

810 KAR 8:070. Bisphosphonates.

RELATES TO: KRS 230.215, 230.225, 230.240, 230.260, 230.265, 230.290, 230.320, 230.370

STATUTORY AUTHORITY: KRS 230.215(2), 230.225, 230.240(2), 230.260(8), 230.320, 230.370

NECESSITY, FUNCTION, AND CONFORMITY: KRS 230.215(2), 230.260(8), and 230.320 authorize the Kentucky Horse Racing Commission to promulgate administrative regulations prescribing conditions under which all legitimate horse racing and wagering thereon is conducted in Kentucky. KRS 230.240(2) requires the commission to promulgate administrative regulations restricting or prohibiting the administration of drugs or stimulants or other improper acts to horses prior to the horse participating in a race. This administrative regulation establishes requirements and controls in the administration of certain drugs, medications, and substances to horses, governs certain prohibited practices, and establishes trainer responsibilities relating to the health and fitness of horses.

Section 1. Horses Under Four (4) Years of Age.

(1) A horse under four (4) years of age shall not be administered a bisphosphonate.

(2) If a bisphosphonate is detected in an out-of-competition or post-race sample from a horse under four (4) years of age:

(a) The trainer, owner, or responsible person shall be in violation of this administrative regulation; and

(b) The horse shall be placed on the Veterinarian's List for a minimum of six (6) months from the date of sampling.

Section 2. Horses Four (4) Years of Age or Older.

(1) A bisphosphonate may be administered to a horse four (4) years of age or older if the bisphosphonate is:

(a) Approved by the Food and Drug Administration for use in the horse;

(b) Administered according to the label requirements; and

(c) Used for the treatment of navicular disease that has been diagnosed by a licensed veterinarian.

(2) The commission shall be notified within twenty-four (24) hours of the administration of any bisphosphonate to a horse.

(3) If a horse is administered a bisphosphonate, the horse shall be placed on the Veterinarian's List for a minimum of six (6) months after the last administration.

(4) If a bisphosphonate is detected in an out-of-competition or post-race sample from a horse four (4) years of age or older and the commission has not received a timely notification of an administration under subsection (2) of this section or the administration of the bisphosphonate does not meet the requirements of subsection (1) of this section:

(a) The trainer, owner, or responsible person shall be in violation of this administrative regulation; and

(b) The horse shall be placed on the Veterinarian's List for a minimum of six (6) months from the date of sampling. (46 Ky.R. 2574; eff. 8-25-2020.)