

**CHAPTER 70**

**HORSE RACING**

**Authority**

N.J.S.A. 5:5-30.

**Source and Effective Date**

R.1995 d.102, effective January 25, 1995.  
See: 26 N.J.R. 4742(a), 27 N.J.R. 733(a).

**Executive Order No. 66(1978) Expiration Date**

Chapter 70, Horse Racing, expires on January 25, 2000.

**Chapter Historical Note**

All provisions of this chapter became effective prior to September 1, 1969.

1975 Revisions: Amendments became effective February 21, 1975 as R.1975 d.37. See: 7 N.J.R. 11(a), 7 N.J.R. 170(b).

1976 Revisions: Amendments became effective April 22, 1976 as R.1976 d.125. See: 8 N.J.R. 47(b), 8 N.J.R. 308(a). Further amendments and Subchapter 31 became effective September 16, 1976 as R.1976 d.292. See: 8 N.J.R. 250(c), 8 N.J.R. 483(a).

1977 Revisions: Amendments became effective January 17, 1977 as R.1977 d.8. See: 8 N.J.R. 531(c), 9 N.J.R. 94(d). Further amendments became effective August 29, 1977 as R.1977 d.331. See: 9 N.J.R. 345(b), 9 N.J.R. 487(a).

1978 Revisions: Amendments became effective April 19, 1978 as R.1978 d.132. See: 9 N.J.R. 540(a), 10 N.J.R. 295(b). Further amendments became effective August 1, 1978 as R.1978 d.269. See: 10 N.J.R. 259(a), 10 N.J.R. 403(c). Amendments became effective August 9, 1977 as R.1978 d.275. See: 10 N.J.R. 169(b), 10 N.J.R. 404(b). Further amendments became effective August 29, 1977 as R.1977 d.331. See: 9 N.J.R. 345(b), 9 N.J.R. 487(a). October 2, 1978 as R.1978 d.353. See: 10 N.J.R. 349(b), 10 N.J.R. 510(b).

1979 Revisions: Amendments became effective April 12, 1979 as R.1979 d.144. See: 11 N.J.R. 21(b), 11 N.J.R. 258(a). Further amendments became effective June 20, 1979 as R.1979 d.250. See: 10 N.J.R. 509(a), 11 N.J.R. 400(a). Further amendments became effective July 18, 1979 as R.1979 d.274. See: 11 N.J.R. 296(b), 11 N.J.R. 401(b).

1980 Revisions: Subchapter 14A Stimulation and Test and amendments became effective January 1, 1980 as R.1979 d.497. See: 11 N.J.R. 579(a), 12 N.J.R. 91(b). Further amendments became effective February 27, 1980 as R.1980 d.95. See: 11 N.J.R. 463(a), 12 N.J.R. 208(c). Further amendments became effective July 8, 1980 as R.1980 d.286. See: 12 N.J.R. 494(a).

1981 Revisions: Amendments became effective February 2, 1981 as R.1981 d.32. See: 13 N.J.R. 150(f). Amendments became effective December 21, 1981 as R.1981 d.489. See: 13 N.J.R. 520(c), 13 N.J.R. 946(d).

1982 Revisions: Amendments substantially revised this chapter effective June 21, 1982 as R.1982 d.183. See: 14 N.J.R. 91(a), 14 N.J.R. 661(a).

1983 Revisions: Amendments became effective February 7, 1983 as R.1983 d.14. See: 14 N.J.R. 1146(b), 15 N.J.R. 158(b). Further amendments became effective April 4, 1983 (operative January 1, 1984) as R.1983 d.639. See: 14 N.J.R. 1444(a), 15 N.J.R. 553(b). Subchapters 3, 14, 15, 19 and 29 were readopted in compliance with Executive Order 66(1978), effective July 8, 1983 as R.1983 d.295. See: 15 N.J.R. 685(a), 15 N.J.R. 1256(a). Further amendments became effective

November 7, 1983 (operative January 2, 1984) as R.1983 d.512. See: 15 N.J.R. 518(a), 15 N.J.R. 1866(c).

1984 Revisions: Amendments became effective February 21, 1984 as R.1984 d.43. See: 15 N.J.R. 1928(a), 16 N.J.R. 377(a). Subchapter 4 was readopted pursuant to Executive Order 66(1978) effective March 19, 1984 as R.1984 d.103. See: 16 N.J.R. 221(a), 16 N.J.R. 742(a), 16 N.J.R. 1360(a). Subchapter 6 was readopted pursuant to Executive Order 66(1978) effective May 18, 1984 as R.1984 d.213. See: 16 N.J.R. 690(a), 16 N.J.R. 1361(a). Further amendments became effective July 16, 1984 as R.1984 d.308. See: 16 N.J.R. 845(a), 16 N.J.R. 2005(a). Further amendments became effective October 1, 1984 as R.1984 d.444. See: 16 N.J.R. 2068(a), 16 N.J.R. 2680(a). Further amendments became effective November 19, 1984 (operative January 1, 1985) as R.1984 d.524. See: 16 N.J.R. 2348(a), 16 N.J.R. 3215(a). Subchapters 2 and 14A expired December 19, 1984 in accordance with Executive Order 66(1978). A readoption was filed December 24, 1984 as R.1984 d.621. See: 16 N.J.R. 2976(a), 17 N.J.R. 204(b).

1985 Revisions: Subchapter 14A was readopted with amendments pursuant to Executive Order 66(1978) effective February 19, 1985 (operative April 1, 1985) as R.1985 d.59. See: 16 N.J.R. 3180(a), 17 N.J.R. 468(a). New rules (sections 10 and 11) became effective February 19, 1985 (operative April 1, 1985) as R.1985 d.57. See: 16 N.J.R. 1457(a), 17 N.J.R. 470(a). Subchapter 12 was readopted pursuant to Executive Order 66(1978) effective February 25, 1985 as R.1985 d.137. See: 17 N.J.R. 57(a), 17 N.J.R. 710(c). Amendments became effective May 6, 1985 as R.1985 d.204. See: 17 N.J.R. 173(a), 17 N.J.R. 1135(a). Further amendments became effective December 2, 1985 (operative January 1, 1986) as R.1985 d.602. See: 17 N.J.R. 1640(a), 17 N.J.R. 2912(a). Further amendments became effective December 16, 1985 (operative January 1, 1986) as R.1985 d.639. See: 17 N.J.R. 2362(b), 17 N.J.R. 2994(a).

1986 Revisions: Amendments became effective January 6, 1986 as R.1985 d.663. See: 17 N.J.R. 2529(a), 18 N.J.R. 92(b). Further amendments became effective May 19, 1986 as R.1986 d.171. See: 18 N.J.R. 402(a), 18 N.J.R. 1104(c). Further amendments became effective June 16, 1986 as R.1986 d.215. See: 18 N.J.R. 546(a), 18 N.J.R. 1308(a). An emergency adoption to N.J.A.C. 13:70-29.56 became effective July 17, 1986 (expires September 15, 1986) as R.1986 d.334. See: 18 N.J.R. 1619(a) and was readopted as R.1986 d.411, effective September 15, 1986. See: 2054(b). Further amendments became effective October 6, 1986 as R.1986 d.416. See: 18 N.J.R. 401(a), 18 N.J.R. 1448(b), 18 N.J.R. 2054(a).

1987 Revisions: Amendments became effective January 5, 1987 as R.1987 d.42. See: 18 N.J.R. 2116(b), 19 N.J.R. 138(a). Further amendments became effective March 2, 1987 as R.1987 d.120. See: 18 N.J.R. 2368(a), 19 N.J.R. 409(d). Further amendments became effective October 19, 1987 (operative December 26, 1987) as R.1987 d.420. See: 19 N.J.R. 1419(a), 19 N.J.R. 1911(a). A new rule became effective February 16, 1988 as R.1988 d.75. See: 19 N.J.R. 1418(a), 20 N.J.R. 404(b). Pursuant to Executive Order No. 66(1978), Chapter 70, Horse Racing, was readopted as R.1990 d.127, effective January 25, 1990. See: 21 N.J.R. 3856(b), 22 N.J.R. 663(b).

Pursuant to Executive Order No. 66(1978), Chapter 70 was readopted as R.1995 d.102. See: Source and Effective Date.

**Law Review and Journal Commentaries**

Horse Drugging—The New Jersey Trainer Absolute Insurer Law. Luke P. Iovine, III, John E. Keefe, Jr., 1 Seton Hall J. Sport L. 61 (1991).

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**SUBCHAPTER 1. GENERAL RULES****13:70-1.1 Applicability**

These rules are to apply to all tracks, all race meetings and to all persons and all matters within the jurisdiction of the New Jersey Racing Commission.

**Case Notes**

Suspension of wife's license due to husband's criminal conviction upheld; rule not assailable on equal protection grounds; full constitutional safeguards observed in suspension. *Niglio v. New Jersey Racing Commission*, 158 N.J.Super. 182, 385 A.2d 925 (App.Div.1978).

**13:70-1.2 Gender**

The definitions and interpretations of racing terms, as well as the Foreword, are to be considered in connection with the rules and as part of them. Wherever "he" is used, it shall be construed to mean "he" or "she".

**13:70-1.3 Scope; authority of Executive Director**

(a) The rules, regulations and conditions under which all horse racing shall be conducted in the State of New Jersey are prescribed by the racing law (N.J.S.A. 5:5-22 et seq.) and by the New Jersey Racing Commission.

**13:70-9.5 Pending application**

The stewards may permit a jockey to ride pending action on his or her application.

**13:70-9.6 Jockey's interest in horses**

If a jockey owns wholly or in part a race horse in training at a meeting or has an interest in the winnings of such a horse, he or she shall not be permitted to ride any other horse at the meeting.

**13:70-9.7 Owner or trainer consent to ride**

A jockey shall not ride or agree to ride in any race without the consent of an owner or trainer to whom he or she is under contract.

**13:70-9.8 Jockey under contract**

No jockey under contract of employment shall ride against his or her contract employer.

**13:70-9.9 Jockey's appearance**

In riding, a jockey must be neat in appearance. He or she must wear conventional attire and the racing colors of the owner for whom he or she is riding.

**13:70-9.10 Smoking**

A jockey shall not be allowed to smoke in public while wearing racing colors.

**13:70-9.11 Protective skull cap**

A jockey must wear a suitable reinforced protective skull cap.

**13:70-9.12 Safety helmet**

(a) All jockeys, whether riding in a race or exercising horses, or any person exercising horses, shall wear a safety helmet of a type approved, in writing, by the stewards; and no change shall be made in any such helmet without the written approval of the stewards.

(b) It shall be the joint responsibility of the trainer, jockey or any person exercising horses to comply with his rule.

**13:70-9.13 Jockey's number**

A jockey shall wear on his or her right arm a number corresponding to the number of the horse in the official program.

**13:70-9.14 Reporting to jockey room**

Every jockey who is engaged to ride in a race shall report to the jockey room at the time required by the clerk of the scales. He or she shall then report any over-weight to the clerk of the scales and thereafter shall not leave the jockey

room until all his or her engagements have been fulfilled, except with the permission of the stewards.

**13:70-9.15 Reporting to jockey room; stake race**

Every jockey who has an engagement in a stake race must report to the jockey room not later than one hour before post time of that race, unless obtaining specific permission from the stewards to the contrary.

**13:70-9.16 Betting by jockeys**

No jockey shall bet on any race except through the owner of and on the horse which he rides.

**13:70-9.17 Touting information; jockey**

A jockey shall not give to anyone directly or indirectly any information or advice, or engaged in the practice commonly known as "touting", for the purpose of influencing any person in the making of a wager on any race.

Amended by R.1990 d.127, effective February 20, 1990.

See: 21 N.J.R. 3856(b), 22 N.J.R. 663(b).

"On" corrected to "in".

**13:70-9.18 Jockey fees**

Jockey's fees in the absence of a contract shall be as follows:

Purse	Winning Mount	Second Mount	Third Mount	Losing Mount
\$ 2,000-3,400	10% of Win Purse	\$45.00	\$35.00	\$33.00
3,500-4,900	10% of Win Purse	55.00	45.00	35.00
5,000-9,900	10% of Win Purse	65.00	50.00	40.00
10,000-14,900	10% of Win Purse	75.00	60.00	45.00
15,000-24,900	10% of Win Purse	5% of Place Purse	5% of Show Purse	50.00
25,000-49,900	10% of Win Purse	5% of Place Purse	5% of Show Purse	60.00
50,000 & Up	10% of Win Purse	5% of Place Purse	5% of Show Purse	75.00

As amended, R.1983 d.512, effective November 7, 1983, operative January 2, 1984.

See: 15 N.J.R. 518(a), 15 N.J.R. 1866(c).

Deleted old fee schedule and added new fee schedule.

As amended, R.1984 d.444, effective October 1, 1984.

See: 16 N.J.R. 2068(a), 16 N.J.R. 2680(a).

**13:70-9.19 Dead heats**

In a dead heat for first place, the jockeys involved shall each receive 10 percent of the purse money awarded to the owner by whom he is engaged. In all other dead heats, the jockeys involved shall divide equally the sum total of the fees they would have received individually had one beaten the other.

As amended, R.1978 d.132, effective April 19, 1978.

See: 9 N.J.R. 540(a), 10 N.J.R. 295(b).

**13:70-9.20 Forfeiture of winning purse; jockey's fees**

In the event that a winning purse is forfeited through subsequent ruling of the stewards and/or Racing Commission, after the result has originally been made official, the winning fee shall be paid to the jockey whose mount is ultimately adjudged the winner, and the original winner shall be credited only with a losing mount.

**13:70-9.21 Proof of physical and mental capacity**

A jockey may be required to submit adequate proof, in the form of a medical affidavit, that he or she is physically and mentally capable of performing the duties of a jockey.

**13:70-9.22 Start of suspension/designated race**

(a) The suspension of a jockey for an offense not involving fraud shall begin on the second day after imposition of the ruling, unless otherwise ordered by the stewards. A suspension for fraud shall begin immediately on imposition of the ruling.

(b) The board of stewards may permit a jockey serving a suspension of 10 days or less to ride in a designated race during the period of the suspension if:

1. The race has been specified as a designated race by the racing secretary of the association before the inception of the race meeting at the association;
2. The race has been approved as a designated race by the stewards officiating at the meeting;
3. The jockey or the jockey's agent, before the beginning of the suspension, satisfactorily demonstrates to the stewards that the jockey has given a call on a horse that may participate in the designated race; and
4. The jockey agrees to serve an additional racing day of suspension in place of the day on which the jockey rides in the designated race.

Amended by R.1998 d.171, effective April 6, 1998.  
See: 29 N.J.R. 4396(b), 30 N.J.R. 1299(a).  
Added (b).

**13:70-9.23 Fines**

A fine must be paid by the jockey, him or herself. Any other person paying it shall be subject to disciplinary action.

**13:70-9.24 Agents**

Every jockey may have one agent, and no more. All engagements to ride, other than those for a contract employer, shall be made by the jockey, his or her agent or employer, or by the clerk of the scales.

**13:70-9.25 Jockey's attendants; restriction**

No jockey shall have an attendant other than those provided by the association.

**13:70-9.26 Jockey apprentices; rules**

Jockey apprentices shall be bound by all the rules for jockeys.

**13:70-9.27 Application for apprentice license**

An application for a license as apprentice jockey shall be accompanied by proof of at least one year's service with a racing stable; and, if the apprentice has not previously ridden in races, by a certificate of proficiency from the starter. A birth certificate or satisfactory evidence of date of birth may be required if deemed necessary.

**13:70-9.28 Riding pending application decision**

The stewards may permit an applicant to ride pending decision on his application.

**13:70-9.29 Claims**

(a) Any person who has never previously been licensed as a jockey in any country, and who has complied with the conditions set forth in N.J.A.C. 13:70-9.27, may claim in all overnight races except handicaps the following allowance:

1. A 10 pound allowance until the apprentice has ridden five winners;
2. A seven pound allowance until apprentice has ridden an additional 30 winners; and
3. If an apprentice has ridden a total of 35 winners, prior to the end of a period of one year from the date of riding his or her fifth winner, he or she shall have an allowance of five pounds until the end of that year.

Amended by R.1989 d.108, effective February 21, 1989.  
See: 20 N.J.R. 2996(a), 21 N.J.R. 451(b).  
Substantially amended.

Amended by R.1995 d. 479, effective September 5, 1995.  
See: 27 N.J.R. 643(a), 27 N.J.R. 3374(a).  
Amended by R.1996 d.395, effective August 19, 1996.  
See: 28 N.J.R. 2794(a), 28 N.J.R. 3969(b).

For a seven pound allowance reduced the number of additional winners from 35 to 30.

**13:70-9.30 Apprentice contracts**

(a) An apprentice jockey must be at least 16 years of age to enter into a contract with a racing stable for a period not to exceed three years. Such contracts must be filed with the Racing Commission, and submitted to the stewards for their approval, and are binding in all respects on the signatories thereof.

(b) In lieu of a contract, an apprentice jockey certificate may be issued by the stewards and must be filed with the Racing Commission. The certificate shall terminate three years from date of issuance, except as set forth in N.J.A.C. 13:70-9.32.

Amended by R.1989 d.107, effective February 21, 1989.  
See: 20 N.J.R. 2996(b), 21 N.J.R. 451(c).  
Substantially amended.

(g) A trainer shall receive a warning for the first time a horse in his charge shall show a positive pre-race test. If the same horse shall again be positive on a pre-race test, then the trainer may be fined, suspended or both.

#### 13:70-14A.4 Post-race testing program

(a) No drug shall be administered or applied, internally or externally, to any horse that is to be sampled after a race until the blood and/or urine samples have been obtained unless permission from the State Veterinarian is obtained.

(b) Every horse to be tested shall be taken to a detention barn, to be supplied by the association in accordance with specifications set forth by the Commission. All blood samples shall be taken by a State Veterinarian while urine samples shall be secured by the State Veterinarian or a chemical inspector of the Commission at the direction of the State Veterinarian.

(c) During the taking of any blood and/or urine sample by the veterinarian representing the Commission, from the horse entered to race, the owner, trainer or their designated representative shall be present and witness the procedure. The sample so taken shall be immediately sealed and tagged on the form provided by the Commission and the evidence of such sealing shall be indicated by the signature of such owner, trainer or representative. It shall be the obligation of the owner, trainer or representative to cooperate fully with the State Veterinarian in obtaining any samples which may be required and to attend and witness the taking and securing of such sample.

#### 13:70-14A.5 Procedure following positive chemical analysis

(a) On receiving written notice from the official chemist that a post-race specimen has been found "positive" for any drug or substance foreign to the natural horse, the stewards shall proceed as follows:

1. They shall notify the State Police and authorize a search of the premises occupied by the stable involved.
2. They shall, as quickly as possible, notify the owner and trainer of the horse involved.
3. They shall, with the assistance of the State Police, conduct a thorough investigation, interviewing the trainer, assistant trainer and any other persons who may have pertinent knowledge of the circumstances involved.
4. During the progress of such investigation, the stable involved shall be permitted to race; save that the particular horse (or horses) involved shall not be entered or start until allowed to do so by the Stewards.

#### Case Notes

Rule permitting warrantless administrative search of premises after positive drug test valid as within warrant exception for industries subject to pervasive and long-standing government regulation; scope of

search (cited as former N.J.A.C. 13:70-14A.12 and 13:70-14.21). State v. Dolce, 178 N.J.Super. 275, 428 A.2d 947 (App.Div.1981).

#### 13:70-14A.6 Trainers

(a) A trainer shall be the absolute insurer of and is responsible for the condition of a horse within his care and custody.

(b) A trainer shall not enter or start a horse that has in its body any drug or substance foreign to the natural horse except as otherwise provided for in these rules and regulations.

(c) A trainer has the duty to be familiar with the medication rules of this Commission and with any drug or substances foreign to the natural horse administered to said horse at his direction or while in his care and custody.

(d) The trainer, owner, veterinarian, groom or other person charged with the custody, care and responsibility of a horse are all obligated to protect and guard the horse against administration of any drug or substance foreign to the natural horse except as otherwise provided for in these rules and regulations by any unauthorized individual, and the administration of any unauthorized drug or substance foreign to the natural horse by any person.

#### Case Notes

Commission rules intended to place absolute responsibility upon the trainer in situations in which a horse has been administered a drug; trainer's suspension proper and not violative of due process, despite no finding of trainer's knowledge of drug or negligence (citing former N.J.A.C. 13:70-14.19). Dare v. State, 159 N.J.Super. 533, 388 A.2d 984 (App.Div.1978).

#### 13:70-14A.7 Penalties

(a) Should the stewards determine that any person or persons have violated any section of this subchapter, they may punish the offending party consistent with the penalties provided for in these rules and regulations.

(b) In addition thereto, the Stewards may penalize the owner of any horse, or any entry of which said horse is a part, that has started in any race with any drug or substance foreign in its body by disqualification and denial of any part of the purse with redistribution of purse moneys as in the case of a disqualification.

(c) Any individual suspended or disciplined in any fashion for a second or subsequent violation of N.J.A.C. 13:70-14A.6(a), (b), (d) or any comparable rule of any other racing commission or turf governing body may be deemed a repetitive offender. A second or subsequent violation of 13:70-14A.6 may constitute grounds for further disciplinary action by the Commission.

(d) Horses owned wholly or in part by persons suspended for violation of N.J.A.C. 13:70-14A.6(a), (b) or (d) are ineligible to start during the period of such suspension,

unless sold to a bona fide purchaser. Horses trained by a person suspended for such a violation, wherein the trainer does not have an ownership interest, are automatically eligible to start when placed in the hands of a licensed trainer approved by the Stewards. (See N.J.A.C. 13:70-13A for rules concerning Appeals.)

#### Case Notes

Owner/trainer license was properly suspended for finding of procaine in horse's system. *Dickey v. New Jersey Racing Commission*, 93 N.J.A.R.2d (RAC) 34.

#### 13:70-14A.8 Possession of drugs or drug instruments

(a) No person aside from licensed veterinarians shall have in his possession anywhere within the grounds of any association conducting a race meeting, or anywhere within the confines of a racetrack enclosure, or anywhere within the grounds of any licensed off-track stabling facility, any drugs not possessed in accordance with the laws of the State of New Jersey, nor any contraband drug or unauthorized prescription legend drugs, nor any hypodermic syringes or needles, or any other instrument which may be used for injection, unless the injectable device is possessed for self-administration, and further provided that the individual possessing such device promptly notify the State Steward:

1. That he is in possession of such device; and
2. Of the chemical substance to be administered.

Amended by R.1993 d.262, effective June 7, 1993.  
See: 24 N.J.R. 1060(a), 25 N.J.R. 2488(a).

#### 13:70-14A.9 Administering medication to respiratory bleeders; standards for the administration of phenylbutazone

(a) The stewards may permit the administration of medication to control respiratory bleeding in animals that:

1. At any time have been charted to have bled in the "Daily Racing Form"; or
2. At any time have received a comprehensive cardiopulmonary examination at an approved equine hospital or school of veterinary medicine and as a result thereof, are certified as bleeders and therefore are in need of medication in order to race; or
3. Are observed in New Jersey to bleed during the running or driving of a workout or race at a duly licensed New Jersey racetrack, or in the detention barn following such workout or race by a State or Associate State Veterinarian or by a licensed veterinarian at any time on the grounds of a racetrack and have been placed on a veterinarian's list for at least 10 days; or
4. Have been certified as respiratory bleeders in other racing jurisdictions by a veterinarian employed by that jurisdiction's regulatory body or have been placed on another racing jurisdiction's respiratory bleeder's list.

(b) All horses that are placed on the veterinarian's list shall be required to be treated by a licensed practicing veterinarian in the stall assigned to that horse on the grounds of the Racing Association or in the receiving barn. During this period the horse shall be under the care and custody of a groom or caretaker appointed by the trainer. Furosemide, a diuretic medication that is intended to control respiratory bleeding, shall be administered by a licensed practicing veterinarian and shall be limited to an intravenous dose of 0.50 milligrams (mg) per pound of body weight (1.00 mg per kilogram) or 500 milligrams (10 cubic centimeters (cc)) in a 1,000 pound horse at least four hours prior to race time. Said practicing veterinarian shall make daily reports of all said treatments and file said reports with the State Veterinarian each day.

(c) Post-race urine and blood samples may be taken by or under the supervision of the State Veterinarian from all horses treated with furosemide to control respiratory bleeding pursuant to the requirements set forth above. In the event a post-race analysis of a blood sample reveals that the concentration of furosemide exceeds a level of 50 nanograms per milliliter of plasma (50 ng/ml), the trainer and/or the practicing veterinarian shall be liable to the penalties as set forth in (e) below.

(d) Any horse having bled in any jurisdiction shall be placed on the veterinarian's list for bleeding and must remain on the list for 10 calendar days; a second time bleeder must remain on the respiratory list for 30 days; and a third time bleeder must remain on the respiratory list for 90 days. A bleeder in the above categories is automatically released from the veterinarian's list after these dates; however, a horse which evidences respiratory bleeding a fourth time is barred from further racing in New Jersey.

(e) Should the stewards determine that any person or persons have violated (c) above, they shall punish the offending party as follows:

1. A trainer and/or veterinarian shall receive a warning for the first time a horse in his or her care shall show a test result in excess of 50 nanograms per milliliter of plasma.
2. A trainer and/or veterinarian shall receive a fine not to exceed \$500.00 for a second time the same horse shows a test result in excess of 50 nanograms per milliliter of plasma.
3. Should the same horse show a test result in excess of 50 nanograms per milliliter of plasma for a third time the trainer and/or veterinarian shall be suspended, fined or both.
4. Repeated violations of (c) above by a trainer and/or veterinarian for any horse under their care may subject said trainer and/or veterinarian to fine and/or suspension regardless of whether or not the same horse is involved.