

Agenda Item # 1

—Centaur Gaming®

2017 APR 10 A 10:09

INDIANA
HORSE RACING COMM.

April 7, 2017

VIA FEDERAL EXPRESS

Lea Ellingwood
General Counsel
INDIANA HORSE RACING COMMISSION
1302 N. Meridian, Suite 175
Indianapolis, IN 46202

RE: Administrative Complaint 217005

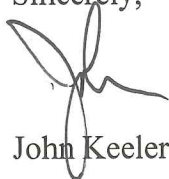
Dear Lea:

Enclosed please find a check from Centaur Acquisition, LLC, for \$1,000.00 made payable to the Indiana Horse Racing Commission in full payment of the fine imposed in connection with the above reference complaint. Also enclosed for final execution are two originals of the related Settlement Agreement, both of which have been signed by Centaur Acquisition.

Please sign both documents on behalf of the Commission and return one fully executed Settlement Agreement to our office in the enclosed self addressed, postage paid envelope.

Many thanks for your cooperation in resolution of this matter.

Sincerely,



John Keeler

Enclosures

SETTLEMENT AGREEMENT

This Settlement Agreement ("Agreement") is entered into between the Indiana Horse Racing Commission ("Commission"), by Mike Smith, Executive Director of the Indiana Horse Racing Commission Staff ("Commission Staff") and Centaur Acquisition, LLC ("Centaur"), a 2016 permit holder subject to regulation by the Commission. Collectively, the Commission Staff and Centaur shall be referred to herein as "the Parties." This Agreement is subject to the review and approval of the Commission.

RECITALS

1. The Commission is the administrative agency in the State of Indiana with exclusive jurisdiction to regulate horse racing pursuant to provisions of the Indiana Code, Title 4, Article 31.
2. Centaur was a permit holder with the Commission during the years 2014 to 2016, and at all times relevant to this Agreement.
3. Title 71 of the Indiana Administrative Code regulates permit holders participating in pari-mutuel racing in Indiana.
4. 71 IAC 11-1-22(f) Reporting of interest in a permit holder provides: "A permit holder or a person with an interest in a permit holder shall not make a contribution to a candidate or committee in violation of IC 4-31-13-3.5."
5. I.C. 4-31-13-3.5(h) provides that "A permit holder or a person with an interest in a permit holder may not make a contribution to a candidate or a committee during the following periods: (1) The term during which the permit holder holds a permit."
6. Centaur self-reported the violation to the Commission Staff based on an internal audit conducted by the Chief Financial Officer of Centaur Holdings, LLC.
7. Each of the seven (7) contributions made over the course of two (2) years was for \$500 or less to Shelby County, Indiana political candidate and party committees.
8. Centaur mitigated the effect of the violation by contacting every political or candidate committee that received a donation and ensuring the return of the donations made, the aggregate amount of which was \$2,580.00.
9. Centaur mitigated the violation by revamping the contributions and donations process and instituting ongoing training regarding the prohibitions against contributions to political and candidate committees.

10. The contributions were the result of a lack of training. Neither Centaur nor its employees who made the contributions did so with the specific intent to knowingly or intentionally violate IC 4-31-13-3(h).

11. The Commission's Executive Director, given Centaur's willingness to enter into this Agreement, is executing this Agreement in lieu of litigating Administrative Complaint No. 217005, which related to the violation of 71 IAC 11-1-22(f).

12. Now, in full and complete resolution of any and all further administrative proceedings involving Centaur relative to its employees making contributions made between 2014 and 2016 in violation of 71 IAC 11-1-22(f) and IC 4-31-3-13-3.5 as outlined in Administrative Complaint No. 217005, the Commission Staff and Centaur agree to the terms and conditions set forth in this Agreement.

AGREEMENT

NOW, THEREFORE, in consideration of the foregoing, and the promises and covenants to be performed as set forth herein, the Parties agree as follows:

13. Centaur hereby admits it was unknowingly and unintentionally in violation of 71 IAC 11-1-22(f).

14. As a penalty for the referenced violation, Centaur agrees to pay a fine of \$1,000.00.

15. The Commission will enter a ruling consistent with this Agreement which will make clear that the sanction set forth in Paragraph 14, is the total sanction for the violation(s) referenced in this Agreement and no other sanctions, penalties, or discipline shall be assessed for said violation(s).

16. The Parties agree that this Agreement shall be interpreted, enforced, and governed by the laws of the State of Indiana.

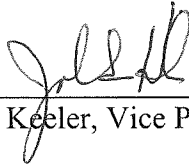
17. This Agreement may be executed in multiple counterparts, each of which shall be deemed an original, fully enforceable counterpart of all purposes, but all of which constitute one and the same instrument.

18. Centaur represents that it has carefully read and reviewed the foregoing Agreement, acknowledges its contents, has had the right to consult with his own counsel, and agrees to be bound by its terms. Centaur acknowledges that it has voluntarily entered into this Agreement as of the date and year herein set forth.

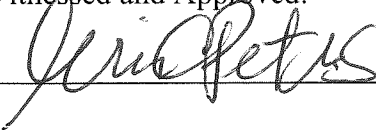
IN WITNESS HEREOF, the Parties have executed this Agreement on the dates listed below.

I swear, under penalties for perjury, that the foregoing representations that have been made by me are true and correct.

4/4/17
Date


John S. Keeler, Vice President and General Counsel

Witnessed and Approved:




ON BEHALF OF THE INDIANA HORSE RACING COMMISSION:

4-11-17
Date


Mike Smith, Executive Director

Approved as to form:


Lea Ellingwood, General Counsel

7 **CENTAUR ACQUISITION, LLC**
DBA INDIANA GRAND CASINO
4300 North Michigan Road
Shelbyville, IN 46176

Remittance Advice

Check Number: 37543
Check Date: 4/04/2017

INVOICE NUMBER	INVOICE DATE	INVOICE AMOUNT	DISCOUNT	NET AMOUNT
IHRC FINE	4/04/2017	1,000.00	.00	1,000.00
		1,000.00	.00	1,000.00

INDIANA GRAND CASINO **CENTAUR ACQUISITION, LLC**
DBA INDIANA GRAND CASINO
4300 North Michigan Road
Shelbyville, IN 46176

Fifth Third Bank
Indianapolis, IN 46204
71-859/749

CHECK NO. 37543
CHECK DATE 4/04/2017

\$*****1,000.00

PAY One Thousand and 00/100 Dollars

TO THE ORDER OF

INDIANA HORSE RACING COMMISSIO
1302 N MERIDIAN ST., SUITE 175
INDIANAPOLIS IN 46202

Annem Kunst

⑈000037543⑈ ⑆074908594⑆ 7655667645⑈

See Reverse Side For Easy Opening Instructions

CENTAUR ACQUISITION, LLC
DBA INDIANA GRAND CASINO
4300 North Michigan Road
Shelbyville, IN 46176

INDIANA HORSE RACING COMM

INDIANA HORSE RACING COMMISSIO
1302 N MERIDIAN ST., SUITE 175
INDIANAPOLIS IN 46202

2017 APR 10 A 10:10

PSEPRZ-B-COMP * 53060

Patent Number US 7,975,904 B2

Agenda Item # 2

Pitman, Deena

From: Ellingwood, Lea
Sent: Monday, April 03, 2017 10:37 AM
To: Jack Kieninger; Herb Likens; brownpreston@indy.rr.com; Paul Martin; Dianne Bennett; John Keeler; Stewards; Judges; Scot Waterman
Cc: Smith, Michael D; Pitman, Deena; Barnes, Jessica
Subject: Rule changes
Attachments: Working master draft.doc

All:

Please find attached a few rule changes that staff plans to present to the Commission for adoption. Please let me know no later than April 14th if you have any objection to any of the rules.

Please feel free to contact me with any questions.

Warmest regards,
Lea

Lea Ellingwood
General Counsel
Indiana Horse Racing Commission
1302 N. Meridian St.
Suite 175
Indianapolis, IN 46202
317-233-3119

TITLE 71 INDIANA HORSE RACING COMMISSION

Emergency Rule

LSA Document #17 - ____ (E)

DIGEST

Amends 71 IAC 5-1-17 and 71 IAC 5.5-1-17 regarding the duration of a license. Amends 71 IAC 6.5-1-3 and 71 IAC 6.5-1-4 regarding claim certificates and claiming prohibitions. Amends 71 IAC 8-1-4.2 and 8.5-1-4.2 regarding medication thresholds. Effective upon filing with the Publisher.

SECTION 1. 71 IAC 5-1-17 IS AMENDED TO READ AS FOLLOWS:

71 IAC 5-1-17 Duration of license

Authority: IC 4-31-6-2

Affected: IC 4-31-6-4

Sec. 17. ~~(a) All licenses expire December 31 of each year.~~

~~(b)~~ A license is valid only under the condition that the licensee remains eligible to hold such license. (*Indiana Horse Racing Commission; 71 IAC 5-1-17; emergency rule filed Feb 10, 1994, 9:20 a.m.: 17 IR 1142; readopted filed Oct 30, 2001, 11:50 a.m.: 25 IR 899; readopted filed Mar 23, 2007, 11:31 a.m.: 20070404-IR-071070030RFA; filed Nov 10, 2014, 2:07 p.m.: 20141210-IR-071140230FRA*)

SECTION 2. 71 IAC 5.5-1-17 IS AMENDED TO READ AS FOLLOWS:

71 IAC 5.5-1-17 Duration of license

Authority: IC 4-31-6-2

Affected: IC 4-31-6-4

Sec. 17. ~~(a) All licenses expire December 31 of each year.~~

~~(b)~~ A license is valid only under the condition that the licensee remains eligible to hold such license. (*Indiana Horse Racing Commission; 71 IAC 5.5-1-17; emergency rule filed Jun 15, 1995, 5:00 p.m.: 18 IR 2852, eff Jul 1, 1995; readopted filed Oct 30, 2001, 11:50 a.m.: 25 IR 899; readopted filed Mar 23, 2007, 11:31 a.m.: 20070404-IR-071070030RFA; filed Nov 10, 2014, 2:07 p.m.: 20141210-IR-071140230FRA*)

SECTION 3. 71 IAC 6.5-1-3 IS AMENDED TO READ AS FOLLOWS:

71 IAC 6.5-1-3 Claim certificate

Authority: IC 4-31-3-9

Affected: IC 4-31

Sec. 3. (a) Any owner may claim any horse subject to be claimed in flat racing in Indiana provided the owner:

(1) has foal papers on file in the Indiana Grand racing office and has started a horse at the current race meeting; or

(2) has been issued an open claiming certificate by the stewards.

(b) The stewards shall issue an open claiming certificate to any person who:

(1) makes application for an owners license;

(2) meets all requirements for the issuance of an owner's license;

~~(3) does not own, nor has a spouse who:~~

~~(A) owns a horse who is eligible and able to race at Indiana Grand; or~~

~~(B) has foal papers on file in the Indiana Grand racing office with respect to a horse eligible to race at Indiana Grand;~~

~~(4)~~ (3) has an agreement with a trainer licensed in Indiana to take charge of, care for, and train any horse claimed by the holder of the open claiming certificate; and

~~(5)~~ (4) has at a minimum, the amount of the claim and applicable taxes on deposit with the horsemen's bookkeeper.

(c) An open claiming certificate may not be issued to any person licensed as a trainer in any jurisdiction unless the trainer is a member of a partnership, limited liability company, corporation, or other entity that would otherwise be eligible for an open claiming certificate, and the claim is being made by that entity.

(d) The open claiming certificate shall be valid for the calendar year in which it is issued or until the person to whom the open claiming certificate is issued executes a claim and becomes an owner of a horse through the use of the open claiming certificate, whichever period is shorter.

(e) An open claiming certificate shall not be effective until the next racing day following the date of approval by the stewards.

(f) The open claiming certificate shall be enclosed in the envelope provided for the purpose of claiming by the racing office. (*Indiana Horse Racing Commission; 71 IAC 6.5-1-3; emergency rule filed Jun 15, 1995, 5:00 p.m.: 18 IR 2862, eff Jul 1, 1995; readopted filed Oct 30, 2001, 11:50 a.m.: 25 IR 899; readopted filed Mar 23, 2007, 11:31 a.m.: 20070404-IR-071070030RFA; readopted filed Nov 26, 2013, 11:25 a.m.: 20131225-IR-071130345RFA; emergency rule filed Jun 10, 2016, 11:11 a.m.: 20160615-IR-071160257ERA*)

SECTION 4. 71 IAC 6.5-1-4 IS AMENDED TO READ AS FOLLOWS:

71 IAC 6.5-1-4 Prohibitions

Authority: IC 4-31-3-9

Affected: IC 4-31

Sec. 4. (a) A person shall not claim a horse in which the person has a financial or beneficial interest as an owner or trainer.

(b) A person shall not cause another person to claim a horse for the purpose of obtaining or retaining an undisclosed financial or beneficial interest in the horse.

(c) A person shall not enter into an agreement for the purpose of preventing another person from obtaining a horse in a claiming race.

(d) A person shall not claim a horse, or enter into any agreement to have a horse claimed, on behalf of an ineligible or undisclosed person.

(e) A person shall not file a claim more than one (1) horse in a race or file more than one (1) claim for the same horse. However, owners utilizing the same trainer may claim different horses from the same race.

~~(f) A person shall not claim more than one (1) horse in a race. However, owners utilizing the same trainer may claim different horses from the same race.~~

(g) The association shall ensure the claim box is locked. The association shall unlock the claim box only after the deadline for claiming a horse has passed.

(h) For a period of thirty (30) days after a claim, a horse shall not start in a race in which the determining eligibility price is less than the price at which it was claimed. The day claimed shall not count for purposes of counting the applicable thirty (30) day period, and for this purpose the immediate following calendar day after the day claimed shall be the first day. The horse shall be entitled to enter whenever necessary so that the horse may start on the thirty-first calendar day following the claim for any claiming price.

(i) No horse claimed out of a claiming race shall race outside of the state of Indiana for a period of sixty (60) days without the permission of the stewards and racing secretary, or until the conclusion of the race meet. (*Indiana Horse Racing Commission; 71 IAC 6.5-1-4; emergency rule filed Jun 15, 1995, 5:00 p.m.: 18 IR 2862, eff Jul 1, 1995; emergency rule filed June 8, 1999, 9:30 a.m.: 22 IR 3121, eff May 26, 1999 [NOTE: IC 4-22-2-37.1 establishes the effectiveness of an emergency rule upon filing with the secretary of state. LSA Document #99-107(E) was filed with the secretary of state June 8, 1999.]; emergency rule filed Jun 22, 2000, 3:05 p.m.: 23 IR 2780; readopted filed Oct 30, 2001, 11:50 a.m.: 25 IR 899; emergency rule filed Aug 20, 2002, 3:00 p.m.: 26 IR 55; readopted filed Mar 23, 2007, 11:31 a.m.: 20070404-IR-071070030RFA; emergency rule filed Mar 12, 2008, 1:53 p.m.: 20080326-IR-071080191ERA, eff Mar 11, 2008 [IC 4-22-2-37.1 establishes the effectiveness of an emergency rule upon filing with the Publisher. LSA Document #08-191(E) was filed with the Publisher March 12, 2008.]; emergency rule filed Apr 30, 2010, 1:34 p.m.: 20100505-IR-071100256ERA; emergency rule filed Jan 25, 2012, 12:20 p.m.: 20120201-IR-071120056ERA; readopted filed Nov 26, 2013, 11:25 a.m.: 20131225-IR-071130345RFA; emergency rule filed Mar 30, 2016, 12:18 p.m.: 20160406-IR-071160138ERA*)

SECTION 5. 71 IAC 8-1-4.2 IS AMENDED TO READ AS FOLLOWS:

71 IAC 8-1-4.2 Threshold levels

Authority: IC 4-31-3-9

Affected: IC 4-31-12

Sec. 4.2. The official blood (serum or plasma) and urine samples may contain only the following therapeutic medications, their metabolites or analogues, and shall not exceed the threshold concentrations specified in this rule:

(1) The use of acepromazine shall be permitted under the following conditions: Not to exceed ten (10) nanograms per milliliter of the metabolite, 2-(1-hydroxyethyl) promazine sulfoxide (HEPS), in urine.

(2) The use of albuterol shall be permitted under the following conditions: Not to exceed one (1) nanogram per milliliter of total albuterol (albuterol plus conjugates) in urine.

(3) The use of betamethasone shall be permitted under the following conditions: Not to

exceed ten (10) picograms per milliliter of betamethasone in serum or plasma.

(4) The use of butorphanol shall be permitted under the following conditions: Not to exceed three hundred (300) nanograms per milliliter of total (free and conjugated) butorphanol in urine or two (2) nanograms per milliliter of free butorphanol in serum or plasma.

(5) The use of clenbuterol shall be permitted under the following conditions: Not to exceed one hundred forty (140) picograms per milliliter clenbuterol in urine or the limit of detection (LOD) in serum or plasma.

(6) The use of cetirizine shall be permitted under the following conditions: Not to exceed six (6) nanograms per milliliter of serum or plasma.

(7) The use of cimetidine shall be permitted under the following conditions: Not to exceed four hundred (400) nanograms per milliliter of serum or plasma.

(8) The use of dantrolene shall be permitted under the following conditions: Not to exceed one hundred (100) picograms per milliliter of 5-hydroxydantrolene in serum or plasma.

(9) The use of detomidine shall be permitted under the following conditions: Not to exceed two (2) nanograms per milliliter of carboxydetomidine in urine or one (1) nanogram per milliliter of detomidine in serum or plasma.

(10) The use of dexamethasone shall be permitted under the following conditions: Not to exceed five (5) picograms per milliliter of dexamethasone in plasma or serum.

(11) The use of diclofenac shall be permitted under the following conditions: Not to exceed five (5) nanograms per milliliter of diclofenac in plasma or serum.

(12) The use of dimethylsulfoxide (DMSO) shall be permitted under the following conditions: Not to exceed ten (10) micrograms per milliliter of DMSO in serum or plasma.

(13) The use of firocoxib shall be permitted under the following conditions: Not to exceed twenty (20) nanograms per milliliter of firocoxib in serum or plasma.

(14) The use of glycopyrrolate shall be permitted under the following conditions: Not to exceed three (3) picograms per milliliter of glycopyrrolate in serum or plasma.

(15) The use of guaifenesin shall be permitted under the following conditions: Not to exceed twelve (12) nanograms per milliliter of serum or plasma.

(16) The use of isoflupredone shall be permitted under the following conditions: Not to exceed one hundred (100) picograms per milliliter of isoflupredone in serum or plasma.

(17) The use of lidocaine shall be permitted under the following conditions: Not to exceed twenty (20) picograms per milliliter of total 3-hydroxylidocaine (to include conjugates) in serum or plasma.

(18) The use of mepivacaine shall be permitted under the following conditions: Not to exceed ten (10) nanograms per milliliter of total 3-hydroxymepivacaine in urine or the LOD of mepivacaine in serum or plasma.

(19) The use of methocarbamol shall be permitted under the following conditions: Not to exceed one (1) nanogram per milliliter of methocarbamol in serum or plasma.

(20) The use of methylprednisolone shall be permitted under the following conditions: Not to exceed one hundred (100) picograms per milliliter of methylprednisolone in serum or plasma.

(21) The use of omeprazole shall be permitted under the following conditions: Not to exceed ten (10) nanograms per milliliter of omeprazole sulfide in urine.

(22) The use of prednisolone shall be permitted under the following conditions: Not to exceed one (1) nanogram per milliliter of prednisolone in serum or plasma.

(23) The use of procaine penicillin shall be permitted under the following conditions:

(A) Not to exceed twenty-five (25) nanograms per milliliter of procaine in serum or plasma, and

(B) Administration of procaine penicillin must be reported to the official veterinarian at the time of administration, and

(C) Procaine penicillin must not be administered after the horse is entered to race, and

(D) Mandatory surveillance of the horse must occur for the six (6) hours immediately preceding the race for which the horse is entered by association security at the owner's expense.

(24) The use of ranitidine shall be permitted under the following conditions: Not to exceed forty (40) ~~picograms~~ **nanograms** per milliliter of serum or plasma.

(25) The use of triamcinolone acetonide shall be permitted under the following conditions: Not to exceed one hundred (100) picograms per milliliter of triamcinolone acetonide in serum or plasma.

(26) The use of xylazine shall be permitted under the following conditions: Not to exceed two hundred (200) picograms per milliliter of xylazine in serum or plasma.

(Indiana Horse Racing Commission; 71 IAC 8-1-4.2; emergency rule filed Jan 25, 2012, 12:20 p.m.: 20120201-IR-071120056ERA; emergency rule filed Feb 8, 2012, 12:01 p.m.: 20120215-IR-071120072ERA; emergency rule filed Apr 3, 2013, 10:37 a.m.: 20130410-IR-071130133ERA; readopted filed Nov 26, 2013, 11:25 a.m.: 20131225-IR-071130345RFA; emergency rule filed May 7, 2014, 2:27 p.m.: 20140514-IR-071140143ERA, eff May 15, 2014; emergency rule filed Jul 3, 2014, 11:57 a.m.: 20140709-IR-071140251ERA)

SECTION 6. 71 IAC 8.5-1-4.2 IS AMENDED TO READ AS FOLLOWS:

71 IAC 8.5-1-4.2 Threshold levels

Authority: IC 4-31-3-9

Affected: IC 4-31-12

Sec. 4.2. The official blood (serum or plasma) and urine samples may contain only the following therapeutic medications, their metabolites or analogues, and shall not exceed the threshold concentrations specified in this rule:

(1) The use of acepromazine shall be permitted under the following conditions: Not to exceed ten (10) nanograms per milliliter of the metabolite, 2-(1-hydroxyethyl) promazine sulfoxide (HEPS), in urine.

(2) The use of albuterol shall be permitted under the following conditions: Not to exceed one (1) nanogram per milliliter of total albuterol (albuterol plus conjugates) in urine.

(3) The use of betamethasone shall be permitted under the following conditions: Not to exceed ten (10) picograms per milliliter of betamethasone in serum or plasma.

(4) The use of butorphanol shall be permitted under the following conditions: Not to exceed three hundred (300) nanograms per milliliter of total (free and conjugated) butorphanol in urine or two (2) nanograms per milliliter of free butorphanol in serum or plasma.

- (5) The use of clenbuterol shall be permitted under the following conditions: Not to exceed one hundred forty (140) picograms per milliliter clenbuterol in urine or the limit of detection (LOD) in serum or plasma.
- (6) The use of cetirizine shall be permitted under the following conditions: Not to exceed six (6) nanograms per milliliter of serum or plasma.
- (7) The use of cimetidine shall be permitted under the following conditions: Not to exceed four hundred (400) nanograms per milliliter of serum or plasma.
- (8) The use of dantrolene shall be permitted under the following conditions: Not to exceed one hundred (100) picograms per milliliter of 5-hydroxydantrolene in serum or plasma.
- (9) The use of detomidine shall be permitted under the following conditions: Not to exceed two (2) nanograms per milliliter of carboxydetomidine in urine or one (1) nanogram per milliliter detomidine in serum or plasma.
- (10) The use of dexamethasone shall be permitted under the following conditions: Not to exceed five (5) picograms per milliliter of dexamethasone in plasma or serum.
- (11) The use of diclofenac shall be permitted under the following conditions: Not to exceed five (5) nanograms per milliliter of diclofenac in plasma or serum.
- (12) The use of dimethylsulfoxide (DMSO) shall be permitted under the following conditions: Not to exceed ten (10) micrograms per milliliter of DMSO in serum or plasma.
- (13) The use of firocoxib shall be permitted under the following conditions: Not to exceed twenty (20) nanograms per milliliter of firocoxib in serum or plasma.
- (14) The use of glycopyrrolate shall be permitted under the following conditions: Not to exceed three (3) picograms per milliliter of glycopyrrolate in serum or plasma.
- (15) The use of guaifenesin shall be permitted under the following conditions: Not to exceed twelve (12) nanograms per milliliter of serum or plasma.
- (16) The use of isoflupredone shall be permitted under the following conditions: Not to exceed one hundred (100) picograms per milliliter of isoflupredone in serum or plasma.
- (17) The use of lidocaine shall be permitted under the following conditions: Not to exceed twenty (20) picograms per milliliter of total 3-hydroxylidocaine (to include conjugates) in serum or plasma.
- (18) The use of mepivacaine shall be permitted under the following conditions: Not to exceed ten (10) nanograms per milliliter of total 3-hydroxymepivacaine in urine or the LOD of mepivacaine in serum or plasma.
- (19) The use of methocarbamol shall be permitted under the following conditions: Not to exceed one (1) nanogram per milliliter of methocarbamol in serum or plasma.
- (20) The use of methylprednisolone shall be permitted under the following conditions: Not to exceed one hundred (100) picograms per milliliter of methylprednisolone in serum or plasma.
- (21) The use of omeprazole shall be permitted under the following conditions: Not to exceed ten (10) nanograms per milliliter of omeprazole sulfide in urine.
- (22) The use of prednisolone shall be permitted under the following conditions: Not to exceed one (1) nanogram per milliliter of prednisolone in serum or plasma.
- (23) The use of procaine penicillin shall be permitted under the following conditions:
 - (A) Not to exceed twenty-five (25) nanograms per milliliter of procaine in serum or plasma, and

- (B) Administration of procaine penicillin must be reported to the official veterinarian at the time of administration, and
 - (C) Procaine penicillin must not be administered after the horse is entered to race, and
 - (D) Mandatory surveillance of the horse must occur for the six (6) hours immediately preceding the race for which the horse is entered by association security at the owner's expense.
- (24) The use of ranitidine shall be permitted under the following conditions: Not to exceed forty (40) ~~picograms~~ **nanograms** per milliliter of serum or plasma.
- (25) The use of triamcinolone acetonide shall be permitted under the following conditions: Not to exceed one hundred (100) picograms per milliliter of triamcinolone acetonide in serum or plasma.
- (26) The use of xylazine shall be permitted under the following conditions: Not to exceed two hundred (200) picograms per milliliter of xylazine in serum or plasma.


(Indiana Horse Racing Commission; 71 IAC 8.5-1-4.2; emergency rule filed Jan 25, 2012, 12:20 p.m.: 20120201-IR-071120056ERA; emergency rule filed Feb 8, 2012, 12:01 p.m.: 20120215-IR-071120072ERA; emergency rule filed Apr 3, 2013, 10:37 a.m.: 20130410-IR-071130133ERA; emergency rule filed May 7, 2014, 2:27 p.m.: 20140514-IR-071140143ERA, eff May 15, 2014; emergency rule filed Jul 3, 2014, 11:57 a.m.: 20140709-IR-071140251ERA)

Agenda Item # 3 - To Come

Agenda Item # 4

Indiana Horse Racing Commission Approved Laboratories Out of Competition Testing

A third laboratory below (**LGC Laboratory**) has been added for approval by the Indiana Horse Racing Commission as an available split sample testing laboratory for out of competition testing pursuant to 71 IAC 8-3-5(h) and 8.5-2-5(h).

71 IAC 8-3-5 and 8.5-2-5	
Primary Screening Laboratory	Industrial Laboratory
Primary Confirmation Laboratory	Industrial Laboratory
Split Sample Laboratories	University of California – Davis University of Pennsylvania Equine Pharmacology Laboratory New Laboratory Addition:  LGC Laboratory, Lexington, KY

Out of Competition Testing (8-3-5(f) and 8.5-2-5(f)) prohibited substances, practices, and procedures are defined as the following:

- (1) Blood doping agents including, but not limited to, erythropoietin (EPO), darbepoetin, Oxyglobin, Hemopure, Aranesp, or any substance that abnormally enhances the oxygenation of body tissues.
- (2) Gene doping agents or the nontherapeutic use of genes, genetic elements, and/or cells that have the capacity to enhance athletic performance or produce analgesia.
- (3) Naturally produced venoms, synthetic analogues of venoms, derivatives of venoms, or synthetic analogues of derivatives of venoms.
- (4) Substances capable of producing a repartitioning effect that are not FDA-approved for use in horses, including, but not limited to, ractopamine, zilpaterol, or any similar agent.
- (5) AAS (androgenic-anabolic steroids) other than endogenous concentrations of the naturally occurring substances as defined in 71 IAC 8-1-8 / 71 IAC 8.5-1-8 or AAS in a horse placed on the veterinarian's list in accordance with 71 IAC 8-1-8(f) / 71 IAC 8.5-1-8(f); and
- (6) Cobalt in excess of the threshold provided in 71 IAC 8-1-9 / 71 IAC 8.5-1-9. In the event a sample from a horse results in cobalt in excess of the threshold, the horse shall be placed on the veterinarian's list until the concentration of cobalt in serum has fallen below the designated threshold, or until the conclusion of the race meet. However, horses testing at a concentration of one hundred (100) parts per billion shall be placed on the veterinarian's list for a minimum of thirty (30) days.