

WAC 260-84-110 Penalties for uniform classifications. (1) Penalties will be assessed against any person found to be responsible or party to the improper administration of a drug or the intentional administration of a drug resulting in a positive test. In assessing penalties under this section, violations in the last three hundred sixty-five days for Category "B," "C," and "D" penalties from Washington and all recognized racing jurisdictions will be considered. For Category "A" penalties, lifetime violations in Washington and all recognized racing jurisdictions will be considered.

(a) The following are recommended penalties for violations of a drug carrying a Category "A" penalty:

First Offense	Second Offense	Third Offense
Up to a one-year suspension and up to a fine of \$1500 absent mitigating circumstances. DQ and loss of purse.	One-year suspension and up to a fine of \$2500 absent mitigating circumstances. DQ and loss of purse. Referred to commission for additional consideration.	Revocation of license and a fine of \$2500 absent mitigating circumstances. DQ and loss of purse.

(b) The following are recommended penalties for violations of a drug carrying a Category "B" penalty:

First Offense	Second Offense (365-day period)	Third Offense (365-day period)
Zero to a fifteen-day suspension and up to \$500 fine absent mitigating circumstances. DQ and loss of purse absent mitigating circumstances.	Up to a thirty-day suspension and up to \$1000 fine absent mitigating circumstances. DQ and loss of purse absent mitigating circumstances.	Minimum sixty-day suspension and up to \$2500 fine absent mitigating circumstances. DQ and loss of purse absent mitigating circumstances.

(c) The following are recommended penalties for violations of a drug carrying a Category "C" penalty, overages for permitted NSAIDs, (except phenylbutazone), and no furosemide when reported:

First Offense	Second Offense (365-day period)	Third Offense (365-day period)
Minimum written warning to maximum \$500 fine.	Minimum written warning to maximum \$750 fine.	Minimum \$500 fine to maximum \$1000 fine. Possible DQ and loss of purse.

(d) The recommended penalty for a violation involving a drug that carries a Category "D" penalty is a written warning. Multiple violations may result in fines and/or suspensions.

(e) The recommended penalty for a finding of an overage of cobalt:

Levels between 26 ppb to 49 ppb	Level 50 ppb or greater First Offense (365-day period)	Level over 50 ppb or greater Second Offense (365-day period)
Horse placed on official veterinarian list until providing a sample under 26 ppb	Zero to a fifteen-day suspension and up to \$500 fine absent mitigating circumstances. DQ and loss of purse absent mitigating circumstances.	Up to a thirty-day suspension and up to \$1000 fine absent mitigating circumstances. DQ and loss of purse absent mitigating circumstances.

(2) A lesser penalty may be imposed if a majority of the stewards determine that mitigating circumstances, as outlined in WAC 260-84-090 exist.

[Statutory Authority: RCW 67.16.020. WSR 18-09-060, § 260-84-110, filed 4/16/18, effective 5/17/18; WSR 15-07-058, § 260-84-110, filed 3/16/15, effective 4/16/15. Statutory Authority: RCW 67.16.020 and 67.16.040. WSR 08-05-086, § 260-84-110, filed 2/15/08, effective 3/17/08; WSR 05-07-064, § 260-84-110, filed 3/11/05, effective 4/11/05.]