

Rule 369. Where any test taken under the Pari-Mutuel Betting Supervision Regulations reveals a positive presence of a restricted drug as described in such regulations, the APHRC shall refer to the uniform classification guidelines for foreign substances concerning the drug class, and recommended penalties and rules shall apply.

(1) Rule On Drug Classifications—Upon finding of a violation of these medication and prohibited substances rules, the senior judge shall consider the classification level of the violation as currently established by the Uniform Classification Guidelines of Foreign Substances as promulgated by the Association of Racing Commissioners International, Inc., and impose penalties and disciplinary measures consistent with the prescribed APHRC penalty table. (369.2) with the recommendations contained therein. Provided, however, that in the event a majority of the judges panel determine that mitigating circumstances require imposition of a lesser penalty they may impose a lesser penalty. In the event of a majority of the judges panel wishes to impose a greater penalty or a penalty in excess of the authority granted them, then, and in such an event, they may impose the maximum penalty authorized and refer the matter to the Commission with specific recommendations for further action. For the purposes of this rule ~~Procaine and Furosemide~~ positive test results will be considered a Class V positive.

(2) Penalty in the absence of mitigating circumstances, the penalties contained in Table 1 shall apply.