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NOTICE OF PROPOSED RULEMAKING
INCLUDING STATEMENT OF NEED & FISCAL IMPACT

CHAPTER 462
OREGON RACING COMMISSION

FILED
09/03/2025 6:15 PM
ARCHIVES DIVISION
SECRETARY OF STATE

FILING CAPTION: Amends 462-160-0130 Changes medication schedule

LAST DAY AND TIME TO OFFER COMMENT TO AGENCY: 10/22/2025 11:55 PM

The Agency requests public comment on whether other options should be considered for achieving the rule's substantive goals while reducing negative economic impact of the rule on business.

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Filed By:
Karen Parkman
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HEARING(S)

Auxiliary aids for persons with disabilities are available upon advance request. Notify the contact listed above.

DATE: 10/16/2025
TIME: 12:00 PM - 12:30 PM
OFFICER: TBD

REMOTE HEARING DETAILS
MEETING URL: Click here to join the meeting
PHONE NUMBER: 503-446-4951
CONFERENCE ID: 149278053

NEED FOR THE RULE(S)

Changes required to coincide with the previous changes to the 48-hour period. The time was previously changed, but the doses were not adjusted at that time.

DOCUMENTS RELIED UPON, AND WHERE THEY ARE AVAILABLE

Documents are electronically stored with the agency and are available upon request.

STATEMENT IDENTIFYING HOW ADOPTION OF RULE(S) WILL AFFECT RACIAL EQUITY IN THIS STATE

Does not affect racial equity

FISCAL AND ECONOMIC IMPACT:

None

COST OF COMPLIANCE:

(1) Identify any state agencies, units of local government, and members of the public likely to be economically affected by the rule(s). (2) Effect on Small Businesses: (a) Estimate the number and type of small businesses subject to the rule(s); (b) Describe the

expected reporting, recordkeeping and administrative activities and cost required to comply with the rule(s); (c) Estimate the cost of professional services, equipment supplies, labor and increased administration required to comply with the rule(s).

No cost to comply

DESCRIBE HOW SMALL BUSINESSES WERE INVOLVED IN THE DEVELOPMENT OF THESE RULE(S):

Interested and affected parties have been involved. small businesses are not affected.

WAS AN ADMINISTRATIVE RULE ADVISORY COMMITTEE CONSULTED? NO IF NOT, WHY NOT?

This is an equine safety matter

AMEND: 462-160-0130

RULE SUMMARY: Amends 462-160-0130 changes permissible medication schedule

CHANGES TO RULE:

462-160-0130
Medications and Prohibited Substances ¶

(1) No horse may be administered any substance, other than foods, by any route or method less than 24 hours before the original post time for the race in which the horse is entered except furosemide (by the manner described in these rules) unless approved by a commission veterinarian:¶
(a) Any licensee of the commission, including veterinarians, found to be responsible for the improper or intentional administration of any drug resulting in a positive test may, after proper notice and hearing, be subject to the same penalties set forth for the licensed trainer;¶
(b) The licensed trainer is responsible for notifying the licensed owner, veterinarian or any other licensed party involved in a positive laboratory finding of any hearings and any resulting action. In addition their presence may be required at any and all hearings relative to the case;¶
(c) Any veterinarian found to be involved in the administration of any drug with an RCI Classification of 1, 2, or 3, involved in a prohibited practice as outlined in OAR 462-160-0120, or involved in an ORS 462 violation shall be referred to the State Licensing Board of Veterinary Medicine for consideration of further disciplinary action and/or license revocation. This is in addition to any penalties issued by the stewards or the commission;¶
(d) Any person who the stewards or the commission believe may have committed acts in violation of criminal statutes may be referred to the appropriate law enforcement agency. Administrative action taken by the stewards or the commission does not prohibit a prosecution for criminal acts committed, nor does a potential criminal prosecution stall administrative action by the stewards or the commission;¶
(e) A licensed trainer shall not benefit financially during the period for which the individual has been suspended. This includes, but is not limited to, ensuring that horses are not transferred to licensed family members.¶
(2) Medication Restrictions:¶
(a) A finding by the commission approved laboratory of a prohibited drug, chemical or other substance in a test specimen of a horse is prima facie evidence that the prohibited drug, chemical or other substance was administered to the horse and, in the case of a race day test, was present in the horse's body on race day. Prohibited substances include:¶
(A) Drugs or medications for which no acceptable threshold concentration has been established;¶
(B) Therapeutic medications in excess of established threshold concentrations;¶
(C) Substances present in the horse in excess of concentrations at which such substances could occur naturally; and¶
(D) Substances foreign to a horse at concentrations that cause interference with testing procedures.¶
(b) Except as otherwise provided by this chapter, a person may not administer or cause to be administered by any means to a horse a prohibited drug, medication, chemical or other substance, including any restricted medication pursuant to this chapter less than 24-hours before post time for the race in which the horse is entered.¶
(3) Medical Labeling:¶
(a) No person on association grounds where horses are lodged or kept, excluding licensed veterinarians and licensed veterinary technician, shall have in or upon association grounds which that person occupies or has the right to occupy, or in that person's personal property or effects or vehicle in that person's care, custody or control, a drug, medication, chemical, foreign substance or other substance that is prohibited in a horse on a race day

unless the product is labeled in accordance with this subsection;¶
(b) Any drug or medication which is used or kept on association grounds and which, by federal or state law, requires a prescription must have been validly prescribed by a duly licensed veterinarian, and in compliance with the applicable state statutes. All such allowable medications must have a prescription label which is securely attached and clearly ascribed to show the following:¶
(A) The name of the product;¶
(B) The name, address and telephone number of the veterinarian prescribing or dispensing the product;¶
(C) The name of each patient (horse) for whom the product is intended/prescribed;¶
(D) The dose, dosage, duration of treatment and expiration date of the prescribed/dispensed product; and¶
(E) The name of the person (trainer) to whom the product was dispensed.¶
(4) Non-Steroidal Anti-Inflammatory Drugs (NSAIDs):¶
(a) The use of one of three approved NSAIDs shall be permitted under the following conditions:¶
(A) ~~Horses on any permitted NSAID will be designated on the overnight and the daily racing program;¶~~
~~(B) No horse utilizing a permitted NSAID may be entered into a race unless the presence of the specific NSAID is stated on the entry form at the time of entry. Errors may be corrected up until scratch time. If no scratch time is used, the stewards may designate a time until which errors may be corrected;¶~~
~~(C)~~ Not to exceed the following permitted serum or plasma threshold concentrations which are consistent with administration by a single intravenous injection not less than ~~2~~48-hours before the post time for the race in which the horse is entered:¶
(i) Phenylbutazone - ~~2 micrograms per milliliter~~0.3 mc/ml;¶
(ii) Flunixin - ~~2~~5.0 n~~anograms per milliliter;¶~~
~~(iii) Ketoprofen - 2 nanograms per milliliter.~~g/ml;¶
(iii) Ketoprofen - 2.0 ng/ml¶
(~~D~~B) These or any other NSAID are prohibited to be administered within the 48-hours before the original post time for the race in which the horse is entered;¶
(~~E~~C) The presence of any unapproved NSAID in serum, plasma or urine sample exceeding the established thresholds pursuant to OAR 462-160-0130(8) is not permitted in a race day sample.¶
(b) Any horse ~~to which an NSAID has been administered~~ shall be subject to having a blood and/or urine sample(s) taken at the direction of a commission veterinarian to determine the quantitative NSAID level(s) and/or the presence of other drugs which may be present in the blood or urine sample(s);¶
(c) ~~When listed to race on a permitted NSAID, the approved laboratory must be able to detect the presence of a permitted NSAID in serum, plasma or urine by the routine methods of detection;¶~~
~~(d) If a permitted NSAID is detected in the urine or in any other specimen taken from a horse not stated to have permitted medication in its system on the entry form and/or program, the violation will result in a penalty to the horse's trainer and may result in loss of purse;¶~~
~~(e)~~ If the same horse has three (3) overages of any NSAID during a 365 day period a commission veterinarian may rule the horse off all NSAIDs for a period of one year (365 days);¶
~~(f) The decision of whether to scratch a horse which has been entered incorrectly or is incorrectly treated shall be left to the discretion of a commission veterinarian.¶~~
(~~g~~d) Stacking violation may occur when two or more non-steroidal anti-inflammatory drugs are present at detectable levels. ¶
(~~h~~e) All other non-steroidal anti-inflammatory drugs-laboratory concentration of detection are not permitted.¶
~~(5) NSAID Stacking Classification - The presence of more than one NSAID may constitute a NSAID stacking violation consistent with the following restrictions:¶~~
~~(a) Class 1 NSAID Stacking Violation occurs when: ¶~~
~~(A) Two non-steroidal anti-inflammatory drugs are found at individual levels determined to exceed the following restrictions: ¶~~
~~(i) Flunixin- 20 nanograms per milliliter of plasma or serum;¶~~
~~(ii) Ketoprofen- 2 nanograms per milliliter of plasma or serum;¶~~
~~(iii) Phenylbutazone- 2 micrograms per milliliter of plasma or serum;¶~~
~~(iv) All other non-steroidal anti-inflammatory drugs-laboratory concentration of detection¶~~
~~(B) Three or more non-steroidal anti-inflammatory drugs are found at individual levels determined to exceed the following restrictions:¶~~
~~(i) Flunixin- 3 nanograms per milliliter of plasma or serum;¶~~
~~(ii) Ketoprofen- 1 nanograms per milliliter of plasma or serum;¶~~
~~(iii) Phenylbutazone- 0.3 micrograms per milliliter of plasma or serum;¶~~
~~(iv) All other non-steroidal anti-inflammatory drugs-laboratory concentration of detection¶~~
~~(b) Class 2~~ Biological samples may contain one (1) of the NSAIDs identified in 4 (C) concentration up to the primary threshold indicated in the schedule. The presence of more than one (1) NSAID ~~Stacking Violation occurs when any~~

~~one substance noted in subsection (5)(a)(A)(i-v) above is found in excess of the restrictions contained therein in combination with any one of the following substances at levels below the restrictions so noted but in excess of the following levels:¶~~
~~(A) Flunixin- 3 nanograms per milliliter of plasma or serum;¶~~
~~(B) Ketoprofen- 1 nanograms per milliliter of plasma or serum;¶~~
~~(C) Phenylbutazone- 0.3 micrograms per milliliter of plasma or serum;¶~~
~~(c) Class 3~~in blood or urine, or both, constitutes an NSAID ~~S~~stacking ~~V~~violation ~~occurs when any combina~~in addition ~~of two of~~ the ~~following non-steroidal anti-inflammatory drugs are found at or below the restrictions in Subsection (5)(a)(A)(i-v) above but in excess of the following noted restrictions:¶~~
~~(A) Flunixin- 3 nanograms per milliliter of plasma or serum;¶~~
~~(B) Ketoprofen- 1 nanograms per milliliter of plasma or serum;¶~~
~~(C) Phenylbutazone- 0.3 micrograms per milliliter of plasma or serum~~violation associated with the detection of each additional NSAID that exceeds the primary threshold.¶
(~~6~~5) Furosemide:¶
(a) The commission may approve the use of furosemide at any race meet if, in the opinion of the commission, the race meet can provide the necessary qualified staffing, security and for the additional laboratory analysis costs and any other controls necessary to administer a furosemide program;¶
(b) Furosemide may be administered intravenously to a horse, which is entered to compete in a race. Except under the instructions of a commission veterinarian or the racing veterinarian for the purpose of removing a horse from the veterinarian's list, furosemide shall be permitted only if the following process is followed:¶
(A) After the horse's licensed trainer and licensed veterinarian determine that it would be in the horse's best interests to race with furosemide, the horse may be so entered.¶
(B) The horse may discontinue from racing on furosemide at the licensed trainer's choice at the time of entry.¶
(C) Furosemide shall only be administered on association grounds;¶
(c) Horses to run with furosemide must be so noted on the entry form at the time of entry. Errors may be corrected up until scratch time. If no scratch time is used, the stewards may designate a time until which errors may be corrected:¶
(A) Horses entered to race with furosemide will be designated on the overnight and the daily racing program with a "Lasix®" or "L". If the race is the first race the horse is to run in on furosemide, it shall be designated in the daily racing program with a "1-L". If the race is the first race the horse runs without furosemide after running one or more races with furosemide, it shall be designated in the program by "O-L" or "L-X";¶
(B) When discovered prior to the race, errors in the listing of furosemide treatments in the program shall be announced to the public.¶
(d) The use of furosemide shall be permitted under the following circumstances:¶
(A) Furosemide shall be administered no more than four and a half hours but not less than three hours prior to the original scheduled post time for the race for which the horse is entered;¶
(B) The furosemide dosage administered shall not exceed 300 mg. nor be less than 150 mg;¶
(C) Furosemide shall be administered by a single, intravenous injection;¶
(D) The veterinarian treating the horse shall cause to be delivered to a commission veterinarian or designated representative no later than one hour prior to post time for the race for which the horse is entered the following information under oath on a form approved by a commission veterinarian:¶
(i) The name of the horse, racetrack name, the date and time the furosemide was administered to the entered horse;¶
(ii) The dosage amount of furosemide administered to the entered horse; and¶
(iii) The printed name and signature of the attending licensed veterinarian who administered the furosemide;¶
(iv) Violations of this subsection (subsection (d)) shall result in a fine and scratch from the race the horse was entered to run. Violations may also result in a commission veterinarian ordering the loss of furosemide privileges.¶
(e) Test results must show a detectable concentration of the drug in the race day serum, plasma or urine sample. If furosemide is not detected in a race day sample, a penalty may be imposed upon the horse's trainer without loss of purse:¶
(A) Quantification of furosemide in serum or plasma shall be performed. Concentrations of furosemide in serum or plasma shall not exceed 100 nanograms of furosemide per milliliter of serum or plasma. When the concentration of furosemide exceeds 100 nanograms of furosemide per milliliter of serum or plasma, specific gravity of the corresponding urine sample shall be measured.¶
(B) The specific gravity of race day urine samples may be measured to ensure that samples are sufficiently concentrated for proper chemical analysis. The specific gravity shall not be below 1.010.¶
(f) Unauthorized use of furosemide shall result in a penalty to the horse's trainer;¶
(g) The decision of whether to scratch a horse which has been entered incorrectly or is incorrectly treated shall be

left to the discretion of a commission veterinarian;¶
(h) A commission veterinarian may rule a horse off furosemide if in his/her opinion it is in the horse's best interest, the interest of the citizens of the state or the best interest of horse racing.¶
(~~7~~6) Bleeder List:¶
(a) The commission veterinarians shall maintain a Bleeder List of all horses, which have demonstrated external evidence of exercise induced pulmonary hemorrhage from one or both nostrils during or after a race or workout as observed by a commission veterinarian;¶
(b) Every confirmed bleeder, regardless of age, shall be placed on the Bleeder List and be ineligible to enter for the following time periods:¶
(A) First incident - 14 days;¶
(B) Second incident within 365 day period - 30 days;¶
(C) Third incident within 365 day period - 180 days;¶
(D) Fourth incident within 365-day period - barred for racing lifetime.¶
(c) For the purposes of counting the number of days a horse is ineligible to be entered for a race, the day the horse bled externally is the first day of the recovery period;¶
(d) The voluntary administration of furosemide without an external bleeding incident shall not subject the horse to the initial period of ineligibility as defined by this policy;¶
(e) A horse may be removed from the Bleeder List only upon the direction of a commission veterinarian;¶
(f) A horse which has been placed on a Bleeder List in another jurisdiction pursuant to these rules shall be placed on a Bleeder List in this jurisdiction.¶
(~~8~~7) Controlled Therapeutic Medications¶
(a) The following quantitative medications are permissible in test samples up to the stated concentrations in urine:¶
(A) Acepromazine - metabolite, 2-(1- hydroxyethly) promazine sulfoxide (HEPS)- 10 ng/ml¶
(B) Albuterol - 1 ng/ml¶
(C) Butorphanol - 300 ng/ml¶
(D) Carboxydetomidine - 2 ng/ml¶
(E) Clenbuterol - 140 pg/ml (in quarter horse and mixed breed races the presence of clenbuterol is prohibited)¶
(F) Mepivacaine - metabolite, hydroxymepivacaine -10 ng/ml¶
(b) The following quantitative medications are permissible in test samples up to the stated concentrations in serum or plasma:¶
(A) Acepromazine - metabolite, 2-(1- hydroxyethly) promazine sulfoxide (HEPS)- 10 ng/ml¶
(B) Albuterol - 1 ng/ml¶
(C) Betamethasone - 10 pg/ml¶
(D) Butorphanol - 2 ng/ml¶
(E) Cetirizine - 6 ng/ml¶
(F) Cimetidine - 400 ng/ml¶
(G) Clenbuterol - 2 pg/ml (in quarter horse and mixed breed races, the presence of clenbuterol is prohibited)¶
(H) Dantrolene - 100 pg/ml¶
(I) Detomidine - 1 ng/ml¶
(J) Dexamethasone - 5 pg/ml¶
(K) DMSO - 10 mcg/ml ¶
(L) Glycopryrrolate - 3 pg/ml¶
(M) Guaifenesin - 12 ng/ml¶
(N) Isoflupredone - 100 pg/ml¶
(O) Lidocaine - metabolite, 3-OH lidocaine - 20 pg/ml¶
(P) Mepivacaine LOD¶
(Q) Methocarbamol - 1 ng/ml¶
(R) Methylprednisolone - 100 pg/ml¶
(S) Omeprazole - metabolite, omeprazole sulfide - 10 ng/ml¶
(T) Prednisolone - 1 ng/ml¶
(U) Procaine penicillin - 25 ng/ml¶
(V) Ranitidine - 40 ng/ml¶
(W) Triamcinolone acetonide - 100 pg/ml¶
(X) Xylazine - 200 pg/ml¶
(~~9~~8) Environmental Contaminants and Substances of Human Use:¶
(a) The following substances can be environmental contaminants in that they are endogenous to the horse or that they can arise from plants traditionally grazed or harvested as equine feed or are present in equine feed because of contamination during the cultivation, processing, treatment, storage or transportation phases: Polyethylene

glycol (PEG), PEG-like substances, Hordenine;¶
(b) Regulatory thresholds have been set for the following substances: Caffeine - 100 nanograms of caffeine per milliliter of serum or plasma;¶
(c) If the preponderance of evidence presented in the hearing shows that a positive test is the result of environmental contamination or inadvertent exposure due to human drug use it should be considered as a mitigating factor in any disciplinary action taken against the affected trainer.¶
(~~10~~9) Androgenic-Anabolic Steroids (AAS)¶
(a) No AAS shall be permitted in test samples collected from racing horses except for residues of the major metabolite of stanozolol, nandrolone, and the naturally occurring substances boldenone and testosterone at concentrations equal to or less than the indicated thresholds.¶
(b) Concentrations of these AAS shall not exceed the following urine threshold concentrations in total (free drug; or metabolite and drug; or metabolite liberated from its conjugates):¶
(A) 16beta-hydroxystanozolol (metabolite of stanozolol (Winstrol)): 1 ng/ml for all horses regardless of sex.¶
(B) Boldenone (Equipoise® is the undecylenate ester of boldenone) in:¶
(i) Male horses other than geldings - 15 ng/ml.¶
(ii) No boldenone shall be permitted in geldings or female horses.¶
(C) Nandrolone (Durabolin® is the phenylpropionate ester and Deca-Durabolin® is the decanoate ester) in:¶
(i) Geldings - 1 ng/ml.¶
(ii) Fillies and mares - 1 ng/m.l¶
(iii) In male horses other than geldings - forty-five (45) ng/ml of nandrolone metabolite, 5a-oestrane-3□17a-diol¶
(D) Testosterone in:¶
(i) Geldings - 20 ng/ml.¶
(ii) Fillies and mares - 55 ng/ml.¶
(iii) Male horses other than geldings - Testosterone will not be tested.¶
(c) All other AAS are prohibited in racing horses.¶
(d) Race day urine samples collected from intact males must be identified to the laboratory.¶
(e) Any horse to which an anabolic steroid has been administered in order to assist in the recovery from illness or injury may be placed on the veterinarian's list in order to monitor the concentration of the drug or metabolite in urine. After the urine concentration has fallen below the designated threshold for the administered AAS, the horse is eligible to be removed from the list.¶
(1~~1~~0) Clenbuterol:¶
(a) The use of Clenbuterol shall be permitted under the following conditions: A test sample shall not exceed 2 picograms/milliliter (ml) of Clenbuterol in the blood or serum or 140 pg/ml in urine.¶
(b) Notwithstanding (11)(a), the use of Clenbuterol, albuterol, zilpateral, ractopamine or any analogues thereof in American Quarter Horse racing at recognized race tracks in Oregon is prohibited. All horses entering an official Quarter Horse race will be subject to testing by any biologic method including but not limited to hair, blood and urine.
Statutory/Other Authority: ORS 462.270(3)
Statutes/Other Implemented: ORS 462.270, 462.415