

**CALIFORNIA HORSE RACING BOARD**

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## REGULAR MEETING

of the California Horse Racing Board will be held on **Thursday, April 18, 2019**, commencing **9:30 a.m.**, in the **Baldwin Terrace Room** at the **Santa Anita Park Race Track, 285 West Huntington Drive, Arcadia, California**. The audio portion only of the California Horse Racing Board regular meeting will be available online through a link at the CHRB website ([www.chrb.ca.gov](http://www.chrb.ca.gov)) under "Webcasts."

### AGENDA

#### Action Items:

1. **Approval of the minutes of November 29, 2018.**
2. **Approval of the minutes of March 28, 2019.**
3. **Executive Director's Report.**
4. **Public Comment:** Communications, reports, requests for future actions of the Board. **Note:** Persons addressing the Board under this item will be restricted to **three (3) minutes** for their presentations.
5. Public hearing and action by the Board regarding the **proposed amendment to CHRB Rule 1481, Occupational Licenses and Fees**, to require licensure of officers, directors, partners or any individual who holds 5% or more of the outstanding shares of an advance deposit wagering provider (ADW), mini-satellite wagering or exchange wagering provider; **CHRB Rules 2071, License to Conduct Advance Deposit Wagering by a California Applicant and Rule 2072, Approval to Conduct Advance Deposit Wagering by an Out-of-state Applicant**, to revise CHRB Forms 132, Application to Conduct Advance Deposit Wagering and 133, Application for Approval to Conduct Advance Deposit Wagering, to capture CHRB license information for specified persons; clarify the term of license for ADW providers and collect financial information, including profit and loss statements, specific to entities' California operations. (Note: This concludes the 45-day public comment period. The Board may adopt the proposal as presented.)
6. Discussion and action by the Board on the **Application to Conduct a Horse Racing Meeting of the Alameda County Fair (F), at Pleasanton**, commencing June 13, 2019 through July 7, 2019, inclusive.
7. Discussion and action by the Board regarding **possible reallocation of race dates granted to the Los Angeles Turf Club (LATC) at Santa Anita Park Race Track pursuant to Business and Professions Code Section 19530.**

8. Discussion and action by the Board regarding the **proposal to suspend one or more medications authorized in CHRB Rule 1844, Authorized Medication, for all horses participating in all licensed horse race meetings for 12 months pursuant to CHRB Rule 1844.1, Suspension of Authorized Medication.**
9. Report from the **Medication, Safety and Welfare Committee.**
10. Discussion and action by the Board regarding the **proposed amendment to CHRB Rule 1842, Veterinarian Report,** to require such reports be submitted electronically.
11. Discussion and action by the Board regarding the **proposed addition of CHRB Rule 1842.5 Trainers to Maintain Medication Treatment Records,** of all treatments given to a horse, including veterinary procedures performed and all medications administered; such records to be available for inspection by representatives of the CHRB in their official duties.
12. Discussion and action by the Board regarding the **proposed addition of CHRB Rule 1846.6, Postmortem Examination Review,** to require a postmortem examination review of each equine fatality within a CHRB inclosure.
13. Discussion and action by the Board regarding the **proposed addition of CHRB Rule 1866.2 Use of Bisphosphonates Restricted,** to set restrictions and conditions on the use of bisphosphonates in horses racing and training within CHRB inclosures
14. Discussion and action by the Board regarding the **proposed addition of CHRB Rule 1868, Authorized Medication During Workouts,** to establish threshold limits for the presence of certain drug substances and medication in official test samples taken from horses after they complete a timed workout.
15. **Closed Session:** For the purpose of receiving advice from counsel, considering pending litigation, reaching decisions on administrative licensing and disciplinary hearings, and personnel matters, as authorized by section 11126 of the Government Code.
  - A. The Board may convene a Closed Session to confer with and receive advice from its legal counsel regarding the pending litigation described in the attachment to this agenda captioned "Pending Litigation," and as authorized by Government Code section 11126(e).
  - B. The Board may convene a Closed Session to confer with and receive advice from its legal counsel regarding the pending administrative licensing or disciplinary matters described in the attachment to this agenda captioned "Pending Administrative Adjudications," as authorized by Government Code section 11126(e).
  - C. The Board may convene a Closed Session for the purposes of considering personnel matters as authorized by Government Code section 11126 (a).

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

**CALIFORNIA HORSE RACING BOARD**

Chuck Winner, Chairman  
Madeline Auerbach, Vice Chairman  
Dennis Alfieri, Member  
Fredric Maas, Member  
Araceli Ruano, Member  
Alex Solis, Member  
Rick Baedeker, Executive Director  
Jacqueline Wagner, Assistant Executive Director

**PROCEEDINGS** of the Regular Meeting of the **California Horse Racing Board** held at the **Del Mar Surfside Race Place, 2260 Jimmy Durante Blvd., Del Mar, California, on November 29, 2018.**

Present:       Chuck Winner, Chairman  
                  Madeline Auerbach, Vice-Chairman  
                  Araceli Ruano, Member  
                  Alex Solis, Member  
                  Rick Baedeker, Executive Director  
                  Jacqueline Wagner, Assistant Executive Director  
                  John McDonough, General Counsel

**APPROVAL OF THE MINUTES OF SEPTEMBER 27, 2018**

Chairman Winner stated that because only three of the Commissioners present attended the September 2018 Regular Board meeting, the item would be moved to the December 2018 Regular Meeting.

**APPROVAL OF THE MINUTES OF OCTOBER 25, 2018**

Chairman Winner asked for approval of the minutes of the Regular Meeting of October 25, 2018. Commissioner Ruano **motioned** to approve the minutes. Commissioner Solis **seconded** the motion, which was **unanimously carried**. Roll call vote: Aye: Solis, Ruano, Auerbach, Winner. Nay: None. Motion carried.

**EXECUTIVE DIRECTOR'S REPORT.**

Executive Director Rick Baedeker reported that the microchip program was concluding, and all horses would have to be microchipped to run at any California racetrack beginning December 26, 2018. He said over 90 percent of the horses had been microchipped, and in 2019, two-year-old horses would arrive already microchipped as part of the registration process. With a microchipped

1-2 **Proceedings of the Regular Meeting of November 29, 2018**

population, horse identification and the reporting of veterinary records would be more efficient and secure. Executive Director Baedeker reported that handle was up 3.4 percent for The Big Fresno Fair, with the same number of race days in 2018 as in 2017. Runners per race was up from 5.9 to 6.4. He stated that for the industry overall, handle was down 7.1 percent for October 2018 compared to 2017, with one less race during the day. Daytime handle was down eight percent, and nighttime handle was up 1.2 percent. Average daily handle was down 1.6 percent, with daytime handle down 2.6 percent and nighttime handle up seven percent. He said the 2018 year-to-date total handle was up 6.2 percent, with daytime and nighttime handles up 6.4 and four percent, respectively.

**PUBLIC COMMENT**

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There were no public comments.

**DISCUSSION AND ACTION BY THE BOARD REGARDING THE DISTRIBUTION OF RACE DAY CHARITY PROCEEDS OF THE DEL MAR THOROUGHBRED CLUB, 2018 SUMMER RACE MEETING IN THE AMOUNT OF \$106,015 TO NINE BENEFICIARIES.**

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This item was removed from the agenda.

**DISCUSSION AND ACTION BY THE BOARD ON THE APPLICATION FOR LICENSE TO CONDUCT A HORSE RACING MEETING OF THE LOS ANGELES TURF CLUB (T) AT SANTA ANITA PARK RACE TRACK, COMMENCING DECEMBER 19, 2018 THROUGH JUNE 25, 2019, INCLUSIVE.**

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Chairman Winner asked if the outstanding items listed on the staff analysis for the Los Angeles Turf Club (LATC) race meet application had been submitted. Jacqueline Wagner, Assistant Executive Director, stated the Advance Deposit Wagering (ADW) agreement with Twinspires

remained outstanding. Scott Daruty, LATC, said that was correct; LATC was unable to get a signed agreement with Twinpires. Vice-Chairman Auerbach stated she had a question about LATC's stakes schedule. She said it looked like all the listed stakes from the beginning of the meet until about April 6, 2019 would not be used until after April 6, 2019. She stated she did not understand that, because a lot of the listed stakes led up to the graded stakes. Greg Avioli, Thoroughbred Owners of California (TOC), stated he was not aware of any agreement in which the listed stakes would not be used. He said the listed stakes in question may have been a result of a formatting issue with the document. Commissioner Solis asked about the status of the construction of the new barns. Mr. Daruty stated the approval process was continuing to move forward. The 850 stalls were targeted to be completed by the end of 2019. He said LATC was still waiting on final approvals through the City of Arcadia. Chairman Winner asked what LATC's intent was regarding its existing barns. Mr. Daruty stated he was not prepared to speak about specific plans for the existing barns. He said LATC's focus was on getting the additional 850 barns built. He stated he understood people had asked for improvements to the existing barns. He said LATC would come up with a plan and report back to the Board. Chairman Winner asked if LATC was still evaluating other properties for use as a training track. Mr. Daruty stated LATC was evaluating other properties but had nothing definitive to report. Mr. Avioli stated he confirmed the listed stakes; they were overnight stakes that were scheduled to be run. He said he thought the reason they were not included was due to an administrative error. Vice-Chairman Auerbach asked about the status of the agreement with Twinpires. Chairman Winner asked if it would be helpful to give LATC more time to negotiate with Twinpires. Mr. Daruty said he was hopeful LATC would reach an agreement with Twinpires; however, there were several issues that still had to be worked through. He stated the items LATC had asked of Twinpires were virtually identical to what was asked

from TVG, Xpressbet, NYRAbets, and other ADWs, all of whom signed the agreements. Mike Ziegler, Churchill Downs Incorporated (CDI), stated he agreed with Mr. Daruty's statement; he believed CDI and LATC would be able to work through the issues and come to an agreement prior to the deadline for the opening of LATC's meet. Chairman Winner suggested passing a motion including language that an agreement should be reached between Twinspires and LATC by a certain date. Mr. Daruty said he did not believe the lack of a Board approved agreement would prevent fans from wagering. Executive Director Rick Baedeker said that was not what was being suggested. He stated the Board would not be approving the agreement; the agreement had to be furnished to the Board. Currently, the agreement was not furnished to the Board. Previously, the Board had waived the requirement; however, since the agreement was not included in the race meet application, the parties would not be authorized to do business. Robert Brodник, CHRB Staff Counsel, stated the Board had to approve the application in its discretion, and in the best interest of racing. He said the Board would want to know if there was going to be an agreement before approving or disapproving an application. Mr. Daruty asked if it would be a feasible approach for the Board to approve its application and to state in the approval that LATC was not authorized to sell the signal to Twinspires because there was no signed agreement. If, or when, a signed agreement was executed and delivered to staff, LATC could then simulcast to Twinspires. Chairman Winner stated that was exactly what he was suggesting. He asked if December 17, 2018 would be a reasonable date since LATC started simulcasting on December 18, 2018. Mr. Daruty said LATC was unable to export its signal until December 26, 2018. Chairman Winner asked what date would work for LATC. Mr. Daruty said he hoped to have the agreement by the December 17, 2018, but based on previous experience, he could not say for certain it would be completed by then. Executive Director Baedeker asked if LATC wanted an open-ended agreement. Vice-

Chairman Auerbach stated when the Board previously left the issue open-ended, it was never submitted to the Board. She said LATC had difficulties with Twinpires getting a signed agreement in the past; that was the problem and the Board determined it would not allow that anymore. Vice-Chairman Auerbach stated LATC listed the Santa Margarita Stakes on its Winter schedule, but online the Beholder Mile was listed. She said she was struggling with the stakes schedule because it was inconsistent. Mr. Avioli said the schedule TOC signed off on was what was in the packet. He stated he believed the racing office may have made a change. Vice-Chairman Auerbach said her concern was that it was hard enough to get Grade 1 races and she did not want them to be given away or dropped. She stated she did not think that was anyone's intent, but when there was confusion, it needed to be straightened out. Chairman Winner said he would give until December 21, 2018 for LATC and Twinpires to provide a signed agreement to the Board. He stated he wanted to give the parties as much time as possible to reach an agreement. Commissioner Winner **motioned** to approve the Los Angeles Turf Club application to conduct a horse racing meeting commencing December 19, 2018 through June 25, 2019. However, authority to send the Los Angeles Turf Club signal to Twinpires was conditioned upon the Board's receipt of a signed agreement by December 21, 2018. Commissioner Ruano **seconded** the motion, which was **unanimously carried**. Roll call vote: Aye: Solis, Ruano, Auerbach, Winner. Nay: None. Motion carried.

**Proceedings of the Regular Meeting of November 29, 2018****DISCUSSION AND ACTION BY THE BOARD ON THE APPLICATION FOR LICENSE TO CONDUCT A HORSE RACING MEETING OF THE PACIFIC RACING ASSOCIATION (T) AT GOLDEN GATE FIELDS, COMMENCING DECEMBER 19, 2018 THROUGH JUNE 11, 2019, INCLUSIVE. (NOTE: OPENING DAY IS DECEMBER 26, 2018.)**

Chairman Winner asked if all the required documents and agreements had been received. Jacqueline Wagner, Assistant Executive Director, stated that the California Thoroughbred Trainers agreement and Xpressbet Advance Deposit Wagering agreement were received. Additionally, an agreement had been reached with the Thoroughbred Owners of California (TOC). She said the license was being amended to include additional out-of-country host locations. Robert Brodnik, CHRB Staff Counsel, stated that the agreements with the licensed Northern California simulcast wagering facilities were outstanding. Chairman Winner asked if there was an agreement with TwinSpires and BetAmerica. Scott Daruty, Pacific Racing Association (PRA), said no. Vice-Chairman Auerbach asked for the status of the fire clearances. Ms. Wagner stated the fire clearances were expected to be received before the current clearances expired in December 2018 and early 2019. Larry Swartzlander, California Authority of Racing Fairs (CARF), said he was concerned CARF would be signing a third satellite agreement without Northern California Off Track Wagering Incorporated (NCOTWINC), which was being reformed. He stated that resolution was needed before the summer 2019 race meet in terms of the NCOTWINC structure, and it was unacceptable to sign another agreement without resolution. Greg Avioli, TOC, said the NCOTWINC structure would be the same for the winter meet as it was for fall 2018. Chairman Winner **motioned** to approve the PRA application to conduct a horse racing meeting commencing December 19, 2018 through June 11, 2019, contingent on the receipt of agreements with each satellite wagering facility in Northern California, as required by law, the TOC agreement, and all other outstanding items by close of business on December 3, 2018. The motion was being made, as the contingencies were in the public interest and served the purposes of horse racing law.

However, authority to send the PRA signal to TwinSpires and BetAmerica was conditioned upon receipt of the agreement between the parties by the Board by December 21, 2018. Vice-Chairman Auerbach **seconded** the motion, which was **unanimously carried**. Roll call vote: Aye: Winner, Auerbach, Ruano, Solis. Nay: None. Motion carried.

DISCUSSION AND ACTION BY THE BOARD ON THE APPLICATION FOR LICENSE TO CONDUCT A HORSE RACING MEETING OF WATCH AND WAGER LLC (H) AT CAL EXPO, COMMENCING DECEMBER 26, 2018 THROUGH MAY 7, 2019, INCLUSIVE.

Christopher Schick, Watch and Wager (WAW), stated WAW submitted its application for a race meeting commencing December 26, 2018 through May 7, 2019. He said he wanted to provide an update on WAW's current meet that commenced October 20, 2018 through December 23, 2018. He stated WAW opened on Saturday, November 10, 2018. It was smoky for its opening night due to the Camp Fire that broke out on November 8, 2018. The smoke worsened over the next week, and races were cancelled. He said there were a lot of horses set to qualify, but the weekend races were cancelled. He stated it also rained before Thanksgiving. The track did not respond well to the rain, and the Friday program was cancelled. There were a lot of horses that did not qualify the week of the smoke, and may not have qualified due to the situation with the track. WAW moved the qualifying races to after its Saturday night card so that the racing surface was preserved for the pari-mutuel races. He said that a few years ago, legislation changed the California Standardbred Sire Stakes Program. In 2017, the nomination of stallions was opened to other states, and the Canadian province of Alberta. The stallion nominations increased from 5 to 24 by opening up the nomination process, with over 400 foals from those 24 stallions that were nominated. Commissioner Ruano **motioned** to approve the Watch and Wager application to conduct a horse racing meeting commencing December 26, 2018 through May 7, 2019. Commissioner Solis

**seconded** the motion, which was **unanimously carried**. Roll call vote: Aye: Solis, Ruano, Auerbach, Winner. Nay: None. Motion carried.

**DISCUSSION AND ACTION BY THE BOARD ON THE APPLICATION FOR APPROVAL TO CONDUCT ADVANCE DEPOSIT WAGERING (ADW) OF NYRABETS, LLC, FOR AN OUT-OF-STATE MULTI-JURISDICTIONAL WAGERING HUB, FOR A PERIOD OF UP TO TWO YEARS.**

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Chairman Winner said that when the Board granted licenses or approved the applications for the Advance Deposit Wagering (ADW) providers, he was going to recommend the approvals be for three months. The three-month licenses would allow staff to evaluate the ADW providers' California profit-and-loss statements, which were only recently received. He stated he was going to appoint a special committee of himself and Commissioner Maas to complete the task with staff and the ADW providers. Tony Allevato, NYRABets, LLC (NYRA Bets) and NYRA Television, said NYRA was a not-for-profit racing organization based in New York. NYRA Bets was relatively new to ADW outside of New York, but it experienced 80 percent growth in California in 2018 compared to 2017. He stated NYRA Bets had a strong television presence in California via Fox Sports, and NYRA Bets' goal was to help the industry grow via the best possible technology and the best racing. He said NYRA Bets would be announcing that it was greatly increasing its national television presence in 2019. Vice-Chairman Auerbach **motioned** to approve the NYRA Bets application for approval to conduct ADW for an out-of-state multi-jurisdictional wagering hub, for a period of three months. Commissioner Solis **seconded** the motion, which was **unanimously carried**. Roll call vote: Aye: Auerbach, Ruano, Solis, Winner. Nay: None. Motion carried.

**DISCUSSION AND ACTION BY THE BOARD ON THE APPLICATION FOR APPROVAL TO CONDUCT ADVANCE DEPOSIT WAGERING (ADW) OF GAME PLAY NETWORK, INC., FOR AN OUT-OF-STATE MULTI-JURISDICTIONAL WAGERING HUB, FOR A PERIOD OF UP TO TWO YEARS.**

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Russell Fine, Game Play Network (GPN), stated GPN was formed by the management team that brought the first online Advance Deposit Wagering (ADW) to the United States, the team that built Youbet.com. The objective was to present non-handicappers a game-style interface on top of horse racing. GPN spent five years working toward that goal, and two years ago when GPN came before the Board for renewal, they had yet to do any consumer testing. He said the last two years GPN had some fairly explosive growth and was now growing 10 to 15 percent per month. GPN would be operating on an annualized rate of \$5 million in handle. He stated based on GPN's current growth, GPN expected to make a material difference in the pools over the next few years. GPN announced a partnership with the World Poker Tournament to infuse different types of entertainment media on top of a horse racing platform. John Valenzuela, Local 280, stated the agreement with Local 280 was one of the outstanding agreements that had not been signed with any of the ADW companies. The issue was brought to Local 280's board, which requested Local 280 to not sign an agreement if there were no jobs available from the ADWs, as all the ADW companies were located outside the State of California. Commissioner Solis **motioned** to approve the Game Play Network application for approval to conduct ADW for an out-of-state multi-jurisdictional wagering hub, for a period of three months. Vice-Chairman Auerbach **seconded** the motion, which was **unanimously carried**. Roll call vote: Aye: Winner, Auerbach, Ruano, Solis. Nay: None. Motion carried.

**DISCUSSION AND ACTION BY THE BOARD ON THE APPLICATION FOR APPROVAL TO CONDUCT ADVANCE DEPOSIT WAGERING (ADW) OF CHURCHILL DOWNS TECHNOLOGY INITIATIVES COMPANY, DBA TWINSPIRES AND BETAMERICA, FOR AN OUT-OF-STATE MULTI-JURISDICTIONAL WAGERING HUB, FOR A PERIOD OF UP TO TWO YEARS.**

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Mike Ziegler, Churchill Downs Incorporated (CDI), said CDI contributed greatly to the growth of Advance Deposit Wagering (ADW) in California and nationally by the strength of the Kentucky Derby and CDI's associated brands. He stated that CDI's position was that it currently had a content and exchange agreement in place with The Stronach Group (SG). SG had asked for amendments to the agreement, and CDI was working on them. He said he felt strongly that when CDI and SG met on December 10, 2018, they would reach an agreement. Thereafter, CDI could obtain approvals from the Thoroughbred Owners of California. Commissioner Ruano **motioned** to approve the CDI application for approval to conduct ADW for an out-of-state multi-jurisdictional wagering hub, for a period of three months. Commissioner Solis **seconded** the motion, which was **unanimously carried**. Roll call vote: Aye: Winner, Auerbach, Ruano, Solis. Nay: None. Motion carried.

**DISCUSSION AND ACTION BY THE BOARD ON THE APPLICATION FOR APPROVAL TO CONDUCT ADVANCE DEPOSIT WAGERING (ADW) OF WATCH AND WAGER.COM, LLC, FOR AN OUT-OF-STATE MULTI-JURISDICTIONAL WAGERING HUB, FOR A PERIOD OF UP TO TWO YEARS.**

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Ed Comins, Watch and Wager (WAW), stated WAW was doing well both in California and internationally. He said WAW offered something slightly unique in the Advance Deposit Wagering (ADW) market, which was a good thing against some quite dominant competitors. Vice-Chairman Auerbach asked if WAW could share what made it unique without giving away any confidential information. Mr. Comins stated he believed WAW's wager pad was very easy to use

for professionals and the smaller players with the widest range of international content of any ADW in the world. He said WAW wagered on virtually everything. Vice-Chairman Auerbach asked what was WAW's most obscure wager. Mr. Comins said pari-mutuel wagering on Indian content. He asked the Board to clarify the three-month approval date. Chairman Winner stated it was three months from the day of the Board meeting. Vice-Chairman Auerbach **motioned** to approve the Watch and Wager application for approval to conduct ADW for an out-of-state multi-jurisdictional wagering hub, for a period of three months. Commissioner Solis **seconded** the motion, which was **unanimously carried**. Roll call vote: Aye: Solis, Ruano, Auerbach, Winner. Nay: None. Motion carried.

**DISCUSSION AND ACTION BY THE BOARD ON THE APPLICATION FOR APPROVAL TO CONDUCT ADVANCE DEPOSIT WAGERING (ADW) OF XPRESSBET, LLC, FOR AN OUT-OF-STATE MULTI-JURISDICTIONAL WAGERING HUB, FOR A PERIOD OF UP TO TWO YEARS.**

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Gene Chabrier, Xpressbet, LLC (Xpressbet), said Xpressbet continued to grow in California and nationally, mostly by its expanding coverage through XBTV. Commissioner Solis **motioned** to approve the Xpressbet application for approval to conduct Advance Deposit Wagering for an out-of-state multi-jurisdictional wagering hub, for a period of three months. Commissioner Ruano **seconded** the motion, which was **unanimously carried**. Roll call vote: Aye: Winner, Auerbach, Ruano, Solis. Nay: None. Motion carried.

**DISCUSSION AND ACTION BY THE BOARD ON THE APPLICATION FOR APPROVAL TO CONDUCT ADVANCE DEPOSIT WAGERING (ADW) OF ODS TECHNOLOGIES, L.P., DBA TVG NETWORK, FOR AN OUT-OF-STATE MULTI-JURISDICTIONAL WAGERING HUB, FOR A PERIOD OF UP TO TWO YEARS.**

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John Hindman, TVG Network (TVG), stated 2018 had been a positive year for California racing, and TVG was looking forward to working with all of the racing associations, fairs, and horsemen to make 2019 successful. Commissioner Ruano **motioned** to approve the TVG Network application for approval to conduct Advance Deposit Wagering for an out-of-state multi-jurisdictional wagering hub, for a period of three months. Vice-Chairman Auerbach **seconded** the motion, which was **unanimously carried**. Roll call vote: Aye: Solis, Ruano, Auerbach, Winner. Nay: None. Motion carried.

**PUBLIC HEARING AND ACTION BY THE BOARD REGARDING THE PROPOSED AMENDMENT TO CHRB RULE 1467, PAYMASTER OF PURSES, TO INCLUDE TRAINER AND JOCKEY PURSE DEDUCTIONS FROM ANY THOROUGHBRED RACE CONDUCTED AT A THOROUGHBRED OR FAIR RACE MEETING, TO BE CONTRIBUTED TO THE CALIFORNIA RETIREMENT MANAGEMENT ACCOUNT (CARMA), A CHARITABLE TRUST FUND MAINTAINED BY CARMA, A NON-PROFIT ORGANIZATION. (NOTE: THIS CONCLUDES THE 45-DAY PUBLIC COMMENT PERIOD. THE BOARD MAY ADOPT THE PROPOSAL AS PRESENTED.)**

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This item was removed from the agenda.

**REPORT FROM THE STEWARDS COMMITTEE.**

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Executive Director Rick Baedeker stated the Stewards Committee meeting was held on November 13, 2018. He said several issues were discussed, such as failure to appear, eligibility, contraband, and appropriate penalties for, and review of, jockeys easing up before the wire. He stated there was an extensive discussion of the riding rule, specifically the language that referred to a better placing. There were suggestions on ways to simplify that reference and make it clearer, not only

for those who enforced the rule but for the racing public and everyone else who had an interest in it. The goal was to make it easier to understand and implement. He said it was now staff's responsibility to come back to the Board with some suggested changes for the riding rule. He stated the role social media played in Stewards' decisions was also discussed. He said unlike baseball where a call was more objective, the calls made in racing were subjective. He stated that was why there were three stewards in the stand and eight different video angles for the stewards to review. He said the stewards had very difficult jobs. If people could listen in on one of their meetings and learn of the passion and integrity the stewards had for their jobs, they would have a different perspective. Chairman Winner stated he agreed with Executive Director Baedeker. He wished people could see how dedicated the stewards were, how hard they worked, and what a difficult job they had. He said the Board was trying to remove the subjectivity as much as possible. Executive Director Baedeker stated he did not want to give the impression that the Board only paid attention to what the stewards did when a Stewards Committee meeting was held. He said when he became Executive Director of the CHRB he learned there were 18 stewards throughout the state and they did not have direct supervision. He stated he did not have the time or ability to supervise the stewards, as he had never been a steward. He stated Darrel McHargue, CHRB Chief Steward, had 25 years' experience as a rider and racing official steward. He said every decision that was made by the stewards was reviewed by Mr. McHargue with the stewards. He stated any nuance in a rule was discussed. He said Mr. McHargue also took care of scheduling the stewards for all the meets throughout the year, including the fairs. Chairman Winner stated the Board did open the Stewards Committee meetings to trainers and jockeys from time to time to have discussions about things they were concerned about or possible complaints, so that there was a more free and open relationship between them.

**MEETING ADJOURNED AT 10:49 A.M.**

A full and complete transcript of the aforesaid proceedings are on file at the office of the California Horse Racing Board, 1010 Hurley Way, Suite 300, Sacramento, California, and therefore made a part hereof.

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Chairman

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Executive Director

**PROCEEDINGS** of the Regular Meeting of the **California Horse Racing Board** held at the **Baldwin Terrace Room at Santa Anita Park Race Track, 285 West Huntington Drive, Arcadia, California, on March 28, 2019.**

Present:       Chuck Winner, Chairman  
                  Madeline Auerbach, Vice-Chairman  
                  Alex Solis, Member  
                  Fredric Maas, Member  
                  Dennis Alfieri, Member  
                  Rick Baedeker, Executive Director  
                  Jacqueline Wagner, Assistant Executive Director  
                  John McDonough, General Counsel

#### **APPROVAL OF THE MINUTES OF NOVEMBER 29, 2018**

This item was moved to the April 2019 Regular Board Meeting.

#### **APPROVAL OF THE MINUTES OF FEBRUARY 21, 2019**

Chairman Winner asked for approval of the minutes of the Regular Meeting of February 21, 2019.

Vice-Chairman Auerbach **motioned** to approve the minutes. Commissioner Maas **seconded** the motion, which was **unanimously carried**. Roll call vote: Aye: Alfieri, Maas, Solis, Winner, Auerbach. Nay: None. Motion carried.

#### **EXECUTIVE DIRECTOR'S REPORT.**

Executive Director Rick Baedeker reported that the Medication, Safety and Welfare Committee would conduct a meeting on April 17, 2019. Topics considered for the agenda included the use of bisphosphonates in racehorses; the regulation of permitted medications during workouts; the requirement that trainers maintain full, accurate records of all treatments given to a horse; and the

change to a mandatory necropsy review with the owner-trainer veterinarian associated with any horse that was lost.

### **PUBLIC COMMENT**

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Boone McCanna, cofounder of Down the Stretch Ranch, stated the ranch currently housed 30 retired thoroughbreds from California. The horses were used for equine therapy with military veterans, at-risk and homeless children. The horses were saving lives and positively affecting the lives of many children. He said what he wanted people to know about the industry was that from the time the horses were born, and throughout their careers and into their retirement, they received excellent care. The horses were bred to race and loved to race. John Valenzuela, Pari-Mutuel Employees Guild of California (Local 280), stated all members of Local 280 supported the investigation relating to issues at the Santa Anita racetrack. He said Local 280 was eager to see horse racing resume safely and supported continuing efforts to improve safety across the industry for the horse. He stated the racetrack closure had a tragic economic impact on all Local 280 members, other union labor employees, as well as all employees, owners, trainers, vendors and other entities involved in the industry. The reopening of the track would benefit the industry and its fans. Local 280 supported reopening of the track under the close supervision of the California Horse Racing Board and suggested that all lost days be replaced at every opportunity going forward. He said California's thoroughbred racing provided over 17,000 jobs and \$2.47 billion annually for California. Chairman Winner stated the Board's first priority at all times was the health and safety of the horse and rider. He said he also wanted everyone to keep in mind there were thousands of people who depended on the horse racing industry for their livelihood. Doug Burge, California Thoroughbred Breeders (CTB), stated besides representing the breeders in the

state, the CTB represented all the horse farms. The farms employed thousands of people who cared for horses from the day they were born; through their early development and training; when they went to a sale or a track; when they came home to be a brood mare or a stallion prospect; when they were retrained as a riding horse; or when they were simply pensioned and lived the rest of their lives in a grass paddock. He said the CTB was very concerned about the horses' welfare and encouraged whatever safety measures were needed to take care of them. Jamil Brown, The Prime-Time Angels Radio Show, stated horse racing was a beautiful sport that had unforeseen situations. He said the issue that arose this year had everyone concerned but he knew the care and safety of the horse was top priority. Owners, trainers, and workers went to great lengths to make sure the horses were well taken care of. He said horses loved to run. He stated minor and major injuries happened in all sports. When a major injury happened in horse racing, the last thing any trainer or owner wanted to do was euthanize a horse, and all measures to avoid that would be taken before the decision could be made by the veterinarian. He said the safety of horse was high priority. Employees spent every moment with the horse when it was not practicing or running a race. He stated employees made sure the horses were fed properly, groomed accordingly, and cared for the horses as if they were their children. He said the naysayers and protestors had been educated time and time again by the horse racing industry about the safety measures taken and they still seemed to misguide the public when situations arose. The industry always obliged to their requests and made the necessary changes that were asked of it. He stated racing insiders would continue to make sure the safety of the horses was top priority, ensuring the horses had great homes and jobs when done racing; aftercare was very important to everyone in the industry. He said the trainers and owners wanted to reward horses for their service to the industry, even if they had to pay for it themselves. Pavla McGaard, horse breeder and owner, stated she was the breeder of Battle of

Midway. She said she saw him when he was six weeks old and last saw him a week before he passed away. Since then, she had been speaking to many owners, trainers, and veterinarians. She stated she loved the industry and the horses, and there were many people and stakeholders who depended on the industry to continue to thrive. She said in her many conversations with people, she had asked several questions: What would you change in the industry? What would you change about what you do? Are there things that we could do better? She stated she believed if each person involved in the industry made a small change to do something better, they could make a giant change overall. She said each of the stakeholders she had been speaking with had ideas and believed it would be good to have a focus group that included all of the stakeholders. There were a lot of things that could be done better, from better diagnostics, how to repair injuries when they did happen, information sharing, medication rules, and how much racing was good in any race meet. Denny Boultinghouse, owner, breeder, and thoroughbred consultant, stated he believed Santa Anita entered into a joint venture with a major company in which they dug up the track and poured a prepared mixture underneath that included gravel. The prepared mixture was then poured all around the track, and the dirt was put back on the track. He said if the track was not safe, that might be an area to be explored relative to the drainage.

**DISCUSSION AND ACTION BY THE BOARD ON THE REQUEST FROM THE CALIFORNIA AUTHORITY OF RACING FAIRS (CARF), TO DESIGNATE THE FOLLOWING 2019 ALLOCATED RACE DATES AS A COMBINED FAIR HORSE RACING MEETING, PURSUANT TO BUSINESS AND PROFESSIONS CODE SECTION 19549.1: ALAMEDA COUNTY FAIR AT PLEASANTON, JUNE 13, 2019 THROUGH JULY 7, 2019; CALIFORNIA EXPOSITION AND STATE FAIR, JULY 12, 2019 THROUGH JULY 28, 2019; HUMBOLDT COUNTY FAIR AT FERNDALE, AUGUST 16, 2019 THROUGH AUGUST 25, 2019; AND THE BIG FRESNO FAIR, OCTOBER 4, 2019 THROUGH OCTOBER 14, 2019.**

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Larry Swartzlander, California Authority of Racing Fairs (CARF), stated that the CARF fairs considered a wager several years ago, whereby a large carryover could grow exponentially until there was one unique winner. The drawback was the fairs had race meets that lasted only a few weeks, and each fair had to pay out the carryover. Therefore, the pools did not grow large enough to generate interest or a large handle. However, by conducting a combined fair, pools were allowed to carry over through the end of the last fair meet. He said that in 2018, the pentafecta wager carried from the Pleasanton meet until the end of the Fresno meet. In the last race in Fresno, there was a \$1.8 million wager placed. The large carryover benefitted the fairs and handle, resulting in increased commissions and purses. He asked that the Board approve the request to designate the 2019 allocated race dates as a combined fair horse racing meeting. Chairman Winner asked if the combining of the fairs was for the purpose of wagering only. Mr. Swartzlander said yes. Eric Sindler, Golden Gate Fields (GGF), stated that a few weeks prior to the meeting, GGF submitted comments to the CHRB outlining GGF's view that CARF's request did not comply with California law. Executive Director Rick Baedeker asked if the comments mirrored the same issues raised when the agenda item was discussed before the Board in 2018. Mr. Sindler said yes. Executive Director Baedeker stated that a distinction was made between the broader authority questions and the request to combine the fairs solely for the purpose of passing a wager from one fair to the next. Vice-Chairman Auerbach asked if CARF had a combined purse account. Mr. Swartzlander said

yes. Vice-Chairman Auerbach **motioned** to approve the request by CARF to combine the currently allocated race dates of the Alameda County Fair, California Exposition and State Fair, Humboldt County Fair, and The Big Fresno Fair as a combined fair pursuant to California Business and Professions Code Section 19549.1 for the express and sole purpose of allowing a combination of wagering and for no other purpose. Commissioner Solis **seconded** the motion, which was **unanimously carried**. Roll call vote: Aye: Auerbach, Winner, Solis, Maas, Alfieri. Nay: None. Motion carried.

**DISCUSSION AND ACTION BY THE BOARD ON THE RENEWAL APPLICATION FOR LICENSE TO OPERATE A MINISATELLITE WAGERING FACILITY FROM THE FIREHOUSE BAR AND RESTAURANT IN BAKERSFIELD, CALIFORNIA, FOR A PERIOD OF UP TO FIVE YEARS.**

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George Haines, Southern California Off-Track Wagering, Inc. (SCOTWINC), stated SCOTWINC was seeking a license renewal for the Firehouse Bar and Restaurant (Firehouse) in Bakersfield, California. Mr. Haines said there were no outstanding items. Jacqueline Wagner, Assistant Executive Director, stated that was correct; all outstanding had been submitted. Commissioner Alfieri **motioned** to approve the application for renewal of Firehouse to operate a minisatellite wagering facility for a period of five years. Commissioner Maas **seconded** the motion, which was **unanimously carried**. Roll call vote: Aye: Auerbach, Winner, Alfieri, Maas, Solis. Nay: None. Motion carried.

**DISCUSSION BY THE BOARD ON A REPORT FROM LOS ANGELES TURF CLUB (LATC) REGARDING ACTIONS TAKEN TO ADDRESS EQUINE FATALITIES AT SANTA ANITA PARK.**

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Tim Ritvo, The Stronach Group (TSG), stated there was a population of about 4,000 thoroughbred horses in southern California. Twenty-two of those horses had suffered fatal injuries since Santa Anita Park's (SAP) opening meet. Five were on the turf, seven were on the main track during racing, nine occurred during morning training, and one suffered a cardiac event. He said outside experts advised that the cause of these injuries was multifactorial. Horsemen were responsible for their horses, and TSG was responsible for its tracks. Despite record rainfall in 2019, TSG was confident the track was safe. He stated that after two training fatalities occurred the morning of February 23, 2019, TSG held discussions and determined the track was safe to run that afternoon. Races were held without incident. On February 24, 2019, 173 horses worked on the main track, and races ran that afternoon without incident. He said TSG decided to use February 25 and 26 to extensively evaluate the track's surface. Horsemen and trainers believed the track was in good condition, so they asked TSG to reconsider and keep the track open February 25 so they could work their top horses. TSG honored the request and moved back the closure to February 26 and 27. On February 25, 2019, 125 horses, which included some Kentucky Derby favorites, worked over the main track. One horse suffered a catastrophic injury while working and was euthanized. TSG closed the track after the injury and conducted a comprehensive review of the track. He stated that Dr. Mick Peterson, University of Kentucky, who was the nation's foremost expert on track surfaces, performed extensive onsite evaluation testing that included ground-penetrating radar. The top cushion of the track was peeled back for examination of the base. After two days of testing, Dr. Peterson did not see any problems, so he gave approval to reopen the main track on February 28, 2019, and resume training. Mr. Ritvo said that on March 5, 2019, another horse suffered a

catastrophic injury while training and was euthanized. TSG then announced the indefinite closure of both SAP's main track and the training track. Both tracks were analyzed. Because none of the injuries occurred on the training track, it was reopened 48 hours later. He said the Santa Anita Handicap day on March 9, 2019, which was one of the biggest race days of the year, was lost. He stated that Dennis Moore, a track man with over 40 years of experience, was brought in to evaluate the maintenance procedures on the track. Mr. Ritvo said TSG knew from the CHRB postmortem exams in 2018 that 87 percent of horses that had catastrophic muscular fatalities had preexisting conditions. Most of those preexisting conditions were virtually undetectable clinically. TSG had committed to investing in the purchase of technology to detect those preexisting conditions, which would give trainers and veterinarians the best information to make sound decisions. He stated that most of the breakdowns occurred in horses that were very lightly raced. He said that on March 8, 2019, SAP instituted new enhanced protocols and procedures, including a change in the morning training schedule so that the first 15 minutes after each break was reserved for horses working, as well as additional veterinarian observations in the morning and at the entrance gaps. He stated that SAP had been running more races than in 2018 but ran fewer horses. In an effort to grow the business, SAP had been trying to spread out the purse money so that it did not keep going to the same owners. He said both tracks were reopened on March 11, 2019, with workouts remaining on the main track on March 13. On March 14, TSG gathered industry stakeholders to discuss the need for changes that lead to the adoption of strict International Federation of Horseracing Authorities (IFHA) standards, which included a ban on race-day medication. It was well known that horses that ran under IFHA rules had catastrophic breakdown rates one-fifth that of those that did not. No tracks in America ran under IFHA rules. He stated that after a filly broke down at the finish line during a work on March 15, TSG took the lead towards implementation of IFHA rules. On March

**Proceedings of the Regular Meeting of March 28, 2019**

17, the Thoroughbred Owners of California and TSG reached an agreement that would result in a systematic shift in business and the health and safety of the horses. Among the highlights of the agreement were strict limitation on the use of anti-inflammatory medication; the reduction of race-day usage of furosemide, or Lasix, to 50 percent of the current level; and elimination of all race-day medications with the foal crop of 2018. TSG hoped the use of the riding crop would be subject to the strictest rules of any jurisdiction in the world. With the agreement in place, SAP and TOC agreed to reopen SAP on March 22, 2019. TSG asked that live racing be allowed to continue at SAP on March 22 with the new rules and safety protocols in its agreement with the TOC.

**DISCUSSION AND ACTION BY THE BOARD REGARDING THE PROPOSED AMENDMENT TO CHRB RULE 1688, USE OF RIDING CROP, TO LIMIT THE USE OF THE RIDING CROP TO PROTECT THE SAFETY OF THE HORSE AND RIDER.**

Robert Brodник, CHRB Staff Counsel, stated the proposed amendment to Rule 1688, Use of Riding Crop, would prohibit the use of the riding crop in racing and training except when necessary to control the horse for the safety of the horse or rider. The punishment for riding contrary to this rule would be possible suspension, fine, or forfeiture of the jockey's purse. Robert Moreno, trainer, said race horses were wonderful animals that meant the world to people. He stated he was 70 years old and race horses had taken care of him his whole life. He said when the Board started changing rules the Board should consult with and visit the riders and trainers, not just take matters into their own hands. He stated it was important to visit with the people who were with the horses daily, as they were making a livelihood with the horses. Tom Kennedy, General Counsel for the Jockeys' Guild (Guild), stated the Guild's Board of Directors and all its members fully understood the gravity of the situation at Santa Anita and the need for many of the reforms that were being discussed at the Board meeting. Since the Guild's inception in 1940, the Guild had been a tireless

advocate for enhanced safety issues for both the human and equine athletes. He said the Guild was actively involved in the refinements and adoption of the current CHRB Rule 1688 to reduce the impact of the use of the riding crop on the horse. He stated it was important that the Board understood that jockeys' lives were dependent on the health and welfare of the equine athletes. The current riding crop was considered an acceptable aid to be used as a mechanism for communication, encouragement to the horse, and to ensure horse and rider safety without causing harm. He said riders believed the crops currently used were safer for the horse and did not compromise the horse's welfare. When the current riding crop was introduced, it was strongly encouraged that horses be subject to inspection by a racing or official veterinarian looking for cuts, welts or bruises on the skin and an adverse finding reported to the stewards. He stated since the current type of riding crop had been introduced ten years ago, the welts and cuts to the horses that did occur with the prior riding crops had been eliminated. He stated since the current riding crops were instituted, the industry did not put forth its best efforts in educating the general public about the modifications and the enhancements to the riding crop with the energy shock absorbing padding. He said the Guild was willing to continue to work with the CHRB and the industry on public perception and to educate the public on riding crop safety for the horses. He stated the current CHRB rule had some of the most stringent rules in the United States and had promulgated what was the most international-like rule with respect to the use of the riding crop in the United States. He said what was interesting was the one thing they knew was that the riding crop or any use of the riding crop was not implicated in any of the circumstances under which horses died at Santa Anita. He stated the proposed amendment to Rule 1688 was a very drastic change in the manner in which racing was conducted, not only in the United States for decades but throughout the world. This was especially significant since the Breeders' Cup would be taking place at Santa

Anita in 2019 and involved leading international horsemen and jockeys. He said the Guild was particularly concerned that the significant change that was being proposed regarding the riding crop had almost no factual support in the materials that were provided in the CHRB Board packet. He stated the Guild did not believe an adequate job was done to review other findings that were important to understand in connection with any decisions on the riding crop. He said the Guild did not have the opportunity to develop scientific evidence that it wished to present the Board in connection with its position that the riding crop must be available to encourage and communicate with a horse during a race. The Guild was asking the Board to not start the process of imposing a riding crop rule more restrictive than the current rule without giving the Guild a chance to present such evidence in several areas. First, the lack of any harm to the horse based upon the current softer riding crops and riding crops that were being developed that would be even less material with respect to the horse. Second, the need to utilize the current softer riding crop to obtain a horse's maximum placing in a race. Third, the increased danger to the horse and rider if crops were unreasonably restricted. Fourth, the interest of the wagering public in ensuring maximum and focused effort by each horse in each race. Finally, the effective means of educating the public about these reasons for allowing the current softer riding crops and even more horse-friendly riding crops that were being developed. He said the Guild wanted to work with the industry to confront the misperception of some members of the general public that the proper use of riding crops harmed horses and encouraged the Board to require inspection of every horse after every race in California. That would provide a factual basis for determining whether there was any need to adopt the changes that were being proposed for Rule 1688. The Guild believed that referring the issue to a Committee would be a more sound and appropriate resolution to this issue. Chairman Winner stated it was not known for sure that the riding crop had nothing to do with any of the fatalities at

Santa Anita. He said in his view, if one watched some of the tapes of the horses that went down, the riding crop was being overused and could have been a contributing factor. He emphasized he was only saying the riding crop could have been a contributing factor. He said the Guild took the position that the riding crop was not a contributing factor and he did not believe that was an accurate statement. He stated he wanted to make the point that if the Board did pass the motion, the proposed amendment would go out for the 45-day public comment period. It then had to go through the process with the Office of Administrative Law. He said the Guild could submit all its comments during the public comment period. The other comment he wanted to make was that public perception was part of what the Board was trying to deal with, as it was very important to the future of the industry in California. Terry Meyocks, Guild, stated the Guild wanted to work with everyone on the perception and wanted to be fair to the owners, the wagering public, the tracks, and horsemen and riders. Chairman Winner said there would be the 45-day comment period, and at the end of that time, it could be referred to Committee if the Board chose to do so. Vice-Chairman Auerbach stated the Board was appointed to take care of racing in California, and if the Board ignored the views of the people of this state, the industry would pay a very big price. She said there could be a point where there was no need for riding crops because their use would have destroyed the industry by being viewed as injurious to the welfare of the horse. She stated the issue was all about the horse. When one takes care of the horse, one takes care of the jockey and the industry. The Board was at the forefront of trying to save racing and would appreciate if all the members of the community joined it in its efforts to make racing healthy, modern, and survivable in the current era. She said the Board was going to address the issue head on, inform the people of the State of California and the rest of the country that it cared about horses, and not allow any perception that horses were not treated in the most careful and most loving fashion.

**Proceedings of the Regular Meeting of March 28, 2019**

Chairman Winner stated the Board had an obligation to the elected officials of this state. Board members were appointees that represented the State and represented, among other things, elected officials. He said there was a very strong feeling about this issue among elected officials. Kathy Guillermo, People for the Ethical Treatment of Animals (PETA), stated every video investigation conducted had been prompted by credible information from whistleblowers. She said she received five to six phone calls a day from individuals on the tracks and who had left racing as trainers or owners because they were disenchanted. She stated those inside racing might believe that not striking a horse was a radical move, but the public viewed it as visible and obvious cruelty. She said the public may not follow the ins and outs of Lasix use, but they saw horses being hit and dying. She stated the 2018 McKinsey Report, which analyzed thoroughbred racing, found that 50 percent of casual fans would stop wagering if they knew horses were mistreated, new fans specifically objected to the use of the whip, and only 22 percent of the public had a positive impression of racing. She said the racing industry was constantly talking about improving its image to the public, but one could not do that if one kept whipping horses that supposedly loved to run. PETA had 700,000 supporters in California, and it had never paid anybody to come to a protest. In fact, PETA had asked people not to protest when it saw that the racing industry moving in the right direction. She asked how many people in California would defend whipping? She stated not many. She said racing would adapt to a whipping ban. The wagering public would factor it in, and the jockeys would adjust. She stated whipping was the most visible sign of abuse that she heard about daily from the public, and it was the most obvious proof that horses were not willing participants. Commissioner Solis asked if the proposed amendment were passed, would PETA support the racing industry on its website? Ms. Guillermo said she did not think PETA would support any industry that used animals to make money. She stated she had not said end racing

since she had been working over the last ten years. What she had said was to get rid of the drugs, the whipping, and the abuse. She stated PETA never wanted to have a campaign against horse racing, but it got pulled in because it could not ignore the phone calls from the public and those inside racing. Belinda Stronach, The Stronach Group (TSG), said her focus over the past couple of years was looking at how to get new people interested in the sport. The platform had to modernize and engage people in a different way by looking at the guest experience, investing in modern technology, and offering a compelling and competitive experience. She stated with the heartbreaking events that happened in the last few weeks, her focus turned solely to Santa Anita. She said after the first series of breakdowns and during the initial closure of Santa Anita, TSG started meeting with stakeholder groups. While these discussions continued, an even more heartbreaking moment occurred when Princess Lili B was training. She stated Fox television was filming Bob Baffert being interviewed when the breakdown of Princess Lili B happened. She said TSG had to immediately demonstrate to the public and its customers that it was serious about horse welfare, jockey welfare, and creating the right foundation for this sport to exist and thrive in the future. That is why TSG and stakeholders pulled together and advanced the reforms they had talked about in an open letter issued by TSG to the public. She stated the industry came together and formed an agreement regarding the very progressive reforms around no race-day medication, and to adopt and be consistent with the International Federation of Horseracing Authorities standards. She said the riding crop was an even more sensitive subject. After the adopted reforms were announced, TSG went to Sacramento to meet with various legislators to explain what was going on at Santa Anita and what TSG intended to do about it. TSG was committed to the proposed reforms to make racing at its two racetracks in California the best in the world. TSG cared for horses, and it was going to do the right thing on behalf of the horse and the jockey. She said change

could be scary and respected the comments made from the various stakeholder groups. She stated she knew that change was difficult, but she also believed that when one took a principled stand, one made changes for the better. She asked if she could read into the record a portion of the letter TSG received from Jerry Bailey, retired thoroughbred jockey, supporting the limited use of the riding crop solely for corrective safety measures. Chairman Winner said yes. Ms. Stronach thanked Chairman Chuck Winner, the Board and the team at the CHRB for writing the progressive rule change. She said TSG was committed to helping see that the rule got implemented as soon as possible. Executive Director Baedeker said he would read the alternative language to Rule 1688, subsection (c), that was submitted by Chairman Winner that stated, "If a jockey rides in a manner contrary to this rule: (1) the jockey may be suspended or fined by the stewards; (2) the jockey's share of the purse shall be forfeited if in the opinion of the stewards the unauthorized use of the crop caused it to achieve a better placing." Vice-Chairman Auerbach said the alternative language submitted by Chairman Winner would mean that the horse, the ownership, and the wagering public would still benefit, and the person who would be held responsible would be the rider. Executive Director Baedeker said that was correct. Commissioner Maas **motioned** to direct staff to initiate a 45-day public comment period regarding the proposed amendment to Rule 1688 with the alternative language submitted by Chairman Winner. Vice-Chairman Auerbach **seconded** the motion, which was **unanimously carried**. Roll call vote: Aye: Alfieri, Maas, Solis, Winner, Auerbach. Nay: None. Motion carried.

**DISCUSSION BY THE BOARD REGARDING SAFETY-RELATED ISSUES AND RACE MEETINGS; INCLUDING WEATHER-RELATED TRACK MAINTENANCE PROCEDURES, MAXIMUM NUMBER OF RACES ALLOWED, CHANGES TO MEDICATION REGULATIONS, ENHANCED PRE-RACE EXAMINATIONS AND STAFFING REQUIREMENT FOR TRACK VETERINARIANS.**

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Tim Ritvo, The Stronach Group (TSG), stated that TSG was considering plans to take a day off from racing during rain days. TSG was also looking at opportunities where the track would be sealed for two days for rain, then opened the next day for work but not breezing. He said TSG continued to consult with its experts on composition mixture, testing, and procedures. TSG was also looking at its racing program. Chairman Winner asked if TSG had considered not sealing the track during rain conditions, calling it a rain-out, and making up the days at a later time. Mr. Ritvo said yes. He stated that TSG would consider not training on sealed tracks anymore. Chairman Winner said he would refer the agenda item to the Medication, Safety and Welfare Committee. Vice-Chairman Auerbach asked if TSG had hired a Welfare and Safety Director. Mr. Ritvo said TSG was close to hiring one. Vice-Chairman Auerbach asked if TSG was looking for someone with a veterinary background. Mr. Ritvo stated that all of the candidates had veterinary backgrounds. Matt Iuliano, Jockey Club (JC), said the JC supported the reforms proposed by TSG. He stated that horses should be allowed to race only when free from the influence of medications or other substances. He said TSG's proposals were a starting point for national reform. Larry Swartzlander, California Authority of Racing Fairs (CARF), stated that when he started his work at CARF in 1999, he saw the fairs on TV with dust flying around and water on the track. He then thought the conditions had to change. The fairs were successful in terms of racetrack safety maintenance because of an investment in maintenance equipment, having an experienced racetrack supervisor, and having dedicated people to implement programs. He said CARF applauded the recommendations being made.

**Proceedings of the Regular Meeting of March 28, 2019**

**DISCUSSION AND ACTION BY THE BOARD REGARDING THE BOARD'S AUTHORITY TO TRANSFER A RACE MEETING OR A PORTION OF A RACE MEETING TO ANOTHER TRACK IF NECESSARY AS AUTHORIZED PURSUANT TO BUSINESS AND PROFESSIONS CODE SECTION 19489.**

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Robert Brodnik, CHRB Staff Counsel, stated the Board had authority under the California Business and Professions Code section 19489 to authorize the transfer of the race meeting to another track in situations where the current track had become unsuitable for racing because of certain situations, such as a catastrophe. This authority required the consent from both the licensed track and the track to where the meet would relocate. He said the item was placed on the agenda to provide the Board authority to act immediately should the need arise. Commissioner Alfieri asked if the motion was limited to the current Santa Anita race meet. Chairman Winner stated the motion was for the current Santa Anita race meet, and if necessary other race meets would be presented at a future time. He said if something should happen between now and when the current Santa Anita race meet ended, and the parties involved agreed, the Board could act immediately. Commissioner Alfieri **motioned** to approve the Board's authority to transfer a race meeting or a portion of a race meeting to another track as necessary for the current Santa Anita Race meet. Chairman Winner **seconded** the motion, which was **unanimously carried**. Roll call vote: Aye: Alfieri, Maas, Solis, Winner, Auerbach. Nay: None. Motion carried.

**DISCUSSION AND ACTION BY THE BOARD REGARDING THE PROPOSAL TO SUSPEND ONE OR MORE MEDICATIONS AUTHORIZED IN CHRB RULE 1844, AUTHORIZED MEDICATION, FOR ALL HORSES PARTICIPATING IN A HORSE RACE MEETING AT SANTA ANITA PARK AND/OR GOLDEN GATE FIELDS PURSUANT TO CHRB RULE 1844.1, SUSPENSION OF AUTHORIZED MEDICATION.**

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Dr. Rick Arthur, CHRB Equine Medical Director, said the purpose of the proposed suspension of one or more medications authorized under Rule 1844, Authorized Medication, was to be consistent

**Proceedings of the Regular Meeting of March 28, 2019**

with Article 6 of the International Federation of Horseracing Authorities' (IFHA) International Agreement on Breeding, Racing and Wagering. He stated that with the exception of nonsteroidal anti-inflammatories and corticosteroids, Rule 1844 was consistent enough with Article 6 that only those two classes of drugs needed to be addressed. The outlier between Rule 1844 and Article 6 was race-day furosemide. Furosemide was not authorized in Rule 1844, so it could not be suspended under Rule 1844.1, Suspension of Authorized Medication. He said to be consistent with Article 6, the medications for which authorized threshold levels needed to be suspended included phenylbutazone, flunixin, ketoprofen, diclofenac, firocoxib, betamethasone, dexamethasone, methylprednisolone, prednisolone, triamcinolone acetonide, and isoflupredone. The other authorized levels were consistent with IFHA screening limits. Dr. Dionne Benson, Racing Medication Testing Consortium, stated that the changes aligned California with the international community and would make the interchange of horses easier internationally. Dr. Arthur said the key sign to look for was inflammation, and anti-inflammatories made it difficult for veterinarians and trainers to know the real condition of a horse. Susan Branch, horse owner, stated that 10 days of notice was not enough time for those concerned to weigh in on the changes to the regulations that would be enacted. She asked the Board to take more time before considering the agenda item. Executive Director Rick Baedeker said the authority of the Board to act was clear in Rule 1844.1. Ms. Branch stated that the staff summary did not indicate which medications were affected. Robert Brodnik, CHRB Staff Counsel, said the notice clearly stated that the Board had the authority to suspend any medication listed in Rule 1844. All of the medications affected were listed in Rule 1844. Vice-Chairman Auerbach **motioned** to suspend the authorized administration of 1844(c)(1), 1844(c)(2), 1844(c)(3), 1844(f)(1), 1844(f)(4), 1844(f)(5), 1844(f)(7), 1844(f)(10), 1844(f)(12), 1844(f)(13), and 1844(f)(16) for the remainder of the Santa Anita Park and Golden Gate Fields

race meets, effective immediately. Chairman Winner **seconded** the motion, which was **unanimously carried**. Roll call vote: Aye: Alfieri, Maas, Solis, Winner, Auerbach. Nay: None.

Motion carried.

**DISCUSSION AND ACTION BY THE BOARD REGARDING THE PROPOSAL TO SUSPEND ONE OR MORE MEDICATIONS AUTHORIZED IN CHRB RULE 1844, AUTHORIZED MEDICATION, FOR ALL HORSES PARTICIPATING IN ALL LICENSED HORSE RACE MEETINGS FOR 12 MONTHS PURSUANT TO CHRB RULE 1844.1, SUSPENSION OF AUTHORIZED MEDICATION.**

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Executive Director Rick Baedeker stated the question before the Board was whether to apply these same suspensions to any other breeds and any other race meets in the state, including up to the permitted 12 months. Chairman Winner said he wanted to add that any motion would require a two-week period to allow time for the horsemen and the veterinarians at other tracks to be informed of the changes in the rules so they could be implemented. Dr. Rick Arthur, CHRB Equine Medical Director, stated if the Board moved forward with the suspensions, he suggested it be limited to December 25, 2019 for all the other meets. He also suggested excluding harness racing, as there were only a few race days left, and there had not been a fatality for musculoskeletal injury in harness racing in four or five years. However, the horsemen at Los Alamitos would need fair warning. Vice-Chairman Auerbach asked what an appropriate timeframe would be. Dr. Arthur said 14- or 15-days notice. He could communicate the best he could with the veterinarians and trainers at Los Alamitos, but it was probably easier for the laboratory to have one rule for all tracks or one procedure for all tracks going forward. Greg Avioli, Thoroughbred Owners of California (TOC), stated TOC was not in the position to support the expansion of the rule for the full year period. TOC had not yet discussed it with the affected racetracks. He said he expected in time it would be the right procedure to get everyone on the same rule in California. However, TOC was

not prepared to support the current proposal. Chairman Winner stated he would move the item to the April 18, 2019 Regular Board meeting agenda to allow time for discussions.

**DISCUSSION AND ACTION BY THE BOARD REGARDING APPROVAL OF AGREEMENT, PURSUANT TO CHRB RULE 1581, RACING SECRETARY TO ESTABLISH CONDITIONS, BETWEEN THE STRONACH GROUP (TSG) AND THE THOROUGHBRED OWNERS OF CALIFORNIA (TOC) REGARDING ENTRY CONDITIONS INVOLVING MEDICATION TO BE IMPLEMENTED BY LOS ANGELES TURF CLUB (LATC) AND PACIFIC RACING ASSOCIATION (PRA) AT SANTA ANITA PARK AND GOLDEN GATE FIELDS, RESPECTIVELY.**

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Executive Director Rick Baedeker stated that an association could appear before the Board and request to insert language into the conditions of a race. After the association obtained approval from the horsemen's organization, Board approval would be required for the association to stipulate different medication restrictions within the conditions of the race. Eric Sindler, The Stronach Group (TSG), said the racing condition that needed to be addressed stated that a horse would enter a race with five ccs or less of Lasix and could not have had an intra-articular injection within the previous 14 days. Chairman Winner asked if the condition was for 2019 only. Mr. Sindler said yes. Robert Brodnik, CHRB Staff Counsel, clarified that the condition was through the end of the current race meets at Santa Anita Park (SAP) and Golden Gate Fields (GGF). Craig Fravel, Breeders' Cup Limited (BCL), stated that the Breeders' Cup ran for two years at SAP without Lasix in two-year-olds, and the races were very successful. He said there was nothing to fear in running horses under the proposed conditions. Horses ran daily under the rules internationally, and the horses came back in excellent shape. He stated that the Breeders' Cup would be at SAP on November 1 and November 2, 2019. The BCL needed to know what the rules were in order to communicate them to the horsemen arriving from England, Ireland, and other countries. Allen Branch, horse owner, said Lasix was not the cause of the accidents at SAP. He

**Proceedings of the Regular Meeting of March 28, 2019**

stated that he owned horses that were bleeders, and he used Lasix to control the bleeding. Susan Branch, horse owner, stated that the population of thoroughbreds was predisposed to bleeding when they exercised, and Lasix was the only medication available to control bleeding. Without it, horses would be subject to injury. The more times the horses bled, even if only microscopically, the greater the potential for permanent injury. With a limit of five ccs, there would be horses that would be injured because the dose would not be enough to control the bleeding. She stated that the Thoroughbred Owners of California (TOC) and TSG did not determine how many horses would have a problem running at that level of Lasix. Mr. Branch said since the Lasix issue was controversial, there should have been a lengthier process to involve owners and trainers more fully. Dr. Rick Arthur, CHRB Equine Medical Director, stated that California had a maximum dose of five ccs for Lasix for approximately 10 to 12 years. It was allowed to be increased to be uniform with national policy. He said his review in handling Lasix for the Breeders' Cup for four or five years in California found that 90 percent of the dosages were five ccs or less, and there were no negative consequences. Greg Avioli, TOC, stated that the agreement to lower the limit from 10 ccs to five ccs was approved by the California Thoroughbred Trainers. Commissioner Maas asked if there was race-day administration of Lasix in Europe. Dr. Arthur said no. The International Federation of Horseracing Authorities did not allow administration of any medication on race day. Commissioner Maas asked if there had ever been a study on how many horses bled. Dr. Arthur stated that there had been a number of studies. A few years ago, he identified over 200 published papers on bleeding in horses. The famous South African study reported that 80 percent of horses bled endoscopically with Lasix, and 60 percent bled without it. Commissioner Maas asked if horses should be running if they bled even after being administered Lasix. Dr. Arthur said that in Hong Kong, if a horse bled three times, it was ruled off. Chairman Winner **motioned** to approve

the agreement between the TSG and the TOC regarding entry conditions involving medication to be implemented by the Los Angeles Turf Club and the Pacific Racing Association at SAP and GGF, respectively. Vice-Chairman Auerbach **seconded** the motion, which was **unanimously carried**. Roll call vote: Aye: Alfieri, Maas, Solis, Winner, Auerbach. Motion carried.

**MEETING ADJOURNED AT 1:23 P.M.**

A full and complete transcript of the aforesaid proceedings are on file at the office of the California Horse Racing Board, 1010 Hurley Way, Suite 300, Sacramento, California, and therefore made a part hereof.

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Chairman

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Executive Director

**CALIFORNIA HORSE RACING BOARD**

**APRIL 18, 2019**  
**REGULAR BOARD MEETING**

**There is no board package material for Item 3**

**CALIFORNIA HORSE RACING BOARD**

**APRIL 18, 2019**  
**REGULAR BOARD MEETING**

**There is no board package material for Item 4**

STAFF ANALYSIS  
PUBLIC HEARING AND ACTION BY THE BOARD  
REGARDING THE PROPOSED AMENDMENT TO  
CHRB RULE 1481, OCCUPATIONAL LICENSES AND FEES,  
TO REQUIRE LICENSURE OF OFFICERS, DIRECTORS, PARTNERS OR  
ANY INDIVIDUAL WHO HOLDS 5% OR MORE OF THE OUTSTANDING  
SHARES OF AN ADVANCE DEPOSIT WAGERING PROVIDER (ADW),  
MINI-SATELLITE WAGERING OR EXCHANGE WAGERING PROVIDER;  
CHRB RULE 2071, LICENSE TO CONDUCT ADVANCE DEPOSIT WAGERING BY A  
CALIFORNIA APPLICANT  
CHRB RULE 2072, APPROVAL TO CONDUCT ADVANCE DEPOSIT WAGERING BY AN  
OUT-OF-STATE APPLICANT,  
TO REVISE  
CHRB FORMS 132, APPLICATION TO CONDUCT ADVANCE DEPOSIT WAGERING  
AND  
133, APPLICATION FOR APPROVAL TO CONDUCT ADVANCE DEPOSIT WAGERING,  
TO CAPTURE CHRB LICENSE INFORMATION FOR SPECIFIED PERSONS; CLARIFY  
THE TERM OF LICENSE FOR ADW PROVIDERS AND COLLECT FINANCIAL  
INFORMATION, INCLUDING PROFIT AND LOSS STATEMENTS, SPECIFIC TO  
ENTITIES' CALIFORNIA OPERATIONS

Regular Board Meeting  
April 18, 2019

ISSUE

Rule 1481, Occupational Licenses and Fees, currently requires licensure of officers, directors, partners or any individual or person who holds 5% or more of the outstanding share of a racing association, simulcast service supplier or totalizator company. The regulation, however, does not require the same of advance deposit wagering (ADW), mini-satellite wagering or exchange wagering entities. Rule 2071, License to Conduct Advance Deposit Wagering by a California Applicant, and Rule 2072, Approval to Conduct Advance Deposit Wagering by an Out-of-State Applicant, incorporate by reference the application forms an entity must complete and submit to the Board for consideration. The forms currently do not collect information specific to the persons who will be required to be licensed under the proposed amendment to Rule 1481. The proposed amendments to Rules 2071 and 2072 will require such information. Additionally, the proposed amendments will set the term of license/approval for ADW providers and will require the submission of financial information specific to the entities' California operations.

ANALYSIS

The Board proposes to amend subsection 1481(b)(2) to provide clarity with regards to the licensing of officers, directors, partners, or individuals who hold five percent or more of the outstanding shares of pari-mutuel entities licensed by the Board. The proposed amendment adds ADW, mini-

satellite wagering and exchange wagering providers to subsection 1481(b)(2) so there will be no question that such persons must be licensed. Rule 1481 lists the various classes of occupational licenses issued by the Board. Requiring licensure of officers, directors, partners and persons with significant ownership in ADW, mini-satellite wagering, and exchange wagering providers is necessary to enhance the Board's ability to determine who actually owns or operates the businesses. An applicant for an occupational license must provide the Board with two or more complete sets of fingerprints which are used to conduct a criminal background check. Licensing persons with significant ownership, and executive management personnel, will help ensure that no person who is found to be unfit to hold a license has an ownership interest in, or operates an entity that provides pari-mutuel wagering opportunities in California. In addition, the proposed amendment will change subsection 1481(b)(6) to require ADW, mini-satellite wagering and exchange wagering managerial personnel who exercise control over other licensees to obtain an occupational license.

The proposed amendment to Rule 2071 will modify subsection 2071(b) to clarify that the term of license shall be up to two years. The proposed amendment will change the form Application for License to Conduct Advance Deposit Wagering, CHRB-132 (Rev. 02/19) (CHRB-132). Rule 2071 incorporates by reference the form CHRB-132. The CHRB-132 will be amended to collect specific information regarding the individuals required to be licensed under the amended Rule 1481 such as CHRB license numbers where applicable. Additional changes to the CHRB-132 will require the submission of the prior year's annual profit and loss statements specific to the entity's California operations and the methodology used to used to determine the cost allocations for the statement.

The proposed amendment to Rule 2072 will modify subsection 2072(b) to state the term of license shall be up to two years. The proposed amendment will change the form Application for Approval to Conduct Advance Deposit Wagering, CHRB-133 (Rev. 02/19) (CHRB-133). The form CHRB-133 is incorporated by reference into Rule 2072. The CHRB-133 will be amended to collect specific information regarding the individuals required to be licensed under the amended Rule 1481. Additional changes to the CHRB-133 will require the submission of financial information specific to the entity's California operations and more current profit and loss statements by applicant.

## BACKGROUND

Business and Professions Code section 19440 states the Board shall have all powers necessary and proper to enable it to carry out 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 pari-mutuel wagering. Business and Professions Code 19510 provides every steward and racing official not required to be licensed under Article 4 (commencing with section 19480) shall be licensed by the Board pursuant to this article. Business and Professions Code 19520 provides that every person not required to be licensed under Article 4 (commencing with Section 19480) who participates in the racing of horses and every employee of a pari-mutuel department shall be licensed by the Board pursuant to rules and regulations that the Board may adopt, and upon the payment of a license fee fixed and determined by the Board. Business and Professions Code 19590 states the Board shall adopt rules governing, permitting and regulating pari-mutuel wagering on

horse races under the system known as the pari-mutuel method of wagering. Parimutuel wagering shall be conducted only by a person or persons licensed under this chapter to conduct a horse racing meeting or authorized by the Board to conduct advance deposit wagering. Business and Professions Code section 19460 provides that all licenses are subject to all rules, regulations, and conditions prescribed by the Board. Business and Professions Code section 19604 states the Board may authorize any racing association, racing fair, betting system, or multijurisdictional wagering hub to conduct advance deposit wagering (ADW) in accordance with this section. Business and Professions Code section 19704 provides the Board shall issue a license for owners, trainers, jockeys and other participants in mule racing.

#### RECOMMENDATION

This item is presented for Board discussion and action. No comments were received during the 45-day public comment period.

CALIFORNIA HORSE RACING BOARD  
TITLE 4. CALIFORNIA CODE OF REGULATIONS  
ARTICLE 26. ADVANCE DEPOSIT WAGERING  
PROPOSED AMENDMENT OF  
RULE 2071. LICENSE TO CONDUCT ADVANCE DEPOSIT WAGERING  
BY A CALIFORNIA APPLICANT

Regular Board Meeting  
April 18, 2019

2071. License to Conduct Advance Deposit Wagering by a California Applicant.

(a) Prior to an Account being established or wagering being conducted the Applicant located in California must be licensed by the Board. All licenses granted shall be subject to the provisions of Business and Professions (~~B&P~~) Code ~~Section~~section 19460 et. seq.

(b) An Applicant for license shall complete an Application for License to Conduct Advance Deposit Wagering, CHRB-132 (~~New Rev. 029/019~~), hereby incorporated by reference, which is available at the Board's administrative office. The Application must be filed not later than 90 days in advance of the scheduled start date of operation. A bond from a surety company admitted in the state of California or other form of financial security in the amount of \$500,000 must accompany the Application. The term of the license shall be up to two years from the date the license is issued.

(c) Applicants shall establish security access policies and safeguards pursuant to ~~B&P Business~~ and Professions Code Section 19604.

(d) Applicants that accept wagers from California residents shall provide a full accounting and verification of the source of the wagers, and a detailed wagering information file that includes, but is not limited to, dollar amount wagered, pool on which the wager was placed, race number and racing venue, zone, breed, zip code of the Account Holder, time wagering stopped, and time of the wager in the form of a daily download of pari-mutuel data to the Board designated database,

~~California Horse Racing Information Management System~~ CHRIMS, Inc., that is compatible with a Comma Delimited Text File.

(e) Applicants shall provide financial information that demonstrates the financial resources to operate Advance Deposit Wagering and provide a detailed budget that shows anticipated revenue, expenditures and cash flows by month projected for the term of the license.

(f) The Board may conduct investigations, inspections or request additional information from the Applicant as it deems appropriate in determining whether to approve the license.

(g) The Board, or its designee, shall be given access for review and audit of all records. The Applicant shall, at their location during hours of operation, make such information available. The Board may require the Applicant to annually submit audited financial statements.

(h) All advertisements shall contain a statement that persons under 18 are not allowed to open or have access to Accounts. All advertisements shall contain contact information for a recognized problem-gambling support organization.

(i) Applicants shall enter into a written contractual agreement with the bona fide labor organization that has historically represented the same or similar classifications of employees at the nearest horse racing meeting.

(j) The Board shall notify the Applicant in writing within 30 calendar days from the receipt date by the Board's administrative office if the Application is complete or deficient. If the Application is deficient, the notice shall include:

(1) Instructions as to what is required of the Applicant to complete the Application.

(2) Instructions for requesting additional time to satisfy the requirements listed in the notification, if needed.

(k) The Board shall approve or deny an Application within 90 calendar days from the receipt date

by the Board unless the Applicant requests and is granted additional time to supply information.

(l) If the Board denies an Application, the Applicant has 30 calendar days, from the receipt date of the Board's denial notification, to request a reconsideration of the Board's decision. The request must be in writing and sent to the Board's administrative office. The Board shall respond in writing to the reconsideration request within 30 working days from the receipt date of the request. If reconsideration is denied, the Applicant may file for judicial review in accordance with ~~Section~~section 11523 of the Government Code.

(m) Subsequent to the issuance of a license to conduct Advance Deposit Wagering under this article, changes or amendments to information or operating procedures contained in an Application will be permitted by order of the Board or by Board approval of a request submitted in writing by the Applicant.

Authority: Sections 19440 and 19590,  
Business and Professions Code.

Reference: Sections 19460 and 19604,  
Business and Professions Code.

CALIFORNIA HORSE RACING BOARD  
TITLE 4. CALIFORNIA CODE OF REGULATIONS  
ARTICLE 4. OCCUPATIONAL LICENSES  
PROPOSED AMENDMENT OF  
RULE 1481. OCCUPATIONAL LICENSES AND FEES

Regular Board Meeting  
April 18, 2019

1481. Occupational Licenses and Fees.

No person required to be licensed shall participate or attempt to participate in a race meeting without holding a valid license authorizing that participation.

(a) A person acting in any capacity within the restricted area of an inclosure, simulcast facility or auxiliary stabling area shall procure the appropriate license(s) and pay the fee required.

(b) A person acting in any of the following capacities shall procure the appropriate license(s) and pay the fee required:

- (1) Horse Owner by Open Claim .....\$250
- (2) Officer, Director, Partner, or any individual or person who holds 5% or more of the outstanding shares of an advance deposit wagering, mini-satellite wagering or exchange wagering provider, racing association, simulcast service supplier, or totalizator company.....\$200
- (3) Horse Owner .....\$150
- (4) Trainer, Assistant Trainer, Driver, Jockey, Apprentice Jockey, Jockey Agent .....\$150
- (5) Veterinarian.....\$150

- (6) Steward, Associate Steward, Steward (Veterinary Service), Simulcast Facility Supervisor, Assistant Simulcast Facility Supervisor, Racing Official, Administrative or Managerial personnel including General Manager of a racing association, advance deposit wagering, mini-satellite wagering or exchange wagering provider, simulcast organization or an intrastate guest association, who exercise control over other licensees, horse racing, pari-mutuel wagering, or simulcast operations, or whose duties routinely require access to restricted areas of the inclosure . \$150
- (7) Bloodstock Agent.....\$150
- (8) Valet, Jockey Room or Drivers' Room Attendant or Custodian or Service Person, Colors Attendant, Paddock Attendant .....\$75
- (9) Assistant to a Racing Official or Official, Assistant General Manager of a racing association, simulcast organization or an intrastate guest association, Assistant Starter, Assistant to the Veterinarian, Assistant Manager, Announcer, Paymaster of Purses, Superintendent, Starting Gate Driver, Flagman, Marshal, Stewards' Aide.....\$75
- (10) Exercise Rider, Pony Rider, Outrider.....\$75
- (11) Horseshoer, Stable Agent, Vendor or Vendor's Employee when duties require access to the restricted area, Stable Foreman.....\$75
- (12) Pari-mutuel Employee, Totalizator Technician, Video Operator, Photofinish Operator .....\$75
- (13) Security Officer, Security Guard, Stable Gateman, Fire Guard, Security Investigator .....\$75

(14) Clerical Employee or Uncategorized Employee of a racing association, intrastate guest association, simulcast organization, simulcast service supplier, totalizator company, horsemen's organization or concessionaire when employed in a restricted area.....\$75

(c) A person acting in the capacity of Backstretch Event Personnel, Groom, Provisional Exercise Rider, Stable Employee or Stable Assistant shall procure the appropriate annual license. The fee for an original license is \$35, and the annual renewal of license is \$20.

(d) A person acting in the capacity of Authorized Agent shall register an authorized agent agreement and registration of authorized agent and pay a fee of \$25 for each registration.

(e) A person or persons electing to conduct racing operations by use of a Stable Name shall register the Stable Name and pay a fee of \$300.

(f) A person or persons conducting racing operations as a syndicate or as a partnership having more than ten general partners or having one or more limited partners shall register the syndicate or partnership as a multiple ownership and pay a fee of \$300.

(g) A person participating in any capacity required to be licensed under this rule who participates or attempts to participate at a mule racing meeting shall procure an annual Mule Racing Participant license and pay an annual fee of \$25. A license for participating in a mule racing meeting is valid only at mule racing meetings and any license otherwise valid for horse racing meetings is not valid for mule racing meetings.

(h) A person whose license-identification card is lost, destroyed or mutilated shall procure a replacement license-identification card and pay a fee of \$15.

(i) A person who elects to participate in the Association of Racing Commissioners International (ARCI) Licensing Reciprocity Program shall pay the associated costs charged by the ARCI and the Federal Bureau of Investigation.

(j) The date the payment of the required fee is received and recorded by the Board is the effective date of issuance of a continuous occupational license for the capacity in which licensed. The fees required herein are for the entire period for which the issued license is to be valid.

Authority: Sections 19440, 19510, 19520 and 19704,  
Business and Professions Code.

Reference: Sections 19510, 19520 and 19704,  
Business and Professions Code.

Application is made to the CHRB for a license to conduct Advance Deposit Wagering in accordance with the California Business and Professions (B&P) Code and CHRB Rules and Regulations (Rule) and the provisions of the Interstate Horseracing Act, 15 U.S.C. 3001 to 3007.

Application must be filed not later than 90 days in advance of the date scheduled to conduct Advance Deposit Wagering and must be accompanied by a bond from a surety company admitted in the state of California or other form of financial security in the amount of \$500,000.

**1. APPLICANT**

- A.  Racing Association (Licensee)       Racing Fair (Licensee)  
 Betting System       CA Multi-jurisdictional Wagering Hub (CA Hub)

B. Name, mailing address, telephone and fax numbers:

C. Names, and titles and CHRB license number of all management personnel directly involved in the management of advance deposit wagering operations:

Name and title	License Number

**NOTICE** – All management personnel must be CHRB licensed.

- D. Racing Fairs are not required to complete Section 3, Business Structure.
- E. Betting Systems and CA Hubs - attach the contract with the Licensee and the required horsemen's approval under the Interstate Horseracing Act that permits you to provide Advance Deposit Wagering services and identify the amount of the market access fee to be paid to the Licensee for access to the California market for wagering purposes.

**2. DATES OF OPERATION**

- A. Dates Advance Deposit Wagering will be conducted:
- B. Hours Advance Deposit Wagering will be conducted:

<b>CHRB CERTIFICATION</b>	
Application received: Reviewed: Hearing date:	Approval date: License number:

### 3. BUSINESS STRUCTURE

- A.  Corporation (complete subsection B)  
 LLC (complete subsection C)  
 Other (specify, and complete subsection D)

Complete the applicable subsection

#### B. CORPORATION

1. Registered name of the corporation:
2. State where incorporated:
3. Registry or file number for the corporation:
4. Name and CHRB license number of all officers and directors,<sup>5</sup> Include titles, and number of shares of the corporation held by each:
5. Names (true names) of all persons, **other than the officers and directors listed above**, that hold 5% or more of the outstanding shares in the corporation and the number of shares held by each. Include each person's CHRB license number (Notice: per Rule 1481, all persons that hold 5% or more of outstanding shares must hold a CHRB license.):
6. Number of outstanding shares in the corporation:
7. Are the shares listed for public trading?  Yes  No  
If yes, on what exchange and how is the stock listed:
8. Name of the custodian of the list of shareholders and/or the transfer agent for the share holdings of the corporation:
9. If more than 50% of the shares are held by a parent corporation or are paired with any other corporation or entity, give the name of the parent and/or paired corporation or entity:
10. Attach the prior two years most recent annual financial statements for the corporation, including balance sheets and profit and loss statements, and a copy of all reports made issued during the preceding ~~12~~24 months to shareholders and/or the Securities and Exchange Commission and/or the California Corporations Commission.
11. Applicants not previously licensed by the CHRB to conduct ADW, proceed to subsection 12. Applicants previously licensed by the CHRB to conduct ADW: Attach the prior year's annual profit and loss statements for the California ADW operations only. Include the methodology used to determine the cost allocation for the profit and loss statement.
- ~~12~~11. Attach a business plan to include a detailed budget that shows anticipated revenue, expenditures and cash flow by month projected for the term of the license.

## C. LLC

1. Registered name of the LLC:
  2. State where articles of organization are filed:
  3. Registry or file number for the LLC:
  4. Name and CHRB license number of all officers and directors, Include titles, and the number of shares of the LLC held by each:
  5. Names (true names) of all members, **other than the officers and directors listed above**, that hold 5% or more of the outstanding shares in the LLC and the number of shares held by each. Include each person's CHRB license number (Notice: per Rule 1481, all persons that hold 5% or more of outstanding shares must hold a CHRB license.):
  6. Are the shares listed for public trading?  Yes  No  
If yes, on what exchange and how is the stock listed:
  7. If more than 50% of the shares are held by a parent corporation or are paired with any other corporation or entity, give the name of the parent and/or paired corporation or entity:
  8. Attach the prior two years most recent annual financial statements for the LLC, including balance sheets and profit and loss statements, and a copy of all reports made issued during the preceding 1224 months to shareholders in the LLC and/or the Securities and Exchange Commission and/or the California Corporations Commission.
  9. Applicants not previously licensed by the CHRB to conduct ADW, proceed to subsection 10. Applicants previously licensed by the CHRB to conduct ADW: Attach the prior year's annual profit and loss statements for the California ADW operations only. Include the methodology used to determine the cost allocation for the profit and loss statement.
109. Attach a business plan to include a detailed budget that shows anticipated revenue, expenditures and cash flow by month projected for the term of the license.

## D. OTHER

1. Name(s) of partners/sole proprietor:
2. If a partnership, attach partnership agreement.
3. Attach the prior year's annual financial statements for the partnership/sole proprietor. Include balance sheets and profit and loss statements, and a copy of all reports issued during the preceding 12 months to shareholders and/or the Securities and Exchange Commission, and/or the California Corporations Commission.
4. Applicants not previously licensed by the CHRB to conduct ADW, proceed to subsection 5. Applicants previously licensed by the CHRB to conduct ADW: Attach the prior year's annual

profit and loss statements for the California ADW operations only. Include the methodology used to determine the cost allocation for the profit and loss statement.

53. Attach a business plan to include a detailed budget that shows anticipated revenue, expenditures and cash flow by month projected for the term of the approval.

**4. ESTABLISHING ADVANCE DEPOSIT WAGERING ACCOUNTS** – must comply with Rule 2074.

- A. List the procedures to establish an Account:
- B. If an application form is used to establish an Account attach a copy of the form.
- C. Name and address of the third party you will use to verify identity, residence and age verification:

**5. OPERATION OF ADVANCE DEPOSIT WAGERING ACCOUNTS** – must comply with Rule 2073.

- A. Submit a copy of your plan for operation.
- B. List the type of deposits you will accept:
- C. Identify any fees or transaction-related charges and the amount that will be assessed:

**6. SECURITY ACCESS**

- A. Attach your security access policy and safeguards pursuant to Business and Professions Code section 19604 (c) (2). Policy must include the following:
  - 1. Description of the technology to ensure identity, residence, and age verification when an Account is established:
  - 2. Description of the technology to ensure confidentiality of the Means of Personal Identification:
  - 3. Methods and locations available for Account Holders to withdraw funds from their Account:
  - 4. If the Advance Deposit Wagering records will be maintained at a site other than the applicants provide the name, address, telephone and fax numbers and the hours of operation:

**7. PARI-MUTUEL**

- A. Name, address and telephone number of the pari-mutuel audit firm:
- B. Type(s) of pari-mutuel or totalizator equipment to be used and the simulcast organization, name of the entity supplying equipment, and expiration date of the service contract:
- C. List the locations of the racing venues on which Advance Deposit Wagering will be accepted:

**NOTICE** – The pari-mutuel system used must use a device or combination of devices authorized and operated exclusively for placing, receiving, or otherwise making a wager and by which a person must subscribe to in order to place, receive or otherwise make a wager; an effective customer and age verification system and the appropriate data security standards to

prevent unauthorized access by any person who has not subscribed or who is under the age of 18.

**8. CONTRACTS AND AGREEMENTS**

- A. List name and address of all organizations you will contract with to facilitate Advance Deposit Wagering that are not provided in other sections of this application:
- B. List each contract or agreement to facilitate Advance Deposit Wagering that is not finalized and signed:

**NOTICE** – Pursuant to ~~B&P Business and Professions Code section~~ ~~Section~~ 19604 (c) (1) you must contract with the bona fide labor organization that has historically represented the same or similar classifications of employees at the nearest horse racing meeting.

**9. ADVERTISING**

Name and address of the advertising agency you will use:

**NOTICE** – Pursuant to Rule 2071 (h) all advertisements shall contain a statement that persons under 18 are not allowed to open or have access to Accounts. All advertisements shall contain contact information for a recognized problem-gambling support organization. Additionally, pursuant to ~~B&P Business and Professions Code section~~ ~~Section~~ 19604 (D) (3) advertisements shall not be deceptive to the public.

**10. CERTIFICATION**

I hereby certify under penalty of perjury that I have examined this Application, that all of the foregoing statements in this Application are true and correct, and that I am authorized to attest to this Application.

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Print Title

\_\_\_\_\_  
Date

CALIFORNIA HORSE RACING BOARD  
TITLE 4. CALIFORNIA CODE OF REGULATIONS  
ARTICLE 26. ADVANCE DEPOSIT WAGERING  
PROPOSED AMENDMENT OF  
RULE 2072. APPROVAL TO CONDUCT ADVANCE DEPOSIT WAGERING  
BY AN OUT-OF-STATE APPLICANT

Regular Board Meeting  
April 18, 2019

2072. Approval to Conduct Advance Deposit Wagering by an out-of-state Applicant.

(a) Prior to an Account being established or wagering being conducted the Applicant located out-of-state must be Board-approved. All approvals granted shall be subject to the provisions of Business and Professions (B&P) Code ~~Section~~section 19460 et. seq.

(b) An out-of-state Applicant shall complete an Application for Approval to Conduct Advance Deposit Wagering, CHRB-133 (~~New~~Rev. 029/019), hereby incorporated by reference, which is available at the Board's administrative office. The Application must be filed not later than 90 days in advance of the scheduled start date of operation. A bond from a surety company admitted in the state of California or other form of financial security in the amount of \$500,000 must accompany the Application. The term of approval is up to two years from the date the approval is issued.

(c) Out-of-state Applicants shall establish security access policies and safeguards pursuant to ~~B&P~~Business and Professions Code Section 19604.

(d) Out-of-state Applicants that accept wagers from California residents shall provide a full accounting and verification of the source of the wagers, and a detailed wagering information file that includes, but is not limited to dollar amount wagered, pool on which the wager was placed, race number and racing venue, zone, breed, zip code of the Account Holder, time wagering stopped, and time of the wager in the form of a daily download of pari-mutuel data to the Board

designated database, ~~California Horse Racing Information Management System~~ CHRIMS, Inc., that is compatible with a Comma Delimited Text File.

(e) Out-of-state Applicants shall provide financial information that demonstrates the financial resources to operate Advance Deposit Wagering and provide a detailed budget that shows anticipated revenue, expenditures and cash flows by month projected for the term of the approval.

(f) The Board may conduct investigations, inspections or request additional information from the out-of-state Applicant as it deems appropriate in determining whether to approve the Application.

(g) The Board, or its designee, shall be given access for review and audit of all records. The out-of-state Applicant shall, at their location during hours of operation, make such information available. The Board may require the out-of-state Applicant to annually submit audited financial statements.

(h) All advertisements shall contain a statement that persons under 18 are not allowed to open or have access to Accounts. All advertisements shall contain contact information for a recognized problem-gambling support organization.

(i) The Board shall notify the out-of-state Applicant in writing within 30 calendar days from the receipt date by the Board's administrative office if the Application is complete or deficient. If the Application is deficient, the notice shall include:

- (1) Instructions as to what are required of the out-of-state Applicant to complete the Application.
- (2) Instructions for requesting additional time to satisfy the requirements listed in the notification, if needed.

(j) The Board shall approve or deny an Application within 90 calendar days from the receipt date by the Board unless the out-of-state Applicant requests and is granted additional time to supply information.

(k) If the Board denies an Application, the out-of-state Applicant has 30 calendar days, from the receipt date of the Board's denial notification, to request a reconsideration of the Board's decision. This request must be in writing and sent to the Board's administrative office. The Board shall respond in writing to the reconsideration request within 30 working days from the receipt date of the request. If reconsideration is denied, the out-of-state Applicant may file for judicial review in accordance with ~~Section~~section 11523 of the Government Code.

(l) Subsequent to the issuance of an approval to conduct Advance Deposit Wagering under this article, changes or amendments to information or operating procedures contained in an Application will be permitted by order of the Board or by Board approval of a request submitted in writing by the Applicant.

(m) As a condition of approval the out-of-state Applicant shall designate a California agent for receipt of service of process.

(n) By submitting the Application the out-of-state Applicant consents to the jurisdiction of California courts and the application of California law as to all California wagers and operations.

Authority: Sections 19440 and 19590,  
Business and Professions Code.

Reference: Sections 19460 and 19604,  
Business and Professions Code.

Application is made to the CHRB for approval to conduct Advance Deposit Wagering in accordance with the California Business and Professions (B&P) Code and CHRB Rules and Regulations (Rule) and the provisions of the Interstate Horseracing Act, 15 U.S.C. 3001 to 3007.

**NOTICE** – By submitting the Application the out-of-state Applicant consents to the jurisdiction of California courts and the application of California law as to all California wagers and operations.

Application must be filed not later than 90 days in advance of the date scheduled to conduct Advance Deposit Wagering and must be accompanied by a bond from a surety company admitted in the state of California or other form of financial security in the amount of \$500,000.

**1. OUT-OF-STATE MULTI-JURISDICTIONAL WAGERING HUB (out-of-state Hub)**

- A. Name, mailing address, telephone and fax numbers:
- B. Name, title, license number and racing jurisdiction where licensed for all management personnel. Identify which management staff is responsible for California operations:

**NOTICE:** Rule 1481 provides that all management personnel responsible for California operations must hold a CHRB license.

<u>Name and title</u>	<u>Racing Jurisdiction Where Licensed</u>	<u>License Number</u>	<u>Responsible for California Operations</u>
			<input type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/> Yes <input type="checkbox"/> No

- C. Name, title and mailing address of the California agent for receipt of service of process:
- D. Attach the contract with the California racing association or fair and the required horsemen’s approval under the Interstate Horseracing Act that permits you to provide Advance Deposit Wagering services and identify the amount of the market access fee to be paid to the California racing association or fair for access to the California market for wagering purposes.

**2. DATES OF OPERATION**

- A. Dates Advance Deposit Wagering will be conducted:

<b>CHRB CERTIFICATION</b>	
Application received:	Hearing date:
Reviewed:	Approval date:

B. Hours Advance Deposit Wagering will be conducted:

3. BUSINESS STRUCTURE

- A.  Corporation (complete subsection B)  
 LLC (complete subsection C)  
 Other (specify, and complete subsection D)

Complete the applicable subsection

B. CORPORATION

1. Registered name of the corporation:
2. State where incorporated:
3. Registry or file number for the corporation:
4. Name and CHRB license number of all officers and directors, Include titles, and the number of shares of the corporation held by each:
5. Names (true names) of all persons, **other than the officers and directors listed above**, that hold 5% or more of the outstanding shares in the corporation and the number of shares held by each. Include each person's CHRB license number (Notice: per Rule 1481, all persons that hold 5% or more of outstanding share must hold a CHRB license:
6. Number of outstanding shares in the corporation:
7. Are the shares listed for public trading?  Yes  No  
If yes, on what exchange and how is the stock listed:
8. Name of the custodian of the list of shareholders and/or the transfer agent for the share holdings of the corporation:
9. If more than 50% of the shares are held by a parent corporation or are paired with any other corporation or entity, give the name of the parent and/or paired corporation or entity:
10. Attach the most recent annual financial statement for the corporation, including balance sheet and profit and loss statement, and a copy of all reports made issued during the preceding 12 months to shareholders in the corporation and/or the Securities and Exchange Commission and/or the corresponding state where you registered your corporation.
11. Applicants not previously licensed by the CHRB to conduct ADW, proceed to subsection 12. Applicants previously licensed by the CHRB to conduct ADW: Attach the prior year's annual profit and loss statement for the California ADW operations only. Include the methodology used to determine the cost allocation for the profit and loss statement.

1244. Attach a business plan to include a detailed budget that shows anticipated revenue, expenditures and cash flow by month projected for the term of the approval.

C. LLC

1. Registered name of the LLC:
  2. State where articles of organization are filed:
  3. Registry or file number for the LLC:
  4. Names of all officers and directors, titles, and the number of shares of the LLC held by each:
  5. Names (true names) of all members, **other than the officers and directors listed above**, that hold 5% or more of the outstanding shares in the LLC and the number of shares held by each. Include each person's CHRB license number (Notice: per Rule 1481, all persons that hold 5% or more of outstanding share must hold a CHRB license.):
  6. Are the shares listed for public trading?  Yes  No  
If yes, on what exchange and how is the stock listed:
  7. If more than 50% of the shares are held by a parent corporation or are paired with any other corporation or entity, give the name of the parent and/or paired corporation or entity:
  8. Attach the most recent annual financial statement for the LLC, including balance sheet and profit and loss statement, and a copy of all reports made issued during the preceding 12 months to shareholders in the LLC and/or the Securities and Exchange Commission and/or the corresponding state where you registered your corporation.
  9. Applicants not previously licensed by the CHRB to conduct ADW, proceed to subsection 10. Applicants previously licensed by the CHRB to conduct ADW: Attach the prior year's annual profit and loss statement for the California ADW operations only. Include the methodology used to determine the cost allocation for the profit and loss statement.
109. Attach a business plan to include a detailed budget that shows anticipated revenue, expenditures and cash flow by month projected for the term of the approval.

D. OTHER

1. Name(s) of partners/sole proprietor:
2. If a partnership, attach partnership agreement.
3. Attach the prior year's annual financial statements for the partnership/sole proprietor. Include balance sheet and profit and loss statement, and a copy of all reports issued during the preceding 12 months to shareholders and/or the Securities and Exchange Commission and/or the corresponding state where you registered your corporation.

4. Applicants not previously licensed by the CHRB to conduct ADW, proceed to subsection 5. Applicants previously licensed by the CHRB to conduct ADW: Attach the prior year's annual profit and loss statement for the California ADW operations only. Include the methodology used to determine the cost allocation for the profit and loss statement.

53. Names of all officers and directors, titles, and the number of shares of the LLC held by each:

**4. ESTABLISHING ADVANCE DEPOSIT WAGERING ACCOUNTS** – must comply with Rule 2074.

- A. List the procedures to establish an Account:
- B. If an application form is used to establish an Account attach a copy of the form.
- C. Name and address of the third party you will use to verify identity, residence and age verification:

**5. OPERATION OF ADVANCE DEPOSIT WAGERING ACCOUNTS** – must comply with Rule 2073.

- A. Submit a copy of your plan for operation.
- B. List the type of deposits you will accept:
- C. Identify any fees or transaction-related charges and the amount that will be assessed:

**6. SECURITY ACCESS**

- A. Attach your security access policy and safeguards pursuant to B&P Business and Professions Code section Section-19604 (c) (2). Policy must include the following:
  1. Description of the technology to ensure identity, residence, and age verification when an Account is established:
  2. Description of the technology to ensure confidentiality of the Means of Personal Identification:
  3. Methods and locations available for Account Holders to withdraw funds from their Account:
  4. If the Advance Deposit Wagering records will be maintained at a site other than the out-of-state Hub provide the name, address, telephone and fax numbers and the hours of operation:

**7. PARI-MUTUEL**

- A. Name, address and telephone number of the pari-mutuel audit firm:
- B. Type(s) of pari-mutuel or totalizator equipment to be used and the simulcast organization, name of the entity supplying equipment, and expiration date of the service contract:
- C. List the locations of the racing venues on which Advance Deposit Wagering will be accepted:

**NOTICE** – The pari-mutuel system used must use a device or combination of devices authorized and operated exclusively for placing, receiving, or otherwise making a wager and by which a person must subscribe to in order to place, receive or otherwise make a wager; an effective customer and age verification system and the appropriate data security standards to

prevent unauthorized access by any person who has not subscribed or who is under the age of 18.

**8. CONTRACTS AND AGREEMENTS**

- A. List name and address of all organizations you will contract with to facilitate Advance Deposit Wagering that are not provided in other sections of this application:
- B. List each contract or agreement to facilitate Advance Deposit Wagering that is not finalized and signed:

**9. ADVERTISING**

Name and address of the advertising agency you will use:

**NOTICE** – Pursuant to Rule 2072 (h) all advertisements shall contain a statement that persons under 18 are not allowed to open or have access to Accounts. All advertisements shall contain contact information for a recognized problem-gambling support organization. Additionally, pursuant to B&P Business and Professions Code section Section 19604 (D) (3) advertisements shall not be deceptive to the public.

**10. CERTIFICATION**

I hereby certify under penalty of perjury that I have examined this Application, that all of the foregoing statements in this Application are true and correct, and that I am authorized to attest to this Application.

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Print Title

\_\_\_\_\_  
Date

STAFF ANALYSIS  
April 18, 2019

APPLICATION FOR LICENSE TO CONDUCT A HORSE RACING MEETING OF THE ALAMEDA COUNTY FAIR (F) AT PLEASANTON, COMMENCING JUNE 13, 2019 THROUGH JULY 7, 2019.

The Alameda County Fair (ACF) filed its application to conduct a horse racing meeting at Pleasanton as part of the 2019 combined fair horse racing meeting, as follows:

- June 13 through July 7, 2019, or 15 days, the same as (Oak Tree at Pleasanton) in 2018. The fair proposes to race a total of 163 races, one day less than in 2018. The ACF will be simulcasting on June 12, 13, 19, and 26 and July 3, 2019. Live racing will begin on June 14, 2019.
- At its March 28, 2019 Regular Meeting, the Board heard and approved a request from the California Authority of Racing Fairs to designate the 2019 allocated race dates of the ACF (6/13/19–7/7/19), California Exposition and State Fair (7/12/19–7/28/19), Humboldt County Fair (8/16/19–8/25/19), and The Big Fresno Fair (10/4/19–10/14/19) as a combined fair horse racing meeting. One characteristic of the 2019 combined fair race meeting is the extended distribution time for the carryover pool. There are no additional attributes identified in relation to the combined fair race meeting.
- Applicant is requesting the distribution date of the carryover pool to be October 13, 2019 (Closing Day of The Big Fresno Fair).
- The proposed race dates are within the approved race dates allocated to the ACF. These dates will become part of the 2019 combined fair racing meeting pending approval.

June 2019						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30						

July 2019						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	26
28	29	30	31			

- Racing Friday through Sunday for opening week, Thursday through Sunday for three weeks. Nine races on Thursdays, 10 races on Fridays, and 12 races on Saturdays and Sundays.
- Average number of runners per race, by breed, for 2018 Race Meeting:
  - Thoroughbred: 6.55
  - Arabian: 6.25
  - Quarter horse: 6.25
  - Mule: 5.82
- First post 1:45 p.m. on weekdays and weekends.

- Wagering program will use CHRB and ARCI rules.
  - Early wagering will not be offered.
  - \$1 Place Pick when applicable; \$1 Trifecta and \$.10 Superfecta when applicable.
  - \$.50 Pick 4 on first four races and last 4 thoroughbred races each day.
  - \$.50 Pick 5 on last five thoroughbred races each day, with 100% major pool paid for 5 of 5. If no 5 of 5, 75% carryover and 25% minor pool to most winners.
  - \$.20 Pick 6 on last 6 thoroughbred races each day. 100% pool paid and any prior carryovers for unique ticket selecting six winners. If no unique ticket selects six winners, then 40% minor pool that day is paid to tickets selecting the most winners, and 60% major pool will be added to the carryover.
  - \$.20 Pentafecta (Super High 5) selecting first five finishers in same race. 100% pool paid and any prior carryovers paid for a unique ticket selecting the first five finishers. If no unique ticket selects the first five finishers, then 40% minor pool paid to tickets selecting the first five finishers, and 60% of major pool will be added to the carryover. If no ticket selects the first five finishers, 100% of the pool will be added to the carryover. Super High 5 will be carded on the last race of the day. The sixth race of each card will offer a player's exacta wager with a 14% takeout.
- Specific changes from the 2018 license application:
  - New Admission Trackside Terrace \$40 pre-fair, includes fair admission and buffet
  - New Admission Trackside Terrace \$40 after fair opens, includes buffet
  - New Admission Sky Lounge \$50 pre-fair, includes fair admission and buffet
  - New Admission Sky Lounge \$50 after fair opens, includes buffet
- The Advance Deposit Wagering (ADW) providers are BetAmerica, TVG Network, TwinSpires, Watch and Wager, and Xpressbet.

Pursuant to Business and Professions Code Section 19604, specific provisions must be met before an ADW provider can accept wagers.

#### Summary of Business and Professions Code Section 19604

*To accept wagers on races conducted in California from a resident of California:*

- The ADW provider must be licensed by the Board.
- A written agreement allowing those wagers exists with the racing association or fair conducting the races on which the wagers are made.
- The agreement shall have been approved in writing by the horsemen's organization responsible for negotiating purse agreements for the breed on which the wagers are made.

*To accept wagers on races conducted outside of California from a resident of California:*

- The ADW provider must be licensed by the Board.
- There is a hub agreement between the ADW provider and one or both of (i) one or more racing associations or fairs that together conduct no fewer than five weeks of live racing on the breed on which wagering is conducted during the calendar year during which the wagering is placed, and (ii) the horsemen's organization responsible for negotiating purse agreements for the breed on which wagering is conducted.

- Documents received in compliance with Business and Professions Code Section 19604:
  - Horsemen's approval of ADW [Arabian Racing Association of California, Pacific Coast Quarter Horse Racing Association, and American Mule Racing Association].
- Simulcasting conducted with other out-of-state racing jurisdictions pursuant to Business and Professions Code Section 19604 and with authorized locations throughout California.
- Requests Darrel Sparks be appointed horse identifier pursuant to CHRB Rule 1525, Racing Officials Appointed by the Board.
- Inspection of backstretch worker housing has been requested and will be completed before the race meeting begins.
- Track safety inspection has been requested and will be completed before the race meeting begins.

Specific information **still needed** to complete this application:

1. Contracts/agreements (2019) required pursuant to Business and Professions Code Section 19604 that allow the ACF-designated ADW providers [BetAmerica, TVG Network, TwinSpires, Watch and Wager, and Xpressbet] to accept wagers on races conducted in and outside of California for the applied license term.
2. Horsemen's approval of ADW [Thoroughbred Owners of California (TOC)].
3. Race meet agreements with the horsemen's organizations [TOC and California Thoroughbred Trainers].
4. Lasix agreement.

Specific information that will **need to be updated** during the race meet:

1. Workers' compensation (term to 7/01/2019).

RECOMMENDATION:

Staff recommends the application not be heard.

Application is hereby made to the California Horse Racing Board (CHRB) for a license to conduct a horse racing meeting of a California fair as authorized by Article 6.5 of the California Business and Professions Code, Chapter 4, Division 8, Horse Racing Law, and in accordance with applicable provisions and the California Code of Regulations, Title 4, Division 4, CHRB Rules and Regulations.

**1. APPLICANT FAIR ASSOCIATION**

A. Name, mailing address, telephone, and fax numbers of fair:

**Alameda County Fair**  
**Alameda County Fair Agricultural Association**  
**4501 Pleasanton Avenue, Pleasanton, CA 94566**  
**Phone: 925-426-7600 Fax: 925-426-7599**

B. Fair association is a:  District Fair  County Fair  Citrus Fruit Fair  
 California Exposition and State Fair  Other qualified fair

C. Provide the name, telephone, and email address for the fair contact person:

**Jerome Hoban C.E.O., 925-426-7501, jhoban@alamedacountyfair.com**

NOTICE TO APPLICANT: Application must be filed not later than 90 days before the scheduled start date for the proposed meeting pursuant to CHRB Rule 1433.

**2. DATES OF RACE MEETING**

A. Inclusive dates allocated for race meeting: **June 12 – July 9, 2019**

B. Actual dates racing will be held: **June 14, 15, 16, 20, 21, 22, 23, 27, 28, 29, 30 & July 4, 5, 6, & 7.**

C. Dates racing will NOT be held: **Dark days will be June 17, 18, 24, 25, July 1, 2 and June 12, 13, 19, 26 & July 3.**

D. Total number of racing days: **15**

E. Days of the week races will be held:

Wed - Sun  Tues - Sat  Other (specify) **Thurs-Sun, 2<sup>nd</sup> & 3<sup>rd</sup> weeks; Fri-Sun**

**opening and closing weeks and Tuesday, July 4, 2018.**

**3. RACING PROGRAM**

A. Total number of races: **163**

**CHRB CERTIFICATION**

Application received:  
Reviewed:

Hearing date:  
Approved date:  
License number:

B. Number of races by breed:

<input type="text" value="131"/>	Thoroughbreds	<input type="text" value="10"/>	Quarter Horses	<input type="text" value="0"/>	Appaloosas
<input type="text" value="12"/>	Arabians	<input type="text" value="0"/>	Paints	<input type="text" value="10"/>	Mules

C. Number of races daily:

	Thurs 6/20&6/27, Jul 4	Fri 6/14, 6/21, 6/28 & 7/5	Sat 6/15, 6/22, 6/29 & 7/6	Sun 6/16, 6/23, 6/30 & 7/7
Thoroughbred	7	8	9	10
Other Breeds	2	2	3	2
Total	9	10	12	12

D. Total number of stakes races by breed:

<input type="text" value="2"/>	Thoroughbreds	<input type="text" value="0"/>	Quarter Horses	<input type="text" value="0"/>	Appaloosas
<input type="text" value="0"/>	Arabians	<input type="text" value="0"/>	Paints	<input type="text" value="0"/>	Mules

E. Attach a listing of all stakes races and indicate the date to be run and the added money or guaranteed purse for each.

1. Attach a listing of all stakes races for the past two race meetings. The information provided must be for the same timeframe in which the association is applying. Include the date the stakes races were run, and the added money or guaranteed purse for each. Note the races that were designated for California-bred horses.

2. Identify the stakes races listed under item E that have been altered, added, or are new for the current race meeting. Provide details regarding any alterations to the identified stakes races. (e.g., changes in the age, sex, eligibility, purse or substantial calendar changes).

3. Identify the stakes races listed under item E1 that have been dropped or deleted, and the reasons the stakes were dropped or deleted.

See Attached.

F. Will provisions be made for owners and trainers to use their own registered colors?

Yes  No      If no, what racing colors are to be used:

G. List all post times for the daily racing program:

Race Number	Weekdays	Weekends
Race # 1	1:45p.m.	1:45 p.m.
Race # 2	2:15 p.m.	2:15 p.m.
Race # 3	2:45 p.m.	2:45 p.m.
Race # 4	3:15 p.m.	3:15 p.m.
Race # 5	3:45 p.m.	3:45 p.m.
Race # 6	4:15 p.m.	4:15 p.m.
Race # 7	4:45 p.m.	4:45 p.m.
Race # 8	5:15 p.m.	5:15 p.m.
Race # 9	5:45 p.m.	5:45 p.m.

**2019 THOROUGHBRED STAKES**

**Alameda County Fair 2019**

(June 12 – July 9, 2018)

**STAKES SCHEDULE**

**PLEASANTON OAKS**

Postponed

**OAKTREE HANDICAP**

Postponed

Postponed

**JUAN GONZALEZ MEMORIAL**

Postponed

**EVERETT NEVIN FUTURITY (CAL-BREDS)**

\$100,000 Guaranteed (\$40,000 CTBA)

*Golden State Series*

Two-Year-Old Fillies – five & ½ Furlongs

Saturday, Jul 6

**OAK TREE SPRINT**

\$50,000 Added Overnight Stakes

*(Plus up to \$15,000 to Cal-Breds)*

Three Year Olds & Upward – Six Furlongs

Thursday, July 4

**OTP 2018**

(June 23 – July 12, 2018)

**STAKES SCHEDULE**

**PLEASANTON OAKS**

Postponed

**OAKTREE HANDICAP**

Postponed

**OAK TREE DISTAFF**

Postponed

**JUAN GONZALEZ MEMORIAL**

\$50,000 Added Overnight Stakes

*(Plus, up to \$15,000 to Cal-Breds)*

Two-Year-Old Fillies – Five & ½ Furlongs

Saturday, June 30

**EVERETT NEVIN FUTURITY (CAL-BREDS)**

\$100,000 Guaranteed (\$40,000 CTBA)

*Golden State Series*

Two-Year-Old Fillies – five & ½ Furlongs

Saturday, July 7

**OAK TREE SPRINT**

\$50,000 Added Overnight Stakes

*(Plus up to \$15,000 to Cal-Breds)*

Three Year Olds & Upward – Six Furlongs

Wednesday, July 4

**OTP 2017**

(June 21 – July 17, 2017)

**STAKES SCHEDULE**

**PLEASANTON OAKS**

Postponed

**OAKTREE HANDICAP**

Postponed

**OAK TREE DISTAFF**

Postponed

**JUAN GONZALEZ MEMORIAL**

\$50,000 Added Overnight Stakes

*(Plus up to \$15,000 to Cal-Breds)*

Two Year Old Fillies – Five & ½ Furlongs

Saturday, July 1

**EVERETT NEVIN FUTURITY (CAL-BREDS)**

\$100,000 Guaranteed (\$40,000 CTBA)

*Golden State Series*

Two-Year-Old Fillies – five & ½ Furlongs

Saturday, Jul 8

**OAK TREE SPRINT**

\$50,000 Added Overnight Stakes

*(Plus up to \$15,000 to Cal-Breds)*

Three Year Olds & Upward – Six Furlongs

Tuesday, July 4

Race # 10		6:15 p.m.
Race # 11		6:45 p.m.
Race # 12		7:15 p.m.

\* As much as possible, we intend to align our post times to complement the Santa Anita Meet and Los Alamitos.

NOTICE TO APPLICANT: Every licensee conducting a horse racing meeting shall each racing day provide for the running of at least one race limited to California-bred horses, to be known as the "California-bred race" pursuant to CHRB Rule 1813.

**4. FAIR ASSOCIATION**

A. Names of the fair directors: Jack Balch, Paul Banke, Dawna Dowdell-Dos Santos, Gordon Galvan, Bill Harrison, Ed Hernandez, Frank Imhof, Rose Johnson, Michael Mahoney, Chuck Moore, George Pacheco, Don Sherratt, Robert Silva, Craig Smith, John Smith, Tim Weaver, Eric Wente, Robin Wilma

B. Names of the directors serving on the Racing Committee or otherwise responsible for the conduct of the racing program: Chair, Frank Imhof, Vice Chair, Chuck Moore, Directors, Jack Balch, Paul Banke, Gordon Galvan, Don Sherratt, Craig Smith and John Smith

C. Name and title of the fair manager or executive officer and the names and titles of all department managers, fair staff and CARF other than those listed in 12B, who will be listed in the official program:

Alameda County Fair: **Jerome Hoban, C.E.O., Jeanne Wasserman, Director of Racing, Richard Sims, Maintenance Operations Manager, Steve Wood, Track Superintendent, Chris Griffin, Track Announcer and Kevin Ingram, Stable Superintendent.**

D. Name and title of the person(s) authorized to receive notices on behalf of the fair association and the mailing and email address of such person(s).

**Jerome Hoban, C.E.O.**  
**4501 Pleasanton Avenue**  
**Pleasanton, CA 94566**  
[jhoban@alamedacountyfair.com](mailto:jhoban@alamedacountyfair.com)

**Jeanne Wasserman, Director of Racing**  
**4501 Pleasanton Avenue**  
**Pleasanton, CA 94566**  
[jeanne@alamedacountyfair.com](mailto:jeanne@alamedacountyfair.com)

**5. TAKE OUT PERCENTAGE**

1. Will the percentage deducted for any type of wager be adjusted pursuant to Business and Professions Code section 19601.01? If no, proceed to subsection 6. If yes, identify the wager and the proposed takeout percentage.

Yes  No

Wager(s) to be adjusted: \_\_\_\_\_ Proposed percentage: \_\_\_\_\_%

A. Attach copy of written notice requesting the proposed takeout adjustment, the proposed percentage and the wager(s) affected. The notice must include the written agreement of the fair association and the horsemen's organization for the meeting of the fair association accepting the wager.

**NOTICE TO APPLICANT:** Pursuant to Business and Professions Code section 19601.01 notwithstanding any other provision of law, a thoroughbred association or fair, upon the filing of a written notice with, and approval by, the board specifying the percentage to be deducted, may deduct from the total amount handled in the pari-mutuel pool for any type of wager an amount of not less than 10 percent nor more than 25 percent. The written notice shall include the written agreement of the thoroughbred association or fair and the horsemen's organization for the meeting of the thoroughbred association or fair accepting the wager. The established percentage to be deducted shall remain in effect until the filing of a subsequent notice with, and approval by, the board, unless otherwise specified in the notice.

**6. HANDLE HISTORY**

1. Complete the table below providing the last five years of handle and attendance for the fair association. If your association has been operating for fewer than five years, provide information for the period of time it has been in operation.

Year	Handle	Attendance	Number of Racing Days
2018	\$33,979,631	81994	15 days
2017	\$29,086,735	71,641	11 Days
2016	\$29,513,427	71,822	12 Days
2015	\$31,461,781	75,049	12 Days
2014	\$30,932,233	83,682	12 Days

**7. PURSE PROGRAM (Excluding supplements, nominations, sponsorships, and starter fees):**

A. Purse distribution:

1. All races other than stakes:  
 Current meet estimate: \$1,563,815  
 Prior meet actual: \$1,563,815

Average Daily Purse (7A1 ÷ number of days):  
 Current meet estimate: \$104,254  
 Prior meet actual: \$104,254

2. Overnight stakes:  
 Current meet estimate: \$100,000  
 Prior meet actual: \$100,000

Average Daily Purse (7A2 ÷ number of days):  
 Current meet estimate: \$6,667  
 Prior meet actual: \$6,667

3. Non-overnight stakes:  
 Current meet estimate: \$50,000  
 Prior meet actual: \$100,000

Average Daily Purse (7A3 ÷ number of days):  
 Current meet estimate: \$3,333  
 Prior meet actual: \$6,666

4. Total Purses: (7A1+7A2+ 7A3)  
 Current meet estimate: \$1,713,815  
 Prior meet actual \$1,763,815

B. Funds to be generated for all California-bred incentive awards (including breeder awards and owners premiums):  
 Current meet estimate: \$158,900  
 Prior meet actual: \$158,900

C. Payment to each recognized horsemen's organization contracting with the fair:

Current meet estimate:		Prior meet actual:
CTT	\$ 4,517	\$ 4,517
TOC	\$ 9,835	\$ 9,835
NTRA	\$ 1,670	\$ 1,670
PCQHRA	\$ 943	\$ 943
CWAR	\$ -0-	\$ -0-
ARAC	\$ 1,189	\$ 1,189
AMRA	\$ 3,649	\$ 3,649
CHBPAPEN	\$ 13,552	\$ 13,552
CTHF	\$ 13,552	\$ 13,552
Total	\$ 48,907	Total \$48,907

D. Amount from all sources to be distributed at the meeting in the form of purses or other benefits to horsemen (7A+7B+7C):  
 Current meet estimate: \$1,921,622  
 Prior meet actual: \$1,971,622

Average Daily Purse (7D ÷ number of days):  
 Current meet estimate: \$128,108  
 Prior meet actual: \$131,441

E. Purse funds to be generated from on-track handle and intrastate off-track handle (excluding carry-overs from prior race meet(s) :  
 Current meet estimate: \$1,538,005  
 Prior meet actual: \$1,538,005

Average Daily Purse (7E ÷ number of days):  
 Current meet estimate: \$102,534  
 Prior meet actual: 102,534

F. Purse funds to be generated from interstate handle:  
 Current meet estimate: \$194,886  
 Prior meet actual: \$194,886

Average Daily Purse (7F ÷ number of days):  
 Current meet estimate: \$12,992  
 Prior meet actual: \$12,992

G. Bank and account number for the Paymaster of Purses' purse account: **On file**

- H. Name, address, email and telephone number of the pari-mutuel audit firm engaged for the meeting:  
Disher Accountancy Corporation, 1816 Maryal Drive, Sacramento, CA. 95864, (916) 482-4224

NOTICE TO APPLICANT: All funds generated and retained from on-track pari-mutuel handle which are obligated by law for distribution in the form of purses, breeders' awards or other benefits to horsemen, **shall not** be deemed as income to the fair and **shall**, within 3 calendar days following receipt, be deposited in a segregated and separate liability account in a depository approved by the CHRB and shall be at the disposition of the Paymaster of Purses, who shall pay or distribute such funds to the persons entitled thereto. All funds generated from off-track simulcast wagering, interstate wagering, and out-of-state wagering which are obligated by law for distribution in the form of purses and breeders' awards, shall also be deposited within 3 calendar days following receipt into such liability account. In the event the fair is obligated to the payment of purses prior to those obligated amounts being retained from pari-mutuel wagering for such purpose, or as a result of overpayment of earned purses at the conclusion of the meeting, the fair shall transfer from its own funds such amounts as are necessary for the Paymaster of Purses to distribute to the horse owners statutorily or contractually entitled thereto. The fair is entitled thereafter to recover such transferred funds from the Paymaster of Purses' account; and if insufficient funds remain in the account at the conclusion of the meeting, the fair is entitled to carry forward the deficit to its next succeeding meeting as provided by Business and Professions Code section 19615(c) or (d). In the event of **underpayment** of purses which results in a balance remaining in the Paymaster of Purses' account at the conclusion of the meeting after distribution of amounts due to horsemen and breeders and horsemen's organizations, the fair may carry forward the surplus amount to its next succeeding meeting; provided, however, that the amount so retained does not exceed an amount equivalent to the average daily distribution of purses and breeders' awards during the meeting. All amounts in excess shall be distributed retroactively and proportionally in the form of purses and breeders' awards to the horse owners and breeders having earned purses or awards during the conduct of the meeting.

## 8. STABLE ACCOMMODATIONS

- A. Number of usable stalls available for racehorses at the track where the meeting is held:  
**684 stalls**
- B. Minimum number of stalls believed necessary for the meeting:  
**1300**
- C. Total number of usable stalls to be made available off-site at approved auxiliary stabling areas or approved training centers: **1500**
- D. Name and location of each off-site auxiliary stabling area and the number of stalls to be maintained at each site: **Golden Gate Fields - 1500**
- E. Attach each contract or agreement between the fair and the person(s) furnishing off-site stabling accommodations for eligible racehorses that cannot be provided stabling on-site.  
**Attached.**

Complete subsections F through H if the fair will request reimbursement for off-site stabling as provided by Business and Professions Code sections 19607, 19607.1, 19607.2, and 19607.3; otherwise, proceed to section 9.

- F. Total number of usable stalls made available on-site for the **1986** meeting, pursuant to Business and Professions Code section 19535(c).  
**884**
- G. Estimated cost to provide off-site stalls for this meeting. Show cost per-day per stall:  
**\$9.45**
- H. Estimated cost to provide vanning from off-site stalls for this meeting. Show fees to be paid for Vanning per-horse: **Alameda County Fair will not be Vanning horses.**

## 9. EQUINE EMERGENCY SERVICES

- A. Name and emergency telephone number of the racing veterinarian onsite during training hours, workouts and during racing for the association and auxiliary sites:
- Dr. Forrest Franklin 916-585-2050
  - Dr. Sara Sporer 510-220-4860

1. Attach a schedule listing the dates and times that the racing veterinarian will be available onsite during training hours, workouts and during racing for the association and auxiliary sites.

**Pleasanton – June 4 – July 7; 6:00 am till 11:00 am.**

**Golden Gate Fields - June 4 – July 7; 6:00 am till 11:00 am.**

### 10. PARI-MUTUEL WAGERING PROGRAM

- A. Is the fair applicant a member of the California Authority of Racing Fairs (CARF)? If yes, attach a copy of the CARF recommended wagering format. Yes  No   
(On File with CHRB)
- B. Pursuant to Business and Professions Code section 19599, and with the approval of the CHRB, fairs may elect to offer wagering programs using CHRB Pari-mutuel Rules, the Association of Racing Commissioners International (RCI) Uniform Rules of Racing, Chapter 9, Pari-mutuel Wagering, or a combination of both. Please complete the following schedule for the types of wagering other than WPS and the minimum wager amount for each. If applicant is a member of CARF, also indicate if wager is a part of the CARF recommended wagering format:

Use DD for daily double, E for exacta (special quinella), PK3 for pick three, PK4 for select four, PNP for pick (n) pool, PPN for place pick (n), Q for quinella, SF for superfecta, TRI for trifecta, and US for unlimited sweepstakes (pick 9).

Type	Rule Number
Exacta (1E)	1959
Trifecta (1TRI)	1979
Daily Double (2DD)	1957
Superfecta (.10SF)	1979.1
Pentafecta (.20 PF)	ARCI 004-105
PK 3 (1PK3)	1977
PK 4 (.50PNP4)	1976.9
PK 5 (.50PNP5)	1976.9

	TYPE OF WAGERS	APPLICABLE RULES	CARF WAGERING FORMAT
Example Race	\$1 E; \$1 Double	CHRB #1959; RCI #VE	<input checked="" type="checkbox"/>
Race #1	\$1E, \$1PK3, \$1TRI, \$2DD, \$.10SF \$.50PNP4	CHRB #1959, CHRB #1977, CHRB #1979, CHRB #1957, CHRB #1979.1 CHRB #1976.9	
Race #2	\$1E, \$1PK3, \$1TRI, \$2DD, \$.10SF	CHRB #1959, CHRB #1977, CHRB #1979, CHRB #1957, CHRB #1979.1	
Race #3	\$1E, \$1PK3, \$1TRI, \$2DD, \$.10SF \$.20PNP6	CHRB #1959, CHRB #1977, CHRB #1979, CHRB #1957, CHRB #1979.1 ARCI 004-105 G. (g) Method 7	
Race #4	\$1E, \$1PK3, \$1TRI, \$2DD, \$.10SF, \$.50PNP5, \$.20PNP6	CHRB #1959, CHRB #1977, CHRB #1979, CHRB #1957, CHRB #1979.1, CHRB # 1976.9 ARCI 004-105 G. (g) Method 7	
Race #5	\$1E, \$1PK3, \$1TRI, \$2DD, \$.10SF, \$.50PNP4, \$.50PNP5, \$.20PNP6	CHRB #1959, CHRB #1977, CHRB #1979, CHRB #1957, CHRB #1979.1, CHRB #1976.9 CHRB #1976.9, ARCI 004-105 G. (g) Method 7	



March 14, 2019

California Horse Racing Board  
Attn: Jackie Wagner  
Assistant Executive Director

To Whom It May Concern:

The following information is provided for you in response to the 2018 Race Meet Application Review of the Oak Tree at Pleasanton Race Meet:

The following is the CARF wagering format:

	<b>TYPE OF WAGERS</b>	<b>APPLICABLE RULES</b>
Example Race	\$1 E; \$1 Double	CHRB #1959; RCI #VE
Race #1	\$1E, \$1PK3, \$1TRI, \$2DD, \$.10SF \$.50PNP4	CHRB #1959, CHRB #1977, CHRB #1979, CHRB #1957, CHRB #1979.1 CHRB #1976.9
Race #2	\$1E, \$1PK3, \$1TRI, \$2DD, \$.10SF	CHRB #1959, CHRB #1977, CHRB #1979, CHRB #1957, CHRB #1979.1
Race #3	\$1E, \$1PK3, \$1TRI, \$2DD, \$.10SF \$.20PNP6	CHRB #1959, CHRB #1977, CHRB #1979, CHRB #1957, CHRB #1979.1 ARCI 004-105 G. (g) Method 7
Race #4	\$1E, \$1PK3, \$1TRI, \$2DD, \$.10SF, \$.50PNP5 \$.20PNP6	CHRB #1959, CHRB #1977, CHRB #1979, CHRB #1957, CHRB #1979.1, CHRB 1976.9 ARCI 004-105 G. (g) Method 7
Race #5	\$1E, \$1PK3, \$1TRI, \$2DD, \$.10SF, \$.50PNP4, \$.50PNP5, \$.20PNP6	CHRB #1959, CHRB #1977, CHRB #1979, CHRB #1957, CHRB #1979.1, CHRB #1976.9 CHRB 1976.9, ARCI 004-105 G. (g) Method 7
Race #6	\$1E, \$1PK3, \$1TRI, \$2DD, \$.10SF, \$.50PNP4, \$.50PNP5, \$.20PNP6	CHRB #1959, CHRB #1977, CHRB #1979, CHRB #1957, CHRB #1979.1, CHRB #1976.9 CHRB 1976.9, ARCI 004-105 G. (g) Method 7
Race #7	\$1E, \$1PK3, \$1TRI, \$2DD, \$.10SF, \$.50PNP4, \$.50PNP5, \$.20PNP6	CHRB #1959, CHRB #1977, CHRB #1979, CHRB #1957, CHRB #1979.1, CHRB 1976.9 CHRB 1976.9, ARCI 004-105 G. (g) Method 7
Race #8	\$1E, \$1PK3, \$1TRI, \$2DD, \$.10SF, \$.50PNP4, \$.50PNP5, \$.20 SUPER HIGH 5	CHRB #1959, CHRB #1977, CHRB #1979, CHRB #1957, CHRB #1979.1, CHRB #1976.9 CHRB #1976.9, ARCI 004-105 X-Pentafecta (5) Option 4
Race #9	\$1E, \$1PK3, \$1TRI, \$2DD, \$.10SF, \$.50PNP4, \$.20 SUPER HIGH 5	CHRB #1959, CHRB #1977, CHRB #1979, CHRB #1957, CHRB #1979.1 CHRB #1976.9, ARCI 004-105 X-Pentafecta (5) Option 4



Race #10	\$1E, \$1PK3, \$1TRI, \$2DD, \$.10SF, \$.20 SUPER HIGH 5	CHRB #1959, CHRB #1977, CHRB #1979, CHRB #1957, CHRB #1979.1 ARCI 004-105 X-Pentafecta (5) Option 4
Race #11	\$1E, \$1TRI, \$2DD, \$.10SF, \$.20 SUPER HIGH 5	CHRB #1959, CHRB #1979, CHRB #1957, CHRB #1979.1 ARCI 004-105 X-Pentafecta (5) Option 4
Race #12	\$1E, \$1TRI, \$.10SF, \$.20 SUPER HIGH 5	CHRB #1959, CHRB #1979, CHRB #1979.1 ARCI 004-105 X-Pentafecta (5) Option 4

This format will be use at the following fairs: Alameda County Fair, The California State Fair, Humboldt County Fair and the Big Fresno Fair. The Alameda County Fair will have a \$30,000 Guaranteed pool on Saturdays only. No guarantees will be used at any other CARF fair. The 2005 NCOTWINC Agreement maintained on file at CRRB is still valid. The NCOTWINC audio visual agreement on file dated January 2005 is still valid.

Respectfully Yours,

Larry A. Swartzlander  
Executive Director

**\$.20 PNP6 on the last six races each day. 100% major pool paid and any prior carryovers for unique serial number wager selecting all six winners. If no unique ticket selects six winners then the 40% minor pool that day is paid to the tickets selecting the most winners and the 60% major pool will be added to the carryover.**

**\$.50 PNP5 on the last five races each day, with 100% major pool paid for 5 of 5. If no 5 of 5, 75% carryover and 25% minor pool to most winners.**

**\$.20 Pentafecta (Super High 5) selecting the first five finishers in the same race. 100% pool paid and any prior carryovers paid for a unique serial number wager selecting the first five finishers in exact order. If no unique serial number wager selects the first five finishers then 40% minor pool paid to tickets selecting the first five finishers in exact order and 60% of major pool will be added to the carryover. If no wager selects the first five finishers in exact order, then 100% of the pool will be added to the carryover. Super High-5 will be carded on the last race of the day.**

**The aforementioned Pari-Mutuel Carryover Pools can be carried over from CARF Meet to CARF Meet and run as 1 (one) continuous meet. There will be a Mandatory Payout Date of Sunday, October 13, 2019, which is the Closing Day of The Big Fresno Fair.**

Race #6	\$1E, \$1PK3, \$1TRI, \$2DD, \$.10SF, \$.50PNP4 \$.50PNP5, \$.20PNP6	CHRB #1959, CHRB #1977, CHRB #1979, CHRB #1957, CHRB #1979.1, CHRB #1976.9 CHRB #1976.9, ARCI 004-105 G. (g) Method 7
Race #7	\$1E, \$1PK3, \$1TRI, \$2DD, \$.10SF, \$.50 PNP4 \$.50PNP5, \$.20PNP6	CHRB #1959, CHRB #1977, CHRB #1979, CHRB #1957, CHRB #1979.1, CHRB #1976.9 CHRB 1976.9, ARCI 004-105 G. (g) Method 7
Race #8	\$1E, \$1PK3, \$1TRI, \$2DD, \$.10SF, \$.50PNP4, \$.50PNP5, \$.20 SUPER HIGH 5	CHRB #1959, CHRB #1977, CHRB #1979, CHRB #1957, CHRB #1979.1, CHRB #1976.9 CHRB 1976.9, ARCI 004-105 X-Pentafecta (5) Option 4
Race #9	\$1E, \$1PK3, \$1TRI \$2DD, \$.10SF, \$.50PNP4 \$.20 SUPER HIGH 5	CHRB #1959, CHRB #1977, CHRB #1979, CHRB #1957, CHRB #1979.1, CHRB #1976.9 ARCI 004-105 X-Pentafecta (5) Option 4
Race #10	\$1E, \$1PK3, \$1TRI, \$2DD, \$.10SF, \$.20 SUPER HIGH 5	CHRB #1959, CHRB #1977, CHRB #1979, CHRB #1957, CHRB #1979.1 ARCI 004-105 X-Pentafecta (5) Option 4
Race #11	\$1E, \$1TRI, \$2DD \$.10SF, \$.20 SUPER HIGH 5	CHRB #1959, CHRB #1979, CHRB #1957, CHRB #1979.1 ARCI 004-105 X-Pentafecta (5) Option 4
Race #12	\$1E, \$1TRI, \$.10SF \$.20 SUPER HIGH 5	CHRB #1959, CHRB #1979, CHRB #1979.1 ARCI 004-105 X-Pentafecta (5) Option 4

C. Identify any wagers noted in 10A (the current pari-mutuel wagering program) that were not in the prior year's pari-mutuel program, or that are not being carried forward from the previous year's pari-mutuel wagering program: None.

D. Maximum carryover pool to be allowed to accumulate before its distribution OR the date(s) designated for distribution of the carryover pool: 10/13/2019.

E. List any options requested with regard to exotic wagering:

- \$1 PPN when applicable; \$1 TRI and \$0.10 SF when applicable
- \$0.50 PNP4 on the first four races and the last four thoroughbred races each day
- \$0.50 PNP5 on the last five thoroughbred races each day, with 100% major pool paid for 5 of 5. If no 5 of 5, 75% carryover and 25% minor pool to most winners.
- \$.20 PNP6 on the last six thoroughbred races each day. 100% pool paid and any prior carryovers for unique ticket selecting six winners. If no unique ticket selects six winners then the 40% minor pool that day is paid to the tickets selecting the most winners and the 60% major pool will be added to the carryover.
- \$.20 Pentafecta (Super High 5) selecting the first five finishers in the same race. 100% pool paid and any prior carryovers paid for a unique ticket selecting the first five finishers. If no unique ticket selects the first five finishers then 40% minor pool paid to tickets selecting the first five finishers and 60% of major pool will be added to the carryover. If no ticket selects the first five finishers 100% of the pool will be added to the carryover. Super High-5 will be carded on the last race of the day. The sixth race of each card will offer a player's exacta wager with a 14% takeout.

F. Will "advance" or "early bird" wagering be offered?  Yes  No

If yes, when will such wagering begin? Specify days and time for "early bird" wagering:

G. Type(s) of pari-mutuel or totalizator equipment to be used by the fair and the simulcast organization, the name of the person(s) supplying equipment, and expiration date of the service contract:

**Amtote (Dave Calendine) Expiration: October 30, 2020.**

**Equipment description on file with Board.**

H. List below the takeout percentage for each type of wager identified in 10B:

**TAKEOUT PERCENTAGE**

Win, Place, Show – 16.77%; Exacta & Daily Double – 24.02%. Exacta in the 6<sup>th</sup> race 14%.  
Pick 3, 4, 5, 6 & all Trifectas, Superfectas & Super High Five – 25.02%

- Race #1
- Race #2
- Race #3
- Race #4
- Race #5
- Race #6
- Race #7
- Race #8
- Race #9
- Race #10
- Race #11
- Race #12
- Race #13

**11. ADVANCE DEPOIST WAGERING (ADW)**

- A. Identify the ADW provider(s) to be used by the fair for this race meeting:  
**Watch & Wager; Twin Spires; Express Bet, T.V.G. (Television Games Network) and Bet America.**
- B. Attach a copy of the agreement/contracts with each ADW provider to be used for this race meeting. **On File with CHRB.**
- C. Have the contract/agreements been approved by the respective horsemen’s groups?

Yes  No

If yes, attach a copy of the approval. –On file with CHRB.  
If no, explain the status of the approval.

**NOTICE TO APPLICANT:** Pursuant to Business and Professions Code section 19604, ADW providers may accept wagers on races conducted in California from a resident of California if: 1) the ADW provider is licensed by the Board; 2) a written agreement allowing those wagers exists with the racing association or fair conducting the races on which the wagers are made; 3) the agreement shall have been approved in writing by the horsemen’s organization responsible for negotiating purse agreements for the breed on which the wagers are made. ADW providers may accept wagers on races conducted outside of California from a resident of California if: 1) the ADW provider is licensed by the Board; 2) there is a hub agreement between the ADW provider and one or both of (i) one or more racing associations or fairs that together conduct no fewer than five weeks of live racing on the breed on which wagering is conducted during the calendar year during which the wagers are placed and (ii) the horsemen’s organization responsible for negotiating purse agreements for the breed on which wagering is conducted.

**12. SIMULCAST WAGERING PROGRAM**

- A. Simulcast organization engaged by the fair to conduct simulcast wagering:  
**Northern California Off-Track Wagering, Inc. (NOCTWINC)**



April 4, 2019

Executive Director  
CARF  
1776 Tribute Road, Suite 150  
Sacramento, Ca 95815

RE: 2019 California Authority of Racing Fairs ADW Approvals

Dear Larry,

This is to confirm that the Arabian Racing Association of California (ARAC) authorizes and agrees that during the California Authority of Racing Fairs (CARF) 2019 racing season, commencing June 12, 2019 and continuing through October 15, 2019, California-licensed ADW providers Bet America, TVG, Xpressbet, TwinSpires and NYRA may accept wagers from California residents on races conducted at CARF and races conducted at tracks located outside of California.

It is ARAC's understanding that the compensation rates and fees for this wagering activity are those specified in the TOC Letter Agreement dated April 4, 2019.

Please feel free to contact me if you have any questions.

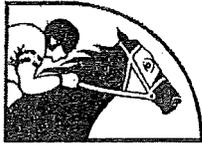
Sincerely,

Cory Soltau

Chairperson

[Type text]

[Type text]



## Pacific Coast Quarter Horse Racing Association

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April 4, 2019

Executive Director  
CARF  
1776 Tribute Road, Suite 150  
Sacramento, Ca 95815

RE: 2019 California Authority of Racing Fairs ADW Approvals

Dear Larry,

This is to confirm that the Pacific Coast Quarter Horse Racing Association (PCQHRA) authorizes and agrees that during the California Authority of Racing Fairs (CARF) 2019 racing season, commencing June 12, 2019 and continuing through October 15, 2019, California-licensed ADW providers Bet America, TVG, Xpressbet, TwinSpires and NYRA may accept wagers from California residents on races conducted at CARF and races conducted at tracks located outside of California.

It is PCQHRA's understanding that the compensation rates and fees for this wagering activity are those specified in the TOC Letter Agreement date April 4, 2019.

Please feel free to contact me if you have any questions.

Sincerely,

Dino Perez

General Manager

[Type text]

[Type text]

April 4, 2019

Executive Director  
CARF  
1776 Tribute Road, Suite 150  
Sacramento, Ca 95815

RE: 2019 California Authority of Racing Fairs ADW Approvals

Dear Larry,

This is to confirm that the American Mule Racing Association (AMRA) authorizes and agrees that during the California Authority of Racing Fairs (CARF) 2019 racing season, commencing June 12, 2019 and continuing through October 15, 2019, California-licensed ADW providers Bet America, TVG, Xpressbet, TwinSpires and NYRA may accept wagers from California residents on races conducted at CARF and races conducted at tracks located outside of California.

It is AMRA's understanding that the compensation rates and fees for this wagering activity are those specified in the TOC Letter Agreement date April 4, 2019.

Please feel free to contact me if you have any questions.

Sincerely,

*Don Jacklin* 4/6/19

Don Jacklin

President AMRA

[Type text]

[Type text]

B. Attach the agreement between the fair and simulcast organization permitting the organization to use the fair's live audiovisual signal for wagering purposes and providing access to its totalizator for the purpose of combining on-track and off-track pari-mutuel pools.

**On File**

C. California simulcast facilities the fair proposes to offer its live audiovisual signal:

NORTHERN CALIFORNIA

Alameda County Fair, Pleasanton  
 Bankers Casino, Salinas  
 Big Fresno Fair, Fresno  
 California State Fair & Exposition, Sacramento  
 Club One, Fresno  
 Firehouse Restaurant, Bakersfield  
 Golden Gate Fields, Albany

\*Humboldt County Fair, Ferndale

Jockey Club at San Mateo, San Mateo

Monterey County Fair, Monterey  
 San Joaquin County Fair, Stockton  
 Santa Clara County Fair, San Jose  
 Shasta District Fair, Anderson  
 Solano County Fair, Vallejo  
 Sonoma County Fair, Santa Rosa

Stanislaus County Fair, Turlock

SOUTHERN CALIFORNIA

Barona Valley Ranch Resort & Casino, Lakeside

Cabazon Fantasy Springs Casino, Indio

Commerce Casino Racebook, Commerce  
 Derby Club, Seaside Park, Ventura

Fairplex Park, Pomona

Fantasy Springs Casino, Indio

Los Alamitos Race Course, Los Alamitos

Mermaid Tavern, Thousand Oaks

OC Tavern & Sports Bar, San Clemente

Roadhouse Grill, Santa Maria

Sammy's Restaurant & Bar, Lake Forrest

Santa Anita Park, Arcadia

Santa Clarita Lanes, Santa Clarita

Shalimar Sports Center, Indio

Sports Center, San Bernardino

Sports Pavillion at The Farmers Fair, Lake Perris

Sports Pavillion, San Bernardino Cty. Fair, Victorville

Surfside Race Place at Del Mar, Del Mar

Sycuan Gaming Center, El Cajon

Tilted Kilt, Thousand Oaks

Viejas Casino & Turf Club, Alpine

Watch & Wager, Antelope Valley Fgds, Lancaster

\*Open only during Humboldt/Ferndale Fair Racing

D. Out-of-state wagering systems the fair proposes to offer its live audiovisual signal:

Out-of-State & International Imports – Full and/ or Partial Card (Subject to Change)

<u>2019 IMPORT TRACKS</u>	
ARLINGTON	6/12-7/9
BELMONT	6/12-7/9
ASSINIBOIA	6/12-7/9
AUSTRALIAN RACING	6/12-7/9
BEULAH	6/12-7/9
CALDER RACECOURSE	6/12-7/9
CANTERBURY DOWNS	6/12-7/9
CHARLES TOWN	6/12-7/9
CHURCHILL DOWNS	6/12-7/9
DELAWARE	6/12-7/9
DOWNS AT ALBUQUERQUE	6/12-7/9
ELLIS PARK	6/12-7/9
EMERALD DOWNS	6/12-7/9
EVANGELINE DOWNS	6/12-7/9
FORT ERIE	6/12-7/9
GULFSTREAM	6/12-7/9
HASTINGS PARK	6/12-7/9
HAWTHORNE	6/12-7/9
INDIANA DOWNS	6/12-7/9
KEENLAND	6/12-7/9

KENTUCKY DOWNS	6/12-7/9
LAUREL	6/12-7/9
LONE STAR	6/12-7/9
LOUISIAN DOWNS	6/12-7/9
MONMOTH	6/12-7/9
MOUNTAINEER PARK	6/12-7/9
NYRA-AQUEDUCT	6/12-7/9
NYRA-BELMONT	6/12-7/9
NYRA-SARATOGA	6/12-7/9
PENN NATIONAL	6/12-7/9
PHILADELPHIA PARK (PARX)	6/12-7/9
PIMLICO	6/12-7/9
PRAIRIE MEADOWS	6/12-7/9
PRESQUE ISLE	6/12-7/9
RIVER DOWNS	6/12-7/9
SOUTH AMERICAN RACING	6/12-7/9
SUFFOLK DOWNS	6/12-7/9
SUNLAND PARK	6/12-7/9
SUNRAY PARK	6/12-7/9
TAMPA BAY	6/12-7/9
THJSTLEDOWN	6/12-7/9
TURFWAY PARK	6/12-7/9
TURF PARADISE	6/12-7/9
UNITED KINGDOM	6/12-7/9
WOODBINE	6/12-7/9

E. Out-of-state wagering systems that will combine their pari-mutuel pools with those of the fair:

**2019 CARF Meets  
Commingled  
Locations**

AmWest Entertainment	Dover Downs	Maronas (South America)	Saratoga Harness Raceway
Amwest Accounts	Dubuque Greyhound	Maryland Jockey Club	Saratoga Bets (ADW)
Greenbrier (WV)	Elite Turf Club (1 to 12)	Maywood	Scarborough
Riders Up (SD)	Ellis Park	Meadowlands	Scioto Downs
Time Out Lounge (SD)	Emerald Downs	Meadows The Meadows The (ADW) - PA regional	Seabrook Greyhound
Triple Crown (SD)	Evangeline Downs	Millers OTB	Social Gaming
Arapahoe-Mile High	Evangeline Downs AWA	Mobile Greyhound	Sol Mutuel
Arma Race Club	Fair Grounds	Monmouth Park	Southland Greyhound
Arlington I	Fair Grounds ADW	Montana OTB	Sports Creek Raceway
Atlantic City Racecourse	Fair Meadows	Monticello	State Fair (Lincoln, NE)
Balmoral	Favorités at Gloucester	Mountaineer Park	Suffolk District OTB
Balmoral ADW (BETZOTIC)	Finger Lakes	Mt. Pleasant Meadows	Suffolk Downs
Bangor Raceway	Fonner	Nassau Regional OTB	Sunland Park
Batavia	Freehold	New Jersey Casino Assoc.	SunRay Park & Casino
Bettor Racing	Gillespie County Fair	Nevada Pari-Mutuel Assoc.	Tampa Bay Downs
Beulah Park	Global Wagering Solutions	Newport Jai Alai	Taunton Acct Wagering
Birmingham	Bwin International Ltd.	NJ Bets (ADW)	Taunton Dog Track Inc.
Bluffs Run Greyhound	Intl Betting Assoc. Ltd	Northfield	The Downs at Albuquerque
Buffalo Raceway	Magna Bet	Cedar Downs OTB	Thistledown
Canterbury	Race bets	Northville	Tioga Downs
Capital District OTB	Greenetrack	NYRA	Tri-State GH (Mardi Gras)
Catskills OTB	Greyhound @ Post Falls		Turf Paradise

Charles Town Race Course	Gulf Greyhound	NYRA Account Wagering	Turf Paradise Bets (ADW)
Chester Downs & Marina LLC	Gulfstream	Oaklawn	Turfway Park
Churchill Downs	Harrington Raceway	Ocean Downs	TVG Chester
Club Hipica InTurf	Harrington Bets (DE regional)	Panama	TVG Network
Coeur d' Alene Casino	Hawthorne Race Course	PARX	TVG Prairie
Colonial Downs	Hawthorne ADW	PARX Phone Bet	Twin River Greyhound
Colonial Downs Phone Bet	Hazel Park	Penn National	TwinSpires
Columbus Raceway	Hoosier Park	Penn National Telebet	TwinSpires High Volume
Connecticut OTB	Horseman's Park	Peru	Velocity Wagering Ltd.
Bradley Teletheater, Bristol	Idabet	Plainridge Race Course	Venezuela OTB
New Britain, Norwalk, Milford	Indiana Downs	Plainridge Telephone Wagering	Vernon Downs
East Haven, Hartford, Putnam	Clarksville/Evansville OTB	Player Management Group	WatchandWager
Shoreline Star, Sports Haven	Intermountain Racing	Pocono Account Wagering	Western OTB
Torrington, Waterbury	Keeneland	Pocono Downs and OTB	Wheeling Downs
Manchester, New London	Keeneland Select ADW	Portland Meadows	Will Rogers Downs
Willimantic, Sanford OTB	Kentuck Downs	Potawatomi Casino/ OTB	Wyoming OTB
John Martin's Manor Restaurant	Kentucky OTB	Prairie Meadows	Wyoming Downs
Connecticut OTB ADW	Lebanon	Premier Turf Club	XpressBet
Coushatta Casino	Les Bois (Treasure Valley)	Presque Isle Downs	Yonkers Raceway
Paragon Casino	Lewiston OTB's	Raceway Park	Yonkers ADW
Ho-Chunk Casino and Racebook	Lien Games	Racing2Day LLC	Youbet Group 1
Mohegan Sun Casino	Chips Lounge and Casino	Racing2Day Intl. (Stan James)	Zia Park
Oneida Bingo and Casino	Howard Johnsons OTB	Remington Park	123Gaming
Pony Bar Simulcast Center	Rumors OTB	Remington OTB Network	
Tote Investment Racing	Skydancer Casino OTB	Retama	
Randall James Racetrack	Lien Games ADW Bet America and Offtrackbetting	Racing & Gaming Services	<b>Separate Pool Locations</b>
Millenium Racing		Rillito Park	Camarero (Puerto Rico)
Royal Beach Casino	Lone Star	River Downs	Caymanas (Jamaica)
Divi Carina Bay Casino	Louisiana Downs	Rockingham Park	Codere (Mexico/Spain)
Fair Chance, Winner's Circle	LVDC	Rockingham Account Wagering	MIR Books (Caliente)
Camouflage Gaming	Atlantis Paradise Casino	Ruidoso Downs	NDS Books (Nevada)
Corpus Christi Greyhound	Avatar Ventures	Running Aces Harness Park	Tabcorp (Australia)
Delaware	Buffalo Thunder Resort	Saddle Brook Park	Tattsbet (Australia)
Delta Downs	Foxwoods Resort Casino	Sam Houston	New Zealand Racing Board
Derby Jackpot	Meskwaki Bingo & Casino	Valley Greyhound Park	

#### Canadian Locations

Alberta Downs, Assiniboia, Barrie, Charlottetown, Clinton Teletheatre, Dresden, Elmira Raceway, Evergreen Park, Exhibition Park, Flamboro Downs, Fraser Downs, Fort Erie, Fredericton Raceway, Georgian Downs, Grand River, Hanover Raceway, Hastings Park, Hiawatha, Hipodrome de Quebec, Inverness Raceway, Kawartha Downs, Marquis Downs, Mohawk, New Brunswick, Northlands, Northside Downs, Picov Downs, Quinte Raceway, Rideau Carlton, Rocky Mountain Turf Club, Royal Britiana Hub, St. Johns, Sudbury Downs, Summerside, TBC Sandown, TBC Teletheaters, Truro Raceway, Western Fair, Woodbine,

F. California mini-simulcast facilities the fair proposes to offer its live audiovisual signal:

OC Tavern & Sports Bar, San Clemente; Commerce Club, City of Commerce; Fresno Club One, Firehouse Restaurant, Bakersfield, 58 Flat Sports Bar & Casino, Bonita, Ocean's 11, Oceanside, Original Road House Grill, Santa Maria, Santa Clarita Lanes, Santa Clarita, Tilted Kilt, Thousand Oaks, Striders, San Diego, Sammy's Restaurant & Bar, Mission Viejo.

G. List the host tracks from which the fair proposes to import out-of-state and/or out-of-country thoroughbred races. Include the dates imported races will be held and whether or not a full card will be accepted. If the full card will not be imported, state "selected feature and/or stakes races": N/A

**NOTICE TO APPLICANT:** Business and Professions Code section 19596.2(a) stipulates that on days when live thoroughbred or fair racing is being conducted in the state, the number of thoroughbred races which may be imported by an association or fair during the calendar period the association or fair is conducting its racing meeting cannot exceed a combined daily total of 50 imported thoroughbred races statewide. The limitation of 50 imported thoroughbred races per day statewide does not apply to those races specified in Business and Professions Code section 19596.2(a)(1), (2), (3) and (4).

#### THOROUGHBRED SIMULCAST RACES TO BE IMPORTED

Name of Host Track	Race Dates	Full Card or Selected Feature and/or Stakes Races
See 11D above.	TBD	

- H. List imported simulcast races the fair plans to receive during the racing meeting which use breeds other than the breed of the majority of horses racing at its live horse racing meeting. Include the name of the host track, the dates imported races will be held, and how many races will be imported: N/A

#### OTHER BREED SIMULCAST RACES TO BE IMPORTED

Name of Host Track	Breed of Horse	Race Dates	Number of Races to be Imported
Los Alamitos	Quarter Horses	Per CHRB Calendar Full Card	
Cal Expo	Harness Horses	Per CHRB Calendar Full Card	

- I. If any out-of-state or out-of-country races will commence outside of the time constraints set forth in Business and Professions Code sections 19596.2 and 19596.3, attach a copy showing agreement by the appropriate racing association(s).

N/A

**NOTICE TO APPLICANT:** All interstate wagering to be conducted by a fair is subject to the provisions of Title 15, United States Codes, which require specific written approval of the CHRB and of the racing commission having jurisdiction in the out-of-state venue. All international wagering to be conducted by a fair is subject to the provisions of Business and Professions Code sections 19596, 19596.1, 19596.2, 19596.3, 19601, 19602, and 19616.1, and will require specific written approval of the CHRB.

Every fair shall pay to the simulcast organization within 3 calendar days following the closing of wagering for each racing program, or upon receipt of the proceeds, such amounts that are retained from off-track simulcast wagering, interstate and out-of-state wagering and which are obligated by statute for guest commissions, simulcast operator's expenses and promotions, equine research, local government in-lieu taxes, and stabling and vanning deductions. Every fair shall pay to its Paymaster of Purses' account within 3 calendar days following the closing of wagering for each racing program, or upon receipt of the proceeds, such amounts that are retained or obligated from off-track simulcast wagering, interstate and out-of-state wagering for purses, breeders' awards or other benefits to horsemen. (See Notice to Applicant, Section 7.)

### 13. RACING OFFICIALS, OFFICIALS, AND OFFICIATING EQUIPMENT

- A. Racing officials nominated:
- Association Veterinarian(s) – Sarah Sporer, D.V.M.
  - Clerk of Scales – Kenneth Sjoldal
  - Clerk of the Course – Tina Walker
  - Assistant Clerk of Scales – Chad Schvaneveldt
  - Film Specialist – Chad Schvaneveldt
  - Horse Identifier – Darrel Sparks
  - Horseshoe Inspector – Augustine Rayas
  - Paddock Judge – Danny Winnick
  - Patrol Judges – Danny Winnick & Steve Martinelli
  - Placing Judges – Steve Martinelli & Morgann Schlessler
  - Starter – Todd Stephens
  - Timer – Melody Truitt

- B. Management officials in the racing department:  
Exec Director, CARF – **Larry A. Swartzlander**  
Racing Secretary – **Tom Doutrich**  
Assistant Racing Secretary – **Linda Anderson**  
Paymaster of Purses – **Victoria Layne (C.A.R.F.)**  
Others (identify by name and title)
  
- C. Name, address, email and telephone number of the reporter employed to record and prepare transcripts of hearings conducted by the stewards:  
**Niccoli Reporting**  
**619 Pilgrim Dr.**  
**Foster City, CA 94404**  
**Telephone: 650-573-9339**  
**pdqcsr@comcast.net**
  
- D. Photographic device to be used for photographing the finish of all races, name of the person supplying the service, and expiration date of the service contract:  
**Plusmic Corporation USA – Bill O’Brien (Expires 12/7/21)**
  
- E. Photopatrol video equipment to be used to record all races, name of the person supplying the service, and expiration date of the service contract. Specify the number and location of cameras for dirt and turf tracks.  
**Pegasus Communication, Inc. – Jim Porep) Contract (Expires 4/30/21)**  
**Equipment description on file with the Board: 5 Cameras – (3 Tower, 1 Pan, 1-Hand Held)**
  
- F. Type of electronic timing device to be used for the timing of all races, name of the person supplying the service, and expiration date of the service contract:  
**Pegasus Communication, Inc. – Jim Porep - Contract (Expires 4/30/2021)**

#### 14. SECURITY CONTROLS

- A. Name and title of the person responsible for security controls on the premises. Include an organizational chart of the security department and a list of the names of security personnel and contact telephone numbers. See Attached  
**Racetrack/Grandstand: Alameda County Sheriff Chief in Charge 925-426-7525**  
**Liaison Officer: Commander Don Buchanan 510-225-5889 and Colby Staysa 510-529-5451**
  
- B. Estimated number of security guards, gatemen, patrolmen or others to be engaged in security tasks on a regular full-time basis:  
**Racetrack/Grandstand: 8 Sheriff’s Deputies**  
**Barn Area: 3 Licensed Gatemen based on 8/hour shifts, per day, 7 days per week. 1 night rover, 7 nights per week.**
  - 1. Attach a written plan for enhanced security for graded stakes races, and races of \$100,000 or more, to include the number of security guards in the restricted areas during a 24-hour period and a plan for detention stalls.  
**One security guard shall be assigned to observe each horse entered in a \$100,000 race. The guard will assume their position 6 hours prior to the post time of the stakes race. The guard will have a communications device and a notepad. The guard must log every person who enters the stall of the race horse. Information logged will include name, time, CHRB license number and type of license.**

**Item #14 A:****Security Organizational Chart**

Security during the Live Race Meet is coordinated by a number of groups. Day-to-day training security items are handled by the Stable Manager in concert with Security Eye personnel assigned to the Guard Shacks and Barn Area. Race Track, Grandstands and Fairgrounds security items are coordinated between Fair Management, Alameda County Sheriff's Department and Security Eye patrol. Daily meetings are held and as issues escalate, Fair Management, Security Eye Management, and the Sheriff's Department become involved as necessary.

**Alameda County Agricultural Fair Association**

Jerome Hoban, CEO	925-567-6032
Richard Sims, Manager of Maintenance Operations	925-596-5744
Judy Carrico, Fair Operations Manager	925-567-6039
Randy Magee, CFO Risk Manager	925-567-6034

**Security Eye**

Dave Rezendes, President	925-455-6585
Dave Graber, Vice President	925-455-6585
Barn Area Guard Shack, various personnel	925-426-7519

**Alameda County Sheriff Department**

Fairgrounds Command Center	925-426-7525
Commander Don Buchanan	510-225-5889
Colby Staysa	510-529-5451

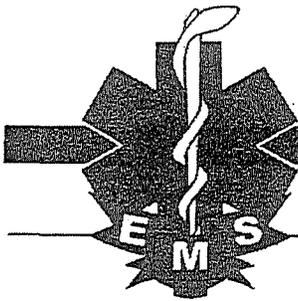
***Note: Confidential cell phone numbers are made available to CHRB staff. Additional security related personnel are available by direct radio contact.***

2. Detention Stalls:
  - A. Attach a plan for use of graded stakes or overnight races.  
**N/A. Addressed in B1 above.**
  - B. Number of security guards in the detention stall area during a 24-hour period.  
**One**
  - C. Describe number and location of surveillance cameras in detention stall area.  
**Surveillance cameras at each end of the detention shed row and two in between.**
3. TCO2 Testing:
  - A. Number of races to be tested, and number of horses entered in each race to be tested.  
**All horses in thoroughbred races where the number is determined by a random algorithm generator.**
  - B. Plan for enhanced surveillance for trainers with high-test results.  
**Trainer with high test results will be moved to the detention area.**
  - C. Plan for detention stalls for repeat offenders.  
**Ten (10) stalls adjacent to Test Barn, which are under 24-hour video surveillance**
  - D. Number of security personnel assigned to the TCO2 program.  
**One (1) 24-hour security guard when detention stalls are occupied.**
- C. Describe the electronic security system.  
**C.A.R.F. surveillance equipment and program that travels between racing Fairs.**
  1. Location and number of video surveillance cameras for the detention stall and stable gate.  
**4 surveillance cameras monitoring this area**

## 15. EMERGENCY SERVICES

Name, address and emergency telephone number of the ambulance service to be used during workouts and the running of the races: **Royal Ambulance Service, Steve Grau, President, 14472 Wicks Blvd, San Leandro, CA 94577. 877-995-6161.**

- A. 1. Attach a certification from the Ambulance Company(s) listed in 14A, certifying that the paramedic staff are licensed with the California Emergency Medical Services Authority.  
**See Attached**
- B. Name, address and emergency telephone number of the ambulance service to be used during workouts at auxiliary sites:  
**Golden Gate Fields  
Turf Rescue LLC  
4470 Hillsborough Drive  
Castro Valley, CA 94546  
510-581-8470**
  1. Attach a certification from the Ambulance Company(s) listed in 14B, certifying that the paramedic staff are licensed with the California Emergency Medical Services Authority.  
**See Attached**
- C. Describe the on-track first aid facility, including equipment and medical staffing:  
**See Attached**
- D. Name and emergency telephone number of the licensed physician on duty during the race meeting:  
**Dr. Tom Streeter Cell 209-608-8009**
- E. Name, address and emergency telephone number of the hospital to be used for admittance and treatment of emergency injuries in the event of an on-track injury to a jockey:  
**Valley Care Medical Center, 5555 W. Las Positas, Pleasanton, CA 94588, 925-416-3418**



# NON-EMERGENCY AMBULANCE CERTIFICATE OF OPERATION

This is to certify that:

## Royal Ambulance

is authorized to provide non-emergency ambulance transportation within the boundaries of Alameda County. The above meets all of the requirements contained in the Alameda County Ambulance Ordinance and has passed equipment, staffing and vehicle inspections.

This certificate is valid from  December 7, 2018  to  December 6, 2020

for **BASIC LIFE SUPPORT** and **CRITICAL CARE NON-EMERGENCY TRANSPORT**

  
\_\_\_\_\_  
Anne Kronenberg  
Alameda County EMS Director

  
\_\_\_\_\_  
Karl Sporer, MD.  
Alameda County EMS Medical Director

An embossed seal should appear in a grey box



ROYAL-5

OP ID: MD

# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

05/16/2018

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

**IMPORTANT:** If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

<b>PRODUCER</b> Suhr Risk Services 6300 Stevens Creek Blvd. San Jose, CA 95129 Jeff State, CRIS, CWCS	408-510-5440	<b>CONTACT NAME:</b> Jeff State, CRIS, CWCS	
		<b>PHONE (A/C, No., Ext.):</b> 408-510-5440	<b>FAX (A/C, No.):</b>
		<b>E-MAIL ADDRESS:</b> jeff.state@insuhr.com	
<b>INSURER(S) AFFORDING COVERAGE</b>			<b>NAIC #</b>
<b>INSURER A:</b> TDC National Assurance Co			
<b>INSURER B:</b> StarStone Specialty Ins. CO.			
<b>INSURER C:</b>			
<b>INSURER D:</b>			
<b>INSURER E:</b>			
<b>INSURER F:</b>			

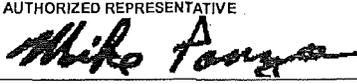
**INSURED** Royal Ambulance  
 14472 Wicks Boulevard  
 San Leandro, CA 94577

**COVERAGES**                      **CERTIFICATE NUMBER:**                      **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR  GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:	X		MFP005681800	05/13/2018	05/13/2019	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 50,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 3,000,000 PRODUCTS - COMP/OP AGG \$ Included Emp Ben. \$ 1,000,000 COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
B	UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR <input checked="" type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED \$      RETENTION \$			G78217180AHL	05/13/2018	05/13/2019	EACH OCCURRENCE \$ 2,000,000 AGGREGATE \$ 2,000,000 PER STATUTE      OTH-ER E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$
A	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) <input type="checkbox"/> Y/N If yes, describe under DESCRIPTION OF OPERATIONS below		N/A	MFP005681800	05/13/2018	05/13/2019	Occur/Agg \$1M/\$3M
A	Sexual Abuse & Mol			MFP005681800	05/13/2018	05/13/2019	Claim/agg \$100k/\$300k

**DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)**  
 The State of California, the County of Alameda, and the Alameda County Agricultural Fair Association (Alameda County Fairgrounds), and each of their respective agents, officers, directors, employees, and Board of Supervisors, whether sued as individuals or in their official capacities, whether singly and/or collectively, are named as additional insured.

<b>CERTIFICATE HOLDER</b>  ALAMEDA  Alameda County Fair Grounds 4501 Pleasanton Ave Pleasanton, CA 94566	<b>CANCELLATION</b>  SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.
	AUTHORIZED REPRESENTATIVE 

- (S) **Impaired property** means tangible property, other than **your product** or **your work**, that cannot be used or is less useful because: (1) it incorporates **your product** or **your work** that is known or thought to be defective, deficient, inadequate, or dangerous; or (2) **you** have failed to fulfill the terms of a contract or agreement.
- (T) **Insured** means any of the following:
- (1) the **named insured**;
  - (2) any **employee** or **volunteer**, but only while such **employee** or **volunteer** is acting within the capacity and scope of his or her duties as such;
  - (3) any **insured medical practitioner**, but only while such **insured medical practitioner** is acting within the capacity and scope of his or her duties as such;
  - (4) **your** medical directors, department heads, or chiefs of staff, but only while acting within the scope and capacity of their duties as such for **you**;
  - (5) any member of a duly authorized board or committee of **yours**;
  - (6) solely with respect to and limited to the coverage afforded under INSURING AGREEMENT (A), the lawful spouses of individual **insureds** and, in the event of the death, incapacity or bankruptcy of an individual **insured**, the estates, heirs, legal representatives or assigns of such individual **insured**;
  - (7) any person enrolled as a student in a formal training program offered by **you**, but only when such person is acting within the capacity and scope of his or her duties as such;
  - (8) any member or partner of a joint venture or partnership specifically listed as a **named insured** on an endorsement attached to this Policy, but only with respect to such member or partner's liability arising out of such joint venture or partnership;
  - (9) if **you** are a limited liability company, then any member of **yours**, but only when such member is named in a **claim** by reason of his or her ownership interest in such limited liability company and only to the extent of such ownership interest;
  - (10) any driver or operator of **mobile equipment**, but only when operating **mobile equipment** at **your** direction and with **your** permission; and
  - (11) any person or entity with whom/which **you** have a written agreement, effective during the **policy period**, to provide such person or entity insured status under this Policy (each, an "Additional Insured"), but solely with respect to liability imposed or sought to be imposed on such Additional Insured as a result of the acts, errors or omissions of an original **insured** committed or allegedly committed subsequent to the execution of such agreement and for which this Policy provides coverage; provided, that: (a) no coverage will be available under this Policy for that portion of any **damages** or **defense costs** for any **claim** against an Additional Insured based upon or arising out of any actual or alleged independent act or direct liability of such Additional Insured; (b) an Additional Insured's status as an **insured** under this Policy shall immediately terminate when **your** agreement to provide such status terminates; and (c) if such written agreement between **you** and an Additional Insured provides for indemnity or contribution in favor of such Additional Insured, the amount, extent and scope of coverage available under this Policy to such Additional Insured will be no greater than the amount, extent and

**TURF RESCUE, LLC**

4470 Hillsborough Drive  
Castro Valley, CA 94546  
510-581-8470

September 7, 2018

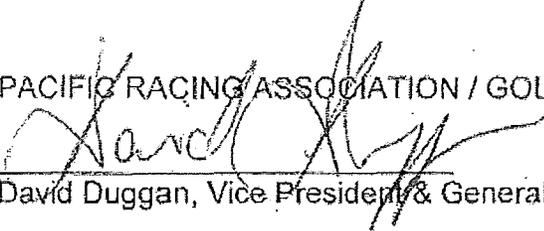
David Duggan  
Pacific Racing Association / Golden Gate Fields  
1100 Eastshore Highway  
Albany, CA 94706

This "Letter of Agreement" serves to confirm a mutual understanding that our Contract will be extended for a period of one (1) year, covering your 2019 race meetings.

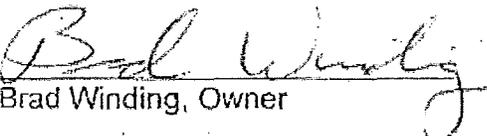
It is further mutually understood and agreed that all terms and conditions of the aforesaid Contract shall be in force and effect during the extended period, with one exception; the hourly billing will be subject to change in accordance with insurance premiums.

ACCEPTED:

PACIFIC RACING ASSOCIATION / GOLDEN GATE FIELDS

  
David Duggan, Vice President & General Manager

TURF RESCUE, LLC

  
Brad Winding, Owner

**TURF RESCUE, LLC**

4470 Hillsborough Drive  
Castro Valley, CA 94546  
510-581-8470

September 7, 2018

California Horse Racing Board  
1010 Hurley Blvd., Suite 300  
Sacramento, CA 95825

Re: Turf Rescue, LLC licensed personnel in 2019

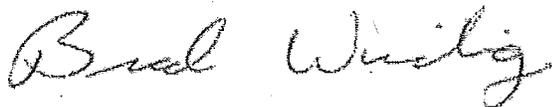
To Whom It May Concern:

This is to inform you that Turf Rescue, LLC operations and procedures are well within the standard care Operating Procedures set forth by Alameda County E.M.S.

Turf Rescue, LLC employs only licensed Paramedics and Emergency Medical Technicians that meet and follow the licensing requirements for Alameda County E.M.S.

If you have any further questions please feel free to contact me.

Sincerely,



Brad Winding, Owner  
Turf Rescue, LLC



March 5, 2019

Mr. Rick Baedeker, Executive Director  
California Horse Racing Board  
1010 Hurley Way, Suite 300  
Sacramento, CA 95835

Dear Mr. Baedeker,

RE: Item 15, Pleasanton Racing License: Emergency Services

Emergency services for training year around and during the annual race meet, at the Pleasanton Race Track, is provided by Royal Ambulance. The information for Royal Ambulance has been provided for the license as an attachment to the license. Royal provides two EMT's on their ambulance.

In the past the Alameda County Fire Department provided a Paramedic, with equipment, to ride along on the track ambulance during the annual race meet. Due to Union restrictions, with the Union that the Alameda County Fire Department Paramedics belong to, the Paramedics can no longer ride along on the track ambulance. The following is the plan that we implemented in 2015 and has been followed in years since: developed by Assistant Fire Chief Brian Caminada with input from management at the Alameda County Fair.

- There will be a Paramedics stationed at the entrance to the track on a mini-ambulance, complete with all paramedic equipment and a stretcher. The mini ambulance is an ambulance that has been built using a type of golf cart for easy access in small or crowded areas. The Alameda County Fire Department will be bringing two of these units to the Fair this year; one dedicated to the race track and one to the fair. The mini ambulance will not be driving around the race track following each race with Royal Ambulance, but will be stationed at the entrance, ready to go out if needed.
- In addition to the paramedic on the mini ambulance there are additional paramedics at the first aid station, located directly across from the paddock, Jockeys room and race track.

Assistant Fire Chief Brian Caminada reminded us that the Paramedics have to perform a basic life support assessment before they can treat, which is the same as what the BLS EMT's have to perform. In case of an accident the EMT's in the ambulance would start the basic life support assessment and the paramedic would arrive at the site of the accident to provide advanced life support if/or as needed.

Regards,

Jeane Wasserman  
Director of Racing  
Alameda County Fair

**Item #15F English:****Alameda County Fair Racing Accident Procedures**

In case of an accident on the racetrack, the following procedures are to be implemented:

**Track Ambulance**

The track ambulance will travel immediately to the scene of an accident and assume triage and patient care responsibilities and evacuate.

**Security**

1. As soon as possible, a member of the track security staff shall report to the scene of the accident and thereafter take direction from the EMT responsible for the accident scene management. The track security representative shall be responsible for keeping bystanders away from the accident scene.
2. A member of the track security staff shall proceed to the Jockey's Room to secure the ambulance transfer area and prevent visitation from bystanders away from the accident area.
3. A member of the track security staff shall be responsible for escorting emergency vehicles.
4. The security staff shall be responsible for all "crowd control" activities.

**Racing Staff/Track Veterinarian**

1. Upon arrival at the scene, the Outrider should hold the injured horse in order to prevent further harm to people, horses and property.
2. Horses with severe injuries should be transported off the track via the horse ambulance whenever it is practical to do so.
3. The track veterinarian shall make the decision as to the necessity of euthanasia on the track.
4. The screen blocking the public's view of the injured horse shall be set-up prior to the euthanasia procedure.
5. Outriders are responsible for the removal of any debris from the racetrack following the removal of the injured person or horse from the track.

**Plant Staff**

1. The Horse Ambulance shall travel immediately to the scene of an accident whenever it appears that a horse will require transport.
2. Members of the plant department who are near the accident site shall assist in screening the accident scene from the public view and shall take direction from the EMT that is responsible for the management of the accident scene.

**Announcer**

The announcer shall make riders aware of the details of the situation (such as the location of a loose horse, the necessity to pull up, etc), enabling them to take the necessary steps to mitigate additional problems.

**Senior Management**

1. A senior management representative should quickly proceed to the location on the racetrack where the accident has occurred. The manager should report to other members of the management team as to the accident status.
2. An additional member of the management team should report to the video department in order to monitor the scene and determine the extent of video coverage to be transmitted to the public.
3. A member of the management team should provide input as to announcements to be made by the track announcer.
4. A member of the senior management team should be responsible for seeing that information regarding the accident is communicated to family members of the injured. Efforts need to be made to escort family members to the hospital, if necessary. In this regard, a current compilation as to who should be notified in the case of an injured jockey is kept on file.
5. All public address announcements and responses to press inquiries are within the sole purview of the senior member of the management team then available.

**All Department Heads**

All Department heads shall communicate to their employees that, although intentions are good, the treatment of the injured rider must be left up to trained personnel, and all other employees must stay away from the scene of an accident.

**Item #15 F Spanish:****Procedimiento en caso de Accidente en Alameda County Fair**

De ocurrir un accidente en el hipodromo, se debe hacer lo siguiente:

**El personal de la Ambulancia**

El personal de la ambulancia trasladarse inmediatamente al lugar del accidente siempre que lo necesario para tratar a la(s) victima(s).

**Seguridad**

1. Tan pronto como sea posible, un miembro de seguridad del hipodromo debera reportarse al lugar del accidente y desde ahi recibir las instrucciones del Paramedico responsable del lugar del accidente. El miembro de seguridad sera responsable de mantener a los transeuntes fuera del lugar del accidente..
2. Un miembro del departamento de seguridad del hipodromo se acercara al cuart del jockey para aguardar el area donde la ambulancia estara y prevenir que transeuntes y personas ajenas se acerquen.
3. Un miembro de seguridad del hipodromo sera responsable de escoltar a los vehiculos de emergencia..
4. Los miembros de seguridad seran responsable de controlar a la multitud.

**Personal de Carreras/Veterinario del hipodromo**

1. Una vez en el lugar del accidente, el Outrider/escolta debera sujetar al caballo herido para evitar que lastime a la gente, a otros caballos o a la propiedad.
2. Los caballos muy mal heridoa deberan ser sacados de la pista con la ambulancia para caballos, siempre que sea posible hacerlo de esa manera.
3. El veterinario del hipodromo debera decidir si se sacrifica al caballo en la pista.
4. Sea posible hacerlo, se debe colocar la pantalla/screen para tapa la vista al publico, antes de iniciar el procedimiento de sacrificio del animal.
5. Los Outriders son responsables de remover cualquier desecho en la pista despues de que la persona o caballo accidentado haya sido trasladado del lugar.

### **Personal de Planta/Plant Staff**

1. La Ambulancia de Caballos debera trasladarse inmediatamente al lugar del accidente siempre que un caballo este severamente lesionado y necesite transporte.
2. Los miembros del departamento de planta que esten cerca del accidente deberan ayudar a fapar el lugar para que el pulico no pueda ver lo que sucede, ademas deberan recibir instrucciones del Paramedico responsable del lugar del accidente.

### **Locutor**

El locator debera informar a los jinetes acerca de los detalles de la situacion (como la ubicacion del caballo suelto, la necesidad de adelantar, etc.) para que puedan hacer lo necesario y mitigar otros problemas.

### **Gerencia**

1. Un representante de la gerencia se apersonara rapidamente al lugar del accidente en el hoipodromo. El genente informara a los otros gerents sobre las lesions sufridas.
2. Otro representante de la gerencia debera informar al departamento de videio para monitorear la escena y ver la cobertura de video que sera transmitida al publico.
3. Un miembro de la gerencia debera aportar con informacion sobre los anuncios que debera hacer el locutor.
4. Un miembro de la gerencia sera responsable de ver que la informacion con respecto al accidente sea dada a los familiars de los heridos. Se debe hacer lo necesario para acompanar a los familiars a los hospitals, de ser el caso. Al respecto, es necesario tener un registro de la persona a quien se debe comunicar en caso de que un jockey sufra un accidente.
5. Todos los anuncios publicos y respuestas a la prensa las realice unicamente el funcionario de gerencia de alto nivel que se encuentre disponible en ese momento.

### **Todo los Jefes de Departamento**

Todos los Jefes de Departamento deben comunicar a sus empleados que, a pesar de que las intenciones sean buenas, el tratamiento de un jinete/jockey herido debe ser realizado por el personal calificado para ello, y todos los demas empleados deben permanecer lejos del lugar del accidente.

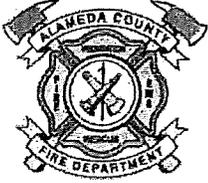
- F. Attach, in English and Spanish, the emergency medical plan procedures that will be posted in each jockey's room to be used in the event of an on-track injury to a jockey:  
**See Attached**
- G. Name of health and safety manager and assistant manager responsible for compliance of health and safety provisions pursuant to Business and Professions Code section 19481.3(d):  
**Randy Magee, Health & Safety Manager, Patti Coonce, Assistant Manager**
- H. Attach a fire clearance from the fire authority having jurisdiction over the premises.  
**Attached.**
- I. Name of the workers' compensation insurance carrier for the fair and the number of the insurance policy (if self-insured, provide details): **California Fair Services Authority**
- J. Attach a Certificate of Insurance for workers' compensation coverage. The CHRB is to be named as a certificate holder and given not less than 10 days' notice of any cancellation or termination of insurance that secures the liability of the fair for payment of workers' compensation.  
**See Attached**

**NOTICE TO APPLICANT:** Every licensee conducting a horse racing meeting shall pursuant to Business and Professions Code section 19481.3 maintain, staff, and supply an on-track first aid facility, that may be either permanent or mobile, and which shall be staffed and equipped as directed by the board. A qualified and licensed physician shall be on duty at all times during live racing, except that this provision shall not apply to any quarter horse racing at the racetrack 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. 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. (b) Each racing association and racing fair shall adopt and maintain an emergency medical plan detailing the procedures that shall be used in the event of an on-track injury. The plan shall be posted in each jockey room in English and Spanish. (c) Prior to every race meeting, the racing association or racing fair shall contact area hospitals to coordinate procedures for the rapid admittance and treatment of emergency injuries. (d) Each racing association or racing fair shall designate a health and safety manager and assistant manager, who shall be responsible for compliance with the provisions of this section and one of whom shall be on duty at all times when live racing is conducted. The health and safety manager may, at the discretion of the racing association, be the person designated to perform risk management duties on behalf of the association.

## 16. CONCESSIONAIRES AND SERVICE CONTRACTORS

- A. Names and addresses of all persons to whom a concession or service contract has been given, Names and addresses of all persons to whom a concession or service contract has been given, **other than those already identified**, and the goods and/or services to be provided by each:
- Food & Beverage:**  
**Yogurt-a-Fair:** William Heher, 809 Riordan Road, Suite #202, Flagstaff, AZ 86001  
**Food Service:** Ovarions Fanfare, LP, Charlie Neary, 4501 Pleasanton Ave., Pleasanton, CA 94566  
**Jetter Golf:** Dana and Greg Jetter, 4501 Pleasanton Ave., Pleasanton, CA 94566  
**Racing Form:** Daily Racing, Wicks Sports, 100 Broadway, 7<sup>th</sup> Floor, New York City, N.Y. 1005  
**Program:** Daily Racing, Wicks Sports, 100 Broadway, 7<sup>th</sup> Floor, New York City, N.Y. 1005  
**Winners Circle Photos:** Vassar Photo, Bill Vassar, 5075 Double Point Way, Discovery Bay, CA 94514  
**Jockey Laundry Service** Winner's Circle Laundry, Donald Fowler, 539 Woodside Oaks #3, Sacramento, CA 95825  
**Starting Gate:** United/Puett Start Gate, Michael Costello, 1 Soundview Loop, S. Salem, N.Y. 10590  
**Sound System:** Precision Sound Craft, Steve Hendrickson, 203 Cockrobin Ave., Windsor, CA 95492  
**Armor Car:** NOTWINC, 11875 Dublin Blvd., #D275, Dublin, CA 94568

- B. Does the fair plan to provide its own concessions? Yes  No



**Alameda County Fire Department**  
**FIRE PREVENTION**

[www.acgov.org/fire](http://www.acgov.org/fire)

March 7, 2019

**DAVID A. ROCHA**  
 Fire Chief

COUNTY  
 FIRE PREVENTION  
 399 Elmhurst, Room 120  
 Hayward, CA 94544  
 Tel (510) 670-5853  
 Fax (510) 987-5636

DUBLIN  
 FIRE PREVENTION  
 100 Civic Plaza  
 Dublin, CA 94568  
 Tel (925) 833-6606  
 Fax (925) 829-9248

EMERYVILLE  
 FIRE PREVENTION  
 1333 Park Avenue  
 Emeryville, CA 94608  
 Tel (510) 596-3759  
 Fax (510) 450-7812

NEWARK  
 FIRE PREVENTION  
 37101 Newark Blvd.  
 Newark, CA 94560  
 Tel (510) 578-4218  
 Fax (510) 578-4281

SAN LEANDRO  
 FIRE PREVENTION  
 835 E. 14th Street  
 San Leandro, CA 94577  
 Tel (510) 577-3317  
 Fax (510) 618-3445

UNION CITY  
 FIRE PREVENTION  
 34009 Alvarado-Niles Road  
 Union City, CA 94587  
 Tel (510) 675-5470  
 Fax (510) 487-2117

**Jerome Hoban, CEO**  
**Alameda County Fair**  
**4501 Pleasanton Avenue**  
**Pleasanton, CA 94566**

**RE: Annual Stable Area Inspections**

Dear Mr. Hoban:

ACFD conducted inspections of the stable area on 2/28/2019 and 3/1/19. The facility was found to be empty and without any violations as of the 3/1/19 inspection.

Sincerely,

**Bonnie S. Terra**  
 Division Chief



May 24, 2018

To: California Horse Racing Board  
1010 Hurley way, Suite 300  
Sacramento, CA 95825

Re: Alameda County Fair  
4501 Pleasanton Avenue  
Pleasanton, CA 94566

Please be advised that the Alameda County Fair is a member of the California Fair Services Authority (CFSA), and participates in the following self-insurance and loss pooling programs which are administered by CFSA:

**I. GENERAL LIABILITY PROGRAM**

- A. Primary Coverage \$100,000 self-insured retention California Fair Services Authority  
(includes liquor liability)  
Coverage continuous until cancelled
- B. Excess Coverage \$24,900,000 in excess of \$100,000 (includes Liquor Liability)  
Coverage provided by CSAC Excess Insurance Authority  
Term: 1/1/18 to 7/1/19

**II. WORKERS' COMPENSATION AND EMPLOYERS' LIABILITY PROGRAM**

- A. Primary Coverage \$500,000 self-insured retention California Fair Services Authority  
Coverage continuous until cancelled
- B. Excess Coverage (a) Workers' Compensation: Statutory Limit in excess of \$500,000  
(b) Employers' Liability: \$4,500,000 in excess of \$500,000  
Coverage provided by CSAC Excess Insurance Authority  
Term: 7/01/2017 to 7/01/2019

CFSA represents to the California Horse Racing Board that within the above limits, terms and provisions of the coverage stated, to the extent provided by law, CFSA will provide defense, payment, and indemnification on loss funding in accordance with the terms of the contractual assumption of the Alameda County Fair as set forth in California Horse Racing Board's "Insurance Requirements".

You will be given at least thirty (30) day notice of any change in the foregoing information. We trust that this commitment will satisfy your insurance requirements.

Please feel free to contact this office on all matters including possible claims.

Sincerely,

*Lianne Lewellen*

Lianne Lewellen  
Risk Analyst

**17. ON- TRACK ATTENDANCE/FAN DEVELOPMENT**

- A. Attach a copy of the promotional and marketing plans for the race meeting:  
**See Attached**
- B. Promotional/ Marketing budget for this race meeting:  
**Fair Marketing budget of \$2 million in cash and in-kind advertising spent to promote the fair which includes the race meet. \$95,000 is dedicated to race-meet specific marketing, promotions and events.**  
 Promotional/Marketing budget for prior race meeting:  
**More than \$2 million in cash and cash equivalents (in-kind advertising) was spent to promote the fair which includes the race meet. \$87,000 was dedicated to race-meet specific marketing, promotions and events.**
- C. Number of hosts and hostesses employed for meeting:  
**4: 2 at Trackside Terrace and 2 in the Sky Lounge**
- D. Describe facilities set aside for new fans:  
**Daily Racing Seminars, located on the Grandstand Stage**
- E. Describe any improvements to the physical facility in advance of the meeting that directly benefits:
  1. **Horsemen and Fans: Fan Cave for sport in the upper level.**
  2. **New this year is the Sky Lounge. This room was formally our Directors VIP Lounge. We have opened it up to the public and renamed it. Horsemen and the public will be able to make reservations. The cost is \$50 and includes a buffet lunch. The racing signal is broadcast in HD to both our grandstand and Satellite Wagering Facility.**
  3. **Facilities in the restricted areas: Tack rooms, shed rows, hot walker areas, stalls and common areas have had a thorough cleaning. Last year the odd side of the barns had stall doors repaired and painted. This year we have worked on the even side of barns.**

**18. SCHEDULE OF CHARGES**

- A. Proposed charges, note any changes from previous year:  
 Admission rates are held at the same prices from last year.
- |  |  |
|--|--|
| Admission, Grandstand (general)                | Free with Fair Admission                           |
| Admission Adult, Fair                          | \$15   |
| Admission Adult, <u>Advanced</u>               | \$12   |
| Admission, Seniors 62+                         | \$10 (Senior Free day on Fridays)                  |
| Admission, Seniors 62+ <u>Advanced</u>         | \$8  |
| Fair Admission/Children (6-12)                 | \$10 (Free on Fridays)                             |
| Fair Admission/Children <u>Advanced</u> (6-12) | \$8  |
| Admission (clubhouse)                          | N/A  |
| Admission Trackside Terrace                    | \$40 pre-fair, includes fair admission and buffet  |
| Admission Trackside Terrace                    | \$40 after fair opens, includes buffet             |
| Admission Sky Lounge                           | \$50 pre-fair, includes, fair admission and buffet |
| Admission Sky Lounge                           | \$50 after fair opens, includes buffet             |
| Reserved seating, 1 box seat                   | \$6  |
| Reserved seating general                       | \$5  |
| Reserved seating (clubhouse)                   | N/A  |
| Parking (general)                              | \$10   |
| Parking (preferred)                            | \$15   |
| Parking, WP Lot                                | \$20   |
| Parking (valet)                                | N/A  |

Programs (on-track)	\$2.50
(Off-track)	\$2.50

- B. Describe any "Season Boxes" or other special accommodation fees:  
**Box seats sold by the box for the seasonal race meet. We have 4-seat, 6-seat and 8-seat boxes. Box seat holders are offered the 2018 price if paid for by April 15, 2019. There are no price increases for seasonal boxes. Prices are held at the 2017 rates.**
- C. Describe any "package" plans such as combined parking, admission and program:  
**Family Fun Pack: (\$50 4-General Admission, 1 General Parking)**  
**Season Pass: (\$40.00) Fair Admission for all 18 days. Adult daily \$12, Senior \$8, child \$8**

**19. JOCKEYS' QUARTERS**

- A. Check the applicable amenities available in the jockeys' quarters:  
 Corners (lockers and cubicles)                      How many   
 Showers                       Steam room, sauna or steam cabinets                       Lounge area  
 Masseur                       Food/beverage service                       Certified platform scale
- B. Describe the quarters to be used for female jockeys:  
**Separate area containing an office, lounge area, sauna, showers, restroom, lockers, & bunks. Jockeys & Jockettes share the scale.**

**20. BACKSTRETCH EMPLOYEE HOUSING**

- A. Inspection of backstretch housing has been requested and will be completed prior to beginning of the race meet.
- B. Number of rooms used for housing on the backstretch of the racetrack: 107
- C. Number of restrooms available on the backstretch of the racetrack: 9 (Total commodes =17)
- D. Estimated ratio of restrooms to the number of backstretch personnel: 1 to 10.

**21. TRACK SAFETY**

- A. Total distance of the racecourse - measured from the finish line counterclockwise (3' from the inner railing) back to the finish line:  feet.
- B. Describe the type of track surface at the facility, including the specific track surface composition:  
**Organic dirt, silt, clay, sand, and Fir bark (composition and amendments per routine lab tests)**
- C. The percent of cross slope in the straight-aways is: 5.3% - 5.4%  
 The percent of cross slope in the center of the turns is: 5.6%
- D. Describe the type(s) of materials used for the inner and outer railings of the race course, the type of inner railing supports (i.e., metal gooseneck, wood 4" x 4" uprights, offset wood 4" x 4" supports, etc.), the coverings, if any, on the top of the inner railing, and the approximate height of the top of the inner railing from the level of the race course.  
**Inner Rail: Fontana Safety Rail**

Outer Rail: Aluminum gooseneck, supports with aluminum top rail  
Inner Rail Height: ¼ mile/42", ½ mile/40.5", ¾ mile/40", 1 mile/42" (finish line)

- E. Name of the person responsible for supervision of the maintenance of the racetrack safety standards pursuant to CHRB Rule 1474: **Steve Wood.**
- F. Attach a Track Safety Maintenance Program pursuant to CHRB Rule 1474. **On file**
- G. If the fair is requesting approval to implement alternate methodologies to the provisions of Article 3.5, Track Safety Standards, pursuant to CHRB Rule 1471, attach a Certificate of Insurance for liability insurance which will be in force for the duration of the meeting specified in Section 2. The CHRB is to be named as a certificate holder and given not less than 10 days' notice of any cancellation or termination of liability insurance. Additionally, the CHRB must be listed as additionally insured on the liability policy at a minimum amount of \$3 million per incident. The liability insurance certificate must be on file in the CHRB headquarters office prior to the conduct of any racing. **No.**

**22. DECLARATIONS**

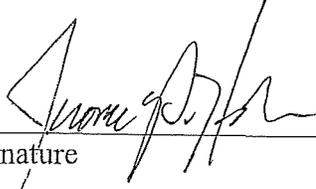
- A. All labor agreements, concession and service contracts, and other agreements necessary to conduct the entire meeting have been finalized except as follows (if no exceptions, so state):  
**No Exceptions**
- B. Attach each horsemen's agreement pursuant to CHRB Rule 2044.  
**All Horsemen's agreements will be forwarded to CHRB NLT 5 April, 2019.**
- C. Attach an agreement to provide for race-day furosemide administration pursuant to CHRB Rule 1845.
- D. All service contractors and concessionaires have valid state, county or city licenses authorizing each to engage in the type of service to be provided and have valid labor agreements, when applicable, which remain in effect for the entire term of the meeting except as follows (if no exceptions, so state):  
**No Exceptions**
- E. Absent natural disasters or causes beyond the control of the fair, its service contractors, concessionaires or horsemen participating at the meeting, no reasons are believed to exist that may result in a stoppage to racing at the meeting or the withholding of any vital service to the fair except as follows (if no exceptions, so state):  
**No Exceptions**

NOTICE TO APPLICANT: Pursuant to CHRB Rules 1870 and 1871, the CHRB shall be given 15 days' notice in writing of any intention to terminate a horse racing meeting or the engagements or services of any licensee, approved concessionaire, or approved service contractor.

**23. CERTIFICATION BY APPLICANT**

I hereby certify under penalty of perjury that I have examined this application, that all of the foregoing statements in this application are true and correct, and that I am authorized by the fair to attest to this application on its behalf.

Jerome Hoban  
Alameda County Fair CEO

  
 \_\_\_\_\_  
 Signature  
 3-14-19  
 \_\_\_\_\_  
 Date

STAFF ANALYSIS  
DISCUSSION AND ACTION BY THE BOARD REGARDING POSSIBLE  
REALLOCATION OF RACE DATES GRANTED TO THE LOS ANGELES TURF CLUB  
(LATC) AT SANTA ANITA PARK PURSUANT TO BUSINESS AND PROFESSIONS  
CODE SECTION 19530.

Regular Board Meeting  
April 18, 2019

## ISSUE

The Board at its regular meeting on September 28, 2017 allocated the 2018 race dates for southern California to various prospective applicants including the Los Angeles Turf Club (LATC). LATC's race meeting application was approved by the Board at its regular meeting on November 29, 2018. The proposed race meeting license was granted from December 19, 2018 through June 25, 2019 and encompassed the allocated race dates therein.

## ANALYSIS

California Business and Professions Code section 19530 provides the Board authority to change, limit or restrict racing days, dates and hours. Section 19530 states in totality:

“The Board shall have the authority to allocate racing weeks to an applicant or applicants pursuant to the provisions of this article and Article 6.5 (commencing with Section 19540) and to specify such racing days, dates, and hours for horse racing meetings as will be in the public interest, and will subserve the purposes of this chapter. The decision of the Board as to such racing days, dates, and hours shall be subject to change, limitation or restriction only by the Board. No municipality or county shall adopt or enforce any ordinance or regulation which has or may have the effect of directly or indirectly regulating, limiting or restricting the racing days and dates of horse racing meetings.”

Additionally, Rule 1430, Allocation of Racing Weeks and Dates states:

“The Board shall allocate racing weeks and dates for the conduct of horse racing in this State for such time periods and at such racing facilities as the Board determines will best subserve the purposes of the Horse Racing Law and which will be in the best interests of the people of California in accord with the intent of the Horse Racing Law. Upon a finding by the Board that the allocation of racing weeks and dates for any racing year is completed, the racing weeks and dates so allocated shall be subject to reconsideration or amendment only for conditions unforeseen at the time of the allocations. The allocation of racing weeks and dates does not commit the Board to the granting of a license to conduct a horseracing meeting to any specific racing association nor for the allotted time period nor at the racing facility scheduled for such racing weeks and dates.”

The aforementioned authority allows the Board to change or reallocate the LATC's December 19, 2018 – June 25, 2019 racing dates which were allocated to LATC on September 28, 2017.

RECOMMENDATION

This item is presented to the Board for discussion and action.

STAFF ANALYSIS  
DISCUSSION AND ACTION BY THE BOARD REGARDING THE PROPOSAL TO  
SUSPEND ONE OR MORE MEDICATIONS AUTHORIZED IN CHRB RULE 1844,  
AUTHORIZED MEDICATION, FOR ALL HORSES PARTICIPATING IN ALL LICENSED  
HORSE RACE MEETINGS FOR 12 MONTHS PURSUANT TO CHRB RULE 1844.1,  
SUSPENSION OF AUTHORIZED MEDICATION.

Regular Board Meeting  
April 18, 2018

## 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 the Horse Racing Law. 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 states 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 provides 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. CHRB Rule 1844, Authorized Medication, names drug substances and medications authorized by the Board that may be administered to safeguard the health of the horse entered to race. The rule lists the drug substances that may be found in official blood and urine test samples and the level at which such drugs may occur. CHRB Rule 1844.1, Suspension of Authorized Medication, allows the Board to suspend for any cause, the authorized administration to a horse entered to race of any drug, substance or medication that is otherwise permitted under Rule 1844. A suspension of authorization to administer a drug, substance or medication to a horse entered to race shall not exceed 12 months.

## ANALYSIS

On March 28, 2018, at its regular scheduled meeting, the Board suspended the authorized administration of the following eleven substances under Rule 1844, Authorized Medication for the remainder of the thoroughbred race meetings at Golden Gate Fields and Santa Anita Park:

Phenylbutazone (1844(c)(1)); Flunixin (1844(c)(2)); Ketoprofen (1844(c)(3)); Bethamethasone (1844(f)(1)); Dexamethasone (1844(f)(4)); Diclofenac (1844(f)(5)); Firocoxib (1844(f)(7)); Methylprednisolone (1844(f)(10); (10)); Prednisolone (1844(f)(12)); Triamcinolone Acetonide (1844(f)(13)); Isoflupredone (1844(f)(16).

At that meeting, the discussion regarding similarly extending this same suspension to all horses participating in all licensed race meetings for 12 months was moved to the April Regular Board meeting.

Pursuant to CHRB Rule 1844.1, Suspension of Authorized Medication, the Board has the authority to temporarily suspend the authorized administration of a drug, substance or medication in any race, breed or race meeting provided all horses in the same race compete under the same condition. If approved, this proposal would similarly extend the prohibition of authorized medication for all horses participating in all licensed horse race meetings for 12 months pursuant to CHRB Rule 1844.1.

#### RECOMMENDATION

This item is presented to the Board for discussion and action.

**CALIFORNIA HORSE RACING BOARD**

**APRIL 18, 2019**  
**REGULAR BOARD MEETING**

**There is no board package material for Item 9**

STAFF ANALYSIS  
DISCUSSION AND ACTION REGARDING THE PROPOSED AMENDMENT TO  
RULE 1842. VETERINARIAN REPORT  
TO REQUIRE SUCH REPORTS BE SUBMITTED ELECTRONICALLY

Regular Board Meeting  
April 18, 2019

#### ISSUE

Board Rule 1842, Veterinarian Report, requires every veterinarian who treats a horse within the inclosure to complete the form CHRB-24, Veterinarian Report. The required form is currently available only in paper. The proposed amendment to Rule 1842 will remove the words "in writing" from the text and inserts the CHRB form number and name of the Veterinarian Report. The amendment is being proposed in anticipation of the future initiation of an electronic Veterinarian Report that may be used in lieu of the current paper form.

#### ANALYSIS

Board Rule 1842, Veterinarian Report, requires veterinarians to complete a confidential veterinarian report when treating a horse within the inclosure. The report asks for information regarding the name of the horse treated, the name of the trainer of the horse, the time and date of the treatment and any other information requested by the official veterinarian. The report is confidential, and its content may not be disclosed except in a proceeding before the stewards, or in an exercise of the Board's jurisdiction. The required form is available only in paper. The proposed amendment to Rule 1842 would provide the option of an electronic Veterinarian Report that may be used in lieu of the current paper form. When it is brought online, the electronic version will capture the same information and it may be formatted in the same manner as the current form CHRB-24. The proposed amendment allows for concurrent paper and electronic veterinarian reports, as it is not known how long it would take to bring an electronic version of the report on line. The CHRB is currently in the process of bringing online a new version of its California Horse Racing Information System (CHRIS). The first module of CHRIS II, which will cover occupational licensing, is projected to be launched in May 2019. The CHRIS II veterinary module may be launched sometime around the winter of 2019; however, the on-line Veterinarian Report will not be an initial function of the module. The electronic Veterinarian Report will be a future enhancement of the CHRIS II veterinary module. The CHRB Information Technology Unit reports that when the electronic Veterinarian Report is brought on line, veterinarians should be able to use their own devices to access the Veterinarian Report.

#### BACKGROUND

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 19580 provides that the Board shall 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 19583 provides every veterinarian who treats a horse within the inclosure shall, in writing, on a form prescribed by the Board, report to the official veterinarian in a manner prescribed by him, the name of the horse treated, the name of the trainer of the horse, the item of treatment, any medication administered to the horse, and any other medication requested by the official veterinarian.

#### RECOMMENDATION

This item is presented for Board discussion and action. The Board may wish to hear from the Medication, Safety and Welfare Committee.

CALIFORNIA HORSE RACING BOARD  
TITLE 4. CALIFORNIA CODE OF REGULATIONS  
ARTICLE 15. VETERINARY PRACTICES  
PROPOSED AMENDMENT OF  
CHRB RULE 1842. VETERINARIAN REPORT

Regular Board Meeting  
April 18, 2019

Ruel 1842. Veterinarian Report.

Every veterinarian who treats a horse within the inclosure shall ~~in writing~~ on the form CHRB-24 (Rev. 01/16), Veterinarian Report form prescribed by the Board, report to the official veterinarian in a manner prescribed by him, the name of the horse treated, the name of the trainer of the horse, the time of treatment, and any other information requested by the official veterinarian. Any such report is confidential, and its content shall not be disclosed except in a proceeding before the stewards or the Board, or in exercise of the Board's jurisdiction.

Authority: Sections 19440, 19580 and 19583,  
Business and Professions Code.

Reference: Section 19580,  
Business and Professions Code.

STAFF ANALYSIS  
DISCUSSION AND ACTION REGARDING THE PROPOSED ADDITION OF  
CHRB RULE 1842.5. TRAINERS TO MAINTAIN MEDICATION TREATMENT RECORDS  
TO PROVIDE A FULL AND ACCURATE RECORD  
OF ALL TREATMENTS GIVEN TO A HORSE, INCLUDING VETERINARY  
PROCEDURES PERFORMED AND ALL MEDICATIONS ADMINISTERED; SUCH  
RECORDS TO BE AVAILABLE FOR INSPECTION BY REPRESENTATIVES OF THE  
CHRB IN THEIR OFFICIAL DUTIES

Regular Board Meeting  
April 18, 2019

### ISSUE

At Board of Stewards hearings there is often little written documentation available regarding the administration of a drug substance, when it was administered, at what dose, and by whom. It can be challenging to determine the prescribing veterinarian, which requires comparing prescribed medication labels and the confidential veterinary reports submitted under Board Rule 1842, Veterinary Report. The proposed addition of Rule 1842.5, Trainers to Maintain Medication Treatment Records, would provide an additional level of documentation regarding the use of medications in racing.

### ANALYSIS

An accurate and complete medical history is considered an important element of good veterinary care, and most well-run stables have some measure of veterinary medical records. The International Federation of Horse Racing authorities (IFHA) and the British Horse Racing Authority (BHA) require trainers to maintain records of all veterinary procedures and medications administered to horses under their care. The records are subject to inspection by persons acting on behalf of the racing authority. The proposed addition of Rule 1842.5, which is similar to IFHA and BHA requirements, would be in the best interest of horse health, and would facilitate pre-race veterinary examinations. The regulation would also simplify medication violation investigations. Most medication violations can be best described as medication administration errors. When a case is reviewed at hearings there is usually little written documentation of when a drug was administered, at what dose, and by whom. The recordkeeping requirements of the proposed regulation would provide an additional level of attention to the use of medication in horse racing. A further benefit would be access to a horse's recent medical history by the pre-race examining veterinarian. Individual veterinarians are required to maintain medical records of horses they treat, but where multiple veterinarians from different medical practices treat horses, the complete medical record would not be held by any individual veterinarian, nor would such a record be readily available for inspection. The proposed addition of Rule 1842.5 would require trainers to record the following information:

- Name of the horse,
- Date the medication treatment commenced and the prescribed duration of the treatment,
- Name of the medication, the route of administration and the dosage regimen,

- Name of the persons administering each medication treatment, and
- Name of the CHRB licensed veterinarian prescribing the medication treatment.

The medical record information being required would be amenable to configuring to an electronic format. The attached draft form is an example template that would provide the required information.

#### BACKGROUND

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 19580 provides that the Board shall adopt regulations to establish policies, guidelines, and penalties relating to equine medication to preserve and enhance the integrity of horse racing in California.

#### RECOMMENDATION

This item is presented for Board discussion and action. The Board may wish to hear from the Medication, Safety and Welfare Committee.

CALIFORNIA HORSE RACING BOARD  
TITLE 4: CALIFORNIA CODE OF REGULATIONS  
ARTICLE 15. VETERINARY PRACTICES  
PROPOSED ADDITION OF  
RULE 1842.5 TRAINER TO MAINTAIN MEDICATION TREATMENT RECORDS

Regular Board Meeting  
April 18, 2019

1842.5 Trainer to Maintain Medication Treatment Records

(a) Every trainer shall maintain a record of all medication treatments administered to horses under their care that are within the inclosure.

(b) Each medication treatment record shall include:

(1) the name of the horse,

(2) the date the medication treatment commenced and the prescribed duration of the treatment,

(3) the name of the medication, the route of administration and the dosage regimen,

(4) the name of the persons administering each medication treatment, and

(5) the name of the CHRB licensed veterinarian prescribing the medication treatment.

(c) Medication treatment records shall be made available for inspection upon request by the official veterinarian, board of stewards, or investigators.

(d) Treatments administered by CHRB licensed veterinarians that are required to be reported under Rule 1842 are exempted from the requirements of this regulation.

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

Reference: Section 19580,  
Business and Professions Code.

Horse: \_\_\_\_\_

Date	Treatment/Medication/Prescription	Route of Administration Times per Day	Person Administering	Authorized/ Prescribed By	Time of day

RECOMMENDATION

This item is presented for Committee discussion.

STAFF ANALYSIS  
DISCUSSION AND ACTION REGARDING  
THE PROPOSED ADDITION OF  
CHRB RULE 1846.6, POSTMORTEM EXAMINATION REVIEW,  
TO REQUIRE A POSTMORTEM EXAMINATION REVIEW OF  
EACH EQUINE FATALITY WITHIN A CHRB INCLOSURE

Regular Board Meeting  
April 18, 2019

## ISSUE

Currently, under CHRB Rule 1846.5, a postmortem examination, or necropsy, is performed in a diagnostic laboratory operated by the California Animal Health and Food Safety laboratory system on every horse that dies within the inclosure in California. Additionally, Safety Stewards regularly interview jockeys and trainers whenever a horse suffers a fatal injury on the racetrack in training or competition. Inquiry into the cause and circumstances behind an equine fatality also arises when a law or rule violation is suspected. However, a thorough review of a horse's recent training and medication history is rarely conducted in the absence of suspicious or illegal circumstances, and consequently there is little opportunity for the CHRB to identify trends and behaviors that could help prevent future injuries.

## ANALYSIS

The proposed addition of Board Rule 1846.6, Postmortem Examination Review, will establish a review process for every equine fatality that occurs within a CHRB inclosure, to be conducted by a three-person panel. Specifically, that panel will include a member of the Board of Stewards, a Safety Steward, and either the Equine Medical Director or a designated Official Veterinarian. The trainer and veterinarian for the deceased horse, as well as any other requested licensees, will be required to appear before the panel, and produce for review certain documents pertaining to the horse's training and medical history. Upon conclusion of the review, the panel will prepare and file a written report for the Executive Director which details their findings.

The creation of a postmortem examination review is meant to improve and encourage equine safety and welfare on the race track. The purpose of the postmortem examination review is to investigate the circumstances surrounding an equine fatality to gain an understanding of all events that may have contributed to the incident. The act of conducting a postmortem examination review honors the deceased horse, provides case-specific recommendations to the horse's connections to prevent future injuries, and sends an unequivocal message to racing stakeholders and the general public that reducing equine fatalities is a major priority for the CHRB.

The postmortem examination review is intended to be an educational process for trainers and veterinarians, rather than a punitive effort, and will further advance the Board's research into the cause and prevention of horse racing accidents. The overall goal of the postmortem examination

review is to establish a more interactive process to investigate and understand equine fatality more thoroughly, and importantly, provide feedback to licensees that may be of use in improving safety.

## BACKGROUND

Business and Professions Code section 19440 provides that the California Horse Racing Board shall have all powers necessary and proper to enable it to carry out the purposes of this Chapter. Business and Professions Code section 19444(c) further states 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 the race horses, and the means for detection of foreign drug substances. Additionally, CHRB Rule 1527, General Authority of Stewards, gives the Stewards at each racetrack the general authority and supervision over all licensees and other persons attendant on horses, and over the inclosures of any recognized meeting. CHRB Rule 1541, Power to Order Examination of Horse, also gives Stewards the specific authority to order an examination of any horse within the inclosure at any time by such persons as they see fit. CHRB Rule 1560, Duties of the Official Veterinarian, requires that the Official Veterinarian at each race track report to the Board the names of all horses humanely destroyed or which otherwise expire at the meeting and the reasons there for. Finally, CHRB Rule 1846.5, Postmortem Examination, presently requires a postmortem examination of every horse which dies or is euthanized within an area under the jurisdiction of the Board at a designated diagnostic laboratory.

To date, several racing jurisdictions, including New York and Kentucky, have implemented similarly structured equine fatality review panels with the purpose of better understanding the circumstances leading up to a fatal injury with the long-term goal of reducing overall injuries. These fatality review panels are geared towards fact gathering and educating all involved parties, and have generally received positive reception.

## RECOMMENDATION

This item is presented for Board discussion and action. The Board may wish to hear from the Medication, Safety and Welfare Committee.

CALIFORNIA HORSE RACING BOARD  
TITLE 4. CALIFORNIA CODE OF REGULATIONS  
ARTICLE 15. VETERINARIAN PRACTICES.  
PROPOSED ADDITION OF  
RULE 1846.6. POSTMORTEM EXAMINATION REVIEW

Regular Board Meeting  
April 18, 2019

1846.6. Postmortem Examination Review

(a) The Board shall conduct a postmortem examination review to determine the circumstances of each equine fatality within a California Horse Racing Board (CHRB) inclosure.

(b) The postmortem examination review shall be conducted by a member of the board of stewards, a safety steward and the Equine Medical Director or an official veterinarian designated by the Executive Director and Equine Medical Director.

(c) The trainer of the expired horse will be required to appear before the postmortem examination review panel. Additional licensees may also be required to appear at the discretion of the postmortem examination review panel.

(d) The trainer shall make available at the postmortem examination review the training records for the expired horse which are to include exercise, medication and shoeing histories for a minimum of 60 days prior to the date of death of the horse.

(e) All CHRB licensed veterinarians attending a horse having died within a CHRB inclosure shall make available at the postmortem examination review a summary medical record covering a minimum of 60 days prior to the date of death of the horse, or longer if requested by the postmortem review panel. The summary medical record shall include:

(1) A history or pertinent information as it pertains to the horse's medical status, including an interpretation of all diagnostic imaging and laboratory findings.

(2) Data, including that obtained by instrumentation, from the physical examination.



STAFF ANALYSIS  
DISCUSSION AND ACTION REGARDING THE PROPOSED ADDITION OF  
RULE 1866.2. USE OF BISPHOSPHONATES RESTRICTED  
TO SET RESTRICTION AND CONDITIONS ON THE USE OF  
BISPHOSPHONATES IN HORSES RACING AND TRAINING WITHIN  
CHRB INCLOSURES

Regular Board Meeting  
April 18, 2019

## ISSUE

Bisphosphonates are a class of drugs that prevent the loss of bone density and are used in people to treat osteoporosis and similar diseases. In horses, bisphosphonates are used to treat similar problems, like navicular disease. However, the use of bisphosphonates has been restricted to horses that are four or older. In younger horses, bisphosphonates could cause their bones to become more brittle. Since 2015 the British Horse Racing Authority has restricted the use of bisphosphonates to horses over three-and-a-half years old. The use of bisphosphonates in horses has been an issue of discussion internationally. At the April 2018 Medication, Safety and Welfare Committee meeting Dr. Sue Stover of the University of California, Davis School of Veterinary Medicine gave a presentation regarding bisphosphonates in race horses. The proposed addition of Rule 1866.2, Use of Bisphosphonates Restricted, would regulate the use of bisphosphonates in race horses in California.

## ANALYSIS

The proposed addition of Rule 1866.2 will set parameters for the administration of bisphosphonates within a CHRB inclosure. Under the proposed regulation, the official veterinarian must give prior approval for the administration of bisphosphonates, and only bisphosphonates approved by the Food and Drug Administration may be administered. Only horses that are older than three years and six months may be given bisphosphonates, and the horse shall be placed on the Veterinarian's List for a minimum of 30 days starting the day after the treatment. The horse will be required to perform satisfactorily in a workout or qualifying race to demonstrate its physical fitness, and blood and/or urine post-work test samples shall be taken.

## BACKGROUND

Business and Professions Code section 19580 provides that the Board shall adopt regulations to establish policies, guidelines, and penalties relating to equine medication to preserve and enhance the integrity of horse racing in the state. Business and Professions Code section 19581 states 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 Rule 1843, Medication, Drugs and Other Substances, provides that no horse participating in a race shall carry in its body any drug substance or its metabolites or analogues, foreign to the horse except as hereinafter expressly

provided. No drug substance shall be administered to a horse which is entered to compete in a race to be run in this state except for approved and authorized drug substances as provided in these rules.

RECOMMENDATION

This item is presented for Board discussion and action. The Board may wish to hear from the Medication, Safety and Welfare Committee.

CALIFORNIA HORSE RACING BOARD  
TITLE 4. CALIFORNIA CODE OF REGULATIONS  
ARTICLE 15. VETERINARY PRACTICES  
PROPOSED ADDITION OF  
RULE 1866.2. USE OF BISPHOSPHONATES RESTRICTED

Regular Board Meeting  
April 18, 2019

1866.2 Use of Bisphosphonates Restricted

(a) Bisphosphonates may not be administered to any horse within a CHRB inclosure without the prior approval of the official veterinarian.

(b) Only bisphosphonates approved for use in a horse by the United States Food and Drug Administration may be administered to a horse within a CHRB inclosure.

(c) Bisphosphonates may not be administered to any horse within a CHRB inclosure under the age of three years and six months as determined by its recorded date of birth.

(d) Any horse administered bisphosphonates shall be placed on the Veterinarian's List for a minimum of 30 days starting the day after treatment.

(e) A horse administered bisphosphonates may be required to perform satisfactorily in a workout or qualifying race to demonstrate its physical fitness, and if so a blood and/or urine post-work test sample shall be taken from the horse and the provisions of this article shall apply to such official workout in the same manner as to a scheduled race.

(f) For the purpose of this regulation, "workout" means an exercise session near full speed, or close to full speed.

Authority: Sections 19440, 19562, 19580 and 19581,  
Business and Professions Code.

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

STAFF ANALYSIS  
DISCUSSION AND ACTION REGARDING THE PROPOSED ADDITION OF  
CHRB RULE 1868, AUTHORIZED MEDICATION DURING WORKOUTS,  
TO ESTABLISH THRESHOLD LIMITS FOR THE PRESENCE OF CERTAIN DRUG  
SUBSTANCES AND MEDICATIONS IN OFFICIAL TEST SAMPLES  
TAKEN FROM HORSES AFTER THEY COMPLETE A TIMED WORKOUT

Regular Board Meeting  
April 18, 2019

## ISSUE

The California Horse Racing Board (CHRB or Board) currently employs a rigorous post-race testing program intended to prevent and detect the unauthorized use of certain medications and drug substances during horse races. The purpose of these efforts is twofold: to guard the health and welfare of horse and rider, and to ensure the integrity of horse racing in this State so as to protect participating licensees and the wagering public.

To date, however, the industry has gone without similar protections when horses complete timed workouts at licensed racing facilities<sup>1</sup>. The proposed addition of Rule 1868, Authorized Medication During Workouts, is intended to address this issue by establishing restrictions on the use of local anesthetics, narcotic analgesics, and non-steroidal anti-inflammatory drug substances (NSAID) for horses engaging in timed workouts.

## ANALYSIS

The proposed addition of Rule 1868 would place certain restrictions on the use of NSAIDs, local anesthetics, and narcotic analgesics for horses completing timed workouts. Specifically, the proposed rule would prohibit the administration of local anesthetics and narcotic analgesics to horses within 24 hours of their completing a timed workout. The rule would impose the same post-racing testing threshold limitations for NSAIDs (i.e. not more than one approved NSAID may be detected in an official test sample) on horses having just completed a timed workout. The goal of the proposed regulation would be to eliminate the overuse of pain-masking medications that increase the chance of injury for a horse running at full speed, and to protect the wagering public.

## 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 proposes 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 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,

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<sup>1</sup> The exception is that a horse required to complete a timed workout for removal from the Veterinarian's List is subject to the same medication restrictions as a horse participating in a race, pursuant to CHRB Rule 1866(è).

guidelines, and penalties relating to equine medication to preserve and enhance the integrity of horse racing in California.

A primary purpose of the Board's drug testing program is to prevent horses from being administered medications and other substances that could increase the likelihood of them becoming injured during a race. These same risks exist, however, during timed workouts. In a timed workout, a horse will run at full speed or near full speed, meaning the same concerns about certain medications increasing the chance of injury during a race are equally applicable. NSAIDs, a class of analgesic medications, which are typically used to treat musculoskeletal and inflammatory processes in horses, can also mask a horse's pain if used in excess. Such use potentially allows horses to train and race while injured, before they are fully healed. The excessive use of NSAIDs has the potential to obscure lameness, thus contributing to the possibility of additional injury. The use of pain-masking medications before a horse is fully healed can place a horse and rider at a higher risk for injury. Local anesthetics and narcotic analgesics can have similar masking-effects by deadening or reducing pain from an injury. The ability to detect signs of inflammation and/or lameness is critical for trainers, jockeys and other licensees to detect injuries, and prevent injured horses from training.

Another purpose of the CHRB's post-race testing program is to ensure that a horse's performance is not enhanced, hindered, or altered by the use of unauthorized medications and other substances. Such efforts can give horses an unfair advantage or disadvantage in a race, which not only may impact the other trainers and owners with competing horses, but also defrauds the wagering public. Similar fraud can result when the timed workout performance of a horse is enhanced, hindered, or altered as well. Many handicappers rely on the past performance of horses to determine their predictions for the order of finish in a race. Past performances often include the results of timed workouts, which means when these workouts are altered by the overuse of pain-masking medications the wagering public is deceived regarding the natural skill and ability of the horse over time.

#### RECOMMENDATION

This item is presented for Board discussion and action. The Board may wish to hear from the Medication, Safety and Welfare Committee.

CALIFORNIA HORSE RACING BOARD  
TITLE 4. CALIFORNIA CODE OF REGULATIONS  
ARTICLE 15. VETERINARY PRACTICES  
PROPOSED ADDITION OF  
RULE 1868. AUTHORIZED MEDICATION DURING TRAINING

Regular Board Meeting  
April 18, 2019

Rule 1868. Authorized Medication During Workouts

(a) No person shall administer a local anesthetic or narcotic analgesic to any horse within 24 hours of a timed workout, nor shall any horse participating in a timed workout carry in its body any local anesthetic or narcotic analgesic.

(b) Not more than one approved non-steroidal anti-inflammatory drug substance (NSAID) may be detected in an official test sample taken from a horse after it completes a timed workout, 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 2 nanograms of the drug substance per milliliter of blood plasma or serum.

(4) Metabolites or analogues of approved NSAIDs may be present in test samples collected after a timed workout.

(c) If the official laboratory reports that a blood test sample collected from a horse after it completes a timed workout 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.

(d) If a blood and/or urine test sample is taken from a horse after a timed workout, the penalty provisions of this article shall apply to such timed workout in the same manner as to a scheduled race.

(e) For the purpose of this regulation, "timed workout" means an exercise session, run in compliance with Rule 1878, in which a horse runs full speed or close to full speed for the purpose of having their performance officially timed and reported.

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

Reference: Section 19580,  
Business and Professions Code.