

(a)

NEW JERSEY RACING COMMISSION**Harness Racing****Medication and Testing Procedures****Adopted Amendment: N.J.A.C. 13:71-23.8**

Proposed: March 21, 2011 at 43 N.J.R. 728(a).

Adopted: July 29, 2011 by the New Jersey Racing Commission,

Frank Zanzuccki, Executive Director.

Filed: October 11, 2011 as R.2011 d.273, **without change**.

Authority: N.J.S.A. 5:5-30.

Effective Date: November 7, 2011.

Expiration Date: December 7, 2017.

Summary of Public Comment and Agency Response:

A written comment was received by Barbara Sachau of New Jersey.

COMMENT: Barbara Sachau e-mailed the Racing Commission indicating her opposition to the proposed amendment. The commenter believes that Phenylbutazone should be banned for reasons including that permitting race horses to compete with drugs is abusive. The commenter also believes that the administration of medication to a horse such as Flunixin while in a restrictive fashion allowed by this same rule, but not the subject of the proposed rule amendment, should be disallowed.

RESPONSE: The Racing Commission does not agree with the commenter. Phenylbutazone is an accepted medication for race horses and the proposed amendment's reduction of the permissible level is geared toward improving the rule and addressing the concerns surrounding the veterinarians' improved ability to evaluate the soundness of horses. Although the rule proposal does not seek to amend the rule concerning the administration of Flunixin, which the commenter also addresses, the Commission does not agree with her comment in that regard, because Flunixin, like Phenylbutazone, is widely accepted as a race day medication when properly regulated as per the rules of the New Jersey Racing Commission.

Federal Standards Statement

A Federal standards analysis is not required because the rules of racing are dictated by statute, N.J.S.A. 5:5-22 et seq., and the adopted amendment is not subject to any Federal requirements or standards.

Full text of the adoption follows:

13:71-23.8 Administering medication to respiratory bleeders; standards for the administration of non-steroidal anti-inflammatory drugs (NSAID) and anti-ulcer medications; environmental contaminants.

(a)-(e) (No change.)

(f) Notwithstanding anything to the contrary herein or in N.J.A.C. 13:71-23.1, no penalty shall be imposed where on the day of the race a horse carries in its body either Phenylbutazone or Flunixin, both NSAID(s), under the following conditions:

1. The NSAID level does not exceed the following permitted serum or plasma threshold concentrations which are consistent with administration by a single intravenous injection that follows the FDA-approved dose regimen for each product(s) at least 24 hours before the post time for the race in which the horse is entered:

i. Phenylbutazone (or its metabolite oxphenylbutazone) - two micrograms per milliliter (two µg/mL);

ii. (No change.)

2.-3. (No change.)

(g)-(k) (No change.)

(b)

DIVISION OF GAMING ENFORCEMENT**Gaming Operation Accounting and Internal Controls****Temporary Adoption of New Rules: N.J.A.C. 13:69D****Temporary Adoption of Repeal: N.J.A.C. 19:45**

Take notice that the Division of Gaming Enforcement shall, pursuant to N.J.S.A. 5:12-69e, adopt rules on a temporary basis for a period not to exceed 270 days regarding accounting and internal controls. The rules, N.J.A.C. 13:69D, set forth standards for the internal and accounting controls which Atlantic City casinos must implement regarding revenue documentation, security, surveillance, personnel management and all other areas of casino operations. In addition, the temporary rules will be published as a proposal for plenary adoption (see notice of proposal published elsewhere in this issue of the New Jersey Register). The temporary rules are intended to supercede the Division's emergency regulations as well as the rules of the Casino Control Commission, N.J.A.C. 19:45, which are proposed for repeal.

The temporary rules shall be available in each casino. The temporary rules shall also be available from the Division upon request and shall be posted on the Division's website.

These temporary rules will be effective on November 14, 2011, and continue for a maximum of 270 days from that date, unless otherwise terminated by the Division.

(c)

DIVISION OF GAMING ENFORCEMENT**Gaming Equipment****Temporary Adoption of New Rules: N.J.A.C. 13:69E****Temporary Adoption of Repeal: N.J.A.C. 19:46**

Take notice that the Division of Gaming Enforcement shall, pursuant to N.J.S.A. 5:12-69e, adopt rules on a temporary basis for a period not to exceed 270 days regarding gaming equipment. The rules, N.J.A.C. 13:69E, set forth standards for cards, dice, slot machines, tables and layouts, chips, slot tokens, voucher systems, and other aspects of equipment used to conduct wagering in Atlantic City casinos. In addition, the temporary rules will be published as a proposal for plenary adoption (see notice of proposal published elsewhere in this issue of the New Jersey Register). The temporary rules are intended to supercede the Division's emergency regulations as well as the rules of the Casino Control Commission, N.J.A.C. 19:46, which are proposed for repeal.

The temporary rules shall be available in each casino. The temporary rules shall also be available from the Division upon request and shall be posted on the Division's website.

These temporary rules will be effective on November 14, 2011, and continue for a maximum of 270 days from that date, unless otherwise terminated by the Division.

(d)

DIVISION OF GAMING ENFORCEMENT**Rules of the Games****Temporary Adoption of New Rules: N.J.A.C. 13:69F****Temporary Adoption of Repeal: N.J.A.C. 19:47**

Take notice that the Division of Gaming Enforcement shall, pursuant to N.J.S.A. 5:12-69e, adopt rules on a temporary basis for a period not to exceed 270 days regarding rules of the games. The rules, N.J.A.C. 13:69F, set forth standards for playing all games at which wagering is authorized in Atlantic City casinos, including, but not limited to, blackjack, craps, roulette, baccarat, poker, and other authorized games. In addition, the temporary rules will be published as a proposal for plenary