is settled.

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Quarter horse ownership transfers

A quarter horse may be allowed to race with a properly filled out AQHA transfer document submitted with the registration papers. The horse may make one start with the transfer, but following the race the papers must be sent to the AQHA for completion of the transfer prior to the next start. **This requirement will be strictly enforced.**

Trainer Changes

Please note the WHRC will not process any trainer transfers without authorization from the owner. Entry day transfers will not be allowed until the commission is notified by the owner of the horse.

If an owner is going to change trainers the following process must be followed:

1. The owner must have all outstanding trainer fees due the previous trainer paid in full or an agreement with the previous trainer is place.
2. The owner must fill out the trainer transfer forms with the WHRC.
3. Both the old and the new trainer must sign the transfer form. This assures that the old trainer has no liens against the horse and that the new trainer agrees to be the trainer of the horse.
4. If the new trainer is entering the horse, the trainer transfer forms must be processed prior to the close of entries for the day that the horse is being entered. No exception to this rule. There will always be someone in the WHRC office on entry days to get this process completed. A steward will be on duty by 8:00 a.m. on entry days to assist with the transfer.
5. **If an owner transfers a horse from trainer A to trainer B, unless permission is approved by the board of stewards, that horse may not be transferred back to trainer A for thirty days from the original transfer date.**

Race Day Equipment

Blinkers – The WHRC regulates the use of blinkers. Trainers will be allowed to change whether a horse wears blinkers, **regardless of its finish position in its last start**, as long as (1) the starter approves the change, and (2) the change is declared at the time of entry. The stewards reserve the right to deny a blinker change if it is determined that the addition or removal of blinkers show a pattern that may be an attempt to negatively influence a horse's performance.

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Cheek pieces – A newer piece of equipment that may be used is a “cheek piece”, which is a sheepskin roll or other type of material that is attached to the cheek pieces of the bridle which restricts vision. These must be declared and approved at time of entry in the same manner as blinkers.

Front wraps – The WHRC tracks the use of front wraps. Front wraps are noted in the daily racing form. A change should be noted at the time of entry however, there are situations that could cause a last minute change.

Paddock Schooling

All trainers that request special consideration for horses in the paddock, (leaving early or late, saddling outside their designated stall assignment, will be required to school when requested by the Paddock Judge or placed on the paddock list. Failure to comply will result in the denial of entry or scratch.

Extracorporeal Shock Wave Therapy

WAC 260-70-545 Prohibited practices. This involves Extracorporeal Shock Wave Therapy and its use. Horses may not race or workout for a minimum of ten days following treatment. Also, any horse receiving treatment must be declared to the WHRC veterinarian by the treating veterinarian, listing the anatomical location of treatment and number of pulses within 24 hours of administration. Any horse receiving treatment must be placed on the ineligible list posted in the race office for inspection.

Cornell Collar/Throat Support Device Policy

The use of a Throat Support Device (TSD), also known as a Cornell Collar, will be allowed under the following conditions:

1. The use of a Cornell Collar/TSD will be allowed upon the recommendation of a licensed veterinarian for soft palate displacement. A licensed veterinarian must approve the actual device that will be used.
2. Prior to entering in a race, the WHRC official veterinarian must approve the horse to race with the Cornell Collar/TSD. **The veterinarian may require the horse to perform an official workout with the Cornell Collar/TSD, in their presence.**
3. **The Cornell Collar/TSD must be declared at time of entry. No Exceptions! Once the horse races with the Cornell Collar/TSD, all changes must be approved by the Board of Stewards and must be declared at entry.**

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4. If the device is not approved and the horse arrives in the receiving barn or paddock with the Cornell Collar/TSD on, the device must be removed or the horse will be scratched.
5. An official veterinarian or designee will check the device for proper fit in the receiving barn or paddock. If the device is not applied properly, the trainer will be required to adjust the device to the official veterinarian's satisfaction.

Horseshoes/Stickers

The trainer is responsible for reporting any traction devices to the stewards or their designee. When an off-track condition exists (the track is designated anything other than 'fast'), the trainer is responsible for reporting the use of any sticker or jar caulk used on his/her horse. The trainer must contact the stewards as soon as possible so that the information can be given to the public in a timely manner.

Toe Grabs

The WHRC prohibits the use of toe grabs in excess of two millimeters (2 mm) on the front shoes of thoroughbreds during training and racing. If a horse comes to the paddock with toe grabs in excess of 2 mm, the horse will be scratched. There will be checks done throughout the year and the use of prohibited shoes will result in the trainer and/or plater being fined.

Gelding Reports

The trainer is required to report any horse that is gelded to the Jockey Club. (In the past, it was acceptable to indicate the change on the registration papers and this was noted in the race office. This practice is no longer acceptable.) A gelding report must be sent to the Jockey Club on all horses when they are gelded. This can be done by the owner or trainer filling out the gelding report on the Jockey Club website or the race office can assist with getting this information into the Jockey Club information system. When a horse is gelded during the race meet, the trainer must inform the identifier and/or race office so the information that the horse has been gelded since it last raced can be given to the public. Failure to report these changes will result in a fine.

Claiming Rules

A trainer may declare a horse ineligible to be claimed if the horse has not started for 100 days and is being entered for the same or higher price than its last start. This must be done at time of entry and cannot be changed after entries are exposed. This can only be done for the first start after the layoff. **Please note if a horse starts in a claiming race and is declared ineligible to be claimed, that race would not make the horse eligible for a starter allowance race.**

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Many claims are voided each year because the person filling out the claim form made minor errors or omitted important information. Listed below are the common errors:

1. The race number and time stamp must be on the outside of the envelope. The time stamp must be 16 minutes or more before post time for the race (as shown on the tote board). If either the race number or time stamp is omitted the envelope will not be opened and the claim will be deemed voided.
2. The horsemen's bookkeeper fills out the right side of the claim form and the person placing the claim is responsible for filling out the left side of the form. All portions of the claim form must be completed or the claim will be deemed voided. The name or stable name that the horse is being claimed under must exactly match the name on the account maintained by the Horsemen's Bookkeeper.
3. The name and signature of the claimant must be on the claim form. The claim form must also include the name of the trainer for the claimed horse.
4. If a person is signing as an authorized agent, the owner must have completed the authorized agent process prior to the claim being placed.
5. Prospective owners must include their claiming certificate in the claim envelope. It is recommended that the trainer assist new owners with their first claim and check with the WHRC office to make sure the owner has picked up his/her claiming certificate.

The stewards will void a claim if the following occurs (per WAC 260-60-460):

(a) The horse dies or suffers a catastrophic injury during the running of the race and is euthanized prior to leaving the track, or must be euthanized due to an injury suffered prior to when the official transfer of the horse has taken place.

(b) If, within two hours of the official "off time" of the race and following an injury incurred during the race, the official veterinarian, in consultation with the practicing veterinarian, determines that it would be inhumane to prolong treatment in an attempt to save the horse, even for nonperformance purposes, the horse is euthanized. If the original owner of the horse disputes the official veterinarian's determination to euthanize, they may retain ownership of the horse and the claim will be voided.

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Proper Safety Equipment

Trainers are responsible for ensuring that their exercise riders and pony riders are using the proper safety equipment.

Approved safety vest and helmet must be worn when on horseback. The safety vest and helmets must be securely fastened. This means the vest must be zipped or secured and the chinstraps must be fastened on the helmet.

All persons on horseback must wear **equestrian** footwear that covers the rider's ankle and must have a minimum ½ inch heel. The only exception is for jockeys while riding in a race. In these cases all jockeys must wear jockey boots.

Apprentice Jockey Weights

WAC 260-32-370 Apprentice Jockeys. An apprentice jockey is allowed a five pound allowance from their first mount until such time as the apprenticeship expires. Additionally, a trainer may waive the apprentice allowance at time of entry without the apprentice losing the right to the weight allowance in the future.

Workouts

Before a horse goes onto the track to work in the morning the trainer is responsible for reporting the following information to the clocker:

- The name of the trainer;
- The name of the horse;
- The distance the horse will work; and
- The location on the track the work will start from.

Trainers failing to call-in works will be referred to the stewards. Works can be called in over the speaker system located on the track or the trainer may call via telephone either using the barn telephones or their cell phones.

Track Safety Rules

Trainers (when on horseback), pony riders, and exercise riders are required to comply with track safety rules during the hours the track is open for training. Failure to comply with track safety rules or the directions of the outrider may result in a conference before the board of stewards. Sustained violations may result in a warning, fine, and possible suspension (for repeated or serious violations).

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All trainers, pony riders, and exercise riders are expected to know and comply with all track safety rules.

Receiving Barn/Paddock

It is the responsibility of the trainer to make sure his/her horse is at the receiving barn and the paddock at the required time. All horses must be at the receiving barn at the required time to allow for proper identification and any pre-race testing that may be administered. Trainers whose horses continuously arrive late to the receiving barn will be referred to the stewards. Trainers are responsible for ensuring grooms and assistant trainers know the proper procedures for arriving in the receiving barn and taking the horse to the paddock. If a horse is 'head-shy' or fractious when putting on the head numbers, the attendant should obtain the head number and affix it to the bridle before the horse comes to the receiving barn.

Once a horse is in the paddock only the trainer, assistant trainer, or another licensed trainer approved by the stewards, may saddle a horse.

There are some limitations when schooling horses in the paddock during the races. The trainer must have permission from the stewards or the paddock judge to school a horse during races. No schooling is allowed in two year old races and races with over ten horses scheduled to run. The reason for this restriction is to ensure the safety of participants.

Rules While on Horseback

The backstretch safety committee does not want riders switching mounts on any main road traveled by horses going to or from the track. Exchanges may be made in the area between the receiving/test barn and the Fletcher Center or east of the main roadway close to Barn 12.

Trainers must know and understand all the track rules. If a trainer gives his/her exercise rider instructions that violate the track rules the trainer may also be held responsible. If you have a problem horse that needs special handling you must first obtain permission from one of the outriders before violating a track safety rule. Getting permission once does not mean a trainer can continue to violate the rules with this horse. Violations will result in riders and/or trainers being referred to the board of stewards by the outriders.

When dealing with a problem horse, trainers must send the horse to the track late in the morning when the number of other horses on the track has diminished. In addition, do not bring a problem horse to the track directly after a renovation.

During the year there are a number of people who apply for an exercise rider and/or pony rider license for the first time. For these individuals the process includes taking a written test and demonstrating they have the skills to perform the job. There are specific rules they must follow when they are on the track during training. When trainers work with a

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new licensee the trainer is required to know the rules and make sure his/her employee complies with the rules. A copy of the rules is available on line at www.whrc.wa.gov or in the WHRC office.

Safety Note: When using new exercise riders, the trainer needs to consider the temperament of the horse, the exercise rider's ability and when the horse and rider should be sent to the track. Sending them to the track right after the main renovation could create an unsafe situation for both rider and horse.

Drug & Alcohol Testing – WHRC Policy

On February 11, 2010 the WHRC approved the following policy regarding drug and alcohol testing:

**Washington Horse Racing Commission
Policy/Interpretive Statement 2007-03
Drug and Alcohol Testing**

In order to protect the integrity of horse racing in the state of Washington, and to protect the interests and safety of the public and participants, the Washington Horse Racing Commission (WHRC) intends to regulate the use of any illegal controlled substance and the improper use of alcohol by licensees at all race meets.

WAC 260-34-030 allows a commission steward, commission security investigator, or the commission acting through the executive secretary to require any licensee or applicant to provide a breath, blood and/or urine sample for the purpose of drug or alcohol testing under the following circumstances;

- When a commission steward, investigator or executive secretary has reasonable suspicion to believe that an applicant or licensee has used or is under the influence of alcohol and/or drugs.
- When an applicant or licensee has a documented history of an unexplained positive test which indicates illegal drug use or has a documented history of violations of chapter 69.41, 69.45 or 69.50 RCW, WAC 260-34-020, or similar drug-related violation and is within five years of conviction or release from a correctional institution (whichever date is later);
- When a commission steward or investigator decides to test any applicant or licensee as a result of a probationary or license with conditions; or
- When a person is observed performing the duties of their license while on horseback, or working as a groom or assistant trainer, on the grounds of a licensed racing association.

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The following policies will be applicable to all applicants and licensees on the grounds of any racetrack during its licensed race meet and period of training:

Drug and Alcohol Testing - Persons on Horseback

Each week the commission supervising investigator will query the Equine Licensing and Management System (ELMS) for a random list of names of applicants and licensees who meet the criteria described in WAC 260-34-030 (1,d). During the Class C race meet a second list will be generated for the names of those licensees to be tested at those locations. The following process will be followed when selecting individuals who will be randomly tested:

Emerald Downs

- The names of three individuals who are licensed as an exercise rider, jockey, apprentice jockey, pony rider, and/or outrider. Of the three persons on this list, two will be persons licensed as exercise riders and one will be a person licensed as a jockey, apprentice jockey, pony person or outrider. The names of two grooms or assistant trainers will be randomly selected for testing.
- To test a person on horseback or a groom or assistant trainer, the commission security investigator must first observe the person on horseback or performing the duties associated with their license, and then can either require the person to dismount to be tested or wait until after they have finished riding or working and test them then. Persons licensed as jockeys and apprentice jockeys may be tested when named on a horse that is entered to run.
- Prior to the start of the live race meet, during the period of training, the total number of names selected on a weekly basis may be reduced as determined by the commission supervising investigator.

Class C Race Meets

- One person on horseback will be selected each week throughout the racing season, and one groom or assistant trainer, or when the commission takes control of the grounds as determined in WAC 260-24-510(2).

Once a random list of names is generated, the commission security investigators will have seven days to contact the persons listed and request a breath, blood, oral fluid, or urine sample for the purpose of drug or alcohol analysis.

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Conditional Licenses

Licensee's that have a history of drug and/or alcohol violations may be granted a conditional license for the purpose of drug and/or alcohol testing. Testing for conditional licensees will only be conducted at the discretion of the stewards or executive secretary. The following procedures will be used when monitoring a licensee with a conditional license:

- A person may be granted a license with conditions by the WHRC or the stewards. If such a license is granted the conditions will apply for as long as provided for in the commission order, or stewards' ruling.
- The board of stewards will maintain a list of all licensees who have been granted such a license. Each week the stewards may select any number of licensees from this list for drug and/or alcohol testing.
- A record will be kept of individuals tested, including the date tested and the results of any tests. The goal is to generally select different licensees each week to be tested until all such licensees are tested.
- If an individual licensed with conditions has been tested from a random list for persons on horseback, this will be noted and considered by the stewards when making the determination of which licensees to test.
- Owners who have been granted a conditional license that include drug and alcohol testing will only be tested under the following conditions.
 - They are actively participating in the care and training of their horse.
 - They are contacted in the stable area and brought to the WHRC office for testing.

It is the intent of the WHRC to ensure all persons granted a license with conditions be routinely tested to verify compliance with the WHRC's orders and stewards rulings.

For all testing, the commission will maintain a log of the names, dates, and results. This log will be considered a public record, may be disclosed under the public records laws of this state.

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Use of Controlled Substances with a Prescription

Licensees performing the duties of their license and taking any controlled medication prescribed by a physician should be prepared to comply with the following procedures if tested for drugs:

- When asked to provide a urine sample, a licensee must inform the investigator or person taking the sample of the type and dose of medication prior to giving the sample.
- If the field test results are positive, the licensee shall be required to produce the prescription bottle with the following information listed: The name of the physician prescribing the medication, patient's name, name of drug, strength and prescribed usage, and the date the medication was prescribed. In addition, the licensee may be required to produce a written confirmation from the prescribing physician that the licensee is able to perform the duties of their license while under the influence of the drug at the prescribed dosage.
- If required, the prescription bottle with the required information listed must be presented prior to the licensee being allowed to continue working.
- WAC 260-36-062 allows the board of stewards to require a person on horseback to provide a physician's written statement verifying fitness to ride before being allowed to ride. If the board of stewards believes the medical condition and/or the medication being prescribed poses a threat to public safety and welfare, a rider may be required to provide a written statement from his/her physician verifying fitness to ride. If requested, written documentation from the physician that prescribed the medication should be received within seven days of the positive test. The physician's statement must be returned with the following information:
 - Must be on the physician's letterhead and signed by the prescribing physician.
 - Must state whether the licensee's physical condition would affect his/her ability to perform the specific duties of their license. The letter must verify that even with the medical condition the rider is physically fit to ride.
 - Must confirm whether the medications taken separately or in combination, in the doses prescribed, would affect the licensee's ability to perform the duties of their license without being a threat to the safety and welfare of other participants or equine athletes.
 - If requested, failure to provide this information will result in the licensee being unable to return to work until a clean sample has been provided and

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the original test may be considered a violation of the WHRC's drug testing rules.

Physical requirements for persons on horseback are available from the commission. Licensees should consider obtaining documentation from their physician at the time the licensee is prescribed the medication. Having this information in advance of testing may ensure the licensee will be allowed to continue working after a positive test. This will be especially important to jockeys, who may test positive for a prescribed medication on a race day.

In addition, any applicant or licensee may also be asked to take a drug and/or alcohol test when a WHRC security investigator, steward, or the executive secretary reasonably suspect a person is under the influence of alcohol and/or drugs. Any licensee that tests positive for an illegal controlled substance or alcohol is prohibited from performing any duties of their license until he/she provides a clean test.

A violation of these rules will result in penalties up to and including license suspensions and revocations. It is the trainer's responsibility to make sure that his/her employees are not working while under the influence of either alcohol or drugs.

Marijuana

In November 2012 Washington State voters approved Initiative 502 which legalized the use of marijuana for persons over 21. While marijuana may be legal for adults it will not be allowed on the grounds and licensees while performing their duties may not use or be under the influence of marijuana. Penalties for persons on horseback, any concentration shown in the blood or oral fluids will be considered a violation and would result in a three day suspension for the first offense.

Rule Changes for 2022

For the 2022 racing season, there are several rules that have been adopted by the WHRC or are scheduled for adoption. These are rule changes that trainers should be aware of that are or may be in effect prior to the opening of racing. Your HBPA office is made aware of any filings that may affect these rules and are an excellent source for information.

Rules Adopted on November 12, 2021

WAC 260-28-295 Trainer responsibility. The WHRC approved an amendment that would require the trainer of any horse "shipping in" from off the grounds to provide 14 days of medication and procedures performed on that horse on the regulatory veterinarians request.

WAC 260-60-410 Claimed horse - In whose interest runs - Delivery and passage of title. Prior to this year the rule required that the transfer of any horse selected to report to

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the test barn take place immediately when the horse arrives, and the trainer in whose care the horse ran would have a representative witness and sign for the sample. In order to protect the trainer who is responsible for any medication violation, the trainer or representative listed on the program will maintain custody of the horse until the sample has been collected. The successful claimant will have a representative in the test barn to witness the process and take custody after the sample has been collected.

WAC 260-70-625 Interarticular injections - Period for when a horse may not race.

Any horse that receives an interarticular injection may not race or work to be removed from the veterinarian list for a minimum of seven days following the injection. The day of the injection is counted as day one, and the horse is eligible to race or work on day eight. .

These changes have either been approved by the WHRC or are pending commission approval at the April commission meeting. Information regarding these possible rule changes can be found at www.whrc.wa.gov or from the WHRC board of stewards.

Veterinary Program

Introduction

The WHRC veterinary staff prepared this section of the manual to assist trainers, owners and other participants in understanding the requirements pertaining to equine inspection and testing to ensure the health and safety of the horse and maintain the integrity of horse racing. This section is a guide to assist in complying with the requirements of Title 260 WAC and in particular Chapter 260-70 WAC. This manual does not eliminate or reduce the requirements of Washington law or administrative rules.

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Equine Veterinary Principles

- Trainers are required to be familiar with Chapter 260-70 WAC Equine Medication.
- No drug, medication, or chemical may be administered to a horse within 24 hours of post time, except for Furosemide.
- Horses in training may require administration of certain therapeutic medications to diagnose or treat illness or injury. However, because certain therapeutic medications may enhance or diminish athletic performance, their use will be closely monitored and any violation of the rules is subject to penalty.
- Certain drugs have no therapeutic use in horses in training and these drugs may not be administered to horses in training nor will they be permitted at any concentration in post-race samples.
- **Veterinarians must submit treatment reports to an official veterinarian within 48 hours of treatment per WAC 260-70-540. If treatment occurs within 48 hours of the post time of the race in which the horse is entered the report must be filed by 10:00 a.m. the morning of the race. Reports of Extra Corporal Shock Wave Treatment must be submitted by the treating veterinarian within 24 hours of treatment and shall list the anatomical location treated and the number of pulses administered.**
- **WAC 260-28-280 It is a trainer's responsibility to promptly report the serious injury of any horse on the grounds. Serious injury is defined as any condition requiring 21 or more days of rest from works/breeze or racing. These include but are not limited to conditions of muscle, tendon, ligament, hoof, and bone.**
- **WAC 230-28-280, A trainer must immediately report any sickness or illness of any of his or her horses to an official veterinarian.**
- The WHRC official veterinarians are ready to assist with any questions or concerns trainers have regarding equine health and/or application of the medication rules.

Washington State Health Requirements

The Department of Agriculture requires horses entering Washington to have a current health certificate and negative Coggins test. (RCW 16.26.050(1))

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Veterinarian's List

- Horses which are required to work may be placed on the Veterinarian's List (vet's list) for a minimum of seven days (WAC 260-70-580) for various reasons including, lameness, soreness, injury, illness or prohibited substances and/or practices. For counting purposes, the first day on the vet's list is the day the horse is placed on the vet's list. For bleeders see the section entitled "Exercise Induced Pulmonary Hemorrhage."
- Horses may be required to work in the presence of a WHRC official veterinarian. Horses may not work to be removed from the vet's list until the eighth day.
- All required works will be by appointment only and shall be made at **least twenty-four hours in advance**.
- A blood test may be taken before or after the work. Medication levels may not exceed those allowed post-race.
- The official vet list is provided to other jurisdictions and trainers should be aware that other jurisdictions review and honor the WHRC vet list.
- Horses not required to work may not enter in a race that is scheduled to run less than fourteen days from the date they are placed on the list.
- **The WHRC is reciprocal with other jurisdictions vet lists. If you have a horse that is on another vet list, you will be required to comply with those jurisdictions requirements and WHRC requirements for blood testing, to be removed prior to being allowed to race in Washington. Trainers should check with the race office to ensure any horse in their care is not on an "out of state" vet list prior to entry.**

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Furosemide and Permitted Medications

Exercise Induced Pulmonary Hemorrhage

- Exercise Induced Pulmonary Hemorrhage (EIPH) occurs commonly in racehorses. The diuretic Furosemide is recognized for its benefit in the medical management of EIPH syndrome in race horses.
- A WHRC official veterinarian will prohibit any horse from racing that has bled endoscopically or externally from one or both nostrils as a direct result of EIPH during or after a race or workout for the following recovery periods:
 - ✓ First incident—14 days;
 - ✓ Second incident within 365 day period—30 days;
 - ✓ Third incident within 365 day period—180 days;
 - ✓ Fourth incident within 365 days period—banned from racing for the life of the horse.
- For the purposes of counting the number of days a horse is ineligible to race, the day the horse bled endoscopically or externally is the first day of the recovery period.
- The voluntary administration of Furosemide without an external bleeding incident will not subject a horse to ineligibility as provided in WAC 260-70-660(2) (d).
- A horse is eligible to race with Furosemide if the licensed trainer and licensed veterinarian determine that it would be in the horse's best interest. Notification using the form "Furosemide Administration/Certification" (WHRC-003) must be given to the WHRC official veterinarian or test barn secretary prior to entering the horse. Any horse that previously raced on Furosemide, which is returning from a jurisdiction that does not allow Furosemide, is eligible to race with Furosemide only if notification is given in writing according to WAC 260-70-660(1)(a). The horse may then continue to race on Furosemide in accordance with WAC 260-70-660.
- The specific gravity of post-race urine samples is measured to ensure that samples are sufficiently concentrated for proper chemical analysis. The specific gravity must not be below 1.010. If the specific gravity of the urine is found to be below 1.010 or if a urine sample is unavailable for testing, quantification of Furosemide in serum or plasma will be performed.
- Quantification of Furosemide in serum or plasma must be performed when specific gravity of the corresponding urine sample is not measured or if measured below 1.010. Concentrations must not exceed 100 nanograms of Furosemide per milliliter of serum or plasma.

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- Furosemide administration:
 - ✓ Must be administered no less than 3 hours prior to post time for the race in which the horse is entered;
 - ✓ Dosage must not be less than 150 mg or exceed 500 mg;
 - ✓ Must only be administered by a single, intravenous injection.
 - ✓ The **trainer is responsible** to ensure that the Furosemide Administration/Certification form (WHRC-003) is delivered to the test barn no later than one hour before the scheduled post time for the horse's race.
- A horse placed on the official Furosemide list must remain on the list unless the licensed trainer submits a written request to remove the horse. The request must be on WHRC form "Request to Remove Horse from Furosemide List" (WHRC-004) and must be submitted to a WHRC official veterinarian or the test barn secretary no later than time of entry.
- In order to ensure consistency for the betting public, after a horse has been removed from the Furosemide list, the horse may not be placed back on the list for a period of 60 calendar days, unless, in consultation with a WHRC official veterinarian, it is determined that racing without Furosemide would be detrimental to the welfare of the horse. If a horse is removed from the official Furosemide list a second time in a 365 day period, the horse may not be placed back on the list for a period of 90 calendar days. For purposes of counting days, the day the horse is removed from the Furosemide list is the first day.

Non-Steroidal Anti-Inflammatory Drugs (NSAIDs)

See WHRC Thresholds 2022 and WHRC Withdrawal Recommendations 2022
These thresholds and recommendations are available in the WHRC office, test barn, or on the website, www.whrc.wa.gov

Topical NSAID Salves

Topical NSAID salves are not permitted to be administered to a horse within 24 hours of post time of the race in which the horse is entered. These medications are detectable in post-race test samples. Trainers need to consult with their veterinarian prior to use.

Inspections

- **All horses on the grounds of the racetrack are subject to inspection at the request of an official veterinarian at any time. Regardless of the status of the horse, it must be presented at the veterinarian's request. Failure to comply will be reported to the Board of Stewards. (See below)**

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The trainer of each horse or a representative of the trainer must present the horse for inspection as required by the examining official veterinarian. Horses presented for examination/inspection must have all bandages removed, and the legs must be clean.

Note Rule change: Horses may not have been subjected to icing, or prolonged hosing with cold water, or any other means of reducing the temperature of the legs on the day it is scheduled to be inspected until the inspection has been completed.

WAC 260-70-570: Equine Medication Program- All horses are subject to inspection
(2)(e) Any other inspection deemed necessary by official veterinarian

WAC 260-70-540: Equine Medication Program - Veterinarian's reports
(f) Any other information required by the official veterinarian

Horses that ship-in must be present on the grounds as follows, except with prior approval of the official veterinarian:

- A first time starter must be present on the grounds two hours prior to the first post time of the day or five hours prior to the post time of the race the horse is entered for racing, whichever is earlier.
- A horse that has previously started must be present on the grounds five hours prior to the post time for the race the horse is entered for racing.

Prohibited Medications and Practices

The following medications and practices are prohibited:

- The possession of a hypodermic needle, syringe, or device used for injection by any person other than a licensed veterinarian, unless approved by the stewards is prohibited.
- The possession or use of a drug, substance, or medication for which a recognized analytical method has not been developed to detect and confirm the administration of such substance.
- The use of a drug, substance, or medication which may adversely affect the integrity of racing.
- The possession and/or use of a drug, substance, or medication that has not been approved by the United States Food and Drug Administration for any use (human or animal).

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- The possession and/or use of blood doping agents, including but not limited to those listed below.
 - ✓ Aminomidazole carboxamide ribonucleotide (AICAR);
 - ✓ Darbepoetin;
 - ✓ Equine Growth Hormone;
 - ✓ Erythropoietin;
 - ✓ Hemopure®;
 - ✓ Myo-inositol trispyrophosphate (ITPP);
 - ✓ Oxyglobin®;
 - ✓ Thymosin beta; and
 - ✓ Venoms or derivatives thereof.

- The practice, administration or application of a treatment, procedure, therapy or method identified below that may endanger the health and welfare of the horse, endanger the safety of the rider, or the use of which may adversely affect the integrity of horse racing:
 - Intermittent Hypoxic Treatment by External Device;

 - The use of Extracorporeal Shock Wave Therapy or Radial Pulse Wave Therapy is not permitted unless the following conditions are met:
 - Any treated horse will not be permitted to race or work for a minimum of 10 days following treatment;
 - The use of Extracorporeal Shock Wave Therapy or Radial Pulse Wave Therapy machines is limited to persons with a WHRC veterinarian license;
 - Any Extracorporeal Shock Wave Therapy or Radial Pulse Wave Therapy machines on association grounds must be reported to a WHRC official veterinarian before initially being used;
 - All Extracorporeal Shock Wave Therapy or Radial Pulse Wave Therapy treatments must be reported by the treating veterinarian within 24 hours of treatment using the Daily Veterinary Treatment form and must list the anatomical area treated and number of pulses used to a WHRC official veterinarian or designee.

- As the absolute insurer of the horse, the trainer is responsible to insure that treatment with Extracorporeal Shock Wave Therapy or Radial Pulse Wave Therapy to any horse that is racing meets all requirements of WAC 260-70-545 (4).

- The use of a nasogastric tube longer than six inches, inserted in a horse's nostril for the administration of any substance within 24 hours prior to post time of the race in which the horse is entered, is prohibited, unless prior permission has been obtained from a WHRC official veterinarian.

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Equine Testing Policy

At the February 11, 2010 meeting the WHRC adopted the following policy addressing equine testing:

**Washington Horse Racing Commission
Policy Statement 2010-02**

The Washington Horse Racing Commission views the controlled medication testing program as vital to the integrity of the industry. In its enforcement of this program, the commission directs its regulatory officials to utilize all methods under their authority to ensure the controlled medication testing program is effective in detecting the use of prohibited medications or levels of medications, either authorized or prohibited.

WAC 260-70-590 specifies that the official winning horse and any other horse ordered by the stewards or official veterinarian must be taken to the test barn to have a blood and/or urine sample taken. The stewards or official veterinarian may select horses for testing utilizing the following process.

At all Class A and B licensed racing associations in Washington:

1. All horses finishing first in a race will have a sample taken.
2. All horses finishing first, second, and third in any stake race will have a sample taken.
3. Betting favorites that finish in the last two places will have a sample taken.
4. Second or third place horses at 20-1 or longer odds will have a sample taken.
5. At the stewards' or official veterinarians' discretion, additional horses may have samples taken.

The Board of Stewards or the official veterinarian will ensure the owner or trainer of the horse selected is notified and directed to have his/her horse immediately report to the test barn to provide a sample.

The weekly minutes of the stewards will state which horses were selected to have a sample taken.

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At all Class C licensed racing associations (nonprofit fair meets) in Washington:

1. All horses finishing first in a race will have a sample taken.
2. The stewards will at a minimum select one additional horse per race day to have a sample taken. The selection of these horses will be at the sole discretion of the stewards.

Adopted by the Washington Horse Racing Commission February 11, 2010. First adopted by the WHRC December 14, 2006.

Post-Race Test Barn Procedures

- No person is allowed into the test barn area without a current WHRC license, which they may be requested to display and a valid purpose to be there. A horse may not have more than three representatives in the test barn at any one time. The WHRC veterinarian has control of the test barn. If the test barn becomes overpopulated to a point that puts both equine and human attendees at risk, the WHRC veterinarian may reduce the number of representatives to ensure everyone's safety.

Trainers should ensure that grooms are prepared to go to the test barn anytime a horse is raced. Grooms should come prepared by bringing their own halter and lead shank.

- The original trainers or representative of claimed horses must handle the horse and are required to be present until the test samples are collected, and sign as witness for the sample. The trainer that has claimed the horse must also have a representative present in the Test Barn but may not handle the horse. They must also provide a halter and lead shank and be ready to take possession of the horse as soon as it is discharged from the Test Barn.
- Trainers are responsible for the condition and behavior of their employees.
- Persons who appear to be under the influence of alcohol and/or drugs or who conduct themselves in a disorderly manner will be reported to WHRC investigators and asked to leave the test barn.
- Blood and urine samples may be collected from all horses selected for post-race testing. If a horse will not urinate after an hour of entering the test barn, the official veterinarian or licensed vet tech, with the trainer's permission, will administer 2cc of Furosemide to facilitate collection.
- Split samples (urine and blood) will be made available for independent analysis by a laboratory approved by the WHRC, as long as there is sufficient quantity. These samples will be handled in such a manner that chain-of-custody requirements are met.

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- Minimum standards of detection must be met by laboratories conducting post-race split sample analysis. These standards are defined as the specific concentration at which a laboratory is expected to detect the presence of a particular drug or by the threshold adopted by the WHRC.

Medication Thresholds

See WHRC Thresholds 2022 and WHRC Withdrawal Recommendations 2022
These thresholds and recommendations are available in the WHRC office, test barn, or on the website, www.whrc.wa.gov

Environmental substances

See WHRC Thresholds 2022 and WHRC Withdrawal Recommendations 2022
These thresholds and recommendations are available in the WHRC office, test barn, or on the website, www.whrc.wa.gov

Anabolic Steroids

See WHRC Thresholds 2022 and WHRC Withdrawal Recommendations 2022
These thresholds and recommendations are available in the WHRC office, test barn, or on the website, www.whrc.wa.gov

All anabolic substances are Class 3 substances.

Hair Testing

WAC 260-70-665- Hair testing. (1) The commission is authorized to collect and submit hair samples for testing in quarter horses and mixed breed races. For horses which have been entered to race, the hair sample may be collected at any time prior to post time, or a sample may be collected in the test barn following the race. If a sample is collected after a horse is entered into, but prior to competing in a race, a positive report received based on the sample collected will be considered a post race violation. Hair samples may also be collected for out of competition testing.

(2) The presence of any prohibited substances that appears in a pre- or post-race sample including, but not limited to, clenbuterol, zilpaterol, and ractopamine in QH and mixed breed races, will constitute a violation.

The presence of a therapeutic medication with an established threshold level for that breed which appears in a hair sample will not be considered a violation.

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(3) Samples collected for out of competition testing in quarter horses that result in a positive finding for a prohibited substance as listed in WAC 260-70-545 will be reported to the board of stewards and considered a violation.

The presence of clenbuterol in an out of competition test in a quarter horse will result in the horse being placed on the official veterinarians list for a minimum of thirty days or until a sample is submitted and is reported as negative for the presence of clenbuterol. If, at the owners request a sample is submitted for screening for removal from the official veterinarians list, the owner(s) are responsible for the cost of the testing.

(5) If a horse is selected for hair testing and the mane is less than four and a half inches in length, the commission may elect to collect a hair sample using the tail.

If a trainer or owner wishes to submit a hair sample prior to entry, contact the WHRC for collection and submission procedures. The owner or trainer will be responsible to reimburse the commission for the cost of the testing. It takes a minimum of seven days for screening, so please submit samples as early as possible to ensure the report is received prior to entry.

Voluntary Pre-Race Testing for Therapeutic Medications

To assist owners, trainers or veterinarians in understanding medication levels in their horse they may request a WHRC official veterinarian submit a pre-race urine and/or blood sample for testing.

It is the responsibility of the requestor to obtain the sample and ensure the accuracy of identification of any sample submitted for testing. All requests must include the name of the specific drug to be tested, amount administered, route of administration and the time the sample was collected. The sample will be given to the WHRC official veterinarian to be submitted with the day's race samples.

The cost of the testing will be borne by the requestor. The cost per test will be according to the prices listed below. Results will be forwarded to the WHRC. Failure to pay will result in a steward's conference being scheduled.

Pricing for the test is dependent on method used may be subject to change, testing price should be confirmed prior to shipping.

The pre-race testing program is provided as a courtesy by the WHRC. A negative pre-race test result does not in any way modify the WHRC's standards regarding permitted drug substances, post-race testing, the consequences from positive tests and the responsibility of trainers for the condition of the horse. The pre-race testing program should not be considered a part of, nor affiliated with, the WHRC drug testing program.

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Heel Nerved Horses and Pregnant Mares

Trainers and/or owners must ensure that the requirements of WAC 260-70-720 are met for any horse before being brought onto the grounds of a racing association that has had a posterior digital neurectomy performed or has had any nerve removed from the leg of a horse. The WHRC official veterinarian and the racing secretary must be notified if such a procedure is performed on the grounds of a licensed racing association.

Prior to entering any pregnant mares the owner must comply with WAC 260-60-400. Full disclosure regarding the breeding and pregnancy must be reported to the Racing Secretary and posted in the race office.

Gelding Report

Trainers are responsible to promptly submit gelding reports to the Jockey Club or to the race office if a colt or horse is gelded. Failure to submit the report may result in a penalty. Any treatment or procedure conducted on the grounds of a racing association must be reported on veterinarian's treatment form per WAC 260-70-540.

Postmortem Examination

Horses that expire or are euthanized on the grounds of Emerald Downs may be required to be transported by the WHRC to Washington State University (WSU) for necropsy. The official veterinarian may submit blood, urine, other bodily fluid specimens or other tissue specimens collected for analysis. The presence of a prohibited substance in a specimen of a euthanized horse may constitute a violation of these rules. Full instrumental screening will be conducted on euthanized horses. For horses not transported to WSU for necropsy the owner or trainer is responsible for its remains.

Penalties

Penalties for all medication violations, including a Furosemide overage, are contained in Chapter 260-84 WAC. A lesser penalty than that required in the rules may only be imposed if a majority of the stewards determine that mitigating circumstances warrant a lesser penalty. (See WAC 260-84-090)

The treating veterinarian must document the administration of a drug to a horse by filing a Veterinarian Report (WHRC-027) with a WHRC official veterinarian or designee, at the racetrack where the horse is entered to run. The Veterinarian Report must be filed within 48 hours of administration. If treatment was administered less than 48 hours before post time of the race the horse is entered, report submission must be no later than 10 a.m. on the day the horse is entered. An accurate filing of the Veterinarian Report that is consistent with the analytical results of a positive test may be a mitigating factor in determining the nature and extent, if any, of a rule violation.

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Factors considered in determining mitigating circumstances may include but are not limited to:

- The past record of the trainer and/or veterinarian in medication violations;
- The potential of the drug(s) to influence a horse's racing performance;
- The availability of the drug;
- Whether there is reason to believe the responsible party knew of the administration of the drug or intentionally administered the drug;
- The steps taken by the trainer to safeguard the horse;
- The probability of environmental contamination or inadvertent exposure due to human drug use;
- The purse of the race;
- Whether the drug found was one for which the horse was receiving a treatment as determined by the Veterinarian Report;
- Whether there was any suspicious betting pattern in the race.
- Whether the presence of the medication/drug in urine was confirmed in serum or plasma.

Penalties may be imposed on any person if he/she is determined to be responsible or party to a violation of the law or administrative rules.

The following penalties will be assessed against any person found to be responsible or party to the improper administration of a drug or the intentional administration of a drug resulting in a positive test. In assessing penalties under this section, violations in the last three hundred sixty-five days from Washington and all recognized racing jurisdictions will be considered.

- Class 1 - One to five year suspension and at least \$5,000 fine and loss of purse.
- Class 2 - Six months to one year suspension and \$1,500 to \$2,500 fine and loss of purse.
- Class 3 - Sixty days to six months suspension and up to \$1,500 fine and possible loss of purse.

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- Class 4 - Zero to sixty days suspension and up to \$1,000 fine and possible loss of purse.
- Class 5 - Warning to fifteen days suspension with a possible loss of purse and/or fine.

A lesser penalty may be imposed if a majority of the stewards determine that mitigating circumstances, as outlined in WAC 260-84-090.

Should the laboratory analysis of serum or plasma taken from a horse show the presence of Phenylbutazone in excess of the quantities authorized by WAC 260-70-640, the following penalties will be assessed:

Concentration	1st offense within 365 days	2nd offense within 365 days	3rd and subsequent offenses within 365 days
> 2.0 but < 3.5 mcg/ml	Warning	Fine not to exceed \$300	Fine not to exceed \$500
≥ 3.5 but < 7.0 mcg/ml	Fine not to exceed \$300	Fine not to exceed \$500	Fine not to exceed \$1000
≥ 7.0 mcg/ml	Fine not to exceed \$500	Fine not to exceed \$1000	Fine not to exceed \$2500 and possible suspension

Should the laboratory analysis of serum or plasma taken from a horse show the presence of more than one approved nonsteroidal anti-inflammatory drug (NSAID) in violation of these rules the following penalties will be assessed:

- For a first offense within a three hundred sixty-five day period - Fine not to exceed \$300;
- For a second offense within a three hundred sixty-five day period - Fine not to exceed \$750;
- For a third offense within a three hundred sixty-five day period - Fine not to exceed \$1,000.

Detection of any unreported permitted medication, drug, or substance by the primary testing laboratory may be grounds for disciplinary action. As reported by the primary testing laboratory, failure of any test sample to show the presence of permitted medication, drug or substance when such permitted medication, drug or substance was required to be administered may be grounds for disciplinary action.

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In assessing penalties for equine medication, violations from Washington and all recognized racing jurisdictions will be considered.

Contact an official veterinarian or stewards if you have any questions.

Multiple Medication Violation Rule

WAC 260-84-125 Multiple medication violations.

(1) A trainer who receives a penalty for a medication violation based upon a horse testing positive for a class 1-5 medication, as provided in WAC [260-70-685](#) shall be assigned points based upon the substances penalty class designation for the substance.

Class	Points if Threshold is Established by WHRC	Points if No Threshold is Established by WHRC
Class A	N/A	6
Class B	2	4
Class C	1/2, with incremental increases of 1/2 point for each additional violation within 365 days	1, with incremental increases of 1/2 point for each additional violation within 365 days
Class D	0	0

If the stewards or commission determine that the violation is due to environmental contamination, they may assign fewer or no points against a trainer based on specific facts of the case.

(a) The points assigned to a medication violation shall be included in the steward's or commission ruling. The ruling will contain the penalty imposed for the original violation as defined in chapters [260-70](#) and [260-84](#) WAC.

(b) If an appeal is filed after the original ruling is issued, a second ruling will be issued citing the appeal and stating that no points shall be applied until the licensee has exhausted their rights of appeal.

(c) If the trainer's point total exceeds the limit for a secondary suspension, a conference will be held to assess the suspension. Once all appeals period have expired or all appeals are exhausted or waived, the second conference will be held at which time the points, based on the WHRC guidelines shall immediately become part of the trainer's record and shall then subject the trainer to the enhanced penalties imposed by the stewards or commission.

(d) A trainer's cumulative points, based on the commission guidelines, for violations in all jurisdictions shall be used in determining the enhanced penalty for medication violations and whether enhanced penalties shall be imposed. Points will be reported to Association of Racing Commissioners International and become part of the trainer's official record.

(e) Multiple positive tests for the same medication incurred by a trainer prior to delivery of official notice of the violations by the commission may be treated as a single violation.

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(f) The official ARCI record of the trainer's past violations shall be prima facie evidence of a trainer's past violations.

(2) In addition to the penalty imposed for the original violation, the following enhanced penalty shall be imposed upon a trainer based on the cumulative points as determined by the stewards or commission.

Points	Suspension in Days
5 to 5.5	15 to 30 days
6 to 8.5	30 to 60 days
9 to 10.5	90 to 180 days
11 or more	180 to 360 days

(a) Enhanced penalties for multiple medication violations are not a substitute for the original penalty and are intended to be an additional penalty when the licensee:

- (i) Has more than one violation for the relevant time period; and
- (ii) Exceeds the permissible number of points.

(b) The suspension periods as provided above shall run consecutive to any suspension imposed for the original offense. The stewards or commission ruling shall distinguish the penalty for the original offense and enhanced penalty based on the trainer's cumulative points.

(c) Points shall expire as follows:

Penalty Classification	Expunged Time
Class A	3 years
Class B	2 years
Class C	1 year

In the case of a medication violation that results in a suspension, any points assessed expire on the anniversary date when the suspension is completed.

WHRC Approved Equine Split Sample Drug Testing Laboratories

Commented [DM2]: Update

In 2017 the WHRC adopted an amendment to WAC 260-70-610 requiring all split sample labs to be accredited by the Racing Medication & Testing Consortium (RMTc). The following list is all of the laboratories that currently have been awarded RMTc Laboratory Accreditation. Please contact each laboratory directly to check split sample prices and availability.

1. ALS - Truesdail Laboratories
3337 Michelson Drive Suite CN750
Irvine, CA 92612
Phone: (714) 730-6239
Contact: Anthony Fontana - PhD

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Anthony.Fontana@ALSGlobal.com

2. University of Illinois at Chicago
Analytical Forensic Testing Laboratory
833 South Wood Street
Chicago, Illinois 60612
Phone: (312) 996-2250
Contact: Lisa Taddei – Manager
ltaddei@uic.edu
Marc Benoit
mbenoit@uic.edu
3. University of California - Davis
Kenneth L. Maddy Equine Analytical Laboratory
620 West Health Science Drive
Davis, California 956167
Phone: (530) 752-8700
Contact: Dr. Ben Moeller PhD., Asst. Professor
bcmoeller@ucdavis.edu
4. Texas A & M Veterinary Medical Diagnostic Laboratory
P.O. Box Drawer 3040
College Station, TX 77841-3040
Phone (979) 458-9142
Contact: Al Kind – Lead Chemist
akind@tvmidl.tamu.edu
Travis Mays, Section Head
tmays@tvmidl.tamu.edu
5. Ohio Department of Agriculture
Analytical Toxicology Laboratory
Consumer Protection Laboratory Building #3
8995 East Main Street
Reynoldsburg, Ohio 43068
Phone: (614) 466-2910
Contact: Soobeng Tan – Director
Soobeng.tan@agri.ohio.gov
Lucille Kaminski – QA Coordinator
lkaminski@agri.ohio.gov
6. New York Drug Testing and Research Program
777 Waren Road
Ithaca, New York 14850
Phone: (607) 882-9065
Contact: George Maylin – Director
maylinga@morrisville.edu

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7. Pennsylvania Dept. of Agriculture
Equine Toxicology and Research Laboratory
West Chester University
West Chester, Pennsylvania 19832
Phone: (610) 436-3501
Contact: Mary Robinson – Director
marobins@vet.upenn.edu
Alfonso Jones
ajones@pa.gov
Susan Megee
smegee@vet.upenn.edu

8. University of Florida Racing Laboratory
1200 SW 34th Street
Gainesville, FL 32607
Phone: (352) 392-2238
Contact: Dr. Cindy Cole -Associate Director
cindyb@ufl.edu