

Sweeping New Drug Rules Approved in New York

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Photo: Anne M. Eberhardt

New York regulators on Nov. 24 enacted the most sweeping set of equine drug rules in more than 30 years in the state, providing a more certain threshold for allowable amounts of medication from two dozen different drugs in Thoroughbreds prior to running in a race.

The state Gaming Commission's approval of the final set of highly detailed rules comes a year after the agency first proposed adding specification levels for the drugs to New York's long-standing "time-based" medication rules.

The new rules are intended, the agency says, "to protect the integrity of the pari-mutuel wagering system" in the state as well as the health of horses," said Robert Williams, the Gaming Commission's executive director.

The rules will take effect Jan. 1, 2015.

New York Racing Association chief executive officer and president Christopher K. Kay applauded the Gaming Commission's action.

"These new rules are in the best interest of the health and welfare of the racehorses, the safety of all participants and further promote the integrity of Thoroughbred horse racing," Kay said. "The adoption of these regulations by the gaming commission is another step forward in the ongoing efforts of Thoroughbred racing regulators in many states and other participants to adopt uniform and effective equine medication rules across the country."

Dr. Scott Palmer, the state's equine medical director, urged the board to adopt what he called "critical" new drug threshold levels that will help establish New York as one of the leaders in the equine medication movement.

The agency's board approved "per se" thresholds for 24 drugs, most of them identified by the Racing Medication and Testing Consortium. For trainers and others, it brings the same kind of clarity as with DWI laws: Exceed a certain level and the state considers it an automatic violation.

The new thresholds will then accompany time-based rules that date back to 1982 that ban the presence of various drugs in a horse's urine or blood for a set period of time before a race.

The rules create, for instance, a threshold for use of acepromazine (10ng/ml in urine), betamethasone (10pg/ml in plasma) and clenbuterol (140pg/ml in urine or at any level in plasma).

The new rules also state that a horse cannot race for at least seven days following a joint injection of any corticosteroid. Additionally, three corticosteroids may only be injected into a joint: betamethasone and any formulations of methylprednisolone and triamcinolone.

The agency, according to a memo from its staff to the board, believes national adoption of the drug thresholds will make it easier for trainers to work in New York and elsewhere.

The final set of rules also addresses administration of methylprednisolone acetate.

"Rather than prohibit the use of this drug, which some veterinary practitioners believe is the best therapeutic option in some circumstances, a use restriction that the horse must test negative and be released to race by the stewards will limit the use of this drug to such circumstances and provide the (racing) commission and regulated parties with a use restriction that is reasonable to apply," the agency document adds.

Given that the drug, also known as Depo-Medrol, has shown to remain in a horse's system for nearly three months, the agency decided against a specific time restriction for its use. Instead, a rule okayed by the board Nov. 24 states that a horse using the drug cannot run until it tests negative for presence in its system.

The NYSGC last year initially proposed what the agency called strict prohibitions of the presence of any other corticosteroids in race-day samples "before the national proponents of the 24 drug thresholds abandoned their national support for a limit-of-detection threshold for all such 'unapproved' drugs." While one board member raised concerns about dropping that particular rule effort, the board went along with the staff recommendation that conformity is needed with other state rules.

A set of threshold-level rules for the Standardbred industry is still being prepared by New York regulators.

Officials said they believe the outreach to the industry, including a public hearing, will reduce the likelihood of legal challenges to the new threshold levels as seen when the first time-based medication rules were first approved in 1982.

The board's meeting also revealed a date^o Dec. 17^o for announcement of which communities in the state will be getting new, commercial casinos. Voters last year authorized up to seven casinos in the state, and a separate law provides that up to four of the gambling facilities will be located in three geographic areas of the state: Mid-Hudson Valley/Catskills, the greater Albany area, and an area going from the southern tier near Binghamton to a spot east of Rochester.