

CALIFORNIA HORSE RACING BOARD

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REGULAR MEETING

Of the **California Horse Racing Board** will be held on **Wednesday, January 22, 2020**, commencing at **9:30 a.m.**, at the **Department of Consumer Affairs, 1625 N. Market Blvd, 1st Floor Hearing Room, Sacramento, 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) under "Webcasts."

The agenda for the regular meeting will consist of the following matters:

AGENDA

Action Items:

1. **Approval of the minutes of November 21, 2019.**
2. **Approval of the minutes of December 12, 2019.**
3. **Executive Director's Report.**
4. **Medical Director's Report.**
5. Discussion and action by the Board regarding the **request from Southern California Off-Track Wagering, Inc. (SCOTWINC) to modify the distribution of market access fees from advance deposit wagering (ADW)** as permitted under Business and Professions Code Section 19604(f)(5)(E) for wagering conducted by Thoroughbred Associations in the Central and Southern zones from February 1, 2020 through December 31, 2020.
6. Public hearing 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.
7. Public hearing 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.
8. Public hearing and action by the Board regarding the **proposed amendment to CHRB Rule 2049, Designation and Approval of Horsemen's Welfare Fund**, to 1) increase the maximum number of directors or trustees from nine to eleven; 2) eliminate the requirement that directors or trustees have no financial interest in horse racing as a licensed owner,

trainer, or assistant trainer, and are not a current member of the horsemen's organization if the directors or trustees are also common directors of the horsemen's organization; and 3) increase the term for directors and trustees from two to three years.

9. Discussion and action by the Board regarding the **proposed amendments to CHRB Rule 1685, Equipment Requirement**, to modify riding crop specifications and require racetracks to supply and control riding crops.
10. Discussion and action by the Board regarding the **proposed emergency amendments of CHRB Rule 1843.5, Medication, Drugs, and Other Substances Permitted After Entry in a Race and CHRB Rule 1844, Authorized Medication**, to address the Board's prior temporary suspension of authorized medication for all horses participating in all licensed horse racing meetings which expires on March 28, 2020.
11. **Report from the Stewards Committee**
12. **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.
13. **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 pending administrative licensing or disciplinary matters 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. *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 Amanda Drummond.

CALIFORNIA HORSE RACING BOARD

Gregory L. Ferraro, DVM, Chairman
Oscar Gonzales, Vice Chair
Dennis Alfieri, Member
Wendy Mitchell, Member
Alex Solis, Member
Rick Baedeker, Executive Director

PROCEEDINGS of the regular meeting of the **California Horse Racing Board (Board)** held at the **Del Mar Hilton, Derby Room, 15575 Jimmy Durante Blvd., Del Mar, California, on November 21, 2019.**

Present: Dr. Gregory Ferraro, Chairman
Oscar Gonzales, Vice-Chairman
Alex Solis, Member
Fredric Maas, Member
Dennis Alfieri, Member
Wendy Mitchell, Member
Rick Baedeker, Executive Director
John McDonough, Chief Counsel

APPROVAL OF THE MINUTES OF SEPTEMBER 19, 2019

Commissioner Solis asked for approval of the minutes of September 19, 2019. Commissioner Maas **motioned** to approve the minutes of September 19, 2019. Commissioner Alfieri **seconded** the motion, which was **unanimously carried**. Roll call vote: Aye: Alfieri, Mitchell, Maas, Ferraro, Solis, Gonzales. Nay: None. Motion carried.

EXECUTIVE DIRECTOR'S REPORT.

Executive Director Rick Baedeker reported Jacqueline Wagner, former Board Assistant Executive Director, retired in October 2019 after 32 years of State service. He stated Ms. Wagner had been a wealth of knowledge. She had a wonderful work ethic and ever-present cheerfulness, and he wished her the best in her retirement. Executive Director Baedeker said he would be retiring in the spring of 2020. He stated his position was already posted online, as it was designated as a peace officer position and could take two to three months to fill. Executive Director Baedeker reported that for the summer 2019 Golden Gate Fields meeting, the average daily handle was down 4.6 percent. At the Los Angeles County Fair at Los Alamitos, the average daily handle was up 4.6 percent. The

Big Fresno Fair average daily handle was up 6.2 percent. For the month of October 2019, daytime handle was up 2.26 percent, nighttime handle was down 9.7 percent, and total handle was up just under 1 percent for the month. There were 23 fewer daytime programs and 7 fewer nighttime programs this year versus last year. As a result, daytime handle was down 10.2 percent, nighttime handle was down 9.2 percent, with total handle was down 10 percent. Executive Director Baedeker reported the Governor asked the CHRB for a list of recommendations designed to improve the welfare and safety of the race horse. He stated the Board's response was due to the Governor's office by December 4, 2019. He said the Board currently had a draft of three items that would most likely require statutory changes. The first recommendation was to modify the confidentiality requirements for a positive medication test. The Board may recommend the modification to the statute to make public any positive test within 24 hours of receipt of confirmation of the presence of the prohibited substance from the independent laboratory. The second recommendation was that the funds relative to the Board's license fees and penalty revenue be used strictly for welfare and safety measures, and would be used to contract additional state veterinarians, safety stewards, and the necessary infrastructure support. The third recommendation dealt with veterinary medical record exemptions. There was a strong opinion that access to medical records should be available to owners, veterinarians, track veterinarians, official veterinarians, trainers, and jockeys. He reported on other potential policy changes: Mandate that any horse placed on the high priority watch list by the review panel be placed on the veterinarian's list and prohibited from racing and training until removal from that list by the official veterinarian; change veterinarian's list protocols, add stricter protocols for removal from vets lists that could

include digital scanning, such as MRI or a PET scan; posting fatality information weekly on the Board website, which was currently in the works and would begin on January 1, 2020; requiring tracks to have whistleblower protections. He stated the Board did have an 800 number hotline that was posted throughout the enclosures of the Board facilities. He said there was a suggestion to prohibit training or racing on racetracks that had been modified either in anticipation of, or because of, rainy weather; prohibit the use of all corticosteroids; continue to research the feasibility and desirability of synthetic surfaces; prohibit extracorporeal shockwave therapy; explore stronger rule options for requiring trainers to comply with the advice of their veterinarians; continue to increase the use of out-of-competition testing; provide ongoing training to trainers and vets on the risks associated with corticosteroids and other permitted medications; and review penalty guidelines.

ELECTION OF CALIFORNIA HORSE RACING BOARD CHAIRMAN AND VICE CHAIRMAN.

Commissioner Mitchell nominated Commissioner Ferraro for chairman. Commissioner Gonzales seconded the nomination. Commissioner Solis stated there were no other nominations for chairman. Commissioner Ferraro said he was recusing himself from the discussion and voting on the appointment of the chairman. Valerie Traina, private citizen, stated that when electing the chairman and vice-chairman, the Board should keep in mind that the majority of Californians would like to ban horse racing. Heather Hyde, activist, said an individual who sought admiration of fellow horse owners should not be allowed to hold the position of chairman. Martha Sullivan, private citizen, stated that according to the

Legislative Analyst's Office, the industry had been declining since 1998. She expected the new chairman and vice-chairman to lead the industry in the transition to its end. Terri Bingham, attorney, said Commissioner Ferraro was very qualified for the position of chairman. Cliff Goodrich, California Thoroughbred Horsemen's Foundation, stated he could not imagine a better selection than a person who was a dedicated licensed veterinarian. Commissioner Mitchell **motioned** to appoint Commissioner Ferraro chairman. Commissioner Gonzales **seconded** the motion, which was **unanimously carried**. Roll call vote: Aye: Alfieri, Mitchell, Maas, Solis, Gonzales. Nay: None. Motion Carried. Chairman Ferraro said he fully intended to carry out the mandate from the Governor's office that the health and safety of the horses be the primary concern. There would be many difficult regulatory changes to come. Permissive medications would gradually be eliminated from racing and training. Chairman Ferraro nominated Commissioner Gonzales for vice-chairman. Commissioner Alfieri seconded the nomination. Chairman Ferraro stated there were no other nominations for vice-chairman. Commissioner Gonzales said he was recusing himself from the discussion and voting on the appointment of the vice-chairman. Commissioner Mitchell said Commissioner Gonzales was hard-working, knowledgeable, and thoughtful and would be a wonderful vice-chairman. Chairman Ferraro **motioned** to appoint Commissioner Gonzales vice-chairman. Commissioner Alfieri **seconded** the motion, which was **unanimously carried**. Roll call vote: Aye: Alfieri, Mitchell, Maas, Ferraro, Solis. Nay: None. Motion carried.

DISCUSSION AND ACTION BY THE BOARD REGARDING THE DISTRIBUTION OF RACE DAY CHARITY PROCEEDS OF THE LOS ALAMITOS QUARTER HORSE RACING ASSOCIATION, FROM ITS 2018 RACE MEETINGS, IN THE AMOUNT OF \$23,812, TO FIVE BENEFICIARIES.

Rick English, Los Alamitos Quarter Horse Racing Association (LAQHRA), said that all charities on the list of host beneficiaries to receive charity proceeds were involved in the horse racing industry. Commissioner Mitchell **motioned** to approve the distribution of race day charity proceeds of the LAQHRA, from its 2018 race meetings, in the amount of \$23,812, to five beneficiaries. Commissioner Solis **seconded** the motion, which **unanimously carried**. Roll call vote: Aye: Alfieri, Mitchell, Maas, Ferraro, Solis, Gonzales. Nay: None. Motion carried.

DISCUSSION AND ACTION BY THE BOARD REGARDING THE DISTRIBUTION OF RACE DAY CHARITY PROCEEDS OF THE LOS ANGELES TURF CLUB, INCORPORATED DBA SANTA ANITA PARK 2018-2019 WINTER/SPRING RACE MEETING, DECEMBER 26, 2018 TO JUNE 23, 2019 , IN THE AMOUNT OF \$106,481 TO TEN BENEFICIARIES.

Eric Sindler, Los Angeles Turf Club (LATC), requested approval to distribute \$106,481 to ten horse-racing related charities. Commissioner Alfieri **motioned** to approve the distribution of \$106,481 in race day charity proceeds of the LATC from its 2018-2019 winter/spring race meeting to ten beneficiaries. Commissioner Maas **seconded** motion, which was **unanimously carried**. Roll call vote: Aye: Alfieri, Mitchell, Maas, Ferraro, Solis, Gonzales. Nay: None. Motion carried.

DISCUSSION AND ACTION BY THE BOARD REGARDING THE DISTRIBUTION OF RACE DAY CHARITY PROCEEDS OF THE PACIFIC RACING ASSOCIATION DBA GOLDEN GATE FIELDS WINTER/SPRING RACE MEETING, DECEMBER 26, 2018 TO JUNE 9, 2019, IN THE AMOUNT OF \$25,496 TO EIGHT BENEFICIARIES.

Eric Sindler, Pacific Racing Association (PRA), stated that PRA sought permission to distribute race day charity proceeds in the amount of \$25,496 from its December 26, 2018 to June 9, 2019 race meeting to eight beneficiaries, all of which were horse racing-related. Commissioner Alfieri **motioned** to approve the distribution of race day charity proceeds of PRA in the amount of \$25,496 to eight beneficiaries. Commissioner Maas **seconded** the motion, which was **unanimously carried**. Roll call vote: Aye: Alfieri, Mitchell, Maas, Ferraro, Solis, Gonzales. Nay: None. Motion carried.

DISCUSSION AND ACTION BY THE BOARD REGARDING THE REQUEST FOR APPROVAL FROM ADVANCE DEPOSIT WAGERING PROVIDER ODS TECHNOLOGIES, L.P. D/B/A TVG NETWORK (TVG), TO AMEND ITS OPERATING PROCEDURES TO ALLOW CUSTOMERS TO ESTABLISH A TVG ACCOUNT AT EITHER WWW.TVG.COM OR A NEW WEBSITE, WWW.RACING.FANDUEL.COM.

John Hindman, ODS Technologies, L.P. D/B/A TVG Network (TVG), stated that TVG was an advanced deposit wagering (ADW) provider that worked with all the racetracks in California, and that in 2018 TVG became a sister company with Fanduel, a daily fantasy sports website in the United States. Mr. Hindman said that TVG developed a new product that allowed users of Fanduel to create a TVG account and participate in ADW. He stated that operations, management, terms and conditions, and customer procedures were all the same as with TVG, but customers would be able to access ADW through an additional website, racing.fanduel.com. Mr. Hindman said that all the terms and conditions as they related to compensation to racetracks and horsemen were identical to the terms and

conditions for TVG. Commissioner Maas asked if TVG was involved in drafting some of the legislation pertaining to sports betting that had been proposed and if the proposed legislation was prohibitive of using smart phones and mobile technologies to participate in sports betting. Mr. Hindman stated that TVG was not a part of the current initiative but that it had been monitoring it closely, and that he was unclear about the initiative's impact on mobile sports betting. Commissioner Maas **motioned** to approve allowing ADW provider TVG to amend its operating procedures to allow customers to establish a TVG account at either www.tvg.com or a new website, www.racing.fanduel.com. Commissioner Alfieri **seconded** the motion, which **unanimously carried**. Roll call vote: Aye: Alfieri, Mitchell, Maas, Ferraro, Solis, Gonzales. Nay: None. Motion carried.

DISCUSSION AND ACTION BY THE BOARD REGARDING THE REQUEST FOR APPROVAL OF THE CONTINUATION OF THE 0.50% DISTRIBUTION TO THE SOUTHERN CALIFORNIA STABLING AND VANNING FUND FROM ADVANCE DEPOSIT WAGERING (ADW) HOSTED BY THOROUGHBRED RACING ASSOCIATIONS AND RACING FAIRS CONDUCTING RACING IN THE CENTRAL AND SOUTHERN ZONES FOR THE PERIOD COMMENCING JANUARY 1, 2020 THROUGH DECEMBER 31, 2020 AS PERMITTED UNDER BUSINESS AND PROFESSIONS CODE SECTION 19604(f)(5)(E).

Mary Forney, Thoroughbred Owners of California (TOC), stated the Stabling and Vanning Committee met earlier in the week and unanimously approved an agreement to continue the distribution of stabling and vanning funds from advance deposit wagering (ADW) hosted by thoroughbred racing associations and fairs in the central and southern zones. She said the agreement provided in the Board package was correct. The agreement listed 0.4 percent distribution, even though the description in the staff analysis listed 0.5 percent. Executive Director Rick Baedeker stated this was revenue that ordinarily would

divert to purses and commissions from ADW, and they were permitted by law to divert a percentage of that to cover vanning and stabling costs. Commissioner Maas **motioned** to approve the distribution of 0.40% to the Southern California Stabling and Vanning Fund from ADW from January 1, 2020 through December 31, 2020. Commissioner Solis **seconded** the motion, which was **unanimously carried**. Roll call vote: Aye: Alfieri, Mitchell, Maas, Ferraro, Solis, Gonzales. Nay: None. Motion carried.

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 18, 2019 THROUGH JUNE 23, 2020, INCLUSIVE.

Eric Sindler, Los Angeles Turf Club (LATC), stated that LATC had submitted a 40-page marketing plan to the Board. LATC would continue to inform the public about LATC's new safety reforms and protocols, upgrade facilities to enhance the on-track experience, target the younger demographic, and hold live money handicapping competitions, which were a growth segment in the industry. LATC would also launch a new, more user-friendly, and mobile phone-friendly website. Events such as barbecues and wine festivals would be held as in the past. He said LATC would use Los Alamitos for stabling for the entirety of the meet, instead of through February 5, 2019. Executive Director Rick Baedeker stated that the southern California daytime calendar stipulated that the dates allocated to Santa Anita (SA) for the proposed meet would be reduced by 12 days, which would be determined by SA management, taking weather and track condition into consideration. Aidan Butler, LATC, said the horse population would be another factor that was considered. Mr. Sindler stated if weather and the horse population did not require the

entire 12-day reduction in race days, LATC could seek Board approval to run the balance of the 12 days. Chairman Ferraro said the Board would request that the approval of the race meet license be conditioned on three specific actions. The first was there would be no training or racing when the track was deemed unsafe during periods of inclement weather. The proposal LATC submitted addressing the safety of horses during inclement weather conditions, which was an agreement with the Thoroughbred Owners of California (TOC), was acceptable, but the Board needed the specific instructions on implementation. The second requirement was horses that received corticosteroid injections in their fetlock joints could not race for 30 days or work for 10 days. He asked if that condition was agreeable. Mr. Butler stated yes. Chairman Ferraro said the final request was that no claiming races under a \$10,000 claiming level be run at SA. He asked if the condition was acceptable. Mr. Butler said yes. Commissioner Solis asked what kind of maintenance had or would be done to the track before racing. Mr. Butler stated there would be a full renovation, with remixing and re-blending of the false surface. Commissioner Maas asked for an update on the expansion of the stables at SA. Mr. Butler said the original plan was to put 800 stalls in the northern lot, but it was concluded that a more sensible approach would be to expand San Luis Rey Downs (SLRD), which would reduce the usage of the SA main track. Commissioner Maas asked if 800 stalls would be added at SLRD. Mr. Butler stated the expansion would be completed in stages, with the first stage adding up to 500 stalls. SLRD believed an additional 750 stalls could be added thereafter. Commissioner Maas asked for an update on the commitment Belinda Stronach, The Stronach Group (TSG), made at a previous Board meeting regarding new protocols that would be applied at all TSG tracks. Mr. Butler said TSG had joined a multi-state industry

coalition making changes regarding race-day medication, and TSG would push forward. Commissioner Alfieri asked what TSG was doing about the antiquated stables at SA. Mr. Butler stated the barns could not be destroyed and new ones built because they were on the historic registry, so there was an ongoing maintenance schedule for the crews at SA. He said his preference would be to try out different surfaces at SA in real-time weather conditions to determine which type would be the best over the long term. Chairman Ferraro asked when the positron emission topography (PET) scanner and the magnetic resonance imaging (MRI) machine would be operational. Mr. Butler stated the MRI machine would be installed in January 2020, and the PET scanner would be up and running in December 2019. Chairman Ferraro asked if the advance deposit wagering (ADW) agreements and the race meet agreements with TOC and the California Thoroughbred Trainers (CTT) were in place. Mr. Sindler said Monarch Content Management (MCM) was in the middle of its annual contract process, and the ADW agreements would be in place before the proposed race meet began. MCM had requested the horsemen's approval of the ADW agreements from TOC. TOC's policy was to provide the horsemen's ADW approval after its race meet agreement had been signed. There was a race meet agreement in principle with TOC, and it was expected to be signed before the December 2019 regular Board meeting, but negotiations on the CTT race meet agreement could extend beyond that date. Executive Director Baedeker stated that the matters regarding LATC's outstanding agreements could be placed on the December 2019 regular Board meeting agenda. Chairman Ferraro said it was be a good idea. Commissioner Mitchell asked who was responsible for deeming when a track was safe and what the process entailed. Chairman Ferraro stated there would be a presentation

on that matter at the December 2019 regular Board meeting. Mr. Butler said there was a lack of parameters, and LATC was working closely with Dr. Mick Peterson, University of Kentucky, to determine the safest track surface that would also work well in the climate of southern California. Commissioner Mitchell asked if horses were training or racing on a sealed track. Mr. Butler stated yes. Commissioner Mitchell asked if there was a way to unseal the track without the wear and tear on the horses. Mr. Butler said trouble arose when the track was unsealed and drying out. Chairman Ferraro stated that injuries usually occurred two or three days after a rain. Commissioner Mitchell asked if the amount of training conducted would be considered in the process of determining whether to race during periods of inclement weather. Mr. Butler said yes. If a surface was not safe for racing, then it was not safe for training. Commissioner Mitchell asked if LATC had any discussions on limiting the number of training days at SA. Mr. Butler stated yes. LATC was down to six high-speed workdays for horses. Commissioner Gonzales asked if there was an update on the so-called six-and-a-half-furlong race coming down the hill. Mr. Butler said LATC did not intend to bring it back. Executive Director Baedeker stated if the Board imposed conditions on the race meet license, the conditions needed to be enforceable. The conditions regarding corticosteroid injections and claiming races were clear. However, the matter concerning the halting of racing and training during periods of inclement weather was not clear, and the Board would hear the specific parameters at its December 2019 regular Board meeting. Cliff Goodrich, California Thoroughbred Horsemen's Foundation, stated he supported the application for license to conduct a race meeting because without racing at SA, people would be out of work and without healthcare. He said SA and the industry deserved a chance to move forward with the new

initiatives that were put in place. Heather Hyde, private citizen, stated there were alternative jobs for people working at SA. Terri Bingham, private citizen, said she supported the application for license, as LATC was now leading the nation in safety protocols. Toni Falcone, stated she urged the Board to decline the issuance of a race meet license to LATC because SA was unsafe. Chairman Ferraro **motioned** to approve the LATC application to conduct a horse racing meeting commencing December 18, 2019 through June 23, 2020, conditioned upon the requirement that LATC exercise the 12 days of racing closure during the license period during race dates, the restriction placed on racetracks affected by inclement weather and the presentation of inclement weather protocols at the December 2019 regular Board meeting, the agreement not to run races under a \$10,000 claiming level, and the receipt of all outstanding items listed in the staff analysis by December 3, 2019. Commissioner Maas **seconded** the motioned, which was **unanimously carried**. Roll call vote: Aye: Alfieri, Mitchell, Maas, Ferraro, Solis, Gonzales. Nay: None. Motion carried.

DISCUSSION AND ACTION BY THE BOARD REGARDING APPROVAL OF AN AGREEMENT, PURSUANT TO CHRB RULE 1581, RACING SECRETARY TO ESTABLISH CONDITIONS, BETWEEN LOS ANGELES TURF CLUB (LATC) AND THE THOROUGHBRED OWNERS OF CALIFORNIA (TOC), REGARDING ENTRY CONDITIONS AND SPECIFIED DRUG SUBSTANCES OR MEDICATIONS TO BE IMPLEMENTED BY LATC ITS DECEMBER 18, 2019 THROUGH JUNE 23, 2020 RACE MEETING AT THE SANTA ANITA RACETRACK.

Eric Sindler, Los Angeles Turf Club (LATC), said that discussion of the approval of an agreement, pursuant to Board Rule 1581, Racing Secretary to Establish Conditions, between LATC and the Thoroughbred Owners of California (TOC), regarding the entry conditions and specified drug substances or medications to be implemented by LATC at

its December 18, 2019 through June 23, 2020 race meeting at the Santa Anita Racetrack (SA), would be postponed until the December 2019 regular Board meeting so that the TOC and LATC could sign the proper agreement for Board approval. Aiden Butler, The Stronach Group (TSG), stated that the agreement, pursuant to Board Rule 1581 to establish entry conditions and specified drug substances and medications to be implemented at the 2020 race meet, needed to be signed and presented to the Board by December 3, 2019, and then the Board could ratify the agreement. Executive Director Rick Baedeker confirmed that the signed agreement needed to be presented to the Board by December 3, 2019, and that additional restrictions were added on corticosteroid injections into the fetlock joint. Robert Brodник, Board Staff Counsel, said that historically, since March 2019, every track including SA had done two things under Board Rule 1581. First, they had all reduced the maximum allowable dose of Lasix from 500 milligrams to 250 milligrams. Second, they had required a 14-day stand-down for corticosteroids in general. Under the proposed agreement pursuant to Board Rule 1581, a third requirement would be imposed requiring a 30-day stand-down for corticosteroid injections in the fetlock joint for all racing, and a 10-day stand-down for all corticosteroid injections in the fetlock joint for all training or high-speed workouts. These agreements needed to be approved by the TOC and TSG and submitted to the Board for approval on December 3, 2019. Executive Director Baedeker asked if the Board had the ability to approve the agreement contingent upon receiving the signed document on December 3, 2019. Mr. Brodник said that the Board could if a representative of the TOC affirmed that there was agreement between TSG and the TOC. Nick Alexander, TOC, stated that there was agreement. Heather Hyde, independent activist, voiced her concerns about the horse

racing industry. Heather Wilson, activist, stated her concerns regarding medication in horse racing. Commissioner Maas **motioned** to approve the agreement, pursuant to Board Rule 1581, between LATC and the TOC regarding entry conditions and specified drug substances or medications to be implemented by LATC at its December 18, 2019 through June 23, 2020 race meeting at SA, contingent upon receiving all missing documents by December 3, 2019. Commissioner Alfieri **seconded** the motion which **unanimously carried**. Roll call vote: Aye: Alfieri, Mitchell, Maas, Ferraro, Solis, Gonzales. Nay: None. Motion carried.

DISCUSSION AND ACTION BY THE BOARD ON THE APPLICATION FOR LICENSE TO CONDUCT A HORSE RACING MEETING OF THE LOS ALAMITOS RACING ASSOCIATION (T) AT LOS ALAMITOS RACE COURSE, COMMENCING DECEMBER 4, 2019 THROUGH DECEMBER 17, 2019, INCLUSIVE.

Jack Liebau, Los Alamitos Racing Association (LARA), stated the Thoroughbred Owners of California (TOC) race meet agreement had been submitted, and the advance deposit wagering (ADW) contract with NYRABets had been extended to December 15, 2019. He said the changes to its race meet application included opening on Friday instead of Thursday, with three days of racing the first week and four days of racing the second week. He stated LARA also had an extra stakes race, the Bayakoa, that was not listed in the application. He said LARA would have five stakes races: The Starlet, Los Alamitos Futurity, two Cal-Bred races — Soviet Problem and King Glorious — and the Bayakoa. Commissioner Alfieri **motioned** to approve the LARA application to conduct a horse racing meeting commencing December 4, 2019 through December 17, 2019, inclusive.

Commissioner Solis **seconded** the motion, which was **unanimously carried**. Roll call vote: Aye: Alfieri, Mitchell, Maas, Solis, Gonzales, Ferraro. Nay: None. Motion carried.

DISCUSSION AND ACTION BY THE BOARD REGARDING APPROVAL OF AN AGREEMENT, PURSUANT TO CHRB RULE 1581, RACING SECRETARY TO ESTABLISH CONDITIONS, BETWEEN LOS ALAMITOS RACING ASSOCIATION (LARA) AND THE THOROUGHBRED OWNERS OF CALIFORNIA (TOC), REGARDING ENTRY CONDITIONS AND SPECIFIED DRUG SUBSTANCES OR MEDICATIONS TO BE IMPLEMENTED BY LARA AT ITS DECEMBER 4, 2019 THROUGH DECEMBER 17, 2019 RACE MEETING AT THE LOS ALAMITOS RACE COURSE.

Jack Liebau, Los Alamitos Racing Association (LARA), stated that the agreement presented regarding race conditions, pursuant to Board Rule 1581, Racing Secretary to Establish Conditions, had been in place for LARA's prior meet. LARA was in complete agreement with the Thoroughbred Owners of California (TOC) with respect to the agreement and urged the Board's approval. Commissioner Solis **motioned** to approve the agreement, pursuant to Rule 1581, between LARA and TOC, regarding entry conditions and specified drug substances or medications to be implemented by LARA at its December 4, 2019 through December 17, 2019 race meeting at the Los Alamitos Race Course. Commissioner Maas **seconded** the motion, which was **unanimously carried**. Roll call vote: Aye: Alfieri, Mitchell, Maas, Ferraro, Solis, Gonzales. 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, 2019 THROUGH MAY 3, 2020.

Ed Comins, Watch and Wager (WAW), said that 2019 was WAW's seventh year in operation and that WAW was a licensed advance deposit wagering (ADW) company in California. He stated that management of racing was outsourced to Golden Bear Racing. Chris Schick, WAW, said that the race meet application was for a 36-day meet, the same 36 days during which the meet took place in 2018. He said that WAW's fall meet was underway and going well, and WAW was confident about the horse population for the winter meet. Mr. Schick stated that purses were up six percent over the winter 2018 meet, and that the winter 2018 purses were up eight percent from the winter 2017 meet. He said that WAW had been successful in recruiting horsemen from Alberta, Canada. He stated that WAW had added an extra stakes race to the winter 2019 meet, so there were 35 stakes races over the 36-day meet. Commissioner Maas **motioned** to approve the application for license to conduct a horse racing meeting of WAW at Cal Expo, commencing December 26, 2019 through May 3, 2020. Chairman Ferraro **seconded** the motion, which was **unanimously carried**. Roll call vote: Aye: Alfieri, Mitchell, Maas, Ferraro, Solis, Gonzales. Nay: None. Motion carried.

DISCUSSION AND ACTION BY THE BOARD REGARDING APPROVAL OF AN AGREEMENT, PURSUANT TO CHRB RULE 1581, RACING SECRETARY TO ESTABLISH CONDITIONS, BETWEEN WATCH AND WAGER LLC AND THE CALIFORNIA HARNESS HORSEMEN ASSOCIATION (CHHA), REGARDING ENTRY CONDITIONS AND SPECIFIED DRUG SUBSTANCES OR MEDICATIONS TO BE IMPLEMENTED BY WATCH AND WAGER LLC AT ITS DECEMBER 26, 2019 THROUGH MAY 3, 2020 RACE MEETING AT THE CAL EXPO RACETRACK.

Christopher Schick, Watch and Wager (WAW), stated WAW was currently operating under an agreement with the California Harness Horsemen’s Association for WAW’s current meet pursuant to Board Rule 1581, Racing Secretary to Establish Conditions. Commissioner Alfieri **motioned** to approve the agreement. Commissioner Maas **seconded** the motion, which was **unanimously carried**. Roll call vote: Aye: Alfieri, Mitchell, Maas, Ferraro, Solis, Gonzales. Nay: None. Motion carried.

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.

Robert Brodnik, Board Staff Counsel, stated that the proposed amendment to Board Rule 1481, Occupational Licenses and Fees, Board Rule 2071, License to Conduct Advance Deposit Wagering by a California Applicant, and Board Rule 2072, Approval to Conduct Advance Deposit Wagering by an out-of-state Applicant, would require specified

personnel of advance deposit wagering (ADW), mini-satellite wagering, and exchange wagering providers to obtain occupational licenses. The amendment would also require an applicant for license for approval to conduct ADW to provide the Board license numbers of certain personnel and the prior two years' annual financial statements, including the prior two years' annual profit and loss statements for its California-only ADW operations. He said no comments were received during the 15-day comment period. Commissioner Solis **motioned** to approve the amendment to Board Rule 1481, Board Rule 2071, and Board Rule 2072. Commissioner Maas **seconded** the motion, which was **unanimously carried**. Roll call vote: Aye: Alfieri, Mitchell, Ferraro, Maas, Solis, Gonzales. Nay: None. Motion carried.

PUBLIC HEARING AND ACTION BY THE BOARD REGARDING THE PROPOSED AMENDMENT TO CHRB RULE 1660.1, CLAIMED HORSE HEALTH RECORD, TO REQUIRE PERTINENT MEDICAL INFORMATION FROM A HORSE CLAIMED IN A CLAIMING RACE BE TRANSFERRED FROM THE HORSE'S FORMER ATTENDING VETERINARIAN TO THE HORSE'S NEW ATTENDING VET ON THE CLAIMED HORSE HEALTH RECORD (CHRB-245) FORM.

John McDonough, Board Chief Counsel, stated that the Board did not receive any letter during the public comment period, but did receive a letter subsequent to the close of the comment period from Dr. Dionne Benson, The Stronach Group (STG). The letter suggested additions to the Board Rule 1660.1, Claimed Horse Health Record, and Mr. McDonough said that the additions could be made by the Board subsequent to adoption. Dr. Rick Arthur, Board Equine Medical Director, stated that when developing Board Rule 1660.1, he developed two potential versions for the Medication Committee to consider. The first version required that claimed horses have just a record of corticosteroid history

transferred to the new attending veterinarian from the former attending veterinarian. The second version required that a fuller medical record be transferred from the former attending veterinarian to the new attending veterinarian when a horse was claimed. He said he supported the second version requiring the more comprehensive medical record, but the Medication Committee decided to pursue the first version. Dr. Arthur said that, if possible, he recommended the Board reconsider and adopt the second version if it could be put back out for public notice for 15 days. He stated that the second version of the rule was relatively more comprehensive and covered the key points of interest for attending veterinarians when receiving a new horse from a client. Mr. McDonough said that changing the rule to the second version would qualify as a significant change from a regulatory standpoint, and the Office of Administrative Law (OAL) would require a full 45-day public comment period before the changes could be adopted. Mr. McDonough stated that Board staff suggested the Board should approve the current proposed language that had already gone through the 45-day comment period. After the amendment was in effect, the rule could be amended again to reflect the second version's more comprehensive language. Executive Director Baedeker said that language amending Board Rule 1660.1 to reflect the second, more comprehensive version could be before the Board as early as the December 2019 regular meeting. Dr. Arthur suggested staff contact OAL to determine if the language of the second version would qualify as a substantial change requiring a 45-day public notice. Executive Director Baedeker said that the Board could postpone voting on the amendment until the December 2019 regular Board meeting, at which time Board staff could have an answer from OAL and have the second version of the amendment completed and ready to present to the Board. Commissioner Maas stated

that passing the first version of the amendment that had already undergone the full regulatory process and could go into effect was an improvement on the current language and was more certain than pursuing the second version. He said that either way, the Board could pursue the second version at the December 2019 regular Board meeting. Executive Director Baedeker stated that if the Board adopted the amendment in its first version as it was before the Board, staff would have to start the rule making process over to amend the rule to reflect the second version's more comprehensive language. If the Board instead first inquired with OAL before adopting and received a positive response, the Board could potentially initiate a 15-day public comment period and then adopt the enhanced language. Executive Director Baedeker said that staff recommended revisiting the amendment at the December 2019 regular Board meeting. Martha Sullivan, community member, stated her concerns about the regulatory process. Dr. Dionne Benson, TSG, said that TSG supported the comprehensive health record following a claimed horse. Commissioner Mitchell asked if individual tracks such as Santa Anita (SA) could implement the stricter requirements on their own as protocols at their tracks. Dr. Benson said no, they could not unilaterally implement that protocol, that TSG would need an agreement with the Thoroughbred Owners of California (TOC). Commissioner Mitchell stated that she would like to see the TOC and TSG work on an agreement and report back at the December 2019 regular Board meeting. Dr. Benson said that TSG had already implemented policies regarding passing the records of intra-articular corticosteroid injections for claimed horses in Florida and Maryland, and TSG sought to implement similar policies in all the jurisdictions in which it had racetracks. Commissioner Mitchell **motioned** to direct staff to check with OAL to determine if the language of the second

version of Board Rule 1660.1 would require more than a 15-day public comment period, and to report back to the Board at the December 2019 regular Board meeting. Commissioner Alfieri **seconded** the motion, which **unanimously carried**. Roll call vote: Aye: Alfieri, Mitchell, Maas, Ferraro, Solis, Gonzales. Nay: None. Motion carried.

DISCUSSION AND ACTION BY THE BOARD REGARDING THE PROPOSED AMENDMENT TO CHRB RULE 1435, SUSPENSION OF LICENSE TO CONDUCT A RACE MEETING, WHICH ALLOWS THE BOARD TO SUSPEND A RACE MEETING LICENSE WHEN NECESSARY TO PROTECT THE HEALTH AND WELFARE OF THE HORSE OR RIDER.

Robert Brodnik, Board Staff Counsel, stated the agenda item was the first step in the permanent adoption of the currently existing emergency regulation. Presently, the Board had the authority under Board Rule 1435, Suspension of License to Conduct a Race Meeting, to suspend a race meet license when necessary to protect the health or safety of the rider. He said approval of the text would begin the process of codifying the existing emergency text as a permanent regulation and the Board's vote would send it out for a 45-day public comment period. He stated the text presented was the same text that was currently in the existing emergency regulation. Heather Wilson, activist, asked what the threshold of dead horses had to be in order to suspend racing. She said there were at least 35 dead horses since Senate Bill (SB) 469 was signed into law by the Governor on June 26, 2019, yet there was no talk of suspending racing. Liz Jacobelly, activist, said the Board should consider its emergency power to suspend racing licenses. Valerie Traina, concerned citizen, asked the Board to ban horse racing. Josephine Goldberg, horse owner and breeder, stated she did not want horse racing banned. Horse racing saved people's lives by creating jobs; horse racing had equine therapy and made young

entrepreneurs like herself more successful. Jennifer Borges, concerned citizen, stated the horse racing industry was making strides to improve safety in racing with the development of the Thoroughbred Safety Coalition, and a brand-new MRI facility that would be installed during the early part of the upcoming race meeting at Santa Anita racetrack. She said many racetrack management groups, owners, breeders, trainers, and charitable foundations were responsible for financing this expensive piece of equipment that would allow horses to get an MRI screening while standing. Commissioner Maas said he fully supported the proposed amendment to Board Rule 1435 but wanted people to be aware that it was not as simple as closing a meet or track. The Board also had the responsibility of figuring out where the horses would go and how they would be fed, exercised and groomed. Commissioner Alfieri **motioned** to direct staff to initiate a 45-day public comment period regarding the proposed amendment to Board Rule 1435. Commissioner Maas **seconded** the motion, which was **unanimously carried**. Roll call vote: Aye: Alfieri, Mitchell, Maas, Ferraro, Solis, Gonzales. Nay: None. Motion carried.

DISCUSSION AND ACTION BY THE BOARD REGARDING THE PROPOSED ADDITION OF CHRB RULE 1503.5, CONTINUING EDUCATION FOR TRAINERS AND ASSISTANT TRAINERS, TO REQUIRE CONTINUING EDUCATION AS A CONDITION OF RENEWAL OF LICENSE FOR TRAINER OR ASSISTANT TRAINER.

Robert Brodник, Board Staff Counsel, stated that the proposed addition of Board Rule 1503.5, Continuing Education for Trainers and Assistant Trainers, would require continuing education for trainers and assistant trainers. At the time of license renewal, trainers and assistant trainers would be required to show 12 hours of approved coursework within the previous 36 months. Dr. Rick Arthur, Board Equine Medical

Director, said a presentation on the science of training horses was available on the Board website. Chairman Ferraro stated that the Board would have to provide the continuing education because it was not available elsewhere. He asked if the Board was prepared to conduct the seminars. Dr. Arthur said the Board was prepared to provide enough continuing education to meet the requirements. Valerie Traina, private citizen, stated the continuing education should include humane education. Dr. Dionne Benson, The Stronach Group, said she supported the requirement of continuing education. Commissioner Maas **motioned** to direct staff to initiate a 45-day public comment period regarding the proposed addition of Board Rule 1503.5. Commissioner Alfieri **seconded** the motion, which was **unanimously carried**. Roll call vote: Alfieri, Mitchell, Maas, Ferraro, Solis, Gonzales. Motion carried.

DISCUSSION AND ACTION BY THE BOARD REGARDING THE PROPOSED ADDITION OF CHRB RULE 1688, USE OF RIDING CROP.

Commissioner Gonzales said that the Thoroughbred Safety Coalition (TSC) had announced that it was going to address industry issues, including concerns from the public and industry leaders, about the use of the riding crop. Commissioner Gonzales stated that he thought it was important to encourage uniformity in the industry and would like to postpone action on the proposed rule for 30 days to hear from the TSC. He said that the Board could let the TSC know that California planned to continue leading on this issue and that the Board could communicate those intentions with the hope that reforms could be adopted nationwide. Commissioner Solis stated that it could be dangerous if different jurisdictions had different riding crop rules and he felt that the whole racing

community was working together along with the TSC to develop uniform rules in every state. Executive Director Rick Baedeker said that there were two proposed rules. The first rule said that the rider could carry the crop for safety purposes, but if the crop was used, the penalty would be that the rider would lose his share of the purse. Normally the jockey received 10 percent of the owner's share of the purse. Executive Director Baedeker stated that the first rule had a legal flaw in that the provision required the rider to surrender his or her share of the purse, but did not contain a process for redistributing that percentage share, so it would become unenforceable. To repair the provision, the rule was changed to provide that, if the rider used the crop, whether or not it was for safety, the horse would be disqualified, and a penalty would be applied by the stewards. Executive Director Baedeker stated that, according to the stewards, the revised first rule was clearer in its intent and easier to enforce. The second proposed rule provided that the jockey could use the crop in the down position at all times, with both hands on the reins, both hands on the neck, and with the ability to tap the horse on the neck or to show the horse the crop. Executive Director Baedeker said that riders would attest that showing the horse the crop helped horses stay focused and could be a safety issue. Commissioner Maas stated that he was inclined to support the motion to postpone action on the item until the December 2019 regular Board meeting. He said that he was in favor of eliminating the riding crop and that the perception of the riding crop was poor among the public. He stated that even if California prohibited the use of the riding crop, a number of other states would not follow California's example. He said that the current national conversation about the riding crop was an opportunity to collect empirical evidence by using new technology to test the riding crop and measure exactly what the horse felt. Having a determination

based in empirical evidence would provide the Board with a more compelling case for banning the use of the riding crop. He stated there were legitimate arguments for use of the riding crop, so a move to prohibit its use would be strengthened with empirical evidence. Commissioner Solis said implementing rules in California that were different from those of other jurisdictions could cause horse players to reduce wagers in California and damage the industry. Commissioner Gonzales stated that TSC sought to adopt a uniform rule limiting crop use and to define crop specifications. He said that in the spirit of more engagement, the Board needed to hear from more voices. He stated he wanted the Board to postpone action on the proposed rule to reach out to the TSC and to communicate the Board's plans regarding horse and rider safety. Chairman Ferraro said he supported Commissioner Gonzales' motion. The arguments regarding the use of the riding crop were not settled. The Board was concerned with the safety of horse and rider, and it needed to find a correct answer before acting. Commissioner Mitchell stated she appreciated that the Board did not have a clear answer to the problem, but she would not support the motion to postpone action. The use of the riding crop was one of the issues that the Governor's office wanted the Board to address. The optics around the crop's use were damaging for the industry, and she did not want to wait too long to address the issue. Commissioner Gonzales **motioned** to postpone action by the Board regarding the addition of Board Rule 1688, Use of Riding Crop, until the December 12, 2019 regular Board meeting. Commissioner Solis **seconded** the motion, which **passed** five to one. Roll call vote: Aye: Gonzales, Solis, Ferraro, Maas, Alfieri. Nay: Mitchell. Motion carried.

REPORT FROM THE RACE DATES COMMITTEE.

Commissioner Maas stated that no agreement was reached regarding the allocation of the 2020 northern California race dates at the Race Dates Committee meeting held on October 16, 2019. The committee informed the respective constituents that if they did not present an agreement, the Board would assign dates.

DISCUSSION AND ACTION BY THE BOARD REGARDING ALLOCATION OF 2020 SOUTHERN CALIFORNIA QUARTER HORSE RACE DATES.

Rick English, Los Alamitos Quarter Horse Racing Association (LAQHRA), stated that the nighttime Quarter Horse racing dates for LAQHRA were approved at the October 2019 Race Dates Committee meeting. Executive Director Rick Baedeker said LAQHRA requested December 27, 2019 through December 20, 2020. Commissioner Maas **motioned** to approve the 2020 Quarter Horse race dates for LAQHRA. Commissioner Alfieri **seconded** the motion, which was **unanimously carried**. Roll call vote: Aye: Alfieri, Mitchell, Mass, Ferraro, Solis, Gonzales. Nay: None. Motion carried.

DISCUSSION AND ACTION BY THE BOARD ON THE APPLICATION FOR LICENSE TO CONDUCT A HORSE RACING MEETING OF THE LOS ALAMITOS QUARTER HORSE RACING ASSOCIATION (QH) AT LOS ALAMITOS RACE COURSE, COMMENCING (DATES TO BE DETERMINED).

Rick English, Los Alamitos Quarter Horse Racing Association (LAQHRA), said LAQHRA was requesting approval to race December 27, 2019 through December 20, 2020. He stated the race meet would last 151 days, the same number of days as in the prior 2018 through 2019 race meet. He said that overnight purses were comparable to the prior 2018 through 2019 race meet, and the racing schedule was also the same. Mr. English stated

that, of the missing items required in a race meet application listed by Board staff, advance deposit wagering (ADW) agreements were unable to be executed until LAQHRA received its race dates approval. As the dates had been approved, the contracts were sent out for signature and would be returned and submitted to the Board before the start of the race meet. The other item was the horsemen's approval for ADW providers, and Mr. English stated that LAQHRA and the horsemen did have an agreement and that LAQHRA would furnish the proper documents before the start of the race meet. Executive Director Rick Baedeker asked if approval of the race meet application was contingent upon receiving the missing documents, and what date those documents were to be furnished by. Chairman Ferraro said that the approval of the race meet application was contingent upon receiving the missing documents, which would be submitted to the Board by December 10, 2019. Commissioner Maas **motioned** to approve the application for license to conduct a horse racing meeting of the LAQHRA at Los Alamitos Race Course, commencing December 27, 2019 through December 20, 2020, contingent upon receiving the missing ADW agreements and the horsemen's approval of ADW providers by December 10, 2019. Chairman Ferraro **seconded** the motion, which **unanimously carried**. Roll call vote: Aye: Alfieri, Mitchell, Maas, Ferraro, Solis, Gonzales. Nay: None. Motion carried.

DISCUSSION AND ACTION BY THE BOARD REGARDING APPROVAL OF AN AGREEMENT, PURSUANT TO CHRB RULE 1581, RACING SECRETARY TO ESTABLISH CONDITIONS, BETWEEN LOS ALAMITOS QUARTER HORSE RACING ASSOCIATION (LAQHRA) AND THE PACIFIC COAST QUARTER HORSE ASSOCIATION (PCQHRA), REGARDING ENTRY CONDITIONS AND SPECIFIED DRUG SUBSTANCES OR MEDICATIONS TO BE IMPLEMENTED BY LAQHRA AT ITS (DATES TO BE DETERMINED) RACE MEETING AT THE LOS ALAMITOS RACETRACK.

Rick English, Los Alamitos Quarter Horse Racing Association (LAQHRA), stated LAQHRA had an agreement in principle with the Pacific Coast Quarter Horse Racing Association (PCQHRA), which would be presented prior to the next Regular Board meeting. Dr. Rick Arthur, Board Equine Medical Director, said there was no mandatory 14-day stand-down for intra-articular injections in the agreement. He stated he was aware it was a major issue for quarter horsemen, but he thought it was disappointing that it was not proposed in this agreement. Dino Perez, PCQHRA, said Dr. Arthur was correct; there was not a 14-day stand-down and the quarter horse industry was currently operating that way. If that was something the Board would want the parties to pursue, he would have to discuss it with his board. Chairman Ferraro stated the item should be tabled until the Board was presented evidence on the 14-day stand-down. Chairman Ferraro **motioned** to postpone action by the Board regarding approval of an agreement, pursuant to Board Rule 1581, Racing Secretary to Establish Conditions, between LAQHRA and PCQHRA, until the December 12, 2019, Regular Board meeting. Commissioner Alfieri **seconded** the motion, which was **unanimously carried**. Roll call vote: Aye: Alfieri, Mitchell, Maas, Ferraro, Solis, Gonzales. Nay: None. Motion carried.

DISCUSSION AND ACTION BY THE BOARD REGARDING ALLOCATION OF 2020 NORTHERN CALIFORNIA RACE DATES.

Larry Swartzlander, California Authority of Racing Fairs (CARF), stated that CARF was allocating \$809,000 for stabling in 2020. He said Golden Gate Fields (GGF) was allowing for one week of overlap with the Humboldt County Fair (HCF). Commissioner Maas asked if stabling would be handled by the fairs if GGF was not agreeable to CARF's proposal for stabling at GGF. Mr. Swartzlander said yes. Aidan Butler, GGF, stated it was not right for GGF to subsidize the fairs. GGF could not absorb the cost of stabling and incur a significant loss for the sake of the fairs. He said the week of non-overlapping race dates created an issue for the purse account in northern California, and GGF and CARF were unable to reach an agreement that made sense for both parties. GGF preferred that both weeks of racing at HCF overlap with GGF so that the betting public had more choices.

Becky Bartling, Sonoma County Fair (SCF), stated that at the October 2019 Race Dates Committee meeting, SCF presented a proposal to run after the Alameda County Fair (ACF) in 2020. She said SCF continued to have the highest averages for both daily and generated purses and was the only northern California fair with a turf track. She stated that by having one week of its two-week fair during the first week of school, SCF would generate \$500,000 less than if it were not the case. Commissioner Maas asked if Ms. Bartling had prepared a workplan, timeline, and budget of what had been done on SCF's turf course over the last five years. Ms. Bartling said she sent the information to Commissioner Maas, but it was not for the last five years, so she would work on it. Commissioner Maas asked if Ms. Bartling had information for the previous year or two years. Ms. Bartling stated that SCF would put \$146,000 into its turf tracks over the coming year. Commissioner Solis asked when SCF would begin working on the grass course in

anticipation of its 2020 season. Ms. Bartling said SCF had been working on it since August 2019. Jim Morgan, HCF, stated HCF would like to have its entire two-week meet without any overlap, beginning in late August 2020. Overlap prevented HCF from receiving access to host status. He stated the racing at HCF brought \$8 million in revenue to businesses in Humboldt County. He said HCF deserved racing without overlap because it had reroofed all of its stalls, installed a new rail, brought in out-of-state horses, improved its venue, and increased its sponsorship. Nick Alexander, Thoroughbred Owners of California (TOC), stated that from TOC's standpoint, the best result would be achieved by recognizing that stabling at GGF year-round was important for keeping horses in California, and GGF had agreed to reduced compensation. He said total purse generation was greater when GGF ran opposed with HCF, so TOC endorsed GGF agreeing to take two percent in exchange for running opposed. Commissioner Maas stated GGF had already indicated it would not be agreeable to that scenario. Mr. Butler said GGF would take the two percent to cover the stables if it could run overlapped with both of HCF's weeks of racing and keep the horsemen and horses where they are used to living for the rest of the year, as it would provide more stability for the industry. Alan Balch, California Thoroughbred Trainers (CTT), stated CTT supported Mr. Alexander's comments and believed there needed to be overlap in order to optimize the purse account. Mr. Swartzlander said if HCF did not get non-overlapping race dates, then CARF did not support the two percent provision. If HCF had overlap with GGF, CARF would take a \$400,000 hit. Rick Pickering, California State Fair (Cal Expo), stated HCF was not taking dates away from GGF, as it was the Board's responsibility to allocate the race dates. He said the Board had a responsibility to preserve the 125-year tradition of live racing at HCF

by allowing access to host fees, as it was in the best interest of horse racing. Heather Hyde, Humboldt County resident, stated Humboldt County had no accountability for its animal welfare culture. Terri Bingham, private citizen, said horse racing at HCF was not viable, and GGF should not subsidize stabling for the fairs. Mr. Alexander stated that TOC and CTT opposed stabling being handled by the fairs. Chairman Ferraro **motioned** to table the agenda item until the December 2019 Regular Board meeting. Commissioner Alfieri **seconded** the motion, which was **unanimously carried**. Roll call vote: Aye: Alfieri, Mitchell, Maas, Ferraro, Solis, Gonzales. Motion carried.

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 (DATES TO BE DETERMINED).

Eric Sindler, Golden Gate Fields (GGF), said that Pacific Racing Association (PRA) could not submit an application to operate a race meeting at GGF until the racing calendar was complete. He stated it would be best to postpone action on the application for PRA to conduct a horse racing meeting at GGF until the December 2019 regular Board meeting. Aiden Butler, GGF, said that he also thought it was best to postpone action until the December 2019 regular Board meeting. Commissioner Maas **motioned** to table the application for license to conduct a horse racing meeting of the PRA at GGF until the December 2019 regular Board meeting. Chairman Ferraro **seconded** the motion, which **unanimously carried**. Roll call vote: Aye: Alfieri, Mitchell, Maas, Ferraro, Solis, Gonzales. Nay: None. Motion carried.

DISCUSSION AND ACTION BY THE BOARD REGARDING APPROVAL OF AN AGREEMENT, PURSUANT TO CHRB RULE 1581, RACING SECRETARY TO ESTABLISH CONDITIONS, BETWEEN PACIFIC RACING ASSOCIATION (PRA) AND THE THOROUGHBRED OWNERS OF CALIFORNIA (TOC), REGARDING ENTRY CONDITIONS AND SPECIFIED DRUG SUBSTANCES OR MEDICATIONS TO BE IMPLEMENTED BY PRA AT ITS (DATES TO BE DETERMINED) RACE MEETING AT THE GOLDEN GATE FIELDS RACETRACK.

Eric Sindler, Golden Gate Fields (GGF), and Aidan Butler, The Stronach Group, both agreed the approval of an agreement, pursuant to Board Rule 1581, Racing Secretary to Establish Conditions, between Pacific Racing Association (PRA) and the Thoroughbred Owners of California (TOC), regarding entry conditions and specified drug substances or medications to be implemented by PRA at its (dates to be determined) race meeting at the GGF racetrack, should be tabled until the December 2019 regular Board meeting. Commissioner Maas **motioned** to table action by the Board on the approval of an agreement until the December 2019 regular Board meeting. Chairman Ferraro **seconded** the motion, which **unanimously carried**. Roll call vote: Aye: Alfieri, Mitchell, Maas, Ferraro, Solis, Gonzales. Nay: None. Motion carried.

PUBLIC COMMENT

Aaron Gryder, jockey, stated he followed a Board employee's direction to submit a request to the Board to drop his stay on a four-day suspension and serve the suspension immediately following another suspension. He was advised the stewards would issue a ruling. However, the ruling was not issued on time. It seemed that he was made to serve two suspensions for one infraction. Darrel McHargue, Board Chief Steward, said the stewards would meet and decide on when to set days. If Mr. Gryder did not agree with the decision, he could go through the appeal process. Joanne Nor, private citizen, stated

she would like to obtain blood and urine samples from injured horses to test for glyphosate. Jackie Kirkpatrick, private citizen, asked that the Board ban horse racing. Patricia Folgar, private citizen, said the Board should have a plan to assist horsemen in transitioning to other jobs, as the industry was in its final phase. Fernando Estrada, Laborers Local 304 (Local 304), stated that Local 304's collective bargaining agreement with Golden Gate Fields expired on June 30, 2014. There had not been a wage increase since 2013, yet the workers' monthly health premiums continued to increase. Jane Cartmill, private citizen, said she was pleased to learn of the proposed limits on the use of the crop but was skeptical of the implementation. Ronnie Steiner, Encinitas resident, stated that 20,000 nurse mare foals were born each year. Nurse mare foals were the unwanted offspring of female horses used as nursing surrogates for thoroughbred ponies. April Montgomery, banhorseracing.com, said 37 horses had died at Santa Anita since December 2018, and there was no defense for the racehorse deaths. Amanda Lundberg, private citizen, stated that numerous horses had been killed since the signing of Senate Bill 469 on June 26, 2019. Valerie Traina, activist, said that according to the National Thoroughbred Racing Association, 7,500 thoroughbreds were sent to slaughterhouses in Canada and Mexico each year. Josephine Goldberg, horsewoman, stated she was being unfairly denied entry at Santa Anita. Martha Sullivan, private citizen, said according to a poll the San Diego Union Tribune conducted, 65 percent of nearly 59,000 people indicated that California should begin the process of ending horse racing. Ali Nilforushan, horseman, stated tracks needed areas for destressing horses. The infield could be converted into grazing areas and small sand paddocks. He said there should also be treating stalls where horses could be treated with nothing to hide. He stated that synthetic

footing that was 99 percent silica with felt would help in preventing breakdowns. Heather Hyde, private citizen, said racehorse deaths were occurring at an alarming rate, and the use of a riding crop was abuse. Toni Falcone, private citizen, stated that most horses bred for racing were auctioned off to Canada and Mexico. She said horse racing had been in decline for over 30 years.

MEETING ADJOURNED AT 3:36 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.

Chairman

Executive Director

PROCEEDINGS of the regular meeting of the **California Horse Racing Board (Board)** held at the **Los Alamitos Race Course, Finish Line Room, 4961 Katella Avenue, Los Alamitos, California, on December 12, 2019.**

Present: Gregory Ferraro, Chairman
Oscar Gonzales, Vice-Chairman
Alex Solis, Member
Dennis Alfieri, Member
Wendy Mitchell, Member
Rick Baedeker, Executive Director

EXECUTIVE DIRECTOR'S REPORT.

Executive Director Rick Baedeker reported on the recent hiring of two new Board staff, Amanda Drummond, Manager of the Policy and Regulations Unit, and Amanda Brown, Staff Counsel. He said John McDonough, Board Chief Counsel, retired at the end of November after a long public service career. Executive Director Baedeker reported on the financials for November 2019 and year-to-date. Executive Director Baedeker also reported that the issuance of the summary report that detailed the results of the investigations into the fatalities at Santa Anita last winter had a target date of January 15, 2020.

MEDICAL DIRECTOR'S REPORT.

Dr. Rick Arthur, Board Equine Medical Director, reported there was strong international support for the recent changes in California regarding medications. He reported on the positive test notifications served on trainers, as well as on the fatality investigations at Santa Anita and reported on a study regarding Lasix usage.

DISCUSSION AND PRESENTATION FROM STRONACH GROUP REGARDING STABLE AREA IMPROVEMENTS AT SANTA ANITA PARK AND SAN LUIS REY TRAINING CENTER.

Aiden Butler, The Stronach Group (TSG), representing Santa Anita (SA) and San Luis Rey Downs (SLRD) training facility, and Nicola Boon, consultant for the Los Angeles Turf Club (LATC), provided an update on stable area improvements including that TSG had put a quarter of a million dollars into improving the backside at SA, but because 42 of 66 barns at SA were located in a historic district and ineligible for tear down or alterations without consultation with the Federal Government. Ms. Boon and Mr. Butler provided further updates including expanding horse population capacity at SLRD and shifting horse populations away from SA to SLRD.

DISCUSSION AND ACTION BY THE BOARD ON THE OUTSTANDING ITEMS ON THE APPLICATION FOR LICENSURE TO CONDUCT A HORSE RACING MEETING OF THE LOS ANGELES TURF CLUB (T) AT SANTA ANITA PARK RACE TRACK, COMMENCING DECEMBER 18, 2019 THROUGH JUNE 23, 2020, INCLUSIVE.

Chairman Ferraro asked if the LATC was prepared to address its outstanding items which included a 12-day reduction in the number of live race days, no races for horses under a \$10,000 claiming level, the submission of safety protocols related to inclement weather, and other restrictions related to horses administered corticosteroid injections. Robert Brodnik, Board Staff Counsel, said there were still several items listed on the staff analysis that remained outstanding, including the California Thoroughbred Trainers (CTT) agreement. Mr. Butler stated the agreement between LATC and CTT was unable to be negotiated in time. Mr. Balch stated he had a conversation with Mr. Butler in November in which he suggested they renew the existing race meet agreement that was in effect

until December 25, 2019, but Mr. Butler did not commit to renewing the existing agreement and the CTT did not receive a proposal from LATC until the first week of December. Mr. Brodник stated pursuant to Board Rule 2044 if the Board was inclined to grant a license to ensure the continuity of thoroughbred racing in southern California, the Board could set a time and designate a member of the Board to resolve the issues related to the trainers and association with regard to their race meet agreements. Commissioner Alfieri **motioned** to nominate Vice-Chairman Gonzales to conduct a hearing in order to resolve the issues between the CTT and LATC. Chairman Ferraro **seconded** the motion, which was **unanimously carried**. Roll call vote: Aye: Alfieri, Solis, Ferraro, Gonzales, Mitchell. Nay: None. Motion carried. Commissioner Alfieri **motioned** to approve the application for license to conduct a horse racing meeting of the Los Angeles Turf Club at Santa Anita Park Racetrack, commencing December 18, 2019 through June 23, 2020. Vice-Chairman Gonzales **seconded** the motion, which was **passed** four to zero with one abstention. Roll call vote: Aye: Alfieri, Solis, Ferraro, Mitchell. Nay: None. Abstain: Gonzales. Motion carried.

DISCUSSION AND ACTION BY THE BOARD REGARDING APPROVAL OF AN AGREEMENT, PURSUANT TO CHRB RULE 1581, RACING SECRETARY TO ESTABLISH CONDITIONS, BETWEEN LOS ANGELES TURF CLUB (LATC) AND THE THOROUGHBRED OWNERS OF CALIFORNIA (TOC), REGARDING ENTRY CONDITIONS AND SPECIFIED DRUG SUBSTANCES OR MEDICATIONS TO BE IMPLEMENTED BY LATC ITS DECEMBER 18, 2019 THROUGH JUNE 23, 2020 RACE MEETING AT THE SANTA ANITA RACETRACK.

Chairman Ferraro **motioned** to approve the agreement, pursuant to Board Rule 1581, Racing Secretary to Establish Conditions, between LATC and the Thoroughbred Owners of California (TOC), regarding entry conditions and specified drug substances or

medications to be implemented by LATC at its December 18, 2019 through June 23, 2020 race meeting at Santa Anita. Commissioner Solis **seconded** the motioned, which was **unanimously carried**. Roll call vote: Aye: Alfieri, Solis, Ferraro, Mitchell. Nay: None. Motion carried.

DISCUSSION AND ACTION BY THE BOARD REGARDING APPROVAL OF AN AGREEMENT, PURSUANT TO CHRB RULE 1581, RACING SECRETARY TO ESTABLISH CONDITIONS, BETWEEN LOS ALAMITOS QUARTER HORSE RACING ASSOCIATION (LAQHRA) AND THE PACIFIC COAST QUARTER HORSE ASSOCIATION (PCQHRA), REGARDING ENTRY CONDITIONS AND SPECIFIED DRUG SUBSTANCES OR MEDICATIONS TO BE IMPLEMENTED BY LAQHRA AT ITS DECEMBER 27, 2019 THROUGH DECEMBER 20, 2020 RACE MEETING AT THE LOS ALAMITOS RACETRACK.

Mr. Brodnik said that the Board received a signed agreement between Los Alamitos Quarter Horse Racing Association (LAQHRA) and the Pacific Coast Quarter Horse Association (PCQHRA) that conditioned races, under Board Rule 1581 at Los Alamitos Race Course (Los Alamitos) to reduce the permitted maximum levels of Lasix for Quarter Horses to 250 milligrams and provide that no horse that received an intra-articular injection in the 14 days before a race would be allowed to run. Commissioner Alfieri **motioned** to approve the agreement, pursuant to Board Rule 1581, Racing Secretary to Establish Conditions, between LAQHRA and PCQHRA, regarding entry conditions and specified drug substances or medications to be implemented by LAQHRA at its December 27, 2019 through December 20, 2020 race meet at Los Alamitos. Vice-Chairman Gonzales **seconded** the motion to approve, which **unanimously carried**. Roll call vote: Aye: Gonzales, Mitchell, Ferraro, Solis, Alfieri. Nay: None. Motion carried.

DISCUSSION AND ACTION BY THE BOARD REGARDING ALLOCATION OF 2020 NORTHERN CALIFORNIA RACE DATES.

Executive Director Baedeker stated the allocation of the race dates would begin on the Wednesday before opening day and continue through the Tuesday following closing day, and the northern California race dates for 2020 would be as follows: Pacific Racing Association (PRA) at Golden Gate Fields (GGF) (winter-spring meet), December 18, 2019 through June 9, 2020; Alameda County Fair at Pleasanton, June 17, 2020 through July 14, 2020; California State Fair at Cal Expo, July 15, 2020 through August 4, 2020; Sonoma County Fair at Santa Rosa, August 5, 2020 through August 18, 2020; Humboldt County Fair at Ferndale, running un-overlapped August 19, 2020 through August 25, 2020, and running overlapped August 26, 2020 through September 1, 2020; PRA (summer meet), August 26, 2020 through October 6, 2020; Big Fresno Fair at Fresno, October 7, 2020 through October 20, 2020; PRA (fall meet), October 21, 2020 through December 15, 2020. He said PRA was requesting to conclude its winter-spring meet beginning December 18, 2019 on June 16, 2020 instead of June 9, 2020. Vice-Chairman Gonzales **motioned** to approve the 2020 northern California race dates including PRA's request to conclude its winter-spring meet on June 16, 2020. Commissioner Alfieri **seconded** the motion, which was **unanimously carried**. Roll call vote: Aye: Mitchell, Gonzales, Ferraro, Solis, Alfieri. Nay: None. Motion Carried.

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 (DATES TO BE DETERMINED).

Chairman Ferraro **motioned** to approve the PRA's December 18, 2019 through June 16, 2020 race meet application contingent upon the receipt of agreements with each satellite wagering facility in northern California, the race meet agreements with the TOC and the CTT, and all other outstanding items listed in the staff analysis by close of business on December 19, 2019. Vice-Chairman Gonzales **seconded** the motion, which was **unanimously carried**. Roll call vote: Aye: Alfieri, Solis, Ferraro, Gonzales, Mitchell. Nay: None. Motion carried.

DISCUSSION AND ACTION BY THE BOARD REGARDING APPROVAL OF AN AGREEMENT, PURSUANT TO CHRB RULE 1581, RACING SECRETARY TO ESTABLISH CONDITIONS, BETWEEN PACIFIC RACING ASSOCIATION (PRA) AND THE THOROUGHBRED OWNERS OF CALIFORNIA (TOC), REGARDING ENTRY CONDITIONS AND SPECIFIED DRUG SUBSTANCES OR MEDICATIONS TO BE IMPLEMENTED BY PRA AT ITS (DATES TO BE DETERMINED) RACE MEETING AT THE GOLDEN GATE FIELDS RACETRACK.

Mr. Brodник stated that the PRA and TOC submitted an agreement to the Board that conditioned races at GGF under Board Rule 1581. The agreement reduced the maximum allowable dosage of Lasix to 250 milligrams and provided for a 14-day stand down for corticosteroids and a more restrictive stand down for fetlock joint injections. Commissioner Mitchell **motioned** to approve the agreement, pursuant to Board Rule 1581, between PRA and TOC regarding entry conditions and specified drug substances or medications to be implemented by PRA at its December 18, 2019 through June 16, 2020 race meeting at GGF. Vice-Chairman Gonzales **seconded** the motion which was

unanimously carried. Roll call vote: Aye: Alfieri, Solis, Ferraro, Gonzales, Mitchell.

Nay: None. Motion carried.

PUBLIC HEARING AND ACTION BY THE BOARD REGARDING THE **PROPOSED AMENDMENT TO CHRB RULE 1660.1, CLAIMED HORSE HEALTH RECORD**, TO REQUIRE PERTINENT MEDICAL INFORMATION FROM A HORSE CLAIMED IN A CLAIMING RACE BE TRANSFERRED FROM THE HORSE'S FORMER ATTENDING VETERINARIAN TO THE HORSE'S NEW ATTENDING VET ON THE CLAIMED HORSE HEALTH RECORD (CHRB-245) FORM.

Ms. Brown stated the proposed amendment to Board Rule 1660.1 was heard at the November 2019 Board meeting. Due to discussion with Dr. Arthur and a public comment received from Dr. Dionne Benson of TSG, it was determined the proposed amendment should be modified to seek a more comprehensive health record for claimed horses than what was originally noticed to the public. Staff consulted with the Office of Administrative Law (OAL) and determined the changes could be initiated with a 15-day notice to the public because the changes were sufficiently related to the original proposal. Commissioner Mitchell **motioned** to direct staff to initiate a 15-day public comment period regarding the proposed amendment to Board Rule 1660.1. Vice-Chairman Gonzales **seconded** the motion, which was **unanimously carried**. Roll call vote: Aye: Alfieri, Solis, Ferraro, Gonzales, Mitchell. Nay: None. Motion carried.

PUBLIC HEARING AND ACTION BY THE BOARD REGARDING THE **PROPOSED ADDITION OF CHRB RULE 1867.1, USE OF BISPHOSPHONATES PROHIBITED**, TO PROHIBIT THE ADMINISTRATION OF BISPHOSPHONATES TO ANY HORSE WITHIN A CHRB INCLOSURE.

Commissioner Mitchell **motioned** to approve the adoption of Board Rule 1867.1 to prohibit the administration of bisphosphonates to any horse within a Board inclosure.

Chairman Ferraro **seconded** the motion, which was **unanimously carried**. Roll call vote: Aye: Alfieri, Solis, Ferraro, Gonzales, Mitchell. Nay: None. Motion carried.

DISCUSSION AND ACTION BY THE BOARD REGARDING THE PROPOSED ADDITION OF CHRB RULE 1688, USE OF RIDING CROP.

Chairman Ferraro said that the Board was pursuing a third alternative to the two prior alternatives for proposed language of Board Rule 1688. Chief Steward Darrel McHargue stated that the proposed rule was simple to understand and enforceable. He said that the sanctions for violating the proposed rule were sufficiently punitive to ensure the rule was complied with. Commissioner Solis stated that the purse structure at northern and southern tracks differed greatly and suggested that the fine be a percentage of purses instead of a discrete number. Executive Director Baedeker said that it was up to stewards to determine what “mitigating circumstance” would or would not warrant a major infraction. Commissioner Alfieri suggested that the language be changed to provide a maximum fine of \$1,000 instead of a minimum fine of \$1,000. Chairman Ferraro **motioned** to approve the proposed addition of Board Rule 1688, Use of Riding Crop, and to send it out for 45-day public comment period. Commissioner Alfieri **seconded** the motion, which was **unanimously carried**. Roll call vote: Aye: Mitchell, Gonzales, Solis, Alfieri, Ferraro. Nay: None. Motion carried.

PUBLIC COMMENT

Substantial public comment was received from various stakeholders and concerned citizens and can be reviewed in depth in the Board transcript.

MEETING ADJOURNED AT 2:04 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.

Chairman

Executive Director

CALIFORNIA HORSE RACING BOARD

JANUARY 22, 2020
REGULAR BOARD MEETING

There is no board package material for Item 3

CALIFORNIA HORSE RACING BOARD

JANUARY 22, 2020
REGULAR BOARD MEETING

There is no board package material for Item 4

STAFF ANALYSIS

DISCUSSION AND ACTION BY THE BOARD REGARDING THE REQUEST FROM SOUTHERN CALIFORNIA OFF-TRACK WAGERING, INC. (SCOTWINC) TO MODIFY THE DISTRIBUTION OF MARKET ACCESS FEES FROM ADVANCE DEPOSIT WAGERING (ADW) AS PERMITTED UNDER BUSINESS AND PROFESSIONS CODE SECTION 19604(F)(5)(E) FOR WAGERING CONDUCTED BY THOROUGHBRED ASSOCIATIONS IN THE CENTRAL AND SOUTHERN ZONES FROM FEBRUARY 1, 2020 THROUGH DECEMBER 31, 2020.

Regular Board Meeting

January 22, 2020

ISSUE:

Southern California Off Track Wagering, Inc. (SCOTWINC) is requesting approval of an agreement under [Business and Professions Code \(BPC\) section 19604\(f\)\(5\)\(E\)](#) for calendar year 2020 which will continue the modification of market access fee distributions from advance deposit wagering (ADW) wagers placed in the Central and Southern zones on races hosted by the signatory host tracks. The parties to the agreement include Thoroughbred Owners of California (TOC), California Thoroughbred Breeders Association (CTBA), and all Southern California thoroughbred host tracks scheduled to conduct racing in 2020. SCOTWINC provides that any funding in excess of simulcast costs would be split between track and purse commissions.

ANALYSIS:

In December 2018, the Board approved an ADW Expense Fund Agreement covering calendar year 2019 which provided for a distribution to SCOTWINC from market access fees in the amount of 2.9% of Southern California ADW wagering for meets hosted by Del Mar Thoroughbred Club and Los Alamitos Racing Association, and 2.0% for meets hosted by Los Angeles Turf Club. The parties to the agreement, which include TOC, CTBA and all Southern California thoroughbred host tracks, now seek approval for a 2020 agreement with the same rate as in 2019 for meets hosted by Del Mar Thoroughbred Club and Los Alamitos Racing Association, and 2.27% for meets hosted by Los Angeles Turf Club beginning February 1, 2020 through December 31, 2020. SCOTWINC provides that the additional funding is needed to cover simulcast costs, such as totalizator, uplink, and decoder services, pari-mutuel labor, etc. incurred in operating the brick and mortar satellite network. Any funding provided by the agreement in excess of simulcast costs will be split between track and purse commissions.

BACKGROUND:

Business and Professions Code section 19604(f)(5)(E) provides that notwithstanding any provision of this section to the contrary, the distribution of market access fees pursuant to this subparagraph may be altered upon the approval of the Board, in accordance with an agreement signed by all parties whose distributions would be affected.

RECOMMENDATION:

This item is presented for Board discussion and action. Staff recommends the Board hear from a SCOTWINC representative.

2020 Expense Fund Agreement

This Agreement is entered into as of this 2nd day of January, 2020 by and between the undersigned racing associations ("the Signatory Racing Associations") the Thoroughbred Owners of California ("TOC") and the California Thoroughbred Breeders Association ("CTBA").

IT IS HEREBY AGREED AS FOLLOWS:

1. The distribution of Market Access fees from Advanced Deposit Wagering, ("ADW") placed on all live and imported races hosted by the Signatory Racing Associations shall be altered by the creation of an additional deduction for a distribution therefrom based upon a percentage of handle in the Central and Southern Zones that would otherwise be payable as thoroughbred purses and commissions, and such deduction from ADW in the Central and Southern Zones shall be payable to SCOTWINC. The percentage applicable to Thoroughbred meets conducted by the Del Mar Thoroughbred Club and Los Alamitos Racing Association shall be 2.90% and the percentage applicable to meets conducted by the Los Angeles Turf Club shall be 2.27%.
2. The parties shall immediately file this Agreement with the CHRB for the purposes of securing its approval of the deduction contemplated from market access fees placed on races hosted by the Signatory Racing Associations.
3. Subject to the requisite approval of the CHRB, the deduction from ADW set forth in #1 above shall be effective February 1, 2020.
4. For purposes of matching the applicable revenue and expenses of SCOTWINC, the Summer and Fall Thoroughbred meets of Los Alamitos shall be considered a single meet, as shall be the case with respect to the Summer and Fall meets of Del Mar and the Fall and Winter meets of Santa Anita.
5. Notwithstanding the distributions from the ADW Deduction set forth hereinabove, the distribution to the Incentive fund administered by the CTBA shall be calculated at the rate of 0.463% of ADW handle in California on races hosted by the Signatory Racing Associations. In addition to the distributions set forth above, there shall be a distribution from the ADW Deduction in order to pay administrative expenses that would otherwise have been distributed to TOC, CTT, and the Backstretch Workers Pension Plan.
6. The Term of this Agreement shall be effective from February 1, 2020 to December 31, 2020.
7. The Signatory Racing Associations and TOC agree to jointly continue to work toward improving the productivity and efficiency of the off-track satellites and SCOTWINC.

Thoroughbred Owners of California

Los Alamitos Racing Association



By: _____

By: _____

Del Mar Thoroughbred Club

Los Angeles Turf Club

By: _____

By: _____

California Thoroughbred Breeders Association

By: _____

2020 Expense Fund Agreement

This Agreement is entered into as of this 31 day of December, 2019 by and between the undersigned racing associations ("the Signatory Racing Associations") the Thoroughbred Owners of California ("TOC") and the California Thoroughbred Breeders Association ("CTBA").

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2. The parties shall immediately file this Agreement with the CHRB for the purposes of securing its approval of the deduction contemplated from market access fees placed on races hosted by the Signatory Racing Associations.
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5. Notwithstanding the distributions from the ADW Deduction set forth hereinabove, the distribution to the Incentive fund administered by the CTBA shall be calculated at the rate of 0.463% of ADW handle in California on races hosted by the Signatory Racing Associations. In addition to the distributions set forth above, there shall be a distribution from the ADW Deduction in order to pay administrative expenses that would otherwise have been distributed to TOC, CTT, and the Backstretch Workers Pension Plan.
6. The Term of this Agreement shall be effective from February 1, 2020 to December 31, 2020.
7. The Signatory Racing Associations and TOC agree to jointly continue to work toward improving the productivity and efficiency of the off-track satellites and SCOTWINC.

Thoroughbred Owners of California

Los Alamitos Racing Association

By: _____

By: _____

Del Mar Thoroughbred Club

Los Angeles Turf Club

By:  _____

By: _____

California Thoroughbred Breeders Association

By: _____

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2. The parties shall immediately file this Agreement with the CHRB for the purposes of securing its approval of the deduction contemplated from market access fees placed on races hosted by the Signatory Racing Associations.
3. Subject to the requisite approval of the CHRB, the deduction from ADW set forth in #1 above shall be effective February 1, 2020.
4. For purposes of matching the applicable revenue and expenses of SCOTWINC, the Summer and Fall Thoroughbred meets of Los Alamitos shall be considered a single meet, as shall be the case with respect to the Summer and Fall meets of Del Mar and the Fall and Winter meets of Santa Anita.
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6. The Term of this Agreement shall be effective from February 1, 2020 to December 31, 2020.
7. The Signatory Racing Associations and TOC agree to jointly continue to work toward improving the productivity and efficiency of the off-track satellites and SCOTWINC.

Thoroughbred Owners of California

Los Alamitos Racing Association

By: _____

By: _____

Del Mar Thoroughbred Club

Los Angeles Turf Club

By: _____

By: _____

California Thoroughbred Breeders Association

By:  _____

2020 Expense Fund Agreement

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6. The Term of this Agreement shall be effective from February 1, 2020 to December 31, 2020.
7. The Signatory Racing Associations and TOC agree to jointly continue to work toward improving the productivity and efficiency of the off-track satellites and SCOTWINC.

Thoroughbred Owners of California

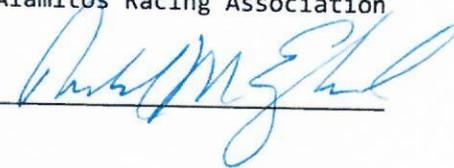
By: _____

Del Mar Thoroughbred Club

By: _____

California Thoroughbred Breeders Association

Los Alamitos Racing Association

By:  _____

Los Angeles Turf Club

By: _____

2020 Expense Fund Agreement

This Agreement is entered into as of this ____ day of December, 2019 by and between the undersigned racing associations ("the Signatory Racing Associations") the Thoroughbred Owners of California ("TOC") and the California Thoroughbred Breeders Association ("CTBA").

IT IS HEREBY AGREED AS FOLLOWS:

1. The distribution of Market Access fees from Advanced Deposit Wagering, ("ADW") placed on all live and imported races hosted by the Signatory Racing Associations shall be altered by the creation of an additional deduction for a distribution therefrom based upon a percentage of handle in the Central and Southern Zones that would otherwise be payable as thoroughbred purses and commissions, and such deduction from ADW in the Central and Southern Zones shall be payable to SCOTWINC. The percentage applicable to Thoroughbred meets conducted by the Del Mar Thoroughbred Club and Los Alamitos Racing Association shall be 2.90% and the percentage applicable to meets conducted by the Los Angeles Turf Club shall be 2.27%.
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5. Notwithstanding the distributions from the ADW Deduction set forth hereinabove, the distribution to the Incentive fund administered by the CTBA shall be calculated at the rate of 0.463% of ADW handle in California on races hosted by the Signatory Racing Associations. In addition to the distributions set forth above, there shall be a distribution from the ADW Deduction in order to pay administrative expenses that would otherwise have been distributed to TOC, CTT, and the Backstretch Workers Pension Plan.
6. The Term of this Agreement shall be effective from February 1, 2020 to December 31, 2020.
7. The Signatory Racing Associations and TOC agree to jointly continue to work toward improving the productivity and efficiency of the off-track satellites and SCOTWINC.

Thoroughbred Owners of California

Los Alamitos Racing Association

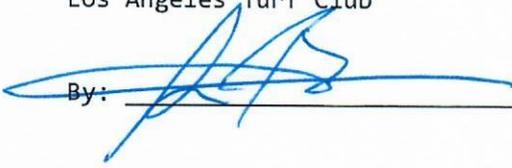
By: _____

By: _____

Del Mar Thoroughbred Club

Los Angeles Turf Club

By: _____

By:  _____

California Thoroughbred Breeders Association

By: _____

STAFF ANALYSIS
PUBLIC HEARING 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.

Regular Board Meeting
January 22, 2020

ISSUE:

Presently, the [California Horse Racing Board \(Board\) Rule 1846.5](#), Postmortem Examination, requires that every horse that dies within an area under the jurisdiction of the Board undergo a postmortem examination in a diagnostic laboratory to determine the injury or sickness that resulted in euthanasia or natural death. While such examinations are useful in determining the cause of death, they rarely provide any information about what triggered the cause of death. For instance, while a horse may suffer a fatal accident due to a broken leg, no further information is obtained to determine why the leg broke. A thorough review of a horse's recent training and medication history to determine causation is almost never conducted unless there are suspicious or illegal circumstances surrounding the horse's death. Consequently, there is little opportunity for the Board to identify trends and behaviors in training that could help prevent future injuries through education and regulation. The proposed addition of Board Rule 1846.6, Postmortem Examination Review, would require that a postmortem examination review panel be convened to determine the circumstances of each equine fatality occurring within a Board inclosure.

ANALYSIS:

The proposed addition of Board Rule 1846.6 will require that a postmortem examination review panel be convened to determine the circumstances of each equine fatality occurring within a CHRB inclosure. The review will require the appearance of the trainer of the expired horse before the panel, as well as the production of the horse's training and medical records for the 60 days prior to its date of death. The rule will also require that the panel prepare and file a written report with the Executive Director as well as the owner or trainer of the expired horse. The rule is intended to be a mechanism for the continuing education of trainers and veterinarians and will also serve as an important research opportunity "to determine more fully the cause and prevention of horse racing accidents" as permitted by [Business and Professions Code section 19444\(c\)](#).

The creation of a postmortem examination review is meant to improve and encourage equine safety and welfare on the racetrack. 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 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 Board.

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 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, [Board 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. [Board 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. [Board 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, Board 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.

At the April 18, 2019 regular Board meeting, the Board discussed and subsequently directed staff to initiate the 45-day public comment period regarding the proposed addition of Board Rule 1846.6. The required Notice documents were completed and submitted to the California Business, Consumer Services, and Housing Agency (Agency) for review and approval. The proposed regulation was submitted to the Office of Administrative Law (OAL) for review and the public comment period was initiated on November 29, 2019.

The 45-day public comment period ended on January 13, 2020. No comments were received.

RECOMMENDATION:

This item is presented to the Board for discussion and action. No comments were received during the 45-day public comment period. Staff recommends that the Board adopt the proposed regulation as presented.

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

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 shall 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 or treating 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.

(3) Treatment and intended treatment plan, including medications, dosage and frequency of use.

(4) All medications and treatments prescribed and dispensed, including strength, dosage, route of administration, quantity, and frequency of use.

(5) Daily progress and disposition of the case.

(6) Copies of laboratory data, if requested by the postmortem review panel.

(7) Copies of diagnostic images including but not limited to radiographs, ultrasounds and nuclear scintigraphies, if requested by the postmortem review panel.

(f) The equine medical records described in (e)(6) and (7) of this regulation are the property of the veterinary facility that originally ordered them to be prepared and require the authorization of the client before the records can be released.

(g) Upon completion of the postmortem examination review, the postmortem examination review panel shall file a written report with the Executive Director and the owner and trainer of the expired horse.

Authority: Section 19440,
Business and Professions Code.

Reference: Sections 19435 and 19444(c),
Business and Professions Code; and
Section 2032.3,
California Code of Regulations.

STAFF ANALYSIS
PUBLIC HEARING 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 MEDICATIONS IN OFFICIAL TEST SAMPLES
TAKEN FROM HORSES AFTER THEY COMPLETE A TIMED WORKOUT

Regular Board Meeting
January 22, 2020

ISSUE:

The California Horse Racing Board (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 facilities¹. The proposed addition of Board 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 Board Rule 1868 would place 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 testing threshold limitations for NSAIDs 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,

¹ 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(e).

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.

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 Board'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:

No comments were received during the 45-day public comment period. Staff recommends the Board adopt the regulation as presented.

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
January 22, 2020

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 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 300 nanograms 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 3 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 1 nanogram 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.

STAFF ANALYSIS
PUBLIC HEARING AND ACTION BY THE BOARD REGARDING THE PROPOSED
AMENDMENT TO CHRB RULE 2049, DESIGNATION AND APPROVAL OF
HORSEMEN'S WELFARE FUND, TO 1) INCREASE THE MAXIMUM NUMBER OF
DIRECTORS OR TRUSTEES FROM NINE TO ELEVEN; 2) ELIMINATE THE
REQUIREMENT THAT DIRECTORS OR TRUSTEES HAVE NO FINANCIAL
INTEREST IN HORSE RACING AS A LICENSED OWNER, TRAINER, OR
ASSISTANT TRAINER, AND ARE NOT A CURRENT MEMBER OF THE
HORSEMEN'S ORGANIZATION IF THE DIRECTORS OR TRUSTEES ARE ALSO
COMMON DIRECTORS OF THE HORSEMEN'S ORGANIZATION; AND 3) INCREASE
THE TERM FOR DIRECTORS AND TRUSTEES FROM TWO TO THREE YEARS

Regular Board Meeting
January 22, 2020

ISSUE:

[California Horse Racing Board \(Board\) Rule 2049](#), Designation and Approval of Horsemen's Welfare Fund, limits the number of directors or trustees of the charitable organization, established pursuant to the rule, to a maximum of nine. The California Thoroughbred Horsemen's Foundation (CTHF), which is the charitable organization that administers the welfare fund for the benefit of thoroughbred horsemen, has determined that additional directors, beyond its nine, are needed to accomplish its objective of offering, as part of its healthcare to backstretch workers, programs and activities that provide recreational, cultural, educational, nutritional, social, spiritual, psychological, and physical fitness benefits.

Additionally, Board Rule 2049 requires that if the directors or trustees of the charitable organization also serve as common directors of the horsemen's organizations acknowledged by the Board under [Board Rule 2040](#), Horsemen's Organizations for Owners or Trainers, then at least forty percent of the charitable organization's directors or trustees must have no financial interest in horse racing as a licensed horse owner, trainer, or assistant trainer and not be a current member of either of the horsemen's organizations. The CTHF believes that this requirement is too restrictive, as individuals with a genuine interest in the welfare of backstretch workers are already common directors of the horsemen's organizations (i.e., Thoroughbred Owners of California and California Thoroughbred Trainers).

Board Rule 2049 also stipulates that the directors or trustees of the charitable organization shall serve two-year terms (they may serve succeeding terms). The CTHF has found that the two-year term limit does not provide enough time to determine a director's merit and is disruptive to the nomination process.

ANALYSIS:

The proposed amendment to Board Rule 2049 would increase the maximum allowable number of directors or trustees of the charitable corporation to eleven, which would allow the CTHF to cultivate directors with a greater breadth of practical outside experience and expand its activities beyond the maintenance of the health of backstretch workers. The proposed amendment would also eliminate the requirement that if the charitable organization's directors or trustees are also common directors of the horsemen's organizations, then forty percent of the directors or trustees must have no financial interest in horse racing as a license horse owner, trainer, or assistant trainer and not be a current member of either horsemen's organization. This would allow the CTHF to recruit individuals with a genuine interest in the welfare of backstretch workers, as the CTHF has found that such individuals are within the industry, including common directors from the thoroughbred horsemen's organizations. Lastly, the proposed amendment would increase the term length for a director or trustee from two years to three years. The three-year term would be consistent with most other non-profit organizations in the industry and provide the CTHF with greater stability, as only one third its directors would be up for election instead of one half. Furthermore, the CTHF would have more time to evaluate a director's performance.

BACKGROUND:

[Business and Professions Code section 19440](#) provides that the Board shall have all powers necessary and proper for it to carry out the purposes of the Horse Racing Law. Board Rule 2049, Designation and Approval of Horsemen's Welfare Fund, sets the requirements for the establishment and designation of a charitable corporation to administer the horsemen's welfare fund and requires that the charitable corporation have at least five and no more than nine directors or trustees who are subject to Board approval and serve two-year terms. At least forty percent of the directors or trustees must have no financial interest in horse racing as a licensed horse owner, trainer, or assistant trainer and must not be a current member of the horsemen's organization responsible for establishing the charitable corporation, if the directors or trustees are also common directors of the horsemen's organization.

At its August 2019 regular meeting, the Board directed staff to initiate a 45-day public comment period. The rulemaking was submitted to the California Business, Consumer Services and Housing Agency (Agency) on September 16, 2019, and Agency approved the rulemaking on November 14, 2019. The rulemaking was submitted to the Office of Administrative Law (OAL) on November 18, 2019, and was noticed by OAL on November 29, 2019. The 45-day public comment period ended on January 13, 2020.

RECOMMENDATION:

This item is presented for public hearing and action. No comments were received during the 45-day public comment period. Staff recommends that the Board adopt the proposed regulation as presented.

CALIFORNIA HORSE RACING BOARD
TITLE 4. CALIFORNIA CODE OF REGULATIONS
ARTICLE 23. CHARITY FOUNDATIONS AND WELFARE FUNDS
PROPOSED AMENDMENT OF
RULE 2049. DESIGNATION AND APPROVAL OF HORSEMEN'S WELFARE FUND

Regular Board Meeting
January 22, 2020

2049. Designation and Approval of Horsemen's Welfare Fund.

The horsemen's organization acknowledged by the Board under Rule 2040 of this division shall establish a charitable corporation to administer its welfare fund for the benefit of horsemen. The charitable corporation shall register with the Registry of Charitable Trusts and be in compliance with the provisions of the Uniform Supervision of Trustees for Charitable Purposes Act (Government Code ~~§~~sections 12580 et seq.). The Board shall designate the charitable corporation as the "welfare fund" for the purposes intended under Section 19641(b) of the Business and Professions Code (~~B&P Code~~); if:

(a) The charitable corporation shall have a minimum of five and a maximum of ~~nine~~eleven directors or trustees who are subject to Board approval. The charitable corporation may not be a subsidiary or division of the horsemen's organization. ~~The directors or trustees of the charitable corporation may be common directors of the horsemen's organization if at least forty percent of the directors or trustees of the charitable corporation have no financial interest in horse racing as a licensed horse owner, trainer, or assistant trainer and are not a current member of the horsemen's organization.~~ The charitable corporation shall select at least one director or trustee without financial interest in horse racing pursuant to ~~B&P~~Business and Professions Code ~~§~~Section 19641.2(c). The term of a director or trustee ~~is~~shall be ~~two~~three years. A director or trustee may serve succeeding terms.

(b) The charitable corporation shall establish its fiscal year to be July 1 through June 30 and shall establish a principal office for the conduct of its activities and as the repository for its records. Its records shall be open to inspection by the Board during normal business hours. The corporation shall publish a report of its activities biennially.

(c) The directors or trustees shall appoint an administrator of the welfare fund who shall procure a license from the Board and perform the duties directed by the directors or trustees.

(d) The directors or trustees shall establish a constitution or bylaws setting forth criteria for eligibility of the beneficiaries of the various programs and activities to be funded under Section 19641(b) of the B&P Business and Professions Code and submit to the Board on or before October 31 of each year a proposed schedule of expenditures from the fund for the next fiscal year specifying therein the categories, programs or activities for which funds will be expended.

Authority: Section 19440,
Business and Professions Code.

Reference: Sections 19641 and 19641.2,
Business and Professions Code; and
Section 9.00, Chapter 324, Statutes of 1983 (Budget Act of 1983).

STAFF ANALYSIS
DISCUSSION AND ACTION BY THE BOARD
ON THE PROPOSED AMENDMENT TO
CHRB RULE 1685, EQUIPMENT REQUIREMENT

Regular Board Meeting
January 22, 2020

ISSUE:

The current [California Horse Racing Board \(Board\) Rule 1685](#) is designed to prevent abuse through use and construction of the riding crop. The current language is the result of a 2010 amendment to transition to the “cushion crop”, a crop design that implements a soft padded material on the tip and has a rounded tip without hard edges. Starting in 2007, the Jockey’s Guild (Guild) began advocating for the cushion crop design as a “kinder” alternative that was gentler on horses and better protected the horses’ health and safety compared to the prior crop design. However, Ramón Dominguez, a retired jockey, has since developed a newer riding crop design called the 360 Gentle Touch (360 GT) that is more “equine friendly” than the current cushion crop. The 360 GT has no stitching and the popper is made of soft but durable foam. The popper on the 360 GT is wider and longer than a cushion crop, and the density and size of the popper makes the crop flex more as it travels through the air compared to the cushion crop. The foam popper causes the tip to bounce off a horse when struck without leaving a sting. The lack of stitching on the popper avoids causing welts or cuts when striking a horse.

On May 8, 2019, Mr. Dominguez proposed new language to the Board to amend Board Rule 1685 to incorporate the specifications of the 360 GT and to require jockeys and riders to use crops with cylindrical soft foam poppers that lack exterior stitching. Under existing language, the 360 GT is authorized only when approved by Stewards, pursuant to subsection (d) of Board Rule 1685.

ANALYSIS:

The text of the proposed amendment to Board Rule 1685 incorporates the specifications for the 360 GT riding crop. The proposed text specifies that the shaft of the riding crop shall have a cylindrical, soft, foam popper instead of the soft, leather flap with a foam interior popper specified in the current text. The proposed text also specifies that there be no binding on the exterior of the soft tube at the end of the shaft. The cylindrical foam popper has no hard edges from folds or seams in contrast to the current cushion crops, and the lack of stitching or binding prevents the accidental strike along the edge or seam of the cushion crop from causing welts or cuts. The proposed amendment to Board Rule 1685 provides that the popper has a minimum width of 0.8 inches, a reduction from the current minimum width of 1 inch to allow for a more tapered popper.

The proposed amendments to Board Rule 1685 also add new subsection (e) which indicates that riding crops will be the property of the association or fair and must be checked out to jockeys prior to the race and returned after the race. The addition of this subsection will eliminate the use of personal riding crops and prevent unauthorized alterations to the crop. The new subsection will also require the association or fair to maintain a log of each riding crop provided to each jockey so a record will be available in the event there is a protest.

Finally, a new subsection (f) has been added to clarify that a violation of this rule may result in a suspension or a fine by the Stewards.

BACKGROUND:

[Business and Professions Code \(BPC\) section 19420](#) provides that the California Horse Racing Board (Board) shall have jurisdiction and supervision over meetings in California where horse races with wagering on their results are held or conducted, and over all persons or things having to do with the operation of such meetings. [BPC section 19440](#) states the Board shall have all powers necessary and proper to enable it to carry out fully and effectually the purposes of Chapter 4 of the BPC. Responsibilities of the Board shall include, but not be limited to, adopting rules and regulations for the protection of the public and the control of horse racing and pari-mutuel wagering. [BPC section 19481](#) provides that in performing its responsibilities, the Board shall establish safety standards governing equipment for horse and rider.

RECOMMENDATION:

This item is presented for Board discussion and action.

CALIFORNIA HORSE RACING BOARD
TITLE 4. CALIFORNIA CODE OF REGULATIONS
ARTICLE 8. RUNNING THE RACE
PROPOSED AMENDMENT OF
RULE 1685 EQUIPMENT REQUIREMENT

Regular Board Meeting
January 22, 2020

1685. Equipment Requirement

- (a) No bridle shall weigh more than two (2) pounds.
- (b) Riding crops allowed for use in flat racing and training shall be unaltered from the original manufacturer; shall have shaft and ~~flap (popper)~~cylindrical soft foam popper; shall weigh no more than 8 ounces and shall not be more than 30 inches in length.
- (1) The minimum diameter of the shaft shall be 0.5 inches, with a smooth, padded contact area that has no protrusions or raised surface.
- (c) The only allowed attachment to the shaft is the ~~flap (popper)~~cylindrical soft foam popper, which shall not extend more than 1 inch beyond the end of the shaft.
- (1) The ~~flap (popper)~~cylindrical soft foam popper shall have a width of not less than ~~40.8 inches~~, or more than 1.5 inches; shall have a minimum length of 7 inches; and a minimum circumference of ~~32.5 inches~~ measured around the width. The ~~flap (popper)~~cylindrical soft foam popper shall have no reinforcements or additions beyond the end of the shaft, and no binding ~~within 7 inches of the end of the shaft~~anywhere on the exterior of the soft tube at the end of the shaft.
- (2) The ~~flap (popper)~~cylindrical soft foam popper shall ~~be folded over and sewn down each side~~. It shall have an inner layer consisting of memory foam, closed cell foam, or a similar shock-absorbing material, and an outer layer that is dark in color and made of material that does not harden over time.
- (d) All riding crops are subject to inspection and approval by the stewards.
- (e) All riding crops used in a race shall be the property of the association or fair conducting the race. No personal crops shall be allowed in a race.
- (1) The association or fair shall provide to competing jockeys an approved riding crop as they leave the Jockey Room for a race. The jockey shall return to the association or fair the riding crop at the time of weigh in after the race.
- (2) The association or fair shall keep a log of each riding crop provided to each jockey.
- (f) A violation of this rule may result in a suspension or fine by the Stewards.

STAFF ANALYSIS
DISCUSSION AND ACTION BY THE BOARD REGARDING THE PROPOSED
EMERGENCY AMENDMENTS OF CHRB RULE 1843.5, MEDICATION, DRUGS, AND
OTHER SUBSTANCES PERMITTED AFTER ENTRY IN A RACE AND CHRB RULE
1844, AUTHORIZED MEDICATION, TO ADDRESS THE BOARD'S PRIOR
TEMPORARY SUSPENSION OF AUTHORIZED MEDICATION FOR ALL HORSES
PARTICIPATING IN ALL LICENSED HORSE RACING MEETINGS WHICH EXPIRES
ON MARCH 28, 2020.

Regular Board Meeting
January 22, 2020

ISSUE:

On March 29, 2019, pursuant to its authority under [California Horse Racing Board \(Board\) Rule 1844.1](#), Suspension of Authorized Medication, the Board suspended the authorized administration of eleven medications for all thoroughbred horses participating at Santa Anita Park (SA) and Golden Gate Fields (GGF). The presence of the suspended medications in a post-race test will be considered a violation of Board regulations. The proposed amendments of [Board Rule 1843.5](#), Medication, Drugs and Other Substances Permitted After Entry in a Race, and [Board Rule 1844](#), Authorized Medication, will codify the Board's prior temporary suspension of authorized medication for all horses participating in all licensed horse racing meetings in California, as the suspensions under Board Rule 1844.1 is for a maximum of 12 months. These amendments have been noticed to the Office of Administrative Law (OAL) on January 3, 2020, and the comment prior will close on February 17, 2020. The public hearing for this rulemaking package is scheduled for the February regular Board meeting. However, due to the short time frame following the February meeting, and the amount of time required for OAL to review the final rulemaking package, it is likely that the 12-month suspension will expire prior to the rulemaking being approved by OAL.

ANALYSIS:

In March 2019, The Stronach Group called for zero tolerance on the use of race day medications at SA and GGF. At its March 2019 regular meeting, the Board authorized a suspension of the administration of eleven medications authorized under Board Rule 1844 for administration to horses entered to race. The suspension was for all thoroughbred horses participating at SA and GGF but would allow the Board to similarly extend the prohibition of authorized medication for any other breed, race or race meeting for 12 months pursuant to Board Rule 1844.1. The suspension began March 29, 2019 and will extend for the remainder of those race meetings. The suspended medications are: Phenylbutazone; Flunixin; Ketoprofen; Betamethasone; Dexamethasone; Diclofenac; Firocoxib; Methylprednisolone; Prednisolone; Triamcinolone Acetonide; and Isoflupredone. The adoption of the emergency regulation will address the Board's prior temporary suspension of authorized medications.

The proposed amendments to Board Rules 1843.5 and 1844 contains the same language as what is currently noticed by OAL and approved by the Board at the June regular Board meeting.

The proposed amendments to Board Rule 1843.5 will modify subsection (a) to change the rule's definition of "entered." Board Rule 1843.5 currently states a horse is deemed "entered" in a race 48 hours before post time of the running of the race. The proposed amendment provides that a horse is deemed "entered" at midnight the day entries close for the race. Subsection 1843.5(b) has been changed to state that only hay, and grain may be provided to the horse up until post time. Subsection (e) has been modified to delete electrolyte solutions and amino acid solutions as substances that may be administered by injection until 24 hours before the post time of the race. Subsection 1843.5(g), which allowed for the administration of phenylbutazone, flunixin and ketoprofen until 24 hours before the post time of the race, has been deleted. A new subsection (g) states that only water may be used to wash the horse's mouth on race day.

The proposed amendment to Board Rule 1844 deletes subsections (c) and (d), which allowed for the administration of not more than one NSAID to a horse that is entered to race. This means that phenylbutazone, flunixin, ketoprofen or metabolites or analogues of the NSAIDs may no longer be present in post-race test samples. A new subsection 1844(c) states that not more than one glucocorticoid including adrenocorticotrophic hormone (ACTH) may be administered to a horse entered to race. Glucocorticoids are a class of steroid hormones used to treat inflammation. Subsection (e) has been amended to remove eight drug substances that with the NSAIDs under subsection 1844(c), constituted the eleven substances previously suspended by the Board. The substances are: Betamethasone; Dexamethasone; Diclofenac; Firocoxib; Methylprednisolone; Prednisolone; Triamcinolone Acetonide; and Isoflupredone.

BACKGROUND:

[Business and Professions Code \(BPC\) section 19440](#) provides that the Board shall have all powers necessary and proper to enable it to carry out fully and effectually the purposes of this chapter. Responsibilities of the Board shall include adopting rules and regulations for the protection of the public and the control of horse racing and pari-mutuel wagering. [BPC 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. [BPC 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. [BPC 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. [BPC section 19582](#) provides that violations of section 19581, as determined by the Board, are punishable as set forth in regulations adopted by the Board.

RECOMMENDATION:

This item is presented for Board discussion and action.

CALIFORNIA HORSE RACING BOARD
TITLE 4., CALIFORNIA CODE OF REGULATIONS
ARTICLE 15. VETERINARY PRACTICES
PROPOSED AMENDMENT OF
RULE 1843.5. MEDICATION, DRUGS AND OTHER SUBSTANCES PERMITTED
AFTER ENTRY IN A RACE

1843.5. Medication, Drugs and Other Substances Permitted After Entry in a Race.

(a) In this ~~rule~~ article a horse is deemed "entered" in a race ~~48 hours before post time of the running of the race~~ at midnight the day entries close for the race.

(b) ~~Water, and feed, including hay, and grain, and feed supplements that do not contain prohibited drugs~~ may be provided to the horse up until post time.

(c) Drugs, medications or any other substances shall not be administered by any means to a horse after it is deemed enter to race ~~within 48 hours of the post time of the race in which the horse is entered~~ except:

(1) Topical medications, (such as antiseptics, ointments, salves, leg rubs, leg paints, hoof dressings, liniments and antiphlogistics) which do not contain anesthetics or other prohibited drugs.

(d) Any drug, medication or any other substance found in a test sample taken from a horse which is not authorized under this rule shall be deemed a prohibited drug substance.

(e) Any of the following substances may be administered by injection until 24 hours before the post time of the race in which the horse is entered:

(1) Injectable Vitamins;

~~(2) Electrolyte Solutions;~~

~~(3) Amino Acid Solutions;~~

~~(4)~~(2) Tetanus Antitoxin or Tetanus Toxoid, if the horse has sustained a wound.

(f) Approved anti-ulcer medications may be administered until 24 hours before the post time of the race in which the horse is entered. A list of approved anti-ulcer medications, and route of administration, shall be posted at each racetrack in the office of the official veterinarian.

~~(g) One of the following non-steroidal anti-inflammatory medications may be administered until 24 hours before the post time of the race in which the horse is entered under Rule 1844 of this division:~~

~~(1) Phenylbutazone;~~

~~(2) Flunixin;~~

~~(3) Ketoprofen.~~

(g) Not more than one glucocorticoid including adrenocorticotrophic hormone (ACTH) may be administered to a horse that is entered to race.

(h) In addition to the substances named in subsection (c)(1), any of the following substances may be administered under Rule 1845 of this division within 24 hours of the post time of the race in which the horse is entered:

(1) Furosemide;

~~(2) Other Authorized Bleeder Medication.~~

(2) Only water may be used to wash the horse's mouth on race day.

(i) Drugs, medications or any other substances may not be administered to a horse by injection, via nasogastric tube (stomach tubing) or any other means after the horse is entered to race, except under these regulations.

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

Reference: Sections 19580, 19581 and 19582,
Business and Professions Code;
Section 337 f, g and h, Penal Code.

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

1844. Authorized Medication.

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

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

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

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

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

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

~~(3) Ketoprofen in a dosage amount that the test sample shall contain not more than 2 nanograms of the drug substance per milliliter of blood plasma or serum.~~

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

~~(d) If the official chemist reports that a blood test sample contains an authorized NSAID in excess of the limit for that drug substance under this rule, the official veterinarian shall, in conjunction with the veterinarian who administered or prescribed the authorized drug substance, establish a dosage amount or time of administration of the drug substance that will comply with the limits under this rule; or the official veterinarian may, if in his/her judgment no such reduced dosage amount or amendment to time of administration will result in a test sample level within the limits of this rule, withdraw authorization for the use of any one NSAID.~~

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

- (1) Acepromazine; 10 nanograms per milliliter
- (2) Mepivacaine; 10 nanograms per milliliter
- (3) Albuterol; 1 nanograms per milliliter
- (4) Procaine; 25 nanograms per milliliter
- (5) Salicylates; 750 micrograms per milliliter
- (6) Detomidine; 2 nanograms per milliliter
- (7) Nandrolone; 1 nanograms per milliliter for geldings, fillies and mares; 45 nanograms for males other than geldings.
- (8) Boldenone; 15 nanograms per milliliter in males other than geldings.
- (9) Testosterone; 20 nanograms per milliliter in geldings.
- (A) Testosterone at any level in males other than geldings is not a violation of this regulation.
- (10) Testosterone; 55 nanograms per milliliter in fillies or mares (unless in foal)

(11) Butorphanol 300 nanograms per milliliter

(fd) Official blood test samples may contain the following drug substances, their metabolites and analogs, in an amount that does not exceed the specified levels in serum or plasma:

~~(1) Bethamethasone; 10 picograms per milliliter~~

(12) Dantrolene; 100 picograms per milliliter

~~(23) Detomidine; 1 nanogram per milliliter~~

~~(4) Dexamethasone; 5 picograms per milliliter~~

~~(5) Diclofenac; 5 nanograms per milliliter~~

(36) Dimethylsulfoxide (DMSO); 10 micrograms per milliliter

~~(7) Firocoxib; 20 nanograms per milliliter~~

~~(48) Lidocaine; 20 picograms per milliliter~~

(59) Methocarbamol; 1 nanogram per milliliter

~~(10) Methylprednisolone; 100 picograms per milliliter~~

(644) Glycopyrrolate; 3 picograms per milliliter

~~(12) Prednisolone; 1 nanogram per milliliter~~

~~(13) Triamcinolone Acetonide; 100 picograms per milliliter~~

(744) Xylazine; 200 picograms per milliliter

~~(845) Butorphanol; 2 nanograms per milliliter~~

~~(16) Isoflupredone; 100 picograms per milliliter~~

(947) Cetirizine; 6 nanograms per milliliter

~~(1048) Cimetidine; 400 nanograms per milliliter~~

~~(1149) Guaifenesin; 12 nanograms per milliliter~~

~~(1220)~~ Omeprazole; 10 nanograms per milliliter

~~(1324)~~ Ranitidine; 40 nanograms per milliliter

~~(eg)~~ Official blood test samples shall not contain any of the drug substances, or their metabolites or analogs listed in subsection ~~(ec)~~(1) to (5) and ~~(ec)~~(7) to (10).

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

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

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

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

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

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

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

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

CALIFORNIA HORSE RACING BOARD

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March 29, 2019

SUBJECT: RULE 1844.1 SUSPENSION OF MEDICATIONS FOR ALL THOROUGHBREDS RACING AT SANTA ANITA PARK AND GOLDEN GATE FIELDS.

The California Horse Racing Board (CHRB or Board) has suspended the authorized administration of the following medications for all thoroughbreds participating at Santa Anita Park and Golden Gate Fields for the remainder of those race meets, respectively, pursuant to its authority under CHRB Rule 1844.1, Suspension of Authorized Medication.

The CHRB's temporary suspension prohibits the presence of:

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)).
Prednisolone (1844(f)(12))
Triamcinolone Acetonide (1844(f)(13))
Isoflupredone (1844(f)(16))

The suspension of authorization for the above mentioned medications for all thoroughbreds competing in horse races at Santa Anita Park and Golden Gate Fields will begin on **March 29, 2019** and extend through the remainder of those race meets. Any of these medications confirmed in a post-race test will be a violation of CHRB regulations.

Sincerely,

A handwritten signature in black ink, appearing to read "Rick Baedeker".

Rick Baedeker
Executive Director

CALIFORNIA HORSE RACING BOARD

JANUARY 22, 2020
REGULAR BOARD MEETING

There is no board package material for Item 11

CALIFORNIA HORSE RACING BOARD

JANUARY 22, 2020
REGULAR BOARD MEETING

There is no board package material for Item 12