

**491—10.9(99D) Medication and administration, sample collection, chemists, and practicing veterinarian.****10.9(1) Medication and administration.**

*a.* No horse, while participating in a race, may carry in its body any medication, drug, foreign substance, or metabolic derivative thereof, that is a narcotic or that could serve as a local anesthetic or tranquilizer or that could stimulate or depress the circulatory, respiratory, or central nervous system of a horse, thereby affecting its speed.

*b.* Any drugs or foreign substances that might mask or screen the presence of the prohibited drugs, or prevent or delay testing procedures, are also prohibited.

*c.* Proof of detection by the commission chemist of the presence of a medication, drug, foreign substance, or metabolic derivative thereof, prohibited by paragraph 10.9(1)“*a*” or “*b*,” in any bodily substances including but not limited to saliva, urine, blood, or hair sample duly taken under the supervision of the commission veterinarian from a horse immediately prior to or promptly after running in a race is prima facie evidence that the horse was administered, with the intent that it would carry or that it did carry in its body while running in a race, a prohibited medication, drug, or foreign substance in violation of this rule.

*d.* Administration or possession of drugs.

(1) No person shall administer, cause to be administered, or participate or attempt to participate in any way in the administration of any medication, drug, foreign substance, or treatment by any route to a horse registered for racing on the day of the race prior to the race in which the horse is entered.

(2) No person except a veterinarian shall have in the person’s possession any prescription drug. Prescriptions must be written or dispensed or both only by duly licensed veterinarians in the context of a valid veterinarian-client-patient relationship and based upon a specific medical diagnosis. However, a person may possess a noninjectable prescription drug for animal use if all of the following are met:

1. The person actually possesses, within the racetrack enclosure, documentary evidence that a prescription has been issued to said person for such a prescription drug.

2. The prescription contains a specific dosage for the particular horse or horses to be treated by the prescription drug.

3. The horse or horses named in the prescription are in said person’s care within the racetrack enclosure.

(3) No veterinarian or any other person shall have in their possession or administer to any horse within any racetrack enclosure any chemical or biological substance that:

1. Has not been approved for use on equines by the Food and Drug Administration pursuant to the Federal Food, Drug, and Cosmetic Act, 21 U.S.C. Section 301 et seq., and implementing regulations, without the prior written approval from a commission veterinarian, after consulting with the board of stewards.

2. Is on any of the schedules of controlled substances as prepared by the Attorney General of the United States pursuant to 21 U.S.C. Sections 811 and 812, without the prior written approval from a commission veterinarian after consultation with the board of stewards. The commission veterinarian will not give approval unless the person seeking the approval can produce evidence in recognized veterinary journals or by recognized equine experts that such chemical substance has a beneficial therapeutic use in horses.

(4) No veterinarian or any other person shall dispense, sell, or furnish any feed supplement, tonic, veterinary preparation, medication, or any other substance that can be administered or applied to a horse by any route, to any person within the premises of the facility unless it is labeled in conformance with this rule or is otherwise labeled as required by law. A substance does not comply with this rule if the label is missing, illegible, tampered with, or altered.

1. Labels for all substances must include the name of the substance dispensed; the name of the dispensing person; the name of the horse or horses for which the substance is dispensed; the purpose for which the substance is dispensed; the dispensing veterinarian’s recommendations for withdrawal before racing, if applicable; and the name of the person to whom dispensed.

2. Labels for medications or other prescribed substances must include all items from paragraph 10.9(1)“d” and, in addition, the date the prescription was filled, name of the trainer or owner of the horse for whom the product was dispensed, dose, dosage, route of administration, duration of treatment of the prescribed product, and expiration date.

(5) No person shall have in the person’s possession or in areas under said person’s responsibility on facility premises any feed supplement, tonic, veterinary preparation, medication, or any substance that can be administered or applied to a horse by any route unless it complies with the labeling requirements in subparagraph 10.9(1)“d”(4).

(6) Unless approved by the commission veterinarian, no person shall possess, use, or distribute a compounded medication within the premises of the facility if there is a Food and Drug Administration-approved equivalent of that substance available for purchase. Veterinary drugs must be compounded in accordance with all applicable state and federal laws. Compounded medication may be dispensed only by prescription issued by a licensed veterinarian to meet the medical needs of a specific horse and for use only in that specific horse. All compound medications must be labeled as required by law.

(7) Any drug or medication for horses that is used or kept on facility premises and that requires a prescription must be prescribed in compliance with applicable state law and regulations by a veterinarian who is duly licensed by the commission, the Iowa veterinary board, or the state in which the horse was located at the time of the examination, diagnosis, and prescription.

*e.* Any person found to have administered, or caused, participated in, or attempted to participate in any way in the administration of a medication, drug, or foreign substance that caused or could have caused a violation of this rule is subject to disciplinary action.

*f.* The owner, trainer, groom, or any other person having charge, custody, or care of the horse is obligated to protect the horse properly and guard it against the administration or attempted administration of a substance in violation of this rule. If the stewards find that any person has failed to show proper protection and guarding of the horse, or if the stewards find that any owner, lessee, or trainer is guilty of negligence, they will impose discipline and take other action they deem proper under any of the rules, including referral to the commission.

*g.* In order for a horse to be placed on the bleeder list in Iowa through reciprocity, that horse must be certified as a bleeder in another state or jurisdiction. A certified bleeder is a horse that has raced with furosemide in another state or jurisdiction in compliance with the laws governing furosemide in that state or jurisdiction.

*h.* The possession or use of blood doping agents, including but not limited to those listed below, on the premises of a facility under the jurisdiction of the commission is forbidden:

- (1) Erythropoietin;
- (2) Darbepoetin;
- (3) Oxyglobin®; and
- (4) Hemopure®.

*i.* The use of extracorporeal shock wave therapy or radial pulse wave therapy is not permitted unless the following conditions are met:

- (1) Any treated horse cannot race for a minimum of ten days following treatment;
- (2) The use of extracorporeal shock wave therapy or radial pulse wave therapy machines is limited to veterinarians licensed to practice by the commission;
- (3) Any extracorporeal shock wave therapy or radial pulse wave therapy machines on the association grounds must be registered with and approved by the commission or its designee before use;
- (4) All extracorporeal shock wave therapy or radial pulse wave therapy treatments must be reported to the official veterinarian on the prescribed form not later than the time prescribed by the official veterinarian.

*j.* The use of a nasogastric tube longer than six inches for the administration of any substance within 24 hours prior to the post time of the race in which the horse is entered is prohibited without the prior permission of the official veterinarian or designee.

*k.* Nonsteroidal anti-inflammatory drugs (NSAIDs) in thoroughbreds.

(1) The use of one of three approved NSAIDs is permitted under the following conditions, unless preempted by federal law:

1. The level does not exceed the following permitted serum or plasma threshold concentrations that are consistent with administration by a single intravenous injection at least 24 hours before the post time for the race in which the horse is entered:

- Phenylbutazone (or its metabolite oxyphenylbutazone) – 2 micrograms per milliliter;
- Flunixin – 20 nanograms per milliliter;
- Ketoprofen – 2 nanograms per milliliter.

2. The NSAIDs listed in numbered paragraph 10.9(1)“k”(1)“1” or any other NSAIDs are prohibited from being administered within the 24 hours before post time for the race in which the horse is entered.

3. The presence of more than one of the three approved NSAIDs, with the exception of phenylbutazone in a concentration below 0.3 micrograms per milliliter, flunixin in a concentration below 3 nanograms per milliliter, or ketoprofen in a concentration below 1 nanogram per milliliter of serum or plasma, or the presence of any unapproved NSAID in the post-race serum or plasma sample is not permitted. The use of all but one of the approved NSAIDs must be discontinued at least 48 hours before the post time for the race in which the horse is entered.

(2) Any horse to which an NSAID has been administered is subject to having a blood sample(s), urine sample(s) or both taken at the direction of the official veterinarian to determine the quantitative NSAID level(s) or the presence of other drugs that may be present in the blood or urine sample(s).

*l.* NSAIDs in quarter horses.

(1) “Approved NSAIDs” means only phenylbutazone (or its metabolite oxyphenylbutazone), flunixin, or ketoprofen. “Approved NSAIDs” does not include any other substance.

(2) The use of one of three approved NSAIDs is permitted under the circumstances set forth in this paragraph. The presence of more than one of the three approved NSAIDs, with the exception of phenylbutazone in a concentration below 1 microgram per milliliter of serum or plasma, is not permitted. The presence of any unapproved NSAID in the post-race serum or plasma sample is not permitted.

(3) The permissible level for approved NSAIDs cannot exceed concentrations that are consistent with administration by a single intravenous injection at least 48 hours before the post time for the race in which the horse is entered: 0.3 micrograms of phenylbutazone or oxyphenylbutazone per milliliter of serum or plasma; 5 nanograms of flunixin per milliliter of serum or plasma; or 2 nanograms of ketoprofen per milliliter of serum or plasma.

(4) Approved NSAIDs, or any other NSAIDs, cannot be administered within the 48 hours before post time for the race in which the horse is entered. Use of all but one approved NSAID must be discontinued at least 48 hours before the post time for the race in which the horse is entered.

**10.9(2)** *Sample collection of bodily substances.*

*a.* Under the supervision of the commission veterinarian, urine, blood, hair, and other bodily substances may be taken and tested from any horse that the stewards, commission veterinarian, or commission’s representatives may designate. The samples will be collected by the commission veterinarian or other person or persons the commission may designate. Each sample is marked or numbered and bears information essential to its proper analysis, but the identity of the horse from which the sample was taken or the identity of its owners or trainer is not revealed to the official chemist or the staff of the chemist. The container of each sample is sealed as soon as the sample is placed therein.

*b.* No unauthorized person may be admitted at any time to the building or the area utilized for the purpose of collecting the required samples or the area designated for the retention of horses pending the obtaining of samples.

*c.* During the taking of samples from a horse, the owner, responsible trainer, or a representative designated by the owner or trainer may be present and witness the taking of the sample and so signify in writing. Failure to be present and witness the collection of the samples constitutes a waiver by the owner, trainer, or representative of any objections to the source and documentation of the sample.

*d.* The commission veterinarian, the board of stewards, agents of the division of criminal investigation, or a commission representative may take samples of any medicine or other materials suspected of containing improper medication, drugs, or other substance that could affect the racing

condition of a horse in a race that may be found in barns or elsewhere on facility premises or in the possession of any person connected with racing, and the samples will be delivered to the official chemist for analysis.

*e.* Nothing in these rules is intended to prevent:

(1) Any horse in any race from being subjected by the order of a steward or the commission veterinarian to tests of bodily substances for the purpose of determining the presence of any foreign substance.

(2) The state steward or the commission veterinarian from authorizing the splitting of any sample.

(3) The commission or commission veterinarian from requiring bodily substances to be stored in a frozen state for future analysis.

*f.* Before leaving the racing surface, the trainer will ascertain the testing status of the horse under the trainer's care from the commission veterinarian or designated detention barn representative.

**10.9(3)** *Chemists or laboratory.*

*a.* Tests are to be under the supervision of the commission, which will employ one or more chemists or contract with one or more qualified chemical laboratories to determine by chemical testing and analysis of bodily substances whether a foreign substance, medication, drug or metabolic derivative thereof is present.

*b.* All bodily substance samples taken by or under direction of the commission veterinarian or commission representative will be delivered to the laboratory of the official chemist for analysis.

*c.* The commission chemist is responsible for safeguarding and testing each sample delivered to the laboratory by the commission veterinarian.

*d.* The commission chemist conducts individual tests on each sample, screening them for prohibited substances, and conducting other tests to detect and identify any suspected prohibited substance or metabolic derivative thereof with specificity. Pooling of samples is permitted only with the written approval of the administrator.

*e.* Upon the finding of a test negative for prohibited substances, the remaining portions of the sample may be discarded. Upon the finding of a test suspicious or positive for prohibited substances, the test will be reconfirmed and the remaining portion, if available, of the sample will be preserved and protected for one year following close of meet.

*f.* The commission chemist submits a written report to the commission as to each sample tested, indicating by sample tag identification number, whether the sample was tested negative or positive for prohibited substances. The commission chemist will not report test findings to any person other than commission representatives designated by the administrator.

*g.* If the commission chemist finds a sample suspicious for a prohibited medication, additional time for test analysis and confirmation may be requested.

*h.* In reporting to the commission representative a finding of a test positive for a prohibited substance, the commission chemist will present documentary or demonstrative evidence acceptable in the scientific community and admissible in court in support of the professional opinion as to the positive finding.

*i.* No action will be taken by the state steward until an official report signed by the chemist properly identifying the medication, drug, or other substance as well as the horse from which the sample was taken has been received.

*j.* The cost of the testing and analysis will be paid by the commission to the official chemist. The commission will then be reimbursed by each facility on a per-sample basis so that each facility bears only its proportion of the total cost of testing and analysis. The commission may first receive payment from funds provided in Iowa Code chapter 99D, if available.

**10.9(4)** *Practicing veterinarian.*

*a.* *Prohibited acts.*

(1) Ownership. A licensed veterinarian practicing at any meeting cannot hold any ownership, directly or indirectly, in any racing animal racing during the meeting.

(2) Wagering. Veterinarians licensed by the commission as veterinarians cannot place any wager of money or other thing of value directly or indirectly on the outcome of any race conducted at the meeting at which the veterinarian is furnishing professional service.

(3) Furnishing injectable materials. No veterinarian shall within the facility premises furnish, sell, or loan any hypodermic syringe, needle, or other injection device, or any drug, narcotic, or prohibited substance to any other person unless with written permission of the stewards.

(4) Contact with entered horse within 24 hours before post time. Practicing veterinarians cannot have contact with an entered horse within 24 hours before the scheduled post time of the race in which the horse is scheduled to compete unless (1) approved by the state veterinarian or (2) in the case of emergency. In case of an emergency, the state veterinarian must be notified prior to entering the stall. A documented attempt to contact the state veterinarian prior to entering the stall complies with the notification requirements of this rule. Any unauthorized contact may result in the horse being scratched from the race in which it was scheduled to compete and may result in further disciplinary action by the stewards.

*b. Syringes, hypodermic needles, and infusion tubes.* The use of other than single-use disposable syringes and infusion tubes on facility premises is prohibited. Whenever a veterinarian has used a hypodermic needle or syringe, the veterinarian must destroy the needle and syringe and remove the needle and syringe from the facility premises.

*c. Required reports.* Practicing veterinarians must submit reports to the commission veterinarian as follows:

(1) Medication and other substance reports in accordance with Iowa Code section 99D.25(10), including the racing animal; trainer; procedure; medication or other substance; dosage or quantity; route of administration; and the date and time administered, dispensed, or prescribed.

(2) A copy of an updated logbook of procedures and other professional services or treatments, as described in Iowa Code section 99D.25(10), within 24 hours after the procedure, professional service, or treatment is provided or completed.

(3) Immediately upon discovering or diagnosing any illness presenting unusual or unknown symptoms in a racing animal entrusted to the veterinarian's care.

(4) Immediately upon euthanizing any horse on facility premises.

*d. Additional scope-of-practice parameters.* Practicing veterinarians are subject to the professional scope and standards of practice established by the state of Iowa veterinary regulatory authority. In addition, practicing veterinarians are subject to the following scope-of-practice parameters while caring for and treating racing animals:

(1) Practicing veterinarians may have employees licensed as veterinary assistants working under their direct supervision. Activities of these employees cannot include direct treatment or diagnosis of any animal. The practicing veterinarian must be present if a veterinary assistant is to have access to injection devices or injectables. The practicing veterinarian assumes all responsibility for a veterinary assistant. A veterinary assistant cannot engage in activities that a practicing veterinarian is prohibited from engaging in, including performing other work that would put the assistant in contact with an entered horse within 24 hours before post time.

(2) Equine dentistry is considered a function of veterinary practice by the Iowa veterinary practice Act. Any dental procedures performed at the facility must be performed in accordance with the Iowa veterinary practice Act.

[ARC 0187D, IAB 4/1/26, effective 5/6/26]