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To: Ed Martin, ARCI Executive Director

From: Mary Scollay, DVM, RMTC Executive Director

Date: March 15, 2021

Re: Penalty classification for furosemide when detected in post-race samples from horses participating in races where the use of raceday furosemide is prohibited

The following is excerpted from the ARCI Uniform Classification of Foreign Substances and Recommended Penalties Model Rule, December 2020 v14.4, and displays the current regulatory approach to the detection of furosemide in a post-race sample derived from a horse having participated in a race where the administration of furosemide to eligible horses is permitted up to 4 hours prior to the scheduled post time for the race in which the horse is entered.

Drug/Substance	Trade Name(s)	Drug Class	Penalty Class	Special Notation
Furosemide	<i>Lasix</i>	N/A		

Penalty Category “C”

The following are recommended penalties for violations due to the presence of a drug carrying a Category “C” penalty and overages for permitted NSAIDs and furosemide: **(All concentrations are for measurements in serum or plasma.)**

LICENSED TRAINER	Furosemide (>100 ng/ml) and/or no furosemide when identified as administered
1 st Offense (365-day period) in any jurisdiction	Minimum of a written warning to maximum fine of \$500
2 nd Offense (365-day period) in any jurisdiction	Minimum of a written warning to maximum fine of \$750
3 rd Offense (365-day period) in any jurisdiction	Minimum fine of \$500 to a maximum fine of \$1,000
LICENSED OWNER	Furosemide (>100 ng/ml) and/or no furosemide when identified as administered
1 st Offense (365-day period) in any jurisdiction	Horse may be required to pass commission-approved examination before being eligible to run
2 nd Offense (365-day period) in any jurisdiction	Horse may be required to pass commission-approved examination before being eligible to run
3 rd Offense (365-day period) in any jurisdiction	Disqualification and loss of purse. Horse must pass commission-approved examination before being eligible to run

Note that there is no penalty guidance when furosemide is detected in a horse entered to race without it. This may be acknowledgement that the failure to administer furosemide to an eligible horse establishes it at a competitive disadvantage and the horse's performance may be a sufficient penalty for the error.

In consideration of regulatory authorities or individual racing associations establishing a prohibition on the administration of race day furosemide, the penalty schedule above warrants revision. Both Thoroughbredⁱ and Standardbredⁱⁱ racehorses have been demonstrated to achieve faster race times when treated with furosemide than untreated horses. Gross, et al., determined the advantage in Thoroughbred racehorses to be 0.56-1.09 seconds (+/- 0.04-0.07 s), "a difference equivalent to 3 to 5.5 lengths."

The administration of furosemide to a horse participating in a race where its use is prohibited represents a far different event than a missed administration or mis-administration to a horse eligible to receive furosemide on race day. The current penalty guidelines for a first-time furosemide violation provide for a written warning up to a \$500 fine for the trainer, and no disqualification. For a second violation, a written warning up to a \$750 fine, and no disqualification. While these are entirely appropriate when horses are eligible to receive furosemide on race day; they are inadequate as deterrents or remedies when furosemide is administered to horses racing in furosemide-prohibited contests.

The RMTC Scientific Advisory Committee at its February 3, 2021 meeting recommended a B penalty classification for furosemide as it relates to races in which furosemide is a banned substance and its use prohibited 24 hours (or more) prior to the post time for the race in which the horse is entered. Further, the RMTC recommends that disqualification be mandatory and non-mitigable to remedy the loss of integrity in the competition. The recommendation was approved by supermajority vote by the RMTC Board of Directors at their February 22, 2021 meeting.

ⁱ Gross, DK, et al., *Effect of furosemide on performance of Thoroughbreds racing in the United States and Canada*, *J Am Vet Med Assoc* 1999 Sep 1;215(5):670-5.

ⁱⁱ Soma, LR, et al., *The effects of frusemide on racing times of Standardbred Pacers*, *Eq.Vet. J.* (2000) **32** (4) 334-340