

CALIFORNIA HORSE RACING BOARD
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MEDICATION AND TRACK SAFETY COMMITTEE MEETING

of the California Horse Racing Board will be held on Wednesday, April 11, 2012, commencing at 2:00 p.m., in the Baldwin Terrace Room at the Santa Anita Park Race Track, 285 West Huntington Drive, Arcadia, California. Non-committee Board members attending the committee meeting may not participate in the public discussion, official committee vote or committee closed session.

AGENDA

Action Items:

1. Discussion and action regarding the use of clenbuterol in California racing.
2. Report and update regarding the CHRB/University of California Davis Trainers Education Module.
3. Discussion and action regarding the feasibility of amending CHRB Rule 1865, Altering of Sex of Horse, and possibly CHRB Rule 1974, Wagering Interest, in recognition of repeated problems in reporting the gelding of horses in the prescribed manner, and the report from the California Thoroughbred Trainers (CTT) regarding its efforts to eliminate the problem.
4. Discussion and action regarding the proposed amendment to CHRB Rule 1867, Prohibited Veterinary Practices, to add zilpaterol and ractopamine to the prohibited practices list.
5. Discussion and action regarding the relationship between the claiming price and the claiming purse, and the potential impact on the well being of the horse competing in a claiming race.
6. Discussion and action regarding the feasibility of amending CHRB Rule 1658, Vesting of Title to Claimed Horse, to allow a claim to be void if the post race test sample contains a prohibited drug substance.
7. Discussion and action regarding an update on the status of the proposed amendment to CHRB Rule 1846.5, Postmortem Examination, which would have required the preceding six months of veterinary records to be submitted within 48 hours after submission of the necropsy submission form.

8. Discussion and action regarding the Racing Commissioners International (RCI) recommended model rule for race day medication and the feasibility of amending CHRB Rule 1845, Authorized Bleeder Medication, to implement its recommendations.
9. Report and update regarding the ambulance emergency medical procedures protocol.
10. Discussion and action regarding the adoption of the international welfare guidelines prohibiting the racing of pregnant mares beyond 120 days of gestation.
11. **General Business:** Communications, reports, requests for future actions of the Committee.

Additional information regarding this meeting may be obtained from Jacqueline Wagner at the CHRB Administrative Office, 1010 Hurley Way, Suite 300, Sacramento, CA 95825; telephone (916) 263-6000; fax (916) 263-6042. A copy of this notice can be located on the CHRB website at www.chrb.ca.gov. *Information for requesting disability related accommodation for persons with a disability who require aids or services in order to participate in this public meeting, should contact Jacqueline Wagner.

**MEDICATION AND
TRACK SAFETY COMMITTEE**
Commissioner Bo Derek, Chairman
Kirk E. Breed, Executive Director

STAFF ANALYSIS
DISCUSSION AND ACTION REGARDING THE USE OF
CLENBUTEROL IN CALIFORNIA RACING

Medication and Track Safety Committee Meeting
April 11, 2012

BACKGROUND

Business and Professions Code section 19420 provides that jurisdiction and supervision over meetings in this State where horse races with wagering on their results are held or conducted, and over all persons or things having to do with the operation of such meetings, is vested in the CHRB. Business and Professions Code section 19440 states the Board shall have all powers necessary and proper to enable it to carry out fully and effectually the purposes of this chapter. Responsibilities of the Board shall include adopting rules and regulations for the protection of the public and the control of horse racing and pari-mutuel wagering. Business and Professions Code section 19562 states the Board may prescribe rules, regulations and conditions consistent with the provisions of this chapter, under which all horse races with wagering on their results shall be conducted in this state. Business and Professions Code section 19580 states the Board shall adopt regulations to establish policies, guidelines, and penalties relating to equine medication in order to preserve and enhance the integrity of horse racing in the state. Business and Professions Code section 19581 provides that no substance of any kind shall be administered by any means to a horse after it has been entered to race in a horse race, unless the Board has, by regulation, specifically authorized the use of the substance and the quantity and composition thereof.

Board regulations prohibit the administration of any drug, substance or medication after entry time with a few specific exceptions. The exceptions were established after due consideration by the Board based on information available at the time the regulations were adopted. Scientific information and practical experience in managing the threshold levels for the exceptions change over time as unintended consequences become apparent. Clenbuterol in horse racing is an example. Clenbuterol is a beta-2 agonist approved by the United States Food and Drug Administration (FDA) in equines as a bronchodilator. The Board established threshold levels for Clenbuterol consistent with its therapeutic use to treat small airway disease. Clenbuterol, like all beta-2 agonists, has an adrenergic effect on muscle somewhat similar to anabolic steroids. Only the Ventipulmin brand of Clenbuterol is approved by the FDA. Under Rule 1844, Authorized Medication, the authorized level of Clenbuterol in official urine test samples is 5 nanograms per milliliter.

At its February 17, 2011 Regular Meeting, the Board discussed the proposed addition of Rule 1844.1, Suspension of Authorized Medication. The Board heard from the Equine Medical Director that non-FDA approved Clenbuterol was becoming a problem in quarter horse racing, and that the American Quarter Horse Association, the Los Alamitos Racing Association and the Pacific Coast Quarter Horse Racing Association were considering asking racing jurisdictions to prohibit Clenbuterol in quarter horse racing. The Board proposed the addition of Rule 1844.1 to

allow it to act quickly to suspend authorization for drug substances such as Clenbuterol, or other permitted drugs, substances or medications under specific circumstances and after a public hearing. The addition of Rule 1844.1 was approved and became effective in July 2011.

In August 2011 the Los Alamitos Race Course and the Pacific Coast Quarter Horse Racing Association requested that the CHRB consider enacting Rule 1844.1 to suspend the authorized administration of Clenbuterol to horses entered to race at the Los Alamitos Race Course for a period of 12 months effective October 14, 2011. The Board agreed and suspended the administration of Clenbuterol at Los Alamitos from October 14, 2011 through October 14, 2012.

RECOMMENDATION

This item is presented for Committee discussion and action.

CALIFORNIA HORSE RACING BOARD
TITLE 4. CALIFORNIA CODE OF REGULATIONS
ARTICLE 15. VETERINARY PRACTICES
RULE 1844. AUTHORIZED MEDICATION

1844. Authorized Medication.

Consistent with the intent of these rules, drug substances and medications authorized by the Board for use may be administered to safeguard the health of the horse entered to race provided that:

(a) No person shall administer a drug substance to any horse entered to race except upon authorization of the official veterinarian in conformance with these rules.

(b) No drug substance, other than authorized bleeder medication, shall be administered to a horse entered to race within 24 hours of the race in which entered.

(c) Not more than one approved non-steroidal anti-inflammatory drug substance (NSAID) may be administered to a horse that is entered to race and shall be only one of the following authorized drug substances:

(1) Phenylbutazone in a dosage amount that the test sample shall contain not more than 2 micrograms of the drug substance per milliliter of blood plasma or serum.

(2) Flunixin in a dosage amount that the test sample shall contain not more than 20 nanograms of the drug substance per milliliter of blood plasma or serum.

(3) Ketoprofen in a dosage amount that the test sample shall contain not more than 10 nanograms of the drug substance per milliliter of blood plasma or serum.

(4) Metabolites or analogues of approved NSAIDs may be present in post race test samples.

(d) If the official chemist reports that a blood test sample contains an authorized NSAID in excess of the limit for that drug substance under this rule, the official veterinarian shall, in conjunction with the veterinarian who administered or prescribed the authorized drug substance, establish a dosage amount or time of administration of the

drug substance that will comply with the limits under this rule; or the official veterinarian may, if in his/her judgment no such reduced dosage amount or amendment to time of administration will result in a test sample level within the limits of this rule, withdraw authorization for the use of any one NSAID.

(e) Official urine test samples may contain one of the following drug substances, their metabolites or analogs, in an amount that does not exceed the specified levels:

- (1) Acepromazine; 25 nanograms per milliliter
- (2) Mepivacaine; 10 nanograms per milliliter
- (3) Promazine; 25 nanograms per milliliter
- (4) Albuterol; 1 nanograms per milliliter
- (5) Atropine; 10 nanograms per milliliter
- (6) Benzocaine; 50 nanograms per milliliter
- (7) Procaine; 50 nanograms per milliliter
- (8) Salicylates; 750 micrograms per milliliter
- (9) Clenbuterol; 5 nanograms per milliliter
- (10) Stanazolol; 1 nanograms per milliliter
- (11) Nandrolone; 1 nanograms per milliliter for geldings, fillies and mares; 45 nanograms for males other than geldings.
- (12) Boldenone; 15 nanograms per milliliter in males other than geldings.
- (13) Testosterone; 20 nanograms per milliliter in geldings.

(A) Testosterone at any level in males other than geldings is not a violation of this regulation.

- (14) Testosterone; 55 nanograms per milliliter in fillies or mares

(f) Official blood test samples may contain clenbuterol in an amount not to exceed 25 picograms per milliliter of serum or plasma.

(g) Official blood test samples shall not contain any of the drug substances, or their metabolites or analogs listed in subsection (e)(1)-(8), and (e)(10)-(14).

(h) Procaine, following administration of procaine penicillin, is an authorized medication provided:

(1) Official blood test samples shall not contain any procaine, or its metabolites or analogs in excess of 25 nanograms per milliliter.

(2) all procaine penicillin administrations have been reported pursuant to Rule 1842 of this division,

(3) procaine penicillin was not administered after entry to race,

(4) the horse was under surveillance for a minimum of six hours prior to racing.

(i) All expenses related to surveillance and testing for procaine under subsection (h) of this regulation shall be paid by the owner of the horse.

Authority: Sections 19440 and 19562,
Business and Professions Code.

Reference: Sections 19580 and 19581,
Business and Professions Code.

CALIFORNIA HORSE RACING BOARD
TITLE 4. CALIFORNIA CODE OF REGULATIONS
ARTICLE 15. VETERINARY PRACTICES
PROPOSED ADDITION OF
RULE 1844.1. SUSPENSION OF AUTHORIZED MEDICATION

Medication and Track Safety Committee Meeting
April 11, 2012

1844.1 Suspension of Authorized Medication

(a) After a public meeting that has been noticed in accordance with Government Code section 11125(a), the Board may for any cause temporarily suspend the authorized administration to a horse entered to race of any drug, substance or medication that is otherwise permitted under Rule 1844, Authorized Medication.

(b) The temporary suspension of the authorized administration of a drug, substance or medication may be for a race, breed, or race meeting, provided all horses in the same race compete under the same conditions.

(c) The Board shall notify in writing the racing association and the trainer's organization of any temporary suspension of authorization to administer a drug, substance or medication to a horse entered to race. The written notification shall at minimum:

(1) State the authorized medication whose use is temporarily suspended,

(2) The period of time for which the use of the authorized medication is temporarily suspended, and

(3) Whether the temporary suspension is for a specific breed or a race meeting.

(d) A suspension of authorization to administer a drug, substance or medication to a horse entered to race shall not exceed 12 months.

Authority: Sections 19440, 19562, 19580 and 19581,

Reference: Business and Professions Code.
Sections 19440, 19580 and 19581,
Business and Professions Code.

STAFF ANALYSIS
REPORT AND UPDATE REGARDING
THE CHRB/UNIVERSITY OF CALIFORNIA, DAVIS TRAINER'S EDUCATION
MODULE

Medication and Track Safety Committee Meeting
April 11, 2012

BACKGROUND

Business and Professions Code section 19481 requires the California Horse Racing Board (CHRB) to establish safety standards to improve the safety of horses, riders and workers at the racetrack. The Racing Safety Program (RSP) was established in early 2010 to directly address the requirements of the Business and Professions Code and to reduce fatal injuries at California racetracks and training facilities. The RSP includes three projects that support fatality investigations, one of which involves a contract with University of California, Davis (UC Davis) and the J.D. Wheat Veterinary Orthopedic Research Laboratory that established the Racing Injury Prevention Program. The objective of this program is to perform enhanced, specialized analysis of necropsy specimens from racehorses that have sustained fatal musculoskeletal injuries to produce identification of pre-existing conditions that contribute to bone fractures. The end product of this program will be identification and prevention of these injuries through a Trainer's Education Module series disseminated to veterinarians and trainers through professional forums and continuing education programs.

ANALYSIS

This presentation given by Dr. Sue Stover, is the first installment in a series of Trainer's Education modules as a result of the contract between the CHRB and UC Davis. This video will cover scapular fractures. It can be delivered by DVD and/or uploaded to the CHRB and UC Davis websites.

RECOMMENDATION

This item is presented for Committee discussion.

STAFF ANALYSIS
DISCUSSION AND ACTION REGARDING THE FEASIBILITY OF AMENDING CHRB
RULE 1865, ALTERING OF SEX OF HORSE AND POSSIBLY CHRB RULE 1974,
WAGERING INTEREST, IN RECOGNITION OF REPEATED PROBLEMS IN
REPORTING THE GELDING OF HORSES IN THE PRESCRIBED MANNER.

Medication and Track Safety Committee Meeting
April 11, 2012

BACKGROUND

Business and Professions Code section 19420 provides that jurisdiction and supervision over meetings in California and over all persons or things having to do with such meetings is vested in the California Horse Racing Board (Board). Business and Professions Code section 19440 states responsibilities of the Board shall include adopting rules and regulations for the protection of the public and the control of horse racing and pari-mutuel wagering. Business and Professions Code section 19460 (b) states that all licenses granted under this chapter are subject to all rules, regulations, and conditions prescribed by the Board. Business and Professions Code section 19562 states the Board may prescribe rules, regulations, and conditions under which all horse races with wagering on their results shall be conducted in California. CHRB Rule 1865 states in part: (d) A trainer who enters a horse, or who causes a horse to be entered on his behalf, is responsible for ensuring that the true sex of the entered horse is listed on its certificate of registration on file in the racing office. (1) If the true sex of a horse is not correctly identified in the official program for the race in which the horse is entered, the trainer of the horse shall be subject to a minimum fine of \$1,000.

Despite concerted efforts by the CHRB and racing officials, violations of Rule 1865 continue – usually because the trainer fails to notify the racing office that a horse has been gelded. In many cases this information is not made public until the horse reaches the receiving barn about 45 minutes before the horse is scheduled to race. By the time the horse identifier at the receiving barn notifies the stewards of the sex change, it is too late to include that horse in multi-race wagers (e.g. Pick Six) that began with races already run.

In 2007, the stewards issued 44 rulings against trainers who had not reported the gelding of horses by entry time for their first race after the operation. Between April 1, 2010 and November 27, 2011 there were 18 such rulings. Staff contacted the stewards, CHRB investigators, and racing secretaries in an effort to determine whether there were any violations beyond these 18 rulings against trainers that were attributable to racing offices or others. The sketchy information received suggests there have been very few cases involving someone other than the trainer.

When the Board considered this problem in 2008, one option was to increase the penalty to a minimum fine of \$1,000 for a trainer if the true sex of the horse was not listed in the official program. A second option was to scratch the horse. After a discussion of both proposed amendments, the Board opted to increase the fine to \$1,000. The Board also added a provision that allowed the stewards to consider mitigating circumstances when imposing a fine. This has

enabled the stewards to impose fines of less than \$1,000. The amendment became effective in April 2009.

At its December 15, 2011 Regular Meeting the Board discussed the ongoing problem of misreporting the true sex of horses entered to race. The possibility of amending Rule 1865 to increase the fine to more than \$1,000 and/or scratching the horse was explored. Having the horse run for purse money only was also suggested. Following its discussion, the Board determined the issue would be deferred to the Medication and Track Safety Committee to work out a proposed solution.

After the December 15, 2011 Regular Meeting the California Thoroughbred Trainers (CTT) stated it would research each 2011 violation of Rule 1865 to determine what went wrong with the reporting process. The CTT announced it would also commit to working with horsemen to reduce the number of violations to as close to zero as possible. The goal would be to convince the Board that increasing the fine allowed under Rule 1865 is unnecessary.

At its January 10, 2012 meeting the Medication and Track Safety Committee held an extensive discussion about Rule 1865. Options discussed included increasing the fine and scratching the horse for failure to notify the public no later than 30 minutes prior to post time of the first race of the day. The Committee determined it would make no changes to the current regulation. Instead, the Committee agreed to allow the CTT to continue to work with horsemen and the industry to significantly reduce the number of violations of the rule. The CTT would return to a future Medication and Track Safety Committee meeting to report on the results of its program.

At the January 19, 2012 Regular Board Meeting Alan Balch of the CTT stated his organization would like the Board to wait until the spring of 2012 to determine if the CTT outreach program would work. He added there were many factors that could result in the misidentification of a horse's true sex, and the CTT needed time to work through the issues. After discussion, the Board agreed to defer the issue.

ANALYSIS

Staff ran a California Horse Racing Information System (CHRIS) inquiry regarding rulings that reference violations of Rule 1865. The parameters of the CHRIS inquiry were December 15, 2011 through March 15, 2012. The results revealed that in the four month period there were two 1865 violations, both of which occurred at Los Alamitos Race Course. Both violations were in December 2011. From January 1, 2012 through March 15, 2012, there were no violations of Rule 1865 recorded in CHRIS.

The CTT, which has been conducting an extensive outreach program, has reported that since the opening of Santa Anita on December 26, 2011, all parties have worked together and have been vigilant in verifying whether a horse entered to race has been gelded since its last start or since registered if it has not started. In addition, newsletters, flyers and posters have been produced and distributed. The overnights also carry a reminder to horsemen. The CTT continues to work directly with trainers. After the initial period of contact, most CTT courtesy calls have been to trainers with few entries or trainers who have not been previously contacted. The CTT has

recommended that the present \$1,000 fine is a sufficient deterrent, and that the stewards be given more discretion to impose lesser fines, as despite all efforts to the contrary, there are innumerable ways an erroneous entry might still occur.

RECOMMENDATION

This item is presented for Committee discussion and action. The Committee may wish to hear from a CTT representative regarding its efforts to reduce the number of Rule 1865 violations.

CALIFORNIA HORSE RACING BOARD
TITLE 4. CALIFORNIA CODE OF REGULATIONS
ARTICLE 15. VETERINARY PRACTICES
RULE 1865. ALTERING OF SEX OF HORSE

Medication and Track Safety Committee Meeting
April 11, 2012

1865. Altering of Sex of Horse.

Any alteration to the sex of a horse from the sex as recorded on the certificate of foal registration or the eligibility certificate or other official registration certificate of the horse shall be reported to the racing secretary and the official horse identifier if the horse is entered to race at any race meeting.

(a) If a racehorse is gelded or castrated on the premises of a licensed racing association, or other facility under the jurisdiction of the Board, the trainer shall report the alteration within 72 hours.

(b) If a racehorse is gelded or castrated off the premises of a licensed racing association, or other facility under the jurisdiction of the Board, and the horse has been previously entered to race at any race meeting in this State, the owner and/or trainer shall report the alteration at the time the horse is next entered to race.

(c) A report of gelding or castration will include the name of the veterinarian performing the alteration and the date of the alteration, and shall be recorded on the official registration certificate and the official horse identification record of the horse.

(d) A trainer who enters a horse, or who causes a horse to be entered on his behalf, is responsible for ensuring that the true sex of the entered horse is listed on its certificate of registration on file in the racing office.

(1) If the true sex of a horse is not correctly identified in the official program for the race in which the horse is entered, and the error is discovered prior to the running of the race, the horse may be removed from the wagering pool to run for purse only. If the horse is removed from the wagering pool, the association shall comply with the provisions of Rule 1974(c).

(2) If the error in reporting the true sex of the horse is discovered after the start of the race in which the horse is entered, the trainer of the horse shall be subject to a minimum fine of \$1,000.

(3) Deviation from the minimum fine in subsection (d)(2) of this regulation is appropriate if the trainer can demonstrate mitigating circumstances. Mitigating circumstances may include, but are not limited to:

(A) Errors made by other parties in recording information correctly provided by the trainer.

Authority: Sections 19420, 19440, 19460 and 19562,
Business and Professions Code.

Reference: Sections 19420, 19562 and 19661,
Business and Professions Code.

CALIFORNIA HORSE RACING BOARD
TITLE 4. CALIFORNIA CODE OF REGULATIONS
ARTICLE 18. PARI-MUTUEL WAGERING
RULE 1974. WAGERING INTEREST

Medication and Track Safety Committee Meeting
April 11, 2012

1974. Wagering Interest.

(a) A wagering interest is any one horse in a race.

(b) If a horse is removed from the wagering pool due to a totalizator error, or due to any other error, and neither the trainer nor the owner is at fault, the horse shall start in the race as a non-wagering interest for the purse only and shall be disregarded for pari-mutuel purposes.

(c) If a horse is removed from the wagering pool to start in a race as a non-wagering interest for purse only and is disregarded for pari-mutuel purposes, the circumstances shall be announced over the public address system at the time the action is taken and thereafter to adequately inform the public. The racing association shall also inform off-track wagering outlets at the time such action is taken.

Authority: Sections 19420 and 19440,
Business and Professions Code.

Reference: Section 19562,
Business and Professions Code.

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DATE: April 2, 2012

TO: California Horse Racing Board,
Medication and Track Safety Committee

ATTN: Honorable Bo Derek, Chair

COPY: Kirk Breed, Executive Director
Jacqueline Wagner, Assistant Executive Director
Harold Coburn, Regulations Analyst

FROM: California Thoroughbred Trainers (CTT),
Alan F. Balch, Executive Director

SUBJECT: Report – CHRB Rule 1865, Altering of Sex of Horse

Thank you for the opportunity to report on the steps taken by Industry participants to reduce the number of horses entered in Thoroughbred races stating the improper gender (colts/ridglings vs. geldings).

We are pleased to advise you that all stakeholders are working well together. Since the opening of the Santa Anita meeting (December 26), throughout California, racing offices, officials, veterinarians, owners, and trainers have been vigilant in double-checking whether any colt or ridgling has been gelded since its last start, or gelded since registered even if it has not started.

Racing offices and clerks of the course have been very cooperative, in checking all records, and attending particularly to any entrant which returns to the races after a long layoff or a claim followed by a layoff. Veterinarians are careful to report castrations. Official CHRB veterinarians are double-checking gender at morning inspections.

CTT has published newsletters/flyers to all trainers, by email as well as hand delivery. Posters have been printed and displayed at all points of entry, with the cooperation of racing associations and entry clerks. Jockey agents (many of whom make entries for trainers) have been informed of the importance of this program. Overnights carry the reminder to all horsemen to be vigilant. Word of mouth among horsemen has been especially important.

Beginning with entries for December 26 programs, CTT staff contacted each trainer north or south with a colt or ridgling entered, using the official overnight, to verify the status of that horse. After contacting many trainers multiple times in the early weeks of racing, some trainers have requested they continue to be reminded to check, and staff is doing so. However, most courtesy calls now are to trainers with few entries, or to trainers who enter who have not been previously contacted.

Having heard from many trainers the innumerable ways that an erroneous entry might slip past all these efforts, we can never be confident that we won't have more. However, we are firm in our conviction that the existing fine is a sufficient deterrent, and increasing it would have no added benefit. Even a \$1,000 fine is career ending for many trainers with small strings. We would, in fact, encourage more discretion for Stewards to impose lesser fines, if circumstances warranted. To cite just one of many examples, it is hard to understand imposition of such a fine on a horse who has never started, yet whose pedigree line in the Incompass/program database lists the animal as a colt when it has in fact been gelded. This is a real possibility once two-year-olds begin racing soon.

Thank you for again for this opportunity to comment.

STAFF ANALYSIS
DISCUSSION AND ACTION REGARDING THE
PROPOSED AMENDMENT OF
RULE 1867 PROHIBITED VETERINARY PRACTICES
TO ADD
ZILPATEROL AND RACTOPAMINE
TO THE PROHIBITED PRACTICES LIST

Medication and Track Safety Committee Meeting
April 11, 2012

BACKGROUND

Business and Professions Code section 19440 provides that the Board shall adopt regulations for the control of horse racing. Business and Professions Code section 19562 states the Board may prescribe rules and regulations under which all horse races with wagering on their results shall be conducted in California. Section 19580 of the Business and Professions Code requires the Board to adopt regulations to establish policies, guidelines, and penalties relating to equine medication in order to preserve and enhance the integrity of horse racing in California.

Board Rule 1867, Prohibited Veterinary Practices, states that an act or practice which may endanger the safety and welfare of the horse and rider/driver is a prohibited veterinary practice. The rule also identifies those acts, practices, drugs or substances that fall into the "prohibited practices" category.

ANALYSIS

The proposed amendment to Rule 1867 will add ractopamine and zilpaterol, or their metabolites or analogues, to the list of drug substances whose possession and/or use of on the premises of a facility under the jurisdiction of the Board is considered a prohibited veterinary practice. Ractopamine is a beta agonist similar to clenbuterol and Albuterol, and is used as a feed additive to increase weight-gain in livestock. Ractopamine helps keep nutrients from going into fat stores so as to enhance muscle mass. It is not approved by the government for use in horses. In March 2012 the Kentucky Horsemen's Benevolent and Protective Association (HBPA) news reported that since 2005 there have been nine ractopamine positives nationally, with eight cases since 2009. (The HBPA news only reported closed cases) The Racing Commissioners International (RCI) lists ractopamine as a Category III drug, or a drug that may or may not have a therapeutic use in horses and may have the potential to affect performance. Zilpaterol is an adrenergic agonist drug used as a feed additive for cattle at slaughter age to produce rapid weight and muscle gain. The RCI lists zilpaterol as a Category III drug with Class "A" penalties.

RECOMMENDATION

This item is presented for Committee discussion and action.

CALIFORNIA HORSE RACING BOARD
TITLE 4. CALIFORNIA CODE OF REGULATIONS
ARTICLE 15. VETERINARY PRACTICES
PROPOSED AMENDMENT OF
RULE 1867. PROHIBITED VETERINARY PRACTICES.

Medication and Track Safety Committee Meeting
April 11, 2012

1867 Prohibited Veterinary Practices.

For purposes of this division, prohibited veterinary practices means:

(a) The possession and/or use on the premises of a facility under the jurisdiction of the Board of any drug, substance 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.

- (1) Erythropoietin (EPO) and analogs
- (2) Darbepoietin and analogs
- (3) Snake venom
- (4) Snail venom
- (5) Growth hormone and analogs
- (6) ractopamine and ractopamine metabolites or analogs.
- (7) zilpaterol and zilpaterol metabolites or analogs

(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.

(c) The presence of any drug, substance or medication described in subsections (a)(1) through (a)(5), and subsection (b) of this regulation in any test sample obtained consistent with

Rules 1858, 1859 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 pursuant to Guide 1240.3025 of the FDA Center for Veterinary Medicine (CVM) Program Policy and Procedures Manual, which is hereby incorporated by reference. Guide 1240.3025 of the FDA CVM Program Policy and Procedures Manual may be obtained at the California Horse Racing Board's headquarters office.

Authority: Sections 19440, 19562, 19580, and,
Business and Professions Code.

Reference: Sections 19580, 19581, and 19582,
Business and Professions Code.

STAFF ANALYSIS
DISCUSSION AND ACTION REGARDING THE RELATIONSHIP
BETWEEN THE CLAIMING PRICE AND THE CLAIMING PURSE,
AND THE POTENTIAL IMPACT ON THE
WELL BEING OF THE HORSE
COMPETING IN A CLAIMING RACE

Medication and Track Safety Committee Meeting
April 11, 2012

BACKGROUND

Business and Professions Code section 19420 provides that the Board has jurisdiction and supervision over meetings in California where horse races with wagering on their results are held or conducted, and over all persons or things having to do with the operation of such meetings. Business and Professions Code section 19440 states the Board shall have all powers necessary and proper to enable it to carry out fully and effectually the purposes of this chapter. Responsibilities of the Board include adjudication of controversies arising from the enforcement of those laws and regulations dealing with horse racing and pari-mutuel wagering. Business and Professions Code section 19562 provides that the Board may prescribe rules, regulations, and conditions, consistent with the provisions of this chapter, under which all horse races with wagering on their results shall be conducted in California.

A claiming race is a horse race in which each horse entered is made available for purchase, or claiming, at a fixed price which a buyer must agree to pay before the race is run. Claiming allows lesser quality horses to compete equally, as horses are entered for a price at which the owner or trainer feels is reasonable to lose it. Many new owners use claiming races to buy their first horses. It is also a venue where others claim (at bargain prices) horses they believe can compete at higher levels. However, claiming races can also be used by owners and trainers to rid themselves of horses whose performance is not what they expect, so the terms "*Caveat Emptor*" or "*Buyer Beware*" apply. The claimant does not get to examine the horse prior to putting in a claim, and the horse actually belongs to a successful claimant from the time the field is dispatched (unless there is reason to void the claim under the provisions of Rule 1658, Vesting of Title to Claimed Horse).

In 2009 the American Association of Equine Practitioners (AAEP) Racing Task Force recommended that no claiming race should have a purse that exceeds the claiming price by more than 50 percent. The rationale for the recommendation is that when purses are out of proportion to the claiming price, the purse becomes more valuable than the horse. This creates an incentive to take actions that may not be in the best interest of the horse. It is not uncommon to see claiming races where the purse exceeds the claiming price. An example (attached) is the fourth race at Santa Anita on March 2, 2012. The purse was \$17,000 while the claiming price was \$8,000. The purse in this race was more than 100 percent of the claiming price.

RECOMMENDATION

This item is presented for Committee discussion and action.

STAFF ANALYSIS
DISCUSSION AND ACTION REGARDING
THE FEASIBILITY OF AMENDING
CHRB RULE 1658, VESTING OF TITLE TO CLAIMED HORSE,
TO ALLOW A CLAIM TO BE VOID IF THE POST RACE TEST SAMPLE
CONTAINS A PROHIBITED DRUG SUBSTANCE

Medication and Track Safety Committee Meeting
April 11, 2012

BACKGROUND

Business and Professions Code section 19420 provides that the Board has jurisdiction and supervision over meetings in California where horse races with wagering on their results are held or conducted, and over all persons or things having to do with the operation of such meetings. Business and Professions Code section 19440 states the Board shall have all powers necessary and proper to enable it to carry out fully and effectually the purposes of this chapter. Responsibilities of the Board include adjudication of controversies arising from the enforcement of those laws and regulations dealing with horse racing and pari-mutuel wagering. Business and Professions Code section 19562 provides that the Board may prescribe rules, regulations, and conditions, consistent with the provisions of this chapter, under which all horse races with wagering on their results shall be conducted in California.

Rule 1658, Vesting of Title to Claimed Horse, states that title to a horse which is claimed shall be vested in the successful claimant from the time the field has been dispatched from the starting gate and the horse becomes a starter. The successful claimant becomes the owner of the horse whether it is sound or unsound, or injured during the race or after it. However, the claim shall be void if the horse suffers a fatality during the running of the race or before it is returned to be unsaddled, or if the race is called off, canceled, or declared no contest.

A claiming race is a horse race in which each horse entered is made available for purchase, or claiming, at a fixed price which a buyer must agree to pay before the race is run. Claiming allows lesser quality horses to compete equally, as horses are entered for a price at which the owner or trainer feels is reasonable to lose it.

A claiming race is a venue through which a new owner may buy his first horse. It is also a venue where others claim (at bargain prices) horses they believe can compete at higher levels. However, claiming races can also be used by owners and trainers to rid themselves of horses whose performance is not what they expect, so the terms "*Caveat Emptor*" or "*Buyer Beware*" apply. The claimant does not get to examine the horse prior to putting in a claim, and the horse actually belongs to a successful claimant from the time the field is dispatched (unless there is reason to void the claim under the provisions of the rule).

In 2011 Rule 1658 was amended to allow the stewards to void a claim if the horse suffered a fatality during the running of the race or before it was returned to be unsaddled.

ANALYSIS

In 2009 the American Association of Equine Practitioners (AAEP) Racing Task Force recommended that a claimant should have the discretion to rescind a claim if the claimed horse has a positive post-race test result. The proposed amendment to Rule 1658 would adopt the AAEP's recommendation by requiring the stewards to notify the claimant if a complaint is filed against the previous owner or trainer due to a positive test result in violation of Rule 1843, Medication, Drugs and Other Substances, or Rule 1844, Authorized Medication. Upon such notification, the claimant may – within 24 hours - request in writing that the claim be voided. Under the proposed amendment, a claimant who requests the claim be voided is not entitled to reimbursement for any expenses related to the claimed horse.

New York State currently has a similar regulation under which a positive post-race test on a blood or urine sample may result in the claimant requesting the claim be voided.

RECOMMENDATION

This item is presented for Committee discussion and action.

CALIFORNIA HORSE RACING BOARD
TITLE 4. CALIFORNIA CODE OF REGULATIONS
ARTICLE 7. CLAIMING RACES.
PROPOSED AMENDMENT OF
RULE 1658. VESTING OF TITLE TO CLAIMED HORSE.

Medication and Track Safety Committee
April 11, 2012

1658. Vesting of Title to Claimed Horse.

(a) Title to a horse which is claimed shall be vested in the successful claimant from the time the field has been dispatched from the starting gate and the horse becomes a starter; and said successful claimant becomes the owner of the horse whether it is sound or unsound, or injured during the race or after it. Only a horse which is officially a starter in the race may be claimed. A subsequent disqualification of the horse by order of the stewards or the Board shall have no effect upon the claim.

(b) The stewards shall void the claim if the horse suffers a fatality during the running of the race or before the horse is returned to be unsaddled.

(c) The claim shall be void if the race is called off, canceled, or declared no contest in accordance with Rule 1544 of this division.

(d) A claim may be voided at the request of the claimant for any horse that tests positive for a prohibited substance in violation of Rule 1843 of this division, or tests in excess of an authorized threshold level under Rule 1844 of this division.

(1) The stewards shall notify the claimant or the claimant's trainer of a complaint being filed against the previous owner or trainer. Within 24 hours of notice of the filing of such a complaint, the claimant may request in writing that the claim be voided.

(2) A claimant who request that a claim be voided is not entitled to reimbursement for any expenses related to the claimed horse.

Authority: Sections 19420 and 19440,
Business and Professions Code.

Reference: Section 19562,
Business and Professions Code.

New York Rule 4038.19 regarding voiding claims as a result of post-race positive test results.

4038.19.(a) Should the analysis of a post-race blood or urine sample taken from a claimed horse result in a post-race positive test, or if the test results of a previous race have not been cleared by the date of the claim and result in a post-race positive test, the claimant's trainer shall be promptly notified by the stewards and the claimant shall have the option to void said claim within five (5) days of such notice by his trainer. An election to void a claim shall be submitted in writing to the stewards by the claimant or his trainer. In the event the claim is voided, the horse shall be returned to the owner of the horse who subjected the horse to claiming in the race from which the positive test resulted.

(b) *Erythropoietin and darbepoietin.* Should the analysis of a post-race blood or urine sample taken from a claimed horse result in a finding by the laboratory that the antibody of erythropoietin or darbepoietin was present in the sample taken from that horse, the claimant's trainer shall be promptly notified in writing by the stewards and the claimant shall have the option to void said claim within five days of receipt of such notice by his trainer. An election to void a claim shall be submitted in writing to the stewards by the claimant or his trainer.

(c) *Reserpine and fluphenazine.* Notwithstanding any inconsistent provision of Part 4043, should the analysis of a post-race blood or urine sample taken from a claimed horse result in a finding by the laboratory that the drug reserpine or the drug fluphenazine was present in the sample taken from that horse, the claimant's trainer shall be promptly notified in writing by the stewards and the claimant shall have the option to void said claim within five days of receipt of such notice by his trainer. An election to void a claim shall be submitted in writing to the stewards by the claimant or his trainer.

(d) *Upper neurectomy or unreported lower neurectomy.* Where an upper neurectomy as defined in subdivision (a) of section 4025.31 of this Subchapter or a lower neurectomy which has not been reported as required in subdivision (b) of section 4025.31 has been performed on a horse prior to the race in which it is claimed, the claimant shall have the option to void said claim upon written notice to the stewards from the claimant or his trainer given within 10 days following the date of the claim.

(e) *Undeclared pregnant mare.* Where a pregnant mare has been claimed which pregnancy has not been disclosed as required in section 4038.17 of this Part, the claimant shall have the option to void the claim upon written notice to the stewards from the claimant or his trainer within 10 days following the date of the claim.

(f) *Misrepresentation of age or sex.* Where a horse has been claimed and the age or sex of the animal has been misrepresented in the racing program, the claimant shall have the option to void the claim upon written notice to the stewards from the claimant or his trainer within 10 days following the date of the claim.

(g) *Excess TCO2 levels.* In the event that a claimed horse tests in violation of Rule 4043.8, and it is not determined that such TCO2 level is physiologically normal for that particular horse, the claimant or his trainer shall have the option to void the claim upon written notice to the stewards within five (5) days of receiving notice of the violation

STAFF ANALYSIS
DISCUSSION AND ACTION BY THE BOARD REGARDING AN UPDATE
ON THE STATUS OF THE PROPOSED AMENDMENT OF CHRB
RULE 1846.5, POSTMORTEM EXAMINATION,
WHICH WOULD HAVE REQUIRED THE PRECEDING SIX MONTHS
OF VETERINARY RECORDS BE SUBMITTED WITHIN 48 HOURS
AFTER SUBMISSION OF THE NECROPSY SUBMISSION FORM

Medication and Track Safety Committee
April 11, 2012

BACKGROUND

Business and Professions Code section 19440 states that the Board shall have all powers necessary and proper to enable it to carry out fully and effectually the purposes of horse racing law. Business and Professions Code section 19444 provides that in performing its responsibilities the Board may conduct research to determine more fully the cause and prevention of horse racing accidents, the effects of drug substances on race horses, and the means for detection of foreign drug substances. Board Rule 1846.5, Postmortem Examination, requires that every horse which suffers a fatal injury on the racetrack, or which dies or is euthanized within an area under the jurisdiction of the Board, shall undergo a postmortem examination. The regulation is silent on whether a copy of the horse's veterinary records may be required by the Board. Such records may provide valuable information and insight in conjunction with the postmortem examination.

At the April 2011 Medication and Track Safety Committee (committee) meeting the committee discussed a proposed amendment of Rule 1846.5, Postmortem Examination, which would require submission of certain veterinary medical records to the official veterinarian within 48 hours of submitting the CHRB-72, Necropsy Submission Form. The committee recommended that the proposed amendment be forwarded to the full Board for approval to initiate a 45-day public comment period. At the April 2011 Regular Board Meeting staff was directed to initiate a 45-day public comment period regarding the proposed amendment.

At the July 2011 Regular Board meeting a hearing was held for the adoption of the proposed amendment of Rule 1846.5. After discussion and hearing comments from the industry representatives, the Board determined that it would put over the proposal until veterinarians, staff counsel and the Equine Medical Director could meet to address the industry's concerns.

On October 26, 2011, an informal committee, which was composed of interested industry representatives, the Equine Medical Director and Staff Counsel, met at Santa Anita Park Race Track to discuss the proposed amendment of Rule 1846.5. After considerable discussion, the committee formed a work group to formulate changes in the proposed text that may be acceptable to all parties. The work group would present a suggested text at a future Medication and Track Safety Committee meeting.

At the November 17, 2011 Regular Board Meeting the Equine Medical Director spoke about the October 26, 2011 informal committee meeting. He reported that the parties did not reach an agreement, and recommended the item be put over for further discussion.

RECOMMENDATION

This item is presented for Committee discussion and action. Attached is a copy of the text of the proposed amendment to Rule 1846.5 as it was originally presented.

CALIFORNIA HORSE RACING BOARD
TITLE 4. CALIFORNIA CODE OF REGULATIONS
ARTICLE 15. VETERINARY PRACTICES
AMENDMENT OF
RULE 1846.5. POSTMORTEM EXAMINATION
AS ORIGINALLY PROPOSED

Medication and Track Safety Committee Meeting
April 11, 2012

1846.5. Postmortem Examination.

(a) Every horse which suffers a fatal injury on the racetrack in training or in competition, or which dies or is euthanized within an area under the jurisdiction of the Board, shall undergo a postmortem examination at a diagnostic laboratory which is under contract with the Board to determine the injury or sickness which resulted in euthanasia or natural death.

(b) Test samples may be obtained from the carcass upon which the postmortem examination is to be conducted and sent to the diagnostic laboratory for testing for foreign substances or their metabolites, and natural substances at abnormal levels. When practical, test samples shall be procured prior to euthanasia.

(c) The costs associated with transportation to the diagnostic laboratory of any horse which has died under the provisions of subparagraph (a) shall be the responsibility of the racing association conducting the meeting where the death occurred or the training center or racetrack where death occurred when no meeting is in progress. The services of the official veterinarian and the laboratory testing of postmortem samples for standard necropsy and special equine necropsy examinations shall be made available by the Board without charge to the owner. The cost of any additional necropsy examination(s) requested by the owner or trainer are the responsibility of the requesting individual.

(d) Requests for each postmortem shall be filed with the official veterinarian by the owner's or trainer's veterinarian within one hour of the death and shall be submitted on a Necropsy Submission Form, CHRB-72, (Rev. 06/04), hereby incorporated by reference, and which is available at all official veterinarian offices. The trainer is co-responsible to supply all information to complete CHRB-72.

(e) If the official veterinarian is not available, the owner's or trainer's veterinarian must phone the diagnostic laboratory within one hour of the death and fax CHRB-72 to the laboratory as notification that the horse is due for necropsy. On the official veterinarian's next scheduled work day, the owner's or trainer's veterinarian shall give the original CHRB-72 to the official veterinarian.

(1) Within 48 hours of the submission of the CHRB-72, the owner's or trainer's veterinarian shall provide the official veterinarian with the preceding six months of veterinary records that pertain to the horse submitted for the postmortem examination.

(2) Any veterinary medical records provided to the Board shall be considered confidential and their contents shall not be disclosed except in a proceeding before the stewards or the Board, in exercise of the Board's jurisdiction or in the analysis of injuries and illnesses causing fatalities as approved by the Executive Director and the Equine Medical Director.

(f) The racing association, racetrack or training center will notify the transporter within one hour of death to have the horse conveyed to the designated laboratory for necropsy.

(g) Upon completion of the postmortem examination the diagnostic laboratory shall file a written report with the Executive Director, the Equine Medical Director and

the official veterinarian.

(h) Each owner and trainer accepts responsibility for the postmortem examination provided herein as a requisite for maintaining an occupational license.

Authority: Section 19440,
Business and Professions Code.

Reference: Section 4857 and 19444(c),
Business and Professions Code.

STAFF ANALYSIS
DISCUSSION AND ACTION REGARDING THE
RACING COMMISSIONERS INTERNATIONAL (RCI)
RECOMMENDED MODEL RULE FOR RACE DAY MEDICATION
AND THE FEASIBILITY OF AMENDING
CHRB RULE 1845, AUTHORIZED BLEEDER MEDICATION,
TO IMPLEMENT ITS RECOMMENDATIONS

Medication and Track Safety Committee Meeting
April 11, 2012

BACKGROUND

Business and Professions Code section 19440 states the Board has all powers necessary and proper to enable it to carry out fully and effectually the purposes of this chapter. Responsibilities of the Board include adopting rules and regulations for the protection of the public and the control of horse racing and pari-mutuel wagering. Business and Professions Code section 19562 provides that the Board may prescribe rules, regulations, and conditions under which all horse races with wagering on their results shall be conducted in California. Business and Professions Code section 19580 requires the Board to adopt regulations to establish policies, guidelines, and penalties relating to equine medication to preserve and enhance the integrity of horse racing in California. Business and Professions Code section 19581 states that no substance of any kind shall be administered by any means to a horse after it has been entered to race, unless the Board has, by regulation, specifically authorized the use of the substance and the quantity and composition thereof.

Board Rule 1845, Authorized Bleeder Medication, provides that authorized bleeder medication for the control of exercised induced pulmonary hemorrhage (EIPH) may be administered to a horse on the authorized bleeder medication list. A horse is eligible to race with authorized bleeder medication if the licensed trainer and/or veterinarian determine it is in the horse's best interest. If a horse will race with authorized bleeder medication, the official veterinarian must be informed prior to entry, as specified.

At the January 19, 2012 Medication and Track Safety Committee (Committee) meeting the Equine Medical Director reported that the Racing Commissioners International (RCI) proposed changes to its model rule for race day medications. The amended model rule would require non-practicing veterinarians or veterinarian technicians to administer Lasix. The Equine Medical Director stated that in California that would be official veterinarians, association veterinarians, or non-practicing third party veterinarians contracted to provide the service. In addition, he stated the model rule called for Lasix only, with no adjuncts allowed. A California Thoroughbred Trainers representative said his organization had no objections to the rule, but stated the issue of stable security should be included.

RECOMMENDATION

This item is presented for Committee discussion and action.

CALIFORNIA HORSE RACING BOARD
TITLE 4. CALIFORNIA CODE OF REGULATIONS
ARTICLE 15. VETERINARY PRACTICES
RULE 1845 AUTHORIZED BLEEDER MEDICATION

Medication and Track Safety Committee Meeting
April 11, 2012

1845. Authorized Bleeder Medication.

Authorized bleeder medication for the control of exercised induced pulmonary hemorrhage (EIPH) may be administered to a horse on the authorized bleeder medication list.

(a) A horse is eligible to race with authorized bleeder medication if the licensed trainer and/or veterinarian determines it is in the horse's best interest. If a horse will race with authorized bleeder medication, form CHRB 194 (New 08/04), Authorized Bleeder Medication Request, which is hereby incorporated by reference, shall be used to notify the official veterinarian prior to entry.

(b) The official laboratory shall measure the specific gravity of post-race urine samples to ensure samples are sufficiently concentrated for proper chemical analysis. The specific gravity of such samples shall not be below 1.010.

(c) If the specific gravity of the post-race urine sample is determined to be below 1.010, or if a urine sample is not available for testing, quantitation of furosemide in serum or plasma shall then be performed. Concentrations may not exceed 100 nanograms of furosemide per milliliter of serum or plasma.

(d) A horse qualified to race with authorized bleeder medication shall be assigned to a pre-race security stall prior to the scheduled post time for the race in which it is entered, and shall remain there until it is taken to the receiving barn or the paddock to be saddled or harnessed for the race. While in the security stall, the horse shall be in the care, custody, control and constant view of the trainer, or a licensed person assigned by the trainer. The trainer shall be responsible for the condition, care and handling of the horse

while it remains in the security stall. The official veterinarian may permit a horse to leave the security stall to engage in track warm-up heats prior to a race.

(e) A horse qualified for administration of authorized bleeder medication must be treated on the grounds of the racetrack where the horse will race no later than four hours prior to post time of the race for which the horse is entered. The authorized bleeder medication, furosemide, shall be administered by a single intravenous injection only, in a dosage of not less than 150 mg. or not more than 500 mg. A horse racing with furosemide must show a detectable concentration of the drug in the post-race serum, plasma or urine sample. The veterinarian administering the bleeder medication shall notify the official veterinarian of the treatment of the horse. Such Notification shall be made using CHRB form-36 (New 08/04), Bleeder Treatment Report, which is hereby incorporated by reference, not later than two hours prior to post time of the race for which the horse is entered. Upon the request of a Board representative, the veterinarian administering the authorized bleeder medication shall surrender the syringe used to administer such medication, which may then be submitted for testing.

(f) A horse placed on the official authorized bleeder medication list must remain on the list unless the licensed trainer and/or veterinarian requests that the horse be removed. The request must be made using CHRB form 194 (New 08/04), and must be submitted to the official veterinarian prior to the time of entry. A horse removed from the authorized bleeder medication list may not be placed back on the list for a period of 60 calendar days unless the official veterinarian determines it is detrimental to the welfare of the horse. If a horse is removed from the authorized bleeder medication list a second time in a 365-day period, the horse may not be placed back on the list for a period of 90 calendar days.

(g) If the official veterinarian observes a horse bleeding externally from one or both nostrils during or after a race or workout, and determines such bleeding is a direct result of EIPH, the horse shall be ineligible to race for the following periods:

- First incident—14 days;
- Second incident within 365-day period—30 days;
- Third incident within 365-day period—180 days;
- Fourth incident within 365-day period—barred for racing lifetime.

For the purposes of counting the number of days a horse is ineligible to run, the day after the horse bled externally is the first day of such period. The voluntary administration of authorized bleeder medication without an external bleeding incident shall not subject a horse to the initial period of ineligibility as defined under this subsection.

Authority: Sections 19440 and 19562,
Business and Professions Code.

Reference: Sections 19580 and 19581,
Business and Professions Code.

CALIFORNIA HORSE RACING BOARD
RACING COMMISSIONERS INTERNATIONAL (RCI)
RULE 025-020. MEDICATIONS
AND PROHIBITED SUBSTANCE SUBSECTION
(F) FUROSEMIDE

Medication and Track Safety Committee Meeting
April 11, 2012

F. Furosemide

- (1) Furosemide may be administered intravenously to a horse, which is entered to compete in a race. Except under the instructions of the official veterinarian or the racing veterinarian for the purpose of removing a horse from the Veterinarian's List or to facilitate the collection of a post-race urine sample, furosemide shall be permitted only after the official veterinarian has placed the horse on the Furosemide List. In order for a horse to be placed on the Furosemide List the following process must be followed.
 - (a) After the horse's licensed trainer and licensed veterinarian determine that it would be in the horse's best interests to race with furosemide the official veterinarian or his/her designee shall be notified using the prescribed form, that they wish the horse to be put on the Furosemide List.
 - (b) The form must be received by the official veterinarian or his/her designee by the proper time deadlines so as to ensure public notification.
 - (c) A horse placed on the official Furosemide List must remain on that list unless the licensed trainer and licensed veterinarian submit a written request to remove the horse from the list. The request must be made to the official veterinarian or his/her designee, on the proper form, no later than the time of entry.

- (d) After a horse has been removed from the Furosemide List, the horse may not be placed back on the list for a period of 60 calendar days unless it is determined to be detrimental to the welfare of the horse, in consultation with the official veterinarian. If a horse is removed from the official Furosemide List a second time in a 365-day period, the horse may not be placed back on the list for a period of 90 calendar days.
 - (e) Furosemide shall only be administered on association grounds.
 - (f) Furosemide shall be the only authorized bleeder medication.
- (2) The use of furosemide shall be permitted under the following circumstances on association grounds where a detention barn is utilized:
- (a) Furosemide shall be administered by the official veterinarian, the racing veterinarian or his/her designee no less than four hours prior to post time for the race for which the horse is entered.
 - (b) Any veterinarian or vet techs participating in the administration process must be prohibited from working as private veterinarians or technicians on the race track or with participating licensees;
 - (c) A horse qualified for furosemide administration must be brought to the detention barn within time to comply with the four-hour administration requirement specified above.
 - (d) The dose administered shall not exceed 500 mg. nor be less than 150 mg.
 - (e) Furosemide shall be administered by a single, intravenous injection.
 - (f) After treatment, the horse shall be required by the Commission to remain in the detention barn in the care, custody and control of its trainer or the trainer's designated representative under association and/or Commission security supervision until called to the saddling paddock.

- (3) The use of furosemide shall be permitted under the following circumstances on association grounds where a detention barn is not utilized:
- (a) Furosemide shall be administered by the official veterinarian, the racing veterinarian or his/her designee no less than four hours prior to post time for the race for which the horse is entered.
 - (b) Any veterinarian or vet techs participating in the administration process must be prohibited from working as private veterinarians or technicians on the race track on or with participating licensees;
 - (c) The furosemide dosage administered shall not exceed 500 mg. nor be less than 150 mg.
 - (d) Furosemide shall be administered by a single, intravenous injection.
 - (e) After treatment, the horse shall be required by the Commission to remain in the proximity of its stall in the care, custody and control of its trainer or the trainer's designated representative under general association and/or Commission security surveillance until called to the saddling paddock.
- (4) Test results must show a detectable concentration of the drug in the post-race serum, plasma or urine sample.
- (a) The specific gravity of post-race urine samples may be measured to ensure that samples are sufficiently concentrated for proper chemical analysis. The specific gravity shall not be below 1.010. If the specific gravity of the urine is found to be below 1.010 or if a urine sample is unavailable for testing, quantitation of furosemide in serum or plasma shall be performed;

(b) Quantitation of furosemide in serum or plasma shall be performed when the specific gravity of the corresponding urine sample is not measured or if measured below 1.010. Concentrations may not exceed 100 nanograms of furosemide per milliliter of serum or plasma.

(5) The administering authority or association may assess a fee on licensed owners of treated horses to recoup the reasonable costs associated with the administration of furosemide in the manner prescribed in these rules.

STAFF ANALYSIS
REPORT AND UPDATE REGARDING THE
AMBULANCE EMERGENCY MEDICAL PROCEDURES PROTOCOL

Medication and Track Safety Committee Meeting
April 11, 2012

BACKGROUND

Business and Professions Code section 19440 provides that the Board shall have all powers necessary and proper to enable it to carry out fully and effectually the purposes of this chapter. Responsibilities of the Board shall include licensing of each racing association and all persons, other than the public at large, who participate in a horse racing meeting with pari-mutuel wagering. Business and Professions Code section 19460 states all licenses granted under this chapter shall contain such conditions as are deemed necessary or desirable by the Board for the best interests of horse racing and the purposes of this chapter. Business and Professions Code section 19481.3 (a) provides that a qualified and licensed physician shall be on duty at all times during live racing, except that this provision shall not apply to: (1) a quarter horse racing association if there is a hospital situated no more than 1.5 miles from the racetrack and the racetrack has an agreement with the hospital to provide emergency medical services to jockeys and riders, or (2) a harness racing association if there is a hospital situated no more than 2.5 miles from the racetrack and the harness racing association has an agreement with the hospital to provide emergency medical services to injured drivers. An ambulance licensed to operate on public highways provided by the track shall be available at all times during live racing and shall be staffed by two emergency medical technicians licensed in accordance with Division 2.5 (commencing with Section 1797) of the Health and Safety Code, one of whom may be an Emergency Medical Technician Paramedic, as defined in Section 1797.84 of the Health and Safety Code. Board Rule 1468, Ambulance Service, provides that the association shall provide the services of an ambulance and its properly qualified attendants at all times during the running of races at its meeting, or during the hours the association acts under an agreement as an auxiliary training and stabling facility for a host association.

At its February 2011 Regular Meeting the Board discussed a proposed amendment to Rule 1433, Application for License to Conduct a Horse Racing Meeting. During the discussion the issue of the qualifications of persons manning on-track ambulances was raised, as there had been concern about the qualifications of the emergency medical personnel versus the Board's expectations. The Board discussed whether the applications needed to reflect the qualifications or certifications of such persons. The issue was deferred to be discussed at a future Medication and Track Safety Committee meeting. At subsequent Regular Board Meetings racing associations were asked to ensure that their on-track ambulances were manned by paramedics.

At the October 2011 Regular Board Meeting a representative of the Huntington Ambulance Service spoke about the proposed requirement for the use of paramedics by on-track ambulance services. He stated there were issues that could affect the ability of the ambulance service to quickly transport multiple injured persons to hospitals. While persons certified in Advanced Life Support (ALS) perform more advanced skills, ALS was limited to transporting one patient at a

time. The Basic Life Support (BLS) skills performed by Emergency Medical Technicians (EMT) include bleeding control, splinting and oxygen therapy. Chairman Brackpool stated the issue was important and would be looked at more fully at a future Regular Board Meeting.

At the November 2011 Regular Board Meeting a Huntington Ambulance Service representative spoke about ALS ambulance service and whether it was the optimal choice for horse racing associations. Rod Blonien from Los Alamitos Quarter Horse Racing Association stated that each county possesses its own regulations in regards to emergency medical situations and it would be problematic for the Board to adopt a statewide regulation. The Board determined the issue warranted additional research and would be revisited at a future meeting of the Board.

At its December 2011 Regular Meeting, the Board addressed the issue regarding the staffing of ambulances. Commissioner Derek questioned the possibility of racetracks engaging off-duty firefighters to act as paramedics during races and morning training sessions. The Board agreed that the matter would be discussed further at a meeting of the Medication and Track Safety Committee. In the intervening time, racetracks voluntarily providing paramedic services would continue to do so. Because of the various county regulations and protocols where the race tracks are located, Commissioner Derek requested that the Del Mar emergency protocols be the example for each track due to its very high standard of safety. She also requested the racing associations submit their emergency medical procedures and protocols to be used in case of an emergency.

As requested California horse racing associations have submitted their emergency medical response procedures.

RECOMMENDATION

This item is presented for Committee discussion.

STAFF ANALYSIS
DISCUSSION REGARDING THE ADOPTION OF THE
INTERNATIONAL WELFARE GUIDELINES
PROHIBITING THE RACING OF PREGNANT MARES BEYOND
120 DAYS OF GESTATION.

Medication and Track Safety Committee Meeting
April 11, 2012

BACKGROUND

The Welfare Guidelines for Horseracing were produced by the International Group of Specialist Racing Veterinarians (IGSRV) to assist individual racing jurisdictions in promoting the welfare of the horse. The document outlines the principles for the ethical management of horses.

RECOMMENDATION

This item is presented for Committee discussion. A list of IGSRV and various racing jurisdictions' guidelines and rules for racing pregnant mares is attached.

Racing Pregnant Mares

- IGRSV Welfare Guidelines
 - Mares should not be raced beyond 120 days of pregnancy.

- Hong Kong Jockey Club Rule 146 (7)
 - “A horse is not qualified to race if it is more than 128 days pregnant².”

- British Horse Racing Authority
 - The horse must not be more than 120 days pregnant.

- Australian Welfare Guidelines
 - Mares should not be raced beyond 120 days of pregnancy.