

**DEPARTMENT OF FOOD AND AGRICULTURE  
Animal Health Branch  
PROPOSED REGULATIONS– EQUINE MEDICATION MONITORING PROGRAM**

**MODIFIED TEXT**

***Legend for Modified Text:***

- Single underline and ~~strikeout~~ is text noticed to the public during the 45-day comment period ending June 3, 2019.
- Modified text is shown in double underline for added text, and single underline and ~~strikeout~~ for deleted text.

**All written comments must address only the modified text of the rulemaking file.**

**Amend section 1280.1. of Chapter 6, Division 2, of Title 3 of the California Code of Regulations, to read as follows:**

**Section 1280.1. Registration.**

(a) Every public equine event or public horse sale shall be registered with the Department pursuant to sections 24001, 24012 and 24015 of the Food and Agricultural Code.

(b) The event manager is the “person in charge of an event”, including the person responsible for registering the event with the Department and the person responsible for the assessment, collection, and remittance fees, and is personally liable for fees and penalties, if any, owed to the Department.

(c) The following forms, which are incorporated by reference, are required to be completed and sent to the Department according to the instructions contained on the forms:

(1) Application to Register Equine Event/Assessment Report For Registered Event/~~Event Copy for Managers~~, Form 76-024A (Rev. 12/13 08/19), is required at least 60 days in advance of the event. A fee of ~~\$58~~.00 per horse entered per public show or sale must be assessed in accordance with section 1280.2 of these regulations. The assessment report must be submitted to the Department and fees remitted within fifteen

(15) days after the final day of the event. Event managers are responsible for notifying the Department of Food and Agriculture of event changes or cancellations.

(2) Saleyard Assessment Report/Law Prohibiting the Drugging of Horses/~~Saleyard Assessment Report~~, Form 76-025 (Rev. ~~11/2013~~ 08/19), must be filed by the sale manager within fifteen (15) days of the end of the month being reported. The assessment fee is \$58.00 for each horse consigned for public sale pursuant to section 1280.2 of these regulations.

(3) Official Form For Declaration Of Drugs Administered, Form 76-027 (Rev. ~~11/13~~ 08/19) or a compatible document of the event-sanctioning organization, must be completed by a registered event exhibitor or consignor and filed with the event manager for any horse that has received a prohibited substance for therapeutic reasons within three (3) days before a show/competition or five (5) days before a sale.

(A) The owner/exhibitor/trainer is to submit the completed Form 76-027 (Rev. ~~11/13~~ 08/19) or a compatible document of the event-sanctioning organization to the event manager within one (1) hour if administration of the product(s) occurs at the event. If the product administration occurs at a time other than during show or sale hours, the owner or trainer should submit the completed form within one (1) hour after an event manager returns to duty.

Note: Authority cited: Sections 407 and 24013, Food and Agricultural Code. Reference: Sections 24001, 24012 and 24015, Food and Agricultural Code.

**Amend section 1280.2. of Chapter 6, Division 2, of Title 3 of the California Code of Regulations, to read as follows:**

Section 1280.2. Fees.

Beginning January 1, ~~2005~~ 2020, the applicable fee is \$58.00 per horse entered per event, except where a horse is entered in simultaneous multiple events held as single performances, the total applicable fee per horse shall be \$58.00.

Note: Authority cited: Sections 407, 24012 and 24013, Food and Agricultural Code. Reference: Sections 24012, Food and Agricultural Code.

**Amend section 1280.8. of Chapter 6, Division 2, of Title 3 of the California Code of Regulations, to read as follows:**

Section 1280.8. Therapeutic Drugs and Medicines.

(a) Therapeutic drugs or medicines administered for purposes other than under veterinary prescription for a diagnosed illness or injury are considered prohibited substances, and their use is a violation of this section.

(b) Horses administered therapeutic drugs or medicines for purposes other than under veterinary prescription for a diagnosed illness or injury shall not compete or be available for sale until the prohibited substance is no longer detectable in the urine or blood sample.

(c) A therapeutic drug or medicine is permitted when:

(1) A prohibited substance is administered more than 24 hours before competition or more than 72 hours before a public sale.

(2) The therapeutic drug or medicine, or metabolite of the therapeutic drug or medicine, does not interfere with the quantification of any permitted substance or detection of any prohibited substances as defined by Food and Agricultural Code section 24001(h).

(3) Only one (1) nonsteroidal anti-inflammatory drug (NSAID) is given. When two NSAIDs are in a therapeutic regime, one must be discontinued at least 72 hours before competition.

(A) When administered by a licensed veterinarian for the emergency treatment of colic or an ophthalmic emergency, flunixin, in addition to one (1) other NSAID, may be acceptable if found in the plasma or urine sample of a horse provided:

(i) The licensed veterinarian who administered the substances properly signs and files a drug declaration [Form 76-027 (Rev. ~~11/13~~ 08/19)] with the event manager or designee within one (1) hour after administration of the substances or one (1) hour after the event manager or designee returns to duty if the administration occurs at a time outside competition hours; and

(ii) The horse is withdrawn from competition for 24 hours or from public sale for 72 hours.

(4) The detected level in the sample does not exceed the established maximum detectable plasma levels for the following drug or medicine:

- (A) 15.0 micrograms per milliliter of phenylbutazone.
- (B) 1.0 micrograms per milliliter of flunixin.
- (C) 2.5 micrograms per milliliter of meclufenamic acid.
- (D) 40 micrograms per milliliter of naproxen.
- (E) 0.240 micrograms per milliliter of firocoxib.
- (F) 0.005 micrograms per milliliter of diclofenac.
- (G) 0.250 micrograms per milliliter of ketoprofen.
- (H) 0.0005 micrograms per milliliter of dexamethasone.
- (I) 0.5 micrograms per milliliter of methocarbamol.

(5) The detected level in the sample does not exceed the established maximum detectable urine levels for the following drug or medicine:

- (A) 0.09 micrograms per milliliter of dexamethasone.
- (B) 350 micrograms per milliliter of methocarbamol.

(d) No injectable substance shall be given to a horse within 12 hours of competition except:

(1) A minimum of 1 liter of polyionic fluids per 100 pounds of body weight given therapeutically by a licensed veterinarian between 6-12 hours of competition.

Therapeutic fluids with concentrated electrolytes, such as magnesium, are prohibited.

(2) Antibiotics, except procaine penicillin G, administered by a licensed veterinarian between 6-12 hours of competition.

(3) Dexamethasone, not to exceed 0.5 milligram per 100 pounds, administered by a licensed veterinarian between 6-12 hours of competition exclusively for the treatment of acute urticaria (hives). The total dose of dexamethasone administered within 24 hours shall not exceed 1.0 mg per 100lbs.

(4) The licensed veterinarian who administered the injectable substances in (d)(1) through (3) above shall sign and file a drug declaration [Form 76-027(Rev. ~~11/13~~ 08/19)] with the event manager or designee within one (1) hour after the administration of the injectable substance or one (1) hour after the event manager or designee returns to duty if the administration occurs at a time outside competition hours.

Note: Authority cited: Sections 407, 24013 and 24011.6, Food and Agricultural Code.  
Reference: Sections 24003, 24004, 24006, 24008, 24009 and 24011, Food and  
Agricultural Code.

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