

## SUBCHAPTER 14A. MEDICATION AND TESTING PROCEDURES

## 13:70-14A.1 Intent of medication rules; general provisions

(a) (No change.)

(b) On the day of the race, irrespective of the date, time, and method of administration, no horse entered to start in or participating in any race shall carry in its body any drug and/or substance foreign to the natural horse, excepting external rubs and innocuous compounds as defined in this section and as otherwise provided for in this chapter. Examples of drugs and/or substances foreign to the natural horse, and thus prohibited pursuant to this section, are as follows:

1.-11. (No change.)

12. Stamina builders;

13. Mixtures, compounds, or solutions commonly referred to as "milkshakes," which contain any prohibited drug and/or substance; and

14. Controlled therapeutic medications equal to or in excess of the threshold levels set in the Association of Racing Commissioners International (RCI) Controlled Therapeutic Medication Schedule (Schedule), version 2.1 (Revised April 17, 2014), which is incorporated herein by reference, as amended and supplemented. The Schedule can be accessed at <http://arcicom.businesscatalyst.com/assets/arci-controlled-therapeutic-medication-schedule---version-2.1.pdf>.

(c)-(d) (No change.)

(e) An external rub or innocuous compound is a single substance, mixture of substances, or compound that does not contain any of the examples of prohibited items as set forth in (b) above, or additionally, any other substance foreign to the natural horse that alters its normal physiological state.

## 13:70-14A.7 Penalties

(a)-(b) (No change.)

(c) Any individual suspended or disciplined in any fashion for multiple violations of this subchapter or any comparable rule of any other racing commission or turf governing body shall be deemed a repeat offender and shall be subject to enhanced penalties pursuant to RCI Model Rule ARCI-011-020B(13), Multiple Medication Violations (MMV) (version 5.7, Approved April 9, 2014), which is incorporated herein by reference, as amended and supplemented, or as otherwise ordered by the Commission or its Stewards (see N.J.A.C. 13:70-16). RCI Model Rule ARCI-011-020B(13), Multiple Medication Violations (MMV) may be accessed at [http://ua-rtip.org/sites/ua-rtip.org/files/Flat%20Racing%20Chapters%20\(5-11\).pdf](http://ua-rtip.org/sites/ua-rtip.org/files/Flat%20Racing%20Chapters%20(5-11).pdf). The Commission may, at its discretion, consider evidence of compliance with the guidelines set forth in the "Dosing Specifications" and "Withdrawal Guideline" columns of the Schedule as mitigating factors, when appropriate, in determining the penalty to be imposed for a violation of the levels listed in the "Threshold" column.

(d) Horses owned wholly or in part by persons suspended for violations of this subchapter or any comparable rule of any other racing commission or turf governing body are ineligible to start during the period of such suspension or as ordered by the Commission or its Stewards, unless sold to a bona fide purchaser (see N.J.A.C. 13:70-16). Horses trained by a person suspended for such violations, wherein the trainer does not have an ownership interest, are automatically eligible to start when placed in the hands of a licensed trainer approved by the Stewards. (See N.J.A.C. 13:70-13A for rules concerning appeals.)

## 13:70-14A.9 Administering medication to respiratory bleeders; standards for the administration of non-steroidal anti-inflammatory drugs (NSAID) and anti-ulcer medications; environmental contaminants

(a)-(c) (No change.)

(d) Post race urine and blood samples may be taken by or under the supervision of the State Veterinarian from all horses treated with furosemide to control respiratory bleeding pursuant to the requirements set forth in (b) above. Post-race test results must show a detectable concentration of furosemide in the serum, plasma, or urine sample taken from a furosemide treated horse. Quantitation of furosemide in serum or plasma shall be performed and concentrations must be below the serum or plasma threshold levels authorized in N.J.A.C. 13:70-14A.1(b)14. In the event a post-race analysis of a blood sample reveals that the

concentration of furosemide is at or above the permitted serum or plasma threshold levels authorized in N.J.A.C. 13:70-14A.1(b)14, or in the event that a post-race analysis of a blood or urine sample reveals no detectable concentration of furosemide, the trainer and other persons charged with responsibility, including, without limitation, licensed, practicing veterinarians, shall be liable for the penalties as set forth in (e) below.

(e) (No change.)

(f) Notwithstanding anything to the contrary in this section or in N.J.A.C. 13:70-14A.1, no penalty shall be imposed where on the day of the race, a horse carries in its body either Phenylbutazone or Flunixin, both NSAIDs, under the following conditions:

1. The NSAID level is below the permitted serum or plasma threshold levels authorized in N.J.A.C. 13:70-14A.1(b)14, 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;

2. (No change.)

3. The presence of more than one of the approved NSAIDs or any unapproved NSAID(s) in the post-race serum or plasma sample is not permitted. The use of all but one of the approved NSAIDs shall be discontinued at least 48 hours before the post time for the race in which the horse is entered.

(g) In the event post-race testing determines that the threshold levels authorized in N.J.A.C. 13:70-14A.1(b)14 have been met or exceeded, there is evidence of more than one of the permitted NSAID(s) present or there is evidence of an unapproved NSAID, the stewards shall penalize the trainer and other persons charged with responsibility, including, without limitation, licensed, practicing veterinarians, as follows, regardless of whether or not the same horse is involved:

1.-2. (No change.)

(h)-(k) (No change.)

## 13:70-14A.17 Anabolic steroids

(a)-(b) (No change.)

(c) Test results identifying the presence of boldenone, nandrolone, and testosterone shall not constitute a violation of this section if the level of these permitted anabolic steroids test below the following threshold levels in blood plasma:

Boldenone - 200 picograms/milliliter (200 pg/mL);

Nandrolone - 200 picograms/milliliter (200 pg/mL);

Intact Male Horses: 500 picograms/milliliter (500 pg/mL);

All Other Horses: 200 picograms/milliliter (200 pg/mL);

Testosterone -

Intact Male Horses: 2,000 picograms/milliliter (2,000 pg/mL);

All Other Horses: 200 picograms/milliliter (200 pg/mL).

For the purposes of this section, "intact male horse" shall mean a male horse that has not been gelded.

(d) Any blood samples containing one of the three anabolic steroids listed in (c) above that quantitatively measures at or above the threshold levels shall constitute a violation of this section. Any samples identifying the presence of more than one of the three permitted anabolic steroids shall constitute a violation of this section regardless of the threshold levels identified in the sample. Any samples identifying the presence of one of the three permitted anabolic steroids, even if it tests below the threshold level, shall constitute a violation of this section if the samples also indicate the presence of any other anabolic steroid.

(e)-(j) (No change.)

(a)

## NEW JERSEY RACING COMMISSION

## Standardbred Racing

## Intent of Medication Rules; General Provisions;

## Penalties; Anabolic Steroids

## Adopted Amendments: N.J.A.C. 13:71-23.1, 23.7, and 23.16

Proposed: June 16, 2014, at 46 N.J.R. 1419(a).

Adopted: September 22, 2014, by the New Jersey Racing Commission, Frank Zanzuccki, Executive Director.  
 Filed: October 3, 2014, as R.2014 d.164, **without change**.  
 Authority: N.J.S.A. 5:5-30.  
 Effective Date: November 3, 2014.  
 Expiration Date: December 7, 2017.

**Summary of Public Comment and Agency Response:**  
**There were no comments received.**

#### Federal Standards Statement

A Federal standards analysis is not required as there are no Federal standards or requirements applicable to the adopted amendments. The Racing Commission adopts these amendments pursuant to the rulemaking authority set forth in N.J.S.A. 5:5-30.

**Full text of the adoption follows:**

### SUBCHAPTER 23. MEDICATION AND TESTING PROCEDURES

#### 13:71-23.1 Intent of medication rules; general provisions

(a) (No change.)

(b) On the day of the race, irrespective of the date, time, and method of administration, no horse entered to start in or participating in any race shall carry in its body any drug and/or substance foreign to the natural horse, excepting external rubs and innocuous compounds as defined in this section and as otherwise provided for in this chapter. Examples of drugs and/or substances foreign to the natural horse, and thus prohibited pursuant to this section are as follows:

1.-11. (No change.)

12. Stamina builders;

13. Mixtures, compounds, or solutions commonly referred to as "milkshakes," which contain any prohibited drug and/or substance; and

14. Controlled therapeutic medications equal to or in excess of the threshold levels set in the Association of Racing Commissioners International (RCI) Controlled Therapeutic Medication Schedule (Schedule), version 2.1 (Revised April 17, 2014), which is incorporated herein by reference, as amended and supplemented. The Schedule can be accessed at <http://arcicom.businesscatalyst.com/assets/arci-controlled-therapeutic-medication-schedule---version-2.1.pdf>.

(c)-(d) (No change.)

(e) An external rub or innocuous compound is a single substance, mixture of substances, or compound that does not contain any of the examples of prohibited items as set forth in (b) above, or additionally, any other substance foreign to the natural horse that alters its normal physiological state.

#### 13:71-23.7 Penalties

(a)-(b) (No change.)

(c) Any individual suspended or disciplined in any fashion for multiple violations of this subchapter or any comparable rule of any other racing commission or turf governing body shall be deemed a repeat offender and shall be subject to enhanced penalties pursuant to RCI Model Rule ARCI-025-020B(13), Multiple Medication Violations (MMV) (version 5.7, Approved April 9, 2014), which is incorporated herein by reference, as amended and supplemented, or as otherwise ordered by the Commission or its Board of Judges (see N.J.A.C. 13:71-8). RCI Model Rule ARCI-025-020B(13), Multiple Medication Violations (MMV) may be accessed at [http://ua-rtip.org/sites/ua-rtip.org/files/Harness%20Racing%20Chapters%20\(19-25\).pdf](http://ua-rtip.org/sites/ua-rtip.org/files/Harness%20Racing%20Chapters%20(19-25).pdf). The Commission may, at its discretion, consider evidence of compliance with the guidelines set forth in the "Dosing Specifications" and "Withdrawal Guideline" columns of the Schedule as mitigating factors, when appropriate, in determining the penalty to be imposed for a violation of the levels listed in the "Threshold" column.

(d) Horses owned wholly or in part by persons suspended for violations of this subchapter or any comparable rule of any other racing commission or turf governing body are ineligible to start during the period of such suspension or as ordered by the Commission or its judges, unless sold to a bona fide purchaser (see N.J.A.C. 13:71-8). Horses trained by a person suspended for such violations, wherein the trainer does not have an ownership interest, are automatically eligible to start

when placed in the hands of a licensed trainer approved by the judges. (See N.J.A.C. 13:71-3 for rules concerning appeals.)

#### 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)-(c) (No change.)

(d) Post race urine and blood samples may be taken by or under the supervision of the State Veterinarian from all horses treated with Lasix<sup>®</sup> (furosemide) to control respiratory bleeding pursuant to the requirements set forth in (b) above. Post-race test results must show a detectable concentration of furosemide in the serum, plasma, or urine sample taken from a furosemide treated horse. Quantitation of furosemide in serum or plasma shall be performed and concentrations must be below the serum or plasma threshold levels authorized in N.J.A.C. 13:71-23.1(b)14. In the event a post-race analysis of a blood sample reveals that the concentration of furosemide is at or above the permitted serum or plasma threshold concentrations authorized in N.J.A.C. 13:71-23.1(b)14, or in the event that a post-race analysis of a blood or urine sample reveals no detectable concentration of furosemide, the trainer and other persons charged with responsibility, including, without limitation, licensed, practicing veterinarians, shall be liable for the penalties as set forth in (e) below.

(e) (No change.)

(f) Notwithstanding anything to the contrary in this section 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 NSAIDs, under the following conditions:

1. The NSAID level is below the permitted serum or plasma threshold levels authorized in N.J.A.C. 13:71-23.1(b)14, 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;

2. (No change.)

3. The presence of more than one of the approved NSAIDs or any unapproved NSAID(s) in the post-race serum or plasma sample is not permitted. The use of all but one of the approved NSAIDs shall be discontinued at least 48 hours before the post time for the race in which the horse is entered.

(g) In the event post-race testing determines that the threshold levels authorized in N.J.A.C. 13:71-23.1(b)14 have been met or exceeded, there is evidence of more than one of the permitted NSAID(s) present or there is evidence of an unapproved NSAID, the Board of Judges shall penalize the trainer and other persons charged with responsibility, including, without limitation, licensed, practicing veterinarians, as follows, regardless of whether or not the same horse is involved:

1.-2. (No change.)

(h)-(k) (No change.)

#### 13:71-23.16 Anabolic steroids

(a)-(b) (No change.)

(c) Test results identifying the presence of boldenone, nandrolone and testosterone shall not constitute a violation of this section if the level of these permitted anabolic steroids test below the following threshold levels in blood plasma:

Boldenone - 200 picograms/milliliter (200 pg/mL);

Nandrolone - 200 picograms/milliliter (200 pg/mL);

Intact Male Horses: 500 picograms/milliliter (500 pg/mL);

All Other Horses: 200 picograms/milliliter (200 pg/mL);

Testosterone -

Intact Male Horses: 2,000 picograms/milliliter (2,000 pg/mL);

All Other Horses: 200 picograms/milliliter (200 pg/mL).

For the purposes of this section, "intact male horse" shall mean a male horse that has not been gelded.

(d) Any blood samples containing one of the three anabolic steroids listed in (c) above that quantitatively measures at or above the threshold levels shall constitute a violation of this section. Any samples identifying the presence of more than one of the three permitted anabolic steroids shall constitute a violation of this section regardless of the threshold levels identified in the sample. Any samples identifying the presence of one of the three permitted anabolic steroids, even if it tests below the

threshold level, shall constitute a violation of this section if the samples also indicate the presence of any other anabolic steroid.

(e)-(j) (No change.)

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(a)

**DIVISION OF GAMING ENFORCEMENT**  
**Rules of the Games**  
**Table Game Need Not be Offered to All Casinos**  
**Temporary Adoption of Amendment: N.J.A.C.**  
**13:69F-8.4(d)5**

Authority: N.J.S.A. 5:12-69.a, 69.e, 70a(7), and 76.g.

**Take notice** that the Division of Gaming Enforcement shall, pursuant to N.J.S.A. 5:12-69.e, delete the regulation requiring any proposed new table game or new wager to be offered to all casino licensees.

The test would allow an ancillary casino service industry enterprise who wishes to participate in the experiment, and which meets all the terms and conditions established by the Division, the right to propose a new game for implementation and not be required to offer said proposed game to all casino licensees.

This test could begin on or after November 10, 2014, and continue for a maximum of 270 days from that date, unless otherwise terminated by the Division or any of the participating casino licensees prior to that time, pursuant to the terms and conditions of the experiment.

Should the temporary repeal prove successful in the judgment of the Division, the Division will propose it for final adoption, in accordance with the public notice and comment requirements of the Administrative Procedure Act and N.J.A.C. 1:30.

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(b)

**DIVISION OF GAMING ENFORCEMENT**  
**Internet and Mobile Gaming**  
**Funding of Social Games Through Internet Wagering**  
**Account**  
**Temporary Adoption of Amendment: N.J.A.C.**  
**13:69O-1.2**

Authority: N.J.S.A. 5:12-5, 69.a, 69.e, 70.a(7), 76.y, and 95.23.

**Take notice** that the Division of Gaming Enforcement shall, pursuant to N.J.S.A. 5:12-69.e, conduct an experiment for the purpose of determining whether non-gambling games which either require purchase to play, or an in-game purchase to continue playing, (social games) which are made available to patrons on an Internet gaming operator's Internet or mobile system may be funded from a patron's Internet wagering account.

The experiment will be conducted in accordance with temporary rules, which shall be available in each casino holding an Internet gaming permit which is participating in the experiment, and shall also be available from the Division upon request.

The test would allow each Internet gaming operator which wishes to participate in the experiment, and which meets all the terms and conditions established by the Division, to allow social games offered by the operator to its patrons to be funded through the patron's Internet wagering account.

This experiment could begin on or after November 10, 2014, and continue for a maximum of 270 days from that date, unless otherwise terminated by the Division or any of the participating Internet gaming operators prior to that time, pursuant to the terms and conditions of the experiment.

Should the temporary amendments prove successful, in the judgment of the Division, the Division will propose them for final adoption, in accordance with the public notice and comment requirements of the Administrative Procedure Act and N.J.A.C. 1:30.

(c)

**DIVISION OF GAMING ENFORCEMENT**  
**Internet and Mobile Gaming**  
**General Provisions**  
**Primary and Backup Server Location**  
**Temporary Adoption of New Rules: N.J.A.C. 13:69O-**  
**1.2**

Authority: N.J.S.A. 5:12-69.a, 69.e, 70a(7), and 95.22.

**Take notice** that the Division of Gaming Enforcement shall, pursuant to N.J.S.A. 5:12-69.e, conduct an experiment for the purpose of determining whether it is suitable for a primary or backup server for Internet wagering to be located at certain secure facilities in Atlantic City, as permitted by P.L. 2014, c. 23, and not be limited to a casino hotel facility only.

The experiment will be conducted in accordance with temporary rules, which shall be available from each casino participating in the experiment, and shall also be available from the Division upon request.

The test would allow a casino licensee holding an Internet gaming permit which wishes to participate in the experiment, and which meets all the terms and conditions established by the Division, to utilize primary gaming equipment and backup equipment at certain secure facilities in Atlantic City for Internet gaming activity.

This experiment could begin on or after November 10, 2014, and continue for a maximum of 270 days from that date, unless otherwise terminated by the Division or any of the participating casino licensees prior to that time, pursuant to the terms and conditions of the experiment.

Should the temporary amendments prove successful, in the judgment of the Division, the Division will propose them for final adoption, in accordance with the public notice and comment requirements of the Administrative Procedure Act and N.J.A.C. 1:30.

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(d)

**DIVISION OF GAMING ENFORCEMENT**  
**Internet and Mobile Gaming**  
**Celebrity Players for Internet**  
**Temporary Adoption of New Rule: N.J.A.C. 13:69O-**  
**1.4**

Authority: N.J.S.A. 5:12-5, 69.a, 69.e, 70.a(7), 76.y, and 95.23.

**Take notice** that the Division of Gaming Enforcement shall, pursuant to N.J.S.A. 5:12-69.e, conduct an experiment for the purpose of determining whether Internet and mobile systems may be allowed the usage of celebrity or professional players for publicity purposes. Such celebrities could participate in Internet poker and other games, could have their accounts funded by an Internet gaming operator, and could be paid a contracted amount regardless of the results of their gaming activity.

The experiment will be conducted in accordance with temporary rules, which shall be available in each casino holding an Internet gaming permit which is participating in the experiment, and shall also be available from the Division upon request.

The test would allow a casino licensee holding an Internet gaming permit which wishes to participate in the experiment, and which meets all the terms and conditions established by the Division, to implement the use of celebrity players whose accounts are funded by the permit holder or its partner for promotional and publicity purposes.

This experiment could begin on or after November 10, 2014, and continue for a maximum of 270 days from that date, unless otherwise terminated by the Division or any of the participating casino licensees prior to that time, pursuant to the terms and conditions of the experiment.

Should the temporary amendments prove successful, in the judgment of the Division, the Division will propose them for final adoption, in accordance with the public notice and comment requirements of the Administrative Procedure Act and N.J.A.C. 1:30.