

**TEXAS RACING COMMISSION**

**P. O. Box 12080
Austin, TX 78711-2080
(512) 833-6699
Fax (512) 833-6907**

Texas Racing Commission
Wednesday, August 24, 2022, at 10:30 a.m.
1100 Congress Avenue
Capitol Extension Room E2.026
Austin, Texas 78701

AGENDA**I. CALL TO ORDER**

Roll Call

II. PUBLIC COMMENT**III. STAFF REPORTS**

A. Discussion and consideration of staff report regarding administrative matters:

1. Executive Director Report
2. Government Relations Report

IV. STAFF ACTIONS

A. Discussion and possible action to approve the Commission's Legislative Appropriations Request for FY 2024-2025.

B. Discussion and possible action to approve the fees associated with the updated Texas Veterinary Medical Diagnostic Lab (TVMDL) Interagency Agreement for FY 2023.

C. Discussion and possible action to adopt the following agency policies and procedures to administer the Texas Rules of Racing:

1. The TXRC Prohibited Substance List;
2. The TXRC Equine Medication Classification Policy and Penalty Guidelines;
3. The TXRC Controlled Therapeutic Substances List; and
4. The TXRC Test Barn Instructions.

V. PROCEEDINGS ON THE HORSE INDUSTRY ESCROW ACCOUNT

- A. Discussion and possible action to allocate funds in the Horse Industry Escrow Account to state horse breed registries for events to further the horse industry under 16 TAC Chapter 303, Subchapter G.
 - 1. Requests by the Texas Quarter Horse Association
 - i. Lone Star Park Stakes Program-\$250,000 for September 2022
 - ii. 2022 QH Meet @Lone Star Park-ATB Owners & Stallion Owner Award-\$868,000 for November 2022

VI. RACETRACK PROCEEDINGS

- A. Discussion and possible action to extend the designation of the 2023-2027 race date application period from 60 days to 120 days beginning June 1 to September 30, 2022, under 16 TAC §303.41
- B. Discussion and possible action to extend the existing 2022 allocation of funds for the Texas-bred incentive program as provided under 16 TAC §321.505(b) to align with the expiration of the Horse Industry Escrow Account agreement expiration date
- C. Discussion and possible action to approve pecuniary transfers for Global Gaming LSP, LLC, d/b/a Lone Star Park at Grand Prairie.
- D. Discussion and possible action on Gulf Coast Racing request for approval of amendment to totalisator contract between Gulf Coast Racing and United Tote dated June 23, 2022.
- E. Discussion and possible action on Texas Parimutuel Management, Inc d/b/a The Race Barn request for approval of totalisator contract between The Race Barn and United Tote Company dated August 9, 2022.

VII. PROCEEDINGS ON RULES

- A. Discussion and possible action on the following rule review matters:
 - 1. Opening of rules reviews of Chapter 307, Proceedings before the Commission; Chapter 309, Racetrack Licenses and Operations; Chapter 311, Other Licenses; Chapter 313, Officials and Rules of Horse Racing; Chapter 315, Officials and Rules of Greyhound Racing; Chapter 319, Veterinary Practices and Drug Testing; Chapter 321, Pari-Mutuel Wagering; and Chapter 323, Disciplinary Action and Enforcement.

VIII. EXECUTIVE SESSION (AS NEEDED)

The following items may be discussed and considered in executive session or open meeting, with any action taken in the open meeting:

- A. Under Texas Government Code §551.071(1), the Commission may enter an executive session to seek the advice of its attorney regarding pending or contemplated litigation, or regarding a settlement offer.
- B. Under Texas Government Code §551.071(2), the Commission may enter an executive session to discuss all matters identified in this agenda where the Commission seeks the advice of its attorney as privileged communications under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas. This may include, but is not limited to, legal advice regarding the Open Meetings Act, the Administrative Procedures Act, and the Texas Racing Act.
- C. Under Texas Occupations Code §2025.005, the Commission may enter an executive session to review security plans and management, concession, and totalisator contracts.

IX. NEXT COMMISSION MEETING

Wednesday, October 12, 2022, 10:30 a.m.

X. ADJOURN

I. CALL TO ORDER

ROLL CALL

II. PUBLIC COMMENT

III. A. STAFF REPORTS

1. EXECUTIVE DIRECTOR REPORT

III.A. STAFF REPORTS

2. GOVERNMENT RELATIONS REPORT



HORSERACING IN TEXAS AND THE FEDERAL HORSERACING INTEGRITY AND SAFETY AUTHORITY

FEDERAL AUTHORITY

In December 2020, Congress created the Horseracing Integrity and Safety Authority (HISA) through the *Horseracing Integrity and Safety Act of 2020*, which took effect in July 2022.

HISA’s jurisdiction arises out of the *Interstate Horseracing Act of 1978*, which allows federal involvement in horseracing activities connected to interstate commerce involving advanced deposit wagering, which does not occur in Texas, and interstate export of certain pari-mutuel wagering signals. Notably, HISA **does not** regulate pari-mutuel wagering.

STATUTORY CONFLICT IN TEXAS

The [Texas Racing Act](#) does not authorize the Texas Racing Commission to allow their state employees to be commandeered by a federal entity to regulate horse races nor to collect and remit fees on their behalf.

Sec. 2023.002. Regulation and Supervision of Wagering at Race Meetings

(a) *The commission shall regulate and supervise each race meeting in this state that involves wagering on the result of horse racing or greyhound racing. Each person and thing relating to the operation of a race meeting is subject to regulation and supervision by the commission.*

While HISA’s enabling federal statute has some pre-emptive effect on aspects of horseracing, in Texas, it creates a statutory conflict. If Texas horse races become subject to HISA supervision, pari-mutuel

wagering cannot take place, as Texas Racing Commission personnel could no longer comply with the *Texas Racing Act*, the state’s legislative enabling statute.

TEXAS REGULATORY POLICY

Interested parties can expect regulatory certainty while there is a statutory conflict between the federal *Horseracing Integrity and Safety Act of 2020* and the state’s *Texas Racing Act*.

To prevent regulatory chaos and to enable thoughtful decision making within the industry, the Texas Racing Commission [implemented a policy](#) to deny the interstate export of pari-mutuel wagering signals on Thoroughbred horse races, thwarting HISA jurisdiction within the state.

UPDATING TEXAS RULES OF RACING

The Texas Racing Commission fully supports the fundamental goals HISA has been tasked with achieving and is currently undergoing an extensive review of the [Texas Rules of Racing](#), and is providing all stakeholders and interested parties with opportunities for [public comment](#).



IV.A. STAFF ACTION MATERIALS

LEGISLATIVE APPROPRIATIONS REQUEST (LAR) FY 2024-2025



**LEGISLATIVE
APPROPRIATIONS
REQUEST**
*for Fiscal Years
2024 and 2025*

***SUBMITTED TO THE
OFFICE OF THE GOVERNOR, BUDGET DIVISION
AND THE LEGISLATIVE BUDGET BOARD***

***TEXAS RACING COMMISSION
AUGUST 24, 2022***

**Legislative Appropriations Request
For Fiscal Years 2024 and 2025**

**Submitted to the
Governor's Office of Budget, Planning and Policy
and the Legislative Budget Board**

**by
Texas Racing Commission**

August 24, 2022

Administrator’s Statement

Fiscal Years 2024-2025

I. Agency Introduction

The Texas Racing Commission enforces the *Texas Racing Act* (Subtitle A-1, Title 13, Texas Occupations Code) and the *Texas Rules of Racing* ensure the safety, integrity, and fairness of Texas pari-mutuel racing. State regulation at a racetrack involves veterinary, licensing, auditing staff, stewards, and judges, as well as commissioned peace officers. As a policy-making body, the Texas Racing Commission consists of nine members. Seven members are appointed by the Governor with the advice and consent of the Texas Senate to serve six-year terms, and two are *ex officio* members.

Commission Members

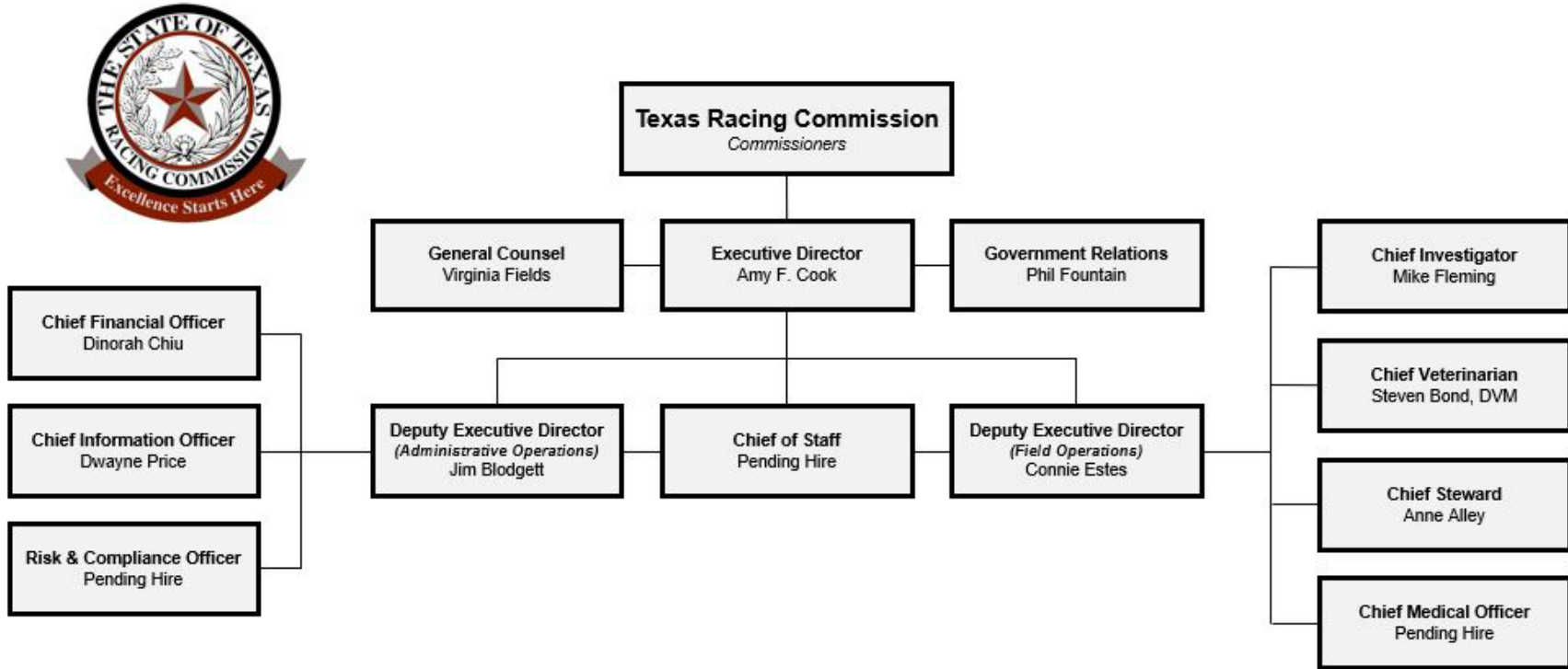
Judge Robert C. Pate, Chair.....	<i>Corpus Christi</i>
Dr. Connie McNabb, DVM, Vice Chair.....	<i>Montgomery</i>
Rebecca Contreras.....	<i>Hutto</i>
Margaret Martin.....	<i>Boerne</i>
Michael “Mike” Moore.....	<i>Fort Worth</i>
Arvel “A.J.” Waight, Jr.....	<i>Willow City</i>
Vacant.....	

Ex Officio Members

Sid Miller, Commissioner, Texas Department of Agriculture.....	<i>Stephenville</i>
Steven P. Mach, Chair, Texas Public Safety Commission.....	<i>Houston</i>

The [Texas Racing Commission, Agency Strategic Plan, Fiscal Years 2023-2027](#) is focused around four goals: Enable, Protect, Communicate and Partner. To better account for agency funded activities, realigning direct and indirect personnel costs, and agency interagency agreements, within these goals, will allow the agency to enforce the *Texas Racing Act* and related state laws more effectively.

Organizational Chart

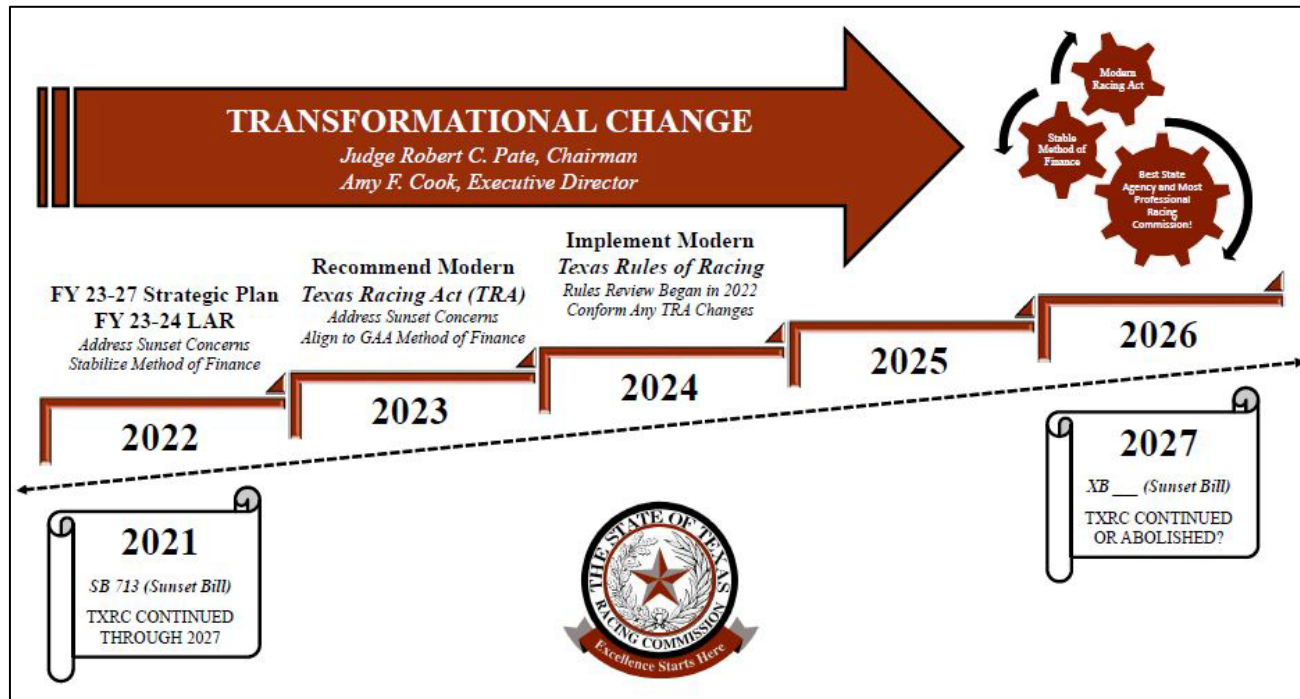


A Call for Transformational Change

“A leader’s job is to look into the future and see the organization, not as it is, but as it should be.”

– Jack Welch

The agency’s leadership clearly understands the severity of the situation this agency finds itself; it must undergo transformational change in alignment with the recommendations of the Sunset Commission and legislative guidance. This process began with agency revising the budget structures and will continue with a holistic review of the enabling statute, where the agency is placed within the General Appropriations Act, and a full understanding of the economic benefit of investing in the agency at this time.



II. Strategic Overview and Scene-Setter

“A leader is someone who helps improve the lives of other people or improve the system they live under.”

– Sam Houston

In the forty-year period from the inception of the *Texas Racing Act* in 1987 to the effective Sunset date currently set by the Legislature in 2027, there has never been effective investment in the organizational capacity of the agency to carry out its statutory, statewide enforcement mission. The idea that the regulated industry would fund the agency despite economic and industry barriers to growth, has failed over time, as noted in the 2021 Sunset Report. This funding request as presented, is the path to creating the effective state agency that the industry deserves, and the citizens of Texas need to apply the appropriate personnel and practices to increase the integrity and safety of both horse and greyhound racing in the State of Texas.

The Texas Racing Commission is the only Article VIII regulatory agency without a General Revenue (GR) funding stream. It is time to change not just the agency’s operations but how it is funded. The request has a step-up approach with three short years available to recover from 30 years of neglect:

2023 – Supplemental Appropriation Request to:

- *Fully Fund GR FTEs (39.3) and Add 5.7 GR FTEs*
- *Fund IT Recovery and Transportation Start-Up Costs*

2024 – Exceptional Items to Further Build FTE Capacity as Two Capital Projects:

- *IT (Enforcement Database)*
- *Transportation (7 Vehicles)*
- Add 25 GR FTEs

2025 – Exceptional Items to:

- *Continue to Build FTE Capacity*
- *Provide Added Funding to Fully Implement IT/Transportation Projects*
- *Add 26 GR FTEs*

2026 – Sustainment Funding for GR 96 FTEs with Tools, Technology, Training, and Travel Funds (GR/GR-D)

2027 – Sustainment Funding for GR 96 FTEs with Tools, Technology, Training, and Travel Funds (GR/GR-D)

“The centerpiece of the Texas Racing Commission funding proposal in this legislative appropriations request is the development of a viable talent management strategy comprised of salary, compensation, training, travel and tools required to enable our employees to effectively perform the agency statutory mission.”

– Amy F. Cook, Executive Director

Talent Management Strategy

A talent management strategy is a plan of action to optimize employee performance. The basic assumption in the strategy, is that employees who have all the resources to do their job well, perform better. Employees will be engaged when job demands (e.g., an emotionally, mentally, or physically demanding job, job complexity, work pressure) are compensated with a similar (or higher) level of job resources (autonomy, performance feedback, social support, coaching, relevant knowledge). For example, the Veterinary staff working in the Test Barn to conduct pre- or post-race exams deserve sufficient dedicated positions with transportation assets, veterinary emergency kits, basic medical supplies, and developmental continuing education to effectively prevent and treat animal injuries.

Workforce Analysis

In November 2021, the agency did not have performance standards, a development plan, a published organizational chart with all current employees represented, nor did any employee have specific job descriptions. The workforce was comprised of several employees, who had retired from state service and were hired back, drawing two paychecks from the agency. The decision to consistently rehire retiring employees created a stagnation in the growth of the agency and a sense of hopelessness that there were opportunities for growth and promotion for newly hired employees. A good talent management strategy puts processes in place that enable matching of job resources to job demands. Generally, it takes 3-5 years to fully execute a talent management strategy. Over time, the Texas Racing Commission seeks to create high performing teams.

The systems that the agency is working to put in place are:

Alignment. Aligning agency positions with the updated strategy, mission statement, vision, and priorities. Positions have been reclassified using the state auditor's office published positions to clearly define roles and responsibilities, with the goal being to author updated job descriptions for our specialized needs and implement new descriptions by 2024.

Culture. Moving the agency to an employee centric culture welcomes open communication, encourages feedback, provides psychological safety, and inspires innovation. Employees are the lifeblood of the agency, so encouraging them to be creative, innovative and to engage in designing the agency future is critical in growing the future of the agency.

Compensation. With compensation and monetary incentives, the agency can compete with competitor organizations and retain employees by recognizing and rewarding excellent performance. The median salary at the agency was \$54,000 in 2021, and our funding request changes the model to \$75,000 for 2024-2025 biennium. In addition to raising the median salary, another \$27,000 in benefits, merit increases, and developmental training is estimated for a total of \$102,000 for each employee. The only exception is the Executive Director position. The funding request includes an adjustment of Executive Director's salary group and pay range from Group 3 (\$92, 950 to \$139,137) to Group 5 (\$122,500 to \$197,415) with the same \$27,000 to cover the costs of the Executive Director's benefits, training, and merit increases. These adjustments are planned to prevent the Texas Legislature from having to step in to correct the poor management practices of the agency, as occurred in 2021 with the enactment of *Senate Bill 713* (87R). Beyond the compensation structure, the agency seeks to implement an effectively funded recruiting, retention, and relocation incentive plan.

Software Systems. The existing information technology (IT) systems and tools are being replaced as funding becomes available. The field office internet connections were 1.5 MB of bandwidth, the enforcement database had no training plan or guidebook, so employees had a data-entry process that was so slow that often, data fields would not save relevant data to process licenses, drug testing protocols, or veterinary exams. The agency has completed an initial improvement of its primary internet connection to its field offices to 50 MB, replaced basic IT devices with newer versions and migrated agency internal files from a fragile physical server at the previous Austin HQ location to Microsoft 365 Public Cloud, managed by the Department of Information Resources. With the loss of the enforcement data base, in May 2022, the agency staff are using paper and basic Microsoft tools to manage the daily activities of the agency.

Training. The agency implemented the Centralized Accounting and Payroll System (CAPPS) in 2021. However, employees had not had the basic time-keeping course to enter their timecard or fundamental information security courses to access agency IT systems. In December 2021, the agency revised its new hire procedures to ensure basic employee training, standards of conduct and an orientation to the daily operations of the agency is provided to each new employee. In addition to basic training on the tools and technology used by the agency, developmental training for supervisors and employees as well as continuing education documented on individual development plans as part of our performance management plan have been implemented.

Career Ladder. Despite the statutory requirement to institute a career ladder, in the history of the agency, there is a no documented attempt to establish such a ladder. Thus, the lack of a clearly defined path for growth and opportunities, combined with the absence of any employee counseling, performance standards and developmental training, led to the agency not growing a bench of employees and supervisors who could lead the agency into the future. With the publication of the agency strategic plan and a clearly defined organization chart that allocates 70 percent of the agency human resources to field support activities, while 30 percent is dedicated to agency overhead and support functions that support the field. The agency has effectively recruited 12 new employees and promoted 8 employees in the past nine months, which is a positive trend considering the departure of 12 employees in the same period. This trend can only continue with an investment in the recruiting, training, development, and retention of the agency team to build capacity to support the State of Texas by carrying out mandated duties under the *Texas Racing Act*.

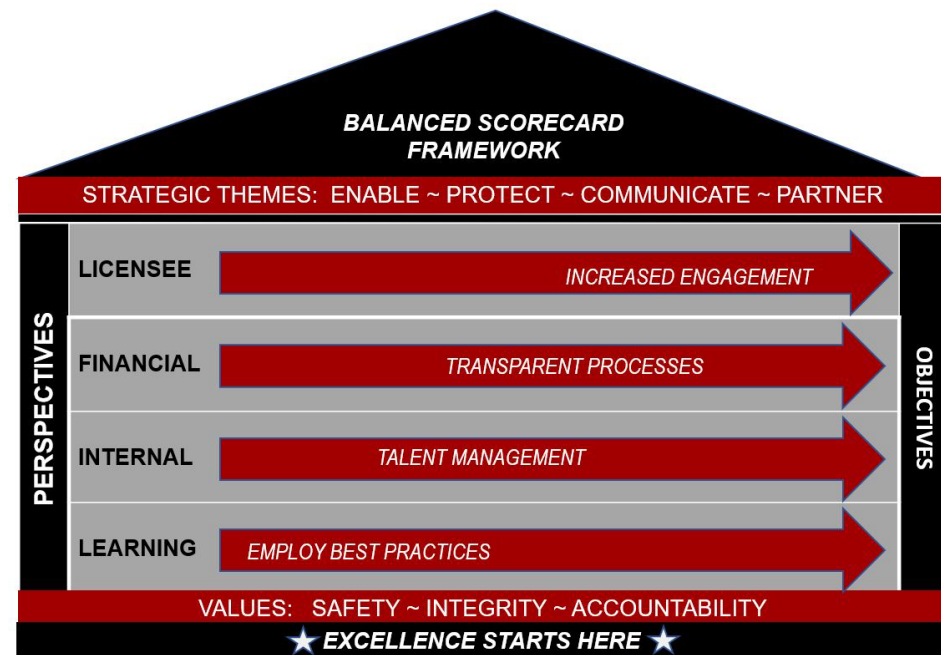
Training and Development. Regulatory racing is a highly specialized field with limited available talent across the United States. Therefore, the agency needs to recruit applicants from diverse backgrounds and other areas of the country to effectively develop the bench required to sustain the agency's ability to support the horseracing industry. There are a few national programs that provide basic accreditation to the Stewards, however, there are no formally recognized training programs for regulatory investigators, regulatory equine veterinarians, and test barn veterinary technicians. Texas AgriLife has supported other institutions in setting-up trade schools for specialized training. The agency is exploring options to internally develop tailored professional development training programs that would not only support the agency employees but may be a viable option for future racing industry growth which, in the future, could be opened to other states.

Balanced Scorecard

Once this talent management model is effectively implemented, the next step will be to implement a balanced scorecard to measure agency progress against internal objectives, not just those that measure agency effectiveness of performing the regulatory mission, as the strategic plan measures are designed to do.

This balanced scorecard roadmap is presented as an initial framework to keep staff focused on becoming the best state agency in Texas, and the most professional racing commission in America.

During the upcoming biennium, the Texas Racing Commission plans to take four perspectives (Licensee, Financial, Internal, Learning) to develop balanced scorecard measures for presentation in the Agency Strategic Plan for Fiscal Years 2025-2029 with updates in each annual report. This process and product will help ensure Texas continues to lead in the racing sports and bring credit and credibility to sport with those in the regulated industry and Texas taxpayers.



III. Goal A: Enable (*Enable Racing Industry Growth through Effective Licensing and Oversight Programs*)

Leadership Assessment

Internal Factors. In 2021, the Texas Racing Commission was continued as a state agency via *Senate Bill 713 (87R)* although the Legislature and the Sunset Commission have documented and expressed concerns about its inability to effectively serve the citizens of Texas. The key Sunset findings were that "*the Commission can no longer efficiently regulate Texas pari-mutuel racing.*" due to an "*untenable regulatory structure*" and "*unsustainable funding structure.*" At that time, the Legislature determined leadership changes were required at the Commission, including the statutory termination of the agency's Executive Director and General Counsel.

In June 2021, Gov. Greg Abbott appointed Judge Robert C. Pate to serve as the Commission's Chair. Since that time, he has been about the business of digging into the details of the agency and charting a course for its management in an appropriate way. In November 2021, the Commission hired Amy F. Cook, a retired U.S. Army Brigadier General, to serve as Executive Director. The two quickly discovered the agency had been mismanaged for years, to include questionable contracts that had been put in place by former employees.

Texas Racing Act, Sec. 2023.002. Regulation and Supervision of Wagering at Race Meetings (a)
The commission shall regulate and supervise each race meeting in this state that involves wagering on the result of horse racing or greyhound racing. Each person and thing relating to the operation of a race meeting is subject to regulation and supervision by the commission.

The agency's efforts throughout 2022 have been focused on the elimination cost-prohibitive contracts and the implementation of planning, programming, and budget measures to ensure future viability as a law enforcement and regulatory agency. In addition to current budget challenges, the Texas Racing Commission now finds itself in statutory conflict between the *Texas Racing Act* and federal legislation involving Thoroughbred horseracing.

External Factors–Federal. In December 2020, Congress created the Horseracing Integrity and Safety Authority (HISA) through the *Horseracing Integrity and Safety Act of 2020*, which took effect in July 2022. HISA's jurisdiction arises out of the *Interstate Horseracing Act of 1978*, which allows federal involvement in horseracing activities connected to interstate commerce involving advanced deposit wagering, which does not occur in Texas, and interstate export of certain pari-mutuel wagering signals. Notably, HISA does not regulate pari-mutuel wagering. The Texas Racing Commission has the sole authority to regulate pari-mutuel wagering and every aspect related to related horse races.

Statutory Conflict. While HISA’s enabling statute has some pre-emptive effect on aspects of Thoroughbred horseracing, it creates a regulatory paradox at Texas horse tracks. If a Texas horse race becomes subject to HISA supervision, pari-mutuel wagering cannot take place, as Texas Racing Commission personnel could no longer comply with the *Texas Racing Act*, essentially stepping off the track; and without interstate wagering, the race is no longer definitionally covered under HISA’s jurisdiction. To prevent regulatory chaos and to enable thoughtful decision making within the industry, the Texas Racing Commission implemented a policy in June 2022 to deny the interstate export of pari-mutuel wagering signals on Thoroughbred horse races, thwarting HISA jurisdiction within the state.

Some interested parties have proposed the Texas Racing Commission identify ways to conform the state statute to the federal authority, as is done in other policy areas of overlapping jurisdiction. However, unlike the areas of agriculture and public safety, HISA’s novel approach provides zero financial resources to the state to fulfill their objectives while seeking to direct state employees and take control of Texas tax dollars and trust funds to conduct their operations in Louisville, Kentucky.

HISA’s governance model was clumsily constructed. As an organization, it does not employ personnel to directly oversee the regulations it is empowered to promulgate under sanction of the Federal Trade Commission (FTC). Instead, it seeks voluntary agreements with state commissions to do their bidding without compensation. The *Texas Racing Act* does not authorize the Texas Racing Commission to allow a federal entity to commandeer Texas state employees to regulate horse races nor to collect and remit fees on their behalf.

In March 2022, the Texas Racing Commission submitted comments to the FTC recommending a better way for everyone to achieve the stated goals. The FTC can request statutory authority and funding from Congress to administer a Cooperative Agreement Program in alignment with the *Federal Grant and Cooperative Agreement Act*, which is set out in Chapter 63 of Title 31 of the U.S. Code. Without a change to the federal regulatory scheme or the *Texas Racing Act*, the Texas Racing Commission has no recourse but to continue to deny the interstate Thoroughbred export signals. This impasse effects a major revenue stream for Thoroughbred meets at the licensed racetrack associations in Texas. But it also creates an opportunity for Texas to become a horseracing leader in the United States.

In April 2022, HISA attempted to bill Texas \$371,377 to cover their start-up cost to begin oversight of Texas horse tracks, including Gillespie Country Fairgrounds (\$2,062), Sam Houston Race Park (\$191,820), and Lone Star Park (\$112,838). The expectation was for the Texas Racing Commission to sign an agreement to collect these fees and enforce federal regulations on behalf of the authority. The projected cost for their Anti-Doping and Medication Program billed to Texas is projected to be over \$1.2 million dollars beginning in 2023.

Should HISA be able to assert future jurisdiction in Texas, there will be a requirement for additional resources to meet their funding demands of the Texas Racing Commission or racetrack associations within the state. Further, should the Texas Legislature choose to modify the *Texas Racing Act* to seek coexistence with the federal authority, the future bill could be enormous, particularly if Congress expands HISA's authority to include additional horse breeds. There is currently no limit to what HISA can invoice regulated entities to repay the \$15 million in interest-free loans they received to get their operation off the ground or sustain their growing operation.

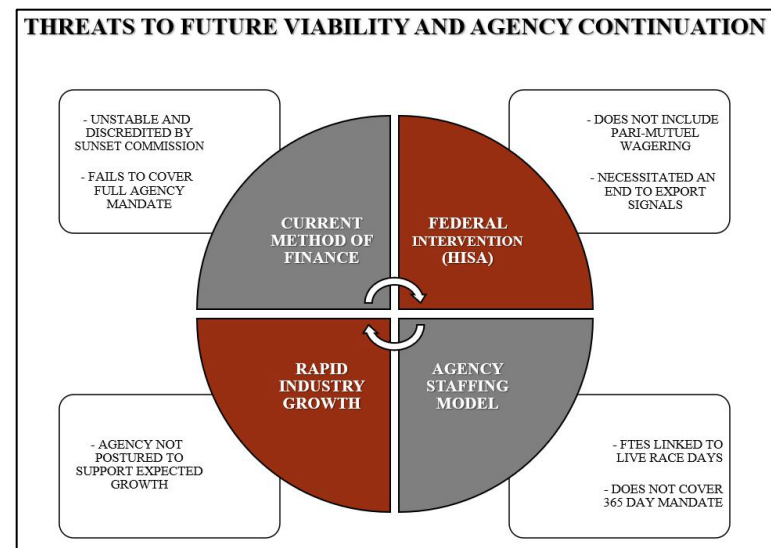
As of today, the Texas Racing Commission is actively engaged in legal and policy efforts to protect Texas from this flawed federal law.

Investment Plan

In the interest of transparency and public accountability, the agency seeks to articulate the baseline operational requirements and demonstrate the true resources required to sustain its' requirements to license and regulate activities under the *Texas Racing Act* and is seeking legislative concurrence with the appropriations required to successfully achieve the agency's missions.

Given the internal and external forces at work, the sport of horseracing is at a crossroads. For more than 30 years, the Texas Racing Commission has conducted its regulatory activities in a crude manner, unaligned with industry and without direct state support. As perennially outlined in Sunset Commission reports, the agency's model of funding itself from the regulated industry is not sustainable to meet its mandates.

The Texas Racing Commission has determined 26 people (FTEs) are required to meet the basic statutory requirements to operate as an agency of the state, irrespective of live race dates.



Assuming continued and growing interest in Texas horseracing, as evidenced by requests to convert inactive racetrack licenses to an active status, and to effectively carry out the agency’s mission to support the racetracks, while implementing all provision of the *Texas Racing Act*, the Texas Racing Commission has determined a minimum of 96 people is required to enforce the agency’s statewide jurisdictional mandate. The scaling of staff is contingent upon industry growth beyond the baseline of 26 FTEs.

Given the grave legislative concerns in the past, the requested structural changes to the agency budget will address redundancies and inefficiencies noted throughout the agency’s strategic fiscal review as well as the Sunset staff reports. Additionally, the enactment of the federal *Horseracing Integrity and Safety Act of 2020* has created an existential threat to the Commission’s ability to operate and due to non-conformation with the agency’s enabling state statute would mean the permanent cessation of pari-mutuel wagering on Thoroughbred racing in the state of Texas.

Currently, the Texas Racing Commission is statutorily required to raise its own revenue, which is deposited into Account No. 597. All the Texas Bred Incentive Program funding is passed through the agency from racetracks to eligible recipients with no funds provided to the agency for the administration of the program. If General Revenue–Dedicated Funds revenue falls short of the appropriations, no other funding provides the difference. The agency also is subject to a requirement in the Eighty-sixth Legislature, General Appropriations Act, 2020–21 Biennium, Article VIII, Special Provisions, Section 2, which limits the agency’s appropriations to the amounts of actual revenue collected. Under current law (Sec. 2023.053, Texas Occupations Code), the Texas Racing Commission may receive additional appropriations above collected amounts but is required to repay this amount within one year as a debt with 6.75 percent interest.

To address the 2021 Sunset concerns, the Texas Racing Commission requests indirect administrative and personnel requirements be funded through General Revenue with reimbursable expenses remaining General Revenue-Dedicated Funds. This structure will ensure the agency can effectively perform inherent state agency functions and treat state employees with parity between agencies, particularly in relation to how employees are compensated under the Employee Retirement System. If approved, and to be effective, the Texas Racing Commission’s enabling statute would require changes to remove the repayment and interest requirements.

Trust Fund Administration: Texas-bred Incentive Fund and the Horse Industry Escrow Account

Texas-bred Incentive Fund (Appropriated Fund 0327). This is an escrow fund in the state treasury for distribution to breed registries. Funds are accumulated through a portion of breakage from races along with and one-percent share of live and simulcast wagering pools. While this fund currently appears in the Texas Racing Commission’s bill pattern, much like its sister appropriation,

the Horse Industry Escrow Account, these funds are designed to support the industry’s economic growth and do not provide any resource for agency operations.

Horse Industry Escrow Account (Appropriated Fund 0876). The purpose of this fund is for any horse racetrack association or horse breed registry in Texas to apply for money from the trust account, with up to 70 percent of deposits to the account being authorized for purses. The account gathers revenues through proceeds of sales tax on horse supplies and related items. Any revenues raised beyond the \$50 million during the biennium is deposited into the state’s General Revenue Fund.

Appropriations Requests by Strategy

To facilitate transparency in agency fiscal operations, the budget structures have been reduced from 10 payroll lines for 39.3 FTEs to 5 Payroll lines beginning in Fiscal Year 2024. Licensing and Investigations Staff have been combined into one group to take a more proactive stance on validating criminal history in compliance with Texas law before the license is issued. To that end, performance measures have been realigned to effectively measure licensing activities.

To fully perform the agency statutory mission and comply with Texas law, the staff would be increased from 6 FTEs to 14 FTEs by 2024. The Texas Department of Public Safety/Law Enforcement will have a separate line for background checks and investigative support for new racetrack applications.

2024-2025 GOALS	2024-2025 STRATEGIES	FUND GR-D/GR	2023 BASE BUDGET	2023 SUPP	2024 EXC	2025 EXC	FISCAL NOTES
GOAL A: ENABLE INDUSTRY GROWTH	A.1.1. STRATEGY: MODERNIZE LICENSING SERVICES	GR-D	688,200	0	0	0	2023 APPROPRIATED LINES: A.1.1 (\$370,563); A.3.2 (\$317,637)
	A.1.2. STRATEGY: CRIMINAL HISTORY AND BACKGROUND CHECKS.	GR-D	0	0	0	0	NO EXISTING APPROPRIATIONS

	A.1.3 STRATEGY: TEXAS.GOV.	GR-D	13,324	0	0	0	2023 APPROPRIATED LINE: B.1.2 (LICENSING FEES)
GOAL A	TOTAL	GR-D	689,524	0	0	0	2023 APPROPRIATED LINES: A.1.1 (\$370,563); A.3.2 (\$317, 637)

IV. Goal B: Protect (*Deter, Investigate and Adjudicate Violations of the Texas Racing Act*)

Leadership Assessment

The Texas Racing Commission licenses Texas, national and international participants in the sport of pari-mutuel greyhound and horse racing, while also protecting the safety of all licensees and the betting public.

Additionally, to be a truly effective law enforcement agency, the Texas Racing Commission staffing model needs to account for its statewide jurisdictional mandate, this is specifically true in relation to the investigating serious violations of the *Texas Racing Act* that occur at illicit brush and bush tracks. While private racing in general is not illegal, there are numerous health, safety, and integrity risks to the legitimate racing industry, wagering public, and racing animals. In addition to illegal wagering, brush and bush tracks are suspected to be in violation of several aspects of the Act as well as harboring human trafficking, promoting unlicensed alcohol dispensation, perpetrated forms of tax evasion, and turning a blind or knowing eye to illicit drugs and shocking devices that can injure or maim racing horses and undermine the sport's integrity.

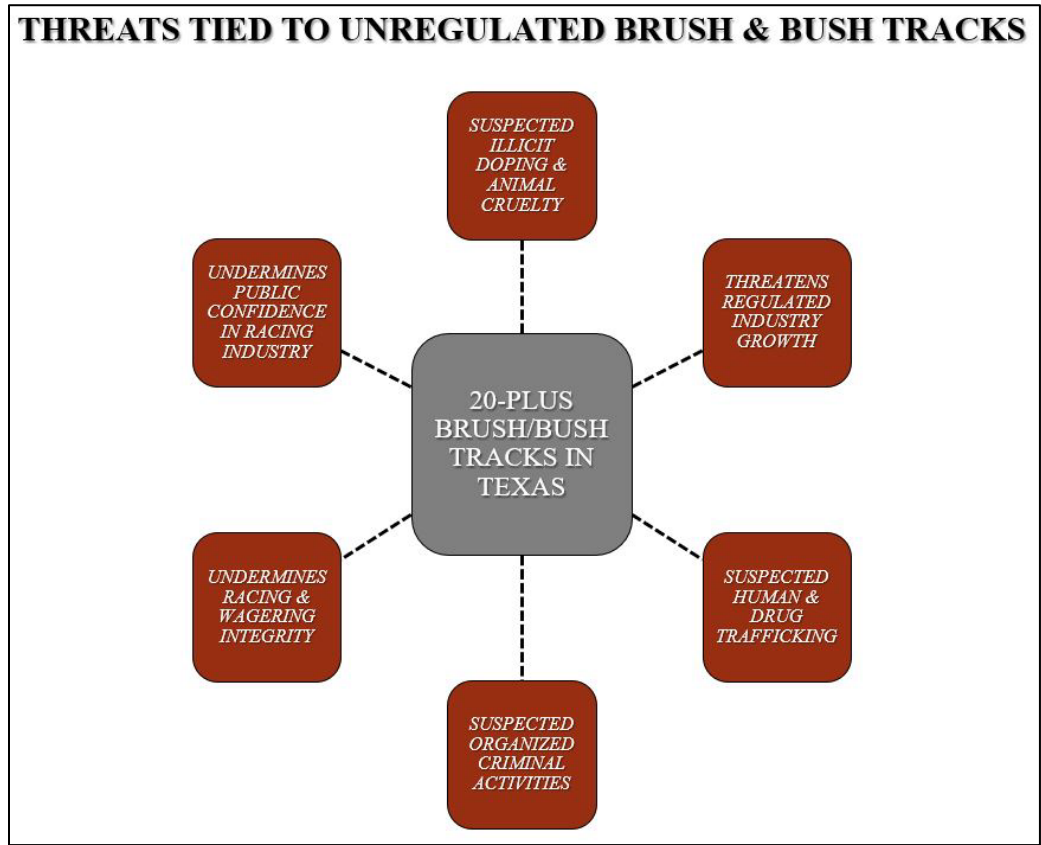
Specifically, races conducted at brush and bush tracks raise questions about the integrity of track programs. A winning horse at an unregulated track gains a competitive edge not reflected in the official program when the same horse later races at a licensed track. This type of insider information creates a serious handicapping disadvantage to unknowing patrons who rely on racing association's published race card to guide their wagering strategies.

Additionally, horses racing at brush and bush tracks are more likely to be injected with prohibited and dangerous substances, subjected to other mistreatment, unscrupulous practices, and may be more susceptible to infectious diseases that can then be spread at legitimate tracks, potentially causing economic and reputational harm.

Investment Plan

Responding to many of these challenges requires strong multi-jurisdictional partnerships, including the Texas Comptroller of Public Accounts, Texas Department of Agriculture, Texas Department of Public Safety, Texas Alcoholic Beverage Commission, Texas Animal Health Commission, Texas Board of Veterinary Medical Examiners, Texas Parks, and Wildlife, as well as the Texas Secretary of State.

Because protecting the health and welfare of horse racing participants undoubtedly requires additional resources, the agency proposes that the Texas Legislature provide sufficient appropriations to resource the Texas Racing Commission at the level required to address projected requirements to implement Sunset recommendations, effectively assert statewide jurisdiction in support of brush and bush track investigation, as well as meet or exceed industry best practices in health and safety that may arise from the federal Horseracing Integrity and Safety Authority.



Appropriations Requests by Strategy

The agency is unable to protect licensees who follow Texas law from those who are not, including the activities at brush and bush tracks, and illegal betting on match races. This approach seeks to fund FTEs to enforce the *Texas Racing Act* statewide, as well as FTEs to address the appellate actions of license holders or those engaged in illegal activities.

2024-2025 GOALS	2024-2025 STRATEGIES	FUND GR-D/GR	2023 BASE BUDGET	2023 SUPP REQ	2024 EXC	2025 EXC	FISCAL NOTES
GOAL B: PROTECT RACING SAFETY & INTEGRITY	B.1.1. STRATEGY: DETER, INVESTIGATE AND ADJUDICATE VIOLATIONS OF THE TEXAS RACING ACT	GR-D	778,892	0			2023 STRATEGIES: A.3.1 (\$436,021); B.1.1 (\$342,871)
	B.1.2. STRATEGY: INCREASE THE INTEGRITY AND SECURITY OF PARI-MUTUEL WAGERING	GR-D	280,866	0			2023 STRATEGY: C.1.1.
	B.1.3. STRATEGY: PREVENT INJURIES AND RESPOND TO MEDICAL EMERGENCIES (EQUINE, CANINE, AND HUMAN)	GR-D	339,577	0			2023 STRATEGIES: A.4.1 (\$339,577); A.4.2 (\$197,327)
	B.1.4. STRATEGY: ADMINISTER DRUG TESTS TO DETECT PROHIBITED SUBSTANCES IN EQUINE, CANINE, AND HUMAN RACING COMPETITORS	GR-D	197,327	0			
	TOTAL GOAL B	GR-D	1,596,662	0	3,020,078	5,285,137	

V. Goals C & D: Communicate (*Modernize Internal and External Agency Communication Platforms and Practices*) & Partner (*Increase Agency Effectiveness through Stakeholder and Government Partnerships*)

Leadership Assessment

The agency had poor communication with its stakeholders and licensees, which has been addressed initially through in-person visits and public meetings to assist the new Executive Director in understanding customer concerns. Given the outdated IT tools and paper-driven business processes, it is amazing that that staff functioned at all without current technology and the use of modern communication channels including an interactive webpage, social media, and public events to educate and inform our customers. In addition, the live race day FTE calculation does not account for the pre-race, post-race, investigative and appellate actions that take place year-round. Nor does it account for the over activities required to conduct appropriate manage fiscal, procurement, human resources, audit, and information technology activities.

Investment Plan

This set of strategies are the foundation of stabilizing the agency overhead and support functions to support the mission. General Revenue supplemental appropriations are requested to begin that process in 2023. The conversion of the HQ staff to GR and the field staff funded by GR-Dedicated funds allows the field staff to grow only when there is demand from the supported industry based on granted race dates and support required to conduct pre and post equine exams.

Appropriations Requests by Strategy

2024-2025 GOALS	2024-2025 STRATEGIES	FUND GR-D/GR	2023 BASE BUDGET	2023 SUPP	2024	2025	
GOAL C: INDIRECT ADMINISTRATION	C.1.1. STRATEGY: CENTRAL ADMIN & SUPPORT SERVICES	GR-D CONVERT TO GR	696,055	2,652,078	2,510,459	2,510,459	FULLY FUND CURRENT 39.3 FTEs; ADD 5.7
	C.1.2. STRATEGY: INFORMATION RESOURCES	GR-D CONVERT TO GR	498,255	\$546,137	1,086,392	1,086,392	INCLUDES: IT EQUIPMENT FOR 70 FTEs IN 2024 & 96 FTEs IN 2025; REPLACEMENT COST: ENFORCEMENT DATABASE
	TOTAL GOAL C	GR	1,194,310	3,198,215	3,596,851	3,596,851	

Summary of Projected Investment Strategies

FUND	2023 BASE	2023 SUPP	2024 EXC	2025 EXC	2026	2027
GR	0	3,198,215			3,596,841	3,596,841
GR-D	3,492,496				4,285,137	4,285,127
TOTAL ALL STRATEGIES	GR	3,198,215	6,616,929	8,881,988	7,881,978	7,881,978

VI. Request for Exceptional Items

The Texas Racing Commission's appropriations request is designed to establish the infrastructure necessary to fulfill the vision cast in the agency's strategic plan for 2023-2027. To make this vision a reality, the Commission requests the following priorities be funded in addition to base appropriation established.

Exceptional Item No. 1: Equine Drug Testing Program

Initial Cost. \$2,626,700 for 2024 and 2025 for equine drug testing at the Texas A&M Veterinary Medical Diagnostic Laboratory.

Sustainment Cost. Projected to increase by 10 percent annually.

Method of Finance. The method of finance is General Revenue.

Justification. Building on a model from the past, the agency requests an appropriation from GR beginning in 2024 to fund the Texas A&M Veterinary Medical Diagnostic Laboratory's support for agency support.

Exceptional Item No. 2: Employee Retirement System Assessment

Initial Cost. The projected cost in 2023 is \$403,000, however approximately 7 employees who will be paid compensation from this fund retired from the agency in Fiscal Year 2022, so the estimated amount based on the increase is: \$504,000.

Sustainment Cost. Projected to increase by 10-25 percent annually.

Method of Finance. The method of finance is General Revenue.

Justification. The agency is making efforts to address the unappropriated Employee Retirement System line in the bill pattern. The agency is unable to collect sufficient revenue to fund former employee benefits, which takes funds from other programs effectively creating barriers to agency growth.

Exceptional Item No. 3: Statutory Interest Payment

Initial Cost. \$215,880

Sustainment Cost. If the requirement is removed from the *Texas Racing Act*, there will be no sustainment cost.

Method of Finance. The method of finance is General Revenue.

Justification. Payment is calculated on based statutory requirement to pay 6.75 percent interest for General Revenue appropriated to the agency (Texas Occupations Code, Sec. 2023.053(e)).

Exceptional Item No. 4: Full-Time Equivalents (Salary, Benefits, Training, and Travel)

Initial Cost. \$2,652,078

Sustainment Cost. \$6,616,929

Method of Finance. The method of finance is General Revenue for 26 FTEs and GR-Dedicated for 70 FTEs.

Justification. The agency is does not have sufficient staffing to carry out its statutory mission.

VII. Request to Update to Contingency Riders

Rider No. 1: Greyhound Licensing

Language. If the Commission approves live race dates for a greyhound track, then the agency may add 12.0 FTEs and 720,000 to provide licensing services, supervision of live racing and enforcement services to support greyhound racing operations. Any additional revenue received from occupational license fees to cover the costs of greyhound live races (estimated to be \$0) is hereby appropriated to the Racing Commission in Strategy A.1.1. Modernize Licensing Services for the purpose of initiating a modern greyhound licensing program, staffing the licensing offices at greyhound tracks and preparations for supervising greyhound granted live race dates.

Justification. This rider is necessary to ensure that the agency can continue support greyhound racetracks if they return to operational status. Currently, there are no active racetracks and no scheduled live race dates approved by the Commission.

Rider No. 2: Criminal Background Checks: Occupational and Business Licensing

Language. Any additional revenue received from occupational and business license fees to cover the costs of criminal history checks or background checks (estimated to be \$180,000) is hereby appropriated to the Racing Commission in Strategy A.1.2, Criminal History and Background Checks, for the purpose of reimbursing DPS, FBI, and/or any other entity authorized to conduct criminal history background checks.

Justification. Any additional revenue received from occupational and business license fees to cover the costs of criminal history checks or background checks (estimated to be \$180,000) is hereby appropriated to the Racing Commission in Strategy A.1.2, Criminal History and Background Checks, for the purpose of reimbursing DPS, FBI, and/or any other entity authorized to conduct criminal history background checks.

Rider No. 3: Department of Information Resources

Language. Any additional revenue received from occupational license fees to cover the costs of Texas.Gov fees (estimated to be \$0) is hereby appropriated to the Racing Commission in Strategy A.1.3. Texas.Gov to reimburse the Department of Information Resources.

Justification. If agency licensing services exceed the estimated and non-transferable amount in the strategy, agency can access the additional revenue to reimburse the Department of Information Resources.

Rider No. 4: Simulcast Revenue

Language. If the simulcast tax revenue collected in any quarter ending November 30, February 28 or 29, May 31, or August 31 is less than the amount received in the previous quarter Fiscal Year 2022, or 2,100,067.00, or \$525,017 then an appropriated amount from the General Revenue Fund will be provided to the agency amount of the difference between the amount of simulcast tax revenue collected in the quarter for Strategies C.1.1. Central Administration and Support to continue agency operations.

Justification. The agency previously collected revenue from business licensees through a change to the *Texas Rules of Racing* in Chapter 309, not through the appropriations process. Providing a GR-funded mechanism to preserve agency operations in the event of weather, pandemic or other economic disruptions will allow the agency to continue effective support to customers and law enforcement partners.

Rider No. 5: Equine Education and Research Council

Language. If the Equine Research Council is reinstated by the 88th Texas Legislature, as the Equine Education and Research Council, the agency is appropriated 500,000 for the 2024-2025 biennium for the following activities:

- a. Professional Trainees. Establish a professional trainee and internship program to hire and train specialized staff in equine regulatory medicine, in an amount not to exceed 10 FTEs, which shall be exempt from the Article IX provision establishing a limitation on state agency employment levels for the third and fourth quarters of each fiscal year.
- b. Educational Intern Scholarships. Establish a scholarship match program with Texas A&M Veterinary School and Texas Tech University to recruit students to work as interns for the Texas Racing Commission to grow a bench of future equine regulatory veterinary technicians and veterinarians.
- c. Aftercare Recovery Fund. Establish an aftercare recovery fund for injured or retired racehorse to ensure that a mechanism in place to care for animals who are mistreated, abandoned, or seized at an illegal brush track, or other locations in Texas.

Justification. Update and expand on the Equine Research Council model by establishing a source of funding, and adding professional trainees, interns, and aftercare programs.

Rider No. 6: Witness Fees

Language. From the appropriations made above, the Texas Racing Commission may pay the witness fees and travel expenses of out-of-state witnesses, subject to the advance, written approval of the Executive Director, for the law violation under investigation.

Justification. No provisions currently exist to pay for witness travel for cases adjudicated at the agency, State Office of Administrative Hearings, Commission, or appellate court level.

Rider No. 7: Clothing and Equipment Provisions

Language. Any additional revenue received from occupational and business license fees to cover the costs of deterring, investigating and adjudicating violations of the Texas Racing Act is appropriated:

- a. For a commissioned officer who is newly hired or newly commissioned to receive a \$1,200 clothing allowance pursuant to the General Appropriations Act during the 2024-25 biennium shall receive a \$1,200 clothing allowance in
- b. For a commissioned officer who is entitled to receive a clothing allowance, will also receive a \$500 cleaning allowance pursuant to the General Appropriations Act for the 2024-25 biennium, irrespective of promotion to any rank.
- c. Any employee assigned to work in the veterinary or laboratory test barn or stable areas of a racetrack is entitled to wear medical scrubs issued by the agency, along with a \$1200 clothing allow to purchase protective boots, knee pads, back support, and other protective items.

Justification. Provide funds to employees to purchase and replace protective clothing items required to perform the regulatory mission.

Rider No. 8: Moving Expenses.

Language. Notwithstanding any other provision of this Act, and with the approval of the Executive Director, the Texas Racing Commission may use appropriated funds to pay the reasonable, necessary, and resulting costs of moving the household goods and effects of an employee of the commission who is transferred from one designated field office or headquarters to another so long as the commission determines that the costs are in the best interest of the government.

Justification. Provide funds for the commission to execute a talent management strategy and improve recruiting and retention efforts.

Rider No. 9: Commissioner Travel

Language. Notwithstanding any other provision of this Act, the Texas Racing Commission may not expend more than \$5,000 each fiscal year for payment or reimbursement for expenses related to the travel of the seven appointed members of the Commission.

Justification. Provide greater clarity and budget certainty to align with broader planning efforts.

Rider No. 10: Horseracing Economic Impact Study

Language. Included in amounts appropriated above in Strategy C.1.1, Central Administration, the Racing Commission is appropriated \$75,000 in fiscal year 2024 to conduct an economic impact study to determine the financial impact on statewide on current and future benefit to Texas in urban and rural communities and counties. The study shall be used for the purposes of determining the return on investment of supporting the growth of the horseracing industry in the state of Texas from 2025-2035.

Justification. There is no current economic impact study that demonstrates the return on investment realized by funding the Texas Racing Commission to effectively regulate the sport of horseracing in Texas.

VIII. Summary of Capital Projects

Capital Project No. 1: Legacy Modernization

Initial Cost. The projected cost in 2024 is \$2,993,386.00 to re-establish the online licensing portal and to join the ongoing pilot project that the Texas Department of Licensing is working on with the Department of Information Resources known as Texas by Texas (TxT). In 2025, the projected cost to build the back-end aspects of the enforcement database is: \$7,227,000.00. These are the high end of the cost estimates, which should be mitigated by TDLR's efforts that will be designed before our agency is brought into the project.

Sustainment Cost. Once operational, the sustainment costs in 2026 and 2027, are estimated at \$309,000 per year for software, hardware maintenance and employee training.

Method of Finance. The method of finance is General Revenue.

Justification. The agency enforcement database is offline following our relocation to the G.H.W. Bush building in May 2022. The agency has partnered with Department of Information Resources to: Migrate the previous Oracle Application to the Shared Technology Services Program, upgrade our Texas.Gov portal presence, Join the agencies using the new Texas by Texas online and to design a back-end product to serve as the replacement licensing and enforcement licensing database.

Capital Project No. 2: Transportation

Initial Cost. The projected cost in 2023 is \$260,000 to procure the first two vehicles and to stand-up a Fleet Management Program. In 2024 and 2025, funding for the initial purchase of the additional 5 vehicles with appropriate tools and IT equipment is estimated at \$1,052,500, as well as training to prepare agency staff to enforce the *Texas Racing Act* statewide, not just within the restricted areas of the racing associations. This funding supports the purchase of 5 Vehicles (1 - Patrol Vehicle), 4 Pick-Up Trucks with Toolbox Installed, 2 Mobile Testing and Evidence Collection Trailers.

Sustainment Cost. Once operational, 2026 and 2027 sustainment costs are estimated at \$212,500 per year.

Method of Finance. The method of finance is General Revenue.

Justification. The agency cannot effectively perform its statutory, statewide enforcement mission using privately-owned or rental vehicles. Implementing a transportation program will be more cost effective than paying mileage and it will improve the agency's ability to deter, investigate and adjudicate violations of the *Texas Racing Act*.

IV. B. STAFF ACTION MATERIALS

**TEXAS VETERINARY MEDICAL DIAGNOSTIC
LAB (TVMDL) INTERAGENCY AGREEMENT
FY 2023**

**TEXAS RACING COMMISSION
INTERAGENCY CONTRACT FOR
TEXAS A&M VETERINARY MEDICAL DIAGNOSTIC LABORATORY**

STATE OF TEXAS §
 §
COUNTY OF TRAVIS §

This INTERAGENCY CONTRACT is made and entered into by and between the Texas Racing Commission (hereinafter referred to as TXRC), a Texas state agency with its principal office located at 1801 N. Congress Ave., Ste. 7.600, Austin, Texas 78701, and the Texas A&M Veterinary Medical Diagnostic Laboratory (hereinafter referred to as TMVDL), part of a state institution of higher education with its principal office located at 483 Agronomy Rd, College Station, TX 77843, acting by and through its authorized representative(s), pursuant to authority granted in TEX. GOV'T CODE, Chapter 771, §771.003 *et seq.*

I. PURPOSE

1.1 Pursuant to TEX. OCC. CODE Chapter 2034, § 2034.002, the Drug Testing Laboratory of the Texas A&M Veterinary Medical Diagnostic Laboratory (TVMDL) is to provide drug testing services on race animals for the Texas Racing Commission (TXRC). The purpose of this INTERAGENCY CONTRACT is to delineate and specify the responsibilities and obligations of the parties in administering TXRC's race animal drug testing program.

II. DEFINITIONS

2.1 Definitions include the following:

- a. Association - A person or entity holding a pari-mutuel racetrack license under the Texas Racing Act to conduct pari-mutuel wagering and/or horse or greyhound racing issued the Texas Racing Commission.
- b. ELISA – Enzyme-linked immunosorbent assay ("immunoassay").
- c. Executive Director – Texas Racing Commission Executive Director, or designee.
- d. GC/MS – Gas Chromatography-Mass Spectrometry.
- e. ICP/MS – Inductively Coupled Plasma Mass Spectrometry.
- f. IC-MS – Ion Chromatography-Mass Spectrometry.
- g. LC-MS/MS – Liquid Chromatography-Tandem Mass Spectrometry.
- h. LC-HRAMS – Liquid Chromatography-High-Resolution Accurate Mass Spectrometry.
- i. MU – Measurement Uncertainty.
- j. Specimen – Bodily substance, such as hair, blood, urine, saliva, or other bodily tissues collected for analysis from a horse or greyhound in a manner prescribed by the TXRC. Specimen sample may also include, but is not limited to, substances contained in vials, loaded syringes, or other similar containers.

III. DESCRIPTION OF SERVICES

3.1 Duties of TVMDL: TVMDL agrees:

1. To provide sufficient security to control access to the TVMDL Drug Testing Lab or to areas where records and samples are stored and to ensure only authorized persons handle samples or have access to TVMDL processes.
2. To inspect each shipment of all specimen samples on arrival at TVMDL for any evidence of possible tampering or compromise to the integrity of any specimen sample. Any evidence of tampering or compromise of a specimen sample integrity shall be properly recorded and reported to the Executive Director in writing.
3. To use chain-of-custody procedures to maintain integrity, control, and accountability of specimen samples during all testing stages from specimen sample receipt to storage and final disposition.
4. To accession all specimen samples from Associations to the TXRC account.
5. To provide secured storage conditions to maintain specimen sample integrity while specimen samples for testing and split specimen samples are in the possession, custody, and control of TVMDL.
6. To maintain and follow approved quality control Standard Operating Procedures within the oversight of the TVMDL Quality Management System.
7. To provide analyses for alleged performance-enhancing drugs in submitted contraband samples (e.g., vials, loaded syringes, tubes of paste) by TVMDL methods including, but not limited to, LC-MS/MS, GC/MS, LC-HRAMS, or ELISA as requested by TXRC.
8. To provide specimen sample testing and split specimen sample testing, upon trainers' request, for the presence of prohibited substances and controlled therapeutic medications on equine urine specimen samples as follows:
 - a. Instrumental analysis (e.g., LC-MS/MS, GC/MS, LC-HRAMS, ICP-MS and IC-MS) on each equine urine specimen sample.
 - b. Specific gravity determination on each equine urine specimen sample.
 - c. Each specimen sample with the presence of a therapeutic medication, at levels as published by TXRC, that exceed the maximum permissible concentration level shall be reported by TVMDL to TXRC as a positive result with the quantitative level and MU of the therapeutic medication.

- d. Upon request by TXRC, specimen samples shall be tested by TVMDL for arsenic. Testing for arsenic shall be performed using ICP/MS, and the regulatory threshold maximum permissible level for arsenic is published in TXRC Permissible Therapeutic Substances List.
9. To provide testing for the presence of prohibited substances and controlled therapeutic medications on equine blood samples as follows:
- a. Furosemide LC/MS screening on each equine serum sample to ensure compliance with TXRC's Bleeders and Furosemide Program. Evidence of non-compliance will be documented and reported to the TXRC. TVMDL will report as positive each specimen sample in which the concentration of furosemide exceeds 100 ng/mL and a urine specific gravity of less than 1.010. TVMDL will issue a report for each specimen sample in which the concentration of furosemide exceeds 100 ng/mL of furosemide and a urine specific gravity of 1.010- 1.012, or when no urine sample was submitted for testing. TVMDL will issue a report for each specimen sample in which the equine received furosemide treatment, but furosemide was not detected in the specimen sample. TVMDL will issue a report for each specimen sample in which the equine did not receive furosemide treatment, but furosemide was detected in the specimen sample.
 - b. Test for total carbon dioxide on specimen samples of equine blood as requested by TXRC. Each specimen sample exceeding the maximum permissible level as published by TXRC shall be reported as positive to TXRC including the quantitative level. Alternatively, TVMDL may recommend another qualified laboratory conduct testing for total carbon dioxide.
 - c. Instrumental analysis by either LC-MS/MS, GC/MS, LC-HRAMS, ICP-MS, IC-MS on each equine blood sample. Additionally, each equine blood sample will be extracted and screened independently by instrumental analysis for the presence of dimethyl sulfoxide (DMSO). Pooling of no more than 4 samples is permissible.
 - d. Each specimen sample with the presence of a controlled therapeutic medication, as published by TXRC, that exceeds the corresponding maximum permissible concentration level shall be reported as positive to TXRC with the quantitative level and MU of the medication.
 - e. Upon request by TXRC, samples shall be tested for cobalt in addition to or in lieu of the substances identified in Sections 9.a through 9.e. Testing for cobalt shall be performed using ICP/MS, and the regulatory threshold level for this element is as published in TXRC Therapeutic Substance List of the Endogenous, Dietary, or Environmental Substances Schedule (25 ppb in blood plasma or serum).

10. To perform testing for prohibited substance(s) including either a full comprehensive test panel or specified testing for beta-agonist drugs in equine hair samples by instrumental analysis as required or requested by TXRC.
11. To perform testing for the presence of prohibited substance(s) in canine urine samples. Testing shall be by instrumental analysis, LC-MS/MS, LC-HRAMS, ELISA, on each canine urine sample, with an emphasis on drugs classified as Category I or II in the published TXRC Medication Classification.
12. To perform confirmatory analysis on specimen samples whether equine or canine when a suspicious finding is identified in initial screening. At least one definitive analytical technique should be employed for the confirmatory analysis (e.g., mass spectrometry).
13. To perform tests as required by the Thoroughbred Owners and Breeders Association (TOBA) for substances in specimen samples from equine that participate in graded stakes races and listed stakes races at the \$75,000 purse level or above.
14. To expedite tests as requested for Quarter Horse trials with a goal of reporting test results to TXRC within five calendar days of receiving samples.
15. To screen blood samples labeled as "Vet Work" by LC-MS/MS or LC-HRAMS for Non-steroidal anti-inflammatory drugs (NSAIDs), corticosteroids, or other drugs as requested by TXRC. Results for Vet Work samples will be reported by TVMDL to TXRC electronically within 120 hours of the specimen sample receipt by TVMDL.
16. To screen biological samples including, but not limited to, fresh tissue (e.g., muscle, liver and kidney, eye) collected as post-mortem tissue sampling in necropsy procedure(s) by instrumental analysis. Turn-around time depends upon the extent of confirmatory testing when the initial screening of a sample is deemed suspect but will not exceed ten business days. These samples results will be reported by TVMDL to TXRC electronically.
17. To perform other testing as requested by TXRC with prior approval by utilizing the most effective state-of-the-art or appropriate technology or platform testing methods.
18. To store all tested specimen samples and split specimen samples in secured conditions ensuring the specimens integrity before either disposal of or release to a third party (for various purposes). Minimum retention period for a negative specimen sample is five (5) calendar days after reporting to TXRC. Minimum retention period for a positive specimen sample is one (1) year after reporting to TXRC or until all legal proceedings concerning the sample are concluded whichever is longer. Minimum retention period for all records is two years or until all legal proceedings concerning the specimen sample are concluded whichever is longer.

19. To report negative test result(s) to TXRC within 120 hours from sample receipt, if possible. TVMDL will report positive test result(s) to TXRC within three weeks of TVMDL's receipt of specimen sample. On request by TXRC, TVMDL shall make available to TXRC a copy of the analytical case file results of any test conducted.
20. To provide qualified professional personnel to testify in an administrative hearing or other legal proceeding involving a test performed. TVMDL agrees to participate and assist with pretrial matters including, but not limited to, interrogatories and depositions.
21. To notify TXRC in writing at least thirty (30) days before implementing any change in analytical procedures which alters the detection sensitivity for any substance classified as Category III, IV, or V in the TXRC Medication Classification.
22. To participate in industry-recognized quality assurance program(s).
23. To refrain from disclosing any information relating to a specimen sample to any person other than specifically designated by TXRC to receive the information.
24. To maintain qualified staff with no financial interest in racehorses, racing greyhounds, a racetrack, or with any conflict of interest within the racing industry. All laboratory personnel must be employees of the Texas A&M Veterinary Medical Diagnostic Laboratory, a member of the Texas A&M University System, and subject to the rules and policies of the A&M System as promulgated by the Board of Regents of the A&M System or the TVMDL Director.
25. To consent to background investigation for all TVMDL staff involved in the TXRC drug testing program under this agreement, including, but not limited to, fingerprinting conducted by the Texas Department of Public Safety on behalf of TXRC.
26. To allow access by TXRC to all TVMDL records of drug testing services performed pursuant to this agreement.
27. To issue an electronic report to TXRC for all samples tested through this agreement.
28. To invoice TXRC for all samples tested through this agreement. TVMDL will make reasonable efforts to collect payment from TXRC after thirty (30) days from presentment to TXRC and will notify the Executive Director of any charges that are unpaid thirty (30) days after invoicing.

3.2 TXRC Duties. TXRC agrees:

1. To fund and directly provide all necessary supplies to Associations for the collection and shipment of specimen samples to TVMDL including, but not limited to, sample cards, sample jars, blood tubes, seals, labels, vacutainer sleeves, collection needles, and shipping containers.

2. To supervise the specimen sample collection site at each Association to ensure the site has the necessary personnel, supplies, equipment, facilities, and supervision to provide for the identification of animals and humans in the chain of custody and to collect, identify, secure, store, and ship each specimen sample to TVMDL.
3. To submit specimen samples from approximately 9,500 race animals per year. TXRC will make every effort to sample two (2) equine specimen samples per horse race and 0.9 canine specimen samples per greyhound race for testing at TVMDL. If the number of racing performances changes during the calendar year, the number of specimens may be adjusted accordingly. The TXRC Executive Director will notify the TVMDL Director as soon as practicable of changes in the number of racing performances. If the number of equine specimen samples, canine specimen samples, and/or racing performances decreases by more than 10% during the calendar year, TVMDL reserves the right to adjust test fees and agrees to notify the TXRC Executive Director at least thirty (30) days before any fee adjustments are made in writing.
4. To require each Association to deliver all samples to TVMDL in a secure manner ensuring specimen sample integrity in accordance with a TVMDL-approved delivery schedule at the Association's expense.
5. To apprise and update TVMDL in a timely manner of all drugs on the Medication Classification and Therapeutic Substance Lists and all changes in medication rules, policies, and procedures.
6. To promptly and completely submit payment for samples tested pursuant to this agreement to TVMDL. Payment is expected within thirty (30) days of the monthly invoice date.

IV. COST OF SERVICES

1. Except as otherwise provided in Section IV of this agreement, TVMDL agrees to charge, and TXRC approves a per-specimen charge of \$125.00 for each blood and urine equine specimen sample tested [*#1031, Drug Screen - Racing Equine Basic (LC/MS)*].
2. TVMDL agrees to charge and TXRC approves a charge of \$50 for each canine specimen sample tested pursuant to Article III, Sections 10 and 11 [*#1030, Drug Screen - Racing Canine (LC/MS)*].
3. TVMDL agrees to charge and TXRC approves an \$8.00 accession fee for each race day from each racetrack to receive samples, enter test requests, and data [*#PROCESS01, Accession Fee*].
4. For total carbon dioxide tests conducted by TVMDL, TVMDL agrees to charge, and TXRC approves, a per-sample charge of \$28.50, unless TVMDL recommends a different laboratory conduct the testing for total carbon dioxide, in which case the charge shall be separately determined.

5. For tests conducted pursuant to Article III, Sections 8.d. (arsenic) and 9.e. (cobalt), TVMDL agrees to charge, and TXRC approves, a per-sample charge of \$21.50 [*#1006, Arsenic (ICP/MS), #1015 Cobalt (ICP/MS)*].
6. For tests conducted pursuant to Article III, Section 10, TVMDL agrees to charge, and TXRC approves, a per-sample hair specimen charge of \$125.00 for beta-agonist drug screening [*#1021, Drug Screen – Beta Agonists in Hair or Feathers (LC/MS)*]. TVMDL agrees to charge and TXRC approves a per-sample equine hair specimen charge of \$250 for a comprehensive test panel [*#1585, Drug Screen – Hair Comprehensive (LC/MS)*].
7. For tests conducted pursuant to Article III, Section 13 (TOBA tests), TVMDL agrees to charge, and TXRC approves, a per-sample charge of \$192.50 for each blood and each urine specimen sample respectively [*#1033, Drug Screen - Racing Equine Comprehensive (LC/MS)*]. TVMDL agrees to charge, and TXRC approves, the hair specimen sample charges in Item 6 above, if necessary.
8. For tests conducted pursuant to Article III, Section 15 (vet work/medical clearance), TVMDL agrees to charge, and TXRC approves, a per-sample charge of \$90.00 [*#1034, Drug Screen - Racing Equine Medical Clearance (LC/MS)*].
9. For ocular fluid tests conducted pursuant to Article III, Section 16, TVMDL agrees to charge, and TXRC approves, a per-sample charge of \$60.00 [*#1032, Drug Screen - Racing Equine Breakdown (LC/MS)*].
10. For fresh tissue, muscle, liver, and kidney organ tests conducted pursuant to Article III, Section 16, TVMDL agrees to charge, and TXRC approves, a per-sample charge of \$110.00 [*#1544, Drug Screen - Unknowns (LC/MS)*].
11. For necropsy racing mortality tests conducted, TVMDL agrees to charge and TXRC approves a charge of \$190.00 [*#1350, Necropsy - Racing Mortality*].
12. For tests conducted pursuant to Article III, Section 17 (other testing as requested), TVMDL and TXRC will mutually agree on the per-sample charge depending on the methodology and platform employed for testing.
13. Upon request by TXRC, TVMDL agrees to charge and TXRC approves, a per-sample charge of \$88.00 for each serum or urine specimen sample tested for beta-agonists [*#1023, Drug Screen - Beta Agonists in Serum/Urine/Feed (LC/MS)*].
14. Upon request by TXRC, TVMDL agrees to charge and TXRC approves, a per-sample charge of \$86.25 for each serum or urine specimen sample tested for corticosteroids [*#1024, Drug Screen – Corticosteroids (LC/MS)*].

15. Upon request by TXRC, TVMDL agrees to charge and TXRC approves, a per-sample charge of \$80.00 for each contraband sample including each vial, loaded syringe, and paste tube [#1018, *Drug Identification - Medications (LC/MS)*].
16. Upon request by TXRC, TVMDL agrees to charge and TXRC approves, a charge of \$192.50 per sample for comprehensive racing equine testing [#1033, *Drug Screen - Racing Equine Comprehensive (LC/MS)*].
17. Upon request by TXRC and trainer, TVMDL agrees to charge and TXRC approves, a per-split sample charge of \$25.00 for each split sample referred to package and ship a split sample forwarded to another approved laboratory for testing [REFER03, *Referral Lab – Forwarding Fee*].
18. For storage of specimen samples, split samples and discarding of samples beyond retention periods pursuant to Article III, Sections 1, 4 and 18, TVMDL agrees to charge, and TXRC approves, a flat charge of \$1,000 per year [ADDL22, *Sample Storage*].
19. TVMDL agrees to charge and TXRC approves, a charge of \$108 per literature packet requested for use at a TXRC hearing [PROCESS11, *Literature Packet*].
20. Pursuant to TEX. OCC. CODE § 2034.003, the Associations are responsible for payment of these charges. TVMDL will invoice TXRC and TXRC agrees to pay TVMDL for the testing charges on behalf of each racetrack Association and, thereafter, TXRC will invoice the respective racetracks for payment of their portion of TVMDL costs incurred.

Code	Name	FY23 Fee	Notes
PROCESS01	Accession Fee	\$8	Fee is per submission.
PROCESS11	Literature Packet	\$108	Fee is per packet prepared for a TXRC hearing.
ADDL22	Sample Storage	\$1,000	Fee to store original and split samples submitted by TXRC. This is a flat rate, charged once annually.
REFER03	Referral Lab – Forwarding Fee	\$25	Fee is per sample packaged and referred.
1006	Arsenic (ICP/MS)	\$21.50	Fee is per sample tested.
1015	Cobalt (ICP/MS)	\$21.50	Fee is per sample tested.
1018	Drug Identification - Medications (LC/MS)	\$80	Fee is per sample tested.
1021	Drug Screen – Beta Agonists in Hair (LC/MS)	\$125	Fee is per sample tested.
1023	Drug Screen - Beta Agonists in Serum/Urine/Feather/Feed (LC/MS)	\$88	Fee is per sample tested.
1024	Drug Screen – Corticosteroids (LC/MS)	\$86.25	Fee is per sample tested.
1030	Drug Screen - Racing Canine (LC/MS)	\$50	Fee is per sample tested.

1031	Drug Screen - Racing Equine Basic (LC/MS)	\$125	Fee is per sample tested.
1032	Drug Screen - Racing Equine Breakdown (LC/MS)	\$60	Fee is per sample tested.
1033	Drug Screen - Racing Equine Comprehensive (LC/MS)	\$192.50	Fee is per sample tested.
1034	Drug Screen - Racing Equine Medical Clearance (LC/MS)	\$90	Fee is per sample tested.
1350	Necropsy - Racing Mortality	\$190	Fee is per sample tested.
1544	Drug Screen - Unknowns (LC/MS)	\$110	Fee is per sample tested.
1585	Drug Screen – Beta Agonists in Hair Comprehensive (LC/MS)	\$250	Fee is per sample tested.

V. MODIFICATION OF CONTRACT

1. Except when the terms of this INTERAGENCY CONTRACT expressly provide otherwise, any alterations, additions or deletions to the terms hereof shall be by amendment in writing executed by both TVMDL and TXRC.

2. It is understood and agreed by the parties hereto, that changes in state and federal rules, regulations, or laws applicable hereto may occur during the term of this INTERAGENCY CONTRACT and that any such changes shall be automatically incorporated into this INTERAGENCY CONTRACT without written amendment and shall become a part of this agreement as of the effective date of the change in the rule, regulation, or law.

VI. NOTICES

Any notice required or permitted to be given under this INTERAGENCY CONTRACT shall be sufficient if given at the mailing addresses set forth below or to any other address of which written notice of change is given in writing:

Texas A&M Veterinary Medical Diagnostic Laboratory
 Attn: Director
 PO Drawer 3040
 College Station, TX 77841-3040

Texas Racing Commission
 1801 N. Congress Ave., Ste 7.600
 Attn: Executive Director
 Austin, TX 78701

VII. VENUE AND GOVERNING LAW

Venue of any court action brought directly or indirectly by reason of this INTERAGENCY CONTRACT shall be in Travis County, Texas. This INTERAGENCY CONTRACT is made and is to be performed in Travis County, Texas and is governed by the laws of the State of Texas.

VIII. ENTIRE AGREEMENT

This INTERAGENCY CONTRACT, including any Exhibits, embodies the final and entire agreement of the parties hereto, superseding all oral or written, previous and/or contemporaneous, agreements between the parties and relating to matters in this INTERAGENCY CONTRACT. No other agreements, oral or otherwise, regarding the matters of this INTERAGENCY CONTRACT shall be deemed to exist or to bind the parties hereto unless same be in writing, dated subsequent to the date herein and executed by the parties.

IX. LEGAL AUTHORITY

The signers of this INTERAGENCY CONTRACT represent, warrant, and guarantee that the signor has full legal authority to execute this INTERAGENCY CONTRACT and to bind the respective party to all the terms, conditions, provisions, and obligations contained in this agreement.

X. SEVERABILITY

If any clause or provision of this INTERAGENCY CONTRACT is held invalid, illegal, or unenforceable under present or future federal, state, or local laws, then it is the intention of the parties that such invalidity, illegality, or unenforceability not affect any other clause or provision and that the remainder of this INTERAGENCY CONTRACT shall be construed as if such invalid, illegal, or unenforceable provision was never contained in this agreement. It is also the intention of the parties that in lieu of each provision of this INTERAGENCY CONTRACT that is determined to be invalid, illegal, or unenforceable that there be added as part of the INTERAGENCY CONTRACT, a provision similar in terms to such invalid, illegal, or unenforceable provision, as may be possible, to make the provision legal and enforceable.

XI. EXECUTION

The Parties agree to use due diligence in the exercise of their responsibilities as outlined in this INTERAGENCY CONTRACT. The term of this INTERAGENCY CONTRACT is from the date of Commission approval or September 1, 2022, whichever is later, through August 31, 2023. To ensure the continuity of the drug testing program in pari-mutuel racing, all terms of this INTERAGENCY CONTRACT continue in effect until a new INTERAGENCY CONTRACT is executed with the understanding that TVMDL reserves the right to adjust fees prior to execution of the new INTERAGENCY CONTRACT and will notify the TXRC Executive Director in writing at least 30 days in advance of fee adjustments. If either Party determines that events have changed and significantly affected a material term of the INTERAGENCY CONTRACT including, but not limited to, the closing of a racetrack or a significant increase in the cost of drug testing or testing supplies, the Parties agree to renegotiate the terms of this INTERAGENCY CONTRACT prior to the date of termination.

For the faithful performance of this agreement, this agreement is executed by the undersigned persons in their capacities described below. This agreement takes effect on the date of approval by the Commissioners of the Texas Racing Commission or September 1, 2022, whichever is later.

TEXAS RACING COMMISSION

Amy F. Cook
Executive Director

Date

TEXAS A&M VETERINARY MEDICAL DIAGNOSTIC
LABORATORY

Amy K. Swinford, DVM, MS
TVMDL Director

Date

IV. C. STAFF ACTION MATERIALS

- 1. TXRC THERAPEUTIC SUBSTANCE LIST;**
- 2. TXRC EQUINE POLICY AND PENALTY
GUIDELINES;**
- 3. TXRC PROHIBITED SUBSTANCE LIST;**
- 4. TXRC TEST BARN INSTRUCTIONS**



TEXAS RACING COMMISSION
P.O. Box 12080
Austin, TX 78711-2080
(512) 833-6699

August 18, 2022

To: Texas Racing Commission Licensees

Subject: Procedural Manual for Chapter 319, Veterinary Practices and Drug Testing

As we re-write the Texas Rules of Racing, the Commission intends to streamline the Rules of Racing and publish procedural manuals under each of the new chapters that the agency, with the support of our Commission are re-writing for Texas.

This is the first publication of procedures published under Rules of Racing, with the existing chapters in place.

Transparency is key, not only in rulemaking at the Commission rule-making level, but at the agency procedural level for any updated procedures issued by the agency staff. To that end, beginning with this publication, my intent is to publicly present to the Commission for approval to publish in the Texas Register and to post on our webpage and at field office locations any procedural updates made at the agency level.

For this first iteration, the following items are included

1. Permissible Therapeutic Medication Levels
2. Equine Medication Classification Policy and Penalty Guidelines
3. Texas Racing Commission Classifications for Prohibited Substances
4. Texas Racing Commission Test Barn Instructions

We invite all licensees to visit our webpage for updates on our public meetings schedule or to send comment on our rules review pages as we begin the process.

Sincerely,

Amy F. Cook

Amy F. Cook
Executive Director



TEXAS RACING COMMISSION
 1801 N. Congress Ave., Ste. 7.600, Austin, Texas 78701
 Phone (512) 833-6699 Fax (512) 833-6907
 www.txrc.texas.gov

August 24, 2022

ATTENTION: Commission Veterinarians, Practicing Veterinarians, Owners, and Trainers
 SUBJECT: Republication of Changes to Permissible Levels of Therapeutic Medications
 and Naturally Occurring Substances

PERMISSIBLE LEVELS OF THERAPEUTIC MEDICATIONS AND NATURALLY OCCURRING SUBSTANCES

In accordance with Commission Rules §§ 319.1(b) and 319.3(b)-(c) and 319.304, the following substances are permissible if found at or below the following specified concentration levels in samples taken from a horse.

I. GENERAL MEDICATIONS	MAXIMUM PERMISSIBLE CONCENTRATION
Acepromazine.....	10 ng/ml of 2-HEPS (metabolite) in urine
Butorphanol	300 ng/ml of total butorphanol in urine: or 2 ng of free butorphanol per ml in plasma or serum
Cetirizine.....	6 ng/ml in plasma or serum
Cimetidine.....	400 ng/ml in plasma or serum
Dantrolene	100 pg/ml of 5-hydroxydantrolene in plasma or serum
Detomidine.....	2 ng/ml of carboxydetomidine in urine; or 1 ng/ml of detomidine in plasma or serum
Dimethylsulfoxide/DMSO.....	10 mcg/ml in plasma or serum
Flunixin.....	5 ng/ml in plasma or serum
Furosemide.....	100 ng/ml in plasma or serum and urine specific gravity < 1.010
Glycopyrrolate.....	3 pg/ml in plasma or serum
Guaifenesin.....	12 ng/ml in plasma or serum
Ketoprofen	2 ng/ml in plasma or serum
Lidocaine	20 pg/ml of total 3OH-lidocaine in plasma or serum
Mepivacaine	10 ng/ml totalhydroxymepivacaine in urine; or above Level of Detection of mepivacaine in plasma or serum
Methocarbamol	1 ng/ml in plasma or serum
Methylprednisolone.....	100 pg/ml in plasma or serum
Omeprazole	10 ng/ml of omeprazole sulfide in plasma or serum
Phenylbutazone.....	0.3 mcg/ml in plasma or serum
Ranitidine.....	40 ng/ml in plasma or serum
Xylazine	200 pg/ml in plasma or serum

II. NON-STEROIDAL ANTI-INFLAMMATORY DRUGS (NSAIDs)

NSAID Stacking Violation

Samples collected may contain one of the NSAIDs listed below at a concentration up to the threshold level. The detection of one or more additional NSAIDs in blood and/or urine constitutes a stacking violation. The detection of more than one NSAID (e.g., Phenylbutazone, Flunixin, Ketoprofen) in blood and/or urine constitutes a stacking violation, at which point the primary threshold levels do not apply (i.e., zero tolerance).

- (1) Flunixin5 ng/ml in plasma or serum
- (2) Ketoprofen2 ng/ml in plasma or serum
- (3) Phenylbutazone.....0.3 mcg/ml in plasma or serum

III. ANDROGENIC-ANABOLIC STEROIDS **MAXIMUM PERMISSIBLE CONCENTRATION**

Boldenone	25 pg/ml in plasma or serum, regardless of sex 1 ng/ml in urine for fillies, mares, and geldings 15 ng/ml in urine in male horses other than geldings
Nandrolone	25 pg/ml in plasma or urine for fillies, mares, and geldings 1 ng/ml in urine for fillies, mares and geldings 45 ng/ml (as 5 α -estrane-3 β , 17 α -diol) in urine in male horses other than geldings
Testosterone.....	25 pg/ml in plasma or serum for fillies, mares, and geldings 55 ng/ml in urine in fillies and mares (unless in foal) 20 ng/ml in urine in geldings

IV. TOTAL CARBON DIOXIDE **MAXIMUM PERMISSIBLE CONCENTRATION**

Total Carbon Dioxide..... Must remain below 37 mmol/l in plasma or serum

V. ENDOGENOUS, DIETARY OR ENVIRONMENTAL SUBSTANCES MAXIMUM PERMISSIBLE CONCENTRATION

Arsenic	0.3 mcg/ml total arsenic in urine	Feed Contaminant
Caffeine	100 ng/ml in serum or plasma	Feed Contaminant
Cobalt	25 ppb in blood plasma or serum	Endogenous Substance/Feed Contaminant
Estranediol	0.045 mcg/ml, free + conjugated 5 α -estrane-3 β , 17 α -diol, in the urine of male horses other than geldings	Endogenous Substance
Gamma Aminobutyric Acid (GABA)	110 ng/ml in plasma or serum	Endogenous Substance
Hydrocortisone	1 mcg/ml in urine	Endogenous Substance
Methoxytyramine	4 mcg/ml, free + conjugated in urine	Endogenous Substance
Prednisolone	10 ng/ml free prednisolone in urine	Endogenous Substance
Salicylate/Salicylic Acid	750 mcg/ml in urine or 6.5 mcg/ml in serum or plasma	Feed Contaminant
Theobromine	2 mcg/ml in urine or 0.3 mcg/ml in serum or plasma	Feed Contaminant

This is the republished Permissible Levels of Therapeutic Medications and Naturally Occurring Substances under Executive Director, Amy F. Cook. Any questions should be directed to the Texas Racing Commission General Counsel, Virginia. S. Fields, at virginia.fields@txrc.texas.gov or call 512-490-4009.

TEXAS RACING COMMISSION

Classification Guidelines for Foreign Substances

For Substances marked with *, see Special Notes at end

Drug	Trade Name(s)	Class	Penalty
Δ -1-androstene-3, 17diol		3	A
Δ -1-androstene-3, 17dione		3	A
Δ -1-dihydrotestosterone		3	A
1-androstenediol (5 α androst-1-ene-3 β , 17 β diol)	Endogenous AAS (steroid)	3	B
1-androstenedione (5 α androst-1-ene-3, 17dione)	Endogenous AAS (steroid)	3	B
1-testosterone (17 β hydroxy-5 α -androst-1-en-3-one)	AAS lacking FDA approval	3	A
19-Norandrostenediol		3	B
19-Norandrostenedione		3	B
<i>19-noretiocholanolone</i>	Metabolite of Nandrolone & Bolandione	3	B
2-Aminoheptane	Tuamine	4	B
3-Methoxytyramine	3-MT	2	A
3,4-methylenedioxypropylpropranolol	MDPV, "bath salts"	1	A
<i>4-androstene-3,6,17 trione (6-oxo)</i>	Aromatase inhibitors, Testolactone	3	B
<i>4-androstenediol (androst-4-ene-3β, 17βdiol)</i>	Androstenediol converted to testosterone	3	B
4-Hydroxytestosterone		3	B
<i>5-androstenedione (androst-5-ene-3,17dione)</i>	Prohormone of testosterone	3	B
<i>5α-androstane -3α,17αdiol</i>	Testosterone link – metabolite	3	B
<i>5α-androstane -3α,17βdiol</i>	Testosterone link – metabolite	3	B
<i>5α-androstane -3β,17αdiol</i>	Testosterone link – metabolite	3	B
<i>5α-androstane -3β,17βdiol</i>	Testosterone link – metabolite	3	B
<i>5β-androstane -3α,17βdiol, androst-4-ene-3α,17α-diol</i>	Androstenediol converted to testosterone	3	B
<i>7-keto-dhea; 19-</i>	Steroid produced by prohormone DHEA	3	B
<i>7α-hydroxy-dhea</i>	Major metabolite of DHEA	3	B
<i>7β-hydroxy-dhea</i>	Major metabolite of DHEA	3	B
a-Cobratoxin		1	A
Acebutolol	Sectral	3	B
Acecarbromal	Sedamyl, Carbased	2	A
Acenocoumarol	Acitrom	5	C
Acepromazine	Atrovet, Notensil, PromAce®	3	B
Acetaminophen (Paracetamol)	Tylenol, Tempra, etc.	4	C
Acetanilid	Antifebrin	4	B
Acetazolamide	Diamox, Vetamox	4	C
Acetophenazine	Tindal	2	A
Acetophenetidin	Phenacetin	4	B
Acetylcysteine		4	C
Acetylsalicylic acid (Aspirin)		4	C
<i>Activators of AMP-activated protein kinase AMPK</i>	AICAR, PPARs experimental no FDA	2	A
Adinazolam	Deracyn	2	A
Adrenochrome monosemicarbazone salicylate		4	B
Albuterol (Salbutamol)	Proventil, Ventolin	1	A
Alclofenac	Non-Approved NSAID	2	B
Alclometasone	Aclovate	4	C
Alcuronium	Alloferin	2	A
Aldosterone	Aldocortin, Electro cortin	4	B
Alfentanil	Alfenta	1	A
Almotriptan	Axert	3	A
Alphaprodine	Nisentil	2	A
Alpha-pyrrolidinovalerophenone	Alpha-PVP human bath salts	1	A
Alpidem	Anaxyl	2	A
Alprazolam	Xanax	2	A
Alprenolol	Apillobal	2	A
Althesin	Saffan	2	A
Altrenogest (Only geldings, colts, intact males, spayed females)	Regumate	4	C
Ambenonium	Mytelase, Myeuran	3	B
Ambroxol	Ambriol, etc.	4	B
Amcinonide	Cyclocort	4	C
Amiloride	Moduretic; Midamor	4	B
Aminocaproic acid	Amicar, Caprocid	4	C

TEXAS RACING COMMISSION

Classification Guidelines for Foreign Substances

For Substances marked with *, see Special Notes at end

Drug	Trade Name(s)	Class	Penalty
Aminoglutethimide	Testolactone hormone/metabolic effects	3	B
Aminophylline	Aminophyllin, etc.	3	B
Aminopyrine		4	B
Aminorex (McN-742, Menocil)	Aminoxafen, Aminoxaphen, Apiquel	1	A
Amiodarone	Cordarone	4	B
Amisometradine	Rolictron	4	B
Amisulpride	Solian	2	A
Amitraz	Mitaban	3	B
Amitriptyline	Elavil, Amitril, Endep	2	A
Amlodipine	Ammivin, Norvasc	3	B
Amobarbital	Amytal	2	A
Amoxapine	Asendin	2	A
Amperozide	Thorazine	2	A
Amphetamine	Speed, Upper	1	A
Amrinone	Inocor	4	B
Amyl nitrite		2	A
Anastrozole	Testolactone effect, aromatase inhibitors	3	B
Andarine	SARM	2	A
Androst-4-ene-3 α , 17 β diol	Androstenediol convert to testosterone	3	B
Androst-4-ene-3 β , 17 α diol	Androstenediol convert to testosterone	3	B
Androst-5-ene-3 α , 17 α diol	Androstenediol convert to testosterone	3	B
Androst-5-ene-3 α , 17 β diol	Prohormone of testosterone	3	B
Androst-5-ene-3 β , 17 α diol	Prohormone of testosterone	3	B
Androsta-1,4,6-triene-3,17-dione	Androstatrienedione Testolactone class	3	B
Androstenediol (androst-5-ene-3 β ,17 β diol)	Steroid; biosynthesis from DHEA	3	B
Androstenedione (androst-4-ene-3,17dione)	Steroid; biosynthesis from DHEA	3	B
Androsterone (3 β hydroxy-5 α -androstan-17-one)	Metabolite of testosterone & DHT	3	B
Anileridine	Leritine	1	A
Anilopam	Anisine	2	A
Anisindione	Miradon	5	D
Anisotropine	Valpin	4	B
Antipyrine	Phenazone	4	B
Apazone (Azapropazone)	Rheumox	4	B
Apomorphine	Apokyn, Ixense	1	A
Aprindine	Aspenon	4	B
Aprobarbital	Alurate	2	A
ARA-290	Nonerythropoietic peptide doping agent	1	A
Arecoline	Betel Nuts	3	A
Arformoterol	Brovana	3	B
Aripiprazole	Abilify	2	A
Arsenic	Mitigating environmental exposure is 3C	3	B*
Articaine	Septocaine; Ultracaine	2	B
Asialo EPO	Erythropoietin link-blood doping agent	1	A
Atenolol	Tenormin	3	B
Atipamazole	Antisedan	2	B
Atomoxetine	Strattera	2	A
Atracurium	Tracrium	2	A
Atropine	ATP, Tropin	3	B
Azacylonol	Frenque	2	A
Azaperone	Stresnil, Suicalm, Fentaz (with Fentanyl)	2	A
Baclofen	Lioresal	4	B
Barbital	Veronal	2	A
Barbiturates	Phenobarbital, butibarbital	2	A
Beclomethasone	Propaderm	4	C
Bemegride	Megimide, Mikedimide	2	A
Benazepril	Lotrel, Lotensin	3	A
Bendroflumethiazide	Naturetin	4	B
Benoxaprofen	Oraflex	2	B

TEXAS RACING COMMISSION

Classification Guidelines for Foreign Substances

For Substances marked with *, see Special Notes at end

Drug	Trade Name(s)	Class	Penalty
Benoxinate	Dorsacaine	4	C
Benperidol	Anquil	2	A
Bentazepam	Tiadipona	2	A
Benzactizine	Deprol, Bronchodiletten	2	A
Benzocaine	Orajel	4	B
Benzocetamine	Tacitin	2	A
Benzodiazepines	Valium, Ativan, Xanax	2	A
Benzonatate (cough suppressant)	Tessalon, Tessalon Perles, Zonatuss	2	A
Benzphetamine	Didrex	2	A
Benzthiazide	Exna	4	B
Benztropine	Cogentin	2	A
Benzylpiperazine	BZP	1	A
Bepiridil	Bepadin	4	B
Betamethasone	Betasone, etc.	4	C
Betaxolol	Kerlone	3	B
Bethanechol	Urecholine, Duvoid	4	C
Bethanidine	Esbatal	3	A
Biperiden	Akineton	3	A
Biriperone		2	A
Bisoprolol	Zebeta, Bisobloc, etc.	3	B
Bisphosphonates (any)		3	A
Bitolterol	Effectin-used in nebulizer mismanaged	3	A
Bolandiol (estr-4-ene3 β ,17 β -diol)	Steroid; AAS lacks FDA approval	3	A
Bolasterone	Myagen, Methosarb	3	A
Boldenone	Equipoise	3	B
Boldione	Zebeta, Bisobloc, etc.	3	A
Botulinum toxin		2	A
Bretylium	Bretylol	3	B
Brimonidine	Alphagan	2	A
Bromazepam	Lexotan, Lectopam	2	A
Bromfenac	Duract	3	A
Bromhexine	Oletor, etc.	4	B
Bromisovalum	Diffucord, etc.	2	A
Bromocriptine	Parlodel	2	A
Bromodiphenhydramine	Bromazine	3	B
Bromperidol	Bromidol	2	A
Brompheniramine	Dimetane, Disomer	3	B
Brotizolam	Brotocol	2	A
Budesonide	Pulmacort, Rhinocort	4	C
Bufexamac	Droxaryl, Malipuram	3	A
Bumetanide	Bumex	3	B
Bupivacaine	Marcaine	2	A
Buprenorphine	Temgesic	2	A
Bupropion	Wellbutrin	2	A
Buspirone	Buspar	2	A
Butabarbital (Secbutobarbitone)	Butacaps, Butasol, etc.	2	A
Butacaine	Butyn	2	A
Butalbital (Talbutal)	Fiorinal	2	A
Butamben (butyl aminobenzoate)	Butesin	4	C
Butanillicaine	Hostacain	2	A
Butaperazine	Repoise	2	A
Butoctamide	Listomin	2	A
Butorphanol	Stadol, Torbugesic (Torb)	3	B
Butoxycaine	Stadacain	4	B
Caffeine		2	B
Calusterone	Methosorb	3	A
Camazepam	Paxor	2	A
Camphor	Vick's Vapo Steam, Liniment	4	C

TEXAS RACING COMMISSION

Classification Guidelines for Foreign Substances

For Substances marked with *, see Special Notes at end

Drug	Trade Name(s)	Class	Penalty
Candesartan	Cilexetil, Atcand	3	B
Cannabidiol (CBD) ¹	Anti-epileptic, analgesic	2	B
Canrenone	Metabolite of spironolactone (diuretic)	4	C
Capsaicin	Active component of chili pepper	2	B
Captodiame	Covatine (oral antihistamine mgmt.)	2	A
Captopril	Capolen	3	B
Carazolol	Carbacel, Conducton	3	A
Carbachol	Lentin, Doryl	3	B
Carbamezapine	Tegretol	3	B
Carbamylated EPO	Erythropoietin link blood doping agent	1	A
Carbazochrome	Toxivenol	4	B
Carbidopa + levodopa	Sinemet	2	A
Carbinoxamine	Clistin	3	B
Carbon Dioxide (TCO ₂)	Bicarbonate	3	B*
Carbromol	Mifudorm	2	A
Cardarine (GW-501516)	Lacks FDA approval	2	A
Carfentanil	Wildnil	1	A
Carisoprodol	Rela, Soma	2	B
Carphenazine	Proketazine	2	A
Carpipramine	Prazinil	2	A
Carprofen	Rimadyl	4	B
Carteolol	Cartrol	3	B
Carticaine (see articaine)	Septocaine; Ultracaine	2	B
Carvedilol	Coreg	3	B
Cathinone (khat, kat, qat, quat, chat, catha)	Abyssinian tea, African tea	1	A
Celecoxib	Celebrex	3	B
Cetirizine	Zyrtec	4	C
Chloral betaine	Beta-Chlor	2	A
Chloral hydrate	Nactec, Oridrate, etc.	2	A
Chloraldehyde	Chloral	2	A
Chloralose (AlphaChloralose)		2	A
Chlordiazepoxide	Librium	2	A
Chlorhexidol	Mecoral, Medodorm	2	A
Chlormerodrin	Neohydrin	4	B
Chlormezanone	Trancopal	2	A
Chloroform		2	A
Chlorophenesin	Maolate, Musil	4	C
Chloroprocaine	Nesacaine	2	A
Chloroquine	Avloclor	4	C
Chlorothiazide	Diuril	4	B
Chlorpheniramine	Chlortriemton, etc.	4	B
Chlorproethazine	Newipege	2	A
Chlorpromazine	Thorazine, Largactil	1	A
Chlorprothixene	Truxal, Taractan	2	A
Chlorthalidone	Hydroton	4	B
Chlorzoxazone	Paraflex	4	B
Chorionic Gonadotropin (CG) used in colts/horses	No restriction in fillies or mares	3	B
Ciclesonide	Alvesco	4	C
Cilostazol	Pletal	4	B
Cimaterol	Cimater	3	A
Cimetidine	Tagamet	5	D
Cinchocaine	Nupercaine	2	B
Citalopram	Celex	2	A
Clanobutin	Clanohepar	4	B
Clemastine	Tavist, Meclastin	3	B

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Drug	Trade Name(s)	Class	Penalty
Clenbuterol	Ventipulmin	1	A
Clibucaine	Batrax	2	A
Clidinium	Quarezan, Clindex, etc.	3	B
Clobazam	Urbanyl	2	A
Clobetasol	Clobex, Temovate	4	C
Clocapramine	Anafranil	2	A
Clocortolone	Cloderm	4	C
Clodronate	OsPhos; bisphosphonate	3	A
Clofenamide	Diuride	4	B
Clomethiazole (Chlormethiazole)	Heminevrin	2	A
Clomiphene	Testolactone effect; estrogen modulator	3	B
Clomipramine	Anafranil	2	A
Clonazepam	Klonopin	2	A
Clonidine	Catapres	3	B
Clorazepate	Tranxene	2	A
Clormecaine	Placacid	2	A
Clostebol	Macrobin, Steranabol	3	A
Clothiapine	Entermin	2	A
Clotiazepam	Trecalmo, Rize	2	A
Clozazolam	Enadel, Sepazon, Tolestan	2	A
Clozapine	Clozaril, Leponex	2	A
CNTO 530	Erythropoietin link; blood doping agent	1	A
Cobalt	Bionic HI Mineral 50 ppb or > B penalty	3	B*
Cocaine		1	A
Codeine		1	A
Colchicine	Colcrys	4	B
Conorphone	Codorphone	2	A
Corticaine	Hydrocortisone Acetate Ultracain	2	A
Corticotrophind	Peptide hormone in stress response	3	B
Cortisone	Cortone, etc.	4	C
Cromolyn	Intel	5	D
Crotetamide	Respirot	2	A
Cyamemazine	Tercian	2	A
Cyclandelate	Cyclospasmol	3	A
Cyclizine	Merazine	3	B
Cyclobarbital	Phanodorm	2	A
Cyclobenzaprine	Flexeril	4	B
Cyclofenil	SERMselective estrogen recept	3	B
Cyclomethylcaine	Surfacaine	4	C
Cyclothiazide	Anhydron, Renazide	4	B
Cycrimine	Pagitane	3	B
Cyproheptadine	Periactin	3	B
Danazol	Danocrine	3	B
Dantrolene	Dantrium	4	C
Darbepoetin	Aranesp	1	A
Darbepoetin (dEPo)	Erythropoietin link; blood doping agent	1	A
Decamethonium	Syncurine	2	A
Dehydrochloromethyltestosterone	Oral Turinabol	3	A
Dembroxol (Dembrexine)	Equiplus, Equilysin, Sputolysin	4	C
Demoxepam	Lectopam	2	A
Deoxycorticosterone	Percortin, DOCA, Descotone, Dorcostrin	4	C
Deracoxib	Deremaxx	3	B
Dermorphin	Frog Juice	1	A
Desipramine	Norpromine, Pertofrane	2	A
Desonide	Des Owen	4	C
Desoximetasone	Topicort	4	C
Desoxymethyltestosterone	DMT, Madol, Pheraplex	3	A
Detomidine	Dormosedan	3	B

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Drug	Trade Name(s)	Class	Penalty
Dexamethasone	Azium, etc.	4	C
Dextromethorphan	DXM, DM	4	B
Dextromoramide	Palfium, Narcolo	1	A
Dextropropoxyphene	Darvon	3	B
Dezocine	Dalgan	2	A
Diamorphine	Morphine diacetate, heroin	1	A
Diazepam	Valium	2	B
Diazoxide	Proglycem	3	B
Dibucaine	Nupercainal, Cinchocaine	2	B
Dichloralphenazone	Febenol, Isocom	2	A
Dichlorphenamide	Daramide	4	C
Diclofenac	Voltaren, Voltarol	4	C
Dicumarol	Dicumarol	5	D
Diethylpropion	Amfepramone, Tepanil	2	A
Diethylthiambutene	Themalon	2	A
Diflorasone	Florone, Maxiflor	4	C
Diflucortolone	Flu-Cortinest, etc.	4	C
Diflunisal	Dolobid	3	B
Digitoxin	Crystodigin	4	B
Digoxin	Lanoxin	4	B
Dihydrocodeine	Parcodin	2	A
Dihydroergotamine	Migranal	4	B
Dihydrotestosterone (17 β -hydroxy-5 α androstane-3-one)	Endogenous AAS; steroid	3	B
Diisopropylamine	Consistent with nitroglycerine	2	B
Dilorazepam	Briantum	2	A
Diltiazem	Cardizem	4	B
Dimeflin		3	A
Dimethisoquin	Quotane	4	B
Dimethylsulfoxide	DMSO, Domoso	4	C*
Diphenadione	Diphacine, Ditrac	5	C
Diphenhydramine	Benadryl	3	B
Diphenoxylate	Difenoxin, Lomotil	4	B
Diprenorphine	M50/50	2	A
Dipyridamole	Persantine	3	B
Dipyrrone	Novin, Methamizole	4	C
Disopyramide	Norpace	4	B
Divalproex	Depakote	3	A
Dixyrazine	Esucos	2	A
Dobutamine	Dobutrex	3	B
Donepezil	Aricept	1	A
Dopamine	Intropin	2	A
Doxacurium	Nuromax	2	A
Doxapram	Dopram	2	A
Doxazosin	Cardura	3	A
Doxefazepam	Doxans	2	A
Doxepin	Adapin, Sinequan	2	A
Doxylamine	Decapryn	3	B
Dromostanolone	Drolban	3	B
Droperidol	Inapsine, Droleptan, Innovar-Vet	2	A
Drostanolone	Steroid; AAS lacks FDA approval	3	A
Duloxetine	Cymbalta	2	A
Dyclonine	Dyclone	4	C
Dyphylline	Dilor, Lufyllin	3	B
Edrophonium	Tensilon	3	B
Eletripan	Relpax	3	A
Eltenac	Telzenac	4	B
Enalapril (metabolite enalaprilat)	Vasotec	3	A
Enciprazine		2	A

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Drug	Trade Name(s)	Class	Penalty
Endorphins	Endorphinate, Forskolin	1	A
Enkephalins	Enkephalin	1	A
Ephedrine	Akovaz, Corphedra	2	A
Epi-dihydrotestosterone	Testosterone link; androgenic metabolite	3	B
Epibatidine		2	A
Epinephrine		2	A
Epitestosterone	Testosterone link; endogenous steroid	3	B
EPO-Fc	Erythropoietin link; blood doping agent	1	A
EPO-mimetic peptides (EMP)		1	A
Ergoloid mesylates (dihydroergocornine mesylate)	Dihydroergocristine dihydroergocryptine	2	A
Ergonovine	Ergotrate	4	C
Ergotamine	Gynergen, Cafergot, etc.	4	B
Erthryl tetranitrate	Tetranitrol, Cardiloid, Cardilate	3	A
Erythropoietin(EPO)	Epogen, Procrit, ESAs.	1	A
Esmolol	Brevibloc	3	B
Esomeprazole	Nexium	5	D
Estazolam	Domnamid, Eurodin, Nuctalon	2	A
Eszopiclone	Lunesta	2	A
Etacrynic acid		3	C
Etamiphylline	Dalophylline	3	B
Etanercept	Enbrel	4	B
Ethacrynic acid	Edecrin	3	B
Ethamivan	Analepticon, Vandid	2	A
Ethanol		2	A
Ethchlorvynol	Placidyl	2	A
Ethinamate	Valmid	2	A
Ethoheptazine	Zactane	2	A
Ethopropazine	Parsidol	2	A
Ethosuximide	Zarontin	3	A
Ethotoin	Peganone	4	B
Ethoxzolamide	Cardrase, Ethamide	4	C
Ethylaminobenzoate (Benzocaine)	Semets, etc.	4	C
Ethylestrenol	Maxibolin, Organon	3	B
Ethylisobutrazine	Diquel	2	A
Ethylmorphine	Dionin	1	A
Ethylnorepinephrine	Bronkephrine	3	A
Ethylphenidate	EPH	1	A
Etidocaine	Duranest	2	A
Etifoxin	Stresam	2	A
Etiocholanolone	Testosterone link; etiocholane steroid	3	B
Etizolam	Depas, Pasaden	2	A
Ethamsylate		4	B
Etodolac	Lodine	3	B
Etodroxizine	Indunox	2	A
Etofenamate	NSAID	4	B
Etomidate		2	A
Etorphine HCl	M99	1	A
Exemestane	Testolactone effect; Aromatase inhibitors	3	B
Famotidine	Gaster, etc.	5	D
Felbamate	Felbatol	3	B
Felodipine	Plendil	4	B
Fenarbamate	Tymium	2	A
Fenbufen	Cincopal, Lederfen	3	B
Fenclozic acid	Myalex	2	B
Fenfluramine	Pondimin	2	A
Fenoldopam	Corlopam	3	B
Fenoprofen	Nalfon	3	B
Fenoterol	Berotec	3	B

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Drug	Trade Name(s)	Class	Penalty
Fenspiride	Respiride, Respan, etc	3	B
Fentanyl	Sublimaze	1	A
Fentiazac	Meloxicam	3	B
Fexofenadine	Allegra	4	C
Fibroblast Growth Factors (fgfs) (HGF) (IGF-1) (mgfs)	(PDGF) (VEGF) & any other growth factor	3	A
Firocoxib	Previcox, Equioxx	4	C
Flecainide	Idalon	4	B
Floctafenine	Idalon, Idarac	4	B
Fluanisone	Sedalande	2	A
Fludiazepam	Erispam	2	A
Fludrocortisone	Alforone, etc.	4	C
Flufenamic acid	Antirheumatic, Combec, Fenazol	4	B
Flumethasone	Flucort, etc.	4	C
Flumethiazide	Ademol	4	B
Flunarizine	Sibelium	4	B
Flunisolide	Bronilide, etc.	4	C
Flunitrazepam	Rohypnol, Narcozep, Darkene, Hypnodorm	2	A
Flunixin	Banamine	4	C*
Fluocinolone	Synalar	4	C
Fluocinonide	Licon, Lidex	4	C
Fuopromazine	Psyquil, Siquil	2	A
Fluoresone	Caducid	2	A
Fluorometholone	FML	4	C
Fluoroprednisolone	Prednisolone, Orapred, Pediapred	4	B
Fluoxetine	Prozac	2	A
Fluoxymesterone	Halotestin	3	B
Flupenthixol	Depixol, Fluanxol	2	A
Fluphenazine	Prolixin, Permitil, Anatensol, etc.	2	B
Flupirtine	Katadolone	3	A
Fluprednisolone	Alphadrol	4	C
Flurandrenolide	Cordran	4	C
Flurazepam	Dalmane	2	A
Flurbiprofen	Froben	3	B
Fluspirilene	Imap, Redeptin	2	A
Fluticasone	Flixonase, Flutide	4	C
Flutoprazepam	Restas	2	A
Fluvoxamine	Dumirox, Faverin, etc.	2	A
Formebolone	Esiclone, Hubernol, Metanor	3	A
<i>Formestane</i>	Testolactone effect; Aromatase inhibitors	3	B
Formoterol	Altram	3	B
Fosinopril, metabolite, Fosinoprilat	Monopril	3	A
Fosphenytoin	Cerebyx	3	B
Fulvestrant	Estrogen receptor antagonist antineoplastic	3	B
Furazabol	Androfurazanol	3	A
Furosemide	Lasix- See note below	N/A	*
Gabapentin	Neurontin	3	B
Galantamine	Reminyl	2	A
Gallamine	Flaxedil	2	A
Gamma Aminobutyric Acid (GABA)	Carolina Gold	3	B
Gepirone	Travivo	2	A
Gestrinone	Dimetrose, Nimestran	3	A
GH-releasing peptides (ghrps), GHRP-6, GHRP-2	Anabolic agent lacks FDA approval	3	A
Glutethimide	Doriden	2	A
Glycopyrrolate	Robinul	4	C
Growth/Releasing Hormone (GHRH)	Anabolic agent CJC-1295, sermorelin	3	A
Growth Hormone Secretagogues (GHS)	Anabolic agent amanorelin, ipamorelin	3	A
Guaifenesin (glycerol guaiacolate)	Gecolate	4	C
Guanabenz	Wyntensin	3	B

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Drug	Trade Name(s)	Class	Penalty
Guanadrel	Hylorel	3	A
Guanethidine	Ismelin	3	A
Halazepam	Paxipam	2	A
Halcinonide	Halog	4	C
Halobetasol	Ultravate	4	C
Haloperidol	Haldol	2	A
Haloxazolam	Somelin	2	A
Harpagoside	Glycoside from devil's claw plant	4	B
Hemoglobin glutamers	Oxyglobin Hemopure	2	A
Heptaminol	Corofundol	3	B
Heroin	See also Diamorphine	1	A
Hexafluorenum	Myalexen	2	A
Hexobarbital	Evipal	2	A
Hexocyclium	Tral	4	B
Hexylcaine	Cyclaine	2	B
HIF activators (e.g. Argon, xenon)	Mediator of oxygen homeostasis - doping	3	A
Homatropine	Homapin	3	B
Homophenazine	Pelvichthol	2	A
Hydralazine	Apresoline	3	B
Hydrochlorothiazide	Hydrodiuril	4	B
Hydrocodone (dihydrocodienone)	Hycodan, Vicodin, Norco	1	A
Hydrocortisone (Cortisol)	Cortef, etc.	4	C
Hydroflumethiazide	Saluron	4	B
Hydromorphone	Dilaudid	1	A
Hydroxyamphetamine	Paradrine, Norpholedrine, Oxamphetamine	1	A
Hydroxyzine	Atarax	2	B
Hypoxia-inducible factor (HIF) activators	Blood doping agent	1	A
Hypoxia-inducible factor (HIF) stabilizers (e.g. IOX-2)	Blood doping agent	1	A
Ibomal	Noctal	2	A
Ibuprofen	Motrin, Advil, Nurpin, etc.	4	C
Ibutilide	Corvert	3	B
Iloprost	Ventavis	3	A
Imipramine	Imavate, Presamine, Tofranil	2	A
Indapamide	Diuretic	3	C
Indomethacin	Indocin	3	B
Infliximab	Remicade	4	B
Insulins	Protein hormone treats high blood sugar	3	B
Ipratropium	Atrovent	3	B
Irbesarten	Avapro	3	A
Isapirone		2	A
Isocarboxazid	Marplan	2	A
Isoetharine	Bronkosol	3	B
Isoflupredone	Predef2X	4	C
Isomethadone	Liden	2	A
Isometheptene	Octin, Octon	4	B
Isopropamide	Darbid	4	B
Isoproterenol	Isoprel	2	A
Isosorbide dinitrate	Isordil	3	B
Isoxicam	Maxicam	2	B
Isoxsuprine	Vasodilan	4	D
Isradipine	DynaCirc	4	B
Kebuzone		3	B
Ketamine	Ketalar, Ketaset, Vetalar	2	B
Ketazolam	Anxon, Laftram, Solatran, Loftran	2	A
Ketoprofen	Orudis	4	C*
Ketorolac	Toradol	3	A
Labetalol	Normodyne	3	B
Lamotrigine	Lamictal	3	A

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Drug	Trade Name(s)	Class	Penalty
Lansoprazole	Prevacid	5	D
Lenperone	Elanone-V	2	A
Letosteine	Viscotiol, Visiotal	4	B
Letrozole		3	A
Levamisole	Ergamisol	2	B
Levobunolol	Betagan, Vistagan	3	B
Levomethorphan		2	A
Levorphanol	Levo-Dremoran	1	A
Lidocaine	Xylocaine	2	B
Ligandrol	SARM	2	A
Lisinopril	Prinivil, Zestril	3	A
Lithium	Lithizine, Duralith, etc.	2	A
Lobeline	Zoolobelin	2	A
Lofentanil		1	A
Loflazepate, Ethyl	Victan	2	A
Loperamide	Imodium	3	B
Loprazolam	Dormonort, Havlane	2	A
Loratidine	Claritin	4	C
Lorazepam	Ativan	2	A
Lormetazepam	Noctamid	2	A
Losartan	Hyzaar	3	B
Loxapine	Laxitane	2	A
Luteinizing Hormone (LH) used in colts/horses	No restriction for fillies or mares	3	B
Mabuterol		3	A
Maprotiline	Ludiomil	2	A
Mazindol	Sanorex	1	A
Mebutamate	Axiten, Dormate, Capla	2	A
Mecamylamine	Inversine	3	B
Meclizine	Antivert, Bonine	3	B
Meclofenamic acid	Arquel	4	C
Meclofenoxate	Lucidril, etc.	2	A
Medazepam	Nobrium, etc.	2	A
Medetomidine	Damintor	3	B
Medroxyprogesterone		3	B
Medrysone	Medriusar, etc.	4	C
Mefenamic acid	Ponstel, Ponstan	3	B
Meldonium	Mildronate, et al	1	A
Meloxicam	Mobic	4	B
Melperone	Eunerpan	2	A
Memantine	Namenda	2	A
Meparfynol	Oblivon	2	A
Mepazine	Pacatal	2	A
Mepenzolate	Cantil	3	B
Meperidine	Demerol	1	A
Mephenesin	Tolserol	4	B
Mephexalone	Control, etc.	2	A
Mephentermine	Wyamine	1	A
Mephénytoin	Mesantoin	2	A
Mephobarbital (Methylphenobarbital)	Mebaral	2	A
Mepivacaine	Carbocaine	2	B
Meproamate	Equanil, Miltown	2	A
Meralluride	Mercuryhydrin	4	B
Merbaphen	Novasural	4	B
Mercaptomerin	Thiomerin	4	B
Mercumatinil	Cumertilin	4	B
Mersalyl	Salyrgan	4	B
Mesalamine	Asacol	5	C
Mesoridazine	Serentil	2	A

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Drug	Trade Name(s)	Class	Penalty
Mestanolone	Androstalone, Ermalone	3	A
Mesterolone	Proviron	3	A
Metaclozepam	Talis	2	A
Metandienone	Steroid; AAS lacks FDA approval	3	A
Metaproterenol	Alupent, Metaprel	3	B
Metaraminol	Aramine	1	A
Metaxalone	Skelaxin	4	B
Metazocine	Talwin	2	A
Metenolone	Steroid; AAS lacks FDA approval	3	A
Metformin		2	B
Methacholine	Provocholine	3	A
Methadone	Dolophine	1	A
Methamphetamine	Desoxyn	1	A
Methandienone	Dianabol	3	B
Methandriol (Methylandrostenediol)	Probolic	3	A
Methandrostenolone	Dianabol, Methandienone	3	A
Methantheline	Banthine	3	B
Methapyrilene	Histadyl, etc.	3	B
Methaqualone	Quaalude	1	A
Metharbital	Gemonil	2	A
Methasterone	Superdrol	3	A
Methazolamide	Naptazane	4	C
Methcathinone	Catnip, M-Cat	1	A
Methdilazine	Tacaryl	3	B
Methenolone	Primobolan	3	A
Methixene	Trest	3	A
Methocarbamol	Robaxin	4	C
Methohexital	Brevital	2	A
Methotrexate	Folex, Nexate, etc.	4	B
Methotrimeprazine	Levoprome, Neurocil, etc.	2	A
Methoxamine	Vasoxyl	3	A
Methoxyphenamine	Orthoxide	3	A
Methoxypolyethylene glycol-epoetin beta (CERA)	Erythropoietin link; blood doping agent	1	A
Methscopolamine	Pamine	4	B
Methsuximide	Celontin	4	B
Methylchlorthiazide	Enduron	4	B
Methyl-1-testosterone	M1T	3	A
Methylatropine	Eumydrin	3	B
Methyldienolone	RU-3467	3	A
Methyldopa	Aldomet	3	A
Methylergonovine	Methergine	4	C
Methylhexanamine (Methylhexaneamine)	Geranamine, Forthane	1	A
Methylnortestosterone	Trestolone	3	A
Methylphenidate	Ritalin	1	A
Methylprednisolone	Medrol	4	C
Methyltestosterone	Metandren	3	B
Methyprylon	Noludar	2	A
Methysergide	Sansert	4	B
Metiamide		4	B
Metoclopramide	Reglan	4	C
Metocurine	Metubine	2	A
Metolazone	Zytanix, Zaroxolyn, Mykrox	3	B
Metomidate	Hypnodil	2	A
Metopon (methyldihydromorphinone)		1	A
Metoprolol	Lopressor	3	B

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Drug	Trade Name(s)	Class	Penalty
Metribolone	Steroid; AAS lacks FDA approval	3	A
Mexazolam	Melex	2	A
Mexiletine	Mexilil	4	B
Mibefradil	Posicor	3	B
Mibolerone	Cheque Drops, Matenon	3	B
Midazolam	Versed	3	B
Midodrine	Pro-Amiline	3	B
Milrinone	Primacor	4	B
Minoxidil	Loniten	3	B
Mirtazepine	Remeron	2	A
Misoprostol	Cytotec	5	D
Mitragynine	Kratom	1	A
Mivacurium	Mivacron	2	A
Modafinil	Provigil	2	A
Moexipril (metabolite, moexiprilat)	Uniretic	3	B
Molidustat	HIF Stabilizer – blood doping agent	1	A
Molindone	Moban	2	A
Mometasone	Elocon	4	C
Montelukast	Singulair	4	C
Moperone	Luvatren	2	A
Morphine	Morphabond, Kadian	1	A
Mosaprimine	Cremin	2	A
Muscarine	Muscarin, Amanita muscaria	3	A
myo-inositol trispyrophosphate (ITPP)		1	A
N-Butylscopolamine	Buscopan	4	C
Nabumetone	Anthraxan, Relafen, Reliflex	3	A
Nadol	Corgard	3	B
Naepaine	Amylsine	2	A
Nalbuphine	Nubain	2	A
Nalorphine	Nalline, Lethidrone	2	A
Naloxone	Narcan	3	B
Naltrexone	Revia	3	B
Nandrolone	Nandrolin, Laurabolin, Durabolin	3	B
Naphazoline	Privine	4	B
Naproxen	Equiproxen, Naprosyn	4	C
Naratriptan	Amerge	3	B
Nebivolol	Bystolic	3	A
Nedocromil	Tilade	5	D
Nefazodone	Serzone	2	A
Nefopam	Acupan	3	A
Neostigmine	Prostigmine	3	B
Nicardipine	Cardine	4	B
Nifedipine	Procardia	4	B
Niflumic acid	Nifluril	3	B
Nikethamide	Coramine	1	A
Nimesulide	Medindia	3	B
Nimetazepam	Erimin	2	A
Nimodipine	Nemotop	4	B
Nitrazepam	Mogadon	2	A
Nitroglycerin	Nitro-Time, Nitrostat	2	B
Nizatidine	Axid	5	D
Nomifensine		1	A
Norandrosterone	Nandrolone link;anabolic-androgenic ster	3	B
Norbolethone	Norboletone	3	A

TEXAS RACING COMMISSION

Classification Guidelines for Foreign Substances

For Substances marked with *, see Special Notes at end

Drug	Trade Name(s)	Class	Penalty
Norclostebol	Lentabol	3	A
Nordiazepam	Calmday, Nordaz, etc.	2	A
Norepinephrine	Norepin, Levarterenol	2	A
Norethandrolone	Nilevar, Pronabol	3	A
Norethisterone	Norethindrone	4	B
Nortestosterone	Nandrolone	3	B
Nortriptyline	Aventyl, Pamelor	2	A
Nylidrine	Arlidin	3	A
Olanzapine	Zyprexa	2	A
Oliceridine – FDA approved opioid for humans	Opioid agonist	1	A
Olmesartan	Benicar	3	A
Olsalazine	Dipentum	5	C
Omeprazole	Prilosec, Losec, UlcerGuard	5	D
Oripavine	Opioid metabolite of thebaine	2	A
Orphenadrine	Norfex	4	B
Ostarine	SARM	2	A
Oxabolone	Steranabol Depo	3	A
Oxandrolone	Anavar	3	B
Oxaprozin	Daypro, Deflam	4	B
Oxazepam	Serax	2	A
Oxazolam	Serenal	2	A
Oxcarbazepine	Trileptal	3	A
Oxilofrine (hydroxyephedrine)	Cophylac	2	A
Oxprenolol	Trasicor	3	A
Oxycodone	Percodan	1	A
Oxymesterone	Anamidol, Balnimax	3	A
Oxymetazoline	Afrin	4	B
Oxymetholone	Adroyd, Anadrol	3	B
Oxymorphone	Numorphan	1	A
Oxyperitine	Forit, Integrin	2	A
Oxyphenbutazone	Tandearil	4	C
Oxyphenyclimine	Daricon	4	B
Oxyphenonium	Antrenyl	4	B
Paliperidone	Invega	2	A
Pancuronium	Pavulon	2	A
Pantoprazole	Protonix	5	D
Papaverine	Pavagen, etc.	3	A
Paraldehyde	Paral	2	A
Paramethadione	Paradione	3	A
Paramethasone	Haldrone	4	C
Parecoxib	NSAID, selective Cox-2 inhibitor	4	B
Pargyline	Eutonyl	3	A
Paroxetine	Paxil, Seroxat	2	A
Peginesatide	Erythropoietin link; blood doping agent	1	A
Pemoline	Cylert	1	A
Penbutolol	Levatol	3	B
Penfluridol	Cyperon	2	A
Pentaerythritol tetranitrate	Duotrate, PETN	3	A
Pentazocine	Talwin	3	B
Pentobarbital	Nembutal	2	A
Pentoxifylline	Trental, Vazofirin	4	D
Pentylene-tetrazol	Metrazol, Nioric, PTZ	1	A
Perazine	Taxilan	2	A
Perfluorocarbons	PFCs	2	A
Perfluorodecahydrophthalene		2	A
Perfluorodecolin		2	A

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Classification Guidelines for Foreign Substances

For Substances marked with *, see Special Notes at end

Drug	Trade Name(s)	Class	Penalty
Perfluorooctylbromide	Perflubron	2	A
Perfluorotripropylamine	Perfluamine	2	A
Pergolide	Prascend, Permax	3	B
Periciazine	Alodept, etc.	2	A
Perindopril	Aceon, Biprel	3	A
Perlazine	Hypnodin, pipnodine	2	A
Perphenazine	Trilafon	2	A
Phenacemide	Phenurone	4	B
Phenaglycodol	Acalo, Alcamid, etc.	2	A
Phenazocine	Narphen	1	A
Phencyclidine (PCP)	Sernylan, Angel Dust	1	A
Phendimetrazine	Bontril, etc.	1	A
Phenelzine	Nardelzine, Nardil	2	A
Phenindione	Hedulim	5	D
Phenmetrazine	Preludin	1	A
Phenobarbital	Luminal	2	A
Phenoxybenzamine	Dibenzylamine	3	B
Phenprocoumon	Liquamar	5	D
Phensuximide	Milontin	4	B
Phentermine	Iomamin	2	A
Phentolamine	Regitine	3	B
Phenylbutazone	Butazolidin	4	C*
Phenylephrine	Isophrin, Neo-Synephrine	3	B
Phenylpropanolamine	Propadrine	3	B
Phenytoin	Dilantin	4	B
Physostigmine	Eserine	3	A
Picrotoxin	Cocculin	1	A
Piminodine	Alvodine, Cimadon	2	A
Pimobendan		2	B
Pimozide	Orap	2	A
Pinazepam	Domar	2	A
Pindolol	Viskin	3	B
Pipamperone	Dipiperon	2	A
Pipecuronium	Arduan	2	A
Pipequaline		2	A
Piperacetazine	Psymod, Quide	2	A
Piperocaine	Metycaine	2	A
Pipotiazine	Lonseren, Piportil	2	A
Pipradrol	Dataril, Gerondyl, etc.	2	A
Piquindone	Prolixin, moditen	2	A
Pirbuterol	Maxair	3	B
Pirenzepine	Gastrozepin	5	C
Piretanide	Arelix, Tauliz	3	B
Piritramide	Dipidolor, Piridolan	1	A
Piroxicam	Feldene	4	B
Plasma expanders, Bycerol, albumin, dextran mannitol	Lacks FDA approval	3	A
Polyacrylamide hydrogel	PAHG	4	C
Polyethylene glycol	Miralax, Glycolax	5	D
Polythiazide	Renese	4	B
Pramoxine	Tronothaine	4	C
Prasterone	Inactive Endogenous Steroid	3	B
Prazepam	Verstran, Centrax	2	A
Prazosin	Minipress	3	B
Prednisolone	Delta-Cortef, etc.	4	C
Prednisone	Meticorten, etc.	4	C
Pregabalin	Gabapentanoid (Lyrica)	3	B
Prilocaine	Citanest	2	B
Primidone	Mysoline	3	B

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Classification Guidelines for Foreign Substances

For Substances marked with *, see Special Notes at end

Drug	Trade Name(s)	Class	Penalty
Probenecid		4	C
Procainamide	Pronestyl	4	B
Procaine	Novacaine	3	B
Procatamol	Pro Air	3	A
Prochlorperazine	Darbazine, Compazine	2	A
Procyclidine	Kemadrin	3	B
Promazine	Sparine	3	B
Promethazine	Phenergan	3	B
Propafenone	Rythmol	4	B
Propanidid	Panitol	2	A
Propantheline	Pro-Banthine	3	B
Proparacaine	Ophthaine	4	C
Propentophylline	Karsivan	3	B
Propiomazine	Largon	2	A
Propionylpromazine	Tranvet	2	A
Propiram	Algeril	2	A
Propofol	Diprivan, Disoprivan	2	A
Propoxycaïne	Ravocaine	2	A
Propranolol	Inderal	3	B
Propylhexedrine	Benzedrex	4	B
Prostanazol		3	A
Prothipendyl	Dominal	2	A
Protokylol	Ventaire	3	A
Protriptyline	Concordin, Triptil	2	A
Proxibarbitol	Axeen, Centralgol	2	A
Pseudoephedrine	Cenafed, Novafed	3	B
Pyridostigmine	Mestinon, Regonol	3	B
Pyrilamine	Neoantergan, Equihist	3	B
Pyrithyldione	Hybersulfan, Sonodor	2	A
Quazipam	Doral	2	A
Quetiapine	Seroquel	2	A
Quinapril, metabolite Quinaprilat	Accupril	3	A
Quinbolone	Anabolicum, Anabolvis	3	A
Quinidine	Quinidex, Quinicardine	4	B
Rabeprazole	Aciphex	5	D
Racemethorphan	Methorphan	2	A
Racemorphan	Morphanol	2	A
Raclopride		2	A
Ractopamine	Paylean	2	A
Raloxifene	SERM Selective estrogen receptor mod	3	B
Ramipril, metabolite Ramiprilat	Altace	3	A
Ranitidine	Zantac	5	D
Remifentanil	Ultiva	1	A
Remoxipride	Roxiam	2	A
Reserpine	Serpasil	2	B
Rilmazafone	Rhythmy	2	A
Risperidone		2	A
Ritanserine		2	A
Ritodrine	Yutopar	3	B
Rivastigmine	Exelon	2	A
Rizatriptan	Maxalt	3	B
Rocuronium	Zemuron	2	A
Rofecoxib	Vioxx	2	B
Romifidine	Sedivet	3	B

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Classification Guidelines for Foreign Substances

For Substances marked with *, see Special Notes at end

Drug	Trade Name(s)	Class	Penalty
Ropivacaine	Naropin	2	A
Roxadustat (FG-4592)	Erythropoietin link; blood doping agent	1	A
Salicylamide		4	C
Salicylate (Salicylic acid)	Aminosalicylic acid	4	C
Salmeterol	Serevent	3	B
Scopolamine (Hyoscine)	Triptone	4	C
Secobarbital (Quinalbarbitone)	Seconal	2	A
Selective Androgen Receptor Modulators SARMs		2	A
Selegiline	Eldepryl, Jumex, etc.	2	A
Sertraline	Lustral, Zoloft	2	A
Sibutramine	Meridia	3	B
Sildenafil	Viagra	3	A
Snake Venoms	Cobra Venoms	1	A
Somatrem	Protropin	2	A
Somatropin	Nutropin	2	A
Sotalol	Betapace, Sotacor	3	B
Spiclomazine	Clospirazine	2	A
Spiiperone	Spiropitan	2	A
Spirapril, metabolite Spiraprilat	Renomax	3	A
Spironalactone	Aldactone	4	B
Spironolactone	Diuretic	3	C
Stanozolol	Winstrol-V	3	B
Stenbolone	Anatrofin, Stenobolone	3	A
Strychnine	Strychnos Nux-Vomica	1	A
Succinylcholine	Sucostrin, Quelin, etc.	2	A
Sufentanil	Sufenta, Dsuvia	1	A
Sulfasalazine	Azulfidine, Azaline	4	C
Sulfondiethylmethane	Tetronal	2	A
Sulfonmethane		2	A
Sulforidazine	Inofal	2	A
Sulindac	Clinoril	3	B
Sulpiride	Aiglonyl, Sulpitol, Dogmatil	2	A
Sultopride	Barnetil	2	A
Sumatriptan	Imitrex	3	B
Synthetic cannabis	Spice, K2, Kronic, CBD	1	A
Tadalafil	Cialis	3	A
Talbutal	Lotusate	2	A
Tamoxifen	Estrogen receptor antagonist	3	B
Tandospirone	Metanopirone	2	A
Tapentadol	Nucynta	1	A
TCO2		3	B
Telmisartin	Micardis	3	B
Temazepam	Restoril	2	A
Tenoxicam	Alganex, etc.	3	B
Tepoxalin	Zubrin	3	B
Terazosin	Hytrin	3	A
Terbutaline	Brethine, Bricanyl	3	B
Terfenadine	Seldane, Triludan	4	C
Testolactone	Teslac	3	B
Testolone	SARM	2	A
Testosterone		3	B
Tetrabenazine	Nitoman	2	A
Tetracaine	Pontocaine, amethocaine	2	A
Tetrahydrogestrinone	THG, The Clear	3	A
Tetrahydrozoline	Tyzine	4	B
Tetrazepam	Musaril, Myolastin	2	A

TEXAS RACING COMMISSION

Classification Guidelines for Foreign Substances

For Substances marked with *, see Special Notes at end

Drug	Trade Name(s)	Class	Penalty
THC (tetrahydrocannabinol) ²	Drug of human abuse	1	A
Thebaine	Paramorphine	2	A
Theobromine		4	B
Theophylline	Aqualphyllin, etc.	3	B
Thialbarbital	Kemithal	2	A
Thiamylal	Surital	2	A
Thiethylperazine	Torecan	2	A
Thiopental	Pentothal	2	A
Thiopropazate	Dartal	2	A
Thiopropazine	Majeptil	2	A
Thioridazine	Mellaril	2	A
Thiosalicylate	Tusal, Rexolate	4	B
Thiothixene	Navane	2	A
Thiphenamil	Trocinate	4	B
Thyroxine & thyroid hormones w/T4, T3 or any combo	Levothyroxine; Thyro-L	3	C
Tiapride	Italprid, Luxoben, etc.	2	A
Tiaprofenic acid	Surgam	3	B
Tibolone	Synthetic steroid; AAS lacks FDA approval	3	A
Tildronate Sodium	Tildren/Bisphosphonate	3	A
Tiletamine	Component of Telazol	2	A
Timiperone	Tolopelon	2	A
Timolol	Blocardrin	3	B
Tocainide	Tonocard	4	B
Tofisopam	Grandaxain, Seriel	2	A
Tolazoline	Priscoline	3	B
Tolfenanic acid	Clotan	4	B
Tolmetin	Tolectin	3	B
Topiramate	Topamax	2	A
Toremifene	Selective estrogen receptor modulator	3	B
Torsemide (Torasemide)	Demadex	3	A
Tramadol	Ultram	2	B
Trandolapril (and metabolite, trandolaprilat)	Tarka	3	B
Tranexamic acid	TXA, Cyklokapron, Lysteda	4	C
Tranlycypromine	Parnate	2	A
Trazodone	Desyrel	2	A
Trenbolone	Finoplif	3	B
Tretoquinol	Inolin	2	A
Triamcinolone	Vetalog, etc.	4	C
Triamterene	Dyrenium	4	B
Triazolam	Halcion	2	A
Tribromethanol	Avertin	2	A
Tricaine methanesulfonate	Finquel	2	A
Trichlormethiazide	Naqua, Naquasone	4	C
Trichloroethanol		2	A
Trichloroethylene	Trilene, Trimar	2	A
Triclofos	Triclos	2	A
Tridihexethyl	Pathilon	4	B
Trifluomeprazine	Nortran	2	A
Trifluoperazine	Stelazine	2	A
Trifluoperidol	Triperidol	2	A
Triflupromazine	Vetame, Vesprin	2	A
Trihexylphenidyl	Artane	3	A
Trimeprazine	Temaril	4	B

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Classification Guidelines for Foreign Substances

For Substances marked with *, see Special Notes at end

Drug	Trade Name(s)	Class	Penalty
Trimetazidine	Cytoprotective anti-ischemic agent	3	B
Trimethadione	Tridione	3	B
Trimethaphan	Arfonad	3	A
Trimipramine	Surmontil	2	A
Tripelennamine	PBZ, Pyribenzamine	3	B
Triprolidine	Actidil	3	B
Trometamol	Tris-hydroxymethylaminomethane THAM	3	B
Tubocurarine (Curare)	Metubin	2	A
Tybamate	Benvil, Nospan, etc.	2	A
Urethane	Ethyl Carbamate, Polyurethane	2	A
Valdecoxib	NSAID	4	B
Valerenic acid	Valerian Root	3	A
Valnoctamide	Nirvanyl	2	A
Valsartan	Diovan	3	B
Vardenafil	Levitra	3	A
Vedaprofen	Vedaprofenum	4	B
Venlafaxine	Efflexor	2	A
Veralipride	Accional, Veralipril	2	A
Verapamil	Calan, Isoptin	4	B
Vercuronium	Norcuron	2	A
Viloxazine	Catatrol, Vivalan, etc.	2	A
Vinbarbital	Delvinol	2	A
Vinylbital	Optanox, Speda	2	A
Warfarin	Coumadin, Coufarin	5	D
Xylazine	Rompun, Bay Va 1470	3	B
Xylometazoline	Otrivin	4	B
Yohimbine	Yobine Injection	2	B
Zafirlukast	Accolate	4	C
Zaleplon	Sonata	2	A
Zeranol	Ralgro	4	C
Ziconotide	Prialt	1	A
Zileuton	Zyflo	4	C
Zilpaterol hydrochloride	Zilmax, Zilpaterol	2	A
Ziprasidone	Geodon	2	A
Zolazepam	Flupyrzapon	2	A
Zolmitriptan	Zomig	3	B
Zolpidem	Ambien, Stilnox	2	A
Zomepirac	Zomax	2	B
Zonisamide	Zonegran	3	B
Zopiclone	Imovan	2	A
Zotepine	Lodopin	2	A
Zuclopenthixol	Ciatyl, Cesordinol	2	A

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Classification Guidelines for Foreign Substances

For Substances marked with *, see Special Notes at end

Drug	Trade Name(s)	Class	Penalty
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Special Notes:

ARSENIC – 3B penalty with ability to mitigate to 3C penalty with direct credible evidence of environmental exposure (e.g., through cribbing or wood chewing behavior).

CARBON DIOXIDE (TC02) - See penalties set out in Equine Medication Classification Policy and Penalty Guidelines.

COBALT - For cobalt concentrations of less than 25 parts per billion (ppb) of blood serum or plasma no penalty is recommended. For concentrations of 25 ppb or greater but less than 50 ppb of plasma or serum the recommended penalty is a written warning, the placement of the horse on the Vet list with removal from list only after a blood test confirms the concentration is below 25 ppb of blood plasma or serum. Testing shall be paid by owner(s) of the horse. Concentrations of 50 ppb or greater in blood plasma or serum have a recommended B penalty.

DIMETHYSULFOXIDE (DMSO) - See penalties set out in Equine Medication Classification Policy and Penalty Guidelines.

FUROSIMIDE (LASIX) - See penalties set out in Equine Medication Classification Policy and Penalty Guidelines.

FLUNIXIN, KETOPROFEN, AND PHENYLBUTAZONE - See penalties set out in Equine Medication Classification Policy and Penalty Guidelines.

Equine Medication Classification Policy and Penalty Guidelines

Purpose

This policy is intended to assist the stewards at Texas pari-mutuel horse racetracks in issuing consistent and effective rulings against licensees for violations of the Texas Racing Act (Act) and the Texas Racing Commission's Rules (Rules) prohibiting the illegal influencing of a race. It is the policy of the Commission to discipline licensees in a consistent and fair manner to foster honest and safe pari-mutuel racing and a better understanding of the Act and Rules.

Authority

Under the Act, TEX. OCC. CODE CH. 2034, the Commission is charged with adopting rules prohibiting a person from illegally influencing the outcome of a race, including rules relating to the use of a prohibited substance. The Commission is authorized by the Act to conduct sample testing to determine whether a prohibited substance was present in a race animal. The Act, TEX. OCC. CODE § 2034.004, further provides:

The licensed trainer of an animal is:

- (1) considered by law to be the absolute insurer that no prohibited substance has been administered to the animal; and*
- (2) is responsible for ensuring that no prohibited substance is administered to the animal.*

In Rule 311.104(b), the Commission adopts the "absolute insurer" rule, which is in practice in most U.S. racing jurisdictions. This rule states that each trainer shall ensure that a race animal that runs a race while in the care and custody of the trainer is free from all prohibited drugs, chemicals, or other substances. Rule 319.1(b) defines a prohibited drug, chemical, or other substance as:

- (1) any stimulants, depressants, tranquilizers, local anesthetics, drugs, [or] other drug metabolites which could affect the health or performance of a race animal, however minimal, except as expressly permitted by this chapter;*
- (2) a drug permitted by this chapter in excess of the maximum or other restrictions in this chapter; and*
- (3) [a] drug or substance, regardless of how harmless or innocuous it might be, which interferes with the detection of stimulants, depressants, tranquilizers, local anesthetics, drugs, or drug metabolites which could affect the health or performance of a race animal, however minimal, or quantitation of drugs permitted by this chapter.*

This policy is developed and adopted pursuant to Rule 319.304(b), which authorizes the Executive Director to promulgate a classification for prohibited drugs, chemicals, and other substances and a recommended schedule for disciplinary action.

Responsibility for Violation

Because the Act and the Rules require a trainer to prevent the administration of prohibited substances to a race animal, it is the Commission's policy to hold the trainer of record for a race animal responsible when a specimen from the animal tests positive for a prohibited drug, chemical, or other substance. Any licensee including, but not limited to, owners and veterinarians can also be held liable for administration of prohibited substances and/or influencing the outcome of a race.

Classification System

The classification of substances is based largely on the Uniform Classification Guidelines for Foreign Substances issued by the Association of Racing Commissioners International. The classification of a given substance is based on several factors, including the substance's pharmacology, its ability to influence the outcome of a race, whether it has a legitimate therapeutic use in a racehorse, or other evidence that it may be used improperly. Any substances or drugs found that are not included in these guidelines should be treated as Class 1 violations warranting a Class A penalty under the Racing Act and Rules unless otherwise advised by the Executive Director.

Pharmacology. Substances known to be potent stimulants or depressants are placed in higher classes, while those that have or would be expected to have little effect on the outcome of a race are placed in lower classes.

Use Patterns. Some consideration is given to placement of substances based on practical experience with their use and the nature of positive tests. For example, procaine positives have in the past been associated primarily with the administration of procaine penicillin, and this has been taken into consideration in the placement of procaine into Class 3 instead of Class 2 with other injectable local anesthetics.

Appropriateness of Use. Substances intended for use in equine therapeutics are placed in lower classes. Substances that are not intended for use in the horse are placed in higher classes, particularly if they might affect the outcome of a race. Substances recognized as legitimately useful in equine therapeutics but could affect the outcome of a race are placed in the middle or higher classes.

Class 1

Class 1 substances are stimulant and depressant drugs that have the highest pharmacologic potential to affect performance and have no generally accepted medical use in racehorses. This class includes drugs that are potent stimulants of the central nervous system. Though not used as therapeutic agents, all DEA (Drug Enforcement Agency) Schedule 1 agents are included in Class 1 because they are potent stimulant or depressant substances with psychotropic and often habituating actions. This class also includes all erythropoietin stimulating substances and their analogues. Many of these substances are classified by the DEA as Schedule I or II controlled substances. These include the following drugs and their metabolites:

a. Opiates and opium derivatives, synthetic opioids, psychoactive drugs in DEA Schedules I and II, including: Alfentanil, Apomorphine, Carfentanil, Cocaine, Codeine, Etorphine, Fentanil, Hydromorphone, Levorphanol, Methadone, Morphine, Oxycodone, Oxymorphone, PCP, Sufentanil, Methaqualone.

b. Amphetamines or amphetamine-like drugs in DEA Schedules I and II, including: Amphetamine, Methamphetamine, Methylphenidate

Class 2

Class 2 substances have a high potential to affect the outcome of a race, but less of a potential than drugs in Class 1. These substances are 1) not generally accepted as therapeutic agents in racehorses or 2) they are therapeutic agents that have a high potential for abuse. Many are products intended to alter consciousness or the psychic state of humans and have no approved or indicated use in a racehorse. Some, such as injectable local anesthetics, have legitimate use in veterinary medicine but should not be found in a racing horse. Drugs in this class include certain nervous system and cardiovascular system stimulants, depressants, and neuromuscular blocking agents. Injectable local anesthetics are included in this class because of their high potential for abuse as nerve blocking agents. The class includes:

- Opiate partial agonists or agonist-antagonists.
- Non-opiate psychotropic drugs. These drugs may have stimulant, depressant, analgesic, or neuroleptic effects.
- Miscellaneous drugs which might have a stimulant effect on the central nervous system.
- Drugs with prominent central nervous system depressant action.
- Anti-depressant and antipsychotic drugs with or without prominent central nervous system stimulatory or depressant effects.
- Muscle blocking drugs - those that have a direct neuromuscular blocking action.
- Local anesthetics that have a reasonable potential for use as nerve-blocking agents.
- Snake venoms and other biologic substances that may be used as nerve-blocking agents.

Class 3

Class 3 substances may or may not have a generally accepted therapeutic use in racehorses. They all have the potential of affecting the performance of a racing horse, but the pharmacology suggests less potential to affect performance than substances in Class 2. Many are drugs that affect the cardiovascular, pulmonary, and autonomic nervous systems. Drugs in this class include bronchodilators, anabolic steroids, and other drugs with primary effects on the autonomic nervous system, procaine, antihistamines with sedative properties and the high-ceiling diuretics. The class includes:

- Drugs affecting the autonomic nervous system that do not have prominent central nervous system effects, but which do have prominent cardiovascular or respiratory system effects, such as bronchodilators.
- A local anesthetic that has nerve-blocking potential but also has a high potential for producing urine residue levels from a method of use not related to the anesthetic effect of the drug (procaine).
- Miscellaneous drugs with mild sedative action, such as the sleep-inducing antihistamines.
- Primary vasodilating/hypotensive agents.
- Potent diuretics affecting renal function and body fluid composition.
- Anabolic and/or androgenic steroids and other drugs.

Class 4

Class 4 substances are therapeutic medications routinely used in racehorses. These may influence performance, but generally have a more limited ability to do so. Drugs in this class includes less potent diuretics; corticosteroids; antihistamines and skeletal muscle relaxants without prominent central nervous system (CNS) effects; expectorants and mucolytics; hemostatics; cardiac glycosides and anti-arrhythmics; topical anesthetics; antidiarrheals and mild analgesics. The class also includes the non-steroidal anti-inflammatory drugs (NSAIDs), at concentrations greater than established limits. The class includes:

- A. Non-opiate drugs that have a mild central analgesic effect.
- B. Drugs affecting the autonomic nervous system that do not have prominent central nervous system, cardiovascular, or respiratory effects:
 1. Drugs used solely as topical vasoconstrictors or decongestants.
 2. Drugs used as gastrointestinal antispasmodics.
 3. Drugs used to void the urinary bladder.
 4. Drugs with a major effect on central nervous system vasculature or smooth muscle of visceral organs.
- C. Antihistamines that do not have a significant central nervous system depressant effect. This does not include the H2 blocking agents, which are in Class 5.
- D. Mineralocorticoid drugs.
- E. Skeletal muscle relaxants.
- F. Anti-inflammatory drugs. These drugs may reduce pain as a consequence of their anti-inflammatory action.
 1. Non-steroidal anti-inflammatory drugs (NSAIDs). (Aspirin-like drugs).
 2. Corticosteroids (glucocorticoids).
 3. Miscellaneous anti-inflammatory agents.
- G. Less potent diuretics
- H. Cardiac glycosides and antiarrhythmic agents.
 1. Cardiac glycosides.
 2. Antiarrhythmic agents (exclusive of lidocaine, bretylium, and propranolol).
 3. Miscellaneous cardiotonic drugs.
- I. Topical anesthetics - agents not available in injectable formulations.
- J. Antidiarrheal drugs
- K. Miscellaneous drugs:
 1. Expectorants with little or no other pharmacologic action.
 2. Stomachics.
 3. Mucolytic agents.

Class 5

Class 5 substances are those therapeutic medications that have very localized actions only, such as anti-ulcer drugs, and certain anti-allergic drugs, and miscellaneous other substances. The anticoagulant drugs are also included.

Prohibited Practices

- A) The possession and/or use of a drug, substance or medication, specified below, on the premises of a facility under the jurisdiction of the Racing Commission for which a recognized analytical method has not been developed to detect and confirm the administration of such substance; or the use of which may endanger the health and welfare of the horse or endanger the safety of the rider; or the use of which may adversely affect the integrity of racing:
 - a. Erythropoietin
 - b. Darbepoetin
 - c. Oxyblogin
 - d. Hemopure
- B) The possession and/or use of a drug, substance, or medication on the premises of a facility under the jurisdiction of the Racing Commission that has not been approved by the United States Food and Drug Administration (FDA) for use in the United States.
- C) The practice, administration, or application of a treatment, procedure, therapy, or method identified below, which is performed on the premises of a facility under the jurisdiction of the Texas Racing Commission, which may endanger the health and welfare of the horse or endanger the safety of the rider, or the use of which may adversely affect the integrity of racing.

Penalty Determinations

When determining the amount of a penalty, the stewards should consider what penalty would best punish the violator for the harm caused by the violation and deter future similar violations by the violator and other licensees.

The stewards should avoid blindly assessing "consistent" penalties without regard to the specifics of each case. Each violation must be reviewed according to the individual circumstances of the case. The Legislature intended each Board of Stewards to use the qualifications, experience, and collective wisdom of its members to act as an adjudicatory body when considering violations of the Act or the Rules. To ensure due process for the affected licensees, every violation must be judged on the evidence presented with the stewards weighing the evidence and the credibility of the witnesses.

Mitigating/Aggravating Circumstances

Because the facts of each case will vary, an exhaustive list of mitigating or aggravating circumstances is not practical. Generally mitigating or aggravating circumstances must be shown by persuasive, credible direct evidence that the circumstances were present in the instant case, not mere speculation the circumstances could have been present. An example of mitigating circumstances is when the trainer presents credible direct evidence that another individual caused the horse to race with a prohibited substance in its system or administered the substance. An example of aggravating circumstances is when the staff or other party to the proceeding presents credible direct evidence that the trainer administered a prohibited substance or permitted a prohibited substance to be administered despite warnings the administration of the substance would likely result in a positive test. Whether the violation would constitute a criminal act and similar prior offenses are also considered aggravating circumstances.

Other aggravating factors include, but are not limited to:

1. The amount of the drug present;
2. Whether there is reason to believe the responsible party knew of the administration of the drug or intentionally administered the drug;
3. The steps taken by the trainer to safeguard the horse;
4. The steps taken by an owner to safeguard against subsequent medication violations including, but not limited to, the transfer of the horse(s) to an unaffiliated trainer¹;
5. The probability of environmental contamination or inadvertent exposure due to human drug use or other factors;
6. Whether there was any suspicious wagering pattern on the race.

Except for permitted therapeutic medications which the Commission quantifies, the amount of the substance in a sample should not be considered a mitigating or aggravating factor. The definition of a prohibited substance adopted by the Commission in §319.1(b) establishes a zero-tolerance standard. In other words, the presence in a sample of any detectable level of a prohibited drug, chemical, or other substance is a *per se* violation of the Rules.

Penalty Recommendations

The following recommended penalties should be followed in all cases in the absence of persuasive, direct, credible evidence of mitigating circumstances justifying a lesser penalty or aggravating circumstances justifying an enhanced penalty.

The recommended penalties for medication violations are based on those found within the model rules of the Association of Racing Commissioners International (ARCI). In all cases, however, the stewards have the discretion to impose the penalty that best accomplishes the agency's enforcement goals:

1. To protect the health and safety of the participants in racing, including licensees, patrons, and race animals.
2. To ensure pari-mutuel racing is conducted honestly and fairly.

If the stewards deviate from the recommended penalty, the ruling should include an explanation of the mitigating or aggravating circumstances supporting the modification.

The stewards shall take administrative notice of final, unappealable rulings concerning medication violations in any pari-mutuel racing jurisdiction and shall consider those rulings for the same substance in determining whether a positive test is a second or third (or subsequent) offense. In determining whether a violation involving a positive test is a second or third (or subsequent) offense, the stewards shall use successive 365-day periods. For a second offense, the 365-day period is measured from the date of the race that resulted in the first violation. For a third (or subsequent) violation, the 365-day period is measured from the date of the race that resulted in the second (or subsequent) violation. A violation is a first offense if there have been no violations within the same class of substances within the preceding 365 days. There is no measured period of time for prior violations when preceding a lifetime sanction for Class 1 violation(s).

¹ An unaffiliated trainer would be a trainer or an assistant trainer who is not related by blood, marriage, or domestic partnership, or who is not or was never employed by the trainer from whose care such horse(s) were transferred.

Determine when a horse is ineligible to run and placed on the Veterinarian's List

A horse will be ineligible to be entered or to run and will be placed on the Veterinarian's List when a Respondent waives a formal hearing and accepts the penalty or when the investigators are notified of a confirmed positive split sample result.

Violations Involving Positive Tests

Class 1, Penalty A substance (lifetime)

1st offense	A minimum one-year suspension absent mitigating circumstances. The presence of aggravating circumstances could be used to impose a maximum of a three-year suspension. A minimum fine of \$10,000 or 10 percent of purse (whichever is greater, up to \$25,000), disqualification and loss of purse. The presence of aggravating factors could be used to impose a maximum fine of \$25,000, disqualification and loss of purse. Refer to the Executive Director.
2nd offense	A minimum three-year suspension absent mitigating circumstances. The presence of aggravating circumstances could be used to impose a maximum of a five-year suspension. A fine of \$25,000, disqualification and loss of purse. Refer to the Executive Director. The presence of aggravating factors could be used by the Executive Director to impose a maximum fine \$50,000.
Subsequent offenses	Five-year suspension, a fine of \$25,000, disqualification and loss of purse. Refer to the Executive Director. The presence of aggravating factors could be used by the Executive Director to impose a maximum fine \$100,000.
Ineligibilities	<p>For the 1st lifetime offense in an owner's stable: the horse shall be placed on Veterinarian's List for 180 days and must pass an agency-approved examination that may include urine, blood, and hair drug testing before becoming eligible to be entered.</p> <p>For the 2nd lifetime offense in an owner's stable: the horse shall be placed on Veterinarian's List for 180 days and must pass an agency-approved examination that may include urine, blood, and hair drug testing before becoming eligible to be entered.</p> <p>For the 3rd lifetime offense in an owner's stable: the horse shall be placed on Veterinarian's List for 180 days and must pass an agency-approved examination that may include urine, blood, and hair drug testing before becoming eligible to be entered.</p>

When a horse is to be removed from the Veterinarian's List, the collected specimens must not have any detectable level of a prohibited substance or drug. If no detectable level of the prohibited substance or drug is present, the horse shall be removed from the Veterinarian's List. If a detectable level of a prohibited substance or drug is present, then the horse shall remain on the Veterinarian's List for a minimum of 14 days or until such time that a test specimen reveals no detectable level of a prohibited substance or drug.

Class 2, Penalty A substance (lifetime)

1st offense	A minimum one-year suspension absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum three-year suspension. A minimum fine of \$10,000 or 10 percent of purse (whichever is greater, up to \$25,000), disqualification and loss of purse. The presence of aggravating factors could be used to impose a maximum of \$25,000, disqualification and loss of purse. Refer to Executive Director.
2nd offense	A minimum three-year suspension absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum five-year suspension. A minimum fine of \$25,000 disqualification and loss of purse. Refer to the Executive Director. The presence of aggravating factors could be used by the Executive Director to impose a maximum fine of \$50,000.
Subsequent offenses	Five-year suspension, fine of \$25,000, disqualification and loss of purse. Refer to executive director. The presence of aggravating factors could be used by the Executive Director to impose a maximum fine of \$100,000.
Ineligibilities	<p>For the 1st lifetime offense in an owner's stable: the horse shall be placed on Veterinarian's List for 180 days and must pass an agency-approved examination that may include urine, blood, and hair drug testing before becoming eligible to be entered.</p> <p>For the 2nd lifetime offense in an owner's stable: the horse shall be placed on Veterinarian's List for 180 days and must pass an agency-approved examination that may include urine, blood, and hair drug testing before becoming eligible to be entered.</p> <p>For the 3rd lifetime offense in an owner's stable: the horse shall be placed on Veterinarian's List for 180 days and must pass an agency-approved examination that may include urine, blood, and hair drug testing before becoming eligible to be entered.</p>

When a horse is to be removed from the Veterinarian's List, the collected specimens must not have any detectable level of a prohibited substance or drug. If no detectable level of the prohibited substance or drug is present, the horse shall be removed from the Veterinarian's List. If a detectable level of a prohibited substance or drug is present, then the horse shall remain on the Veterinarian's List for a minimum of 14 days or until such time that a test specimen reveals no detectable level of a prohibited substance or drug.

Class 2, Penalty B substance (365-day period)

1st offense	A minimum 15-day suspension absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum of a 60-day suspension. A minimum fine of \$500 absent mitigating circumstances, disqualification, and loss of purse. The presence of aggravating factors could be used to impose a maximum fine of \$1,000, disqualification, and loss of purse.
2nd offense	A minimum 30-day suspension absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum of a 180-day suspension. A minimum fine of \$1,000 absent mitigating circumstances, disqualification, and loss of purse. The presence of aggravating factors could be used to impose a maximum fine of \$2,500, disqualification, and loss of purse.
Subsequent offenses	A minimum 60-day suspension absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum of a one-year suspension. A minimum \$2,500 fine absent mitigating circumstances, disqualification, and loss of purse. The presence of aggravating factors could be used to impose a maximum of \$5,000 or 5 percent of purse (whichever is greater), disqualification, and loss of purse. Refer to the Executive Director.
Ineligibilities	<p>For the 1st offense in an owner's stable within a 365-day period, the horse must pass an agency-approved examination that may include urine, blood, and hair drug testing before becoming eligible to be entered.</p> <p>For the 2nd offense in an owner's stable within a 365-day period, the horse must pass an agency-approved examination that may include urine, blood, and hair drug testing before becoming eligible to be entered.</p> <p>For the 3rd offense in an owner's stable within a 365-day period, the horse shall be placed on Veterinarian's List for 45 days and must pass an agency-approved examination that may include urine, blood, and hair drug testing before becoming eligible to be entered.</p>

When a horse is to be removed from the Veterinarian's List, the collected specimens must not have any detectable level of a prohibited substance or drug. If no detectable level of the prohibited substance or drug is present, the horse shall be removed from the Veterinarian's List. If a detectable level of a prohibited substance or drug is present, then the horse shall remain on the Veterinarian's List for a minimum of 14 days or until such time that a test specimen reveals no detectable level of a prohibited substance or drug.

Class 3, Penalty A substance (lifetime)

1st offense	A minimum one-year suspension absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum of a three-year suspension. A minimum fine of \$10,000 or 10 percent of purse (whichever is greater, up to \$25,000) absent mitigating circumstances, disqualification, and loss of purse. The presence of aggravating circumstances could be used to impose a maximum fine of \$25,000, disqualification, and loss of purse. Refer to the Executive Director.
2nd offense	A minimum three-year suspension absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum five-year suspension. A fine of \$25,000, disqualification, and loss of purse. Refer to the Executive Director. The presence of aggravating factors could be used by the Executive Director to impose a maximum fine \$50,000.
Subsequent offenses	Five-year suspension, fine of \$25,000, disqualification, and loss of purse. Refer to the Executive Director. The presence of aggravating factors could be used by the Executive Director to impose a maximum fine \$100,000.
Ineligibilities	<p>For the 1st lifetime offense in an owner's stable: the horse shall be placed on Veterinarian's List for 180 days and must pass an agency-approved examination that may include urine, blood, and hair drug testing before becoming eligible to be entered.</p> <p>For the 2nd lifetime offense in an owner's stable: the horse shall be placed on Veterinarian's List for 180 days and must pass an agency-approved examination that may include urine, blood, and hair drug testing before becoming eligible to be entered.</p> <p>For the 3rd lifetime offense in an owner's stable: the horse shall be placed on Veterinarian's List for 180 days and must pass an agency-approved examination that may include urine, blood and hair drug testing before becoming eligible to be entered.</p>

When a horse is to be removed from the Veterinarian's List, the collected specimens must not have any detectable level of a prohibited substance or drug. If no detectable level of the prohibited substance or drug is present, the horse shall be removed from the Veterinarian's List. If a detectable level of a prohibited substance or drug is present, then the horse shall remain on the Veterinarian's List for a minimum of 14 days or until such time that a test specimen reveals no detectable level of a prohibited substance or drug.

Class 3, Penalty B substance (365-day period)

1st offense	A minimum 15-day suspension absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum of a 60-day suspension. A minimum fine of \$500 absent mitigating circumstances, disqualification, and loss of purse. The presence of aggravating factors could be used to impose a maximum fine of \$1,000, disqualification, and loss of purse.
2nd offense	A minimum 30-day suspension absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum of a 180-day suspension. A minimum fine of \$1,000 absent mitigating circumstances, disqualification, and loss of purse. The presence of aggravating factors could be used to impose a maximum fine of \$2,500, disqualification, and loss of purse.
Subsequent offenses	A minimum 60-day suspension absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum of a one-year suspension. A minimum \$2,500 fine absent mitigating circumstances, disqualification, and loss of purse. The presence of aggravating factors could be used to impose a maximum of \$5,000 or 5 percent of purse (whichever is greater), disqualification, and loss of purse. Refer to Executive Director.
Ineligibilities	<p>For the 1st offense in an owner's stable within a 365-day period, the horse must pass an agency-approved examination that may include urine, blood, and hair drug testing before becoming eligible to be entered.</p> <p>For the 2nd offense in an owner's stable within a 365-day period, the horse must pass an agency-approved examination that may include urine, blood, and hair drug testing before becoming eligible to be entered.</p> <p>For the 3rd offense in an owner's stable within a 365-day period, the horse shall be placed on the Veterinarian's List for 45 days and must pass an agency-approved examination that may include urine, blood, and hair drug testing before becoming eligible to be entered.</p>

When a horse is to be removed from the Veterinarian's List, the collected specimens must not have any detectable level of a prohibited substance or drug. If no detectable level of the prohibited substance or drug is present, the horse shall be removed from the Veterinarian's List. If a detectable level of a prohibited substance or drug is present, then the horse shall remain on the Veterinarian's List for a minimum of 14 days or until such time that a test specimen reveals no detectable level of a prohibited substance or drug.

Class 4 substance, Class B Penalty (365-day period)

1st offense	A minimum 15-day suspension absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum of a 60-day suspension. A minimum fine of \$500 absent mitigating circumstances, disqualification, and loss of purse. The presence of aggravating factors could be used to impose a maximum fine of \$1,000, disqualification, and loss of purse.
2nd offense	A minimum 30-day suspension absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum of a 180-day suspension. A minimum fine of \$1,000 absent mitigating circumstances, disqualification, and loss of purse. The presence of aggravating factors could be used to impose a maximum fine of \$2,500, disqualification, and loss of purse.
Subsequent offenses	A minimum 60-day suspension absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum of a one-year suspension. A minimum \$2,500 fine absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum of \$5,000 or 5 percent of purse (whichever is greater), disqualification, and loss of purse.
Ineligibilities	<p>For the 1st offense in an owner's stable within a 365-day period, horse must pass an agency-approved examination that may include urine, blood, and hair drug testing before becoming eligible to be entered.</p> <p>For the 2nd offense in an owner's stable within a 365-day period, horse must pass an agency-approved examination that may include urine, blood, and hair drug testing before becoming eligible to be entered.</p> <p>For the 3rd offense in an owner's stable within a 365-day period, the horse shall be placed on the Veterinarian's List for 45 days and must pass an agency-approved examination that may include urine, blood, and hair drug testing before becoming eligible to be entered.</p>

When a horse is to be removed from the Veterinarian's List, the collected specimens must not have any detectable level of a prohibited substance or drug. If no detectable level of the prohibited substance or drug is present, the horse shall be removed from the Veterinarian's List. If a detectable level of a prohibited substance or drug is present, then the horse shall remain on the Veterinarian's List for a minimum of 14 days or until such time that a test specimen reveals no detectable level of a prohibited substance or drug.

Class C Penalty (365-day period) including, but not limited to, Phenylbutazone (>0.3 mcg/ml), Flunixin (>3.0 ng/ml) and Ketoprofen (>1.0 ng/ml).

1st offense	\$1,000 fine, disqualification and loss of purse.
2nd offense	\$1,500 fine, disqualification and loss of purse.
Subsequent offenses	30-day suspension, \$2,500 fine, disqualification and loss of purse.

Ineligibilities

For the 1st offense in an owner's stable within a 365-day period, horse must pass an agency-approved examination that may include urine, blood, and hair drug testing before becoming eligible to run.

For the 2nd offense if the same horse, the horse shall be placed on the Veterinarian's List for 45 days and must pass an agency-approved examination that may include urine, blood, and hair drug testing before becoming eligible to run.

For the 3rd offense if the same horse, the horse shall be placed on the Veterinarian's List for 45 days and must pass an agency-approved examination that may include urine, blood, and hair drug testing before becoming eligible to run. The owner can be subject to a fine up to \$5,000.

When a horse is to be removed from the Veterinarian's List, the collected specimens must not have any detectable level of a prohibited substance or drug. If no detectable level of the prohibited substance or drug is present, the horse shall be removed from the Veterinarian's List. If a detectable level of a prohibited substance or drug is present, then the horse shall remain on the Veterinarian's List for a minimum of 14 days or until such time that a test specimen reveals no detectable level of a prohibited substance or drug.

Class 4 or 5 substance D Penalty (except Lasix overages) (365-day period)

1st offense	\$100 fine
2nd offense	\$250 fine
3rd offense	\$500 fine
Subsequent offenses	At least \$750 fine and possible suspension.

FAILURE TO PROVIDE LASIX BEFORE A RACE

The horse is ineligible to run. If horse participates in a race without Lasix when required, a minimum fine of \$250, the horse is disqualified, and purse is redistributed.

Lasix overages (365-day period) Furosemide

1st offense	\$500 fine. A horse may be required to pass an agency-approved examination before becoming eligible to run.
2nd offense	\$750 fine. A horse may be required to pass an agency-approved examination before becoming eligible to run.
Subsequent offenses	\$1,000 fine, disqualification, and loss of purse. Horse must pass an agency-approved examination before becoming eligible to run.

Bicarbonate-containing or other alkalinizing substances (365-day period)

1st offense	\$1,000 fine, 30-day suspension and loss of purse
2nd offense	\$2,500 fine, 60-day suspension and loss of purse
Subsequent offenses	\$5,000 fine, 120-day suspension and loss of purse

Dimethylsulfoxide (DMSO) Overages (365-day period)

1st offense \$250 fine

2nd offense \$500 fine

Subsequent offenses \$500 fine, 15-day suspension and loss of purse. Horse must pass an agency-approved examination before becoming eligible to run.

Non-Steroidal Anti-Inflammatory Drug (NSAID) Rules for Horses

Samples collected may contain one of the NSAIDs listed below at a concentration up to the threshold level. The detection of one or more additional NSAIDs in blood and/or urine constitutes a stacking violation. The detection of more than one NSAID (e.g., Phenylbutazone, Flunixin, Ketoprofen) in blood and/or urine constitutes a stacking violation, at which point the primary threshold levels do not apply (i.e., zero tolerance)."

- (1) Flunixin – 3 nanograms per milliliter of plasma or serum;
- (2) Ketoprofen – 1 nanogram per milliliter of plasma or serum; or
- (3) Phenylbutazone – 0.3 micrograms per milliliter of plasma or serum.



TEST BARN
CHAIN OF CUSTODY INSTRUCTIONS

**NOTE ALL RACE DAY SPECIMEN SAMPLES
ARE STORED AT TVMDL**

A TEST BARN SUPERVISOR PROCEDURES

1.0 PURPOSE

The purpose of these standard operating procedures is to provide written documentation that all test barn supervisors can use to fulfill their job responsibilities to the best of their ability. Although deviation from these instructions does not necessarily indicate an operating deficiency or compromise in sample integrity or the chain of custody, the goal is to demonstrate comprehensive and consistent test barn procedures that ensure the safety of all participants and maintains the chain of custody and integrity of the testing program.

2.0 SCOPE

The test barn supervisor is responsible for all administrative operations of the test barn and is responsible for maintaining a professional laboratory at all times. This responsibility includes, but is not limited to, training and supervision of test barn technicians, maintaining sufficient inventory, completing all paperwork associated with drug testing, and proper handling and shipment of specimen samples. In addition, the test barn supervisor is responsible for data entry and retrieval and is the point of contact with horsemen, the association and the Stewards on a wide range of subjects including, but not limited to test barn procedures, maintenance, and designation of horses to be tested.

3.0 RESPONSIBILITIES

3.1 SECURITY

All individuals must display their badge at all times while in the secure area of the test barn. Security of the test barn is the responsibility of **ALL** test barn employees. No one other than test barn employees may enter the sample storage room without a test barn employee escorting them. The security guard must sign in everyone who enters the test barn area except regulators. If anyone has questions regarding the age of someone entering, immediately notify the test barn supervisor.

DO NOT ALLOW unauthorized access to sample refrigeration units, desks, supply storage, or file cabinets. No personal items may be placed into the sample storage refrigeration units at any time. When not in use by Agency personnel, the facility should be locked at all times.

3.2 SAFETY

Safety is everyone's responsibility and takes precedence over sample collection **AT ALL TIMES**. Always monitor the test barn activities and immediately notify the test barn supervisor of any unsafe situations. Dial 911 for all emergencies requiring medical, police or fire assistance. All other non-emergency situations should be reported to Agency investigators or track security.

Test barn technicians should avoid standing within kicking range of all horses including, but not limited to, standing too close to a stall door as the horse enters/exits. It is recommended that the handler keeps the horse on a lead rope, the horse or technicians can stand outside the stall until the horse is ready to urinate.

3.3 STAFF REQUIREMENTS

The test barn ordinarily operates with at least five test barn technicians. However, to ensure that at least five test barn technicians are always available, it is prudent to have a total of seven technicians with two alternates. The test barn supervisor should ensure that each test barn technician is properly trained and maintains proficiency in all tasks.

3.4 GENERAL TEST BARN REQUIREMENTS

Computer and Telephone Usage. Test barn technicians shall not use TXRC computers. Use of the test barn telephones is restricted only to emergency calls and only with the test barn supervisor's approval.

Cell Phones. Personal cell phones shall be set to silent/vibrate. Use of a personal cell phone shall not interfere with the performance of any job duties. Always keep the length of any personal call to the absolute minimum while on duty. The test barn supervisor has the authority to restrict personal cell phone use.

Food and Beverages. Food and drinks may be brought into the test barn but are not allowed in the area where the samples are processed and are not allowed to be kept in the sample refrigerators. Test barn technicians shall ALWAYS wash their hands before returning to work after eating, drinking and/or taking any breaks.

Alcohol and Tobacco Use Restrictions. Smoking and use of nicotine products are strictly prohibited in the test barn enclosure. Test barn technicians who use tobacco products of any kind (e-cig, vaporizer, cigarettes, cigars, snuff, or chewing tobacco) **SHALL WASH THEIR HANDS AFTERWARDS AND BEFORE ANY COLLECTION PROCESS.** TEST BARN TECHNICIANS MAY NOT HAVE ANY FORM OF TOBACCO ON THEM OR IN THEIR MOUTH WHILE IN THE TEST BARN IN THE PROCESSING AREA, OR IN ANY OF THE STALLS. Use of tobacco products shall be kept to a minimum and may only be used OUTSIDE of the test barn fencing. **Possession or consumption of alcohol and drugs is STRICTLY PROHIBITED AT ALL TIMES WHILE ON DUTY.**

Visitors. Test barn technicians may bring guests to the test barn; however, all guests shall leave before the horses in the first race return to the test barn. Guests are NOT ALLOWED to remain in the test barn enclosure during live racing. Test barn technicians are not allowed to visit with any guest until the test barn supervisor has given permission to leave for the day/night.

Cleanliness. At the completion of each shift, all supplies are to be cleaned and put away. The office area should be cleaned by sweeping or mopping and all trash cans emptied. Test barn technicians are not allowed to leave until the test barn supervisor has given permission to leave for the day/night.

Work Attire. Technicians shall wear clothing that is clean and in good repair. No jeans with large tears or holes are permitted. Clothing shall not be suggestive or revealing. Clothing displaying obscenity is not permitted. If the test barn supervisor finds apparel offensive, the test barn technician will be required to turn shirts inside-out or change.

Footwear. Proper footwear, boots, or any other closed-toe shoes appropriate for working with horses shall always be worn in the test barn. Please be aware all racehorses wear horseshoes and if a horse steps on a foot a serious injury can occur.

Horse Equipment. Supplies such as sponges, buckets, and sweat scrapers are provided in the test barn. When an infectious disease is diagnosed or suspected on the premises, a trainer may be required to bring their own supplies into the test barn enclosure. These items may be inspected before being brought into the test barn enclosure. Unlabeled products are STRICTLY PROHIBITED. Halters, lead shanks, bandage cutters, scissors, and stable sheets/coolers are permitted within test barn enclosure. Stable sheets/coolers must be removed before testing. All materials brought into the test barn enclosure by the horse's attendants may be visually inspected.

Providing Assistance. If at any time the test barn technician has idle time, he/she should be outside of the office area watching the horses, witness/handler(s), and helping other test barn technicians as the need arises. Congregating inside the test barn enclosure, playing games on devices, or playing any other types of games is STRICTLY PROHIBITED.

Noise Level. Test barn technicians shall always keep in mind unnecessary noise and distraction should be kept to a minimum. While the test barn supervisor is collecting data, test barn technicians should not engage in unnecessary conversation or distraction. Questions and/or comments should be held until the test barn supervisor is available to assist.

Washing Hands. Test barn technicians must wash their hands in between handling different horses, after eating, after breaks, after handling tobacco products or at any time their hands become unclean.

4.0 CHAIN OF CUSTODY AND SAMPLE INTEGRITY

Chain of Custody. Legal challenges to drug testing results often focus on the handling and the accountability of specimen custody rather than on the accuracy of the laboratory testing. The number of people involved in the chain of custody of samples shall be held to the minimum number possible. Documentation of the chain of custody process shall include the date each time a specimen is handled or transferred and identification of each individual in the chain of custody. Samples shall be split, labeled, and sealed as soon as possible after collection. The test technicians must initial all lab sample and split sample cards and labels. All samples collected must be maintained under secure conditions at all times.

A sample is in custody if:

- it is in the possession of a TXRC testing facility employee;
- it is in view of a TXRC testing facility employee;
- it is in a secure area where access is limited to TXRC testing facility employees; or
- it has been transferred to an authorized person for transporting to the laboratory.

Transfer of sample custodianship shall be accomplished using the TXRC Chain of Custody Record. The original portion of the chain of custody record shall remain in the Daily Packet at

the TXRC testing facility in accordance with the TXRC Records Retention Schedule. Any documentation generated by shipping samples (e.g. UPS air bills) shall be retained as part of the sample documentation. Transfer of a racetrack's samples at the end of the race season to TVMDL for storage shall be noted on either the final daily sampling report or the Stewards' clearing report indicating the identification number of each sample transferred, the date of transfer and name of custodian who transfers the samples to TVMDL.

Sample Integrity. Diligence and attention to detail with EVERY sample collected is CRITICAL. **If there are ANY deviations from these procedures, the test barn supervisor should be made aware as soon as possible and any deviations are to be noted on the back of the sample card at the time they occur along with the initials of anyone involved.** This documentation is EXTREMELY important.

5.0 DUTIES

5.1 ESCORT PROCEDURES

Escort Assignments. A television monitor in the test barn may be used to keep track of the progress of racing. Ten minutes prior to post time for each race, the test barn supervisor assigns one or more test barn technicians or employees to go to the winner's circle. The test barn supervisor instructs the test barn technician(s) or employees which horse(s) and how many horses are to be escorted back to the test barn. The test barn technician(s) or employee(s) shall verify and ensure their respective assigned horse(s) are the correct horse(s) to be escorted to the test barn. The test barn technician or employee is responsible for escorting all horses selected to the test barn. The trainer responsibility rule is not waived when the technician or employee does not provide an escort for each horse. Any escorting test barn technician(s) or employee(s) must always be alert to, and observant of, all horses identified for sampling to ensure there is no tampering with the horse(s) being escorted to the test barn.

Escorting the Horses from the Track to the Test Barn. The test barn technician or employee, designated by the test barn supervisor to escort the horses to the test barn, is responsible for securing the horse from the finish of the race to the time the horse is escorted to the test barn. Alternatively, horses may also be kept under visual surveillance by a test barn technician or employee designated by the test barn supervisor while escorted by the handler.

Horses to be Tested. The 1st place horse SHALL ALWAYS have specimens collected for testing unless the horse has suffered a catastrophic injury. In addition to the 1st place horse, the 2nd place horse and any horse the Stewards select may have specimens collected for testing.

Delays After Race. Sometimes final placing of the horses can be delayed due to an inquiry, photo finish, claim, or other delay event. In the event of a delay in the final placing of the horses, **ALL horses shall be held on the racetrack until the test barn technicians or employees are certain which horses are the correct horses by finish or designation to be escorted to the test barn.**

Tagging Horses. Immediately after the race is run, the horses return to the winner's circle area to be unsaddled. The test barn technician must clip the test barn labeled "T" tag to the

bridle of each horse selected for testing except the 1st place horse. After the 1st place horse photo is taken at the winner's circle, attach the labelled "T" tag to the winner's bridle. If there is an objection or inquiry after the race, place a "T" tag on the 3rd and/or 4th place horse(s) depending on the test barn supervisor's assignment. Instruct all tagged racehorse handlers to circle their horses until the 1st place horse has been tagged for testing and the escort is ready to lead to the test barn.

Claimed Horses Being Tested. A tagged horse may also be a claimed horse. If so, the Clerk of Scales shall ensure an additional claiming tag labeled with a "C" is clipped to the bridle of the claimed horse. Claiming by the new owner/trainer shall take place in the test barn only **after** all specimens are collected from the claimed horse(s).

Bleeders. Test barn technicians should make a point to promptly observe all the horses in a race as they leave the racetrack. Any horses with welts or injuries resulting from the race should be brought to the attention of the Agency veterinarian and Stewards. Any horse(s) bleeding from the nostrils should be identified and brought to the attention of the Agency veterinarian on the racetrack.

Constant Observation. AT NO POINT SHOULD ANY ESCORTED HORSE(S) BE OUT OF THE TEST BARN TECHNICIAN'S OR EMPLOYEE'S LINE OF SIGHT.

Test barn technicians or employees escorting more than one horse shall stay behind the last horse being escorted.

5.2 SAMPLE COLLECTION PROCEDURES – URINE

Collection Assignments. Test barn technicians shall check with the test barn supervisor for a post-it note with the selected horses tattoo and/or microchip numbers. **THE TATTOO OR MICROCHIP NUMBERS ON THE POST-IT NOTE SHALL MATCH THE TATTOO OR MICROCHIP OF THE HORSE. If the numbers do not match, DO NOT ALLOW THE HORSE TO ENTER THE TEST BARN AND IMMEDIATELY NOTIFY THE TEST BARN SUPERVISOR.**

Arrival Verification Procedures. Upon arrival at the test barn, each horse's identity must be verified by 1) inspection of its lip tattoo; 2) microchip scan (scanner required); or 3) physical description. Stop the horse(s) at the entrance for check-in and instruct the handler to permit verification of the horse(s) identity. The security officer at the test barn entrance will inspect and record racing licenses or credentials for all individuals entering the enclosure. Individuals lacking proper credentials and/or official business within the test barn will be denied access. If no attendant for a horse has the necessary credentials, a test barn technician or employee should detain and visually monitor the horse within the vicinity of the test barn until proper credentials are obtained. The test barn technician or employee shall immediately notify the test barn supervisor of any specific identification discrepancy. Prompt communication with the test barn supervisor is key to ensuring the sample collection is adequately documented when these events occur.

Lipping Horses. Test barn technicians shall NEVER lip a horse and shall always avoid any contact with a horse's mouth and/or nostrils.

Water Buckets. Once each horse is identified, the test barn technician shall assign each horse to a specific water bucket by replacing the "T" tag with a "numbered" tag corresponding to number on the assigned water bucket. Always make certain all handlers transfer the unique "numbered" tag from the bridle to the halter when the bridle is removed. Handlers are NEVER permitted to put numbered tags in their pockets or hang them from belt loops. Promptly inform the security guard which bucket number is assigned to each horse. Test barn technician(s) should always observe the horses cooling out and make certain each horse drinks **only** from their assigned water bucket. If a horse uses a water bucket not assigned to them, direct the handler immediately to the assigned water bucket, then change the water in the bucket used in error. Remember claimed horses will always have BOTH a "C" tag and a "numbered" water bucket tag attached to their halter.

Removing and Returning Tags. No horse or handler shall ever be allowed to leave the test barn with a tag. All "T" tags shall be promptly returned to the appropriate hook in the test barn upon a horse exiting the test barn. The "C" tag shall be returned to the Clerk of Scales after the claiming process has been completed. If a claimed horse comes to the test barn from the last race of the day, the "C" tag shall be returned to the Clerk of Scales during the 1st race of the next racing day.

Timing of Sample Collection. During the cooling out period, it is vital the test barn technician closely observe and monitor all horses in the test barn. The time for a horse to become ready and begin the urine collection process varies greatly. Some horses are ready in as little as 15 minutes while others may take up to 1 ½ hours. Be advised the handler is more familiar with the horse and may notify the test barn technician whenever a horse appears to be ready to urinate. Urine collection is achieved via free-catch in a specimen cup as the horse urinates. Unless otherwise instructed by the test barn supervisor, each horse shall be kept for a maximum of 1 ½ hours to collect a urine specimen.

Removing Bandages. TEST BARN TECHNICIANS SHALL NOT REMOVE ANY WRAPS/BANDAGES FROM A HORSE FOR ANY REASON. Handlers may only use their hands or properly guarded bandage scissors for removing bandages from the horse's legs. The test barn will not provide any scissors or cutting devices to remove wraps/bandages. Knives or pointed scissors are STRICTLY PROHIBITED in the test barn.

Specimen Cups. Each 16 oz. specimen cup is individually sealed and stored in a secured test barn location accessible only to test barn personnel. If any specimen cup lid is missing, dislodged or the individual packaging has been damaged, the specimen cup must not be used.

Other Collection Supplies and Sample Cards. Prior to specimen collection, the test barn technician should obtain the **correct sample card for the horse**, a pair of disposable gloves, a urine collection stick, and a 16 oz. sealed specimen cup.

USE OF GLOVES IS MANDATORY. The sample card must be attached or clipped to the test barn technician's license so it is not in the way. The sample card is never placed on the ground or in the technician's clothing.

Instructions for Collecting Urine Sample in Stall. When ready to proceed with the urine sample collection, the test barn technician shall instruct the handler to bring the horse to a testing stall. Before allowing the horse to enter the stall, the test barn technician must verify the horse's identity to the tattoo or microchip listed on the sample card. The tattoo or microchip on the sample card shall always match the tattoo or microchip on the horse. If the numbers do not match, the test barn technician shall instruct the handler to walk the horse until the test barn supervisor has been advised. **DO NOT TEST THE HORSE UNTIL IDENTITY ISSUES ARE RESOLVED.**

Wearing of Gloves. The test barn technician must wear a pair of disposable gloves and break the seal of the sample container cup in the presence of the handler before inserting the cup into the urine collection stick. The gloves are to be worn until the sample has been poured off into two (2) smaller containers. The two (2) sample containers are sealed in the test barn office.

Contamination. If at any time after the lid has been removed the technician's gloved hand or other contaminant contacts the inside of the urine sample cup, the cup and all contents must be discarded, and a new specimen collected.

Gender of the Horse. Always **know the sex of the horse BEFORE entering the stall.** It is embarrassing and ineffectual to expect urine to appear in one place only to have it appear in another! The sample card shall have the sex of the horse on it:

Male = Colt, Stallion, Ridgeling, or Gelding **Female = Filly or Mare.**

Time in the Stall. Whenever attempting to collect urine, horses may either be kept in the stall for a maximum of 10 to 15 minutes or until they appear to be too hot, nervous, or uninterested to persist in collection.

Horse Will Not Urinate. If the test barn technician attempts but is unable to collect any urine, the handler should continue walking the horse. The opened specimen cup shall be discarded and a new specimen cup used for each collection attempt. It is always preferable that a sample be acquired from a single void. **REMEMBER** the seal on a new specimen cup must **ALWAYS** be broken in the presence of the witness.

Calming of Horse. Always be observant and monitor the horse's body language. Many racehorses are initially excited when loose in a stall, but if the test barn technician remains calm most horses calm down within a short time. It is recommended that test barn technicians stand quietly until the horse has adjusted to the surroundings. Horses previously sent to a test barn and accustomed to the sample collection procedure will typically relax and promptly urinate.

Entering and Reentering the Stall. When entering and reentering the stall always verify the lip tattoo or microchip of the horse being tested before allowing the horse to enter or reenter the stall. Notify

the test barn supervisor if the identity of the horse cannot be verified for any reason. NEVER ENTER A STALL UNTIL THERE IS A SAFE PATHWAY. To avoid possible injury, the test barn technician shall always stand a safe distance from the stall door as horses enter, reenter and exit. **To avoid injury, never follow behind a horse into the stall and always wait to enter until the handler has turned the horse so the horse is facing out of the stall.****Closing the Stall Door.** After verifying the tattoo or microchip and safely entering the stall, always close the stall door from the inside by latching both the top and lower stall door latches. The test barn technician shall instruct the handler to remove the halter from the horse. **Never allow the handler to lock the door from the outside if he/she chooses to exit the stall while the specimen is being collected.**

Handling of Urine Specimen Cup. The lid shall remain on the sample specimen cup until the horse is brought into the stall for urine collection. **ALWAYS BREAK THE SEAL OF THE SPECIMEN CUP IN THE PRESENCE OF THE WITNESS.** The test barn technician should ensure the lid and cup are kept in a manner that allows the witness to view the cup and lid at all times and limits the contents of the cup to potential exposure of contaminants.

Witnessing of Sample Collection. The handler(s) may witness collection of urine sample through the viewing portal if they choose not to stay in the stall. Witnessing the collection of blood and urine samples by the handler is a **right** but not a requirement. **If the handler does not witness the collection of blood and/or urine samples, always note on the back of the sample card with the appropriate stamp and always include the witness initials and test barn technician initials. All stamps on the back of sample cards must ALWAYS be initialed by both the handler/witness and test barn technician.**

Catching Urine Sample. NEVER TOUCH A HORSE WITH THE COLLECTION STICK AND KNOW THE SEX OF THE HORSE BEFORE COLLECTING URINE. As a horse stretches to urinate, the collection stick should be held down and hidden from a horse's line of sight. Once the stick is eased into place to collect urine, avoid making any quick or sudden motions that can spook a horse.

Nervous Horses. Extremely nervous horses sometimes calm down if kept on a lead rope. If the horse being collected continues behaving nervously, either request the handler halter and/or hold the horse still. The test barn technician should always be aware of the horse's location in the stall. All warnings given by the handlers should be heeded. If a test barn technician is advised to keep a horse on a lead rope or shank that information should be followed. In any emergency situation, the test barn technician may use a cell phone to call for help.

Horse Eats Shavings. Many horses nibble at the ground because they may have been kept off feed. Horses that eat more than a few nibbles should be discouraged and muzzled if they persist. Do not leave the stall to get a muzzle. Instruct someone else to bring the muzzle.

Disciplining Horses Prohibited. NEVER HIT, KICK, OR OTHERWISE SEVERELY DISCIPLINE A HORSE. If there are problems with a horse, notify the handler to make necessary adjustments such as putting the horse on a shank or muzzle. Have the horse taken out of the stall and notify the test barn supervisor if there is any concern of safety. Always limit any physical contact with the horses.

Partial Urine Samples. If the horse does not produce enough urine, place the lid on the cup of the partial sample until the horse is ready to urinate again or time for collection has expired. If time for collection has not expired, instruct the handler to continue walking the horse and offer water again. THE TEST BARN TECHNICIAN SHALL THEN WALK TO A SPOT IN THE BARN WHERE THE SPECIMEN CUP IS ALWAYS IN FULL VIEW OF THE HANDLER/WITNESS. REMAIN THERE UNTIL THE HORSE IS READY TO URINATE AGAIN OR TIME TO COLLECT EXPIRES. ***AT NO POINT CAN THE TEST BARN TECHNICIAN WALK AWAY WITH A SAMPLE.*** HANDLERS/WITNESSES SHOULD HAVE CLEAR VISIBILITY ON THE PROCESSING AND COLLECTION OF SAMPLES AT ALL TIMES BUT NEVER HAVE ANY PHYSICAL CONTACT WITH THE SAMPLES.

Remain with Horse Until Retry or Horse Times Out. Whenever a partial sample has been obtained, the test barn technician shall remain with the horse, sample card, and partial sample until the horse gives more urine or time runs out, whichever occurs first.

Transfer of Horse. A horse that gives a partial urine sample may NOT be given to another test barn technician UNLESS the test barn technician has a situation arise. Technicians should use best efforts to complete each sample collection without the assistance of another technician unless such situations arise requiring otherwise.

Instructions for Re-Entering Stall. Each time the horse re-enters the stall for additional attempts, the test barn technician shall ensure the horse's tattoo or microchip is again verified. THIS IS EXTREMELY IMPORTANT to ensure the same horse is collected each time it enters the stall. In some cases, handlers switch horses so do not rely on remembering the individual handler. **FOLLOW THIS PROCEDURE EVEN IF ONE IS ABSOLUTLY SURE OF THE HORSE'S IDENTITY.**

Sufficient Sample Collected. Once enough urine is collected, securely close the sample cup lid. Notify the Agency veterinarian or the test barn supervisor that the horse is ready to be bled. Once the horse is bled, rinse and return the collection stick to the bucket and remove and return the "numbered" tag to the proper hook in the test barn.

5.0 SAMPLE COLLECTION PROCEDURES – BLOOD

Instructions for Collection Blood Samples. Whenever the Agency veterinarian, test barn supervisor, or designated test barn technician comes to take blood from the horse, the test barn technician shall produce the sample card or read the tattoo/microchip so the horse can again be verified BEFORE blood is collected. The sufficient number of tubes for blood shall be collected. Use best efforts to collect the required minimum sample amount. If unable to collect the minimum amount of blood, use the stamp provided in the test barn to so note on the back of the sample card.

Blood Collection Safety Instructions. The test barn technician should stand a few steps behind whomever is collecting the blood. Please pay close attention because horses do not

appreciate needles and may paw, strike, rear, kick or maneuver in the test barn collector's direction. Always be aware and ready to move immediately away from a nervous horse.

Handling Blood Tubes. When the test barn technician has been handed the blood tubes, GENTLY invert each tube 5 to 8 times. NEVER SHAKE THE TUBES OR PUT THEM IN POCKETS OF CLOTHING AND ALWAYS GENERALLY KEEP THE BLOOD TUBES IN AN UPRIGHT POSITION.

Witnessing of Blood Collection. SAMPLES COLLECTED SHALL NEVER LEAVE THE HANDLER'S VISIBILITY.

Equine Emergency. In the event of an emergency, blood from an ill or injured horse may need to be collected while the horse is outside the test barn or in the horse ambulance. If these or other special circumstances arise, the test barn technician should follow the blood collection procedures described herein. Any special or unusual details that arise may need to be described on the back of the sample card.

Additional Supplies. If the Agency veterinarian, test barn supervisor or designated test barn technician needs more blood collection supplies instruct another test barn employee to bring any required supplies.

5.1 SAMPLE COLLECTION PROCEDURES – SALIVA SWABS

Swab Test Collection: Clean disposable gloves shall be worn during each collection of saliva swabs. Gloves should be worn and changed between horses. Gloves and gauze should be secured in a clean, dry location when not in use.

1. Wearing disposable gloves, take two clean gauze and swab around the gum areas of the horse's mouth.
2. Place the gloves and one gauze in a sample container or sample bag. Unseal and seal the container/bag in the presence of the witness and mark the container/bag with the collector's first and last name with their initials, witness's first and last name with their initials, the horse's name, and the date of collection.
3. Apply sample card label to the container and seal with security tape and have the witness initial the security seal on the container.
4. Place lab sample receipt and saliva swab samples in the shipping container for the laboratory.
5. Place the other swab gauze in a sample container or sample bag. Unseal and seal the container/bag in the presence of the witness and mark the container/bag with the collector's first and last name with their initials, witness's first and last name with their initials, the horse's name, and the date of collection. Unless otherwise instructed, the other container, known as the split sample, should be placed in a secured, locking refrigerator until shipped with other specimen samples to TVMDL.

5.2 SAMPLE COLLECTION PROCEDURES – HAIR

Hair Test Collection: Disposable gloves should be worn and changed between horses. Tools should be secured in a clean, dry location when not in use. Clean tools should always be used for sample collection.

1. Wearing disposable gloves collect strands of hair until the total amount of hair collected is a pencil-width or 1/4 inch in diameter bunch. Obtain two separate bunches with one as a split sample. Use best efforts to keep root/follicle intact if possible.
2. If pulling the hair at the follicle or root is not possible, cut the needed amount of hair with safety scissors or clippers as close as possible to the skin.
3. Each hair sample should be a minimum of two (2) inches long.

After breaking the seal in the presence of the witness, put each hair sample in a 4-oz sealed container. Apply sample card label to the container and seal with security tape and have the witness initial the security seal on the container. Unseal and seal the container/bag in the presence of the witness and mark the container/bag with the collector's first and last name with their initials, witness's first and last name with their initials, the horse's name, location of sample (mane or tail), and the date of collection.

4. Place lab sample receipt and one hair sample in the shipping container for the laboratory.
5. The other container, known as the split sample, should be placed in a secured, locking refrigerator until shipped with other racing specimen samples to TVMDL.

5.3 SAMPLE HANDLING PROCEDURES

Handling of Horse After Samples Collected. Once all samples have been collected, open the stall door slowly looking both ways for nearby horses and people before swinging the stall door open. When the samples and witness are taken into the test barn to sign for the samples, the horse may remain in the stall, be walked by a different handler or be released by a test barn employee. Test barn employees should at all times observe horses left alone in the stall for signs of distress. Some horses may seriously injure themselves if left alone in the stall.

Sample Management. After all samples have been collected and given to the test barn technician, the technician shall promptly escort the witness and the samples to the sample processing area in the test barn office if room permits. If space in the test barn office is unavailable, the technician and witness should remain outside the test barn office with the samples until space inside becomes available.

Witness Instructions. Make certain the witness has their license before entering the test barn office and is always present to view sample processing.

Processing Samples. When processing samples, the test barn technician shall go behind the counter and the witness shall stand in front of the counter. Do not permit any witness behind counter area. Place the large urine specimen sample cup on the counter and the blood tubes in the tube holder so both hands are free. **THE FIRST THING THE TEST BARN TECHNICIAN SHALL DO IS CONFIRM THE WITNESS/HANDLER HAS A VALID LICENSE AND IS A VALID WITNESS.** The witness/handler's license is first checked upon entry to the test barn and once again in the test barn office.

Initialing Labels by Technician. The test barn technician shall next write their initials on the corner of each of the sample labels being used. The current time should be written on the sealed blood tubes and allowed to sit upright at room temperature for 20-30 minutes to then be centrifuged.

Splitting Urine Samples. Two four (4) oz. urine sample containers are to be placed on the counter AND the witness shall observe the breaking of the seal on each cup. In the view of the witness pour the urine from the sixteen (16) oz. container into the two four (4) oz. sample containers. Pour a minimum of 10 mLs* of urine and a maximum of 50 mLs into the two four (4) oz. specimen cups.

*** GUIDE FOR SPLITTING URINE SAMPLES**

AMOUNT COLLECTED	SEND TO LAB	SAVE FOR SPLIT
10 mLs or less	All	None
10 mLs to 30 mLs	10 mLs	All in excess of 10 mLs
30 mLs to 50 mLs	20 mLs	All in excess of 20 mLs
50 mLs to 100 mLs	30 mLs	50 mLs max

No Split Sample Available. If less than 10 mLs of urine is collected, there shall be no split and the entire amount collected shall be sent to the lab. The test barn technician shall stamp, “NOT ENOUGH URINE COLLECTED FOR A SPLIT” onto the back of the sample card, and both the test barn technician and the witness shall initial that notation.

Handling Urine Samples. Once the urine has been divided into the four (4) oz. containers and lids affixed, the test barn technician can remove and discard the disposable gloves along with the sixteen (16) oz. container and any remaining urine therein. A sample bar code label shall be placed on the side of each four (4) oz. specimen container. A piece of red evidence tape shall be placed securely over the lid of each specimen container so the tape overlaps both ends of the bar code label. One (1) of the four (4) oz. sample containers is placed in a shipping container, securely sealed at the end of the night, and placed in a secured, locking refrigerator which then goes to TVMDL. The other four (4) oz. container, known as the split sample, should be placed in a separate shipping container with all race day split samples, securely sealed at the end of the night, and placed in a secured, locking refrigerator until shipping to TVMDL for storage until the split sample testing is requested or until cleared by authorized personnel.

Handling Blood Samples. Place a sample bar code label onto each of the blood tubes covering the stickers already on the tubes with the furosemide block toward the bottom of the tube. Place a piece of red evidence tape over the top of each blood tube so the tape covers the entire rubber stopper and overlaps the label. No part of the rubber stopper should be exposed after the evidence tape has been properly placed. Have the witness initial the red evidence tape, then place each sealed tube upright in the blood tube tray to await centrifuging. After the blood tubes have sat for roughly 20 to 30 minutes, place the blood tubes in the centrifuge and spin the tubes at 2900 rpms for approximately 10 minutes. The centrifuge machine is pre-set with the spin speed and time for spinning. After the blood tubes have been centrifuged,

place the tubes upright in the blood tube tray and refrigerate if necessary. The minimum number of blood tubes, as prescribed by the laboratory, is placed in a shipping container, securely sealed at the end of the night, and placed in a secured, locking refrigerator until shipping to TVMDL. The other blood tube is retained as the split sample and shipped with the racing specimen split samples for storage at TVMDL. The split sample should be placed in a secured, locking freezer until shipping to TVMDL.

Initialing Tape by Witness. ALWAYS ENSURE the witness initials the evidence tape on all samples.

Sample Card Instructions for Witness. NEVER LEAVE THE SAMPLES ALONE WITH THE WITNESS AT ANY TIME. The test barn technician should legibly fill in the witness's license number on the Sample Card. **Instruct** the witness to sign in the appropriate blank **ONLY** if they are a valid witness. If a witness is unable to write, have the witness place their mark in the appropriate blank and so note the lack of full signature on the back of the sample card with the initials of the test barn supervisor and technician. After signing the sample card and initialing all samples, the technician should instruct the witness that he/she is free to leave the test barn. (See “**Use of Stamps on Sample Cards: Invalid Witness**”)

Sample Card Instructions for Technician. The test barn technician shall write their initials on the blank line for “Urine” only if urine was collected. Once sample processing has been completed, the current time is written in space marked “time out” on the sample card, and the sample card is then given to the test barn supervisor. The test barn technician will make sure the counter is clean and wash their hands. Water buckets should always be cleaned prior to use by another horse.

Other Sample Card Instructions. The Agency veterinarian, test barn supervisor or the designated test barn technician who collects the blood shall write their initials on the blank line for “Blood”. The test barn employee will write their initials on the blank line for “Blood Split” on each sample card for the centrifuged blood tubes also noting with initials any irregularities on the back of the sample card, such as broken tubes.

Maintain Processing Integrity. During the process of sealing and storing specimen samples, all test barn employees must refrain from conversations to prevent any distractions. Test barn employees who are not processing samples should avoid the sealing area while samples are being processed. If the test barn employee needs anything during specimen processing or collection, always instruct another test barn employee to assist so the samples are never left unmonitored.

Departing the Test Barn. When sample collection and processing are completed, the test barn supervisor or Agency veterinarian will authorize the horse's departure. The security officer is instructed which horses are authorized to exit the test barn enclosure. This prevents horses from exiting the test barn before all sample collection and/or processing is completed. As the horse exits, the test barn technician ensures the horse's tag has been retrieved.

Use of Stamps on Sample Cards. Whenever a deviation from standard instructions occurs, the appropriate notation shall be stamped or written on the back of the sample card with the initials of all relevant parties:

Invalid Witness – A person is a valid witness if they are a groom or stable foreman designated by the trainer or owner of a race animal entitled to sign the sample card. An assistant trainer, trainer, owner or owner/trainer is an invalid witness if they are **NOT** the licensee of record OF THE HORSE BEING TESTED. If they are NOT one of the above, stamp the back of the sample card with “**INVALID WITNESS**” and the person’s name and license number is to be filled in by the test barn technician. The test barn technician and the witness shall initial the back of the card.

Designating an Alternate Witness. A trainer or owner may not designate another trainer or owner to witness the collection of the sample or to sign a sample card unless a “*Trainer Responsibility*” form has been executed and the test barn supervisor notified. The Stewards shall deliver an executed copy of the form to the test barn supervisor. Any designated trainer without a “*Trainer Responsibility*” form is an invalid witness.

No urine collected after 1.5 hours – Stamp “**NO URINE COLLECTED**” on the back of the sample card, and the test barn technician shall initial the stamp along with the witness. The sample card labels remain on the card and the test barn technician’s initials should be written on the back of the sample card, never the front. Any unused labels shall remain with the sample card.

Not enough urine collected for Split Sample after 1.5 hours – The test barn technician shall stamp the back of the sample card “**NOT ENOUGH URINE COLLECTED FOR SPLIT SAMPLE AFTER 1.5 HOURS**” and initial the stamp along with the witness, as well as initialing the “Urine Line” on the front of the sample card. One (1) urine label shall remain on the card. Any unused labels shall remain with the sample card.

No/Insufficient urine collected and horse released due to injury/illness – If the Agency veterinarian determines the horse should be released due to injury/illness, the test barn technician shall stamp the back of the sample card with “**NO/INSUFFICIENT URINE COLLECTED AND HORSE RELEASED DUE TO INJURY/ILLNESS**” and initial the stamp along with the witness. The Agency veterinarian or the test barn supervisor shall write any necessary comments to the back of the card and initial as to illness or injury. The sample card labels remain on the card and the test barn technician’s initials should be written on the back of the sample card, never the front.

Witness did not observe urine collection – The stamp “**WITNESS DID NOT OBSERVE URINE COLLECTION**” is used when the witness fails to observe the urine collection process for any reason and shall be initialed by test barn technician and witness.

5.4 PACKING AND SHIPPING PROCEDURES

Packing and Storing Samples. TXRC test barn supervisors are the sole custodians of samples and may not delegate the tasks of inventorying, packing, and securing sample shipping containers.

1. Print two (2) copies of the Laboratory Sample Receipt.
Inventory the samples as follows:
2. Urine: Remove urine samples from the shipping container.
3. Place each sample back into the sample shipping container noting the corresponding sample number on a Laboratory Sample Receipt.
4. Blood: After the blood tubes have been centrifuged, rubber band the appropriate number of blood tubes to be tested by TVMDL, place those tubes in a clean sample cup and then place the cup with tubes in the sample shipping container.
5. Place all split samples in the TVMDL split sample shipping container.
6. If there are any special test samples, investigative samples or voided sample cards write the sample number on both the Laboratory Sample Receipts and Daily Sampling Worksheet before placing the samples or voided sample cards in the shipping container and documents in the Daily packet. Never include any information that could be used to identify a test animal, trainer, or owner.
7. Always place a completed copy of the Laboratory Sample Receipt in the Daily Packet.
8. Pack both the sample and split sample shipping containers with packing material and ice packs to keep the contents secure and cool.
9. Secure both the sample and split sample shipping containers with a padlock and secured, numbered seal.
10. Secure the Chain of Custody Record to the outside of the shipping containers.
11. Place the sample and split sample shipping containers in the secured, locked test barn refrigerator to await shipping to TVMDL.
12. Authorized racetrack security shall transfer the sealed, secured sample and split sample shipping containers only to individuals approved/acknowledged by the Chief Veterinarian or authorized racetrack security personnel. Note the transfer of the shipping containers to TVMDL on the chain of custody documents by signing the respective names.
13. After TVMDL stores the split samples and thereafter when a split sample is to be shipped to another agency approved laboratory for testing of the split, TXRC investigators shall notify TVMDL of the shipping requirements at a cost of \$25.00.
14. Always document the transfer of split samples through procedures with TVMDL.

5.5 DISCARDING SAMPLES

CAUTION: When discarding old samples, if any, in the test barn area from prior storage requirements, make sure the date on samples being discarded falls within the date range on the Clearing Report. Maintain a file for all Clearing Reports. Retain Clearing Reports in accordance with the Records Retention schedule. TVMDL is responsible for discarding all samples within their possession, custody, and control according to disposal protocols.

5.6 ACCESS TO SAMPLES

Keep refrigeration and freezer units containing samples locked at all times except when necessary. Keep test barn facilities and sample storage rooms locked when unattended. Limit access to sample storage areas to appropriate personnel only. Only authorized racetrack personnel, agency veterinarians, test barn supervisors and agency investigators shall have keys

to the test barn main gate entry and test barn main office. Only authorized racetrack security, agency veterinarians, test barn supervisors, and agency investigators shall have keys to the test barn sample room.

Only test barn supervisors and those individuals approved for access to samples for transport to TVMDL by authorized racetrack security shall have keys to test barn refrigeration units containing sealed shipping containers.

Blood, urine, hair and saliva split samples collected in test barn will be shipped to TVMDL for storage. Only test barn supervisors, authorized racetrack security, and Agency investigators shall have keys to test barn freezer and refrigeration units containing split samples.

Only test barn supervisors and approved TVMDL personnel shall have access to sample shipping container keys. In the event a shipping container must be re-opened at the racetrack after the seal has been applied, cut the seal off, place the broken seal in the Daily Packet, and place a new secured seal onto the shipping container. Make all changes to documentation regarding the seal number, the date and time the container was resealed including the reason for reopening.

Documentation. Every individual involved in the sample process from collection to shipment shall be identified by his or her initials or signature on the appropriate documentation. Do not use whiteout, erasers, or correction tape on any documents pertaining to any test barn chain of custody. Make corrections by drawing one line through mistakes and then writing the correct information. Initial and date all corrections.

If an incorrect animal name is entered on a sample card, void the card and use a new sample card. When voiding a sample card write the word “VOID” prominently across the front of the card and place it in the Daily Packet. Do not destroy or throw away sample cards. The test barn supervisor shall certify that all sample processing steps are completed, and documentation has been completed by signing each Sample Card. **Document on the back of the sample card all deviations from procedures and all unusual events that may call into question the security of samples with initials of parties present.**

Daily Packets shall, as a minimum, include:

- a) Official Final Program.
- b) Horses Raced by Track & Date Report (with highlighted horses).
- c) Veterinarian’s Daily Furosemide Log.
- d) Horse ID report used to document the top four finishers.
- e) Completed Racetrack Initials Log.
- f) Completed Test Barn Security Log.
- g) Completed Laboratory Sample Report.
- h) Applicable memos for record.
- i) Small daily packet envelope containing sample cards and Daily Sampling Report.
- j) Seal large daily packet envelope with red evidence tape.
- k) Initial and date red evidence tape.
- l) File large daily packet envelope in secure file cabinet.

Seal the Daily Packet and the envelope containing the Sample Cards each with red evidence tape. Write the date and initial on the tape. Whenever these envelopes are opened, reseal, **initial**, and date the new evidence tape again. Write an explanation for the reason the envelope was opened on the envelope with initials and date. Store Daily Packets in secure filing cabinets. The disposition of documentation shall be in accordance with the TXRC Records Retention Schedule.

5.7 MISCELLANEOUS DUTIES

Disposition of Used Needles and Tubes. Arrangements for the pick-up of the used needles and blood tubes are made through a third-party medical disposal company paid for by each racetrack. **PLACE ALL HAZARDOUS MEDICAL WASTE IN THE PROPER HAZARDOUS MEDICAL WASTE CONTAINERS.**

Ordering Supplies. The Test Barn requires a variety of supplies from different sources. They include the Racing Commission headquarters in Austin, the association, and local retailers such as Wal-Mart and Office Max.

Security of Supplies and Documents.

The following items will be stored in a secure area of the test barn:

- The Daily Packets
- The Seal Log
- The seals
- The blank Sample Cards
- Disposable gloves
- Sample cups
- Test tubes

ADDITIONAL DUTIES FOR TEST BARN SUPERVISOR:

Checking License Status for Claiming Race

- Log into Licensing section of Oracle.
- Go to Lookup.
- Check that owner is currently licensed and in good standing.

If someone other than the owner claims the horse, that person must be an authorized agent for that owner. **Each time a representative agent of an owner, owner/trainer or trainer applies for a new claim, the license status shall be rechecked.**

APPENDIX A

Daily Opening These procedures need not be followed in precise order.

Daily Opening

1. Check email.
2. Unlock Sample Room and Sample Fridge and Freezer as necessary.
3. Log in dates for each sample box returned from TVMDL in Shipping Seal log. Retrieve daily packets from secured area for corresponding days matching the Chain of Custody Record from returned sample boxes. Record the opening of the daily packet by writing date, reason for opening, and initialing the daily packet envelope. Place Chain of Custody Record into corresponding daily packet envelope and reseal with red evidence tape. Initial and date the red evidence tape by writing in black sharpie so that half of the text is on both the tape and the daily packet envelope.
4. Prepare daily packet envelopes, both small (sample card and daily sampling worksheet) and large (referenced above), by marking both envelopes with track identifier initials, the race date, and the day of the week.
5. Prepare sample box for current race day by placing it in the refrigerator.
 - A. Choose the next available metal seal and record the seal number, the race date, the date the box is securely sealed with metal seal and the sample box number in the Shipping Seal Log. Test barn supervisor places initials on the shipping seal log to indicate the metal seal use.
 - B. Prepare Chain of Custody Record (CCR) by writing correct sample box number and correct seal number on it. Put metal seal and CCR in the small packet envelope.
6. Prepare Daily Sampling Worksheet with track identifier initials and race date. Write each sample card number into the daily sampling worksheet. Date each sample card and sample card labels. Record any Vet works and/or Investigator samples that will be going to TVMDL on the daily worksheet, the Daily Sampling Report, and both Laboratory Sample Receipts.
7. Take the "Horses Raced By Track and Date Report" and verify against Veterinarian's Daily Furosemide Log which is noted by highlighted color related to each backside Veterinarian.
 - a. Check off each horse against Veterinarian's Daily Furosemide Log by highlighting that horse on the Horses Raced by Track and Date Report.
 - b. Mark all scratches and reason for scratch on the Horses Raced by Track and Date Report highlighted as follows: VS-Vet Scratch or SS-Steward Scratch.
 - c. File vet scratch letters in an accordion folder by alphabetical horse's name.
 - d. Fill out scratch cards according to vet scratch letters.
 - e. Give scratch cards to Stewards as soon as possible.

8. Prepare sample cards for current day race.
 - a. All unused Sample Cards shall be kept in a secure location.
 - b. The anticipated number of horses to be brought to the test barn for testing is designated by rule or the Stewards. The 1st place horse shall always be tested unless horse has suffered a catastrophic injury.
 - c. Account for all sample card numbers. If a sample card is voided, the card number must be entered on the Daily Sampling Worksheet as Void and kept in the small daily packet envelope.
 - d. If the Stewards call for special testing, the horse shall be brought to the test barn in addition to the other horses designated for testing.

9. Check Trainers and Owners as entered in the database against the Final Program. Make any corrections of Trainers and/or Owners as needed in the database.

10. Prepare a clipboard for backside vets for next racing day. The Veterinarian's blank Veterinarian's Daily Furosemide Logs, copies of the Horses Raced by Track and Date Report, blank Attending Veterinarian – Recommended Scratch forms, and Removal of Horse from Vet List forms should be placed on the clipboard. Leave the clipboard in the designated spot for the backside veterinarians' use.

11. Have the Test Barn Initials Log form ready for the Test Barn staff to write their name, badge number and initials.

12. Have the time sheets available for the Test Barn Technicians to sign in and out.

13. Provide security guard with copies of the Test Barn Security Log form and final program. The security guard will record all horses and witnesses as they enter and exit the test barn on the Test Barn Security Log form.

14. When the Stewards Clearing Report is received from Austin, any samples listed, but not cleared, must be kept by TVMDL for any request to send to an approved lab for split sample testing.

15. When the Stewards Clearing Report is received notify TVMDL that those split samples can be disposed that are cleared in the report.

16. At the end of the race day, scan into the computer the veterinary letters of horses that have been put on or off the Vet's List along with a copy of the Vet's List by Horse (TB – Thoroughbred, AR – Arabian, QH – Quarter Horse, PT – Paint Horse) and email the report(s) to the racing office. These report(s) can also be physically taken to the racing office.

17. Prior to start of racing, turn on two-way radio and be sure radio is on the correct channel.

18. Attach yellow Post-it notes for logging tattoo/microchips numbers on the horse identification report to be used by test technicians for horse identification as the horses enter the test barn.
If Past Performance Report, Horse Identification Report, and Overnight Report are available for future race dates, enter race information into the database.

Daily Closing

1. Print Reports.
 - a) Daily Sampling Report – print one (1) copy, sign report and place in small daily packet envelope.
 - b) Laboratory Sampling Receipts Report – print two (2) copies, place one signed and dated report in the inside cover of sample box, place the other signed and dated report in large daily manila envelope. If Vet Works or Investigator samples are going with the daily race samples, that must be noted on the Daily Sampling Report and both copies of the Laboratory Sampling Receipts Report. Also, all unusual events must be noted on all the paperwork, such as voided sample cards, Vet Works samples and/or Investigator samples.
2. After all sample processing is completed, lock split sample freezer.
3. To prepare and seal sample and split sample boxes.
 - a) Account for all blood tubes per horse against Laboratory Sample Receipt reports. Prepare a laboratory sample receipt for TVMDL samples and TVMDL split samples sent.
 - b) Account for all urine samples per horse against Laboratory Sample Receipt reports.
 - c) After all blood and urine samples have been accounted for, use packing material and ice packs to prevent movement within the sample boxes during shipment.
 - d) Insert one (1) Laboratory Sample Receipt Report in the envelope attached to the inside top of sample boxes lids.
 - e) Insert signed and dated Chain of Custody Record in the envelope attached to the outside of the sample boxes.
 - f) Close sample boxes.
 - g) Attach and secure numbered metal seal and padlock to the sample boxes.
 - h) After all sample processing is completed, place sample boxes in refrigerator and lock the refrigerator.
4. Prepare small daily packet envelope.
 - a) Place completed sample cards and one (1) signed copy of Daily Sampling Report into the small daily packet envelope.
 - b) Seal small daily packet envelope with red evidence tape.
 - c) Initial and date red evidence tape with black sharpie.
5. Prepare large daily packet envelope with the following documents:
 - a) Official Final Program.
 - b) Horses Raced by Track & Date Report (with highlighted horses).
 - c) Veterinarian's Daily Furosemide Log.
 - d) Horse ID report used to document the top four finishers.
 - e) Completed Racetrack Initials Log.
 - f) Completed Test Barn Security Log.
 - g) Completed Laboratory Sample Report.
 - h) Applicable memos for record.
 - i) Small daily packet envelope containing sample cards and Daily Sampling Report.

- j) Seal large daily packet envelope with red evidence tape.
 - k) Initial and date red evidence tape.
 - l) File large daily packet envelope in secure file cabinet.
6. Email any documents including, but not limited to, test barn technician timesheets, vet lists and other reports as necessary to the main racing office.
 7. Clean up work area by emptying trash can, wiping down countertops, sweeping and/or mopping floors.
 8. Lock Sample Room.
 9. Restart Computer.
 10. Turn out all lights and lock doors to Test Barn Office.
 11. Lock gates and/or garage door entries with chain and lock.

**APPENDIX B
CONTACT LIST**

Austin Headquarters	512.833.6699
Lone Star Park Test Barn Supervisor	972.237.5012
Lone Star Park Licensing Office	972.237.5060
Retama Park Test Barn Supervisor	210.651.7005
Retama Park Licensing Office	210.651.7062
Sam Houston Race Park Test Barn Supervisor	281.807.8873
Sam Houston Race Park Licensing	281.807.8855
Gillespie County Fair Licensing	830.997.3477

TEST BARN TECHNICIAN PROCEDURES

1.0 PURPOSE

The purpose of the standard operating procedure is to provide written instruction all test barn technicians can use to fulfill the job duties necessary to assure the public of the honesty and integrity in racing. Although deviation from these instructions does not indicate an operating deficiency or compromise in the chain of custody, the goal is to demonstrate comprehensive and consistent test barn procedures that ensures the safety of all participants and maintains the chain of custody and integrity of the testing program. The test barn technician is under direct supervision of the test barn supervisor.

2.0 SCOPE

Test barn technicians are required by Commission Rule 313.60 to “perform any duty required by the test barn supervisor and to assist in the collection of urine specimens for testing and in the maintenance of the test barn facilities.” Trained test barn staff are capable of collecting urine specimens. It is important they are trained regarding safety around horses, sample handling and chain of custody prior to sampling horses.

3.0 RESPONSIBILITIES

3.1 SECURITY

All individuals must display their badge at all times while in the secure area of the test barn. Security of the test barn is the responsibility of **ALL** test barn employees. No one other than test barn employees may enter the sample storage room without a test barn employee escorting them. The security guard must sign in everyone who enters the test barn area except regulators. If anyone has questions regarding the age of someone entering, immediately notify the barn supervisor. **DO NOT ALLOW** unauthorized access to sample refrigeration units, desks, supply storage, or file cabinets. No personal items may be placed into the sample storage refrigeration units at any time. When not in use by Agency personnel, the facility should be locked at all times.

3.2 SAFETY

General Safety. Safety is every test barn employee’s responsibility and takes precedence over sample collection at all times. Always monitor the test barn activities and immediately notify the test barn supervisor of any unsafe situations. Dial 911 for all emergencies requiring medical, police or fire assistance. All other non-emergency situations should be reported to Agency investigators or track security.

Test barn technicians should avoid standing within kicking range of all horses including, but not limited to, standing too close to a stall door as the horse enters/exits. It is recommended the handler keep the horse on a lead rope, hold the horse or technicians can stand outside the stall until the horse is ready to urinate. Be aware horses can strike or paw with their front feet so maintain a safe distance from the front legs. If a sample **CANNOT** collected safely, notify the test barn supervisor.

Restraining Horses. It is recommended the handler keep the horse on a lead rope, the handler hold the horse, or stand outside the stall until the horse is set up to urinate.

3.3 GENERAL INSTRUCTIONS

Attendance. Test barn technicians shall arrive ready for work no later than 30 minutes prior to the first post time of the day. In the event of absence or tardiness, all test barn employees must contact the test barn supervisor and provide notice as soon as possible to facilitate other test barn arrangements for the employee's absence or tardiness. All test barn COVID-19 protocols must be followed at all times including, but not limited to, wearing of masks over nose and chin, hand sanitation, and social distancing practices.

Badge Requirements. Test barn technicians must display their license at all times.

Computer and Telephone Usage. Test barn technicians shall not use TXRC computers. Use of the test barn telephones is restricted only to emergency calls and only with the test barn supervisor's approval.

Cell Phones. Personal cell phones shall be set to silent/vibrate. Use of a personal cell phone shall not interfere with the performance of any job duties. Always keep the length of any calls to the absolute minimum while working. The test barn supervisor has the authority to restrict personal cell phone use.

Food and Beverages. Food and drink may be brought into the test barn but are not allowed in the area where the samples are processed and are not allowed to be kept in the sample refrigerators. Test barn technicians shall ALWAYS wash their hands before returning to work after eating, drinking and/or taking any breaks.

Alcohol and Tobacco Use Restrictions. Smoking and the use of nicotine products are strictly prohibited in the test barn enclosure. Test barn technicians who use tobacco products of any kind (e-cig, vaporizer, cigarettes, cigars, snuff, or chewing tobacco) **SHALL WASH THEIR HANDS AFTERWARDS AND BEFORE ANY COLLECTION PROCESS.** TEST BARN TECHNICIANS MAY NOT HAVE ANY FORM OF TOBACCO ON THEM OR IN THEIR MOUTH WHILE IN THE TEST BARN, IN THE PROCESSING AREA, OR IN ANY OF THE STALLS. Use of tobacco products shall be kept to a minimum and may only be used OUTSIDE of the test barn fencing. **Possession or consumption of alcohol and drugs is STRICTLY PROHIBITED AT ALL TIMES.**

Visitors. Test barn technicians may bring guests to the test barn; however, all guests shall leave before the horses in the first race return to the test barn. Guests are NOT ALLOWED to remain in the test barn enclosure during live racing. Test barn technicians are not allowed to visit with any guest until the test barn supervisor has given permission to leave for the day/night.

Cleanliness. At the completion of each shift, all supplies are to be cleaned and put away. The office area should be cleaned by sweeping or mopping and all trash cans emptied. Test barn

technicians are not allowed to leave until the test barn supervisor has given permission to leave for the day/night.

Work Attire. Technicians shall wear clothing that is clean and in good repair. No jeans with large tears or holes are permitted. Clothing shall not be suggestive or revealing. Clothing displaying obscenity is not permitted. If the test barn supervisor finds apparel offensive, the test barn technician will be required to turn shirts inside-out or change.

Footwear. Proper footwear, boots, or any other closed-toe shoes appropriate for working with horses shall always be worn in the test barn. Please be aware all racehorses wear horseshoes and if a horse steps on a foot a serious injury can occur.

Horse Equipment. Supplies such as sponges, buckets, and sweat scrapers are provided in the test barn. When infectious disease is diagnosed or suspected on the premises, a trainer may be required to bring their own supplies into the test barn enclosure. These items may be inspected before being brought into the test barn enclosure. Unlabeled products are STRICTLY PROHIBITED. Halters, lead shanks, bandage cutters, scissors, and stable sheets/coolers are permitted within test barn enclosure. Stable sheets/coolers must be removed before testing. All materials brought into the test barn enclosure by the horse's attendants may be visually inspected.

Providing Assistance. If at any time the test barn technician has idle time, he/she should be outside of the office area watching the horses, witness/handler(s), and helping other test barn technicians as the need arises. Congregating inside the test barn enclosure, playing games on devices, or playing any other types of games is STRICTLY PROHIBITED.

Noise Level. Test barn technicians shall always keep in mind unnecessary noise and distraction should be kept to a minimum. While the test barn supervisor is collecting data, test barn technicians should not engage in unnecessary conversation or distraction. Questions and or comments should be held until the test barn supervisor is available to assist.

Washing Hands. Test barn technicians must wash their hands in between handling different horses, after eating, after breaks, after handling tobacco products, or at any time their hands become unclean.

4.0 DUTIES

4.1 ESCORT PROCEDURES

Escort Assignments. A television monitor in the test barn may be used to keep track of the progress of racing. Ten minutes prior to post time for each race, the test barn supervisor assigns one or more test barn technicians or employees to go to the winner's circle. The test barn supervisor instructs the test barn technician(s) or employees which horse(s) and how many horses are to be escorted back to the test barn. The test barn technician(s) shall verify and ensure their respective assigned horse(s) are the correct horse(s) to be escorted to the test barn. The test barn technician or employee is responsible for escorting all horses selected to the test barn. The trainer responsibility rule is not waived when the technician or employee

does not provide an escort for each horse. Any escorting test barn technician(s) or employee(s) must always be alert to, and observant of, all horses identified for sampling to ensure there is no tampering with the horse(s) being escorted to the test barn.

Escorting the Horses from the Track to the Test Barn. The test barn technician or employee, designated by the test barn supervisor to escort the horses to the test barn, is responsible for securing the horse from the finish of the race to the time the horse is escorted to the test barn. Alternatively, horses may also be kept under visual surveillance by a test barn technician or employee designated by the test barn supervisor while escorted by the handler.

Horses to be Tested. The 1st place horse SHALL ALWAYS have specimens collected for testing unless the horse has suffered a catastrophic injury. In addition to the 1st place horse, any horse the Stewards select may have specimens collected for testing.

Delays After Race. Sometimes final placing of the horses can be delayed due to an inquiry, photo finish, claim, or other delay event. In the event of a delay in the final placing of the horses, **ALL horses shall be held on the racetrack until the test barn technicians or employees are certain which horses are the correct horses by finish or designation to be escorted to the test barn.**

Tagging Horses. Immediately after the race is run, the horses return to the winner's circle area to be unsaddled. The test barn technician must clip the test barn labeled "T" tag to the bridle of each horse selected for testing except the 1st place horse. After the 1st place horse photo is taken at the winner's circle, attach the labelled "T" tag to the winner's bridle. If there is an objection or inquiry after the race, place a "T" tag on the 3rd and/or 4th place horse(s) depending on the test barn supervisor's assignment. Instruct all tagged racehorse handlers to circle their horses until the 1st place horse has been tagged for testing and the escort is ready to lead to the test barn.

Claimed Horses Being Tested. A tagged horse may also be a claimed horse. If so, the Clerk of Scales shall ensure an additional claiming tag labeled with a "C" is clipped to the bridle of the claimed horse. Claiming by the new owner/trainer shall take place in the test barn only **after** all specimens are collected from the claimed horse(s).

Bleeders. Test barn technicians should make a point to promptly observe all the horses in a race as they leave the racetrack. Any horses with welts or injuries resulting from the race should be brought to the attention of the Agency veterinarian and the Stewards. Any horse(s) bleeding from the nostrils should be identified and brought to the attention of the Agency veterinarian on the racetrack.

Constant Observation. AT NO POINT SHOULD ANY ESCORTED HORSE(S) BE OUT OF THE TEST BARN TECHNICIAN'S OR EMPLOYEE'S LINE OF SIGHT. Test barn technicians or employees escorting more than one horse shall stay behind the last horse being escorted.

4.2 SAMPLE COLLECTION PROCEDURES – URINE

Collection Assignments. Test barn technicians shall check with the test barn supervisor for a post-it note with the selected horses tattoo and/or microchip numbers. **THE TATTOO OR MICROCHIP NUMBERS ON THE POST-IT NOTE SHALL MATCH THE TATTOO OR MICROCHIP OF THE HORSE. If the numbers do not match, DO NOT ALLOW THE HORSE TO ENTER THE TEST BARN AND IMMEDIATELY NOTIFY THE TEST BARN SUPERVISOR.**

Arrival Verification Procedures. Upon arrival at the test barn, each horse's identity must be verified by 1) inspection of its lip tattoo; 2) microchip scan (scanner required); or 3) physical description. Stop the horse(s) at the entrance for check-in and instruct the handler to permit verification of the horse(s) identity. The security officer at the test barn entrance will inspect and record racing licenses or credentials for all individuals entering the enclosure. Individuals lacking proper credentials and/or official business within the test barn will be denied access. If no attendant for a horse has the necessary credentials, a test barn technician or employee should detain and visually monitor the horse within the vicinity of the test barn until proper credentials are obtained. The test barn technician or employee shall immediately notify the test barn supervisor of any specific identification discrepancy. Prompt communication with the test barn supervisor is key to ensuring the sample collection is adequately documented when these events occur.

Lipping Horses. Test barn technicians shall NEVER lip a horse and shall always avoid any contact with a horse's mouth and/or nostrils.

Water Buckets. Once each horse is identified, the test barn technician shall assign each horse to a specific water bucket by replacing the "T" tag with a "numbered" tag corresponding to number on the assigned water bucket. Always make certain all handlers transfer the unique "numbered" tag from the bridle to the halter when the bridle is removed. Handlers are NEVER permitted to put numbered tags in their pockets or hang them from belt loops. Promptly inform the security guard which bucket number is assigned to each horse. Test barn technician(s) should always observe the horses cooling out and make certain each horse drinks **only** from their assigned water bucket. If a horse uses a water bucket not assigned to them, direct the handler immediately to the assigned water bucket, then change the water in the bucket used in error. Remember claimed horses will always have BOTH a "C" tag and a "numbered" water bucket tag attached to their halter.

Removing and Returning Tags. No horse or handler shall ever be allowed to leave the test barn with a tag. All "T" tags shall be promptly returned to the appropriate hook in the test barn upon a horse exiting the test barn. The "C" tag shall be returned to the Clerk of Scales after the claiming process has been completed. If a claimed horse comes to the test barn from the last race of the day, the "C" tag shall be returned to the Clerk of Scales during the 1st race of the next racing day.

Timing of Sample Collection. During the cooling out period, it is vital the test barn technician closely observe and monitor all horses in the test barn. The time for a horse to

become ready and begin the urine collection process varies greatly. Some horses are ready in as little as 15 minutes while others may take up to 1 ½ hours. Be advised the handler is more familiar with the horse and may notify the test barn technician whenever a horse appears to be ready to urinate. Urine collection is achieved via free-catch in a specimen cup as the horse urinates. Unless otherwise instructed by the test barn supervisor, each horse shall be kept for a maximum of 1 ½ hours to collect a urine specimen.

Removing Bandages. TEST BARN TECHNICIANS SHALL NOT REMOVE ANY WRAPS/BANDAGES FROM A HORSE FOR ANY REASON. Handlers may only use their hands or properly guarded bandage scissors for removing bandages from the horse's legs. The test barn will not provide any scissors or cutting devices to remove wraps/bandages. Knives or pointed scissors are STRICTLY PROHIBITED in the test barn.

Specimen Cups. Each 16 oz. specimen cup is individually sealed and stored in a secured test barn location accessible only to test barn personnel. If any specimen cup lid is missing, dislodged or the individual packaging has been damaged, the specimen cup must not be used.

Other Collection Supplies and Sample Cards. Prior to specimen collection, the test barn technician should obtain the **correct sample card for the horse**, a pair of disposable gloves, a urine collection stick and a 16 oz. sealed specimen cup. **USE OF GLOVES IS MANDATORY.** The sample card must be attached or clipped to the test barn technician's license so it is not in the way and is never placed on the ground or in the technician's clothing.

Instructions for Collecting Urine Sample in Stall. When ready to proceed with the urine sample collection, the test barn technician shall instruct the handler to bring the horse to a testing stall. Before allowing the horse to enter the stall, the test barn technician must verify the horse's identity to the tattoo or microchip listed on the sample card. The tattoo or microchip on the sample card SHALL ALWAYS match the tattoo or microchip on the horse. IF THE NUMBERS DO NOT MATCH, the test barn technician shall INSTRUCT THE HANDLER TO WALK THE HORSE UNTIL THE TEST BARN SUPERVISOR HAS BEEN ADVISED. DO NOT TEST THE HORSE UNTIL ANY IDENTITY ISSUES ARE RESOLVED.

Wearing of Gloves. The test barn technician must wear a pair of disposable gloves and break the seal of the sample container in the presence of the handler before inserting the cup into the urine collection stick. The gloves are to be worn until the sample has been poured off into two (2) smaller containers. The two (2) sample containers are sealed in the test barn office.

Contamination. If at any time after the lid has been removed the technician's gloved hand or other contaminant contacts the inside of the urine sample cup, the cup and all contents must be discarded and a new specimen collected.

Gender of the Horse. Always **know the sex of the horse BEFORE entering the stall.** It is embarrassing and ineffectual to expect urine to appear in one place only to have it appear in another! The sample card shall have the sex of the horse on it:

Male = Colt, Stallion, Ridgeling, or Gelding; **Female** = Filly or Mare.

Time in the Stall. Whenever attempting to collect urine, horses may either be kept in the stall for a maximum of 10 to 15 minutes or until they appear to be too hot, nervous, or uninterested to persist in collection.

Horse Will Not Urinate. If the test barn technician attempts but is unable to collect any urine, the handler should continue walking the horse. The opened specimen cup shall be discarded and a new specimen cup used for each collection attempt. It is always preferable that a sample be acquired from a single void. REMEMBER the seal on a new specimen cup must ALWAYS be broken in the presence of the witness.

Calming of Horse. Always be observant and monitor the horse's body language. Many racehorses are initially excited when loose in a stall, but if the test barn technician remains calm most horses calm down within a short time. It is recommended that test barn technicians stand quietly until the horse has adjusted to the surroundings. Horses previously sent to a test barn and accustomed to the sample collection procedure will typically relax and promptly urinate.

Entering and Reentering the Stall. When entering and reentering the stall always verify the lip tattoo or microchip of the horse being tested before allowing the horse to enter or reenter the stall. Notify the test barn supervisor if the identity of the horse cannot be verified for any reason. NEVER ENTER A STALL UNTIL THERE IS A SAFE PATHWAY. To avoid possible injury, the test barn technician shall always stand a safe distance from the stall door as horses enter, reenter and exit. **To avoid injury, never follow behind a horse into the stall and always wait to enter until the handler has turned the horse so the horse is facing out of the stall.**

Closing the Stall Door. After verifying the tattoo or microchip and safely entering the stall, always close the stall door from the inside by latching both the top and lower stall door latches. The test barn technician shall instruct the handler to remove the halter from the horse. **Never allow the handler to lock the door from the outside if he/she chooses to exit the stall while the specimen is being collected.**

Handling of Urine Specimen Cup. The lid shall remain on the sample specimen cup until the horse is brought into the stall for urine collection. **ALWAYS BREAK THE SEAL OF THE SPECIMEN CUP IN THE PRESENCE OF THE WITNESS.** The test barn technician should ensure the lid and cup are kept in a manner that allows the witness to view the cup and lid at all times and limits the contents of the cup to potential exposure of contaminants.

Witnessing of Sample Collection. The handler(s) may witness collection of urine sample through the viewing portal if they choose not to stay in the stall. Witnessing the collection of blood and urine samples by the handler is a **right but not a requirement.** **If the handler does not witness the collection of blood or urine samples, always note on the back of the sample card with the appropriate stamp and always include the witness initials and test barn technician initials. All stamps on the back of sample cards must ALWAYS be initialed by both the handler/witness and test barn technician.**

Catching Urine Sample. NEVER TOUCH A HORSE WITH THE COLLECTION STICK AND KNOW THE SEX OF THE HORSE BEFORE COLLECTING URINE. As a horse stretches to urinate, the collection stick should be held down and hidden from a horse's line of sight. Once the stick is eased into place to collect urine, avoid making any quick or sudden motions that can spook a horse.

Nervous Horses. Extremely nervous horses sometimes calm down if kept on a lead rope. If the horse being collected continues behaving nervously, either request the handler halter and/or hold the horse still. The test barn technician should always be aware of the horse's location in the stall. All warnings given by the handlers should be heeded. If a test barn technician is advised to keep a horse on a lead rope or shank that information should be followed. In any emergency situation, the test barn technician may use a cell phone to call for help.

Horse Eats Shavings. Many horses nibble at the ground because they may have been kept off feed. Horses that eat more than a few nibbles should be discouraged and muzzled if they persist. DO NOT LEAVE THE STALL TO GET A MUZZLE. Instruct someone, other than the handler, to bring the muzzle to the stall.

Disciplining Horses Prohibited. NEVER HIT, KICK, OR OTHERWISE SEVERELY DISCIPLINE A HORSE. If there are problems with a horse, notify the handler to make necessary adjustments such as putting the horse on a shank or muzzle. Have the horse taken out of the stall and notify the test barn supervisor if there is any concern of safety. Always limit any physical contact with the horses.

Partial Urine Samples. If the horse does not produce enough urine, place the lid on the cup of the partial sample until the horse is ready to urinate again or time for collection has expired. If time for collection has not expired, instruct the handler to continue walking the horse and offer water again. THE TEST BARN TECHNICIAN SHALL THEN WALK TO A SPOT IN THE BARN WHERE THE SPECIMEN CUP IS ALWAYS IN FULL VIEW OF THE HANDLER/WITNESS. REMAIN THERE UNTIL THE HORSE IS READY TO URINATE AGAIN OR TIME TO COLLECT EXPIRES. *AT NO POINT CAN THE TEST BARN TECHNICIAN WALK AWAY WITH A SAMPLE.* HANDLERS/WITNESSES SHOULD HAVE CLEAR VISIBILITY ON THE PROCESSING AND COLLECTION OF SAMPLES AT ALL TIMES BUT NEVER HAVE ANY PHYSICAL CONTACT WITH THE SAMPLES.

Remain with Horse Until Retry or Horse Times Out. Whenever a partial sample has been obtained, the test barn technician shall remain with that particular horse, sample card, and partial sample until the horse gives more urine or time runs out, whichever occurs first.

Transfer of Horse. A horse that gives a partial urine sample may NOT be given to another test barn technician UNLESS the test barn technician has a situation arise. Technicians should use best efforts to complete each sample collection without the assistance of another technician unless such situations arise requiring otherwise.

Instructions for Re-Entering Stall. Each time the horse re-enters the stall for additional attempts, the test barn technician shall ensure the horse’s tattoo or microchip is again verified. THIS IS EXTREMELY IMPORTANT to ensure the same horse is collected each time it enters the stall. In some cases, handlers switch horses so do not rely on remembering the individual handler. **FOLLOW THIS PROCEDURE EVEN IF ONE IS ABSOLUTLY SURE OF THE HORSE’S IDENTITY.**

Sufficient Sample Collected. Once enough urine is collected, securely close the sample cup lid. Notify the Agency veterinarian or the test barn supervisor that the horse is ready to be bled. Once the horse is bled, rinse and return the collection stick to the bucket and remove and return the “numbered” tag to the proper hook in the test barn.

4.3 SAMPLE COLLECTION PROCEDURES – BLOOD

Instructions for Collection Blood Samples. Whenever the Agency veterinarian, test barn supervisor, or designated test barn technician comes to take blood from the horse, the test barn technician shall produce the sample card or read the tattoo/microchip so the horse can again be verified BEFORE blood is collected. The required number of blood tubes shall be collected. Use best efforts to collect the required minimum sample amount. If unable to collect the minimum amount of blood, use the stamp provided in the test barn to so note on the back of the sample card.

Blood Collection Safety Instructions. The test barn technician should stand a few steps behind whomever is collecting the blood. Please pay close attention because horses do not appreciate needles and may paw, strike, rear, kick or maneuver in the test barn collector’s direction. Always be aware and ready to move immediately away from a nervous horse.

Handling Blood Tubes. When the test barn technician has been handed the blood tubes, GENTLY invert each tube 5 to 8 times. NEVER SHAKE THE TUBES OR PUT THEM IN POCKETS OF CLOTHING AND ALWAYS GENERALLY KEEP THE BLOOD TUBES IN AN UPRIGHT POSITION.

Witnessing of Blood Collection. SAMPLES COLLECTED SHALL NEVER LEAVE THE HANDLER’S VISIBILITY.

Equine Emergency. In the event of an emergency, blood from an ill or injured horse may need to be collected while the horse is outside the test barn or in the horse ambulance. If these or other special circumstances arise, the test barn technician should follow the blood collection procedures described herein. Any special or unusual details that arise may need to be described on the back of the sample card.

Additional Supplies. If the Agency veterinarian, test barn supervisor or designated test barn technician needs more blood collection supplies instruct another test barn employee to bring any required supplies.

4.4 SAMPLE COLLECTION PROCEDURES – SALIVA SWABS

Swab Test Collection: Clean disposable gloves shall be worn during each collection of saliva swabs. Gloves should be worn and changed between horses. Gloves and gauze should be secured in a clean, dry location when not in use.

1. Wearing disposable gloves, take two clean gauze and swab around the gum areas of the horse's mouth.
2. Place the gloves and one gauze in a sample container or sample bag. Unseal and seal the container/bag in the presence of the witness and mark the container/bag with the collector's first and last name with their initials, witness's first and last name with their initials, the horse's name, and the date of collection.
3. Apply sample card label to the container and seal with security tape and have the witness initial the security seal on the container.
4. Place lab sample receipt and saliva swab samples in the shipping container for the laboratory.
5. Place the other swab gauze in a sample container or sample bag. Unseal and seal the container/bag in the presence of the witness and mark the container/bag with the collector's first and last name with their initials, witness's first and last name with their initials, the horse's name, and the date of collection. The other container, known as the split sample, should be placed in a secured, locking refrigerator until sent with other racing samples from that day to TVMDL for storage with other split samples.

4.5 SAMPLE COLLECTION PROCEDURES – HAIR

Hair Test Collection: Disposable gloves should be worn and changed between horses. Tools should be secured in a clean, dry location when not in use. Clean tools should always be used for sample collection.

1. Wearing disposable gloves, collect strands of hair until the total amount of hair collected is a pencil-width or 1/4 inch in diameter bunch. Obtain two separate bunches with one as a split sample. Use best efforts to keep root/follicle intact if possible.
2. If pulling the hair at the follicle or root is not possible, cut the needed amount of hair with safety scissors or clippers as close as possible to the skin.
3. Each hair sample should be a minimum of two (2) inches long.
4. After breaking the seal in the presence of the witness, put each hair sample in a 4-oz sealed container. Apply sample card label to the container and seal with security tape and have the witness initial the security seal on the container. Unseal and seal the container/bag in the presence of the witness and mark the container/bag with the collector's first and last name with their initials, the witness's first and last name with their initials, the horse's name, location of sample (mane or tail) and the date of collection.
5. Place lab sample receipt and one hair sample in the shipping container for the laboratory.
6. Unless otherwise instructed, the other container, known as the split sample, should be

placed in a secured, locking refrigerator until sent with other racing samples from that race day to TVMDL.

4.6 SAMPLE HANDLING PROCEDURES

Handling of Horse After Samples Collected. Once all samples have been collected, open the stall door slowly looking both ways for nearby horses and people before swinging the stall door open. When the samples and witness are taken into the test barn to sign for the samples, the horse may remain in the stall, be walked by a different handler, or be released by a test barn employee. Test barn employees should use best efforts at all times to observe horses left alone in the stall for signs of distress. Some horses may seriously injure themselves if left alone in the stall.

Sample Management. After all samples have been collected and given to the test barn technician, the technician shall promptly escort the witness and the samples to the sample processing area in the test barn office if room permits. If space in the test barn office is unavailable, the technician and witness should remain outside the test barn office with the samples until space inside becomes available.

Witness Instructions. Make certain the witness has their license before entering the test barn office and is always present to view sample processing.

Processing Samples. When processing samples, the test barn technician shall go behind the counter and the witness shall stand in front of the counter. Do not permit any witness behind counter area. Place the large urine specimen sample cup on the counter and the blood tubes in the tube holder so both hands are free. **THE FIRST THING THE TEST BARN TECHNICIAN SHALL DO IS CONFIRM THE WITNESS/HANDLER HAS A VALID LICENSE AND IS A VALID WITNESS.** The witness/handler's license is first checked upon entry to the test barn and once again in the test barn office.

Initialing Labels by Technician. The test barn technician shall next write their initials on the corner of each of the sample labels being used. The current time should be written on the sealed blood tubes. The sealed blood tubes should be allowed to sit upright at room temperature for 20-30 minutes to then be centrifuged.

Splitting Urine Samples. Two four (4) oz. urine sample containers are to be placed on the counter AND the witness shall observe the breaking of the seal on each cup. In the view of the witness pour the urine from the sixteen (16) oz. container into the two four (4) oz. sample containers. Pour a minimum of 10 mLs* of urine and a maximum of 50 mLs into the two four (4) oz. specimen cups.

*** GUIDE FOR SPLITTING URINE SAMPLES**

AMOUNT COLLECTED	SEND TO	SAVE FOR SPLIT
10 mLs or less	All	None
10 mLs to 30 mLs	10 mLs	All in excess of 10 mLs
30 mLs to 50 mLs	20 mLs	All in excess of 20 mLs
50 mLs to 100 mLs	30 mLs	50 mLs max

No Split Sample Available. If less than 10 mLs of urine is collected, there shall be no split and the entire amount collected shall be sent to the lab. The test barn technician shall stamp, “**NOT ENOUGH URINE COLLECTED FOR A SPLIT**” onto the back of the sample card, and both the test barn technician and the witness shall initial that notation.

Handling Urine Samples. Once the urine has been divided into the four (4) oz. containers and lids affixed, the test barn technician can remove and discard the disposable gloves along with the sixteen (16) oz. container and any remaining urine therein. A sample bar code label shall be placed on the side of each four (4) oz. specimen container. A piece of red evidence tape shall be placed securely over the lid of each specimen container so the tape overlaps both ends of the bar code label. One (1) of the four (4) oz. sample containers is placed in a TVMDL shipping container, securely sealed at the end of the night, and placed in a secured, locking refrigerator which then goes to TVMDL. The other four (4) oz. container, known as the split sample, should be placed in a shipping container, securely sealed at the end of the night and placed in a locking refrigerator until the container goes to TVMDL for storage.

Handling Blood Samples. Place a sample bar code label onto each of the blood tubes covering the stickers already on the tubes with the furosemide block toward the bottom of the tube. Place a piece of red evidence tape over the top of each blood tube so the tape covers the entire rubber stopper and overlaps the label. No part of the rubber stopper should be exposed after the evidence tape has been properly placed. Have the witness initial the red evidence tape, then place each sealed tube upright in the blood tube tray to await centrifuging. After the blood tubes have sat for roughly 20 to 30 minutes, place the blood tubes in the centrifuge and spin the tubes at 2900 rpms for approximately 10 minutes. The centrifuge machine is pre-set with the spin speed and time for spinning. After the blood tubes have been centrifuged, place the tubes upright in the blood tube tray and refrigerate if necessary. The minimum number of blood tubes, as prescribed by the laboratory, is placed in a shipping container, securely sealed at the end of the night, and placed in a secured, locking refrigerator until shipping to TVMDL. One blood tube is known as the split sample. The split sample should be placed in a separate shipping container with all race day split samples, securely sealed at the end of the night, and placed in a secured, locking refrigerator until shipping to TVMDL for storage until split sample testing is requested or until cleared by authorized personnel.

Initialing Tape by Witness. ALWAYS ENSURE the witness initials the evidence tape on all samples.

Sample Card Instructions for Witness. NEVER LEAVE THE SAMPLES ALONE WITH THE WITNESS AT ANY TIME. The test barn technician should legibly fill in the witness’s license number on the Sample Card. **Instruct** the witness to sign in the appropriate

blank **ONLY** if they are a valid witness. If a witness is unable to write, have the witness place their mark in the appropriate blank and so note the lack of full signature on the back of the sample card with the initials of the test barn supervisor and technician. After signing the sample card and initialing all samples, the technician should instruct the witness that he/she is free to leave the test barn (See “**Use of Stamps on Sample Cards: Invalid Witness.**”)

Sample Card Instructions for Technician. The test barn technician shall write their initials on the blank line for “Urine” only if urine was collected. Once sample processing has been completed, the current time is written in space marked “time out” on the sample card and the sample card is then given to the test barn supervisor. The test barn employee will make sure the counter is clean and wash their hands. Water buckets should always be cleaned prior to use by another horse.

Other Sample Card Instructions. The Agency veterinarian, test barn supervisor or the designated bleeder who collects the blood shall write their initials on the blank line for “Blood”. The test barn employee will write their initials on the blank line for “BloodSplit” on each sample card for the centrifuged blood tubes also noting with initials any irregularities on the back of the sample card, such as broken tubes.

Maintain Processing Integrity. During the process of sealing and storing specimen samples, all test barn employees must refrain from conversations to prevent any distractions. **TEST BARN EMPLOYEES WHO ARE NOT PROCESSING SAMPLES SHOULD AVOID THE SEALING AREA WHILE SAMPLES ARE BEING PROCESSED.** If the test barn employee needs anything during specimen processing or collection, always instruct another test barn employee to assist so the samples are never left unmonitored.

Departing the Test Barn. When sample collection and processing are completed, the test barn supervisor or Agency veterinarian will authorize the horse’s departure. The security officer is instructed which horses are authorized to exit the test barn enclosure. This prevents horses from exiting the test barn before all sample collection and/or processing is completed. As the horse exits, the test barn technician will ensure the “numbered” tag from the horse has been retrieved.

4.7 USE OF STAMPS ON SAMPLE CARDS

Use of Stamps on Sample Cards. Whenever a deviation from standard instructions occurs, the appropriate notation shall be stamped or written on the back of the sample card with the initials of all relevant parties:

Invalid Witness – A person is a valid witness if they are a groom or stable foreman designated by the trainer or owner of a race animal entitled to sign the sample card. An assistant trainer, trainer, owner or owner/trainer is an invalid witness if they are **NOT** the licensee of record **OF THE HORSE BEING TESTED.** If they are NOT one of the above, stamp the back of the sample card with “**INVALID WITNESS**” and the person’s name and license number is to be filled-in by the test barn technician. The test barn technician and the witness shall initial the back of the card.

Designating an Alternate Witness. A trainer or owner may not designate another trainer or owner to witness the collection of the sample or to sign a sample card unless a “*Trainer Responsibility*” form has been executed, and the test barn supervisor notified. The Stewards shall deliver an executed copy of the form to the test barn supervisor. Any designated trainer without a “*Trainer Responsibility*” form is an invalid witness.

No urine collected after 1.5 hours – Stamp “**NO URINE COLLECTED**” on the back of the sample card, and the test barn technician shall initial the stamp along with the witness. The sample card labels remain on the card and the test barn technician’s initials should be written on the back of the sample card, never the front. Any unused sample labels shall remain on the sample card.

Not enough urine collected for Split Sample after 1.5 hours – The test barn technician shall stamp the back of the sample card “**NOT ENOUGH URINE COLLECTED FOR SPLIT SAMPLE AFTER 1.5 HOURS**” and initial the stamp along with the witness, as well as initialing the “Urine Line” on the front of the sample card. One (1) urine label shall remain on the card. Any unused labels shall remain with the sample card.

No/Insufficient urine collected and horse released due to injury/illness – If the Agency veterinarian determines the horse should be released due to injury/illness, the test barn technician shall stamp the back of the sample card with “**NO /INSUFFICIENT URINE COLLECTED AND HORSE RELEASED DUE TO INJURY/ILLNESS**” stamp and initial the stamp along with the witness. The Agency veterinarian or the test barn supervisor shall write any necessary comments to the back of the card and initial as to illness or injury. The sample card labels remain on the card and the test barn technician’s initials should be written on the back of the sample card, never the front.

Witness did not observe urine collection – The stamp “**WITNESS DID NOT OBSERVE URINE COLLECTION**” is used when the witness fails to observe the urine collection process for any reason and shall be initialed by test barn technician and witness.

5.0 CHAIN OF CUSTODY AND SAMPLE INTEGRITY

Chain of Custody. Legal challenges to drug testing results often focus on the handling and the accountability of specimen custody rather than on the accuracy of the laboratory testing. The number of people involved in the chain of custody of samples shall be held to the minimum number possible. Documentation of the chain of custody process shall include the date each time a specimen is handled or transferred and identification of each individual in the chain of custody. Samples shall be split, labeled, and sealed as soon as possible after collection. The test technicians must initial all lab sample and split sample cards and labels. All samples collected must be maintained under secure conditions at all times.

A sample is in custody if:

- it is in the possession of a TXRC testing facility employee;
- it is in view of a TXRC testing facility employee;
- it is in a secure area where access is limited to TXRC testing facility employees; or

- it has been transferred to an authorized person for transporting to the laboratory.

Transfer of sample custodianship shall be accomplished using the TXRC Chain of Custody Record. The original portion of the chain of custody record shall remain in the Daily Packet at the TXRC testing facility in accordance with the TXRC Records Retention Schedule. Any documentation generated by shipping samples (e.g. UPS air bills) shall be retained as part of the sample documentation.

Sample Integrity. Following these procedures each and every time helps ensure the integrity and effectiveness of the drug-testing program. Diligence and attention to detail with EVERY sample collected is CRITICAL. **If there are ANY deviations from these procedures, the test barn supervisor shall be made aware and deviations shall be noted on the back of the sample card at the time they occur along with the initials of anyone involved.** This documentation is EXTREMELY important.

EMPLOYEE TRAINING VERIFICATION

EMPLOYEE SIGNATURE

DATE RECEIVED AND READ

V. A. PROCEEDINGS ON HORSE INDUSTRY ESCROW ACCOUNT

- (i) LONE STAR PARK STAKES PROGRAM
SEPTEMBER 2022 - \$250,000**
- (ii) 2022 QUARTERHORSE MEET AT
LONE STAR PARK
ATB OWNERS & STALLION AWARD
NOVEMBER 2022 - \$868,000**



TEXAS RACING COMMISSION
APPLICATION FOR BREED REGISTRY FUNDING
FROM THE HORSE INDUSTRY ESCROW ACCOUNT (HIEA)

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Please read all materials before preparing and submitting the application. Failure to follow the instructions and requirements described in these materials may result in denial of funding.

**NOTICE REGARDING THE INCLUSION OF CONFIDENTIAL, PROPRIETARY,
TRADE SECRET, OR PRIVILEGED INFORMATION IN AN APPLICATION**

Please take notice of the following:

If it is necessary for Applicant to include proprietary or otherwise confidential information in its application or other submitted information, Applicant must clearly mark and label all confidential, proprietary, trade secret, or privileged material in 14 point or higher bold font on each page as it appears, and identify the specific exception to disclosure in the Texas Public Information Act (PIA) for each specific piece of confidential, proprietary, trade secret, or privileged information. Additionally, all confidential, proprietary, trade secret, or privileged information must be segregated in a separate and discrete section of the application, which must be able to be conveniently separated and detached from the other sections of the application. Failure to properly label, identify, and segregate any confidential, proprietary, trade secret, or other privileged information in the application may result in all such information or material being disclosed as public information. Merely making a blanket claim that the entire application is protected from disclosure because it contains any amount of confidential, proprietary, trade secret, or privileged information is not acceptable and shall make the entire application subject to release under the PIA. To initiate the process of seeking an Attorney General opinion on the release of confidential, proprietary, trade secret, or privileged information, the specific provisions of the application that are considered by Applicant to be confidential, proprietary, trade secret, or privileged must be clearly labeled and segregated as described above. Any information which is not clearly identified as confidential, proprietary, trade secret or privileged shall be deemed to be subject to disclosure pursuant to the PIA.

STATEMENT OF PURPOSE

Pursuant to Section 2028.204(b) of the Texas Occupations Code, the Texas Racing Commission (TXRC) invites breed registries recognized in Section 2030.002(a) to apply for funding from the Horse Industry Escrow Account (Account) for events that further the horse industry.

GRANTEE RESPONSIBILITIES AND ACCOUNTABILITY

Grantees (breed registries receiving funding) will be responsible for the conduct of the project(s) identified in the proposal(s) for which funding was granted. Each grantee shall monitor the day-to-day conduct of the project to assure adherence to statutes, regulations, and funding terms and conditions. The grantee must carry out the activities described in the approved scope of work.

The grantee will be accountable for documenting the use of funds from the Horse Industry Escrow Account (HIEA) and must ensure that funds are used solely for authorized purposes. The grantee must ensure:

- Funds are used only for activities covered by the approved project.
- Funds are not used in violation of the restrictions and prohibitions of applicable rules and statutes.
- All reports are completed in a timely manner.

Each grantee must ensure it has an adequate accounting system in place and sufficient internal controls to ensure expenditures are reported and records maintained for five (5) years after the conclusion of the project, or longer if required by TXRC.

FUNDING PARAMETERS

Awards are subject to the availability of funds. If anticipated funds are reduced or become unavailable before the full amount approved is disbursed, the amount to be paid to grantees may be reduced or eliminated.

APPLICATION REQUIREMENTS

Form Requirements:

To be considered, applications must be complete and include all the requested information:

1. **Form HIEA-1, General Information.** Include ONE copy of this form regardless of the number of proposals submitted.
 - a. *Breed registry information.* This is the organization that will be the recipient of funds and will be held accountable for reporting and project performance.
 - b. *Program contacts.* These are the individuals who can answer questions about the project's activities and performance.
 - c. *Certifications and signature of authorized official.* This is the person legally able to bind the organization in contracts or agreements and may be the same person as the program contact.
2. **Form HIEA-2, Project Narrative.** This section provides a comprehensive framework and description of all aspects of the proposed project(s). *Use one form HIEA-2 per event for which funding is requested.* Each proposal may not exceed six (6) pages (not including supporting documents). Proposals must address the following information:
 - a. **Project Title (Event Name)**
 - b. **Event Date(s) or Approximate Date(s)**
 - c. **Total Amount Requested for the Event**

- d. **Timeline of Need for Funds**
- e. **Project Summary**
- f. **Project Description**
- g. **Anticipated Project Results/Economic Impact on the Horse Industry**
- h. **Project Oversight**
- i. **Project Budget**

BUDGET INFORMATION

1. Advanced Funding Payments: This program may advance an amount in working capital for the grantee to ensure the necessary resources to carry out the project. These funds will require reporting to substantiate the advanced funds have been expended in compliance with eligibility requirements. Ineligible expenses must be personally reimbursed within 30 days of notice of ineligibility from TXRC. Expenditures shall include sufficient documentation detailing each expense to decision regarding eligibility.

The application must state when funds are needed for a particular event. If some funds are needed by a certain date for one part of the event but the rest are not needed until later, the application must state what portion of the funds are needed by what date.

2. Eligible Expenses. Generally, expenses that are necessary and reasonable for proper and efficient performance and administration of a project are eligible. Account funds may not be used to supplant normal business costs but instead must be used to cover the costs incurred for the approved proposed activities. To be eligible for payment with funds from the Account, an expense must be reasonable and adequately documented in accordance with 16 TAC Section 303.322(d).

Examples of eligible expenditures include:

- a. Event production costs.
- b. Event award supplements, Texas-bred supplements, and prizes for approved events
- c. Advertising expenses
- d. Operating expenses, including the salaries of breed registry staff, interest and other financial costs related to borrowing and the cost of financing, contributions to a contingency reserve or any similar provision for unforeseen events, and audits or other accounting services; and

3. Ineligible Expenses. Expenses may be prohibited by state or federal law or determined to be ineligible by program guidelines. Examples of ineligible expenses include, but are not limited to the following:

- a. capital improvements.
- b. donations or contributions made to any individual or organization without express approval from the Commission for such contribution or donation.
- c. costs of entertainment, amusements, social activities, and incidental costs relating thereto, including tickets to shows or sports events, meals, alcoholic beverages, lodging, rentals, transportation, tips, and gratuities.
- d. fines, penalties, or other costs resulting from violations of or failure to comply with federal, state, or local laws and regulations.
- e. liability insurance coverage not specific to a particular event or series of events for which the Commission has allocated funds from the account.
- f. expenses related to litigation.
- g. professional association fees or dues for the breed registry or an individual.

- h. legislative expenses such as salaries and other expenses associated with lobbying the state or federal legislature or similar local governmental bodies, whether incurred for purposes of legislation or executive direction; or
- i. fundraising.

EVALUATION AND SELECTION INFORMATION

After all proposals have been received, TXRC program staff will conduct an administrative review to determine whether an application complies with all requirements of Tex. Occ. Code Section 2028.204(b) and 16 TAC Chapter 303, Subchapter G, and to evaluate the relevance and effectiveness of the proposed project based on the following factors:

- **Anticipated impact on the state's horse racing industry**
- **Anticipated impact on live racing at the state's racetracks**
- **Anticipated impact on the horse breeding industry**
- **Anticipated impact on the state of Texas**
- **Anticipated impact on non-racing horse industry activities**

Assessments of anticipated economic impact for an existing event must be based on only the effect of the additional funding provided from the Account. For example, if funds are requested from the Account for race award supplements for an existing horseracing event, the evaluation of the economic impact must be based only on the effect of the increased race awards, not on the economic impact of the entire race.

REPORTING REQUIREMENTS

Grantees will be required to submit periodic performance reports. Reporting timelines will be incorporated into the funding agreement. As part of TXRC's ongoing monitoring of the use of funds from the Account, grantees must demonstrate progress toward achieving project goals. Failure to comply with reporting requirements may result in the withholding of further payments and/or termination of the award.

Grantees shall submit to the Commission a report every quarter detailing the accomplishments of the project objectives for the previous calendar quarter. Quarterly reports shall be submitted to the Commission no later than November 30, February 28, May 31, and August 31 of each year. Each report must include:

1. the amount of funds expended toward each event for which funds have been allocated.
2. for each completed event, the total amount of funds expended toward the event from the Account, a breakdown of the funds expended for that event, and copies of documentation of all amounts expended; and
3. the following certification: "By my signature below, I certify that (1) all of the information in this report is correct, (2) all funds expended from the horse industry escrow account were used in accordance with Section 2028.204 of the Texas Racing Act and the Rules of the Texas Racing Commission, and (3) the breed registry has all documentation required by 16 TAC § 303.324."

The funds received and/or expended by the breed registry from the Account must be included in the breed registry's annual audit of financial statements required to be submitted by June 15 of each year. An auditor's statement must be included as part of the annual audit attesting to the proper use of the funds received by the breed registry from the Account.

SUBMISSION OF APPLICATIONS

Applicants must submit one complete, signed application. Do not include the instruction pages, and only include one copy of form HIEA-1 regardless of the number of proposals submitted. Applications must be submitted by email to BreedFunds@TXRC.texas.gov or by mail or hand delivery to:

Texas Racing Commission
 Attn: HIEA Administrator
 P.O. Box 12080
 Austin TX 78711

GENERAL INFORMATION

Selected applicants will be notified of the Commission's approval of their proposal(s) and will receive an official funding agreement from TXRC. Payment will not issue until the funding agreement is fully executed.

TXRC reserves the right to fund projects partially or fully. TXRC reserves the right to negotiate individual elements of any application and to reject all applications. Where more than one application is acceptable for funding, TXRC may request cooperation between grantees or revisions/adjustments to an application to avoid duplication and to realize the maximum benefit.

Proprietary Information/Public Information

The applicant is responsible for clearly designating any portion of the application that contains proprietary or trade secret information and must state the reason(s) the information is designated as such. Merely making a blanket claim that the entire application is protected from disclosure because it contains proprietary, or trade secret information is not acceptable and may subject the entire application to release under the PIA.

If a public information request for the application is received, TXRC shall process such request in accordance with §552.305 of the Texas Government Code. Applicants are advised to consult with their legal counsel regarding disclosure issues and to take appropriate precautions to safeguard trade secrets or any other proprietary information.

All applications submitted under this program are subject to release as public information, unless the application or specific parts of any such application can be shown to be exempt from disclosure under the Texas Public Information Act, Chapter 552 of the Government Code.

GENERAL COMPLIANCE INFORMATION

1. Grantees (breed registries receiving funding from the Horse Industry Escrow Account) must comply with TXRC's reporting requirements and financial procedures outlined in 16 TAC Chapter 303, Subchapter G, and the funding agreement. Any delegation by the grantee to a subcontractor regarding any duties and responsibilities imposed by the funding award must be approved in advance by TXRC and shall not relieve the grantee of its responsibilities to TXRC for performance of those duties.
2. Grantees must remain in full compliance with state and federal laws and regulations. Non-compliance may result in termination of the funding and/or ineligibility for further funding.
3. Grantees must maintain records related to the project for a minimum of five (5) years after the completion of the project, or as otherwise agreed upon with TXRC. If any litigation, claim, negotiation, audit,

or other action is initiated prior to the expiration of the five-year retention period, then all records and accounts must be retained until their destruction is authorized in writing by TXRC. TXRC and the Texas State Auditor's Office (SAO) reserve the right to examine all books, documents, records, and accounts relating to the project, including all electronic records, at any time throughout the duration of the agreement until all litigation, claims, negotiations, audits, or other action pertaining to funding for a particular project is resolved, or until the expiration of the five-year retention period or a final judgment in litigation, whichever is longer. TXRC and the SAO shall have access to all electronic data or records pertaining to the project; paper or other tangible documents or records, including the physical location where records are stored; and all locations related to project activities.

4. Grantees must comply with Texas Government Code, Chapter 783, Uniform Grant and Contract Management, and the Texas Uniform Grant Management Standards (UGMS).



TEXAS RACING COMMISSION

FORM HIEA-1

APPLICATION FOR BREED REGISTRY FUNDING FROM THE HORSE INDUSTRY ESCROW ACCOUNT

GENERAL INFORMATION

(Must be accompanied by at least one completed Form HIEA-2, Project Narrative)

Section A. Organization Information

Breed Registry Name: Texas Quarter Horse Association

Mailing Address: 14 N. Main St
Street Address

Elgin TX 78621
City State Zip Code County

Physical Address: same
Street Address

City State Zip Code County

Section B. Contact Personnel

(1) Name of Primary Program Contact (This person can answer day-to-day questions about the organization and the project.)

Full Name: Robert Werstler Mr. Dr.
First Last Ms. Other _____

Position Title: Executive Director

Email Address: rwerstler@tqha.com

Phone: (512) 458 - 5202 Ext. _____ Alt #: (512) 468 - 5566

(2) Secondary Program Contact (This person can answer day-to-day questions about the organization and the project.)

Full Name: Scott Sherwood Mr. Dr.
First Last Ms. Other _____

Position Title: Director of Racing

Email Address: ssherwood@tqha.com

Phone: (512) 458 - 5202 Ext. _____ Alt #: () -

(3) Name of Authorized Official (This person is authorized to enter into legal agreements on behalf of the organization. This person's name will appear on the funding agreement for signature.)

Full Name: Robert Werstler Mr. Dr.
First Last Ms. Other _____

Position Title: Executive Director

Email Address: rwerstler@tqha.com

Phone: (512) 458 - 5202 Ext. _____ Alt #:(_____) - _____

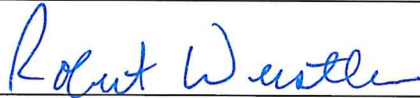

Section C. Certifications

By signing below, applicant and its authorized official (the person listed in Section B.3):

- (1) certify that all information provided in connection with this application is true and correct.
- (2) acknowledge that any misrepresentation or false statement made by applicant or an authorized agent of applicant in connection with this application, whether intentional or not, will constitute grounds for denial of this application and may be the subject of substantial civil and/or criminal liability and sanctions.
- (3) acknowledge that acceptance of funds in connection with this application acts as acceptance of the authority of the Texas Racing Commission (TXRC) or any successor agency and the State Auditor's Office (SAO) or any successor agency to conduct an investigation in connection with those funds, and applicant further agrees to cooperate fully with TXRC or its successors and SAO or its successor in the conduct of the audit or investigation, including allowing TXRC and/or SAO to inspect applicant's premises and providing all records requested during the funding period and for at least five years after the funding is expended; and
- (4) certify that the authorized official is authorized to submit this application and to make the preceding certifications and acknowledgements on behalf of applicant.

Notice of Penalties: The penalty for knowingly making false statements or false entries, or attempts to secure money through fraudulent means, may include fines, incarceration, and/or forfeiture of funds.

Authorized Official: (Person listed in Section B.3)

x		
	Signature	Date

This application becomes public record and is subject to disclosure. With few exceptions, you have the right to request and be informed about the information that the State of Texas collects about you. You are entitled to receive and review the information upon request. You also have the right to ask the state agency to correct any information that is determined to be incorrect. (Reference: Texas Government Code, Sections 552.021, 552.023, and 559.004.)



TEXAS RACING COMMISSION

2 of 2

APPLICATION FOR BREED REGISTRY FUNDING
FROM THE HORSE INDUSTRY ESCROW ACCOUNT

PROJECT NARRATIVE (USE A SEPARATE FORM FOR EACH EVENT)
(Must be accompanied by Form H1EA-1, General Information)

APPLICANT NAME: Texas Quarter Horse Association

This form was developed to be completed electronically. Handwritten applications and/or narratives will not be accepted. Click the grey text boxes to type responses. A maximum of 6 pages may be used to fully respond.

Project Title (Event Name): Lone Star Park Stakes Program

Event Date(s) or Approximate Date(s): September, 16, 2022 - December 17, 2022

Total Amount Requested For this Event: \$250,000

When Are Funds Needed? *If funding can be provided in multiple phases, please explain.*
September, 2022

Project Background

Project Summary

Please provide a summary of the event for which funding is sought and the project(s) that will be achieved because of this funding.

TQHA is providing opportunities to attract more horsemen and horses to the state by providing additional race days with increased purses with focus on the stakes program and an emphasis on Texas-bred horses. The increased stake purse structure will allow Lone Star Park to sell their simulcast signal to an increased number of outlets, which will increase hand

Project Description

Provide a detailed description of the project including activities to be supported with funds from the Account, timelines of each activity, and key milestones.

Improving stakes program with an emphasis on Texas-bred races through signature race days:

\$100,000 to the Refrigerator Stakes – Premiere race for older horses

\$50,000 to the Lip Chip Stakes- Accredited Texas-bred

\$50,000 to the B.F Phillips, Jr. Stakes- Accredited Texas-bred

\$50,000 to the Yellow Rose of Texas Stakes- Accredited Texas-bred

Anticipated Project Results/Economic Impact on the Horse Industry

Provide a detailed explanation of the anticipated economic impact on the horse industry and any other expected results and how they will be measured.

The primary driver of all events is to bring exposure to Texas racing. Fiscal measurements for all proposed elements will be demonstrated in the racing product via entries and handle increases.

Project Oversight

Who will oversee the project activities? Include name and title of the person. How will oversight be performed? What steps will take place to ensure the project is achieved as outlined?

Project oversight will be provided by Rob Werstler, Executive Director and Scott Sherwood, Director of Racing.

Reports will be provided to the TQHA Board of Directors, TQHA's independent auditing firm and TRC's Quarterly & Annual Performance Measures.

Project Budget

This section should reflect the total budget. Provide a general description of all costs along with a justification for each item. The explanations should focus on how each budget item is required to achieve the project. Be sure to itemize the request with quantities and individual estimated costs.

Pursuant to 16 T.A.C. Section 303.322(b), the following types of costs may not be paid with funds allocated from the account:

- (1) capital improvements.*
- (2) donations or contributions made to any individual or organization without express approval from the Commission for such contribution or donation.*
- (3) costs of entertainment, amusements, social activities, and incidental costs relating thereto, including tickets to shows or sports events, meals, alcoholic beverages, lodging, rentals, transportation, tips, and gratuities.*
- (4) fines, penalties, or other costs resulting from violations of or failure to comply with federal, state, or local laws and regulations.*
- (5) liability insurance coverage not specific to a particular event or series of events for which the Commission has allocated funds from the account.*
- (6) expenses related to litigation.*
- (7) professional association fees or dues for the breed registry or an individual.*
- (8) legislative expenses such as salaries and other expenses associated with lobbying the state or federal legislature or similar local governmental bodies, whether incurred for purposes of legislation or executive direction; or*
- (9) fundraising.*

Pursuant to 16 T.A.C. Section 303.322(c), the following types of costs may only be paid with funds allocated from the account, in an amount not to exceed five percent of the total allocated to the breed registry or of the approved allocation for any event, if specifically approved by the Commission:

- (1) *operating expenses, including the salaries of breed registry staff, interest and other financial costs related to borrowing and the cost of financing, contributions to a contingency reserve or any similar provision for unforeseen events, and audits or other accounting services; and*
- (2) *the purchase of capital assets.*

EXPENSE CATEGORIES	AMOUNT
Event Production Costs	\$250,000.00
Race Award Supplements/Prizes	\$
Advertising	\$
Donations (include most recent IRS Form 990 for any non-profit)	\$
Other Direct Expenses (itemize below):	\$
	\$
	\$
	\$
	\$
Total Direct Costs	\$
Administrative Expenses/Capital Assets (may not exceed 5% of project total)	\$
Total	\$250,000.00

Event Production Costs (\$ _____ total) *For events to be produced or sponsored by the breed registry, provide a breakdown of the event production expenses.*

Race Award Supplements/Prizes (\$ _____ total) *Provide a breakdown of race awards/race award supplements, prizes, and Texas-bred supplements from HIEA funding.*

\$100,000 to the Refrigerator Stakes – Premiere race for older horses

\$50,000 to the Lip Chip Stakes- Accredited Texas-bred

\$50,000 to the B.F Phillips, Jr. Stakes- Accredited Texas-bred

\$50,000 to the Yellow Rose of Texas Stakes- Accredited Texas-bred

Advertising (\$ _____ total) *Provide an explanation of advertising costs.*

Donations (\$ _____ total) *For any donation, state the recipient(s), amount for each recipient, and an explanation of the purpose of the donation. For any 501(c)(3), provide the organization’s most recent IRS Form 990.*

Other direct expenses – first category _ _____ (\$ _____ total) *Provide a detailed description of any other category of direct expenses.*

Other direct expenses – second category _____ (\$ _____ **total**)
Provide a detailed description of any other category of direct expenses.

Other direct expenses – third category _____ (\$ _____ **total**) *Provide a detailed description of any other category of direct expenses.*

Administrative Expenses/Capital Assets (\$ _____ **total; may not exceed 5% of total**) *Provide a detailed description of administrative expenses such as personnel costs or other direct budgeted costs associated with the project. For each employee receiving a portion of this funding as a wage or stipend, indicate their title, estimated time budgeted to the event, and the amount.*



TEXAS RACING COMMISSION

FORM HIEA-1

APPLICATION FOR BREED REGISTRY FUNDING
FROM THE HORSE INDUSTRY ESCROW ACCOUNT

GENERAL INFORMATION

(Must be accompanied by at least one completed Form HIEA-2, Project Narrative)

Section A. Organization Information

Breed Registry Name: Texas Quarter Horse AssociationMailing Address: 14 N. Main St
Street Address

<u>Elgin</u>	<u>TX</u>	<u>78621</u>	<u>Bastrop</u>
City	State	Zip Code	County

Physical Address: Same
Street Address

City	State	Zip Code	County
------	-------	----------	--------

Section B. Contact Personnel

(1) Name of Primary Program Contact (This person can answer day-to-day questions about the organization and the project.)Full Name: Robert Werstler Mr. Dr.
First Last Ms. Other _____Position Title: Executive DirectorEmail Address: rwerstler@tqha.comPhone: (512) 458 - 5202 Ext. _____ Alt #: (512) 468 - 5566**(2) Secondary Program Contact** (This person can answer day-to-day questions about the organization and the project.)Full Name: Scott Sherwood Mr. Dr.
First Last Ms. Other _____Position Title: Director of RacingEmail Address: ssherwood@tqha.comPhone: (512) 458 - 5202 Ext. _____ Alt #: () -

(3) Name of Authorized Official *(This person is authorized to enter into legal agreements on behalf of the organization. This person's name will appear on the funding agreement for signature.)*

Full Name: Robert Werstler Mr. Dr.
First Last Ms. Other _____

Position Title: Executive Director

Email Address: rwerstler@tqha.com

Phone: (512) 458 - 5202 Ext. _____ Alt #:(_____) - _____

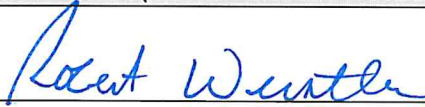

Section C. Certifications

By signing below, applicant and its authorized official (the person listed in Section B.3):

- (1) certify that all information provided in connection with this application is true and correct.
- (2) acknowledge that any misrepresentation or false statement made by applicant or an authorized agent of applicant in connection with this application, whether intentional or not, will constitute grounds for denial of this application and may be the subject of substantial civil and/or criminal liability and sanctions.
- (3) acknowledge that acceptance of funds in connection with this application acts as acceptance of the authority of the Texas Racing Commission (TXRC) or any successor agency and the State Auditor's Office (SAO) or any successor agency to conduct an investigation in connection with those funds, and applicant further agrees to cooperate fully with TXRC or its successors and SAO or its successor in the conduct of the audit or investigation, including allowing TXRC and/or SAO to inspect applicant's premises and providing all records requested during the funding period and for at least five years after the funding is expended; and
- (4) certify that the authorized official is authorized to submit this application and to make the preceding certifications and acknowledgements on behalf of applicant.

Notice of Penalties: The penalty for knowingly making false statements or false entries, or attempts to secure money through fraudulent means, may include fines, incarceration, and/or forfeiture of funds.

Authorized Official: *(Person listed in Section B.3)*

x		
	Signature	Date

This application becomes public record and is subject to disclosure. With few exceptions, you have the right to request and be informed about the information that the State of Texas collects about you. You are entitled to receive and review the information upon request. You also have the right to ask the state agency to correct any information that is determined to be incorrect. (Reference: Texas Government Code, Sections 552.021, 552.023, and 559.004.)



TEXAS RACING COMMISSION

1 of 2

APPLICATION FOR BREED REGISTRY FUNDING
FROM THE HORSE INDUSTRY ESCROW ACCOUNT

PROJECT NARRATIVE (USE A SEPARATE FORM FOR EACH EVENT)
(Must be accompanied by Form H1EA-1, General Information)

APPLICANT NAME: Texas Quarter Horse Association

This form was developed to be completed electronically. Handwritten applications and/or narratives will not be accepted. Click the grey text boxes to type responses. A maximum of 6 pages may be used to fully respond.

Project Title (Event Name): 2022 QH Meet @ LONE STAR PARK - Accredited Texas Bred (ATB) Owners, Breeders & Stallion Owner Award

Event Date(s) or Approximate Date(s): September - December LSP 2022 pari-mutuel race

Total Amount Requested For this Event: \$868,000

When Are Funds Needed? *If funding can be provided in multiple phases, please explain.*
November 30, 2022

Project Background

Project Summary

Please provide a summary of the event for which funding is sought and the project(s) that will be achieved because of this funding.

TQHA proposes increasing incentive money to the owners, breeders and stallion owners of accredited Texas-bred horses that finish first, second or third in a Texas pari-mutuel race during the 2022 Lone Star Park QH meet (September 16-December 17). These funds will supplement the current accredited Texas-bred incentive award payouts, mandated by the Texas Racing Act Sec. 2030.004.

In an effort to increase national exposure and increase simulcast handle to these races, TQHA will partner with Lone Star Park with promotions geared toward American Quarter Horse racing for increased media exposure and marketing during the meet to attract patrons.

Project Description

Provide a detailed description of the project including activities to be supported with funds from the Account, timelines of each activity, and key milestones.

Texas- bred horses finishing within the top 3 places in a Texas pari-mutuel race at Lone Star Park will be eligible for the following enrollment incentive breakdown:\$800,000 ATB Awards:

40% Owner Award -\$320,000
 40% Breeder Award -\$320,000
 20% Stallion Owner Award -\$160,000

\$60,000 Advertising will feature:

Daily Racing Form promotion (DRF) (based on # of days racing):

TVG and other opportunities for increased exposure for live and simulcast wagering (150 racetracks worldwide); Stakes races & Added coverage for big race day events

Anticipated Project Results/Economic Impact on the Horse Industry

Provide a detailed explanation of the anticipated economic impact on the horse industry and any other expected results and how they will be measured.

The addition of the Accredited Texas Bred Owner, Breeder and Stallion Owner Awards will incentivize the increase of ATB horses over the next breeding cycle and beyond. The increased ATB awards will attract new breeders to Texas. TQHA estimates an increase of 30-40% of horses accredited as Texas bred. Texas will benefit from the direct and indirect costs related to participate in the Agriculture and Equine industry, in particular rural Texans. Funds will be put back into the Texas economy through such purchases as horse feed, bedding, equipment, grooming products, insurance, facility expenses, veterinary services, farrier services, and labor, fuel etc.

With increased national exposure to these races through TVG, Daily Racing Form, and other high impact advertising, fiscal measurements will be demonstrated in entries and handle increases. TVG has over 201,000 active customers in top 20 U.S. markets

Project Oversight

Who will oversee the project activities? Include name and title of the person. How will oversight be performed? What steps will take place to ensure the project is achieved as outlined?

Project oversight will be provided by the Executive Director of the Texas Quarter Horse Association along with Scott Sherwood, Director of Racing. Reports will be provided to the TQHA Board of Directors, TQHA's independent auditing firm and TRC's Quarterly & Annual Performance Measures.

Rob Werstler and Scott Sherwood will work directly with Lone Star Park management to oversee all promotional activities. Lone Star Park will provide reports to TQHA as funds are expended and interim reports on the said affect of.

Project Budget

This section should reflect the total budget. Provide a general description of all costs along with a justification for each item. The explanations should focus on how each budget item is required to achieve the project. Be sure to itemize the request with quantities and individual estimated costs.

Pursuant to 16 T.A.C. Section 303.322(b), the following types of costs may not be paid with funds allocated from the account:

- (1) capital improvements.
- (2) donations or contributions made to any individual or organization without express approval from the Commission for such contribution or donation.
- (3) costs of entertainment, amusements, social activities, and incidental costs relating thereto, including tickets to shows or sports events, meals, alcoholic beverages, lodging, rentals, transportation, tips, and gratuities.
- (4) fines, penalties, or other costs resulting from violations of or failure to comply with federal, state, or local laws and regulations.
- (5) liability insurance coverage not specific to a particular event or series of events for which the Commission has allocated funds from the account.
- (6) expenses related to litigation.
- (7) professional association fees or dues for the breed registry or an individual.
- (8) legislative expenses such as salaries and other expenses associated with lobbying the state or federal legislature or similar local governmental bodies, whether incurred for purposes of legislation or executive direction; or
- (9) fundraising.

Pursuant to 16 T.A.C. Section 303.322(c), the following types of costs may only be paid with funds allocated from the account, in an amount not to exceed five percent of the total allocated to the breed registry or of the approved allocation for any event, if specifically approved by the Commission:

- (1) operating expenses, including the salaries of breed registry staff, interest and other financial costs related to borrowing and the cost of financing, contributions to a contingency reserve or any similar provision for unforeseen events, and audits or other accounting services; and
- (2) the purchase of capital assets.

EXPENSE CATEGORIES	AMOUNT
Event Production Costs	\$
Race Award Supplements/Prizes	\$800,000.00
Advertising	\$60,000.00
Donations (include most recent IRS Form 990 for any non-profit)	\$
Other Direct Expenses (itemize below):	\$3,000.00
	\$
	\$
	\$
	\$
Total Direct Costs	\$
Administrative Expenses/Capital Assets (may not exceed 5% of project total)	\$5,000.00
Total	\$868,000.00

Event Production Costs (\$ _____ total) For events to be produced or sponsored by the breed registry, provide a breakdown of the event production expenses.

Race Award Supplements/Prizes (\$800000 total) Provide a breakdown of race awards/race award supplements, prizes, and Texas-bred supplements from HIEA funding.

800,000 ATB Awards:

40% Owner Award -\$320,000

40% Breeder Award -\$320,000

20% Stallion Owner Award -\$160,000

Advertising (\$60000 total) Provide an explanation of advertising costs.

\$5,000 TQHA Direct costs:

Advertisements - magazines - TRACK, Speedhorse, Stallionsearch.com

Online - Constant Contact, use of advertising platforms on FaceBook

\$55,000 - LSP Daily Racing Form promotion (DRF) (based on # of days racing):

TVG and other opportunities for increased exposure for live and simulcast wagering (150 racetracks worldwide); Added coverage for big race day events

Donations (\$ _____ total) For any donation, state the recipient(s), amount for each recipient, and an explanation of the purpose of the donation. For any 501(c)(3), provide the organization's most recent IRS Form 990.

Other direct expenses – first category _____ **(\$3000 total)** Provide a detailed description of any other category of direct expenses.

Data Analysis

Collect and store data on past and new numbers

Process, present, design reporting to ensure quality and accuracy

Monitor performance to identify improvements

Other direct expenses – second category _____ **(\$ _____ total)**
Provide a detailed description of any other category of direct expenses.

Other direct expenses – third category _____ **(\$ _____ total)** Provide a detailed description of any other category of direct expenses.

Administrative Expenses/Capital Assets (\$5000 total; may not exceed 5% of total) Provide a detailed description of administrative expenses such as personnel costs or other direct budgeted costs associated with the project. For each employee receiving a portion of this funding as a wage or stipend, indicate their title, estimated time budgeted to the event, and the amount.

\$1,000- Separate Checks, envelopes, IRS Reporting, copier paper, postage for checks; postage for letters to ATB recipients who need additional paperwork to complete transaction such as SS#, etc

\$4,000-AIS Software for Lone Star Park to look up Accredited horses via web-base platform

VI. A. RACETRACK PROCEEDINGS

**RACE DATE APPLICATION PERIOD
EXTENSION REQUESTS
TO SEPTEMBER 30, 2022**

From: [Amy Cook](#)
To: [Phil Fountain](#); [Virginia Fields](#)
Subject: Fwd: Race Dates
Date: Wednesday, July 27, 2022 7:08:47 PM
Attachments: [image001.png](#)

For the Aug meeting

Amy F. Cook
Executive Director

"Excellence Starts Here"

Texas Racing Commission
1801 N. Congress, Suite 7.600
Austin, TX 78701

Email: Amy.Cook@txrc.texas.gov
Customer Service: [512-833-6699](tel:512-833-6699)
Direct Line: [512-490-4010](tel:512-490-4010)
Cell: [512-840-8134](tel:512-840-8134)
Webpage: www.txrc.texas.gov

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From: Vance, Matt <Matt.Vance@remingtonpark.com>
Sent: Wednesday, July 20, 2022 1:28:41 PM
To: Amy Cook <amy.cook@txrc.texas.gov>
Subject: Race Dates

Amy,

Lone Star Park is in agreeance with the decision to extend the race date application period to the end of September 2022.

Thank you,

Matt

Matt Vance
Executive Vice President of Racing
Remington Park & Lone Star Park



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June 17, 2022

Ms. Amy Cook, Executive Director
Texas Racing Commission
P.O. Box 12080
Austin, TX 78711-2080

Dear Ms. Cook:

Retama Park respectfully requests the Texas Racing Commission extend the closing date of its currently open 2023 race date application period, set to close on June 30, 2022, to August 31, 2022.

This will provide Retama Park the benefit of experiencing its 2022 live meet before completing plans for 2023.

It will also allow the Lone Star and Sam Houston more time to consider the impact of HISA in their planning for next year.

Thank you.

Sincerely,

A handwritten signature in black ink that reads "Steven M. Ross". The signature is written in a cursive, flowing style.

Steven M. Ross
Director of Racing Operations
Retama Park



RETAMA PARK

July 20, 2022

Ms. Amy Cook, Executive Director
Texas Racing Commission
P.O. Box 12080
Austin, TX 78711-2080

Dear Ms. Cook:

Retama Park respectfully requests the Texas Racing Commission extend the closing date of its currently open 2023 race date application period to September 30, 2022.

This will provide Retama Park the benefit of experiencing its 2022 live meet before completing plans for 2023.

It will also allow the Lone Star and Sam Houston more time to consider the impact of HISA in their planning for next year.

Thank you.

Sincerely,

A handwritten signature in black ink that reads "Steven M. Ross". The signature is written in a cursive, flowing style.

Steven M. Ross
Director of Racing Operations
Retama Park



June 16, 2022

SENT VIA ELECTRONIC MAIL to amy.cook@txrc.texas.gov

Ms. Amy Cook
Executive Director
Texas Racing Commission
1801 N. Congress, Suite 7.600
Austin, TX 78701

Dear Ms. Cook:

Due to uncertainties related to HISA, Sam Houston Race Park is requesting the deadline for submission of 2023 Race Dates to be extended to August 31, 2022.

Thank you for considering this request and please let me know if you have any questions.

Sincerely,

Dwight Berube,
Vice President & General Manager
Sam Houston Race Park, LLC
(281) 807-8827

CC: Frank Hopf (SHRP)



July 22, 2022

SENT VIA ELECTRONIC MAIL to amy.cook@txrc.texas.gov

Ms. Amy Cook
Executive Director
Texas Racing Commission
1801 N. Congress, Suite 7.600
Austin, TX 78701

Dear Ms. Cook:

Due to uncertainties related to HISA, Sam Houston Race Park is respectfully requesting the deadline for submission of 2023 Race Dates to be extended to September 30, 2022.

Thank you for considering this request and please let me know if you have any questions.

Sincerely,

Dwight Berube,
Vice President & General Manager
Sam Houston Race Park, LLC
(281) 807-8827

CC: Frank Hopf (SHRP)

VI. B. RACETRACK PROCEEDINGS

TEXAS-BRED INCENTIVE PROGRAM

2022 ALLOCATION OF FUNDS

TO FY 2023

AGREEMENT BETWEEN
 TEXAS ARABIAN BREEDERS ASSOCIATION, TEXAS PAINT HORSE
 BREEDERS ASSOCIATION, TEXAS QUARTER HORSE ASSOCIATION
 AND
 TEXAS THOROUGHBRED ASSOCIATION

Pursuant to Section 321.505(b) of the Texas Rules of Racing, the Commission shall determine the percentages by which Texas Bred Incentive Program funds generated from simulcasting are divided among the various breeds of horses.

In an effort to achieve a fair and equitable share of revenue available to the Texas state-bred incentive program for owners and breeders, the following Agreement is made by and between Texas Arabian Breeders Association (TABA), Texas Paint Horse Breeders Association (TPHBA), Texas Quarter Horse Association (TQHA) and Texas Thoroughbred Association (TTA).

As previously allocated for calendar years 2011 – 2022, it is agreed that ATB incentive funds generated from simulcasting shall be allocated to the respective breeds as follows:

At Class 1 tracks (Lone Star Park, Retama Park and Sam Houston Race Park), the funds shall be allocated 66.67% to Thoroughbreds and 33.33% to Quarter Horses after a 2% deduction off the top for Arabians and a 1% deduction off the top for Paint Horses.

At Gillespie County Fair Grounds, the funds shall be allocated 33.33% to Thoroughbreds and 66.67% to Quarter Horses after a 2% deduction off the top for Arabians and a 1% deduction off the top for Paint Horses.

In order to be aligned with other breed split agreements, this agreement shall be in effect for calendar year 2023.

The foregoing is acknowledged and agreed to on this 17 day of August, 2022.



 Texas Arabian Breeders Association

 Texas Paint Horse Breeders Association

 Texas Quarter Horse Association



 Texas Thoroughbred Association

AGREEMENT BETWEEN
 TEXAS ARABIAN BREEDERS ASSOCIATION, TEXAS PAINT HORSE
 BREEDERS ASSOCIATION, TEXAS QUARTER HORSE ASSOCIATION
 AND
 TEXAS THOROUGHBRED ASSOCIATION

Pursuant to Section 321.505(b) of the Texas Rules of Racing, the Commission shall determine the percentages by which Texas Bred Incentive Program funds generated from simulcasting are divided among the various breeds of horses.

In an effort to achieve a fair and equitable share of revenue available to the Texas state-bred incentive program for owners and breeders, the following Agreement is made by and between Texas Arabian Breeders Association (TABA), Texas Paint Horse Breeders Association (TPHBA), Texas Quarter Horse Association (TQHA) and Texas Thoroughbred Association (TTA).

As previously allocated for calendar years 2011 – 2022, it is agreed that ATB incentive funds generated from simulcasting shall be allocated to the respective breeds as follows:

At Class 1 tracks (Lone Star Park, Retama Park and Sam Houston Race Park), the funds shall be allocated 66.67% to Thoroughbreds and 33.33% to Quarter Horses after a 2% deduction off the top for Arabians and a 1% deduction off the top for Paint Horses.

At Gillespie County Fair Grounds, the funds shall be allocated 33.33% to Thoroughbreds and 66.67% to Quarter Horses after a 2% deduction off the top for Arabians and a 1% deduction off the top for Paint Horses.

In order to be aligned with other breed split agreements, this agreement shall be in effect for calendar year 2023.

The foregoing is acknowledged and agreed to on this ____ day of _____, 2022.

Texas Arabian Breeders Association



Texas Paint Horse Breeders Association

Texas Quarter Horse Association



Texas Thoroughbred Association

AGREEMENT BETWEEN
TEXAS ARABIAN BREEDERS ASSOCIATION, TEXAS PAINT HORSE
BREEDERS ASSOCIATION, TEXAS QUARTER HORSE ASSOCIATION
AND
TEXAS THOROUGHBRED ASSOCIATION

Pursuant to Section 321.505(b) of the Texas Rules of Racing, the Commission shall determine the percentages by which Texas Bred Incentive Program funds generated from simulcasting are divided among the various breeds of horses.

In an effort to achieve a fair and equitable share of revenue available to the Texas state-bred incentive program for owners and breeders, the following Agreement is made by and between Texas Arabian Breeders Association (TABA), Texas Paint Horse Breeders Association (TPHBA), Texas Quarter Horse Association (TQHA) and Texas Thoroughbred Association (TTA).

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At Gillespie County Fair Grounds, the funds shall be allocated 33.33% to Thoroughbreds and 66.67% to Quarter Horses after a 2% deduction off the top for Arabians and a 1% deduction off the top for Paint Horses.

This agreement shall be in effect for calendar year 2023.


The foregoing is acknowledged and agreed to on this ____ day of _____, 2022.

Texas Arabian Breeders Association

Texas Paint Horse Breeders Association



Texas Quarter Horse Association


Texas Thoroughbred Association

VI. C. RACETRACK PROCEEDINGS

GLOBAL GAMING LLC D/B/A

LONE STAR PARK AT

GRAND PRAIRIE

PENCUNIARY INTEREST TRANSFER

2022 ALLOCATION OF FUNDS

TO FY 2023



TEXAS RACING COMMISSION
P.O. Box 12080
Austin, TX 78711-2080
(512) 833-6699

MEMORANDUM

TO: Texas Racing Commissioners

FROM: Amy F. Cook, Executive Director

DATE: August 23, 2022

SUBJECT: Staff Review of Proposed Acquisition of Pecuniary Interest in PM Texas,

On July 6, 2022, the agency received a request from Global Gaming LSP, LLC, d/b/a Lone Star Park at Grand Prairie (LSP) to approve the transfer of ownership interests in LSP by Texas Racing Partners LLC, to Maggie's Bet, LLC, and Lonestar Steer Services, LLC pursuant to the Rules of Racing 16 TAC § 309.151.

If approved, Global Gaming LSP, LLC d/b/a Lone Star Park at Grand Prairie (LSP) seeks Commission approval of Kenneth R. Ross, the manager of Maggie's Bet, LLC, and Clifton Earl Turner, sole member and manager of Lonestar Steer Services, LLC, as new Texas member of the LSP Management Committee.

Staff has reviewed the documentation and background information submitted pursuant to the Rules of Racing 16 TAC § 309.151(b) related to the pecuniary interest transfer. Listed below is a summary of staff's findings.

Standards

The Texas Racing Act ("the Act") governs the issuance of racetrack licenses. Each transaction that involves an acquisition or transfer of pecuniary interest in an association must receive approval from the Commission. An association may not transfer an ownership interest in the association, grant or sell an option to buy an ownership interest in the association, or make a change in the board of directors or management committee of the association without the prior approval of the Commission. To receive the approval of the Commission for a proposed ownership transfer, the association shall submit to the Commission all written documents relating to the transfer.

Information submitted to the agency

Documents submitted to the agency included, but are not limited to:

1. The Four-Party Term Sheet Global Gaming LSP, LLC, setting out the terms of the proposed transfer of interests currently owned by Texas Racing Partners, LLC, in LSP;
2. The certificate of formation for Maggie's Bet, LLC, a Texas Limited Liability Company;
3. The company agreement for Maggie's Bet, LLC;
4. The certificate of formation for Lonestar Steer Services, LLC, a Texas Limited Liability Company;
5. The company agreement for Lonestar Steer Services, LLC;
6. The third amended and restated company agreement for Global Gaming LSP, LLC, dated April 11, 2012.
7. Completed Personal Disclosure Form for Kenneth R. Ross, the manager of Maggie's Bet, LLC, and the Trustee of the Ross Irrevocable Trust, the 100% owner of Maggie's Bet, LLC;
8. Completed Personal Disclosure Form for Clifton Earl Turner, the manager and 100% owner of Lonestar Steer Services, LLC;
9. Completed Request for Changes to the Board of Directors or Management Committee for Kenneth R. Ross pursuant to the Rules of Racing 16 TAC § 309.151(c);
10. Completed Request for Changes to the Board of Directors or Management Committee for Clifton Earl Turner pursuant to the Rules of Racing 16 TAC § 309.151(c);
11. Resolution of Texas Racing Partners LLC, approving the pecuniary transfers to Maggie's Bet, LLC and Lonestar Steer Services, LLC; and
12. Resolution of Global Gaming LSP, LLC, approving the pecuniary transfers of Texas Racing Partners, LLC, to Maggie's Bet, LLC, and Lonestar Steer Services, LLC, and the new Management Committee members Kenneth R. Ross and Clifton Earl Turner.

Information About the Pecuniary Interests Transfers:

The transferor is Texas Racing Partners, LLC, which currently owns 51% ownership in Global Gaming LSP, LLC, d/b/a Lone Star Park at Grand Prairie. Texas Racing Partners, LLC, is owned 100% by Ricky L. Knox, a ten-year Texas resident. The transferees are Maggie's Bet, LLC, a Texas Limited Partnership, owned 100% by the Ross Irrevocable Trust, Kenneth R. Ross, Trustee, a ten-year Texas resident, and Lonestar Steer Services, LLC, a Texas limited partnership, owned 100% by Clifton Earl Turner, a ten-year Texas resident.

After due diligence, Staff found nothing in the Personal Disclosures or background information that would invalidate approval by the Commission of these pecuniary transfers or approval by the Commission of Kenneth R. Ross or Clifton Earl Turner to members of the Management Committee under the Rules of Racing 16 TEX. ADMIN. CODE § 309.151(b)(1) and (b)(2).

Pursuant to the Rules of Racing 16 TEX. ADMIN. CODE § 309.151(b)(3), the information provided to the agency concerning the percentage of ownership interests each transferee is acquiring is as follows:

1. Maggie's Bet, LLC, will acquire a 17% ownership interest in Global Gaming LSP, LLC, d/b/a Lone Star Park at Grand Prairie from Texas Racing Partners, LLC; and
2. Lonestar Steer Services, LLC, will acquire a 17% ownership interest in Global Gaming LSP, LLC, d/b/a Lone Star Park at Grand Prairie from Texas Racing Partners, LLC.

Ownership Interests if pecuniary interest transfers are approved

If the Commission approves the ownership transfers Texas Racing Partners, LLC, will own 17% of Global Gaming LSP, LLC, d/b/a Lone Star Park at Grand Prairie, Maggie's Bet, LLC, will own 17% of Global Gaming LSP, LLC and Lonestar Steer Services, LLC, will own 17% of Global Gaming LSP, LLC, d/b/a Lone Star Park at Grand Prairie. Consequently 51% of Lone Star Park continue to be owned by ten-year Texas residents. The other 49% of Lone Star Park will continued to be owned by Global Gaming Solutions, LLC.

Because ten-year Texas residents will continue to own 51% of Lone Star Park and, if these new members are approved for the Management Committee, a majority of the Management Committee will be ten-year Texas residents these proposed pecuniary interest transfers will not affect a change in the controlling interests of Lone Star Park.

TEX. OCC. CODE § 2025.101(c) provides that "the commission may not issue a license to operate a class 1 or class 2 racetrack...to a corporation unless (1) the corporation is incorporated under the law of this state, and (2) a majority of its corporate stock is owned at all times by individuals who meet the residency qualifications prescribed by Section 2025.201 for individual applicants." TEX. OCC. CODE § 2025.201(a)(12) provides that the Commission may refuse to issue a racetrack license or may revoke or suspend a license, if after notice and hearing, it finds that the applicant has not been a United States citizen residing in the state for the 10 consecutive years preceding the filing of the application.

Submitted with these requests were all associated fees required under 16 TEX. ADMIN. CODE § 309.11(b)(3) and other documentation required under 16 TEX. ADMIN. CODE § 309.151(b)(4).

Both Maggie's Bet, LLC and Lonestar Steer Services, LLC, are incorporated under Texas law and therefore satisfy the ownership requirements of TEX. OCC. CODE § 2025.101(c).

Staff Recommends Approvals on the following Motions:

1. Staff recommends the Commission approve upon motion the pecuniary transfer from Texas Racing Partners, LLC, of a 17% interest in Global Gaming LSP, LLC, d/b/a Lone Star Park at Grand Prairie to Maggie's Bets, LLC, pursuant to the Rules of Racing 16 TEX. ADMIN. CODE § 309.151(b) effective August 24, 2022;
2. Staff recommends the Commission approve upon motion the pecuniary transfer from Texas Racing Partners, LLC, of a 17% interest in Global Gaming LSP, LLC, d/b/a Lone Star Park at Grand Prairie to Lonestar Steer Services, LLC pursuant to the Rules of Racing 16 TEX. ADMIN. CODE § 309.151(b) effective August 24, 2022; and
3. If approved, Staff recommends that Kenneth R. Ross and Clifton Earl Turner be approved as new members of the LSP Management Committee pursuant to 16 TEX. ADMIN. CODE § 309.151(c) effective August 24, 2022.

VI. D. RACETRACK PROCEEDINGS

**GULF COAST RACING APPROVAL
REQUEST OF TOTALISATOR
CONTRACT AMENDMENTS WITH
UNITED TOTE**

VI. E. RACETRACK PROCEEDINGS

**TEXAS PARI-MUTUEL
MANAGEMENT, INC. D/B/A RACE
BARN REQUEST FOR APPROVAL OF
TOTALISATOR CONTRACT
AMENDMENTS WITH UNITED TOTE**

NO MATERIALS

VII. A. PROCEEDINGS ON RULES

**OPENING OF RULES REVIEW
16 TAC CHAPTERS 307, 309, 311,
313, 315, 319, 321 AND 323**

NO MATERIALS

VIII. EXECUTIVE SESSION

The following items may be discussed and considered in executive session or open meeting, with any action taken in the open meeting:

A. Under Texas Government Code §551.071(1), the Commission may enter an executive session to seek the advice of its attorney regarding pending or contemplated litigation, or regarding a settlement offer.

B. Under Texas Government Code §551.071(2), the Commission may enter an executive session to discuss all matters identified in this agenda where the Commission seeks the advice of its attorney as privileged communications under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas. This may include, but is not limited to, legal advice regarding the Open Meetings Act, the Administrative Procedures Act, and the Texas Racing Act.

C. Under Texas Occupations Code §2025.005, the Commission may enter an executive session to review security plans and management, concession, and totalisator contracts.

**IX. NEXT COMMISSION
MEETING**

Wednesday, October 12, 2022, 10:30 a.m.

X. ADJOURN