

Thoroughbred Rule 1245(A) Amendment Summary

This amendment governs eligibility of horses testing positive for certain drugs named in this rule; also adds clenbuterol and the beta-2 agonists to the list of drugs tested for prior to a race. Any horse testing positive for clenbuterol and the other listed drugs shall not be eligible to start a race at Oaklawn until it subsequently tests negative for such substance in a form and substance acceptable to the Stewards.

Thoroughbred Rule 1245(A) Mark Up

1245(A)

(a) Any horse exhibiting a positive response to a test for the presence of clenbuterol or other beta-2 agonists, or any antibodies of any blood doping agent, including, but not limited to, Erythropoietin, Darbepoetin, Oxyglobin and Hemopure, (a "Blood Doping Agent") shall be ineligible to start or race until the owner or trainer, at his or her own expense, provides proof, in a form and substance acceptable to the Stewards, of a subsequent negative test result for the presence of clenbuterol or other beta-2 agonists and antibodies of Blood Doping Agents from a laboratory approved by the Commission, provided any such test sample and test must be obtained and conducted under collection and test procedures acceptable to the Commission Veterinarian. The beta-2 agonists and Blood Doping Agents to be tested for shall include clenbuterol, Erythropoietin, Darbepoetin, Oxyglobin, Hemopure and such other beta-2 agonists and blood doping agents determined from time to time by the Commission Veterinarian.

(b) Notwithstanding any inconsistent provision of these Rules, the trainer of the horse shall not be subject to application of the trainer's responsibility penalty based solely on a finding by the laboratory that the beta-2 agonist or Blood Doping Agent first detected in the initial positive test remains present in the horse in a subsequent sample taken from that horse for purposes of any subsequent test for beta-2 agonists and Blood Doping Agents performed on the horse in an effort to determine the horse's re-eligibility to start and race again pursuant to subsection (a) of this Rule.

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