

**BUSINESS, CONSUMER SERVICES, AND HOUSING AGENCY  
CALIFORNIA HORSE RACING BOARD**

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CHRB ADVISORY

SEPTEMBER 22, 2022

TO: CHRB Licensed Veterinarians

FROM: C. Scott Chaney, CHRB Executive Director

Re: CHRB Rule 1867

The California Horse Racing Board (CHRB) would like to reaffirm its interpretation of Rule 1867, subsection (b). Specifically, subsection (b) prohibits, "The possession and/or use on the premises of a facility under the jurisdiction of the Board of any drug, substance or medication that has not been approved by the United States Food and Drug Administration (FDA) for use in the United States." Compounded medications are not FDA approved. The CHRB's longstanding interpretation of subsection (b) is that lawfully prescribed, compounded medications which are manufactured according to Federal and State guidelines do not violate this regulation. The CHRB recognizes that compounded medications are necessary for the safe and effective treatment of horses. These medications contain approved Federal Food and Drug Administration (F.D.A.) substances, which have been compounded to achieve proper dosages for safe and effective equine treatment and are necessary for equine veterinarians to effectively treat various medical conditions. Use of compounded medications in the manner described is not a violation of CHRB regulations.

Extra-label use of medication for therapeutic purposes, based on a diagnosis and VCPR, in equine patients is permitted through AMDUCA<sup>1</sup>. The CHRB regulation permits such use where no FDA-approved medications exist – a circumstance commonly present in equine practice.

If there are specific questions pertaining to compliance with Rule 1867, veterinarians are encouraged to contact the Official Veterinarian prior to administration. The entirety of Rule 1867 is attached for reference.

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<sup>1</sup> Animal Medicinal Drug Use Clarification Act of 1994 (AMDUCA)

| Rule No.         | Rule Title   |
|------------------|--|
| 1867             | Prohibited Veterinary Practices.   |
| <b>Rule Text</b> | <p>For purposes of this division, prohibited veterinary practices means:</p> <p>(a) The possession and/or use on the premises of a facility under the jurisdiction of the Board of any drug, substance, doping agent, or medication specified below for which a recognized analytical method has not been developed to detect and confirm its administration; or the use of which may endanger the health and welfare of the horse, or the safety of the rider or driver, or alter equine performance.</p> <ol style="list-style-type: none"> <li>(1) Erythropoietin (EPO) and analogs;</li> <li>(2) Darbepoietin and analogs;</li> <li>(3) Venoms or derivatives thereof;</li> <li>(4) Growth hormone and analogs and growth hormone releasing factor including growth hormone releasing hormone GHRH, and its analogs, except platelet rich plasma and autologous conditioned plasma, are permitted provided such treatment is pursuant to a valid veterinary prescription made in accordance with all rules and regulations in this division, and the treatment is reported to the Official Veterinarian on form CHRB-60 (Rev. 7/15) (Trainer Medication Report), regardless of whether or not the horse is treated within or outside of a licensed inclosure;</li> <li>(5) Ractopamine and ractopamine metabolites or analogs;</li> <li>(6) Zilpaterol and zilpaterol metabolites or analogs;</li> <li>(7) Aminoimidazole carboxamide ribonucleotide (AICAR);</li> <li>(8) Hemopure;</li> <li>(9) Myo-Inositol Trispyrophosphate (ITPP);</li> <li>(10) Oxyglobin;</li> <li>(11) Thymosin beta;</li> </ol> <p>(b) The possession and/or use on the premises of a facility under the jurisdiction of the Board of any drug, substance or medication that has not been approved by the United States Food and Drug Administration (FDA) for use in the United States.</p> <p>(c) The presence of any drug, substance or medication described in subsections (a)(1) through (a)(11), and subsection (b) of this regulation in any test sample obtained consistent with Rules 1858, 1859, 1859.1, and 1859.25 of this article, and the provisions of this article, shall apply to such sample in the same manner as if the horse were entered to race (See Title 4, California Code of Regulations, section 1843.3). The Board may grant an exception to this subsection if the person or persons seeking the exemption submits written documentation that demonstrates an FDA exemption has been obtained.</p> |