

CALIFORNIA HORSE RACING BOARD  
1010 HURLEY WAY, SUITE 300  
SACRAMENTO, CA 95825  
(916) 263-6000  
FAX (916) 263-6042



## REGULAR MEETING

of the California Horse Racing Board will be held on, **Thursday, July 17, 2008**, commencing at **10:00 a.m.**, at the **Del Mar Surfside Race Place (Downstairs General Admission Area), 2260 Jimmy Durante Blvd., Del Mar, California.**

The audio portion only of the California Horse Racing Board regular meeting will be available online through a link at the CHRB website ([www.chrb.ca.gov](http://www.chrb.ca.gov)) under "Webcasts."

### AGENDA

#### Action Items:

1. Discussion and action by the Board on the **Application to Conduct a Horse Racing Meeting of the San Mateo County Fair (F) at Bay Meadows** commencing August 8 through August 17, 2008, inclusive.
2. Discussion and action by the Board on the **Application to Operate a Satellite Wagering Facility submitted by the San Mateo County Event Center.**
3. Discussion and action by the Board on the **Application to Conduct a Horse Racing Meeting of the San Joaquin County Fair (F) at Stockton**, commencing September 3 through September 14, 2008, inclusive.
4. Discussion and action by the Board on the **Application for License to Conduct a Horse Racing Meeting of the Los Angeles County Fair (F) at Fairplex**, commencing September 5 through September 22, 2008, inclusive.
5. Report to and discussion by the Board **regarding the recovery of daily costs attributed to the CHRB for stewards, veterinarians, and staff necessary to facilitate the running of a race meeting.**
6. Public hearing and action by the Board on the **proposed amendment of CHRB Rule 1843.2, Classification of Drug Substances**, to reclassify the anabolic steroids boldenone, nandrolone, stanozolol and testosterone from class four to class three and change the penalty class from category D to category B.

7. Public hearing and action by the Board on the **proposed amendment of CHRB Rule 1850, Posterior Digital Neurectomy**, to prohibit any horse that has had a posterior digital neurectomy after October 1, 2008, from racing in California.
8. Public hearing and action by the Board on the **proposed amendment of CHRB Rule 1853, Examination Required**, to provide that a horse that is not shod is eligible to start in a race provided the horse's "unshod" participation in such race is declared at time of entry and noted in the official program.
9. Public hearing and action by the Board on the **proposed amendment of CHRB Rule 1865, Altering of Sex of Horse**. The Board may adopt one of the two versions of the proposed amendment to Rule 1865. Version one provides for a minimum fine of \$1,000 if the true sex of the horse is not properly identified in the official program. Version two provides that a horse shall be scratched if the true sex of the horse is not correctly noted in the official program.
10. Discussion and action by the Board regarding the feasibility of establishing **minimum net worth standards for racing associations submitting applications for license to conduct a horse racing meeting at both public and private race tracks**.
11. Report from and discussion by the Board **regarding the California Marketing Committee, and its promotion and expenditure plans pursuant to Business and Professions Code section 19605.73**.
12. Discussion and action by the Board on the **distribution of race day charity proceeds of the Los Angeles Turf Club, Incorporated in the amount of \$217,843 to 40 beneficiaries**.
13. Staff report on the **concluded race meeting of the Los Angeles Turf Club at Santa Anita from December 26, 2007 through April 20, 2008**.
14. Report to and discussion by the Board on **policy and regulations related to the redistribution of purses as a result of post-race positive medication violations**.
15. **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 presentation.
16. **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," as authorized by Government Code section 11126(e).

- B. The Board may convene a Closed Session to confer with and receive advice from its legal counsel regarding the pending administrative licensing or disciplinary matters described in the attachment to this agenda captioned "Pending Administrative Adjudications," as authorized by Government Code section 11126(e).

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

**CALIFORNIA HORSE RACING BOARD**

Richard B. Shapiro, Chairman  
John C. Harris, Vice Chairman  
John Andreini, Member  
Jesse H. Choper, Member  
Jerry Moss, Member  
Kirk E. Breed, Executive Director

CALIFORNIA HORSE RACING BOARD  
1010 HURLEY WAY, SUITE 300  
SACRAMENTO, CA 95825  
(916) 263-6000  
FAX (916) 263-6022



**PENDING LITIGATION  
JULY 2008**

CASE

CASE REFERENCE

**CALIFORNIA HARNESS HORSEMEN'S  
ASSOCIATION and CAPITOL RACING,  
LLC, v.**  
California Horse Racing Board

Sacramento County Superior Court  
No. 03CS01033  
Third District Court of Appeal  
No. C051744

**CAPITOL RACING, LLC, v.**  
California Horse Racing Board and  
(California Harness Horsemen's Association  
interested Party)

Sacramento County Superior Court  
No. 05CS01116

**CALIFORNIA HARNESS HORSEMEN'S  
ASSOCIATION v.**  
Capitol Racing

Sacramento County Superior Court  
No. 05AS05586

**JAMGOTCHIAN, JERRY v.**  
California Horse Racing Board, et al.

Los Angeles County Superior Court  
No. BC380314

**PARI-MUTUEL EMPLOYEES GUILD v.**  
California Horse Racing Board

Sacramento Superior Court

**SCIENTIFIC GAMES, LLC**

Pending Adjudicatory Proceeding

**SACRAMENTO HARNESS ASSN.**

Pending Adjudicatory Proceeding

STAFF ANALYSIS  
July 17, 2008

Issue: APPLICATION FOR LICENSE TO CONDUCT A HORSE RACING MEETING OF THE SAN MATEO COUNTY FAIR AT SAN MATEO AUGUST 6-17, 2008.

San Mateo County Fair filed its application to conduct a horse racing meeting at San Mateo:

- August 6-17, 2008, or 10 days, 1 less than in 2007. The fair proposes to race a total of 86 races, 17 less than the previous year.
- The proposed race dates are the approved dates allocated to the fair.

August - 2008						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

- Racing Wednesday through Sunday with 8 races per day Wednesday, Thursday, Friday and 9 races Saturday and Sunday.
  - Number of horses available determines the number of daily races programmed by breed.
  - 2007 Race Meeting: Average number of runners per race (TB): 6.38
  - 2007 Race Meeting: Average number of runners per race (Arabian): 9.00
  - 2007 Race Meeting: Average number of runners per race (Quarterhorse): 5.50
  - 2007 Race Meeting: Average number of runners per race (Mules): 0
- Racing concurrently with Humboldt Fair and Del Mar 8/7-10 and 8/13-17.
- First post 1:45 p.m. daily.
  - Post times may be adjusted for the coordination of California races.
- San Mateo County Fair will be open for stabling at no cost, Monday May 12 through Monday October 13. Stall application will be accepted from all breeds.
- Request Patrick Kealy be appointed horse identifier pursuant to CHRB Rule 1525.
- Track safety requirements have been fulfilled.
- Wagering program will use CHRB rules.
  - Will offer a \$1 place pick (n) on first 10 races of each card, \$1 pick (n) pool (pick four) on first four and final four races and a \$2 pick (n) pool (pick 6) on final six races.

- The Advance Deposit Wagering (ADW) providers are TVG, Twin Spires, Youbet and XpressBet.
- Simulcasting conducted with other out-of-state racing jurisdictions pursuant to Business and Professions Code Section 19602; and with authorized locations throughout California.
- A copy of the 2007 San Mateo County Fair end of meet report has been included for your review. This report was previously presented to the Board at the December 2007 CHRB Board meeting.
- Inspection of backstretch worker housing completed.

RECOMMENDATION:

Staff recommends the Board approve the application.

## END-OF-MEET OUTLINE SUMMARY

San Mateo County Fair  
August 8, 2007 – August 19, 2007  
Race Days: 11

## AVERAGE DAILY STATISTICS

	PERCENTAGE CHANGE
Ave. Daily Handle	-6.62%
Ave. On-Track	-7.96%
Ave. Off-Track	-5.35%
Ave. Out-Of-State	-12.55%
Ave. ADW	9.10%
Ave. Daily Attendance	-9.55%
Ave. Daily On-Track Attendance	-11.40%
Ave. Daily Off-Track Attendance	-8.13%

SAN MATEO COUNTY FAIR

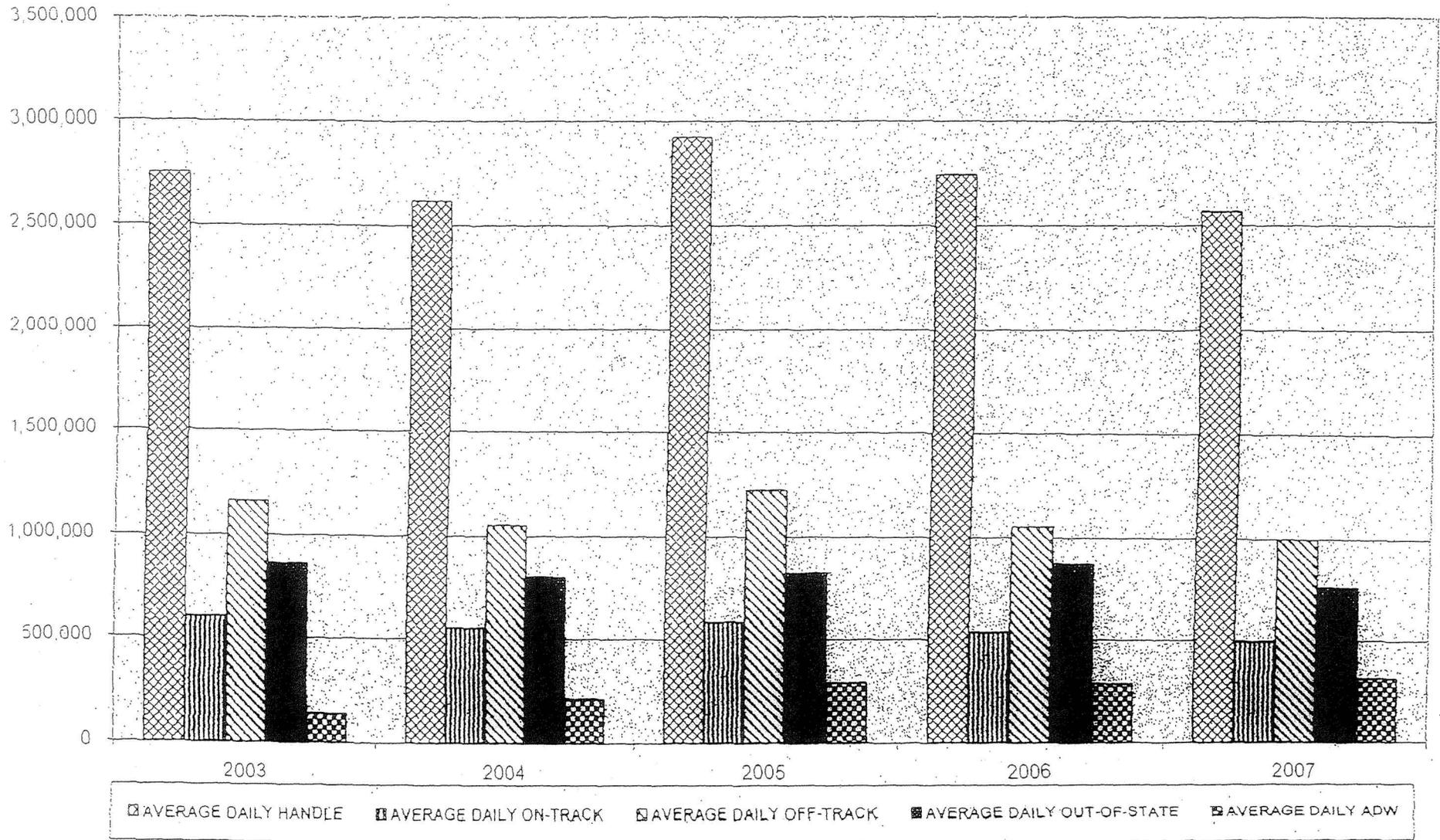
YEAR	2003	2004	2005	2006	2007
TOTAL RACE DAYS	12	12	12	12	11
TOTAL HANDLE	33,085,531	31,429,897	35,073,812	32,980,437	26,229,727
ON-TRACK	7,160,665	6,616,631	6,973,546	6,436,307	5,430,099
OFF-TRACK	13,989,697	12,662,765	14,743,259	12,668,775	10,991,809
OUT-OF-STATE	10,296,174	9,602,634	9,851,395	10,421,845	8,353,997
ADW	1,648,996	2,547,867	3,505,612	3,453,511	3,453,822
LIVE	16,984,046	17,822,238	19,233,174	19,057,608	15,880,149
OUT-OF-ZONE IMPORTED	7,555,523	6,909,926	7,952,233	6,922,768	6,006,826
INTERSTATE IMPORTED	6,553,963	6,697,733	6,485,633	5,614,615	4,943,287
INTERNATIONAL IMPORTED	0	0	1,402,772	1,385,446	1,399,464
AVERAGE DAILY HANDLE	2,757,661	2,619,158	2,922,818	2,748,370	2,566,339
AVERAGE DAILY ON-TRACK	596,722	551,386	581,129	536,359	493,645
AVERAGE DAILY OFF-TRACK	1,165,808	1,055,230	1,228,605	1,055,731	999,255
AVERAGE DAILY OUT-OF-STATE	858,015	800,220	820,950	868,487	759,454
AVERAGE DAILY ADW	137,416	212,322	292,134	287,793	313,984
AVERAGE DAILY LIVE	1,582,004	1,485,196	1,602,764	1,588,134	1,443,650
AVG. DAILY OUT-OF-ZONE IMPORTED	629,627	575,827	662,686	576,897	546,075
AVG. DAILY INTERSTATE IMPORTED	546,330	558,144	540,469	467,885	449,390
AVG. DAILY INTERNATIONAL IMPORTED	0	0	116,898	115,454	127,224
TOTAL TAKEOUT	6,353,674	6,409,255	7,168,798	6,758,863	5,781,751
EFFECTIVE TAKEOUT	19.20%	20.39%	20.44%	20.49%	20.48%
STATE LICENSE FEES	233,949	204,161	230,433	203,190	161,171
STATE %	0.71%	0.65%	0.66%	0.62%	0.57%
TRACK COMMISSIONS	1,155,655	1,054,551	1,158,909	1,054,130	884,360
ADW COMMISSIONS	82,106	113,891	164,036	174,010	157,692
TOTAL COMMISSIONS	1,237,771	1,168,442	1,322,944	1,228,140	1,042,252
TRACK %	3.49%	3.36%	3.30%	3.20%	3.13%
HORSEMEN'S PURSES	1,165,836	1,061,645	1,164,261	1,059,757	867,929
ADW PURSES	82,684	114,906	165,216	174,825	158,795
TOTAL PURSES	1,248,519	1,176,551	1,329,477	1,234,582	1,046,724
HORSEMEN'S %	3.52%	3.38%	3.32%	3.21%	3.15%

SAN MATEO COUNTY FAIR

C - I 25P J

YEAR	2003	2004	2005	2006	2007
CALIFORNIA ATTENDANCE	71,453	61,286	64,845	62,676	51,964
ON-TRACK	30,636	25,818	25,428	27,310	22,181
OFF-TRACK	40,617	35,468	39,417	35,366	29,783
AVERAGE DAILY ATTENDANCE	5,954	5,107	5,404	5,223	4,724
AVERAGE DAILY ON - TRACK	2,570	2,152	2,119	2,276	2,016
AVERAGE DAILY OFF - TRACK	3,385	2,956	3,285	2,947	2,708
TOTAL RACE EVENTS	112	101	113	111	93
TOTAL RUNNERS	760	670	800	761	597
AVERAGE STARTS PER EVENT	6.8	6.6	7.1	6.9	6.4
AVERAGE HANDLE PER START	24,979	26,600	24,041	25,043	26,600

# SAN MATEO COUNTY FAIR



NORTHERN CALIFORNIA  
2008 SUMMER STABLING SCHEDULE  
*As of June 6, 2008*

---

*Alameda County Fair*  
*Pleasanton*

Open for stabling at no cost Monday May 12 through Tuesday July 8. Stall applications accepted from all breeds. Racing conducted June 25 through July 6. Open for stabling year-round at a cost of \$4 per day per stall.  
Stalls available: 684  
**Contact: Racing Secretary Tom Doutrich**

*Solano County Fair*  
*Vallejo*

Open for stabling at no cost Monday June 16 through Wednesday July 23. **Note:** Opening on June 16 is conditional on receiving applications from at least 100 horses and/or mules deemed to be qualified by Racing Secretary Tom Doutrich. Normal pre-meeting stabling opening date is June 30. Stall applications accepted from all breeds. Racing conducted July 9 through July 21.  
Stalls available: 864  
**Contact: Racing Secretary Tom Doutrich**

*Sonoma County Fair*  
*Santa Rosa*

Open for stabling at no cost Sunday July 13 through Wednesday August 6. Stall applications accepted from all breeds. Racing conducted July 23 through August 4.  
Stalls available: 1,100  
**Contact: Racing Secretary Tom Doutrich**

*Humboldt County Fair*  
*Ferndale*

Open for stabling at no cost Sunday July 27 through Tuesday August 19. Stall applications accepted from all breeds. Racing conducted August 7 through August 17.  
Stalls available: 230  
**Contact: Racing Secretary Ella Robinson**

*San Mateo County Fair*

*Bay Meadows/San Mateo*

Open for stabling at no cost Monday May 12 through Monday October 13, the last day of Fresno Fair's racing. San Mateo Fair racing conducted August 6 through August 17. Stall applications accepted from all breeds. See also *Bay Meadows* below.

Stalls available: 900

Contact: Racing Secretary Tom Doutrich

*California State Fair*

*Sacramento*

Open for stabling at no cost Sunday August 10 through Wednesday September 3. Stall applications accepted from all breeds. Racing conducted August 20 through September 1.

Stalls available: 1,012

Contact: Racing Secretary Tom Doutrich

*San Joaquin Fair*

*Stockton*

Open for stabling at no cost Sunday August 24 through Saturday September 20. Stall applications accepted from all breeds. Racing conducted September 3 through September 14.

Stalls available: 756

Contact: Racing Secretary Tom Doutrich

*Fresno District Fair*

*Fresno*

Open for stabling at no cost Sunday September 21 through Wednesday October 15. Stall applications accepted from all breeds. Racing conducted October 1 through October 13.

Stalls available: 780

Contact: Racing Secretary Tom Doutrich

NORTHERN CALIFORNIA AUXILIARY STABLING FACILITIES

*Bay Meadows*

*San Mateo*

Open for stabling at no cost Monday May 12 through Monday October 13, the last day of Fresno Fair's racing. **Note:** Closing date of stabling availability may change due to development plans for Bay Meadows. Stall applications accepted from all breeds.

Stalls available: 900

**Contact:** Racing Secretary Tom Doutrich

*Golden Gate Fields*

*Albany*

Open for stabling at no cost Monday June 23 through Monday October 13, the last day of Fresno Fair's racing. Golden Gate Fields will be conducting Thoroughbred racing September 17 through the end of the year. Stall applications accepted from all breeds.

Stalls available: 1425

**Contact:** Racing Secretary Tom Doutrich

**Contact:** Racing Secretary Sean Greely

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

**1. APPLICANT FAIR ASSOCIATION**

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

**San Mateo County Exposition and Fair Association**  
 P.O. Box 1027, San Mateo, CA 94403-0627

Telephone: (650) 574-3247  
 Fax: (650) 574-3985

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

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

**2. DATES OF RACE MEETING**

A. Inclusive dates of race meeting: 8/6, 8/7, 8/8, 8/9, 8/10, 8/13, 8/14, 8/15, 8/16, 8/17  
 B. Dates racing will NOT be held: 8/11, 8/12, 8/18; simulcast wagering will be offered on 8/11 & 8/18  
 C. Total number of racing days: 10

**3. RACING PROGRAM**

A. Total number of races: 86

B. Number of races by breed:

Thoroughbreds  Quarter Horses  Appaloosas  
 Arabians  Paints  Mules

C. Number of races daily:

	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Thoroughbred	9			8	8	8	9
Other Breeds	1			0	0	0	0
Total	10			8	8	8	9

**CHRB CERTIFICATION**

Application received: 5/6/08  
 Reviewed: *[Signature]*

Hearing date: 7/7/08  
 Approved date:  
 License number:

D Total number of stakes races by breed:

<input type="text" value="1"/>	Thoroughbreds	<input type="text" value="1"/>	Quarter Horses	<input type="text"/>	Appaloosas
<input type="text"/>	Arabians	<input type="text"/>	Paints	<input type="text"/>	Mules

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

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

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

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

Race #	Daily
1	1:45
2	2:16
3	2:48
4	3:20
5	3:50
6	4:20
7	4:50
8	5:20
9	5:50
10	6:18

Post times may be adjusted to facilitate coordination of California races

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

4. FAIR ASSOCIATION

- A. Names of the fair directors: **Jack Olsen-President, Melanie Hildebrand-Vice President, Peter Chartz-Treasurer, Tony Clifford-Immediate Past President, Steve Karp-Board Member, Mark Norris-Board Member, John Zirelli-Board Member**
- B. Names of the directors serving on the Racing Committee or otherwise responsible for the conduct of the racing program: **Chris Carpenter, Director of Racing**
- C. Name and title of the fair manager or executive officer and the names and titles of all department managers and fair staff, other than those listed in 9B, who will be listed in the official program:

5. PURSE PROGRAM

A. Purse distribution:

- 1. All races other than stakes:
  - Current meet estimate: **\$1,268,112 plus starter purses per Section 19605.75**
  - Prior meet actual: **\$1,387,108 plus starter purses per Section 19605.75**

## SAN MATEO COUNTY FAIR 2008 STAKES SCHEDULE

---

### THOROUGHBREDS

Sunday, August 17, 2008-Overnight Handicap

**Name to be determined**

**\$50,000 added**

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

Three Year Old Fillies

One mile and one sixteenth on the Turf

---

### QUARTER HORSES

Sunday, August 17, 2008-Overnight Handicap

**Bay Meadows Quarter Horse Dash-**

**\$15,000 Guaranteed**

Three Years Old & Upward

400 yards

---

Average Daily Purse (5A1 ÷ number of days):

Current meet estimate: \$126,811  
 Prior meet actual: \$126,101

2. Overnight stakes:

Current meet estimate: \$ 65,000 (includes supplements & fees)  
 Prior meet actual: \$ 46,650 (includes supplements & fees)

Average Daily Purse (5A2 ÷ number of days):

Current meet estimate: \$ 6,500  
 Prior meet actual: \$ 4,241

3. Non-overnight stakes:

Current meet estimate: -0-  
 Prior meet actual: -0-

Average Daily Purse (5A3 ÷ number of days):

Current meet estimate: -0-  
 Prior meet actual: -0-

B. Funds to be generated for all California-bred incentive awards:

Current meet estimate: \$106,939  
 Prior meet actual: \$117,633

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

Current meet estimate:		Prior meet actual:
CTT	4,137	4,365
TOC	8,273	8,731
NTRA	2,764	6,677
PCQHRA	1,068	1,068
CWAR	-0-	-0-
ARAC	-0-	1,452
AMRA	-0-	-0-
CHBPAPEN	12,410	13,096
CTHF	12,410	13,096
Total	\$41,062	48,484

D. Amount from all sources to be distributed at the meeting in the form of purses or other benefits to horsemen (5A+5B+5C):

Current meet estimate: \$1,481,113  
 Prior meet actual: \$1,599,875

Average Daily Purse (5D ÷ number of days):

Current meet estimate: \$ 148,111  
 Prior meet actual: \$ 145,443

- E. Purse funds to be generated from on-track handle and intrastate off-track handle:
- |                        |             |
|------------------------|-------------|
| Current meet estimate: | \$1,158,199 |
| Prior meet actual:     | \$1,248,874 |
- Average Daily Purse (5E ÷ number of days):
- |                        |            |
|------------------------|------------|
| Current meet estimate: | \$ 115,820 |
| Prior meet actual:     | \$ 113,534 |
- F. Purse funds to be generated from interstate handle:
- |                        |            |
|------------------------|------------|
| Current meet estimate: | \$ 145,974 |
| Prior meet actual:     | \$ 157,403 |
- Average Daily Purse (5F ÷ number of days):
- |                        |           |
|------------------------|-----------|
| Current meet estimate: | \$ 14,597 |
| Prior meet actual:     | \$ 14,309 |
- G. Bank and account number for the Paymaster of Purses' purse account:  
**San Mateo County Fair Horsemen's Account – Wells Fargo, account # On file**
- H. Name, address and telephone number of the pari-mutuel audit firm engaged for the meeting:  
**Disher Accountancy Corp., 1816 Maryal Drive, Sacramento, CA 95864; 916-482-4224**

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

## 6. STABLE ACCOMMODATIONS

- A. Number of usable stalls available for racehorses at the track where the meeting is held: **900**
- B. Minimum number of stalls believed necessary for the meeting: **1,900**
- C. Total number of usable stalls to be made available off-site at approved auxiliary stabling areas or approved training centers: **1,500**
- D. Name and location of each off-site auxiliary stabling area and the number of stalls to be maintained at each site: **Golden Gate Fields (Albany)-1,200; Alameda County Fair (Pleasanton)-300**

- E Attach each contract or agreement between the fair and the person(s) furnishing off-site stabling accommodations for eligible racehorses that cannot be provided stabling on-site. **NCOTWINC Van and Stabling Agreement 2008 extension (To be provided by CARF)**

Complete subsections F through H if the fair will request reimbursement for off-site stabling as provided by B& Code Sections 19607, 19607.1, 19607.2, and 19607.3; otherwise, skip to Section 7.

- F. Total number of usable stalls made available on-site for the **1986** meeting: **N/A**
- G. Estimated cost to provide off-site stalls for this meeting. Show cost per-day per stall:  
**Per the Northern California Stabling and Vanning Agreement-\$7.76 per day per stall**
- H. Estimated cost to provide vanning from off-site stalls for this meeting. Show fees to be paid for vanning per-horse: **n/a**

**7. PARI-MUTUEL WAGERING PROGRAM**

- A. Pursuant to B&P Code Section 19599, and with the approval of the CHRB, fairs may elect to offer wagering programs using CHRB Pari-mutuel Rules, the Association of Racing Commissioners International (RCI) Uniform Rules of Racing, Chapter 9, Pari-mutuel Wagering, or a combination of both. Please complete the following schedule for the types of wagering other than WPS and the minimum wager amount for each:

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

Example Race	TYPE OF WAGERS	APPLICABLE RULES
	\$1 E; \$1 Double	CHRB #1959; RCI #VE
1	\$1E, \$2Q, \$1TRI, \$1PK3, \$2DD, \$.10SF, \$1PPN, \$1PNP(4)**	CHRB#1959, #1958, #1979, #1977, #1957, #1979.1, #1976.8, #1976.9
2	\$1E, \$2Q, \$1TRI, \$1PK3, \$2DD, \$.10SF	CHRB#1959, #1958, #1979, #1977, #1957, #1979.1
3	\$1E, \$2Q, \$1TRI, \$1PK3, \$2DD, \$.10SF, \$2PNP(6)*	CHRB#1959, #1958, #1979, #1977, #1957, #1979.1, #1976.9
4	\$1E, \$2Q, \$1TRI, \$1PK3, \$2DD, \$.10SF	CHRB#1959, #1958, #1979, #1977, #1957, #1979.1
5	\$1E, \$2Q, \$1TRI, \$1PK3, \$2DD, \$.10SF, \$1PNP(4)**	CHRB#1959, #1958, #1979, #1977, #1957, #1979.1, #1976.9
6	\$1E, \$2Q, \$1TRI, \$1PK3, \$2DD, \$.10SF	CHRB#1959, #1958, #1979, #1977, #1957, #1979.1
7	\$1E, \$2Q, \$1TRI, \$1PK3, \$2DD, \$.10SF	CHRB#1959, #1958, #1979, #1977, #1957, #1979.1
8	\$1E, \$2Q, \$1TRI, \$1PK3, \$2DD, \$.10SF	CHRB#1959, #1958, #1979, #1977, #1957, #1979.1
9	\$1E, \$2Q, \$1TRI, \$1PK3, \$2DD, \$.10SF	CHRB#1959, #1958, #1979, #1977, #1957, #1979.1
10	\$1E, \$2Q, \$1TRI, \$1PK3, \$2DD, \$.10SF	CHRB#1959, #1958, #1979, #1977, #1957, #1979.1

- B. Maximum carryover pool to be allowed to accumulate before its distribution **OR** the date(s) designated for distribution of the carryover pool: **August 17, 2008**
- C. List any options requested with regard to exotic wagering:  
  - \*\$2 Pick (n) Pool (Pick 6) will be offered on the final six races of each card, with 70% to the major pool or carryover, and 30% to the minor pool.
  - \*\*\$1 Pick (n) Pool (Pick 4) will be offered on the first four and final four races of each card
  - \*\*\*\$1 PPN (Place Pick (n) Pool will be offered on the first ten races of each card

- D. Will "advance" or "early bird" wagering be offered?  Yes  No  
If yes, when will such wagering begin:

E. Type(s) of pari-mutuel or totalizator equipment to be used by the fair and the simulcast organization, the name of the person(s) supplying equipment, and expiration date of the service contract: **Scientific Games Racing, Terry McWilliams, September, 2012**

**8. ADVANCE DEPOSIT WAGERING (ADW)**

A. Identify the ADW provider(s) to be used by the fair for this race meeting:  
**TVG, twinspace.com, YouBet.com, XpressBet**

**9. SIMULCAST WAGERING PROGRAM**

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

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

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

**NORTHERN CALIFORNIA**

**SOUTHERN CALIFORNIA**

Alameda County Fair, Pleasanton	Barona Valley Ranch Resort & Casino, Lakeside
Bay Meadows, San Mateo	Cabazon Fantasy Springs Casino, Indio
Big Fresno Fair, Fresno	Del Mar Thoroughbred Club, Del Mar*
California State Fair & Exposition, Sacramento	Earl's Place at Earl Warren Showgrounds, Santa Barbara
Fresno Club One, Fresno	Fairplex Park, Pomona
Golden Gate Fields, Albany	Hollywood Park, Inglewood
Humboldt County Fair, Ferndale*	Los Alamitos Racecourse, Los Alamitos
Kern County Fair, Bakersfield	Santa Anita Park, Arcadia
Monterey County Fair, Monterey	Shalimar Sports Center, Riverside Fair, Indio
Redwood Acres Fair, Eureka**	Sports Center at National Orange Show, San Bernardino
San Joaquin County Fair, Stockton	Sports Pavilion, San Bernardino Cty. Fair, Victorville
San Mateo County Fair, San Mateo	Sports Pavilion at The Farmer's Fair, Perris
Santa Clara County Fair, San Jose	Surfside Race Place at Del Mar, Del Mar**
Shasta District Fair, Anderson	Sycuan Gaming Center, El Cajon***
Solano County Fair, Vallejo	The Derby Club, Seaside Park, Ventura Cty. Fair, Ventura
Sonoma County Fair, Santa Rosa	The Horsemen's Club, Santa Barbara Cty. Fair, Santa Maria
Stanislaus County Fair, Turlock	Viejas Casino & Turf Club, Alpine
Tulare County Fair, Tulare	Watch & Wager, Antelope Valley Fairgrounds, Lancaster
* Open during Ferndale Fair Meet	*July 16 – September 3, 2008
**Closed during Ferndale Fair Meet	**Closed July 16 – September 3, 2008
	***Closed for renovation

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

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

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

NOTICE TO APPLICANT: B&P Code Section 19596.2(a) stipulates that on days when live thoroughbred or fair racing is being conducted in the state, the number of thoroughbred races which may be imported by an association or fair during the calendar period the association or fair is conducting its racing meeting cannot exceed a combined daily total of 23 imported thoroughbred races statewide. The limitation of 23 imported thoroughbred races per day statewide does not apply to those races specified in B&P Code Section 19596.2(a)(1), (2), (3) and (4).

THOROUGHBRED SIMULCAST RACES TO BE IMPORTED

Name of Host Track	Race Dates	Full Card or Selected Feature and/or Stakes Races
Arlington Park	8/6-8/18/08	Full or Partial Cards
Assiniboia Downs	8/6-8/18/08	Full or Partial Cards (International)
Calder	8/6-8/18/08	Full or Partial Cards
Canterbury Park	8/6-8/18/08	Full or Partial Cards
Delaware Park	8/6-8/18/08	Full or Partial Cards
Ellis Park	8/6-8/18/08	Full or Partial Cards
Emerald Downs	8/6-8/18/08	Full or Partial Cards
Fort Erie	8/6-8/18/08	Full or Partial Cards (International)
Hastings Park	8/6-8/18/08	Full or Partial Cards (International)
Louisiana Downs	8/6-8/18/08	Full or Partial Cards
Monmouth	8/6-8/18/08	Full or Partial Cards
Northlands Park	8/6-8/18/08	Full or Partial Cards (International)
NYRA (Saratoga)	8/6-8/18/08	Full or Partial Cards
Penn National	8/6-8/18/08	Full or Partial Cards
Philadelphia Park	8/6-8/18/08	Full or Partial Cards
Prairie Meadows	8/6-8/18/08	Full or Partial Cards
Remington Park	8/6-8/18/08	Full or Partial Cards
River Downs	8/6-8/18/08	Full or Partial Cards
South America	8/6-8/18/08	Full or Partial Cards (International)
Suffolk Downs	8/6-8/18/08	Full or Partial Cards
Thistledown	8/6-8/18/08	Full or Partial Cards
Woodbine	8/6-8/18/08	Full or Partial Cards (International)

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

OTHER BREED SIMULCAST RACES TO BE IMPORTED

Name of Host Track	Breed of Horse	Race Dates	Number of Races to be Imported
	n/a		

- H. If any out-of-state or out-of-country races will commence outside of the time constraints set forth in B&P Code Sections 19596.2 and 19596.3, attach a copy showing agreement by the appropriate racing association(s). n/a

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

Every fair shall pay to the simulcast organization within 3 calendar days following the closing of wagering for each racing program, upon receipt of the proceeds, such amounts that are retained from off-track simulcast wagering, interstate and out-of-state wagering and which are obligated by statute for guest commissions, simulcast operator's expenses and promotions, equine research, local government

## SAN MATEO COUNTY FAIR

Common Pool Locations	Common Pool Locations	Common Pool Locations
AmWest Entertainment Cypress Bayou Casino (LA) Rider's Up OTB (SD) Time Out Lounge (SD) Triple Crown OTB (SD)	Hoosier Park @ Anderson Horsemen's Park Indiana Downs Evansville OTB Clarksville OTB	Prairie Meadows Presque Isle Downs Raceway Park Racing World Racing US Victor Chandler
Arapahoe Park Arima Race Club Arlington Park Atlantic City Race Course Alokad Downs Balmoral Park/Maywood Park Bangor Historic Track/Millers OTB BelPad Beulah Park Birmingham Race Course Blue Ribbon Downs Bluff's Run Greyhound Buffalo Raceway Calder Race Course Canadian Associations Canterbury Park Capital District OTB Capital District OTB ADW (NY only) Catskill Regional OTB Catskill Regional OTB ADW (NY only) Charles Town Race Course Churchill Downs Churchill Downs ADW Coeur d'Alene Casino & Acct. Wagering Colonial Downs Colonial Downs ADW (VA only) Columbus Races Connecticut OTB Divi Carina Bay Casino Ho-Chunk Casino John Martin's Manor Mohegan Sun Casino Oneida Bingo Pony Bar Simulcast Center Randall James Racetrack Royal Beach Casino Shoreline Star Greyhound Tote Investment Racing Service CT OTB	Jackson Harness Raceway Keeneland Kentucky Downs Lebanon Raceway Les Bois Park Lewiston Raceway Lien Games Chips Lounge and Casino El Rancho Motor Hotel OTB Idaho Falls Racing OTB North Dakota Horse Park Rumors OTB Aberdeen Racing OTB Milch's Grandstand OTB Clubhouse Lounge @ ND Horse Park Skydancer Casino OTB BetAmerica ADW (non-CA wagers) Lincoln Greyhound Park Lone Star Park Louisiana Downs LVDC Allantis Paradise Island Casino Cities of Gold/Pojoaque Elite Turf Club Elite Turf Club #2 Elite Turf Club #3 Foxwoods Resort and Casino Meskwaki Bingo & Casino Stables, The	Raynham Taunton Greyhound Raynham Taunton Greyhound ADW (MA only) Remington Park Retama Park RGS River Downs Rockingham Park Rockingham Park ADW (NH only) Seabrook Greyhound Rosecroft Raceway Royal River Racing Ruidoso Downs Sam Houston Race Park Valley Greyhound Park Saratoga Raceway Scarborough Downs Scioto Downs Southland Greyhound Sports Creek Raceway Suffolk Downs Pal's Pizza OTB (ME) Suffolk Regional OTB Suffolk Regional OTB ADW (NY only) Sunland Park SunRay Park Sol Mutuel Ltd. The Greyhound Park @ Post Falls The Lodge @ Belmont The Lodge @ Belmont ADW (NH only) The Meadows The Racing Channel TRNI Thistledown Tioga Downs Tri-State Greyhound Turf Paradise Turfway Park TVG Vernon Downs Western Region OTB Western Region OTB ADW (NY only) Wheeling Downs Will Rogers Downs Wonderland Greyhound Woodlands Wyoming OTB Xpressbet Yavapai Downs Yonkers Raceway Youbet Zia Park
Greenetrack Gulf Greyhound Park Harrah's Chester Downs Harrington Raceway Hawthorne Race Course Hazel Park Hinsdale Greyhound Park	MagnaBel Manor Downs Maryland Jockey Club Meadowlands/Monmouth Meadowlands/Monmouth ADW (NJ only) Mobile Greyhound Montana Simulcast Partners Monticello Raceway Mountaineer Park Mount Pleasant Meadows Nassau Regional OTB Nassau Regional OTB ADW (NY only) Nebraska State Fair Park Nevada Pari-Mutuel Association New Jersey Casinos Newport Jai-Alai New York City OTB New York City OTB ADW (NY only) New York Racing Association NYRA ADW (NY only) Northfield Park Cedar Downs OTB Northville Downs Oaklawn Park Ocean Downs Penn National Penn National ADW (PA only) Philadelphia Park Philadelphia Park ADW (PA only) Plainridge Race Course Plainridge Race Course ADW (MA only) Pocono Downs Pocono Downs ADW (PA only) Portland Meadows	<b>Separate Pool Locations</b> Hipodromo Presidente Remon NV Disseminator MIR/Caliente

m-lieu taxes, and stabling and vaning deductions. Every fair shall pay to its Paymaster of Purses' account within 3 calendar days following the closing of wagering for each racing program, or upon receipt of the proceeds, such amounts that are retained or obligated from off-track simulcast wagering, interstate and out-of-state wagering for purses, breeders' awards or other benefits to horsemen. (See Notice to Applicant, Section 5.)

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

### A. Racing officials nominated:

Association Veterinarian(s)	Dr. Robert Connelly, Dr. Diane Isbell
Clerk of Scales	Ken Sjoldal
Clerk of the Course	Tina Walker
Film Specialist	Ross Allardyce
Horse Identifier	Patrick Kealy
Horseshoe Inspector	Jack Hammonds
Paddock Judge	Joe Gibson
Patrol Judges	Joe Gibson, Myra Truitt
Placing Judges	Greg Brent
Starter	Chuck Burkes
Timer	Richard Somers

### B. Management officials in the racing department:

Director of Racing	Chris Carpenter
Racing Secretary	Tom Doutrich
Assistant Racing Secretary	Greg Brent and Linda Anderson
Paymaster of Purses	Peggy Morsi
Others (identify by name and title)	
Main Track Superintendent	Bob Turman
Turf Course Superintendent	Bernie Eastridge
Price Maker	Richard Somers
Stable Superintendent	Jerry Lynn Hunter

### C. Name, address and telephone number of the reporter employed to record and prepare transcripts of hearings conducted by the stewards:

**Christine Niccoli, Niccoli Reporting Associates**  
619 Pilgrim Drive, Foster City, CA 94404 (650) 573-9339

### D. Photographic device to be used for photographing the finish of all races, name of the person supplying the service, and expiration date of the service contract:

**Plusmic Corporation USA (Bill O'Brien), expires 9/08**

### E. Photopatrol video equipment to be used to record all races, name of the person supplying the service, and expiration date of the service contract. Specify the number and location of cameras for dirt and turf tracks.

**Bay Meadows Video Department, led by Jim Fetter, supplies video equipment to record all races. Seven color cameras, twenty-one videotape recorders, and nine video monitors are utilized.**

**Cameras for dirt and turf tracks include:**

- Pan camera #1 (tight pan) aligned with finish lines, just above photo finish camera on grandstand roof
- Pan Camera #2 (wide pan) located next to tight pan camera
- 3/8 tower camera aligned with backstretch of dirt track
- 1/4 tower camera aligned with front stretch of turf course (rear view)
- 7/8 tower camera aligned with front stretch of dirt track
- 7/8 pan/tilt/zoom remote controlled camera aligned with turf course front stretch (head on)
- 5/16 pan/tilt/zoom remote controlled camera
- Highlight camera follows lead horses down the stretch from near ground level

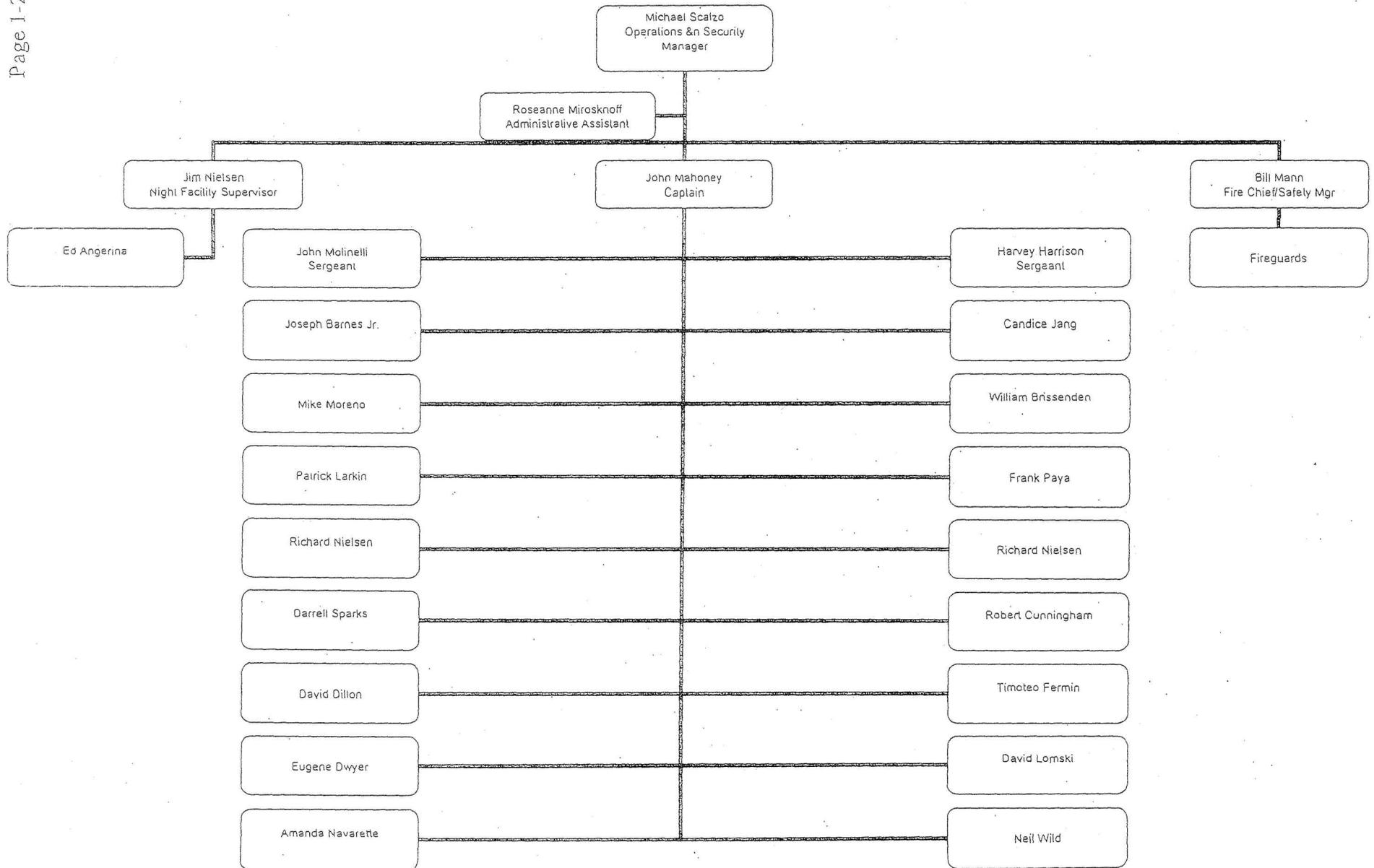
- F. Type of electronic timing device to be used for the timing of all races, name of the person supplying the service, and expiration date of the service contract:

Electronic timer, installed and maintained by Bay Meadows personnel

## 11. SECURITY CONTROLS

- A. Name and title of the person responsible for security controls on the premises. Include an organizational chart of the security department and a list of the names of security personnel and contact telephone numbers. **Michael Scalzo, VP Operations & Security. Organizational chart and list of security personnel attached**
- B. Estimated number of security guards, gatemen, patrolmen or others to be engaged in security tasks on a regular full-time basis: **21 uniformed guards, 2 plain clothes, 5 stable area guards**
1. Attach a written plan for enhanced security for graded stakes races, and races of \$100,000 or more, to include the number of security guards in the restricted areas during a 24-hour period and a plan for detention barns. **San Mateo County Fair does not offer either graded stakes or races of \$100,000 or more. Detention barn plan is attached**
  2. Detention Barns:
    - A. Attach a plan for use of graded stakes or overnight races. **Attached**
    - B. Number of security guards in the detention barn area during a 24-hour period. **4**
    - C. Describe number and location of surveillance cameras in detention barn area. **Attached**
  3. TCO2 Testing:
    - A. Number of races to be tested, and number of horses entered in each race to be tested. **Applicant will follow CHRB staff directives to insure compliance with CHRB rule #1843.6**
    - B. Plan for enhanced surveillance for trainers with high-test results. **Applicant will follow CHRB staff directives to insure compliance with CHRB rule #1843.6**
    - C. Plan for detention barns for repeat offenders. **Applicant will follow CHRB staff directives to insure compliance with CHRB rule #1843.6**
    - D. Number of security personnel assigned to the TCO2 program. **As needed per advice of CHRB staff**

# San Mateo County Fair at BM – Security Department Organizational Structure



San Mateo County Fair at Bay Meadows - 2008 Security Personnel

Security Office Phone # (650) 573-4535  
Stable Gate Phone # (650) 573-4577

Scalzo, Michael, VP Operations and Security  
Office# (650) 573-4540  
Cell # (650) 222-8153

Staff Members:

Nielsen, James  
Angerina, Ed  
Barnes Jr, Joseph  
Bottari, Robert  
Brissenden, William  
Cook, Robert  
Cunningham, Robert  
Dillon, David  
Dwyer, Eugene  
Eitel, Calvin  
Ferman, Tomoteo  
Harrison, Harvey  
Hart, Gregory  
Jang, Candace  
Larkin, Patrick  
Lomski, David  
Mahoney, John  
Mann, Bill  
Mirosnkoff, Roseanne  
Molinelli, John  
Moreno, Michael  
Navarrete, Amanda  
Nielsen, Richard  
Paya, Frank  
Plunkett, Todd  
Sparks, Darrell  
Wild, Neil

## 11. SECURITY CONTROLS

B-2 (a) and (c)

### Detention Barn Plan & Number and Location of surveillance cameras in detention barn area:

Barn One, which is the barn mostly frequently utilized by horses shipping in to run at Bay Meadows, serves as the Detention Barn. Barn One is 360' long by 180' wide, and has ten exits and entrances. It contains approximately 162 stalls, and houses the receiving barn area, transit and detention stalls. Surveillance equipment in Barn One includes a 16 camera, 180 GB digital recording system. The installation of surveillance equipment in Barn One enables staff to better monitor the activity of horses and persons entering and exiting Barn One and the stable gate area, which is roughly fifty feet away.

One camera has been strategically placed to monitor the stable gate entrance, two cameras monitor designated detention stalls, and the balance have been placed to provide surveillance of the entrances and exits to the barn.

The recorder is kept in a secure housing in a locked communications room in the Barn building. A password is required before any action can be taken on the recording system.

The cameras are powered from a common power supply located, with the recorder, in the communications room. The entire system is powered with a UPS power back-up, and will continue to operate during a power failure.

All cameras generate their own infra-red light source, so they provide a viewable image even in "total" darkness. They operate in color during the day, and convert to black-and-white in dark lighting conditions.

The digital recorder records all cameras at full frame. Recording options include resolution quality and motion detection. In motion detection mode, video frame recording commences only when motion is detected within selected areas, which saves on hard-drive storage space. The amount of time that can be stored before re-recording over existing material occurs is dependant upon the amount of barn activity. If all cameras recorded 24 hours a day, 7 days a week, at the highest resolution setting, the 180 GB drive would begin re-writing over existing data within about 48 hours. With standard resolution and motion detection engaged, recording time falls between 5 and 10 days before re-writing begins.

- C. Describe the electronic security system.  
Security alarms systems, including cameras, motion and contact sensors, monitored by Hue & Cry, cover the administrative offices, mutuel, catering and operations money rooms. Surveillance systems with time-lapse recorders monitor key locations throughout the plant and parking lot. Fire alarms throughout the grandstand and stable areas are monitored by Diversified Alarm Company.

1. Location and number of video surveillance cameras for the detention barn and stable gate. One camera is dedicated to monitor the stable gate entrance, two cameras monitor the stalls designated as detention stalls within Barn One, and thirteen cameras monitor entrances and exits within Barn One. Surveillance equipment includes a 180 GB digital recording system.

## 12. EMERGENCY SERVICES

- A. Name, address and emergency telephone number of the ambulance service to be used during workouts and the running of the races: **Bayshore Ambulance, Box 4622, Foster City, CA 94404, (650) 525-9700**
- B. Name, address and emergency telephone number of the ambulance service to be used during workouts at auxiliary sites:

**Golden Gate Fields:  
Turf Rescue, LLC  
19615 Barclay Road  
Castro Valley, CA 94546  
(510) 581-8470**

**Alameda County Fair:  
American Medical Response  
640 – 143<sup>rd</sup> Avenue  
San Leandro, CA 94577  
(510) 895-7600**

- C. Describe the on-track first aid facility, including equipment and medical staffing: **Attached**
- D. Name and emergency telephone number of the licensed physician on duty during the race meeting: **Dr. David Seftel, (650) 520-6204**
- E. Name, address and emergency telephone number of the hospital to be used for admittance and treatment of emergency injuries in the event of an on-track injury to a jockey:

<b>Stanford</b>	<b>300 Pasteur Drive, Palo Alto, CA 94305</b>	<b>(650) 723-5111</b>
<b>Mills Peninsula</b>	<b>101 S. San Mateo Drive, San Mateo, CA 94401</b>	<b>(650) 696-4000</b>

- F. Attach, in English and Spanish, the emergency medical plan procedures that will be posted in each jockey's room to be used in the event of an on-track injury to a jockey: **Attached**
- G. Name of health and safety manager and assistant manager responsible for compliance of health and safety provisions pursuant to B& P Code 19481.3(d): **Bill Mann, Safety Manager, Richard Lewis**
- H. Attach a fire clearance from the fire authority having jurisdiction over the premises. **Attached**
- I. Attach a Certificate of Insurance for workers' compensation coverage. The CHRB is to be named as a certificate holder and given not less than 10 days' notice of any cancellation or termination of insurance that secures the liability of the fair for payment of workers' compensation. **Attached**

## Emergency Care and Medical Facilities at Bay Meadows Racecourse

Bay Meadows has a comprehensive set of complementary human and physical resources that provide both a preventive and acute care safety net for its jockeys, track staff and allied personnel.

### Staffing

- **Board Certified Internist and Sport Medicine Practitioner** who provides rapid, context-sensitive patient care at the on-track urgent care center which is located in the same building as is the jockey's room. The physician is on duty from one hour prior to the first post until one hour after the last post, and is also available after hours for urgent consultations, care continuation and follow-up for special needs
- **Paramedic/Fire Guard** that provides ancillary support to the physician in the care of emergent patients with a special emphasis on jockeys that are injured on-track. The paramedic is responsible for transporting the physician together with resuscitative equipment in a lightweight four-wheel drive fire truck to the scene of the on-track accident
- **Safety Director**, a former Fire Chief for Woodside, CA, augments these resources by providing the third set of hands on the scene of an accident and managing emergency vehicle traffic to the most appropriate patient pick-up point.
- **Two Emergency Medical Technicians** from Bayshore Ambulance Company staff an on-track ambulance that follows at a safe distance the horses racing during each race. This ambulance and crew are present whenever horses are on the track (during both racing and training hours) and are responsible for initiating basic life support measures until the physician and paramedic arrive on the scene and can assume responsibility for directing care.

During live racing, this ambulance carries a comprehensive advanced cardiac life support suitcase (*Banyan 700*) that contains resuscitation, airways, and IV equipment, and scheduled medications that are used by the physician as needed at the scene of a track accident.

### Description of Medical Clinic:

The medical clinic comprises a group of rooms adjacent to the jockey's area in the building located just south of the Club House. The 950 square foot suite of rooms includes a reception area, private exam room, doctors' office, paramedic's office and restroom.

### Physical Resources

In addition to the ambulance and emergency response vehicle (a stand-by fire truck), Bay Meadows has a well equipped medical clinic that contains a wide range of equipment and commonly required medications and orthopedic supplies. These include:

#### **Diagnostic Equipment:**

- Otoscope
- Ophthalmoscope
- Telemedical cart (*CyberMDx TeleCart*) with 128-bit high resolution abdominal and cardiac ultrasound, 12 lead EKG and lung function testing. Tests can be sent immediately via high speed internet for specialist review and confirmation 24 hours a day. Ultrasound capabilities have life-saving utility in the screening and assessment of potential internal trauma – from pericardial tamponade (bleeding around the heart) to ruptured spleens and damaged kidneys. After the scan is done, the data can be sent via internet to the radiologist for definitive reading. The interpretive 12-lead ECG and echocardiography capability enables quick, comfortable and accurate initial evaluation of a range of potential heart problems, including myocardial bleeding and contusion due to chest wall trauma.

## Bay Meadows Racecourse Emergency Care and Medical Facilities (continued)

- Asthma is a very common and serious problem in the racing community. Having an integrated, full-fledged electronic spirometer at the bedside significantly improves the physicians' ability to rapidly measure patients baseline lung function and also evaluate the effectiveness of medical treatment
- Peak flow meter
- Stethoscope
- Blood pressure cuffs

### Therapeutic Equipment:

- Electric vacuum suction pump to clear clogged airways. Heavy duty nebulizer for albuterol administration in cases of asthma and bronchitis
- Automatic cardiac defibrillators – 2 units strategically positioned
- Anti-asthmatic – albuterol nebulizer and aerosol, solucortef IV and IM
- Intravenous fluid, including normal saline, normal saline with dextrose and Ringer's lactate
- Trauma bandages in a full set of sizes and shapes
- Wrist, arm, leg and ankle splints, arm slings for collar bone fractures
- Cervical collars for neck stabilization, back boards for spinal injuries
- Anti-emetics – metoclopramide, meclizine
- Anti-diarrheals – loperamine
- Anti-allergics – prednisone, diphenhydramine, loratidine
- Antihyperuricemics – indocid, allopurinol
- Analgesics and Antiinflammatories – acetaminophen, ibuprofen, naproxen, hydrocodone
- Antacids – bismuth subsalicylate, aluminum hydroxide, calcium carbonate, famotidine
- Anti-psychotics – prochlorperazine
- Anxiolytics – lorazepam, diazepam
- Anti-depressants – fluoxetine
- Electrolyte replacement – combined potassium, magnesium and calcium supplementation
- Anti-hypertensives – atenolol, hydrochlorothiazide, lisinopril, clonidine, diovane
- Endotracheal tubes of various sizes
- Antibiotics – amoxicillin, doxycycline, septrad, cephalexin
- Suture trays
- Sterile scalpels and sutures
- Fracture casting wool and tape
- Magnifying procedure lamps
- High flow ventilation fans for treatment of heat exhaustion
- Instant cold packs
- Adrenaline, atropine for cardiac arrest and acute anaphylactic reaction treatment
- Tetanus toxoid
- PPD for TB testing
- Pneumovax, and seasonally, influenza vaccination
- Phlebotomy supplies for CBC, comprehensive metabolic panel, lipid profile, coagulation profile, hepatitis profile, thyroid profile and STD testing

### Preventive Care Emphasized

- Preventive care services are performed on an ongoing basis with an emphasis on improved jockey physical and mental health, nutritional optimization and avoidance of substance abuse.

Racing Accident Response Procedures at Bay Meadows

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

Track Physician:

1. The track physician shall view all live races and shall report to the accident scene using the most expedient means available, normally utilizing the track's emergency response vehicle.
2. The track physician is responsible for the determination as to whether a "911" activation is necessary. If "911" activation is necessary, the fireguard/EMT will radio the Security Office, and the person then staffing the Security Office will be responsible for making the appropriate call to "911" over a land line.
3. The track physician and track ambulance crew will assume triage and patient care responsibilities.
4. It is wholly in the track physician's discretion as to whether or not an injured person shall be moved from the racetrack or whether "911" emergency vehicles or personnel should be brought to the scene of the accident.
5. If transport to a hospital is deemed necessary, the track physician will signify to those manning the "911" ambulance as to when his "patient care" has terminated.

Track Fireguard/EMT ("FEMT"):

1. The FEMT is responsible for insuring that the track's emergency vehicle is parked in the designated area (in close proximity to the jock's room). The track's emergency vehicle is to be utilized to facilitate the track physician's safe and timely arrival at the accident scene.
2. Whenever feasible, the FEMT shall position himself in the track physician's office just prior to and during the running of all races.
3. The FEMT shall utilize the track's emergency vehicle to chauffeur the track physician to the scene of the accident if the scene is not within walking distance. If the FEMT is attending to another emergency, the assistant clerk of scales shall chauffeur the track physician to the accident scene, and the FEMT shall proceed to the scene of the accident as soon as possible. The FEMT shall confirm that the ambulance has responded appropriately.
4. Upon arrival at the scene of the accident, the FEMT will assume the role of scene manager, and will coordinate all incident related activities.
5. The FEMT shall act as a liaison between track physician and any municipal fire department/emergency services.
6. The FEMT will determine the best way for county emergency vehicles to reach the accident scene. The scene manager will confirm security escorts and the entry/rendezvous point.
7. Following communication with emergency services, the FEMT shall assist track physician and track ambulance crew in treatment of injured persons.
8. If any municipal fire department/emergency service provider is called to the scene, the FEMT shall deliver medical demographic information to the emergency responders. Such information shall be maintained in the track physician's office.
9. As soon as reasonably possible, the FEMT shall communicate to a member of the senior management team the perceived number of injured persons and horses, the severity of their injuries, the hospital to which any jockey is being transported, and the estimated time until the track can be reopened.

Security:

1. The Security Office is responsible for making the land line phone call to the appropriate party upon direction to do so from the track physician or FEMT.
2. As soon as possible, a member of the track security staff shall report to the scene of the accident and thereafter take direction from the FEMT responsible for the accident scene management. The track security representative shall be responsible for keeping bystanders away from the accident scene.
3. A member of the track security staff shall proceed to the Jockey's Room to secure the ambulance transfer area and prevent visitation from bystanders/unnecessary people.
4. A member of the track security staff shall be responsible for escorting emergency vehicles from the Delaware Street entrance to the correct rendezvous site.
5. The security staff shall be responsible for all "crowd control" activities.

Racing Accident Response Procedures at Bay Meadows (continued)

Racing Staff/Track Veterinarian:

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

Plant Staff:

1. The Horse Ambulance should travel immediately to the scene of an accident whenever it appears that a horse will require transport.
2. Members of the plant department who are near the accident site shall assist in screening accident scene from public view and shall take direction from the FEMT that is responsible for the management of the accident scene.
3. Members of the plant department shall assess the need to repair fence, gates, etc., and take appropriate corrective action.

Announcer:

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

Senior Management:

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

All Department Heads:

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

Procedimiento en caso de Accidente en Bay Meadows

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

Médico del hipódromo:

1. Debe ver todas las carreras en vivo y acudir al lugar del accidente usando el medio de transporte más rápido que esté disponible, en la mayoría de los casos es el vehículo de emergencia del hipódromo.
2. Deberá decidir si se llama al 911. De ser necesario, entonces el fireguard llamará por radio al Oficial de Seguridad y el guardia que esté encargado en ese momento de la Oficina de Seguridad será responsable de hacer la llamada al 911 desde un teléfono.
3. El médico del hipódromo y el personal de la ambulancia harán lo necesario para tratar a la(s) víctima(s).
4. Es decisión del médico del hipódromo trasladar o no a la persona herida fuera del hipódromo o de lo contrario que el personal y el vehículo del 911 vaya al lugar del accidente.
5. Si se necesita un transporte al hospital entonces el médico del hipódromo les dirá a aquellos que están encargados de la ambulancia cuándo su responsabilidad por el cuidado del paciente termina.

Guardia contra incendios/Paramédicos/EMT

1. Son responsables de que el vehículo de emergencia del hipódromo esté estacionado en el área designada (cerca del cuarto de los jinetes/jockeys). El vehículo de emergencia del hipódromo debe ser usado para facilitar la llegada segura y a tiempo del médico al lugar del accidente.
2. Cuando sea posible, el Guardia/Paramédico deberá estar en la oficina del médico del hipódromo antes y durante todas las carreras.
3. El Guardia/Paramédico deberá usar el vehículo de emergencia del hipódromo para transportar al médico al lugar del accidente, si es que no se puede llegar caminando. Si el Guardia/Paramédico está atendiendo otra emergencia, el assistant clerk of scales tendrá que llevar al médico al lugar del accidente, y después el Guardia/Paramédico irá tan pronto como le sea posible. El Guardia/Paramédico deberá confirmar que la ambulancia ha respondido adecuadamente al llamado.
4. El Guardia/Paramédico apenas llegan al lugar del accidente, tienen que ser responsables de la coordinación de todo lo que sea necesario con respecto al incidente.
5. El Guardia/Paramédico serán el nexo entre el médico del hipódromo y el departamento de bomberos o emergencias.
6. El Guardia/Paramédico determina la mejor forma para que los vehículos de emergencia del condado puedan llegar al lugar del accidente. La persona a cargo en el lugar de los hechos confirmará la presencia de escoltas y el punto de entrada o de reunión.
7. Después de haberse comunicado con los servicios de emergencia, el Guardia/Paramédico deberá ayudar al médico y al personal de emergencia del hipódromo en el tratamiento de los accidentados.
8. Si se ha llamado al departamento de bomberos/emergencia para que acudan al lugar del accidente, el Guardia/Paramédico les deberá proporcionar toda la información médica pertinente. Dicha información deberá guardarse en la oficina del médico del hipódromo.
9. Tan pronto como sea posible, el Guardia/Paramédico deberá comunicar a la gerencia el número de personas o caballos accidentados, la severidad de sus lesiones, el nombre del hospital al que se ha trasladado al jockey, y el tiempo estimado para que se vuelva a abrir la pista.

Seguridad:

1. La Oficina de Seguridad es responsable de realizar la llamada telefónica a la parte correspondiente, una vez que haya recibido tal instrucción del médico o del Guardia/Paramédico del hipódromo.
2. Tan pronto como sea posible, un miembro de seguridad del hipódromo deberá reportarse al lugar del accidente y desde ahí recibir las instrucciones del Guardia/Paramédico responsable del lugar del accidente. El miembro de seguridad será responsable de mantener a los transeúntes fuera del lugar del accidente.
3. Un miembro del departamento de seguridad del hipódromo se acercará al cuarto del jockey para asegurar el área donde la ambulancia estará y prevenir que transeúntes y personas ajenas se acerquen.
4. Un miembro de seguridad del hipódromo será responsable de escoltar a los vehículos de emergencia desde la entrada Delaware Street hasta el lugar correcto de encuentro.
5. Los miembros de seguridad serán responsables de controlar a la multitud.

Personal de Carreras/Veterinario del Hipódromo:

1. Una vez en el lugar del accidente, el Outrider/escolta deberá sujetar al caballo herido para evitar que lastime a la gente, a otros caballos o a la propiedad.
2. Los caballos muy mal heridos deberán ser sacados de la pista con la ambulancia para caballos, siempre que sea posible hacerlo de esa manera.
3. El veterinario del hipódromo (o el veterinario que representa al entrenador del caballo, si está presente en el lugar del accidente) deberá decidir si se sacrifica al caballo en la pista.
4. Si el caballo necesita ser sacrificado en la pista, siempre y cuando sea posible hacerlo, se debe colocar la pantalla/screen para tapar la vista al público, antes de iniciar el procedimiento de sacrificio del animal.
5. Los Outriders son responsables de remover cualquier desecho en la pista después de que la persona o caballo accidentado haya sido trasladado del lugar.

Personal de Planta/Plant Staff:

1. La Ambulancia de Caballos deberá trasladarse inmediatamente al lugar del accidente siempre que un caballo esté severamente lesionado y necesite transporte.
2. Los miembros del departamento de planta que estén cerca del accidente deberán ayudar a tapar el lugar para que el público no pueda ver lo que sucede, además deberán recibir instrucciones del Guardia/Paramédico responsable del lugar del accidente.
3. Los miembros del departamento de planta deberán evaluar si es necesario reparar cercas, puertas, etc. y hacer lo que sea necesario.

Locutor:

1. El locutor deberá informar a los jinetes acerca de los detalles de la situación (como la ubicación del caballo suelto, la necesidad de adelantar, etc.) para que puedan hacer lo necesario y mitigar otros problemas.

Gerencia:

1. Un representante de la gerencia se apersonará rápidamente al lugar del accidente en el hipódromo. El gerente informará a los otros gerentes sobre las lesiones sufridas.
2. Otro representante de la gerencia deberá informar al departamento de video para monitorear la escena y ver la cobertura de video que será transmitida al público.
3. Un miembro de la gerencia deberá aportar con información sobre los anuncios que deberá hacer el locutor.
4. Un miembro de la gerencia será responsable de ver que la información con respecto al accidente sea dada a los familiares de los heridos. Se debe hacer lo necesario para acompañar a los familiares a los hospitales, de ser el caso. Al respecto, es necesario tener un registro de la persona a quien se debe comunicar en caso de que un jockey sufra un accidente.
5. Todos los anuncios públicos y respuestas a la prensa las realiza únicamente el funcionario de gerencia de alto nivel que se encuentre disponible en ese momento.

Todos los Jefes de Departamento:

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



FIRE DEPARTMENT  
Bureau of Fire Protection and Life Safety  
www.cityofsanmateo.org

1900 O'Farrell, Suite 140  
San Mateo, California 94403-1382  
(650) 522-7940  
FAX: (650) 522-7941  
TDD: (650) 522-7047

September 17, 2007

Ms. Burnie Thurman  
Bay Meadows Land Company  
2600 S. Delaware St.  
San Mateo, California 94403

Dear Ms. Thurman:

This letter is to serve as the San Mateo Fire Department Fire Clearance for Bay Meadows Land Company at 2600 S. Delaware Street, San Mateo, California. The Fire Clearance is in effect starting to February 2008 until December 2008.

Your staff's continued attention to correcting the listed fire code violations is greatly appreciated. As long as these efforts show progress, this Fire Clearance will remain valid through December 31, 2008. All fire and life safety issues are to be brought to compliance and/or stay in compliance to assure public safety.

Should you have any questions, please feel free to contact me at the above telephone number.

Sincerely,

Michael Leong  
Fire Marshal

Gary Devincenzi

Fire Inspector

July 1, 2008

To: California Horse Racing Board  
 Attn: Andrea Ogden  
 1010 Hurley Way, Suite 300  
 Sacramento, CA 95825

Re: San Mateo County Fair  
 Attn: Diane Baumann  
 2495 South Delaware Street  
 San Mateo, CA 94403

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

#### I. COMPREHENSIVE GENERAL LIABILITY PROGRAM

- A. Primary Coverage \$750,000 self-insured retention California Fair Services Authority  
 Coverage continuous until cancelled
- B. Excess Coverage \$9,250,000 in excess of \$750,000  
 Coverage provided by Insurance Company of the State of Pennsylvania  
 Term: 01/01/2008 to 01/01/2009

#### II. WORKERS' COMPENSATION AND EMPLOYERS' LIABILITY

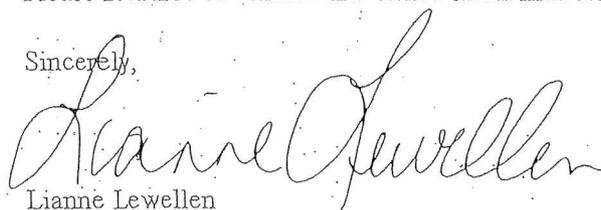
- A. Primary Coverage \$500,000 self-insured retention California Fair Services Authority  
 Coverage continuous until cancelled
- B. Excess Coverage (a) Workers' Compensation: \$299,500,000 in excess of \$500,000  
 (b) Employers' Liability: \$4,500,000 in excess of \$500,000  
 Coverage provided by CSAC Excess Insurance Authority  
 Term: 07/01/2008 to 07/01/2009

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

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

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

Sincerely,



Lianné Lewellen  
 Risk Analyst

**NOTICE TO APPLICANT:** Every licensee conducting a horse racing meeting shall pursuant to B&P Code 19481.3 maintain, staff, and supply an on-track first aid facility, that may be either permanent or mobile, and which shall be staffed and equipped as directed by the board. A qualified and licensed physician shall be on duty at all times during live racing, except that this provision shall not apply to any quarter horse racing at the racetrack if there is a hospital situated no more than 1.5 miles from the racetrack and the racetrack has an agreement with the hospital to provide emergency medical services to jockeys and riders. An ambulance licensed to operate on public highways provided by the track shall be available at all times during live racing and shall be staffed by two emergency medical technicians licensed in accordance with Division 2.5 (commencing with Section 1797) of the Health and Safety Code, one of whom may be an Emergency Medical Technician Paramedic, as defined in Section 1797.84 of the Health and Safety Code. (b) Each racing association and racing fair shall adopt and maintain an emergency medical plan detailing the procedures that shall be used in the event of an on-track injury. The plan shall be posted in each jockey room in English and Spanish. (c) Prior to every race meeting, the racing association or racing fair shall contact area hospitals to coordinate procedures for the rapid admittance and treatment of emergency injuries. (d) Each racing association or racing fair shall designate a health and safety manager and assistant manager, who shall be responsible for compliance with the provisions of this section and one of whom shall be on duty at all times when live racing is conducted. The health and safety manager may, at the discretion of the racing association, be the person designated to perform risk management duties on behalf of the association.

### 13. CONCESSIONAIRES AND SERVICE CONTRACTORS

Names and addresses of all persons to whom a concession or service contract has been given, **other than those already identified**, and the goods and/or services to be provided by each:

Tip Sheets: Jacqueline Wasserman/Jack's Blue Card, 127 Sun Avenue, Hayward, CA 94544  
 Armored Car: Loomis Armored Car, P. O. Box 44196, San Francisco, CA 94104  
 Program Printing: Del Mar Graphics, c/o Golden Gate Fields., 1100 Eastshore H-way, Albany, CA 94706  
 Track Photographer: Vassar Photography, 5075 Double Point Way, Discovery Bay, CA 94514  
 Jockey's Laundry: F. Lorene Dutton/Bailey's Mobile Laundry, 3263 Vineyard Ave., Pleasanton, CA 94566  
 Starting Gate: Mike Costello/United/Puett Starting Gate Co., P. O. Box 18, S. Salem, NY 10590

### 14. ON-TRACK ATTENDANCE/FAN DEVELOPMENT

A. Describe any promotional plans: Attached

B. Number of hosts and hostesses employed for meeting:  
 Seven group sales hosts & hostesses, one handicapping 101 staffer, two tour guides, two greeters, ten mutuel customer service aides, four mutuel information windows and five marketing aides.

C. Describe facilities set aside for new fans:  
Handicapping 101 Center/Winners Circle Booth  
 A large information area on the mainline is designated as a "Handicapping 101" center. The area is staffed by knowledgeable and friendly marketing aides trained to answer questions raised by newcomers, including explaining how to read the program, how pari-mutuel wagering works, how to calculate payoffs, providing directions, etc.

Winners Circle Booth  
 A large informational booth in the upper Clubhouse is designated as a Winners Circle Booth. The booth is staffed by friendly and knowledgeable marketing aides trained to answer questions from any and all fans, including explaining how to read the program, how pari-mutuel wagering works, understanding odds and payoffs, providing directions, etc.

Newcomer Mutuel Windows  
 Located in the mainline, mezzanine, clubhouse and Turf Terrace areas, betting windows designed as "Newcomers Welcome" are staffed with friendly and helpful mutuel clerks trained to accommodate the needs of novice fans.

## 2008 San Mateo County Fair Promotion Schedule

Wednesday, August 6

- Opening Day of the San Mateo Fair Racing Meet – Coupon for Free Admission included in \*direct mail piece sent to 10,000 Winners Circle Members.

Thursday, August 7

- Senior Thursday--Free Grandstand Admission for seniors 62 and older, \$3 upgrade to Clubhouse. Specials include a discounted spaghetti lunch plate and a beginner's seminar at the Horseracing 101 booth in the Grandstand

Friday, August 8

- Racing themed party at the San Mateo Expo Center, to include Bay Meadows raffle prizes

Saturday, August 9

- Grab Bag Day – Souvenir Bay Meadows Giveaway items will be available free to the first 3,000 fans with paid admission.

Sunday, August 10

- Mystery Mutuel Voucher Promotion (vouchers included in the direct mail piece sent to 10,000 Winners Circle Members).

Monday, August 11

- Simulcasts from Del Mar, Ferndale & out of state tracks. Free Parking. Kids day at the fair, where coloring book contest book, with two passes for adult admission to Bay Meadows on Saturday, 8/16 will be distributed

Wednesday, August 13

- KNBR remote broadcast with Sam Spear

Thursday, August 14

- Senior Thursday--Free Grandstand Admission for seniors 62 and older, \$3 upgrade to Clubhouse. Specials include a discounted spaghetti lunch plate and a beginner's seminar at the Horseracing 101 booth in the Grandstand

Saturday, August 16

- Commemorative Poster Giveaway. One per paid admission, while supplies last. Children's Coloring Contest on the North Park Lawn.

Sunday, August 17

- "The Last Dance" Stakes.

Monday, August 18

- Simulcasts from Del Mar and out of state tracks. Free Parking

\*The Direct Mail Piece will be sent to 10,000 Bay Meadows Winners Circle Members. Included in the mail piece will be a letter with two coupons; one will be redeemable for a free General Admission on Opening Day, while the other will represent an "enter to win drawing" coupon. The enter to win drawing coupon will include the person's name and address as well as their bar coded membership number; this promotion is designed to entice members of the Bay Meadows Winners Circle club to opt into the new San Mateo Expo Center rewards program. The mailer will also include a full color brochure highlighting events and activities at the San Mateo County Fair with an emphasis on live racing at Bay Meadows.

FAIR KIOSKS

Kiosks with racing related information will be located adjacent to San Mateo Fair entrances. The kiosk staffers will promote both San Mateo County Fair live racing, and the new simulcast facility scheduled to open on August 20.

ADVERTISING

All ads (TV, radio, print & billboard, etc) placed by the San Mateo County Fair will mention the race meet.

TURF CLUB

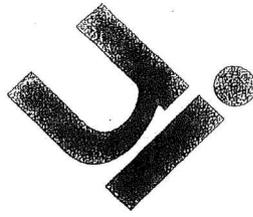
The Bay Meadows Turf Club will be open to patrons each live race day during the meet and reservations are currently being accepted.

PROGRAMS

Programs during the meet will feature a commemorative program cover & will include mention of interesting events which took place at Bay Meadows during the past 74 years.

IN-HOUSE VIDEO

Clips and still shots from historical events at Bay Meadows will be featured throughout the race meet.



uniqueimage

**SAN MATEO COUNTY FAIR  
MEDIA STRATEGY 2008  
Revised April 21, 2008**

Capitalizing on the incredible exposure created by the 2007 campaign, we are proposing a similar media buy.

Based on a \$150,000 (net) media buy, our dollars are split as follows:

Newspaper – 10.4%

Both the San Mateo Times and the San Mateo Journal have offered extensive marketing and advertising programs that we are finalizing on the negotiations side. We committed dollars to the San Jose Mercury News to pull from this area as well as a small percentage of dollars to El Observador for Hispanic outreach and the SF Weekly which pulled well last year.

Radio – 37.7%

It is recommended that our radio partners include a strong Hispanic component as well as traditional partners KOIT, KGO News, KISS and Wild representing a more aggressive push to our target family demo (KOIT + co-ops) and the "traditional fairgoer" in the country audience of The Wolf.

Each station will deliver no less than two live remotes and extensive marketing efforts as well as on-site remotes and giveaways at the fair. Email blasts by all stations totaling over 322,000 additional hits to the collective databases from the stations on the buy. Almost 800 paid spots plus no charges and bonus spots of approximately 250 additional, guaranteeing incredible reach and saturation to our media buy with a total promotion value of nearly \$400,000.

Television – 29.9%

Television is hand-down driver of pre-sale numbers and exposure. When television starts so do sales. Our biggest days of the past two years—pre-fair—have been the days where ABC and ethnic television are working in concert with each other. We increased television exposure from four stations to six while keeping our cost per

(more)

**SAN MATEO COUNTY FAIR  
MEDIA STRATEGY 2008  
Page Two**

point at under \$135. We retained our ethnic outreach buy on KTSF (Asian) and KFSP Telemundo and Azteca America (Hispanic) along with favorites KGO (ABC) and added ABC Family and ESPN to the mix.

We reach the #1 rated television block of Wheel of Fortune and Jeopardy along with Oprah and retain a strong family presence on ABC Family and ESPN. KGO, as usual, offered an impressive co-operative marketing package that includes two round-trip Mexico or Hawaii vacations, a two-year car lease (Mustang or Mercedes TBD) and are in final negotiations for a China trip tie-in for the Olympics theme.

This year we will deliver 593 TRPs (with 536 spots aired) before the extra marketing and free spots kick in. We estimate that once these are finalized the TRP number will boost to the 700 range.

Grassroots and more – 22%

We coupled our traditional media buys on radio, television and newspaper with a strong grassroots campaign—multimedia and text messaging through ABC/Disney:

**Pump Toppers, Text and Video Messaging**

A partnership with ABC/Disney allowed us to tap into their vast promotional vault with text and video messages to a target demographic that is swayed by hip/new technology. The Fair's message will be flashed to over 100,000 potentials in a three week span.



(more)

**SAN MATEO COUNTY FAIR  
MEDIA STRATEGY 2008  
Page Three**

This is technology offers by no other carrier and by locking into this program we can eliminate the use of it by other fairs within a 60 mile distance within 45 days of our Fair.

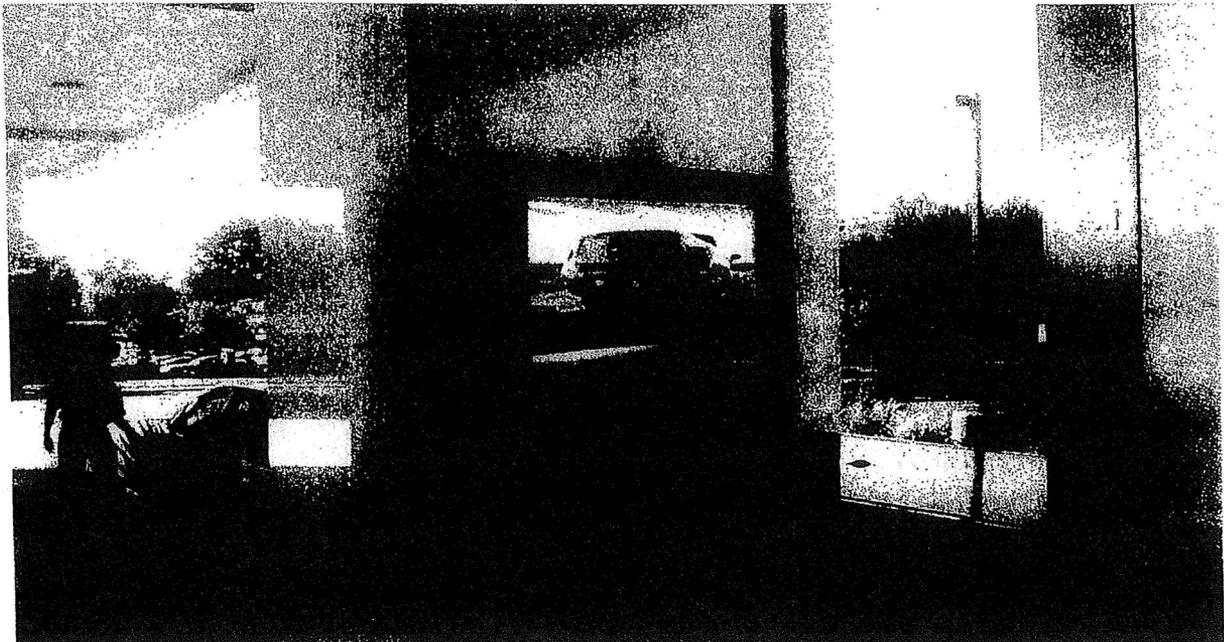
This innovative text message-based promotion encourages viewers to enter to win by text messaging from their cellular phones. This promotion offered great branding and a offer for the vacations enter to win from ABC and the Fair.

**Outdoor TV**

Bringing TV outdoors, providing advertisers with a medium designed to deliver targeted messages to consumers in a captive state: while they are pumping gas.

Pump Toppers are 15" screens located next to each gas pump at 10 gas stations throughout the Bay Area. Each location has one video display per pump which could be seen and heard from all fueling positions.

A 5 minute loop is aired with commercials and regularly-up-dated programming of weather, news, sports, and traffic. The loop aired continuously from 6 AM to 10 PM, 7 days a week, Monday through Sunday.



(more)

**SAN MATEO COUNTY FAIR  
MEDIA STRATEGY 2008  
Page Four**

Advertising in this form reached a mass audiences and targeted specific demographic and psychographic segments by individual neighborhoods – all with a high degree of accuracy.

We continue to reach consumers in areas where traditional out of home coverage is limited or unavailable and the light TV viewer, especially in the younger age demographics.

More co-ops already in place include:

- Supermarket/Chain promotions—Mollie Stones, Rtiz Camera
- Viral Hispanic radio promotion to drive attendance to Lucha Libre
- Community programs—ticket giveaways, email blasts and online popups with regional non-profits. These efforts will guarantee that the public will be ready for the Fair well in advance of the fair dates and continue the strong pre-sale numbers.

**MEDIA TACTICS**

- Intense 3 week flight of all media commencing 11 days prior to the start of the Fair.
- The deployment of three complimentary medium that have broad reach into the San Francisco Bay area community.
- The continued use of television to reach the Hispanic, Chinese, Vietnamese, Korean and Filipino communities.
- The use of :30 and :10 second TV commercials. This will increase the ability of the Television Broadcast Media buy to incrementally reach an additional 25% of the target audience, while at the same time increasing the frequency with which the Fair's message is seen and heard
- Stated value of the media buy is \$645,000 with co-operative efforts, vacations and car lease.

###

**<Cost summary attached>**

Web Site/Behind the Scenes Tours

New fans can log on to the Bay Meadows web site, [www.baymeadows.com](http://www.baymeadows.com), to learn about Bay Meadows in a unique manner. From the homepage, fans who have never attended the races can sign up for a personalized tour of the facility. The special tour includes free admission and programs, a look at the entire facility, and seating in the Clubhouse boxes which overlook the outside paddock and finish line. Fans arrange for their tours at their convenience. Newcomers are met in front of the facility, at the admission entrances, and receive an explanation as to how they would return to the races on their own. The tour includes trips to various areas of the plant, from the mainline to the Turf Club, and attendees are familiarized with where to buy a program or Form, where to purchase reserved seats, etc., during the tour. At the end of the tour, attendees are escorted to a seating area reserved for newcomers which overlooks the finish line. The tour guide walks them through a few simple handicapping techniques and visits them occasionally throughout the remainder of the day to make sure they are comfortable. Behind the scenes tours, featuring visits to the barn area, are offered to groups of ten or more.

D. Describe any improvements to the physical facility in advance of the meeting that directly benefits:

- 1. Horsemen
- 2. Fans                      New color, programmable infield message board  
                                    New LED indicators for infield tote board
- 3. Facilities in the restricted areas

15. SCHEDULE OF CHARGES

A. Proposed charges, note any changes from previous year:

Admission (general)	\$3.00
Admission (clubhouse)	\$6.00
Reserved seating (general)	\$3.00
Reserved seating (clubhouse)	\$3.00
Parking (general)	\$7.00
Parking (preferred)	\$8.00
Parking (valet)	\$8.00
Programs (on-track)	\$2.25
(off-track)	\$2.25

B. Describe any "Season Boxes" or other special accommodation fees: **None**

C. Describe any "package" plans such as combined parking, admission and program: **None**

16. JOCKEYS' QUARTERS

A. Check the applicable amenities available in the jockeys' quarters:

- |  |   |  |
|--|---|--|
| <input checked="" type="checkbox"/> Corners (lockers and cubicles) | How many  | <input type="text" value="25"/>                              |
| <input checked="" type="checkbox"/> Showers                        | <input checked="" type="checkbox"/> Steam room, sauna or steam cabinets | <input checked="" type="checkbox"/> Lounge area              |
| <input checked="" type="checkbox"/> Masseur                        | <input checked="" type="checkbox"/> Food/beverage service               | <input checked="" type="checkbox"/> Certified platform scale |

- B. Describe the quarters to be used for female jockeys:  
Fifteen by seventeen foot room with a private entrance hall; room as windows, TV, heating unit, bunk beds, and a single stall shower. Attached to the room is a private sink and toilet.

#### 17. BACKSTRETCH EMPLOYEE HOUSING

- A. Inspection of backstretch housing was completed by Investigator Anne Glasscock on 1/20/08.
- B. Number of rooms used for housing on the backstretch of the racetrack:  
Barn Area - 69, Dormitory Area-53, for a total of 122
- C. Number of restrooms available on the backstretch of the racetrack:  
Barn Area has 10 restrooms, 35 toilets and 26 sinks  
Dormitory Area has 6 restrooms (3 each for men and women)
- D. Estimated ratio of restrooms to the number of backstretch personnel: 1 for every 7 people

#### 18. TRACK SAFETY

- A. Total distance of the racecourse - measured from the finish line counterclockwise (3' from the inner railing) back to the finish line: 

5,290
-------

 feet.
- B. Describe the type(s) of materials used for the inner and outer railings of the race course, the type of inner railing supports (i.e., metal gooseneck, wood 4" x 4" uprights, offset wood 4" x 4" supports, etc.), the coverings, if any, on the top of the inner railing, and the approximate height of the top of the inner railing from the level of the race course. **The inner rail is a gooseneck Fontana safety rail 42" in height from the track to the top of the rail. The outer rail is a metal rounded pipe.**
- C. Name of the person responsible for supervision of the maintenance of the racetrack safety standards pursuant to CHRB Rule 1474: **Bob Turman**
- D. Attach a Track Safety Maintenance Program pursuant to CHRB Rule 1474. **On file**
- E. If the fair is requesting approval to implement alternate methodologies to the provisions of Article 3.5, Track Safety Standards, pursuant to CHRB Rule 1471, attach a Certificate of Insurance for liability insurance which will be in force for the duration of the meeting specified in Section 2. The CHRB is to be named as a certificate holder and given not less than 10 days' notice of any cancellation or termination of liability insurance. Additionally, the CHRB must be listed as additionally insured on the liability policy at a minimum amount of \$3 million per incident. The liability insurance certificate must be on file in the CHRB headquarters office prior to the conduct of any racing. **n/a**

#### 19. DECLARATIONS

- A. All labor agreements, concession and service contracts, and other agreements necessary to conduct the entire meeting have been finalized except as follows (if no exceptions, so state): **Statewide assistant starter agreement expires 7/14/08--negotiations are underway; SMCF operates under prior agreement with HERE (Local 2)**

- B. Attach each horsemen's agreement pursuant to CHRB Rule 2044. CARF agreements on file
- C. All service contractors and concessionaires have valid state, county or city licenses authorizing each to engage in the type of service to be provided and have valid labor agreements, when applicable, which remain in effect for the entire term of the meeting except as follows (if no exceptions, so state): No exceptions
- D. Absent natural disasters or causes beyond the control of the fair, its service contractors, concessionaires or horsemen participating at the meeting, no reasons are believed to exist that may result in a stoppage to racing at the meeting or the withholding of any vital service to the fair except as follows (if no exceptions, so state): No exceptions

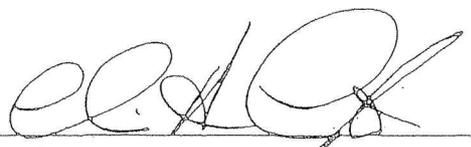
NOTICE TO APPLICANT: Pursuant to CHRB Rules 1870 and 1871, the CHRB shall be given 15 days' notice in writing of any intention to terminate a horse racing meeting or the engagements or services of any licensee, approved concessionaire, or approved service contractor.

20. CERTIFICATION BY APPLICANT

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

CHRIS A. CARPENTER  
Print Name

GENERAL MANAGER  
Print Title

  
Signature

MAY 5, 2008  
Date

STAFF ANALYSIS  
July 17, 2008

Issue: APPLICATION FOR AUTHORIZATION TO OPERATE A SIMULCAST WAGERING FACILITY OF SAN MATEO COUNTY EXPOSITION AND FAIR ASSOCIATION DBA SAN MATEO EVENT CENTER.

San Mateo Event Center has submitted its application to operate a Simulcast Watering Facility (SWF).

Proposed dates of operation during current racing year:

- August 20<sup>th</sup> through December 31, 2008.
- Days of operation to be determined by host track; normal operation is Wednesday through Sunday.
- Opening 11:00 am through final race of night racing, or as otherwise determined by simulcast schedule set by host track.
- Wagering will be available on all live race meetings conducted in California.

Admission Charges

- Level 1 \$5 – General Admission
- Level 2 \$7 – Premium CH
- Level 3 Free – Membership

General Admission

- Seating capacity – Oak Hall 390 and Cypress Hall 800 (as needed)
- Number of tables – Oak Hall 80 to 120 mixed carrel seating; Cypress Hall mixed free-standing tables, row seating and carrels as needed.

Premium Area

- Seating capacity – Oak Hall 220 (includes Club Room 48 and Private Party Room 45)
- Number of tables – Oak Hall 40 to 70 tables, mixed with carrel seating.

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

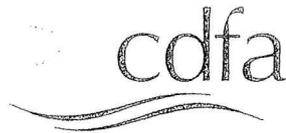
1. Horsemen Agreement pursuant to Section 19605.3 (f) of the Business and Professions Code.
2. Simulcast Agreement.
3. SEIU Agreement.
4. Fire Clearance – Oak Hall inspection is scheduled approximately August 13-18; Cypress Hall inspection will occur the week of August 11, 2008.
5. Licensing of Simulcast Facility Supervisor.

A copy of the San Mateo County Event Center - Design Development Status Report has been included for your review. This report was previously presented to the Board at the March 27, 2008 CHRB Board meeting.

Pursuant to Rule 2057, Initial Application and Approval of a Simulcast Facility, subsection (12) attached is endorsement letter from the California Department of Food and Agriculture endorsing approval of the San Mateo Event Center application.

RECOMMENDATION:

Staff recommends the Board hear from the interested parties.



CALIFORNIA DEPARTMENT OF  
FOOD & AGRICULTURE  
A. G. Kawamura, Secretary

June 10, 2008

Mr. Richard Shapiro, Chairman  
California Horse Racing Board  
1010 Hurley Way  
Sacramento, CA 95815

Dear Chairman Shapiro:

Pursuant to Business and Professions Code Article 9.2, I am writing to endorse an application by the San Mateo County Events Center to conduct Satellite Wagering operations on their Fairgrounds, commencing on August 20, 2008, or thereafter, whenever Bay Meadows ceases satellite wagering operations.

The San Mateo County Events Center is recognized in statute as one of the Network of California fairs which is affiliated with the Department of Food and Agriculture through our Division of Fairs and Expositions. Revenues generated by satellite wagering are important to Fairs and to the horse racing industry.

Therefore, I encourage you to approve the application of the San Mateo County Event Center to conduct satellite wagering.

Sincerely,

A handwritten signature in black ink, appearing to read "A.G. Kawamura", with a long horizontal flourish extending to the right.

A.G. Kawamura  
Secretary

AGK:klk

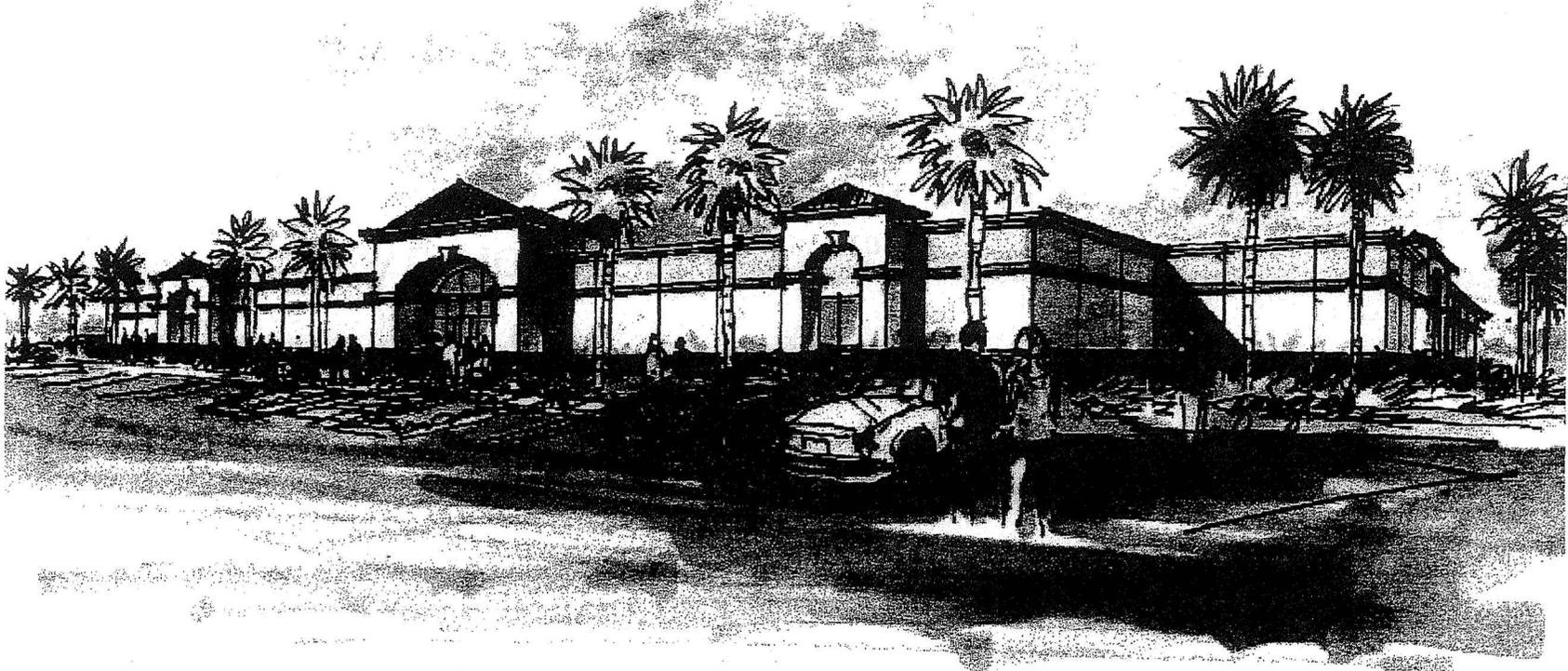


SATELLITE WAGERING FACILITY  
SAN MATEO COUNTY EVENT CENTER

# DESIGN DEVELOPMENT STATUS REPORT



PRESENTED TO: THE CALIFORNIA HORSE RACING BOARD



PREPARED BY CALIFORNIA AUTHORITY OF RACING FAIRS  
CHRISTOPHER KORBY, EXECUTIVE DIRECTOR

# OVERVIEW

---

- Project is a joint collaboration by California Authority of Racing Fairs (CARF), California Department of Food and Agriculture and San Mateo County Event Center, with construction managed by California Construction Authority
- This development team has also assembled a financing package of \$4.6 million.

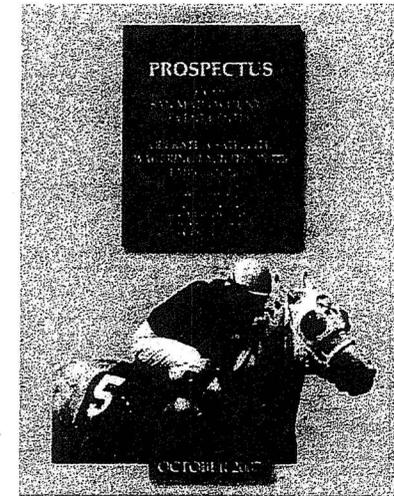
#### Joint Collaboration Between:

- \* California Authority of Racing Fairs (CARF)
- \* California Department of Food and Agriculture Division of Fairs and Expositions (CDFA F&E)
- \* San Mateo County Event Center (SMCEC)
- \* California Construction Authority (CCA)
- \* Froehlich, Kow & Gong Architects, Inc.

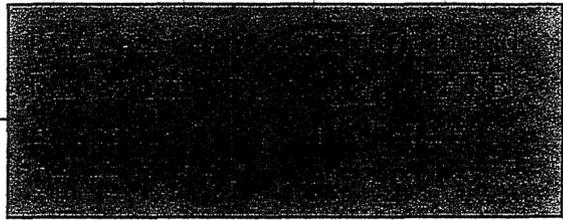
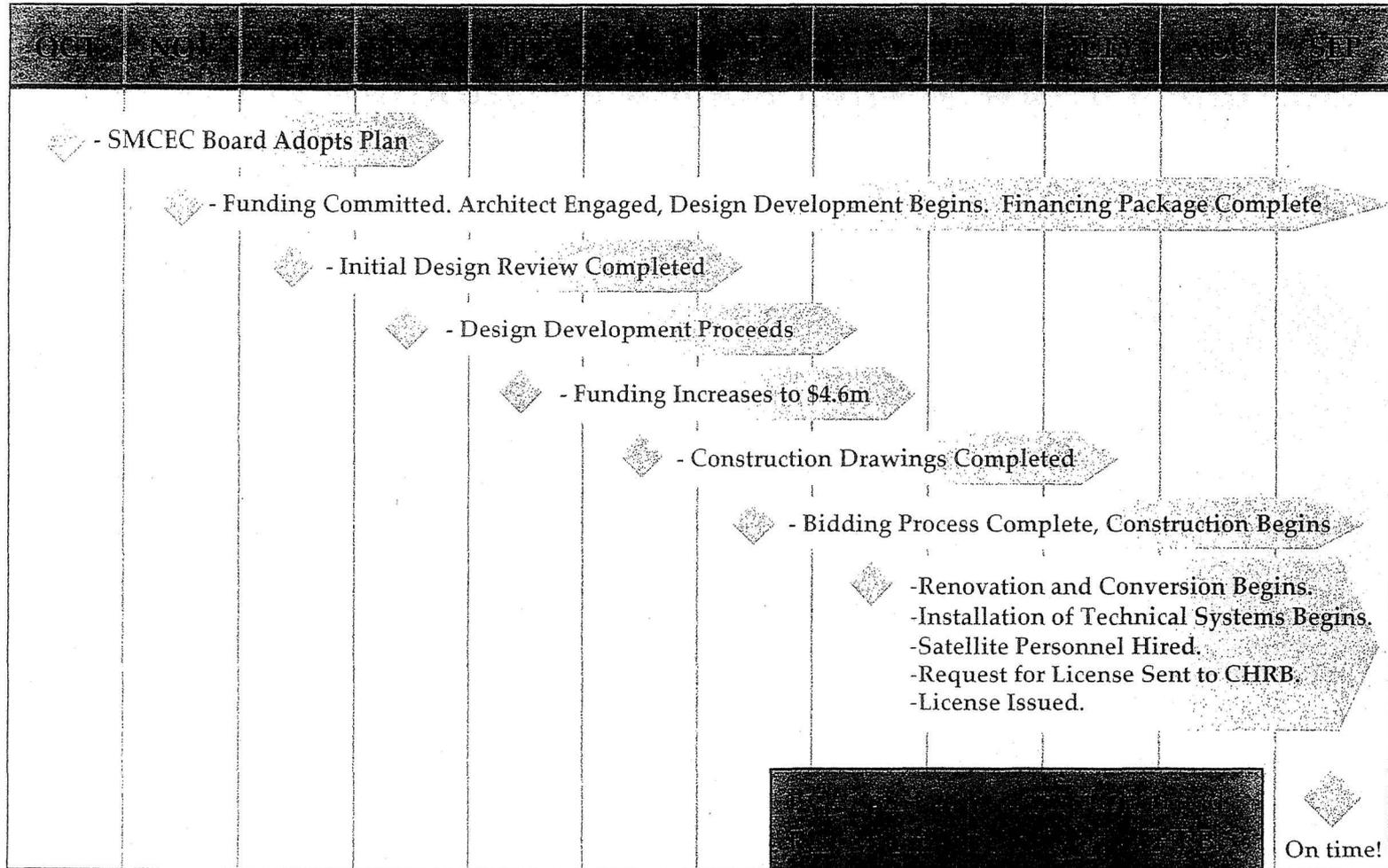
# OVERVIEW

---

- As a first step, CARF prepared a prospectus describing a plan for the San Mateo County Event Center Fair (SMCEC) to develop and operate a Satellite Wagering Facility on its Fairgrounds.
- This plan envisioned that the Fair, in collaboration with California Authority of Racing Fairs (CARF), California Department of Food and Agriculture Division of Fairs and Expositions (CDFA F&E) and the California Construction Authority (CCA) will renovate, upgrade and convert an existing building into a Satellite Wagering Facility.

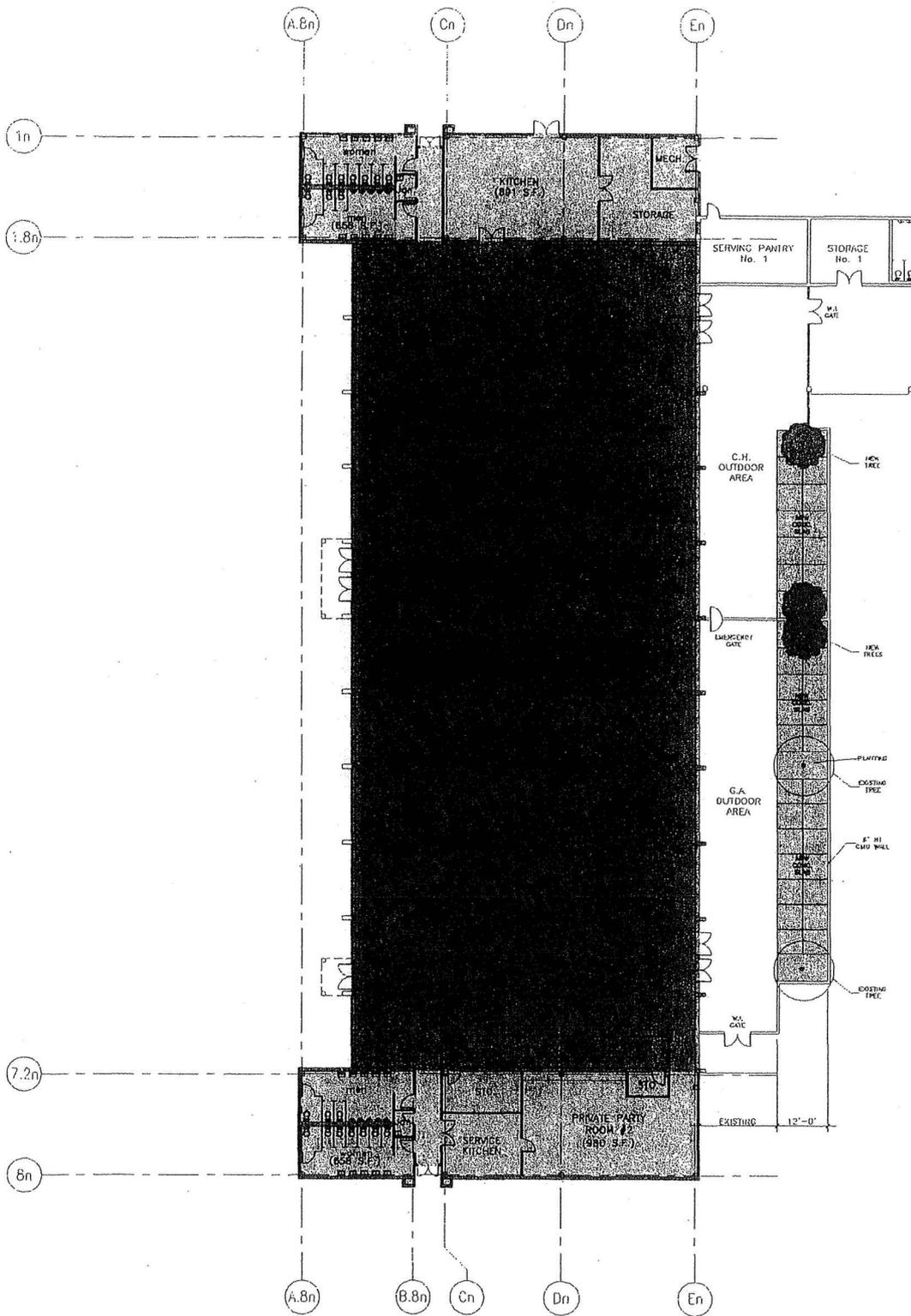


# TIMELINE (October 2007 – August 2008)

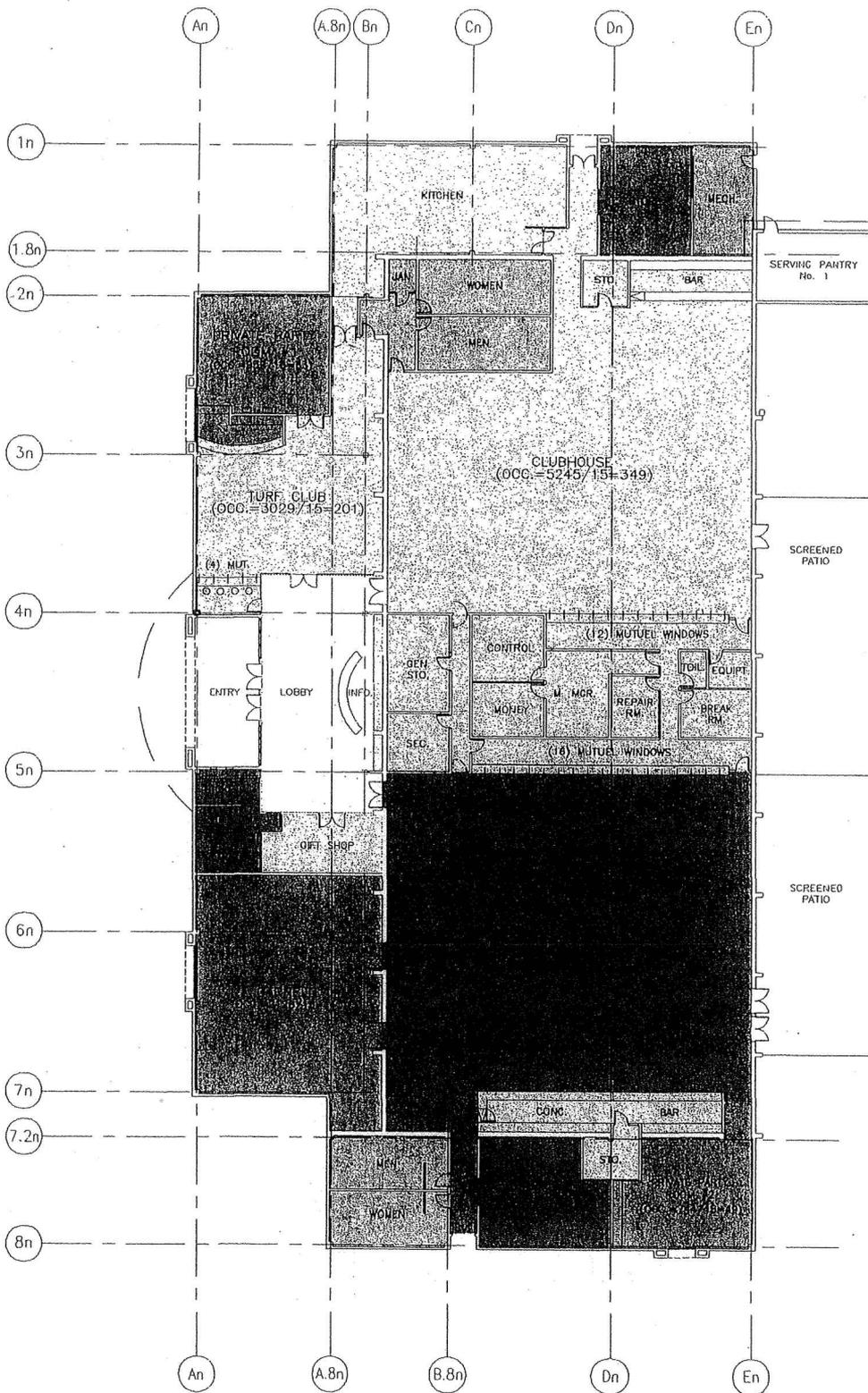




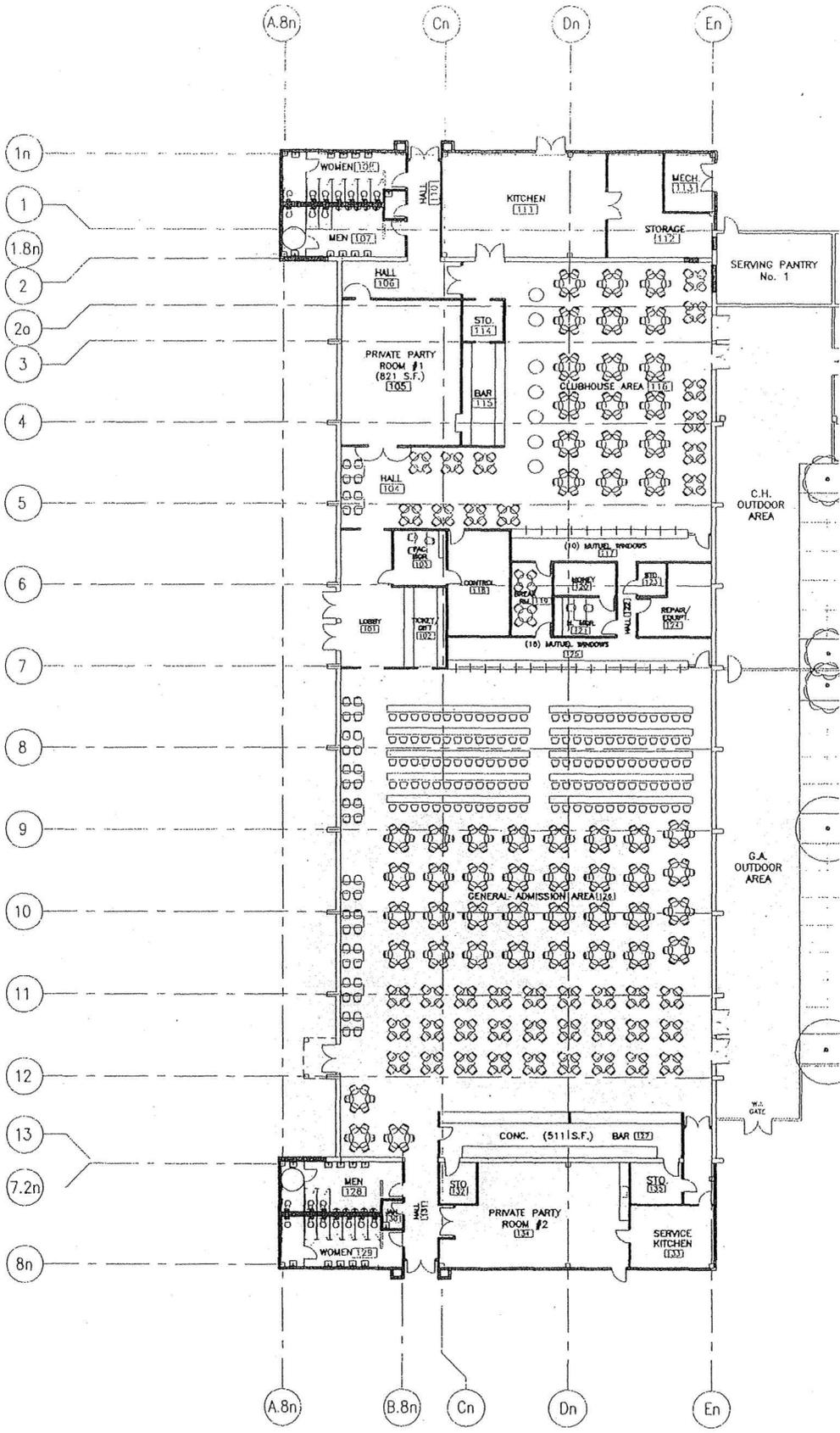
# FLOOR PLAN - BASE BID



FLOOR PLAN - ADD ALTERNATE



# SEATING PLAN - BASE BID





STATE OF CALIFORNIA  
CALIFORNIA HORSE RACING BOARD  
APPLICATION FOR AUTHORIZATION TO OPERATE A SIMULCAST WAGERING FACILITY  
CHRB-25 (Rev. 4/92)

Application is hereby made to the California Horse Racing Board (CHRB) for authorization to operate a simulcast wagering facility in accordance with the California Business and Professions Code (B&P), Chapter 4, Division 8 (Horse Racing Law) and the California Code of Regulations, Title 4, Division 4 (CHRB Rules and Regulations).

Name of applicant association, fair, or tribal facility:

*San Mateo County Exposition and Fair Association  
dba - San Mateo County Event Center*

Location of facility (City and County):

*City of San Mateo in San Mateo County, CA*

Mailing address of association, fair, or tribal facility:

*2495 South Delaware Street, San Mateo, CA 94403*

Telephone number:

*650-574-3891*

Name and title of the managing officer or tribal council representative of the applicant association, fair, or tribal facility:

*Jack Olsen, President - San Mateo County Exposition and Fair Association  
Board of Directors - San Mateo County Exposition and Fair Association*

Name of the affiliated (simulcast) organization(s) that will operate the pari-mutuel wagering at the facility:

*Northern California Off-Track Wagering Incorporated*

The regular schedule for operation of the facility will be as follows:

*Opening at 11am through final race of night racing, or as otherwise determined by simulcast schedule set by host track.*

Inclusive date during which the applicant proposes to operate as a simulcast wagering facility during the current racing year:

*August 20 - December 31, 2008*

Application must be filed not later than 90 days before the scheduled start date for operation of the proposed facility pursuant to CHRB Rule 2057.

CHRB CERTIFICATION

Application filed on: *7/2/08*  
Reviewed by: *ap*  
Date of Hearing: *7/17/08*

Approved on:  
License number issued:  
Date tribal compact approved:

OPERATION OF THE SIMULCAST WAGERING FACILITY

Inclusive hours for operation of the facility:

Daily       Wed - Sun       Tues - Sat       Other - specify:

*As determined by host tracks; normal operation is Wednesday through Sunday.*

Inclusive time periods during the calendar year the facility **will not** be utilized as a simulcast wagering facility:

*There will be no time periods during the calendar year that the facility will not be in use.*

Exceptions to the foregoing:

*None*

If approved, wagering will be offered on live race meetings being held or conducted by the following racing associations:

RACE MEETING	BREED	DAY OR NIGHT
--------------	-------	--------------

*Wagering will be conducted on all live racing meetings conducted in CA.*

Dates during which the applicant will conduct or has conducted live horse racing during the current racing year (if none, so state):

*August 7 - 10 and 13 - 17, 2008*

ELIGIBILITY FOR APPROVAL AS A GUEST ASSOCIATION

The applicant association is:       Racing Association       Fair  
     Tribal Facility      Other Business Entity

COMPLETE THE APPLICABLE SUBSECTION:

RACING ASSOCIATION - approval pursuant to B&P Section 19605.

The name under which the association is licensed by the Board:

*N/A*

CHRB-25 (Rev. 4/92)

The names and titles of management personnel assigned to the facility:

*N/A*

**FAIR**

Approval is requested pursuant to B&P Section  19605.1 OR  19605.2.

*In addition, B & P 19605.45 applies specifically to satellite wagering in San Mateo County.*

Correct title of the fair or fair association:

*San Mateo County Exposition and Fair Association*

Names and titles of the present fair directors:

*John "Jack" Olsen, President – San Mateo County Exposition and Fair Association  
Melanie Hildebrand, Vice-President – San Mateo County Exposition and Fair Association  
Peter Chartz, Secretary/Treasurer – San Mateo County Exposition and Fair Association  
Board of Directors – San Mateo County Exposition and Fair Association; Tony Clifford, Steve Karp, Mark Norris and John Zirelli*

Names and titles of management personnel assigned to the simulcast wagering facility:

*Chris A. Carpenter, San Mateo County Event Center and Fair  
Jim Fetter, Satellite Wagering Facility – Manager  
Jim Nielson, Satellite Wagering Facility - Supervisor*

**TRIBAL FACILITY**

Approval is requested pursuant to the Tribal-State Compact signed on \_\_\_\_\_.

The name of the tribe under which the Tribal-State Compact was approved:

Names and titles of management personnel assigned to the facility:

If applicable, names and titles of management personnel comprising management company or other entity operating gaming and simulcast wagering at the facility:

Has the management company or other entity been approved by the U. S. Bureau of Indian Affairs?  
 Yes       No      If yes, the date of that approval \_\_\_\_\_.

**NOTICE TO APPLICANT** Changes to management personnel and Simulcast Facility Supervisor(s) must be immediately reported to the Board.

## CONCESSIONAIRES AND VENDORS

The concessionaires, vendors, and other entities providing food service, beverage service, racing selection services, janitorial or custodial service, or other service or supplies within the simulcast wagering facility are (specify the name and type of service or supplies):

*Ovations Food Services – The concessionaire providing food and beverage service*

*San Mateo County Event Center and Fair – Janitorial and custodial services and supplies.*

Other vendors to be permitted to sell products or services outside, but on the premises of, the simulcast wagering facility are:

*California Lottery*

## SUPERVISION, SECURITY AND FIRE PREVENTION

The names of all persons to be employed as a Simulcast Facility Supervisor at the simulcast wagering facility:

*Jim Nielson, San Mateo County Event Center Satellite Wagering Facility Supervisor*

The workers' compensation insurance carrier and the policy number securing the applicant's liability for payment of workers' compensation is (if self-insured, give details):

Attach a copy of the Certificate of Insurance.

*See attached*

Attach a fire clearance from the fire authority having jurisdiction.

*Pending*

The name of the person having responsibility for security controls at the facility is:

*Jim Fetter, SWF - Manager*

The number of security officers and/or guards to be regularly employed at the facility is:

*One guard during the day and one in the evening on Wednesday and Thursday, Two guards during the day and evening on Friday and Saturday and Two guards during the day on Sunday, and one guard in the evening.*

The police or sheriff's department having jurisdiction for criminal law enforcement over the

CHRB-25 (Rev. 4/92)

premises of the facility is:

*San Mateo County Sheriff's Department and San Mateo Police Department (SMPD) is located only two blocks from the SMCEC).*

Specify the name, address and telephone number of the emergency ambulance service the applicant will utilize in event of illness or injury at the facility:

*911 Emergency Services; San Mateo Fire Department, Station 23, 31 27<sup>th</sup> Avenue, San Mateo, CA 94403 - #650-522-7923*

Does the applicant propose to have emergency medical care available at the facility:

Yes       No      If yes, describe:

**EQUIPMENT PROVIDED BY THE GUEST ASSOCIATION**

Describe the television equipment (simulcast receivers, decoders, controls, monitors, etc.) to be utilized at the facility:

*Displays & Screens*

*25 (each) 100" projection screens, 40+ (each) flat screen monitors – (42" or larger); assorted table top flat screens and TV's.*

*Satellite Downlink Equipment (dishes)*

*3 (each) satellite down links, dual polarity; satellite receivers; decoders/IRD's as furnished by NOTWInc/SCOTWInc.*

*Control Room*

*Audio Mixer; 64 X 64 Video Router; 38-channel head-end; 4 ea. 86" equipment racks; satellite receivers; 40 ea. rack monitors; preview monitors.*

Describe the public address equipment (controls, microphones, speakers, etc.) to be utilized at the facility:

*PA*

*6-zone public address system; paging microphone; mixer; amplifiers.*

Attach a detailed scale plan of the facility indicating all points of access, emergency exits, and the placement of offices and food and beverage service locations.

**PARI-MUTUEL EQUIPMENT AND WAGERING SERVICES**

Describe the pari-mutuel equipment, odds displays, modems or muxes, and method of data transmission to be utilized (include the number of pari-mutuel terminals to be on-site):

Odds Displays

*12-channel video display*

Telecommunications/Totalisator Interface Equipment

*Telecommunications and interface equipment (modems, muxes, UPS') furnished by CHRIMS, Roberts Communication, and/or Scientific Games under contract with NOTWInc and SCOTWInc.*

Terminals

*Facility will have capacity for up to 40 totalisator terminals.*

Will the applicant be responsible for maintenance of the pari-mutuel equipment?

Yes       No

Describe the method by which patron complaints regarding wagering operation and/or the facility or its employees may be filed:

*Patrons may report wagering problems to the following persons for disposition: Mutuels' attendant; pari-mutuel clerk; Mutuels' supervisor; Facility Supervisor.*

*Patrons may report complaints regarding facility operations to Facility Supervisor or Fair CEO. Fair Complaint Form is attached for reference.*

Has the applicant made arrangements to provide for the encashment of valid pari-mutuel tickets issued at other facilities or at California race meetings?

Yes       No

**ADMISSIONS, CHARGES AND SERVICE FEES**

The admissions charges are:

- Level 1 \$5 (Gen. Adm.)
- Level 2 \$7 (Premium CH)
- Level 3 *Free* (Membership)

Parking Charges are:

- Level 1 *Free* (General)
- Level 2 *Free* (Premium)
- Level 3 *Free* (Valet)

Program costs are:

CHRB-25 (Rev. 4/92)

7

*As determined by host track*

Seating costs, if any, are:

*N/A***FOOD AND BEVERAGE SERVICE**

Describe the food and beverage services to be offered (full meals served; cafeteria-style full meals; short-order counter service; pre-ordered prepared sandwiches and fast foods available; full bar services; barn counters; or other description as appropriate):

*Full meals; short order counter service, made to order sandwiches; fast foods; full bar service.*

The seating capacity in the general admission area is:

*Oak Hall – 390**Cypress Hall (as needed) - 800*

The number of tables in the general admission area is:

*Oak Hall – 80 to 120, mixed with Carrel Seating**Cypress Hall – Mixed free-standing tables, row seating and Carrels, as needed.*

The seating capacity in the premium area is:

*Oak Hall – 220 ( includes Club Room – 48 and Private Party Room – 45)*

The number of tables in the premium area is:

*Oak Hall – 40 to 70 tables, mixed with Carrels.*

Overall square footage in the public general admission area is:

*Oak Hall – 8,200 square feet**Cypress Hall – 16,000 square feet*

Overall square footage in the public premium admission area is:

*Oak Hall – 3,800 square feet**Oak Hall – Private Party Room – 720 square feet*

Overall square footage available for "overflow" attendance:

*Covered breezeway and secured open Court yard – 32, 000 square feet*

Describe occupancy restrictions, if any, imposed by the fire authority having jurisdiction:

*None*

The total number of parking spaces available in the combined parking areas can accommodate (number of standard sized automobiles):

*800 Spaces – West Lot (adjacent to satellite Wagering Facility)  
3,000 Spaces – East Lot*

Describe any other activities to be scheduled on or near the facility premises that may have a negative impact on available parking:

*Annual San Mateo County Fair, Makers Faire, Hot Import Nights Car Show. Other interim events from time to time.*

## **AGREEMENTS**

Fair applicants must attach the resolution of its governing body that determined that the conduct of simulcast wagering at its fair facility best serves the interest of the fair.

*See attached*

Attach a copy of the agreement between the applicant and the (simulcast) organizations(s) that sets forth therein the duties of the respective parties.

*See attached – signature pending*

Attach a copy of the written consent of the horsemen's organization(s), if applicable, consenting to the acceptance of wagers at the facility.

*Pending*

## **NOTICES TO APPLICANT**

Notice is given to the applicant that its application, if approved by the Board, authorizes the applicant to offer pari-mutuel wagering at its simulcast facility until notified otherwise.

Notice is also given that retention of and control over all moneys generated from pari-mutuel wagering held or conducted at the facility is the responsibility of the (simulcast organization(s) which contract(s) to provide the pari-mutuel equipment and pari-mutuel employees; and that such organization(s) is (are) responsible for its proper distribution in accordance with the law and the rules and regulation of the Board.

Notice is also given that CHRB Rules 1870 and 1871 require that the Board be given 15 days notice in writing of any intention to terminate operations, engagements, or services by any licensee, approved concessionaire, or approved service contractor.

## **DECLARATIONS**

All labor agreements, concession contracts, service contracts, horsemen's agreement, lease

CHRB-25 (Rev. 4/92)

9

agreements and agreement with the (simulcast organization(s) necessary to conduct and operate the simulcast wagering program at the facility have been finalized except as follows (if there are no exceptions, so state):

*SEIU and Teamster Agreements – Pending*

*Horseman's Agreement – Pending*

*Simulcast Agreement – Attached, with signature pending*

All service contractors and concessionaires have valid State, County or City licenses authorizing each to engage in the type of service to be provided and have valid labor agreements (when applicable) which remain in effect for the entire term of the approval except as follows (if there are no exceptions, so state):

*Ovations (Food and Beverage concessionaire) maintains a health permit to operate concessions and catering at the San Mateo County Event Center, as well as a labor agreement.*

*In November 2007, when the San Mateo Fair decided to proceed with renovation of Oak Hall into a Satellite Wagering Facility, there was considerable uncertainty about the schedule for closing Bay Meadows. Consequently, in order to prepare for the earliest possible closing date for Bay Meadows, the Fair undertook the satellite conversion construction on a very aggressive schedule.*

*In the interest of full disclosure in this application, we wish to inform the Board that the general contractor has informed the Fair that certain areas of new construction, specifically new bathrooms, one party room and kitchen space in the north and south new additions, may not be completed by August 20. These potential delays effect the areas of new construction, not the renovated interior spaces in Oak Hall. We are prepared with contingency plans using temporary facilities and overflow areas in the event that they are necessary.*

Absent natural disasters or causes beyond the control of the applicant, its service contractors, concessionaires or employees engaged at the facility, no reasons are believed to exist that may result in a stoppage to the conduct of pari-mutuel wagering at the facility or the withholding of any vital service to the applicant except as follows (if there are no exceptions, so state):

*No exceptions known*

By authority of Article 9.2, of the California B&P Code; and the Federal Indian Gaming Act; in order to allow an evaluation of the competence, integrity, and character of potential simulcast facility operators authorized by the CHRB, any person, corporation, trust association, partnership, joint venture, or management firm who submits an application for such authorization or who is named in such application and who is not a State or County entity, or has not previously completed such disclosure when filing for a horseracing application pursuant to Article 4, Section 19480 of the California B&P Code shall be required to complete and submit a full disclosure statement.

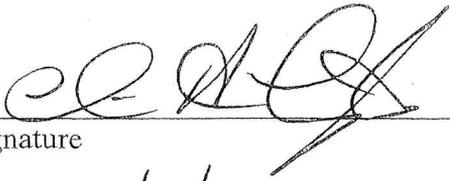
#### **CERTIFICATION BY APPLICANT**

I hereby certify under penalty of perjury that I have examined this application, that all of the

foregoing statements in this application are true and correct, and that I am authorized by the applicant to attest to this application on its behalf.

CHRIS A. CARPENTER  
Print Name

GENERAL MANAGER  
Print Title

  
Signature

7/2/08  
Date

**San Mateo County Exposition & Fair Association  
Board of Directors**

**RESOLUTION DETERMINING THAT THE CONDUCT OF SIMULCAST  
WAGERING AT SAN MATEO COUNTY FAIR AND EXPOSITION FACILITY  
BEST SERVES THE INTEREST OF THE FAIR.**

**WHEREAS**, this Board has determined that conducting simulcast wagering at the San Mateo County Fair and Exposition facility will make a positive financial contribution to provide for additional improvement to the fair facilities, attracting increased attendance and allow for better utilization of the fairgrounds; and

**WHEREAS**, this Board has determined that conducting simulcast wagering at the San Mateo County Fair and Exposition facility will continue simulcast wagering at a well established venue located on the San Francisco Peninsula; and

**WHEREAS**, this Board has determined that conducting simulcast wagering at the San Mateo County Fair and Exposition facility allows for the simulcast wagering facility which is scheduled for development to be in the immediate geographic area of the current facility which inures to the overall benefit of horse racing by maintaining or improving the amounts wagered on simulcast wagering by retaining the current clientele base; and

**WHEREAS**, this Board has determined that conducting simulcast wagering at the San Mateo County Fair facility will create economic income to the surrounding community especially the City of San Mateo to the benefit of residents and visitors;

**NOW THEREFORE, IT IS HEREBY DETERMINED**, by this Board that the conduct of simulcast wagering at San Mateo County Fair and Exposition facility best serves the interest of the fair.

In witness whereof  
This 22<sup>nd</sup> Day of November, 2004

  
\_\_\_\_\_  
Tony Clifford, President

  
\_\_\_\_\_  
Chris A. Carpenter, General Manager

RESOLUTION NO. \_\_\_\_\_

BOARD OF SUPERVISORS, COUNTY OF SAN MATEO, STATE OF CALIFORNIA

RESOLUTION SUPPORTING SAN MATEO COUNTY EVENT CENTER'S EFFORTS TO ENSURE THE RETENTION OF RACE DATES AND SATELLITE WAGERING

---

**RESOLVED**, by the Board of Supervisors of the County of San Mateo, State of California, that

**WHEREAS**, an urgent matter of critical importance to the residents of San Mateo County arose since the Board agenda was posted;

**WHEREAS**, it has just been determined that the Race Dates Committee is considering a 2008 Northern California calendar that does not include horse racing days to benefit San Mateo County and that the California Horse Racing Board will begin discussions on Tuesday, May 22, 2007, on the allocation of the horse racing days and issues related to satellite wagering which could directly impact the San Mateo County Event Center;

**WHEREAS**, preservation of the San Mateo County Event Center and all it offers to the residents of San Mateo is a priority; and

**WHEREAS**, the County clearly recognizes the need for immediate and necessary steps to be taken to communicate to our local government, State legislative and regulatory partners the critical need for retention of live race dates and continued operation of a satellite wagering; and

**WHEREAS**, the County has determined that conducting simulcast wagering at the San Mateo County Event Center will make a positive financial contribution to the county's ability to maintain a high quality San Mateo County Event Center Campus, and continue the 150-year history of conducting a County Fair for children and families to enjoy and value the rich floral, agricultural, livestock and related industry diversity found in San Mateo County, and lead to attracting increased attendance from in and around the County of San Mateo; and

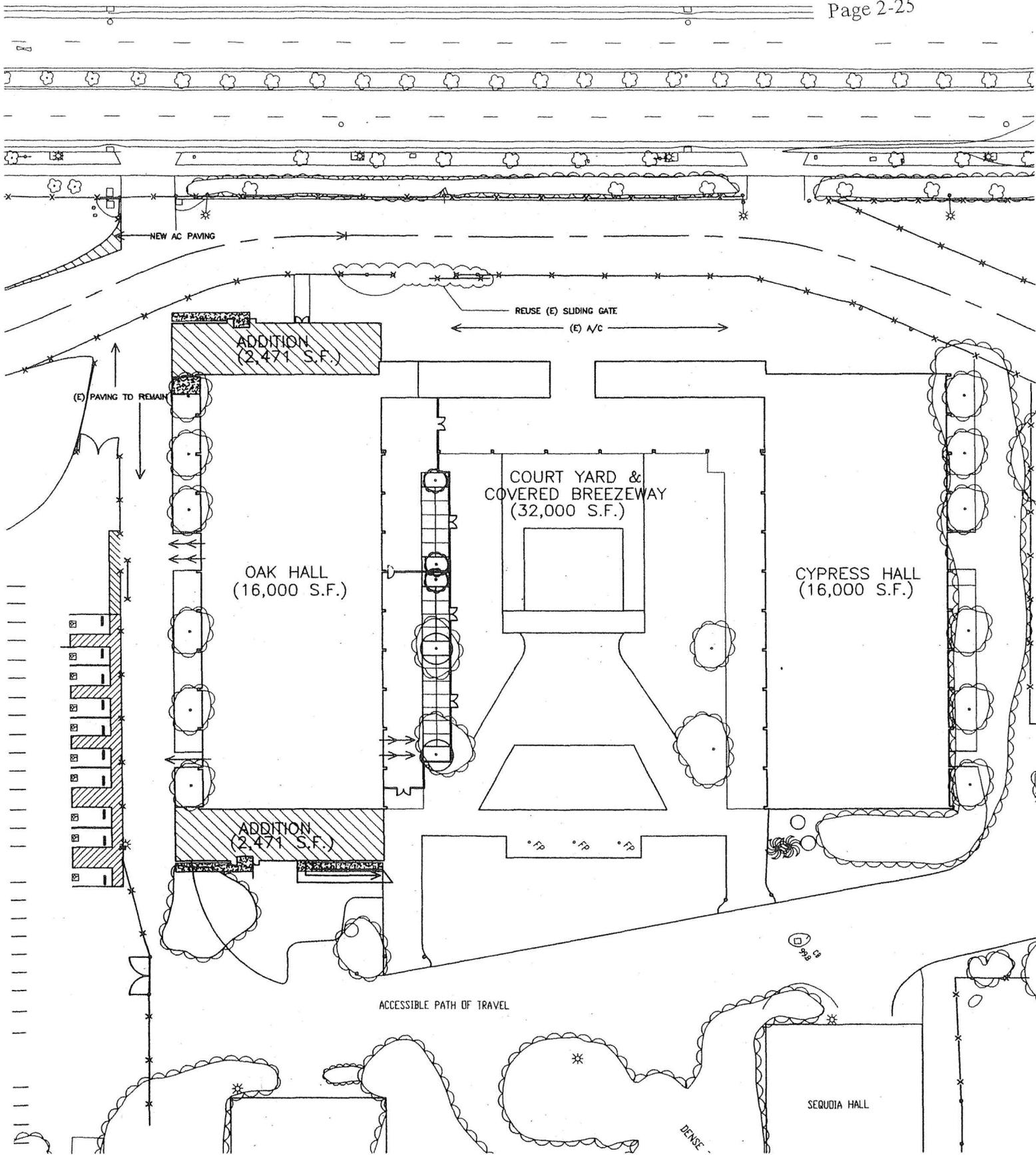
**WHEREAS**, the County has determined that conducting simulcast wagering at the San Mateo County Event Center will create economic income to the surrounding community especially the City of San Mateo to the benefit of residents and visitors alike; and

**WHEREAS**, the County has determined that conducting a live race meet at Bay Meadows Racing Association or at another racing fair or association in a manner that maintains the current revenue source for the San Mateo County Event Center is critical to their continued vitality; and

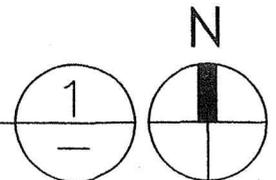
**WHEREAS**, the County recognizes the value of a unified local government and State legislative representative voice on this issue;

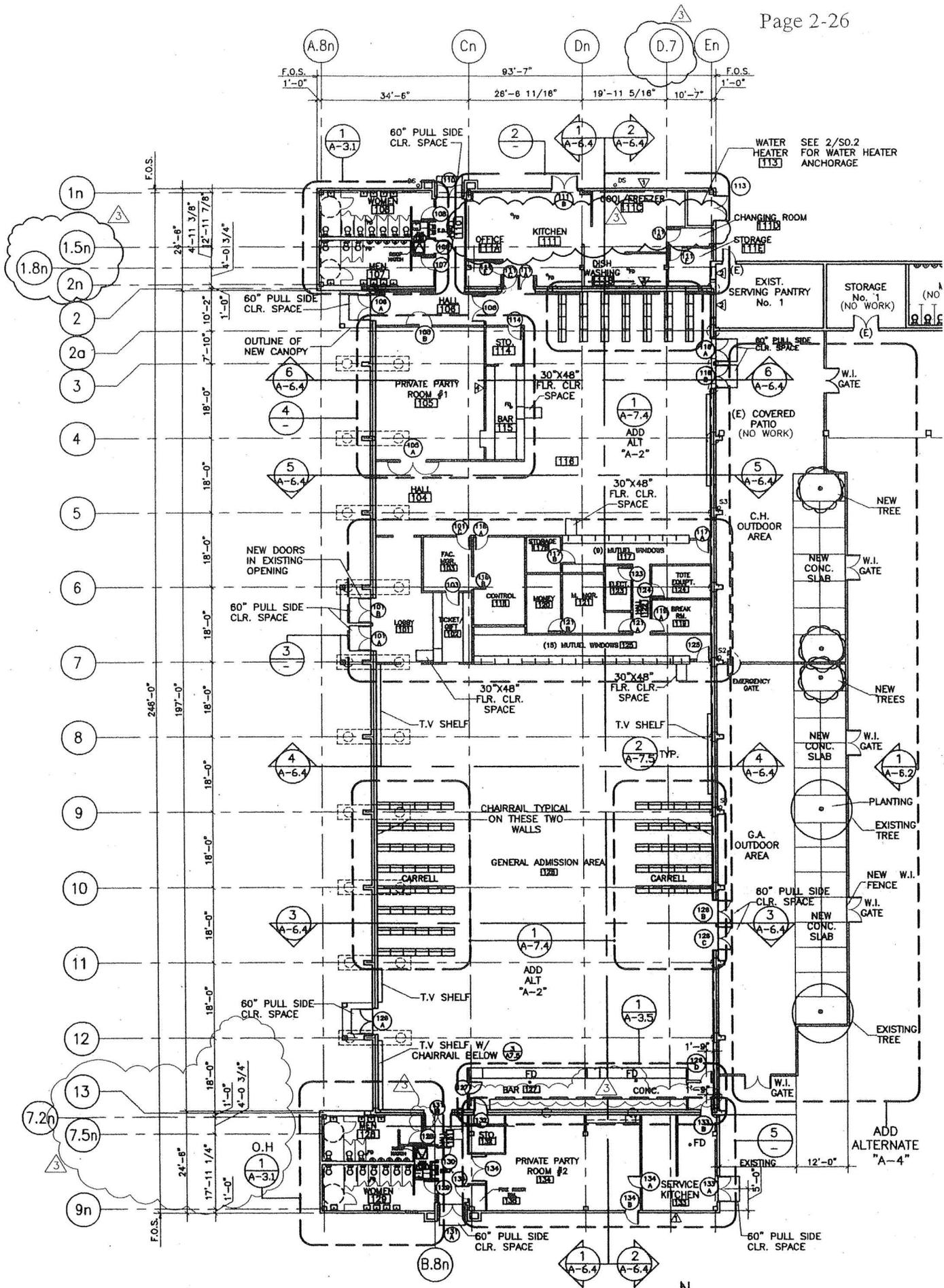
**NOW, THEREFORE, IT IS HEREBY RESOLVED** that the San Mateo County Board of Supervisors unanimously support simulcast wagering at the San Mateo County Event Center, and conducting a live race meet at Bay Meadows Racing Association or at another racing fair or association in a manner that protects the current legal obligations and maintains the current revenue source for the San Mateo County Fair and Event Center to serve the interest of the residents of San Mateo County.

\*\*\*\*\*



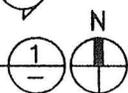
# SITE PLAN





FLOOR PLAN- BASE BID

SCALE: 1/16" = 1'-0"



# 2007 SAN MATEO COUNTY FAIR COMPLAINT FORM

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone #: \_\_\_\_\_

**COMMENT:**

---

---

---

---

---

---

---

---

---

---

Date: \_\_\_\_\_

Time: \_\_\_\_\_

Report taken by: \_\_\_\_\_



July 1, 2008

To: California Horse Racing Board  
Attn: Andrea Ogden  
1010 Hurley Way, Suite 300  
Sacramento, CA 95825

Re: San Mateo County Fair  
Attn: Diane Baumann  
2495 South Delaware Street  
San Mateo, CA 94403

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

### I. COMPREHENSIVE GENERAL LIABILITY PROGRAM

- A. Primary Coverage \$750,000 self-insured retention California Fair Services Authority  
Coverage continuous until cancelled
- B. Excess Coverage \$9,250,000 in excess of \$750,000  
Coverage provided by Insurance Company of the State of Pennsylvania  
Term: 01/01/2008 to 01/01/2009

### II. WORKERS' COMPENSATION AND EMPLOYERS' LIABILITY

- A. Primary Coverage \$500,000 self-insured retention California Fair Services Authority  
Coverage continuous until cancelled
- B. Excess Coverage (a) Workers' Compensation: \$299,500,000 in excess of \$500,000  
(b) Employers' Liability: \$4,500,000 in excess of \$500,000  
Coverage provided by CSAC Excess Insurance Authority  
Term: 07/01/2008 to 07/01/2009

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

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

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

Sincerely,

Lianne Lewellen  
Risk Analyst

A Joint Powers Authority comprised of the State of California, Department of Food & Agriculture, the counties of Humboldt, Lassen, Modoc, Yuba, Siskiyou, and Butte, the cities of Eureka, Red Bluff, and Yreka, the counties of Colusa, Glenn, Butte, and Yuba, the cities of Colusa, Glenn, Butte, and Yuba, the counties of Colusa, Glenn, Butte, and Yuba, the cities of Colusa, Glenn, Butte, and Yuba.

Received Time Jul. 1. 2008 2:51 PM No. 9520

STAFF ANALYSIS  
July 17, 2008

Issue: APPLICATION FOR LICENSE TO CONDUCT A HORSE RACING MEETING OF THE SAN JOAQUIN FAIR AT STOCKTON SEPTEMBER 3-14, 2008.

San Joaquin Fair filed its application to conduct a horse racing meeting at Stockton:

- September 3-14, 2008, or 9 days, the same as 2007. The fair proposes to race a total of 98 races, four less than 2007.

September – 2008						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
	1 H	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30				

- Racing Wednesday, Friday, Saturday and Sunday the first week and Wednesday through Sunday the second week. 10 races per day Wednesday through Friday and 12 races per day Saturday and Sunday.
  - Number of horses available determines the number of daily races programmed by breed.
  - 2007 Race Meeting: Average number of runners per race (TB): 7.86
  - 2007 Race Meeting: Average number of runners per race (Arabian): 6.60
  - 2007 Race Meeting: Average number of runners per race (Quarterhorse): 7.0
  - 2007 Race Meeting: Average number of runners per race (Mules): 6.55
- First post 12:45 p.m.
- San Joaquin County Fair will be open for stabling at no cost, Sunday August 24 through Saturday September 20. Stall application will be accepted from all breeds.
- Request Darrell Sparks be appointed horse identifier pursuant to CHRB Rule 1525.
- Track safety requirements have been fulfilled.
- Wagering program will use CHRB rules.
  - \$1 pick 4 on the first 4 and last 4 races and \$2 pick 6 on last 6 races.
  - \$1 place pick all on the last ten races.
  - Early wagering will not be offered.
- The Advance Deposit Wagering (ADW) providers are XpressBet, TVG, TwinSpines and YouBet.

- Simulcasting conducted with other out-of-state racing jurisdictions pursuant to Business and Professions Code Section 19602; and with authorized locations throughout California.
- A copy of the 2007 San Joaquin County Fair end of meet report has been included for your review. This report was previously presented to the Board at the September 2007 CHRB Board meeting.
- Inspection of backstretch worker housing completed.

RECOMMENDATION:

Staff recommends the Board approve the application.

## END-OF-MEET OUTLINE SUMMARY

San Joaquin County Fair  
June 14, 2007 - June 24, 2007  
Race Days: 9

## AVERAGE DAILY STATISTICS

	PERCENTAGE CHANGE
Ave. Daily Handle	84.77%
Ave. On-Track	51.41%
Ave. Off-Track	96.81%
Ave. Out-Of-State	82.78%
Ave. ADW	72.43%
Ave. Daily Attendance	19.11%
Ave. Daily On-Track Attendance	14.22%
Ave. Daily Off-Track Attendance	25.02%

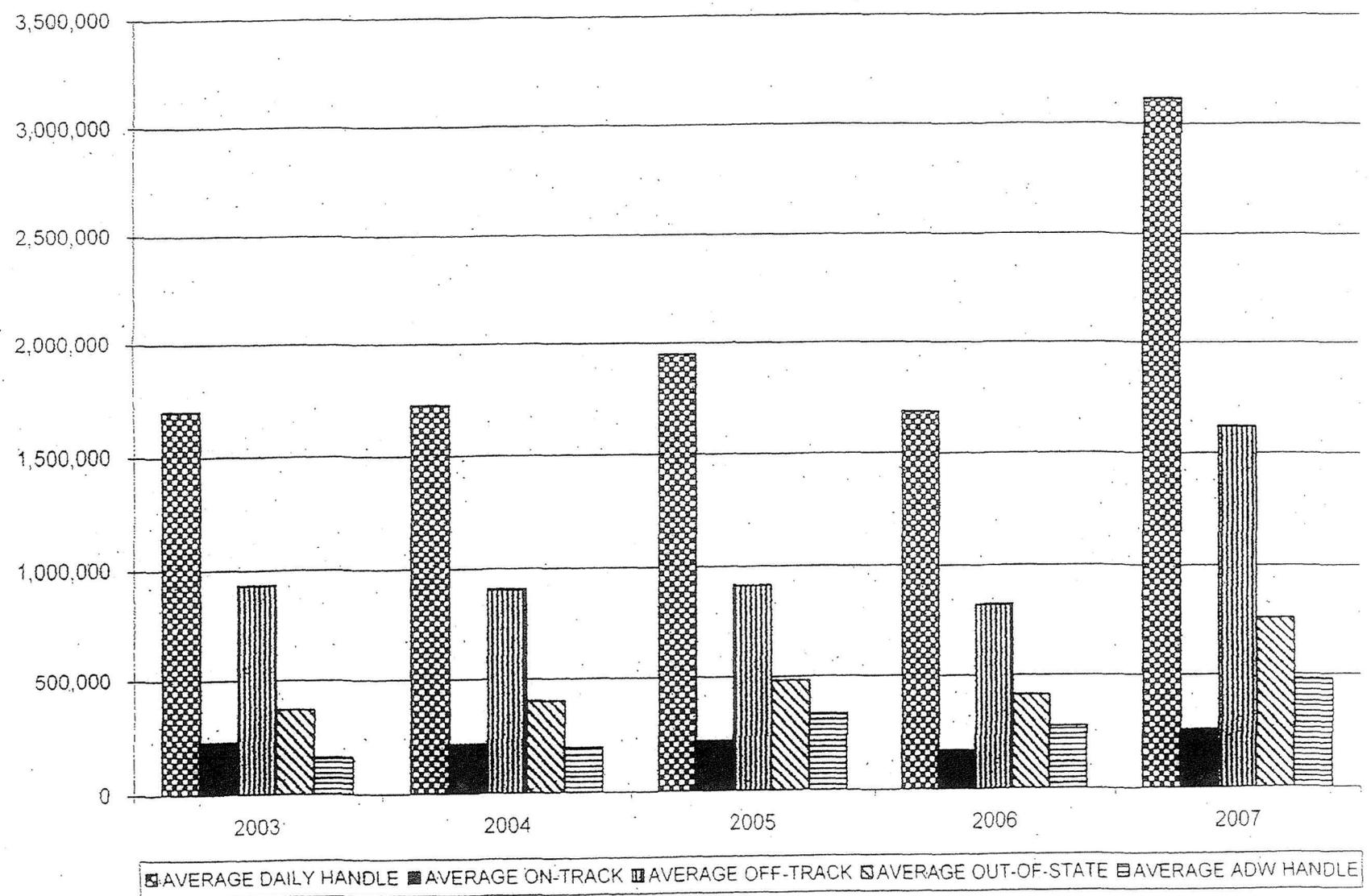
SAN JOAQUIN FAIR

YEAR	2003	2004	2005	2006	2007
TOTAL RACE DAYS	10	10	10	10	9
TOTAL HANDLE	17,014,231	17,272,082	19,454,424	16,852,770	28,024,627
ON-TRACK	2,297,774	2,149,393	2,181,189	1,698,840	2,315,036
OFF-TRACK	9,311,621	9,074,078	9,122,115	8,225,410	14,569,853
OUT-OF-STATE	3,741,643	4,051,463	4,805,207	4,159,595	6,842,648
ADW	1,663,193	1,997,147	3,345,914	2,768,924	4,297,091
LIVE	10,890,203	11,295,946	13,319,292	10,859,907	15,855,476
OUT-OF-ZONE IMPORTED	2,949,164	2,968,321	2,599,965	2,523,949	4,671,800
INTERSTATE IMPORTED	3,174,864	3,007,815	2,775,135	2,620,616	5,518,238
INTERNATIONAL IMPORTED	0	0	760,032	848,298	1,979,114
AVERAGE DAILY HANDLE	1,701,423	1,727,208	1,945,442	1,685,277	3,113,847
AVERAGE ON-TRACK	229,777	214,939	218,119	169,884	257,226
AVERAGE OFF-TRACK	931,162	907,408	912,211	822,541	1,618,873
AVERAGE OUT-OF-STATE	374,164	405,146	480,521	415,960	760,294
AVERAGE ADW HANDLE	166,319	199,715	334,591	276,892	477,455
AVERAGE LIVE	1,089,020	1,129,595	1,331,929	1,085,991	1,761,720
AVERAGE OUT-OF-ZONE IMPORTED	294,916	296,832	259,997	252,395	519,089
AVERAGE INTERSTATE IMPORTED	317,486	300,782	277,513	262,062	613,138
AVERAGE INTERNATIONAL IMPORTED	0	0	76,003	84,830	219,902
TOTAL TAKEOUT	3,078,325	3,504,348	3,953,700	3,422,004	5,634,575
EFFECTIVE TAKEOUT	18.09%	20.29%	20.32%	20.31%	20.11%
STATE LICENSE FEES	181,230	176,811	178,840	151,748	236,764
STATE %	1.07%	1.02%	0.92%	0.90%	0.84%
TRACK COMMISSIONS	569,601	562,443	606,513	463,971	785,439
ADW COMMISSIONS	75,152	90,178	155,511	146,575	210,810
TOTAL COMMISSIONS	644,753	652,621	762,024	610,546	996,250
TRACK %	3.35%	3.26%	3.12%	2.75%	2.80%
HORSEMEN'S PURSES	576,015	568,087	612,638	504,061	785,269
ADW PURSES	75,886	91,215	157,188	148,208	212,366
TOTAL PURSES	651,901	659,302	769,826	652,269	997,635
HORSEMEN'S %	3.39%	3.29%	3.15%	2.99%	2.80%

### SAN JOAQUIN FAIR

YEAR	2003	2004	2005	2006	2007
CALIFORNIA ATTENDANCE	86,393	83,229	82,036	72,144	77,340
ON-TRACK	45,079	45,145	45,338	39,466	40,570
OFF-TRACK	41,314	38,084	36,698	32,678	36,770
AVERAGE DAILY ATTENDANCE	8,639	8,323	8,204	7,214	8,593
AVERAGE DAILY ON - TRACK	4,508	4,515	4,534	3,947	4,508
AVERAGE DAILY OFF - TRACK	4,131	3,808	3,670	3,268	4,086
TOTAL RACE EVENTS	104	104	102	92	94
STARTS	846	797	755	632	714
AVERAGE STARTS PER EVENT	8.1	7.7	7.4	6.9	7.6
AVERAGE HANDLE PER START	12,873	14,173	17,641	17,183	22,207

# SAN JOAQUIN FAIR



NORTHERN CALIFORNIA  
2008 SUMMER STABLING SCHEDULE  
*As of June 6, 2008*

---

*Alameda County Fair*  
*Pleasanton*

Open for stabling at no cost Monday May 12 through Tuesday July 8. Stall applications accepted from all breeds. Racing conducted June 25 through July 6. Open for stabling year-round at a cost of \$4 per day per stall.  
Stalls available: 684  
**Contact: Racing Secretary Tom Doutrich**

*Solano County Fair*  
*Vallejo*

Open for stabling at no cost Monday June 16 through Wednesday July 23. **Note:** Opening on June 16 is conditional on receiving applications from at least 100 horses and/or mules deemed to be qualified by Racing Secretary Tom Doutrich. Normal pre-meeting stabling opening date is June 30. Stall applications accepted from all breeds. Racing conducted July 9 through July 21.  
Stalls available: 864  
**Contact: Racing Secretary Tom Doutrich**

*Sonoma County Fair*  
*Santa Rosa*

Open for stabling at no cost Sunday July 13 through Wednesday August 6. Stall applications accepted from all breeds. Racing conducted July 23 through August 4.  
Stalls available: 1,100  
**Contact: Racing Secretary Tom Doutrich**

*Humboldt County Fair*  
*Ferndale*

Open for stabling at no cost Sunday July 27 through Tuesday August 19. Stall applications accepted from all breeds. Racing conducted August 7 through August 17.  
Stalls available: 230  
**Contact: Racing Secretary Ella Robinson**

*San Mateo County Fair*

*Bay Meadows/San Mateo*

Open for stabling at no cost Monday May 12 through Monday October 13, the last day of Fresno Fair's racing. San Mateo Fair racing conducted August 6 through August 17. Stall applications accepted from all breeds. See also *Bay Meadows* below.

Stalls available: 900

**Contact: Racing Secretary Tom Doutrich**

*California State Fair*

*Sacramento*

Open for stabling at no cost Sunday August 10 through Wednesday September 3. Stall applications accepted from all breeds. Racing conducted August 20 through September 1.

Stalls available: 1,012

**Contact: Racing Secretary Tom Doutrich**

*San Joaquin Fair*

*Stockton*

Open for stabling at no cost Sunday August 24 through Saturday September 20. Stall applications accepted from all breeds. Racing conducted September 3 through September 14.

Stalls available: 756

**Contact: Racing Secretary Tom Doutrich**

*Fresno District Fair*

*Fresno*

Open for stabling at no cost Sunday September 21 through Wednesday October 15. Stall applications accepted from all breeds. Racing conducted October 1 through October 13.

Stalls available: 780

**Contact: Racing Secretary Tom Doutrich**

NORTHERN CALIFORNIA AUXILIARY STABLING FACILITIES

*Bay Meadows*

*San Mateo*

Open for stabling at no cost Monday May 12 through Monday October 13, the last day of Fresno Fair's racing. **Note:** Closing date of stabling availability may change due to development plans for Bay Meadows. Stall applications accepted from all breeds.

Stalls available: 900

Contact: Racing Secretary Tom Doutrich

*Golden Gate Fields*

*Albany*

Open for stabling at no cost Monday June 23 through Monday October 13, the last day of Fresno Fair's racing. Golden Gate Fields will be conducting Thoroughbred racing September 17 through the end of the year. Stall applications accepted from all breeds.

Stalls available: 1425

Contact: Racing Secretary Tom Doutrich

Contact: Racing Secretary Sean Greely

**APPLICATION FOR LICENSE TO CONDUCT A HORSE RACING MEETING OF A CALIFORNIA FAIR**  
CHRB-18 (Rev. 12/06)

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

**1. APPLICANT FAIR ASSOCIATION**

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

*San Joaquin County Fair*  
*1658 S. Airport Way*  
*Stockton, CA 95206*

*Phone: 209-466-5041*  
*FAX: 209-466-5739*

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

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

**2. DATES OF RACE MEETING**

A. Inclusive dates of race meeting: **September 3 – 14, 2008**

B. Dates racing will NOT be held: **September 4, 8, and 9, 2008**

C. Total number of racing days: **Nine (9)**

**3. RACING PROGRAM**

A. Total number of races: **98**

B. Number of races by breed:

<input type="text" value="76"/>	Thoroughbreds	<input type="text" value="2"/>	Quarter Horses	<input type="text" value="2"/>	Appaloosas
<input type="text" value="9"/>	Arabians	<input type="text" value="-0-"/>	Paints	<input type="text" value="9"/>	Mules

C. Number of races daily:

	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Thoroughbred	9			8	8	8	9
Other Breeds	3			2	2	2	3
Total	12			10	10	10	

**CHRB CERTIFICATION**

Application received: *5/29/08*  
Reviewed: *apw*

Hearing date: *7/17/08*  
Approved date:  
License number:

D. Total number of stakes races by breed:

<input type="text" value="2"/>	Thoroughbreds	<input type="text" value="1"/>	Quarter Horses	<input type="text" value="-0-"/>	Appaloosas
<input type="text" value="1"/>	Arabians	<input type="text" value="-0-"/>	Paints	<input type="text" value="1"/>	Mules

E. Attach a listing of all stakes races and indicate the date to be run and the added money or guaranteed purse for each. See Attachment 3. E.

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

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

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

Wed - Sun

Race #1.....12:45 p.m.  
 Race #2.....1:15 p.m.  
 Race #3.....1:45 p.m.  
 Race #4.....2:15 p.m.  
 Race #5.....2:45 p.m.  
 Race #6.....3:15 p.m.  
 Race #7.....3:45 p.m.  
 Race #8.....4:15 p.m.  
 Race #9.....4:45 p.m.  
 Race #10.....5:15 p.m.  
 Race #11.....5:45 p.m.  
 Race #12.....6:15 p.m.

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

4. FAIR ASSOCIATION

A. Names of the fair directors: **Dr. Thomas Streeter, President; Mitch Slater, Vice President; Karylene Mann, Nanette Martin, Arthur Perry, Gregory O'Leary, Victoria Salazar, Ken Yasui**

B. Names of the directors serving on the Racing Committee or otherwise responsible for the conduct of the racing program: **Mitch Slater and Gregory O'Leary**

C. Name and title of the fair manager or executive officer and the names and titles of all department managers and fair staff, other than those listed in 9B, who will be listed in the official program:

<b>Forrest J. White</b>	<b>Chief Executive Officer</b>
<b>Debbie Cook</b>	<b>Deputy Manager / Satellite Supervisor</b>
<b>Annette Snezek</b>	<b>Pari-Mutuel Coordinator</b>
<b>Frank Mirahmadi</b>	<b>Announcer and Morning Line Maker</b>
<b>Mike Chapman</b>	<b>Maintenance Supervisor</b>
<b>Jack Hatch</b>	<b>Stable Superintendent</b>
<b>Tammy McDuffie</b>	<b>Stewards' Aide</b>
<b>Steve McCollum</b>	<b>Assistant Satellite Supervisor</b>

5. PURSE PROGRAM

A. Purse distribution:

Attachment: 3. E.

*Stakes Races*

<u>Name / Conditions</u>	<u>Date</u>	<u>Added / Guaranteed Purse</u>
<i>Sweepida Stakes</i> Overnight Stakes, Three Year Olds, Fillies Five and One Half Furlongs	Saturday, Sept. 13	\$50,000.00 Added
<i>Forrest White Stakes</i> Overnight Stakes, Three Year Olds, Fillies Five and One Half Furlongs	Sunday, Sept. 14	\$50,000.00 Added
<i>Stockton Arabian Handicap</i> Arabians, Three Year Olds and Upward Five and One Half Furlongs	Saturday, Sept. 13	\$10,000.00 Guaranteed
<i>Stockton Derby</i> Quarter Horses, Three Year Olds Three Hundred Fifty Yards	Sunday, Sept. 7	\$10,000.00 Guaranteed

1. All races other than stakes:  
 Current meet estimate: \$ 1,150,000  
 Prior meet actual: \$ 988,349

Average Daily Purse (5A1 ÷ number of days):  
 Current meet estimate: \$ 127,777  
 Prior meet actual: \$ 109,816

2. Overnight stakes:  
 Current meet estimate: \$ 120,000  
 Prior meet actual: \$ 110,000

Average Daily Purse (5A2 ÷ number of days):  
 Current meet estimate: \$ 13,333  
 Prior meet actual: \$ 12,222

3. Non-overnight stakes:  
 Current meet estimate: -0-  
 Prior meet actual: -0-

Average Daily Purse (5A3 ÷ number of days):  
 Current meet estimate: -0-  
 Prior meet actual: -0-

B. Funds to be generated for all California-bred incentive awards:  
 Current meet estimate: \$ 100,000  
 Prior meet actual: \$ 109,697

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

Current meet estimate:		Prior meet actual:
CTT	\$ 3,750	\$ 3,987
TOC	\$ 7,500	\$ 7,974
NTRA	\$ 3,200	\$ 3,513
PCQHRA	\$ 1,000	\$ 1,280
CWAR	-0-	-0-
ARAC	\$ 2,500	\$ 2,879
AMRA	\$ 7,000	\$ 7,927
CHBPAPEN	\$ 11,000	\$ 11,962
CTHF	\$ 11,000	\$ 11,962

Total	\$ 46,950	Total	\$ 51,484
-------	-----------	-------	-----------

D. Amount from all sources to be distributed at the meeting in the form of purses or other benefits to horsemen (5A+5B+5C):  
 Current meet estimate: \$ 1,416,950 (Including \$150,000 Thoroughbred Carryover from 2007)  
 Prior meet actual: \$ 1,259,530

Average Daily Purse (5D ÷ number of days):

Current meet estimate: \$ 157,438

Prior meet actual: \$ 139,947

E. Purse funds to be generated from on-track handle and intrastate off-track handle:

Current meet estimate: \$ 967,435

Prior meet actual: \$ 945,694

Average Daily Purse (5E ÷ number of days):

Current meet estimate: \$ 107,482

Prior meet actual: \$ 105,077

F. Purse funds to be generated from interstate handle:

Current meet estimate: \$ 152,655

Prior meet actual: \$ 152,655

Average Daily Purse (5F ÷ number of days):

Current meet estimate: \$ 16,961

Prior meet actual: \$ 16,961

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

**West American Bank – CARF Account #On file**

H. Name, address and telephone number of the pari-mutuel audit firm engaged for the meeting:

**Disher Accountancy Corp.**

**1816 Maryal Drive, Sacramento, CA 95864**

**Phone: 916-482-4224**

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

## 6. STABLE ACCOMMODATIONS

A. Number of usable stalls available for racehorses at the track where the meeting is held:

**695 Permanent Stalls**

B. Minimum number of stalls believed necessary for the meeting: **1,795**

C. Total number of usable stalls to be made available off-site at approved auxiliary stabling areas or approved training centers: **2,784**

D. Name and location of each off-site auxiliary stabling area and the number of stalls to be maintained at each site:

Alameda County Fair: 684                      Golden Gate Fields: 1,440      Bay Meadows: 660

E. Attach each contract or agreement between the fair and the person(s) furnishing off-site stabling accommodations for eligible racehorses that cannot be provided stabling on-site.

**Northern California Stabling and Vanning Fund (2008 Extension to be provided by CARF)**

Complete subsections F through H if the fair will request reimbursement for off-site stabling as provided by B&P Code Sections 19607, 19607.1, 19607.2, and 19607.3; otherwise, skip to Section 7.

F. Total number of usable stalls made available on-site for the 1986 meeting:

**695 Permanent Stalls, Plus 200 Portable Stalls**

G. Estimated cost to provide off-site stalls for this meeting. Show cost per-day per stall:

**Northern California Stabling and Vanning Fund**

H. Estimated cost to provide vanning from off-site stalls for this meeting. Show fees to be paid for vanning per-horse:                      **-0-**

**7. PARI-MUTUEL WAGERING PROGRAM**

A. Pursuant to B&P Code Section 19599, and with the approval of the CHRB, fairs may elect to offer wagering programs using CHRB Pari-mutuel Rules, the Association of Racing Commissioners International (RCI) Uniform Rules of Racing, Chapter 9, Pari-mutuel Wagering, or a combination of both. Please complete the following schedule for the types of wagering other than WPS and the minimum wager amount for each:

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

	<b>TYPE OF WAGERS</b>	<b>APPLICABLE RULES</b>
Example Race	\$1 E; \$1 Double	CHRB #1959; RCI #VE
Race #1	\$1E, \$1PK3, \$1TRI, \$2Q \$2DD, \$.10SF, \$1PPN% \$1PK4	CHRB #1959, CHRB #1977, CHRB #1979, CHRB #1958, CHRB #1957, CHRB #1979.1 CHRB #1976.8, CHRB #1978
Race #2	\$1E, \$1PK3, \$1TRI, \$2Q \$2DD, \$.10SF, \$1PPN%	CHRB #1959, CHRB #1977, CHRB #1979 CHRB #1958, CHRB #1957, CHRB #1979.1 CHRB #1976.8
Race #3	\$1E, \$1PK3, \$1TRI, \$2Q \$2DD, \$.10SF, \$1PPN%	CHRB #1959, CHRB #1977, CHRB #1979 CHRB #1958, CHRB #1957, CHRB #1979.1 CHRB #1976.8
Race #4	\$1E, \$1PK3, \$1TRI, \$2Q \$2DD, \$.10SF, \$1PPN%	CHRB #1959, CHRB #1977, CHRB #1979 CHRB #1958, CHRB #1957, CHRB #1979.1 CHRB #1976.8
Race #5	\$1E, \$1PK3, \$1TRI, \$2Q \$2DD, \$.10SF, \$2PNP@, \$1PPN%	CHRB #1959, CHRB #1977, CHRB #1979 CHRB #1958, CHRB #1957, CHRB #1979.1 CHRB #1976.9, CHRB #1976.8

Race #6	\$1E, \$1PK3, \$1TRI, \$2Q \$2DD, \$.10SF, \$2PNP@, \$1PPN%	CHRB #1959, CHRB #1977, CHRB #1979 CHRB #1958, CHRB #1957, CHRB #1979.1 CHRB #1976.9, CHRB #1976.8
Race #7	\$1E, \$1PK3, \$1PK4*, \$1TRI, \$2Q \$2DD, \$.10SF, \$2PNP@, \$1PPN%	CHRB #1959, CHRB #1977, CHRB #1978, CHRB #1979 CHRB #1958, CHRB #1957, CHRB #1979.1 CHRB #1976.9, CHRB #1976.8
Race #8	\$1E, \$1PK3, \$1PK4*, \$1TRI, \$2Q \$2DD, \$.10SF, \$2PNP@, \$1PPN%	CHRB #1959, CHRB #1977, CHRB #1978, CHRB #1979 CHRB #1958, CHRB #1957, CHRB #1979.1 CHRB #1976.9, CHRB 1976.8
Race #9	\$1E, \$1PK3, \$1PK4*, \$1TRI, \$2Q \$2DD, \$.10SF, \$2PNP@, \$1PPN%	CHRB #1959, CHRB #1977, CHRB #1978, CHRB #1979 CHRB #1958, CHRB #1957, CHRB #1979.1 CHRB #1976.9, CHRB #1976.8
Race #10	\$1E, \$1PK3, \$1PK4*, \$1TRI, \$2Q \$2DD, \$.10SF, \$2PNP@, \$1PPN%	CHRB #1959, CHRB #1977, CHRB #1978, CHRB #1979 CHRB #1958, CHRB #1957, CHRB #1979.1 CHRB #1976.9, CHRB #1976.8
Race #11	\$1E, \$1TRI, \$2Q, \$1PK4* \$2DD, \$.10SF, \$2PNP@, \$1PPN%	CHRB #1959, CHRB #1979, CHRB #1958, CHRB #1978 CHRB #1957, CHRB #1979.1 CHRB #1976.9 CHRB #1976.8
Race #12	\$1E, \$1TRI, \$2Q, \$1PK4* \$2DD, \$.10SF, \$2PNP@, \$1PPN%	CHRB #1959, CHRB #1979 CHRB #1958, CHRB #1978 CHRB #1957, CHRB #1979.1 CHRB #1976.9, CHRB #1976.8

B. Maximum carryover pool to be allowed to accumulate before its distribution OR the date(s) designated for distribution of the carryover pool: **September 14, 2008 (Closing Day)**

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

- \* \$1PK4 on First Race and Last Four (4) Races
- @ \$2 Pick 6 on Last Six (6) Races
- % \$1 Place Pick All on Last Ten (10) Races

D. Will "advance" or "early bird" wagering be offered?  Yes  No  
If yes, when will such wagering begin:

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

**Scientific Games Racing / Autotote, David Payton Contract Expires: September 30, 2012**  
**Equipment description on file with the Board**

**8. ADVANCE DEPOSIT WAGERING (ADW)**

A. Identify the ADW provider(s) to be used by the fair for this race meeting:  
**Xpress Bet, T.V.G., TwinSpires, YouBet**

**9. SIMULCAST WAGERING PROGRAM**

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

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

**On File**

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

**All California facilities authorized to accept the signal, including:**

<b>NORTHERN CALIFORNIA</b>	<b>SOUTHERN CALIFORNIA</b>
Alameda County Fair, Pleasanton	Barona Valley Ranch Resort & Casino, Lakeside
Bay Meadows, San Mateo	Cabazon Fantasy Springs Casino, Indio
Big Fresno Fair, Fresno	Del Mar Thoroughbred Club, Del Mar*
California State Fair & Exposition, Sacramento	Earl's Place at Earl Warren Showgrounds, Santa Barbara
Fresno Club One, Fresno	Fairplex Park, Pomona
Golden Gate Fields, Albany	Hollywood Park, Inglewood
Humboldt County Fair, Ferndale*	Los Alamitos Racecourse, Los Alamitos
Kern County Fair, Bakersfield	Santa Anita Park, Arcadia
Monterey County Fair, Monterey	Shalimar Sports Center, Riverside Fair, Indio
Redwood Acres Fair, Eureka**	Sports Center at National Orange Show, San Bernardino
San Joaquin County Fair, Stockton	Sports Pavilion, San Bernardino Cty. Fair, Victorville
San Mateo County Fair, San Mateo	Sports Pavilion at The Farmer's Fair, Perris
Santa Clara County Fair, San Jose	Surfside Race Place at Del Mar, Del Mar**
Shasta District Fair, Anderson	Sycuan Gaming Center, El Cajon***
Solano County Fair, Vallejo	The Derby Club, Seaside Park, Ventura Cty. Fair, Ventura
Sonoma County Fair, Santa Rosa	The Horsemen's Club, Santa Barbara Cty. Fair, Santa Maria
Stanislaus County Fair, Turlock	Viejas Casino & Turf Club, Alpine
Tulare County Fair, Tulare	Watch & Wager, Antelope Valley Fairgrounds, Lancaster
* Open during Ferndale Fair Meet	*July 16 – September 3, 2008
**Closed during Ferndale Fair Meet	**Closed July 16 – September 3, 2008
	***Closed for renovation

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

**Attached**

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

**Attached**

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

**Attached**

**NOTICE TO APPLICANT:** B&P Code Section 19596.2(a) stipulates that on days when live thoroughbred or fair racing is being conducted in the state, the number of thoroughbred races which may be imported by an association or fair during the calendar period the association or fair is conducting its racing meeting cannot exceed a combined daily total of 23 imported thoroughbred races statewide. The limitation of 23 imported thoroughbred races per day statewide does not apply to those races specified in B&P Code Section 19596.2(a)(1), (2), (3) and (4).

### THOROUGHBRED SIMULCAST RACES TO BE IMPORTED

Name of Host Track	Race Dates	Full Card or Selected Feature and/or Stakes Races
Arlington Park	9/3/08-9/14/08	Full or Partial Cards
Assiniboia Downs	9/3/08-9/14/08	Full or Partial Cards (International)
Calder	9/3/08-9/14/08	Full or Partial Cards
Charles Town	9/3/08-9/14/08	Full or Partial Cards
Delaware Park	9/3/08-9/14/08	Full or Partial Cards
Emerald Downs		9/3/08-9/14/08 Full or Partial Cards
Fort Erie	9/3/08-9/14/08	Full or Partial Cards (International)
Hastings Park	9/3/08-9/14/08	Full or Partial Cards (International)
Hoosier Park	9/3/08-9/14/08	Full or Partial Cards
Kentucky Downs	9/13/08-9/14/08	Full or Partial Cards
Laurel Park	9/3/08-9/14/08	Full or Partial Cards
Louisiana Downs	9/3/08-9/14/08	Full or Partial Cards
Meadowlands	9/9/08-9/14/08	Full or Partial Cards
Monmouth Park		
Mountaineer Park	9/3/08-9/14/08	Full or Partial Cards
NYRA (Belmont)	9/5/08-9/14/08	Full or Partial Cards
Northlands Park	9/3/08-9/14/08	Full or Partial Cards (International)
Penn National	9/3/08-9/14/08	Full or Partial Cards
Philadelphia Park	9/3/08-9/14/08	Full or Partial Cards
Prairie Meadows	9/3/08-9/14/08	Full or Partial Cards
Presque Isle Downs	9/3/08-9/14/08	Full or Partial Cards
Remington Park	9/3/08-9/14/08	Full or Partial Cards
South America	9/3/08-9/14/08	Full or Partial Cards (International)
Suffolk Downs	9/3/08-9/14/08	Full or Partial Cards
Thistledown	9/3/08-9/14/08	Full or Partial Cards
Turfway	9/3/08-9/14/08	Full or Partial Cards
Woodbine	9/3/08-9/14/08	Full or Partial Cards (International)
Woodlands	9/6/08-9/14/08	Full or Partial Cards
Zia Park	9/13/08-9/14/08	Full or Partial Cards

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

**Not Applicable.**

### OTHER BREED SIMULCAST RACES TO BE IMPORTED

Name of Host Track	Breed of Horse	Race Dates	Number of Races to be Imported
--------------------	----------------	------------	--------------------------------

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

**Not Applicable**

**NOTICE TO APPLICANT:** All interstate wagering to be conducted by a fair is subject to the provisions of Title 15, United States Codes which require specific **written** approval of the CHRB and of the racing commission having jurisdiction in the out-of-state venue. All

Northern California Racing Fairs  
 September 3 - 14, 2008  
 Prepared: 7/2/08

Stockton - San Joaquin County Fair

Common Pool Locations	Common Pool Locations	Common Pool Locations
AmWest Entertainment Cypress Bayou Casino (LA) Rider's Up OTB (SD) Time Out Lounge (SD) Triple Crown OTB (SD)	Hoosier Park @ Anderson Horsemen's Park Indiana Downs  Jackson Harness Raceway Keeneland Kentucky Downs Lebanon Raceway Les Bois Park Lewiston Raceway Lien Games	Prairie Meadows Presque Isle Downs Raceway Park Racing World  Racing US Victor Chandler
Arapahoe Park Arima Race Club Arlington Park Atlantic City Race Course Atokad Downs Balmoral Park/Maywood Park Bangor Historic Track/Millers OTB BetPad Beulah Park Birmingham Race Course Blue Ribbon Downs Bluff's Run Greyhound Buffalo Raceway Calder Race Course Canadian Associations Canterbury Park Capital District OTB Capital District OTB ADW (NY only) Catskill Regional OTB Catskill Regional OTB ADW (NY only) Charles Town Race Course Churchill Downs Churchill Downs ADW Coeur d'Alene Casino & Acct. Wagering Colonial Downs Colonial Downs ADW (VA only) Columbus Races Connecticut OTB Divi Carina Bay Casino Ho-Chunk Casino John Martin's Manor Mohegan Sun Casino Oneida Bingo Pony Bar Simulcast Center Randall James Racetrack Royal Beach Casino Shoreline Star Greyhound Tote Investment Racing Service CT OTB	Chips Lounge and Casino El Rancho Motor Hotel OTB Idaho Falls Racing OTB North Dakota Horse Park Rumors OTB Aberdeen Racing OTB Mitch's Grandstand OTB Clubhouse Lounge @ ND Horse Park Skydancer Casino OTB BetAmerica ADW (non-CA wagers) Lincoln Greyhound Park Lone Star Park Louisiana Downs LVDC  Atlantis Paradise Island Casino Cities of Gold/Pojoaque Elite Turf Club Elite Turf Club #2 Elite Turf Club #3 Foxwoods Resort and Casino Meskwaki Bingo & Casino Stables, The	Rockingham Park Rockingham Park ADW (NH only) Seabrook Greyhound  Rosecroft Raceway Royal River Racing Ruidoso Downs Sam Houston Race Park  Valley Greyhound Park  Saratoga Raceway Scarborough Downs Scioto Downs Southland Greyhound Sports Creek Raceway Suffolk Downs  Pat's Pizza OTB (ME)
Corpus Christi Greyhound Dairyland Greyhound Park Delaware Park Delta Downs Dover Downs Downs @ Albuquerque Ellis Park Emerald Downs Evangeline Downs Fair Grounds Fair Meadows Finger Lakes Fonner Park Freehold Raceway Gillespie County Fair Global Wagering Solutions (MEC Intl.) MagnaBet	MagnaBet Manor Downs Maryland Jockey Club Meadowlands/Monmouth Meadowlands/Monmouth ADW (NJ only) Mobile Greyhound Montana Simulcast Partners Monticello Raceway Mountaineer Park Mount Pleasant Meadows Nassau Regional OTB Nassau Regional OTB ADW (NY only) Nebraska State Fair Park Nevada Pari-Mutuel Association New Jersey Casinos Newport Jai-Alai New York City OTB New York City OTB ADW (NY only) New York Racing Association NYRA ADW (NY only) Northfield Park Cedar Downs OTB  Northville Downs Oaklawn Park Ocean Downs Penn National Penn National ADW (PA only)	Suffolk Regional OTB Suffolk Regional OTB ADW (NY only) Sunland Park SunRay Park Sol Mutuel Ltd. The Greyhound Park @ Post Falls The Lodge @ Belmont The Lodge @ Belmont ADW (NH only) The Meadows The Racing Channel TRNI Thistledown Tioga Downs Tri-State Greyhound Turf Paradise Turfway Park TVG Vernon Downs Western Region OTB Western Region OTB ADW (NY only) Wheeling Downs Will Rogers Downs Wonderland Greyhound Woodlands Wyoming OTB Xpressbet Yavapai Downs Yonkers Raceway Youbet Zia Park
Greenetrack Gulf Greyhound Park Harrah's Chester Downs Harrington Raceway Hawthorne Race Course Hazel Park Hinsdale Greyhound Park	Philadelphia Park Philadelphia Park ADW (PA only) Plainridge Race Course Plainridge Race Course ADW (MA only) Pocono Downs Pocono Downs ADW (PA only) Portland Meadows	<b>Separate Pool Locations</b> Hipodromo Presidente Remon NV Disseminator MIR/Caliente

international wagering to be conducted by a fair is subject to the provisions of B&P Code Sections 19596, 19596.1, 19596.2, 19596.3, 19601, 19602, and 19616.1, and will require specific written approval of the CHRB.

Every fair shall pay to the simulcast organization within 3 calendar days following the closing of wagering for each racing program, or upon receipt of the proceeds, such amounts that are retained from off-track simulcast wagering, interstate and out-of-state wagering and which are obligated by statute for guest commissions, simulcast operator's expenses and promotions, equine research, local government in-lieu taxes, and stabling and vanning deductions. Every fair shall pay to its Paymaster of Purses' account within 3 calendar days following the closing of wagering for each racing program, or upon receipt of the proceeds, such amounts that are retained or obligated from off-track simulcast wagering, interstate and out-of-state wagering for purses, breeders' awards or other benefits to horsemen. (See Notice to Applicant, Section 5.)

**10. RACING OFFICIALS, OFFICIALS, AND OFFICIATING EQUIPMENT**

A. Racing officials nominated:

- Association Veterinarian(s) **Robert Connelly, DVM**
- Clerk of Scales **Gary Lawless**
- Assistant Clerk of Scales **Danny Winick**
- Clerk of the Course **Tina Walker**
- Film Specialist **DeDe Robinson**
- Horse Identifier **Darrel Sparks**
- Horseshoe Inspector **Jack Hammonds**
- Paddock Judge **Joe Gibson**
- Patrol Judges **Joe Gibson and DeDe Robinson**
- Placing Judges **Kenneth Sjoldal**
- Starter **Robert Mooneyhan**
- Timer **Melody Truitt**

B. Management officials in the racing department:

- Director of Racing **Forrest J. White**
- Racing Secretary **Tom Doutrich**
- Assistant Racing Secretary **Linda Anderson**
- Paymaster of Purses **Vicki Layne**
- Others (identify by name and title)

C. Name, address and telephone number of the reporter employed to record and prepare transcripts of hearings conducted by the stewards:

**Kelly Girl, 723 N. Main Street, Manteca, CA 95336. Phone: 209-823-9356**

D. Photographic device to be used for photographing the finish of all races, name of the person supplying the service, and expiration date of the service contract:

**Plusmic Corp, USA, Bill O'Brien. Contract Expires: December 7, 2010**

D. Photopatrol video equipment to be used to record all races, name of the person supplying the service, and expiration date of the service contract. Specify the number and location of cameras for dirt and turf tracks.

**Pegasus Communications, Inc. – Jim Porep Contract Expires: April 30, 2013  
Equipment description on file with the Board. 5 cameras, (3 tower, 1 pan, 1 hand-held)**

I. Type of electronic timing device to be used for the timing of all races, name of the person supplying the service, and expiration date of the service contract:

**Pegasus Communications, Inc. – Jim Porep Contract Expires: April 30, 2013**

## 11. SECURITY CONTROLS

- A. Name and title of the person responsible for security controls on the premises. Include an organizational chart of the security department and a list of the names of security personnel and contact telephone numbers.

**Forrest J. White, CEO – Office: 209-466-5041; Cell: 209-482-6652**

**Debbie, Deputy Manager – Office: 209-466-5041 or 209-466-3589; Cell: 209-481-6391**

**Organizational Chart and List of Security Personnel - See Attachment 11.A**

- B. Estimated number of security guards, gatemen, patrolmen or others to be engaged in security tasks on a regular full-time basis:

**Stable area gate persons – 7; Stable area patrol – 2; Grandstand security guards – 8**

1. Attach a written plan for enhanced security for graded/stakes races, and races of \$100,000 or more, to include the number of security guards in the restricted areas during a 24-hour period and a plan for detention barns. **Not applicable.**

2. Detention Barns: **Not applicable.**

A. Attach a plan for use of graded stakes or overnight races.

B. Number of security guards in the detention barn area during a 24-hour period.

C. Describe number and location of surveillance cameras in detention barn area.

3. TCO2 Testing:

A. Number of races to be tested, and number of horses entered in each race to be tested.

**All thoroughbred races and all horses.**

B. Plan for enhanced surveillance for trainers with high-test results.

**Trainer with high test results will be moved to the Detention Area.**

C. Plan for detention barns for repeat offenders.

**Ten (10) stalls adjacent to Test Barn which are under 24-hour video surveillance.**

D. Number of security personnel assigned to the TCO2 program.

**One (1) 24-hour security guard when Detention Stalls are occupied.**

- C. Describe the electronic security system.

**The Grandstand has a complete Electronic System including cameras, motion and contact security measures.**

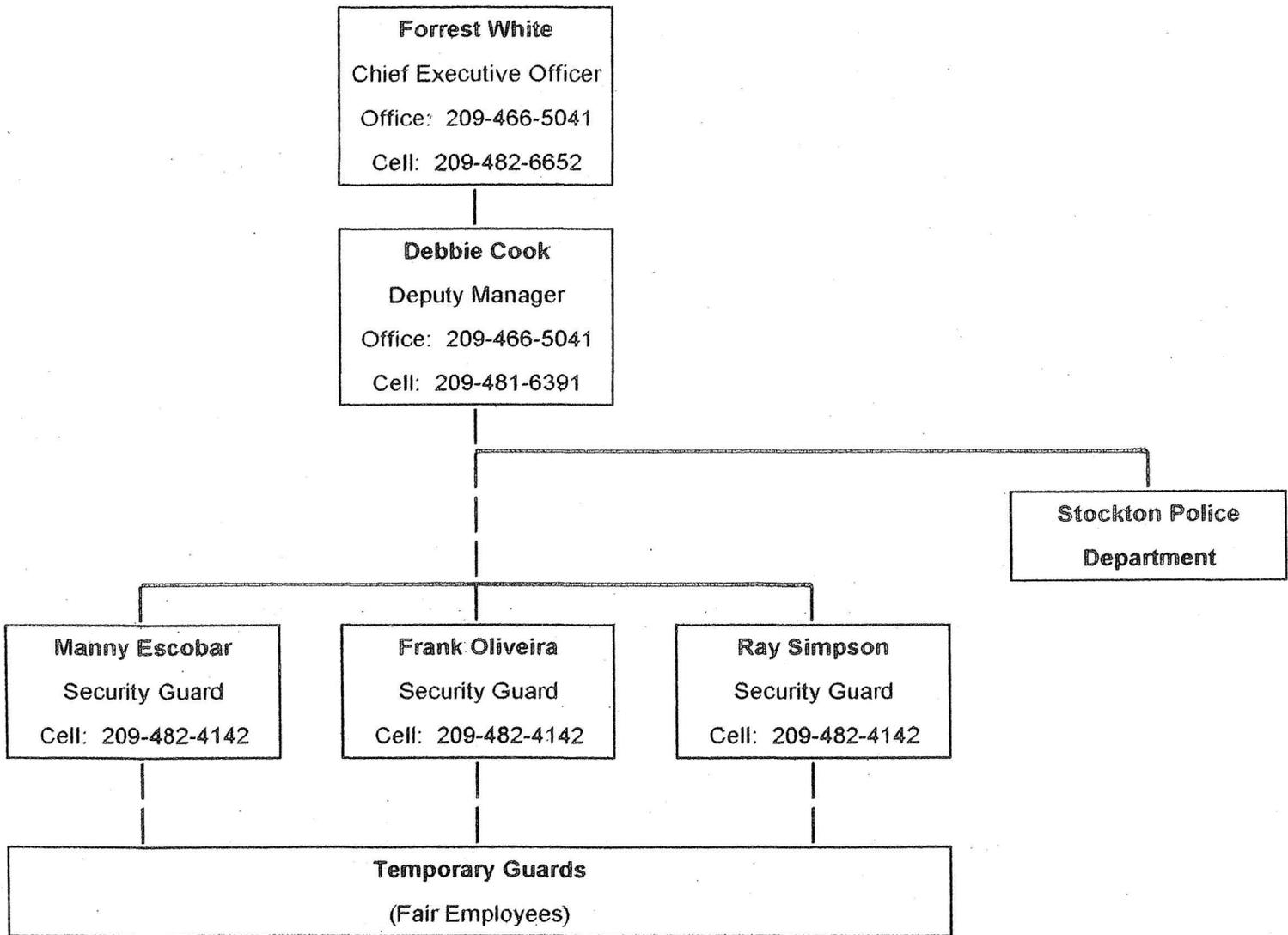
1. Location and number of video surveillance cameras for the detention barn and stable gate.

**Four (4) video cameras installed on TCO2 Testing Trailer which cover the entire Detention Barn area.**

## 12. EMERGENCY SERVICES

- A. Name, address and emergency telephone number of the ambulance service to be used during workouts and the running of the races:

Stockton Racing  
Security Controls  
Organizational Chart  
2008



Attachment: 11. A

### Backstretch Security Measures 2008

In 2008, the San Joaquin Fair Racing Association will work with CHRB and California Authority of Racing Fairs (CARF) to achieve a dispersed presence of uniformed track security personnel in the backstretch throughout the day, in addition to the normal complement of CHRB investigative staff. The Racing Association proposes to proceed as follows:

1. Work with CARF and CHRB staff to train designated track security supervisors and personnel prior to the Fair Race Meet. CARF will coordinate this training between the Racing Association and CHRB staff.
2. Coordinate track backstretch security oversight on a daily basis with CHRB investigative staff.
3. Deploy uniformed track security personnel on random security patrols through backstretch area from 7:00 a.m. until the last race.
4. Provide radio communication between track security personnel and CHRB investigative staff.

American Medical Response  
400 S. Fresno Street, Stockton, CA 95203-3007

Phone: 209-948-5136

- B. Name, address and emergency telephone number of the ambulance service to be used during workouts at auxiliary sites:

**Alameda County Fair: American Medical Response** Phone: 510-895-7600  
640 – 143<sup>rd</sup> Avenue, San Leandro, CA 94577

**Golden Gate Fields: Turf Rescue, LLC** Phone: 510-581-8470  
19615 Barclay Road, Castro Valley, CA 94546

**Bay Meadows: Bayshore Ambulance** Phone: 650-525-9700  
P.O. Box 4622, Foster City, CA 94404

- C. Describe the on-track first aid facility, including equipment and medical staffing:  
**See Attachment 12., C.**

- D. Name and emergency telephone number of the licensed physician on duty during the race meeting:  
**Physicians rotate on a daily basis, each uses Fair-provided cell phone: 209-938-9045**

- E. Name, address and emergency telephone number of the hospital to be used for admittance and treatment of emergency injuries in the event of an on-track injury to a jockey:

**San Joaquin General Hospital** Phone: 468-6000  
500 W. Hospital Road, French Camp, CA 95231

- F. Attach, in English and Spanish, the emergency medical plan procedures that will be posted in each jockey's room to be used in the event of an on-track injury to a jockey:

**See Attachment 12. F. (English / Spanish)**

- G. Name of health and safety manager and assistant manager responsible for compliance of health and safety provisions pursuant to B& P Code 19481.3(d):

**Health/Safety Manager: Forrest White, CEO**  
**Health/Safety Asst. Manager: Debbie Cook, Deputy Manager**

- H. Attach a fire clearance from the fire authority having jurisdiction over the premises.

**State Fire Marshal will forward a fire clearance prior to the opening of the Race Meet.**  
**Inspection scheduled August 4, 2008.**

- J. Attach a Certificate of Insurance for workers' compensation coverage. The CHRB is to be named as a certificate holder and given not less than 10 days' notice of any cancellation or termination of insurance that secures the liability of the fair for payment of workers' compensation.

**Attached.**

**NOTICE TO APPLICANT:** Every licensee conducting a horse racing meeting shall pursuant to B&P Code 19481.3 maintain, staff, and supply an on-track first aid facility, that may be either permanent or mobile, and which shall be staffed and equipped as directed by the board. A qualified and licensed physician shall be on duty at all times during live racing, except that this provision shall not apply to any quarter horse racing at the racetrack if there is a hospital situated no more than 1.5 miles from the racetrack and the racetrack has an agreement with the hospital to provide emergency medical services to jockeys and riders. An ambulance licensed to operate on public highways provided by the track shall be available at all times during live racing and shall be staffed by two emergency medical technicians licensed in accordance with Division 2.5 (commencing with Section 1797) of the Health and Safety Code, one of whom may be an Emergency Medical Technician Paramedic, as defined in Section 1797.84 of the Health and Safety Code. (b) Each racing association and racing fair shall adopt and maintain an emergency medical plan detailing the procedures that shall be used in the event of an on-track injury. The plan shall be posted in each jockey room in English and Spanish. (c) Prior to every race meeting, the racing association or racing fair shall contact area hospitals to coordinate procedures for the rapid admittance and treatment of emergency injuries. (d) Each racing association or racing fair shall designate

**Attachment: 12. C.****San Joaquin Fair Emergency Care and Medical Facilities**

San Joaquin Fair, as well as all Racing Fairs, provides emergency care which provides for comprehensive medical care for jockeys, track staff and allied personnel. Emergency care focuses on immediate stabilizing, comfort and evacuation of injured racetrack personnel to appropriate hospital care facilities.

**Staffing**

Two Emergency Medical Technicians (EMTs), from American Medical Response, are located in an on-track ambulance that follows at a safe distance from the horses racing during each race. This ambulance and crew are present whenever horses are on the track (during both racing and training hours) and are responsible for initiating basic life support measures, including immediate medical stabilization, care, and evacuation to medical care facilities.

Licensed Physician on duty is responsible for care on an ongoing basis of jockeys, track staff, and allied personnel requiring non-emergency medical care.

**Physical Resources**

San Joaquin Fair provides the services of a state-of-the-art Kimzey Horse Ambulance as well as a senior experienced driver who is responsible for the evacuation and disposition of injured horses at all racing fairs.

Redundant communications services are provided to ensure constant contact between all emergency care personnel. Two-way radio networks are established within the racing operations as well as fair emergency operations. All key emergency care personnel also carry cell phones and each is provided a laminated card containing all contact numbers.

**Attachment: 12. F. (English)****San Joaquin Fair Racing Accident Procedures**

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

**Track Ambulance**

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

**Security**

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

**Racing Staff / Track Veterinarian**

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

**Attachment: 12. F. (English – page 2)****Fair Association Staff**

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

**Announcer**

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

**Senior Management**

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

**All Department Heads**

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

**Attachment: 12. F (Spanish)****Procedimiento en caso de Accidente en San Joaquin Fair**

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

**El personal de la Ambulancia**

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

**Seguridad**

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

**Personal de Carreras / Veterinario del Hipodromo**

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

**Attachment: 12. F (Spanish – page 2)****Personal de la Feria / Fair Association Staff**

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

**Locutor**

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

**Gerencia**

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

**Todos los Jefes de Departamento**

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



July 1, 2008

To: California Horse Racing Board  
Attn: Andrea Ogden  
1010 Hurley Way, Suite 300  
Sacramento, CA 95825

Re: San Joaquin Fair/2nd DAA  
1658 S. Airport Way  
Stockton, CA 95206

2008 JUL 1 10 10 AM

Please be advised that the San Joaquin Fair/2nd DAA is a member of the California Fair Services Authority (CFSA), and participates in the following self-insurance and loss pooling programs which are administered by CFSA:

**I. COMPREHENSIVE GENERAL LIABILITY PROGRAM**

- A. Primary Coverage \$750,000 self-insured retention California Fair Services Authority  
Coverage continuous until cancelled
- B. Excess Coverage \$9,250,000 in excess of \$750,000  
Coverage provided by Insurance Company of the State of Pennsylvania  
Term: 01/01/2008 to 01/01/2009

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

- A. Primary Coverage \$500,000 self-insured retention California Fair Services Authority  
Coverage continuous until cancelled
- B. Excess Coverage (a) Workers' Compensation: \$299,500,000 in excess of \$500,000  
(b) Employers' Liability: \$4,500,000 in excess of \$500,000  
Coverage provided by CSAC Excess Insurance Authority  
Term: 07/01/2008 to 07/01/2009

CFSA represents to California Horse Racing Board that within the above limits, terms and provisions of the coverage stated, to the extent provided by law, CFSA will provide defense, payment, and indemnification on loss funding in accordance with the terms of the contractual assumption of the San Joaquin Fair/2nd DAA as set forth in California Horse Racing Board's "Insurance Requirements".

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

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

Sincerely,

Lianne Lewellen  
Risk Analyst

a health and safety manager and assistant manager, who shall be responsible for compliance with the provisions of this section and one of whom shall be on duty at all times when live racing is conducted. The health and safety manager may, at the discretion of the racing association, be the person designated to perform risk management duties on behalf of the association.

**13. CONCESSIONAIRES AND SERVICE CONTRACTORS**

Names and addresses of all persons to whom a concession or service contract has been given, **other than those already identified**, and the goods and/or services to be provided by each:

- Ovations/FanFare LP** Food, Alcoholic and Non-alcoholic beverage vendor  
4501 Pleasanton Avenue, Pleasanton, CA 94566
- Patricia Visco, Photos by Frank** Winner's Circle Photos  
5016 Royal Drive, Las Vegas, NV 89103
- Speeda Sound** Grandstand Sound System  
5717 W. San Madele, Fresno, CA 93722
- Lorene Dutton** Jockeys' Laundry  
1129 Avenida Sevilla, #7B, Walnut Creek, CA 94595
- NOTWINC** Armored Car Service  
11875 Dublin Blvd, Dublin, CA 94568
- Daily Racing Form** Program Printing and Delivery  
100 Broadway, 7<sup>th</sup> Floor, New York, NY 10005
- United Puett Starting Gate Co. – Michael Costello** Starting Gate  
224 Tater Hill Road, East Haddam, CT 06423

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

- A. Describe any promotional plans: **See Attachment 14. A.**
- B. Number of hosts and hostesses employed for meeting: **Eight (8)**
- C. Describe facilities set aside for new fans: **Fan Education Kiosk with Attendance and Educational Giveaways**
- D. Describe any improvements to the physical facility in advance of the meeting that directly benefits:
  - 1. Horsemen
  - 2. Fans
  - 3. Facilities in the restricted areas **Developing Turf Track**

**15. SCHEDULE OF CHARGES**

- A. Proposed charges, note any changes from previous year:
  - Admission (general) **\$3.00**
  - Admission (clubhouse) **N/A**
  - Reserved seating (general) **N/A**
  - Reserved seating (clubhouse) **N/A**
  - Parking (general) **Free**

Parking (preferred)	\$5.00
Parking (valet)	N/A
Programs (on-track)	\$1.00
(off-track)	\$2.00

B. Describe any "Season Boxes" or other special accommodation fees:  
**All Box Seats are Sold Out in advance.**

C. Describe any "package" plans such as combined parking, admission and program: **None**

**16. JOCKEYS' QUARTERS**

A. Check the applicable amenities available in the jockeys' quarters:

- |  |   |  |
|--|---|--|
| <input checked="" type="checkbox"/> Corners (lockers and cubicles) | How many  | <input type="text" value="25"/>                              |
| <input checked="" type="checkbox"/> Showers                        | <input checked="" type="checkbox"/> Steam room, sauna or steam cabinets | <input checked="" type="checkbox"/> Lounge area              |
| <input checked="" type="checkbox"/> Masseur                        | <input checked="" type="checkbox"/> Food/beverage service               | <input checked="" type="checkbox"/> Certified platform scale |

B. Describe the quarters to be used for female jockeys:

**14' x 30' Modular facility with three (3) dressing stalls, three (3) showers, two (2) toilets, lounge area, one (1) steam bath and three (3) sinks.**

**17. BACKSTRETCH EMPLOYEE HOUSING**

A. Inspection of backstretch housing was completed by **Martin Snezek on July 9, 2008.**

C. Number of rooms used for housing on the backstretch of the racetrack: **82**

D. Number of restrooms available on the backstretch of the racetrack:  
**Five (5) Restroom facilities containing toilets and showers**

E. Estimated ratio of restrooms to the number of backstretch personnel:  
**One (1) Restroom Facility per 100 people (each restroom contains four (4) toilets)**

**18. TRACK SAFETY**

A. Total distance of the racecourse - measured from the finish line counterclockwise (3' from the inner railing) back to the finish line:  feet.

B. Describe the type(s) of materials used for the inner and outer railings of the race course, the type of inner railing supports (i.e., metal gooseneck, wood 4" x 4" uprights, offset wood 4" x 4" supports, etc.), the coverings, if any, on the top of the inner railing, and the approximate height of the top of the inner railing from the level of the race course.

**Outer rail comprised of 3" aluminum posts with 3" aluminum railing on top at a height of 40" (a portion of outside rail is chain link fence). A Sterline inner rail is made up of off-set galvanized posts with extended aluminum railing on top at a height of 42" with an overhang of 24".**

C. Name of the person responsible for supervision of the maintenance of the racetrack safety standards

pursuant to CHRB Rule 1474: **Track Masters (Steve Wood)**

D. Attach a Track Safety Maintenance Program pursuant to CHRB Rule 1474.  
**On File**

E. If the fair is requesting approval to implement alternate methodologies to the provisions of Article 3.5, Track Safety Standards, pursuant to CHRB Rule 1471, attach a Certificate of Insurance for liability insurance which will be in force for the duration of the meeting specified in Section 2. The CHRB is to be named as a certificate holder and given not less than 10 days' notice of any cancellation or termination of liability insurance. Additionally, the CHRB must be listed as additionally insured on the liability policy at a minimum amount of \$3 million per incident. The liability insurance certificate must be on file in the CHRB headquarters office prior to the conduct of any racing. **Not Applicable.**

**19. DECLARATIONS**

A. All labor agreements, concession and service contracts, and other agreements necessary to conduct the entire meeting have been finalized except as follows (if no exceptions, so state):

**No Exceptions**

B. Attach each horsemen's agreement pursuant to CHRB Rule 2044.

**On file**

C. All service contractors and concessionaires have valid state, county or city licenses authorizing each to engage in the type of service to be provided and have valid labor agreements, when applicable, which remain in effect for the entire term of the meeting except as follows (if no exceptions, so state): **No Exceptions**

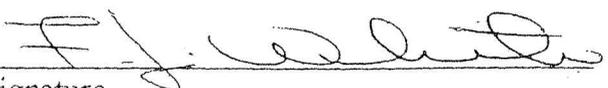
D. Absent natural disasters or causes beyond the control of the fair, its service contractors, concessionaires or horsemen participating at the meeting, no reasons are believed to exist that may result in a stoppage to racing at the meeting or the withholding of any vital service to the fair except as follows (if no exceptions, so state): **No Exceptions**

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

**20. CERTIFICATION BY APPLICANT**

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

Forrest J. White  
Print Name

  
Signature

Chief Executive Officer  
Print Title

5-27-08  
Date

**CALIFORNIA AUTHORITY OF  
RACING FAIRS  
(San Joaquin County Fair at Stockton)**

**Please see Item 1  
For  
Individual  
Race Meet Agreements**

STAFF ANALYSIS  
July 17, 2008

Issue: APPLICATION FOR LICENSE TO CONDUCT A HORSE RACING MEETING OF THE LOS ANGELES COUNTY FAIR AT FAIRPLEX SEPTEMBER 5-22, 2008.

Los Angeles County Fair filed its application to conduct a horse racing meeting at Fairplex:

- September 5-22, 2008, or 16 days, the same as 2007. The fair proposes to race 201 races.
- The proposed race dates are the approved dates allocated to the fair.

September – 2008						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
	1 H	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30				

- Racing Friday through Monday the first week and Wednesday through Monday the second and third week. 12 races per day Monday, Wednesday, Thursday and 13 on Friday, Saturday and Sunday.
  - Number of horses available determines the number of daily races programmed by breed.
  - 2007 Race Meeting: Average number of runners per race (TB): 8.65
  - 2007 Race Meeting: Average number of runners per race (Quarterhorse): 7.47
  - 2007 Race Meeting: Average number of runners per race (Mules): 6.40
- Racing concurrently with Pacific Racing Association [PRA] 9/17-21,
- First post 1:00 p.m. Monday, Wednesday and Thursday and 12:00 p.m. Friday, Saturday and Sunday.
- Los Angeles County Fair will be open for stabling at no cost, all year round. Stall application will be accepted from all breeds running at facility.
- Specific changes from the 2007 license application:
  - Increases: General admission adults– weekdays from \$10 to \$12; weekends from \$15 to \$17.
    - General admission child– weekdays from \$6 to \$7; weekends from \$10 to \$12.
    - General admission seniors– senior days from \$5 to \$6; weekdays from \$8 to \$9; weekends from \$12 to \$14.
    - Adult purchased through group sales – from \$9 to \$11.
    - Child purchased through group sales – from \$5 to \$6.
    - Race Fan Club Card– from \$7 to \$8.
    - Box seats– daily from \$3 to \$5.
- Request Darrel Sparks be appointed horse identifier pursuant to CHRB Rule 1525.

- Track safety requirements have been fulfilled.
- Wagering program will use CHRB rules.
  - Early wagering 8:30 a.m. at Hollywood Park.
- The Advance Deposit Wagering (ADW) provider is TVG.
- Simulcasting conducted with other out-of-state racing jurisdictions pursuant to Business and Professions Code Section 19602; and with authorized locations throughout California.
- A copy of the 2007 Los Angeles County Fair end of meet report has been included for your review. This report was previously presented to the Board at the December 2007 CHRB Board meeting.
- Inspection of backstretch worker housing completed.

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

1. Thoroughbred horsemen's agreement – in negotiations.

RECOMMENDATION:

Staff recommends that the application for license not be heard until the Horsemen agreement is received.

## END-OF-MEET OUTLINE SUMMARY

## Los Angeles County Fair

September 7, 2007 – September 24, 2007

Race Days: 16

## AVERAGE DAILY STATISTICS

	PERCENTAGE CHANGE
Ave. Daily Handle	-3.29%
Ave. On-Track	-6.03%
Ave. Off-Track	-12.51%
Ave. Out-Of-State	0.81%
Ave. ADW	12.31%
Ave. Daily Attendance	-4.68%
Ave. Daily On-Track Attendance	0.75%
Ave. Daily Off-Track Attendance	-8.84%

LOS ANGELES COUNTY FAIR

Page 4-4

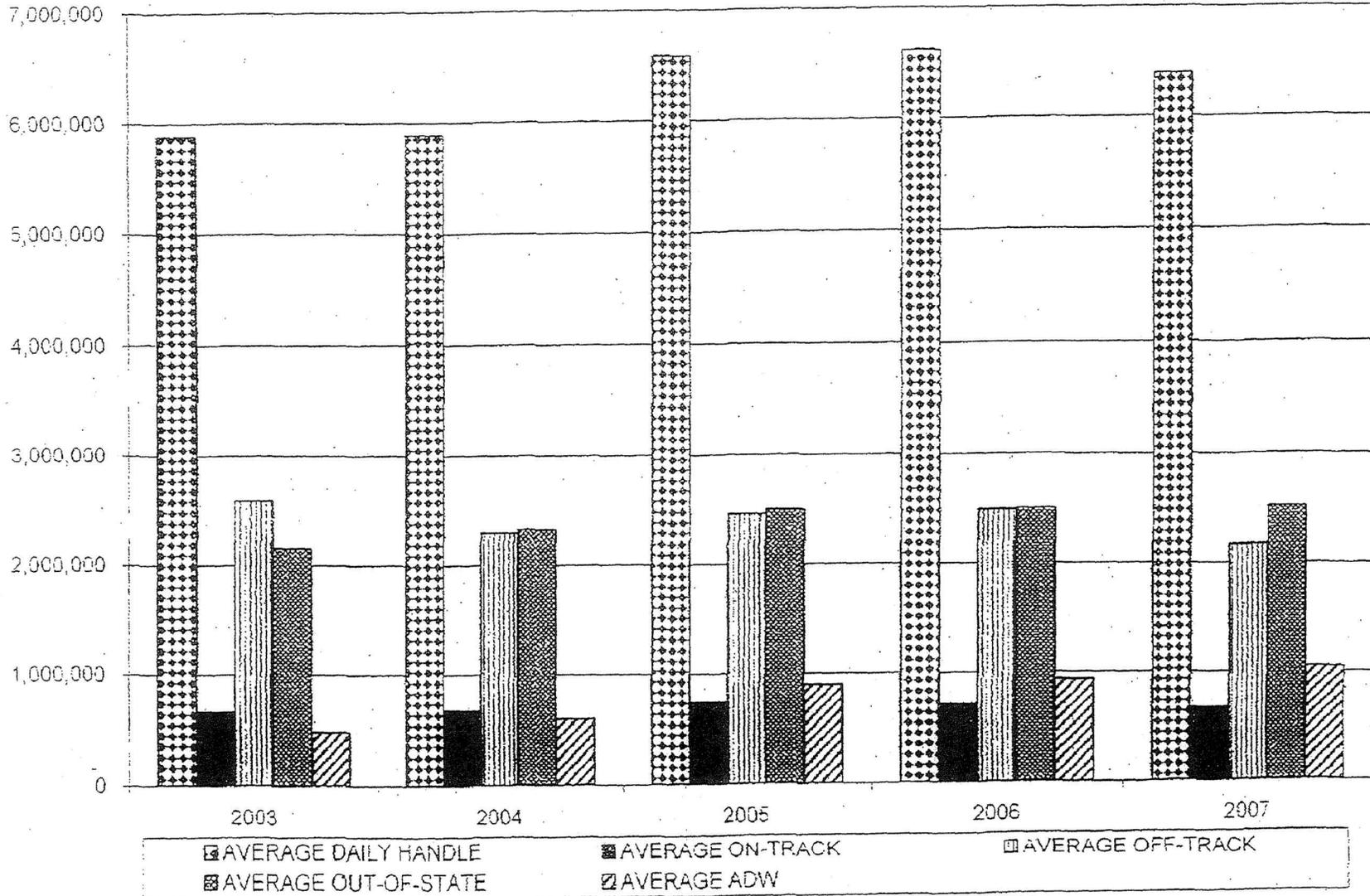
YEAR	2003	2004	2005	2006	2007
TOTAL RACE DAYS	17	17	16	16	16
TOTAL HANDLE	99,915,178	100,085,726	105,308,618	105,729,325	102,245,598
ON-TRACK	11,253,410	11,435,087	11,814,869	11,339,530	10,656,216
OFF-TRACK	43,861,731	38,915,821	39,296,731	39,650,079	34,690,456
OUT-OF-STATE	36,634,196	39,512,164	39,810,968	39,812,708	40,133,863
ADW	8,165,841	10,222,655	14,386,030	14,927,009	16,765,063
LIVE	75,287,217	77,217,016	82,471,596	83,960,568	81,982,862
OUT-OF-ZONE IMPORTED	9,219,108	8,119,819	7,248,591	7,337,850	5,858,472
INTERSTATE IMPORTED	15,408,853	13,930,515	12,628,164	11,030,022	11,176,512
INTERNATIONAL IMPORTED	0	818,376	2,960,267	3,400,885	3,227,752
AVERAGE DAILY HANDLE	5,877,363	5,887,396	6,581,769	6,608,083	6,390,350
AVERAGE ON-TRACK	661,965	672,652	738,431	708,721	666,014
AVERAGE OFF-TRACK	2,580,102	2,289,166	2,456,046	2,478,130	2,168,154
AVERAGE OUT-OF-STATE	2,154,953	2,324,245	2,488,166	2,488,294	2,508,366
AVERAGE ADW	480,344	601,333	899,127	932,938	1,047,816
AVERAGE LIVE	4,426,660	4,590,317	5,339,491	5,460,091	5,325,663
AVERAGE OUT-OF-ZONE IMPORTE	542,300	477,636	453,037	458,616	366,154
AVERAGE INTERSTATE IMPORTED	906,403	819,442	789,260	689,376	698,532
AVERAGE INTERNATIONAL IMPORT	0	48,140	185,017	212,555	201,735
TOTAL TAKEOUT	18,504,823	20,624,141	21,701,650	21,986,890	21,132,484
EFFECTIVE TAKEOUT	18.52%	20.61%	20.61%	20.80%	20.67%
STATE LICENSE FEES	991,746	927,161	935,056	952,140	855,026
STATE %	0.99%	0.93%	0.89%	0.90%	0.84%
TRACK COMMISSIONS	2,903,231	2,877,898	2,906,569	2,959,734	2,703,932
ADW COMMISSIONS	369,531	468,057	680,593	733,876	648,568
TOTAL COMMISSIONS	3,272,762	3,345,955	3,587,162	3,693,610	3,352,500
TRACK %	3.28%	3.34%	3.41%	3.49%	3.28%
HORSEMEN'S PURSES	2,938,180	2,915,205	2,946,658	3,000,009	2,743,106
ADW PURSES	374,640	474,538	691,124	745,379	658,121
TOTAL PURSES	3,312,820	3,389,742	3,637,782	3,745,388	3,401,227
HORSEMEN'S %	3.32%	3.39%	3.45%	3.54%	3.33%

LOS ANGELES COUNTY FAIR

Page 4-5

YEAR	2003	2004	2005	2006	2007
CALIFORNIA ATTENDANCE	258,527	233,095	206,852	205,940	196,310
ON-TRACK	114,648	102,255	88,494	89,446	90,114
OFF-TRACK	143,879	130,840	118,358	116,494	106,196
AVERAGE DAILY ATTENDANCE	15,207	13,711	12,928	12,871	12,269
AVERAGE DAILY ON - TRACK	6,744	6,015	5,531	5,590	5,632
AVERAGE DAILY OFF - TRACK	8,463	7,696	7,397	7,281	6,637
TOTAL RACE EVENTS	197	196	195	195	195
STARTS	1,549	1,513	1,524	1,579	1,733
AVERAGE STARTS PER EVENT	7.9	7.7	7.8	8.1	8.9
AVERAGE HANDLE PER START	48,604	51,036	54,115	53,173	47,307

# LOS ANGELES COUNTY FAIR



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

**1. APPLICANT FAIR ASSOCIATION**

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

*Los Angeles County Fair Association*

*P. O. Box 2250*

*Pomona, CA 91769*

*Phone: 909-865-4093*

*Fax: 909-622-5652*

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

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

**2. DATES OF RACE MEETING**

A. Inclusive dates of race meeting: *Sept. 5 – Sept. 22, 2008*

B. Dates racing will NOT be held: *Sept. 9, Sept. 16*

C. Total number of racing days: *16 days*

**3. RACING PROGRAM**

A. Total number of races: *201*

B. Number of races by breed:

Thoroughbreds  Quarter Horses  Appaloosas  
 Arabians  Paints  Mules

C. Number of races daily:

	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Thoroughbred	11	10	0	10	10	11	11
Other Breeds	2	2	0	2	2	2	2
Total	13	12	0	12	12	13	13

<b>CHRB CERTIFICATION</b>	
Application received: <i>6/9/08</i>	Hearing date: <i>7/17/08</i>
Reviewed: <i>[Signature]</i>	Approved date:
	License number:

D. Total number of stakes races by breed:

<input type="text" value="17"/>	Thoroughbreds	<input type="text" value="3"/>	Quarter Horses	<input type="text" value="0"/>	Appaloosas
<input type="text" value="0"/>	Arabians	<input type="text" value="0"/>	Paints	<input type="text" value="0"/>	Mules

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

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

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

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

**APPROX. POST TIME**

*Pacific Daylight Time*

	Mon., Wed., Thurs.	Fri., Sat. & Sun.
Race 1	1:00 pm	12:00 Noon
Race 2	1:30 pm	12:30 pm
Race 3	2:00 pm	1:00 pm
Race 4	2:30 pm	1:30 pm
Race 5	3:00 pm	2:00 pm
Race 6	3:30 pm	2:30 pm
Race 7	4:00 pm	3:00 pm
Race 8	4:30 pm	3:30 pm
Race 9	5:00 pm	4:00 pm
Race 10	5:30 pm	4:30 pm
Race 11	6:00 pm	5:00 pm
Race 12	6:30 pm	5:30 pm
Race 13	N/A	6:00 pm

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

**4. FAIR ASSOCIATION**

A. Names of the fair directors:

<b><i>Richard Crean, Chairman</i></b>	
<b><i>Reginald Webb, Vice Chairman</i></b>	<b><i>Arthur Ludwick</i></b>
<b><i>Stephen C. Morgan</i></b>	<b><i>Jil Stark</i></b>
<b><i>Bernard Bernstein</i></b>	<b><i>Robert Dukes</i></b>
<b><i>Larry Rinehart</i></b>	<b><i>Ronald Vera</i></b>
<b><i>Juan Gamboa</i></b>	<b><i>Linda Keagle</i></b>

B. Names of the directors serving on the Racing Committee or otherwise responsible for the conduct of the racing program: *N/A*

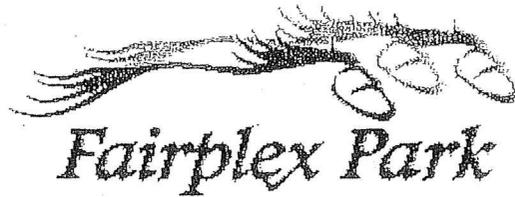
C. Name and title of the fair manager or executive officer and the names and titles of all department



## 2008 STAKES SCHEDULE

*Pending TOC Approval*

DATE	STAKE	PURSE/DISTANCE
Fri. Sep 05, 2008	JIM KOSTOFF STAKES Three Year Olds	\$65,000 Guaranteed One Mile & One Sixteenth
Sat. Sep 06, 2008	PHIL D. SHEPHERD STAKES Three Year Olds & Upward	\$65,000 Guaranteed One Mile & One Sixteenth
Sat. Sep 06, 2008	BUSTLES AND BOWS STAKES Fillies, Two Year Olds	\$65,000 Guaranteed Six & One Half Furlongs
Sun. Sep 07, 2008	E. B. JOHNSTON STAKES Fillies & Mares, Three Year Olds & Upward	\$65,000 Guaranteed One Mile & One Sixteenth
Sun. Sep 07, 2008	FOOTHILL STAKES Three Year Olds	\$65,000 Guaranteed Six & One Half Furlongs
Wed. Sep 10, 2008	CB AFFLERBAUGH STAKES Two Year Olds	\$65,000 Guaranteed Six & One Half Furlongs
Fri. Sep 12, 2008	PIO PICO STAKES Fillies & Mares, Three Year Olds & Upward (Bred in California)	\$65,000 Guaranteed Six & One Half Furlongs
Sat. Sep 13, 2008	BARRETT'S DEBUTANTE Fillies, Two Year Olds	\$150,000 Estimated Six & One Half Furlongs
Sun. Sep 14, 2008	BARRETT'S JUVENILE Two Year Olds	\$150,000 Estimated Six & One Half Furlongs
Wed. Sep 17, 2008	BLACK SWAN STAKES Fillies, Two Year Olds	\$65,000 Guaranteed One Mile & One Sixteenth
Fri. Sep 19, 2008	GATEWAY TO GLORY STAKES Two Year Olds	\$65,000 Guaranteed One Mile & One Sixteenth
Sat. Sep 20, 2008	POMONA DERBY Three Year Olds	\$100,000 Guaranteed About One Mile & One Eighth
Sat. Sep 20, 2008	CTBA MARIAN STAKES Fillies, Three Year Olds	\$65,000 Guaranteed One Mile & One Sixteenth
Sun. Sep 21, 2008	RALPH M. HINDS POMONA INVITATIONAL HANDICAP Three Year Olds & Upward (Invitational)	\$125,000 Guaranteed About One Mile & One Eighth
Sun. Sep 21, 2008	LAS MADRINAS HANDICAP Fillies & Mares, Three Year Olds & Upward	\$100,000 Guaranteed One Mile & One Sixteenth
Sun. Sep 21, 2008	GOVERNOR'S CUP Three Year Olds & Upward	\$65,000 Guaranteed Six & One Half Furlongs
Sun. Sep 21, 2008	BANGLES AND BEADS STAKES Fillies & Mares, Three Year Olds & Upward	\$65,000 Guaranteed Six & One Half Furlongs



2008

QUARTER HORSE  
STAKES SCHEDULE

<u>DATE</u>	<u>STAKE</u>	<u>DISTANCE/PURSE</u>
Sunday Sept. 14	BROTHERLY CLAIMING STAKES Three Year Olds & Upward	\$10,000 Guaranteed 220 Yards
Wednesday Sept. 17	POMONA JUVENILE CHAMPIONSHIP Two Year Olds	\$15,000 Added 350 Yards
Sunday Sept. 21	POMONA QUARTER HORSE CHAMPIONSHIP Three Year Olds & Upward	\$17,500 Added 400 Yards

managers and fair staff, **other than those listed in 9B**, who will be listed in the official program:

### **OFFICERS**

*James E. Henwood, President & Chief Executive Officer*  
*Dale Coleman, Vice President-Sales, Marketing, & Creative Planning*  
*Michael Seder, Vice President Finance & Chief Financial Officer*  
*Dwight Richards, Vice President - Operations*  
*Jeff Tucci, Vice President - Hospitality*

### **MANAGEMENT**

<i>Paul Ryneveld, Equine Manager</i>	<i>William Shacklett, Facilities Manager</i>
<i>Barry Gillies, Interim Security/Parking Manager</i>	<i>Michelle DeMott, Director of Marketing</i>
<i>Wendy Talarico, Communications Manager</i>	<i>Debbie Vengco, Marketing Manager</i>
<i>Karen Furlow, Controller</i>	<i>Ralph Schorbach, I.T. Manager</i>
<i>Jerry McMahon, President &amp; General Manager</i>	<i>Ray Ortegaso, Director of Corporate Development</i>
<i>Barretts Equine Ltd.</i>	

## **5. PURSE PROGRAM**

### A. Purse distribution:

#### 1. All races other than stakes:

Current meet estimate:	<b>\$3,461,775</b>
Prior meet actual:	<b>\$3,372,152</b>

Average Daily Purse (5A1 ÷ number of days):

Current meet estimate:	<b>\$216,361</b>
Prior meet actual:	<b>\$210,759</b>

#### 2. Overnight stakes:

Current meet estimate:	<b>0</b>
Prior meet actual:	<b>0</b>

Average Daily Purse (5A2 ÷ number of days):

Current meet estimate:	
Prior meet actual:	

#### 3. Non-overnight stakes:

Current meet estimate:	<b>\$1,453,000</b>
Prior meet actual:	<b>\$1,355,500</b>

Average Daily Purse (5A3 ÷ number of days):

Current meet estimate:	<b>\$90,812</b>
Prior meet actual:	<b>\$84,718</b>

### B. Funds to be generated for all California-bred incentive awards:

Current meet estimate:	<b>\$290,200</b>
Prior meet actual:	<b>\$288,726</b>

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

Current meet estimate:		Prior meet actual:	
CTT	\$14,236		\$13,441
TOC	\$28,903		\$27,290
NTRA	\$20,413		\$20,153
PCQHRA	\$2,244		\$4,180
AMRA	\$1,877		\$7,328
CHBPAPEN	\$43,139		\$40,731
CTHF	<u>\$43,139</u>		<u>\$40,731</u>
Total	\$153,951	Total	\$153,854

D. Amount from **all sources** to be distributed at the meeting in the form of purses or other benefits to horsemen (5A+5B+5C):

Current meet estimate: \$5,358,926  
 Prior meet actual: \$5,170,232

Average Daily Purse (5D ÷ number of days):

Current meet estimate: \$334,932  
 Prior meet actual: \$323,139

E. Purse funds to be generated from on-track handle and intrastate off-track handle:

Current meet estimate: \$4,436,101  
 Prior meet actual: \$4,261,285

Average Daily Purse (5E ÷ number of days):

Current meet estimate: \$277,256  
 Prior meet actual: \$266,330

F. Purse funds to be generated from interstate handle:

Current meet estimate: \$632,625  
 Prior meet actual: \$620,221

Average Daily Purse (5F ÷ number of days):

Current meet estimate: \$39,539  
 Prior meet actual: \$38,763

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

**Bank of America - Account # On file**

H. Name, address and telephone number of the pari-mutuel audit firm engaged for the meeting:

**Bowen McBeth, Inc., 10722 Arrow Route, Suite 110, Rancho Cucamonga, CA 91730, 909-944-6465**

**NOTICE TO APPLICANT:** All funds generated and retained from on-track pari-mutuel handle which are obligated by law for distribution in the form of purses, breeders' awards or other benefits to horsemen, **shall not** be deemed as income to the fair and **shall**, within 3 calendar days following receipt, be deposited in a segregated and separate liability account in a depository approved by the CHRB and shall be at the disposition of the Paymaster of Purses, who shall pay or distribute such funds to the persons entitled thereto. All funds generated from off-track simulcast wagering, interstate wagering, and out-of-state wagering which are obligated by law for distribution in the form of purses and breeders' awards, shall also be deposited within 3 calendar days following receipt into such liability account. In the event the fair is obligated to the payment of purses prior to those obligated amounts being retained from pari-mutuel wagering for such purpose, or as a result of overpayment of earned purses at the conclusion of the meeting, the fair shall transfer from its own funds

such amounts as are necessary for the Paymaster of Purses to distribute to the horse owners statutorily or contractually entitled thereto. The fair is entitled thereafter to recover such transferred funds from the Paymaster of Purses' account; and if insufficient funds remain in the account at the conclusion of the meeting, the fair is entitled to carry forward the deficit to its next succeeding meeting as provided by B&P Code Section 19615(c) or (d). In the event of **underpayment** of purses which results in a balance remaining in the Paymaster of Purses' account at the conclusion of the meeting after distribution of amounts due to horsemen and breeders and horsemen's organizations, the fair may carry forward the surplus amount to its next succeeding meeting; provided, however, that the amount so retained does not exceed an amount equivalent to the average daily distribution of purses and breeders' awards during the meeting. All amounts in excess shall be distributed retroactively and proportionally in the form of purses and breeders' awards to the horse owners and breeders having earned purses or awards during the conduct of the meeting.

## 6. STABLE ACCOMMODATIONS

- A. Number of usable stalls available for racehorses at the track where the meeting is held: **1346**
- B. Minimum number of stalls believed necessary for the meeting: **1600**
- C. Total number of usable stalls to be made available off-site at approved auxiliary stabling areas or approved training centers: **2,468**
- D. Name and location of each off-site auxiliary stabling area and the number of stalls to be maintained at each site: **Hollywood Park – 300 San Luis Rey – 200 Santa Anita – 500 Los Alamitos – 1,468**
- E. Attach each contract or agreement between the fair and the person(s) furnishing off-site stabling accommodations for eligible racehorses that cannot be provided stabling on-site. **On file**

Complete subsections F through I if the fair will request reimbursement for off-site stabling as provided by B&P Code Sections 19607, 19607.1, 19607.2, and 19607.3; otherwise, skip to Section 7.

- F. Total number of usable stalls made available on-site for the 1986 meeting:  
**695 permanent; 350 portable**
- G. Estimated cost to provide off-site stalls for this meeting. Show cost per-day per stall:  
**Total cost: \$257,000 Cost per stall: \$22.02**
- H. Estimated cost to provide vanning from off-site stalls for this meeting. Show fees to be paid for vanning per-horse:  
**Total cost: \$120,730**  
**Cost per horse:**  
**Santa Anita \$180 round-trip**  
**Hollywood Park \$200 round-trip**  
**San Luis Rey \$320 round-trip**  
**Los Alamitos \$180 round-trip**

## 7. PARI-MUTUEL WAGERING PROGRAM

- A. Pursuant to B&P Code Section 19599, and with the approval of the CHRB, fairs may elect to offer wagering programs using CHRB Pari-mutuel Rules, the Association of Racing Commissioners International (RCI) Uniform Rules of Racing, Chapter 9, Pari-mutuel Wagering, or a combination of both. Please complete the following schedule for the types of wagering other than WPS and the minimum wager amount for each:

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

Ex. Race	TYPE OF WAGERS	APPLICABLE RULES
	\$1 E; \$1 Double	CHRB #1959; RCI #VE
Race #1	Mixed, \$2Q, \$1E, \$1TRI, \$1PK-3, \$.10 SF, \$2DD	CHRB #1958, #1959, #1979, #1977, #1979.1, #1957
Race #2	Mixed, \$2Q, \$1E, \$1TRI, \$1PK-3, \$.10 SF, \$2DD	CHRB #1958, #1959, #1979, #1977, #1979.1, #1957
Race #3	Mixed <sup>1</sup> /Thor. \$2Q, \$1E, \$1TRI, \$1PK-3, \$2 Parlay, \$.10 SF, \$2DD	CHRB #1958, 1959, #1979, #1977, #1954.1, #1979.1, #1957
Race #4	Thor. \$2Q, \$1E, \$1TRI, \$1PK-3, \$2 Parlay, \$1US begins, \$.10 SF, \$2DD	CHRB #1958, #1959, #1979, #1977, #1954.1, #1976, #1979.1, #1957
Race #5	Thor. \$2Q, \$1E, \$1TRI, \$1PK-3, \$2 Parlay, \$2 PNP-6 <sup>2</sup> , \$.10 SF, \$2DD	CHRB #1958, #1959, #1979, #1977, #1954.1, #1976.9, #1979.1, #1957
Race #6	Thor. \$2Q, \$1E, \$1TRI, \$1PK-3, \$2 Parlay, \$.10 SF, \$2DD	CHRB #1958, #1959, #1979, #1977, #1954.1, #1979.1, #1957
Race #7	Thor. \$2Q, \$1E, \$1TRI, \$1PK-3, \$2 Parlay, \$1PK-4 <sup>3</sup> , \$.10 SF, \$2DD	CHRB #1958, #1959, #1979, #1977, #1954.1, #1978, #1979.1, #1957
Race #8	Thor. \$2Q, \$1E, \$1TRI, \$1 PK-3, \$2 Parlay, \$.10 SF, \$2DD	CHRB #1958, #1959, #1979, #1977, #1954.1, #1979.1, #1957
Race #9	Thor. \$2Q, \$1E, \$1TRI, \$1PK-3, \$2 Parlay, \$.10 SF, \$2DD	CHRB #1958, #1959, #1979, #1977, #1954.1, #1979.1, #1957
Race #10	Thor. \$2Q, \$1E, \$1TRI, \$1PK-3, \$2 Parlay, \$.10 SF, \$2DD	CHRB #1958, #1959, #1979, #1977, #1954.1, #1979.1, #1957
Race #11	Thor. \$2Q, \$1E, \$1TRI, \$2 Parlay, \$.10 SF, \$1PK-3, \$2DD	CHRB #1958, #1959, #1979, #1954.1, #1979.1, #1977, #1957
Race #12	Thor. \$2Q, \$1E, \$1TRI, \$.10 SF, \$2DD	CHRB #1958, #1959, #1979, #1979.1, #1957
Race #13	Thor. \$2Q, \$1E, \$1TRI, \$.10 SF, <sup>4</sup>	CHRB #1958, #1959, #1979, #1979.1

1 Three mixed breed races are scheduled on days to be determined.

2 \$2 PNP-6 offered in the last six races daily.

3 Late \$1 PK-4 offered in the last four races daily.

4 We will also offer \$1 Super High Five wagering on the last race of the card according to ARCI Pick(n), Position(x) pools rules. Fairplex reserves the right to withdraw this specific request if such wager is deemed uncomplimentary to the wagering menu.

NOTE: On days with less races, the type of wagers offered based on this schedule will be rolled forward or backwards accordingly.

B. Maximum carryover pool to be allowed to accumulate before its distribution OR the date(s) designated for distribution of the carryover pool: **September 22, 2008**

C. List any options requested with regard to exotic wagering: **None**

D. Will "advance" or "early bird" wagering be offered?  Yes  No  
If yes, when will such wagering begin:

**Hollywood Park – 8:30 a.m.**

E. Type(s) of pari-mutuel or totalizator equipment to be used by the fair and the simulcast

organization, the name of the person(s) supplying equipment, and expiration date of the service contract: **Scientific Games, Terence McWilliams, Expiration: 9/2012**

**8. ADVANCED DEPOSIT WAGERING**

A. Identify the ADW provider(s) to be used by the fair for this race meeting:

**Fairplex conducts advanced deposit wagering pursuant to an exclusive agreement with TVG that has in prior years limited distribution within California to TVG. Under an agreement amongst Hollywood Park, Track Media (Santa Anita and Golden Gate) and the Thoroughbred Owners of California, an “experiment” was agreed to that terminates upon the conclusion of Hollywood Park summer meet that permits in state distribution and wagering through TVG, XPressbet, and Youbet.com as well as Twin Spires. Fairplex intends to seek of an extension of the current experiment through the Del Mar, Fairplex Park, Hollywood Fall and Oak Tree meets but such an extension will require the agreement of the foregoing parties as well as Track Media, Golden Gate Fields and the TOC. Fairplex will update the CHRB on the progress of negotiations. Unless an agreement is reached, Fairplex will conduct ADW through TVG within California.**

**9. SIMULCAST WAGERING PROGRAM**

A. Simulcast organization engaged by the fair to conduct simulcast wagering:

***Southern California OffTrack Wagering, Inc.***

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

C. California simulcast facilities the fair proposes to offer its live audiovisual signal: **(Exhibit A)**

D. Out-of-state wagering systems the fair proposes to offer its live audiovisual signal: **(Exhibit B)**

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

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

**(Exhibit D)**

**NOTICE TO APPLICANT:** B&P Code Section 19596.2(a) stipulates that on days when live thoroughbred or fair racing is being conducted in the state, the number of thoroughbred races which may be imported by an association or fair during the calendar period the association or fair is conducting its racing meeting cannot exceed a combined daily total of 23 imported thoroughbred races statewide. The limitation of 23 imported thoroughbred races per day statewide does not apply to those races specified in B&P Code Section 19596.2(a)(1), (2), (3) and (4).

**THOROUGHBRED SIMULCAST RACES TO BE IMPORTED**

Name of Host Track	Race Dates	Full Card or Selected Feature and/or Stakes Races
--------------------	------------	---

G. List imported simulcast races the fair plans to receive during the racing meeting which use breeds other than the breed of the majority of horses racing at its live horse racing meeting.

## Exhibit A

Alameda County Fair, Pleasanton  
Antelope Valley Fair, Lancaster  
Barona Casino, Lakeside  
Bay Meadows (San Mateo County Fair), San Mateo  
Big Fresno Fair, Fresno  
Cabazon Fantasy Springs Casino, Indio  
California State Fair & Expo, Sacramento  
Earl Warren Showground's, Santa Barbara  
Fairplex Park, Pomona  
Fresno Club One, Fresno  
Golden Gate Fields, Albany  
Hollywood Park, Inglewood  
Humboldt County Fair, Ferndale  
Kern County Fair, Bakersfield  
Los Alamitos Racecourse, Los Alamitos  
Monterey County Fair, Monterey  
National Orange Show, San Bernardino  
Redwood Acres Fair, Eureka  
San Bernardino County Fair, Victorville  
San Joaquin County Fair, Stockton  
Santa Clara County Fair, San Jose  
Santa Anita Park, Arcadia  
Shalimar Sports Center, Indio  
Shasta District Fair, Anderson  
Solano County Fair, Vallejo  
Sonoma County Fair, Santa Rosa  
Sports Pavilion The Farmers Fair, Lake Perris  
Stanislaus County Fair, Turlock  
The Horsemen's Club, Santa Maria  
Tulare County Fair, Tulare  
Ventura County Fair, Ventura  
Viejas Casino & Turf Club, Alpine

AmericaTab, Ohio  
 Arapahoe Park, Colorado  
 Arlington International Race Course, Illinois  
 Assiniboia Downs, Canada  
 Atlantic City Casino Assn., New Jersey  
 Atlantic City Race Course, New Jersey  
 Atokad Park, South Dakota  
 Balmoral Park, Illinois  
 Bangor Raceway, Maine  
 Barrie Raceway, Ontario  
 Batavia Downs, New York  
 Belmont Gaming, New Hampshire  
 Beulah Park, Ohio  
 Birmingham Race Course, Alabama  
 Blue Ribbon Downs, Oklahoma  
 Buffalo Trotting Association, New York  
 Calder Race Course, Florida  
 Caliente, Mexico  
 Canterbury Park, Minnesota  
 Capital District OTB, New York  
 Catskill Regional OTB, New York  
 Caymanas Race Track, Jamaica  
 Charles Town Races, West Virginia  
 Chester Downs - Pennsylvania  
 Churchill Downs, Kentucky  
 Choctaw Racing Services, Oklahoma  
 Colonial Downs, Virginia  
 Columbus Races, Nebraska  
 Connaught Park, Canada  
 Connecticut OTB, Connecticut  
 Corpus Christi Greyhound, Texas  
 Dairyland Greyhound Park, Wisconsin  
 Delaware Park, Delaware  
 Delta Downs, Louisiana  
 Dover Downs, Delaware  
 Downs at Albuquerque, New Mexico  
 Downs at Santa Fe, (PTE Inc.), New Mexico  
 Edmonton Northlands, Canada  
 Elite Turf Club, Curacao  
 Ellis Park, Kentucky  
 Elmira Raceway, Ontario  
 European Simulco, Europe  
 Evangeline Downs, Louisiana  
 Fairgrounds Racecourse, Louisiana  
 Fairmount Park, Illinois  
 Finger Lakes Race Track, New York  
 Flamboro Downs, Ontario  
 Fonner Park, Nebraska  
 Fort Erie Racetrack, Canada  
 Foxboro Park, Massachusetts  
 Foxwoods Casino (LVDC), Connecticut  
 Fraser Downs, British Columbia  
 Freehold Raceway, New Jersey  
 Gulf Greyhound, Texas  
 Gulfstream Park, Florida  
 Hanover Raceway, Canada  
 Harrington Raceway & Simulcast, Delaware  
 Hastings Park, Canada  
 Hawthorne Race Course, Illinois  
 Hazel Park, Michigan  
 Hiawatha Downs, Ontario  
 Hinsdale Greyhound Park, New Hampshire  
 Hipodromo Camarero, Puerto Rico  
 Hipodromo Presidente Remon, Panama  
 Hoosier Park, Indiana  
 Horsemen's Park, Nebraska  
 Indiana Downs, Indiana  
 Jackson Harness Raceway, Michigan  
 Kawartha Downs, Ontario  
 Keeneland, Kentucky  
 Kentucky Downs, Kentucky  
 Kentucky OTB, Kentucky  
 L' Hippodrome de Montreal, Canada  
 Las Vegas Dissemination Company, Nevada  
 Lebanon Trotting Club, Ohio  
 Les Bois Park, Idaho  
 Lewiston Raceway, Maine  
 Lien Games, North Dakota  
 Lincoln Greyhound Park, Rhode Island  
 Lone Star Race Park, Texas  
 Louisiana Downs, Louisiana  
 Manor Downs, Texas  
 Marquis Downs, Saskatchewan  
 Maryland Jockey Club, Maryland  
 Maywood Park, Illinois  
 Meskwaki Casino (LVDC), Oklahoma  
 Mile High Greyhound, CO  
 Mobile Greyhound Park, Alabama  
 Monmouth Park, New Jersey  
 Montana State Fair, Montana

Monticello Raceway, NY  
 Mountaineer Park, West Virginia  
 Mt. Pleasant Meadows, Michigan  
 Multnomah Greyhound Park, Oregon  
 Muskegon Race Course, Michigan  
 Nassau Regional OTB, New York  
 Nebraska State Fair Park, Nebraska  
 Nevada Pari-Mutuel Association, Nevada  
 NJSEA, New Jersey  
 New Mexico State Fair, New Mexico  
 New York City OTB, New York  
 New York Racing Association, New York  
 Newport Jai-Alai, Rhode Island  
 North Dakota Horse Park, North Dakota  
 Northfield Park, Ohio  
 Northville Downs, Michigan  
 Northwest Racing Associates, Washington  
 Oaklawn Park, Arkansas  
 Ocean Downs, Maryland  
 Penn National Race Course, Pennsylvania  
 Philadelphia Park, Pennsylvania  
 Phumelela Gold, South Africa  
 Picov Downs, Canada  
 Pimlico Race Course, Maryland  
 Plainfield Greyhound Park, Connecticut  
 Pocono Downs, Pennsylvania  
 Portland Meadows, Oregon  
 Prairie Meadows, Iowa  
 Queensbury Downs, Saskatchewan  
 Raceway Park, Ohio  
 Racing and Gaming Services, St Kitts  
 Racing World UK, England  
 Remington Park, Oklahoma  
 Retama Park, Texas  
 Rideau Carleton Raceway, Canada  
 River Downs, Ohio  
 Roberts Television International, NV  
 Rockingham Park, New Hampshire  
 Royal River Racing, South Dakota  
 Ruidoso Downs, New Mexico  
 Saginaw Harness Raceway, MI  
 Sam Houston Park, Texas  
 Saratoga Raceway, New York  
 Scarborough Downs, Maine  
 Scioto Downs, Ohio  
 Seabrook Greyhound Park, NH  
 Southland Greyhound Park, Arkansas  
 Sports Creek Raceway, Michigan  
 Sportsman's Park, Illinois  
 St. Croix Greyhound Park, Wisconsin  
 Stampede Park, Alberta  
 Sudbury Downs, Canada  
 Suffolk Downs, Massachusetts  
 Sunland Park Racetrack, New Mexico  
 Sun Ray Park, New Mexico  
 Tampa Bay Downs, Florida  
 Texas Hub, Texas  
 The Meadows, Pennsylvania  
 The Racing Channel, Pennsylvania  
 The Racing Channel International, Europe  
 Thistledown Racing Club, Ohio  
 Thunder Ridge, Kentucky  
 Tioga Downs, New York  
 Tri-State Greyhound, West Virginia  
 Trinity Meadows, Texas  
 Turf de Venezuela, Venezuela  
 TVG, Los Angeles  
 Turf Paradise, Arizona  
 Turfway Park, Kentucky  
 Twin Spires, Kentucky  
 US Off-Track, Oregon  
 Valley Greyhound Park, Texas  
 Vernon Downs, New York  
 Western Fair, Ontario  
 Western Regional OTB, New York  
 Wheeling Downs, Canada  
 Windsor Raceway, Ontario  
 Wichita Greyhound Park, Kansas  
 Woodbine Entertainment Corp, Ontario  
 Wonderland Park, Massachusetts  
 Woodlands, Kansas  
 Wyoming OTB, Wyoming  
 XpressBet, Pennsylvania  
 Yavapai Downs, Arizona  
 Yonkers Raceway, New York  
 YouBet, Los Angeles  
 Zia Park, New Mexico

## EXHIBIT C

AmericaTab, Ohio	Fraser Downs, British Columbia
Amwest Entertainment, Kentucky	Freehold Raceway, New Jersey
Arapahoe Park, Colorado	Gulf Greyhound, Texas
Arlington International Race Course, Illinois	Gulfstream Park, Florida
Atlantic City Casino Assn., New Jersey	Hanover Raceway, Canada
Atlantic City Race Course, New Jersey	Harrington Raceway & Simulcast, Delaware
Atokad Park, Nebraska	Hastings Park, Canada
Balmoral Park, Illinois	Hawthorne Race Course, Illinois
Bangor Raceway, Maine	Hazel Park, Michigan
Batavia Downs, New York	Hinsdale Greyhound Park, New Hampshire
Beulah Park, Ohio	Hoosier Park, Indiana
Birmingham Race Course, Alabama	Horsemen's Park, Nebraska
Blue Ribbon Downs, Oklahoma	Indiana Downs, Indiana
Buffalo Trotting Association, New York	Jackson Harness Raceway, Michigan
Calder Race Course, Florida	Kawartha Downs, Ontario
Canterbury Park, Minnesota	Keeneland, Kentucky
Capital District OTB, New York	Kentucky Downs, Kentucky
Catskill Regional OTB, New York	Kentucky OTB, Kentucky
Charles Town Races, West Virginia	Las Vegas Dissemination Company, Nevada
Chester Downs - Pennsylvania	Lebanon Trotting Club, Ohio
Churchill Downs, Kentucky	Les Bois Park, Idaho
Choctaw Racing Services, Oklahoma	Lewiston Raceway, Maine
Colonial Downs, Virginia	Lien Games, North Dakota
Columbus Races, Nebraska	Lincoln Greyhound Park, Rhode Island
Connaught Park, Canada	Lone Star Race Park, Texas
Connecticut OTB, Connecticut	Louisiana Downs, Louisiana
Corpus Christi Greyhound, Texas	Manor Downs, Texas
Dairyland Greyhound Park, Wisconsin	Marquis Downs, Saskatchewan
Delaware Park, Delaware	Maryland Jockey Club, Maryland
Delta Downs, Louisiana	Maywood Park, Illinois
Dover Downs, Delaware	Meskwaki Casino (LVDC), Oklahoma
Downs at Albuquerque, New Mexico	Mile High Greyhound, CO
Downs at Santa Fe, (PTE Inc.), New Mexico	Mobile Greyhound Park, Alabama
Elite Turf Club, Curacao	Monmouth Park, New Jersey
Ellis Park, Kentucky	Montana State Fair, Montana
Elmira Raceway, Ontario	Monticello Raceway, NY
European Simulco, Europe	Mountaineer Park, West Virginia
Evangeline Downs, Louisiana	Mt. Pleasant Meadows, Michigan
Fairgrounds Racecourse, Louisiana	Multnomah Greyhound Park, Oregon
Fairmount Park, Illinois	Nassau Regional OTB, New York
Finger Lakes Race Track, New York	Nebraska State Fair Park, Nebraska
Flamboro Downs, Ontario	Nevada Pari-Mutuel Association, Nevada
Fonner Park, Nebraska	NJSEA, New Jersey
Foxboro Park, Massachusetts	New Mexico State Fair, New Mexico
Foxwoods Casino (LVDC), Connecticut	New York City OTB, New York

New York Racing Association, New York  
 Newport Jai-Alai, Rhode Island  
 North Dakota Horse Park, North Dakota  
 Northfield Park, Ohio  
 Northville Downs, Michigan  
 Northwest Racing Associates, Washington  
 Oaklawn Park, Arkansas  
 Ocean Downs, Maryland  
 Penn National Race Course, Pennsylvania  
 Philadelphia Park, Pennsylvania  
 Phumelela Gold, South Africa  
 Picov Downs, Canada  
 Pimlico Race Course, Maryland  
 Plainfield Greyhound Park, Connecticut  
 Pocono Downs, Pennsylvania  
 Portland Meadows, Oregon  
 Prairie Meadows, Iowa  
 Raceway Park, Ohio  
 Racing and Gaming Services, St Kitts  
 Racing World UK, England  
 Remington Park, Oklahoma  
 Retama Park, Texas  
 Rideau Carleton Raceway, Canada  
 River Downs, Ohio  
 Roberts Television International, NV  
 Rockingham Park, New Hampshire  
 Royal River Racing, South Dakota  
 Ruidoso Downs, New Mexico  
 Saginaw Harness Raceway, MI  
 Sam Houston Park, Texas  
 Saratoga Raceway, New York  
 Scarborough Downs, Maine  
 Scioto Downs, Ohio  
 Seabrook Greyhound Park, NH  
 Southland Greyhound Park, Arkansas  
 Sports Creek Raceway, Michigan  
 Sportsman's Park, Illinois  
 St. Croix Greyhound Park, Wisconsin  
 Stampede Park, Alberta  
 Sudbury Downs, Canada  
 Suffolk Downs, Massachusetts  
 Sunland Park Racetrack, New Mexico  
 Sun Ray Park, New Mexico  
 Tampa Bay Downs, Florida  
 Texas Hub, Texas  
 The Meadows, Pennsylvania  
 The Racing Channel, Pennsylvania  
 The Racing Channel International, Europe  
 Thistledown Racing Club, Ohio  
 Thunder Ridge, Kentucky  
 Tioga Downs, New York  
 Tri-State Greyhound, West Virginia  
 Trinity Meadows, Texas  
 Turf de Venezuela, Venezuela  
 Turf Paradise, Arizona  
 Turfway Park, Kentucky  
 TVG, Los Angeles  
 Twin Spires, Kentucky  
 US Off-Track, Oregon  
 Valley Greyhound Park, Texas  
 Vernon Downs, New York  
 Western Fair, Ontario  
 Western Regional OTB, New York  
 Wheeling Downs, Canada  
 Wichita Greyhound Park, Kansas  
 Windsor Raceway, Ontario  
 Wonderland Park, Massachusetts  
 Woodbine Entertainment, Ontario  
 Woodlands, Kansas  
 Wyoming OTB, Wyoming  
 XpressBet, Pennsylvania  
 Yavapai Downs, Arizona  
 Yonkers Raceway, New York  
 YouBet, Los Angeles  
 Zia Park, New Mexico

Date	Location	Feature and / or Stakes Races	Grade	Purse	Distances
9/6/08	Belmont	Ruffian Handicap	I	\$300,000	1 1/16 Miles
9/6/08	Belmont	The Garden City BC	I	\$250,000	1 1/8 Miles (turf)
9/6/08	Calder	FL Stallion Stakes – Susan's Girl		\$150,000	7 Furlongs
9/6/08	Calder	FL Stallion Stakes – Affirmed Division		\$150,000	7 Furlongs
9/6/08	Arlington	The Pucker Up Stakes	III	\$200,000	1 1/8 Mile (turf)
9/6/08	Arlington	Arlington-Washington Lassie F & M	III	\$150,000	1 Mile
9/7/08	Woodbine	Woodbine Mile by Bell	I	\$1,000,000	1 Mile
9/7/08	Woodbine	Northern Dancer BC Turf	I	\$750,000	1 1/2 Mile (turf)
9/7/08	Belmont	The Schenectady		\$100,000	6 Furlongs
9/13/08	Belmont	Noble Damsel Handicap	III	\$100,000	1 Mile (turf)
9/13/08	Belmont	Matron Stakes	II	\$250,000	7 Furlongs
9/13/08	Belmont	Futurity	II	\$250,000	7 Furlongs
9/13/08	Belmont	The Gazelle	I	\$250,000	1 1/8 Miles
9/13/08	Arlington	Arlington-Washington Futurity	III	\$200,000	1 Mile
9/14/08	Emerald Downs	Chinook Pass Sprint		\$50,000	6 Furlongs
9/14/08	Emerald Downs	Belle Roberts		\$50,000	1 1/16 mile
9/14/08	Emerald Downs	Muckleshoot Tribal Classic		\$50,000	1 1/16 mile
9/14/08	Belmont	The Ashley T. Cole		\$100,000	1 1/8 Miles (turf)
9/20/08	Louisiana Downs	Unbridled Hcp		\$200,000	1 Mile (turf)
9/20/08	Louisiana Downs	Super Derby	II	\$500,000	1 1/8 Miles
9/20/08	Louisiana Downs	Sunday Silence		\$150,000	1 1/16 Mile (turf)
9/20/08	Louisiana Downs	The Happy Ticket		\$150,000	1 1/16 Mile (turf)
9/20/08	Belmont	The Gallant Bloom	II	\$150,000	6 1/2 Furlongs
9/21/08	Belmont	The Joseph A. Gimma		\$100,000	7 Furlongs
9/21/08	Belmont	The Bertram Bongard		\$100,000	7 Furlongs
9/21/08	Hastings	Breeders Cup Derby		\$250,000	9 Furlongs

## Full &amp; Partial Cards

Arlington Park: September 5, 2008 – September 21, 2008  
 Belmont Park: September 5, 2008 – September 22, 2008  
 Calder Race Course: September 5, 2008 – September 22, 2008  
 Delaware Park: September 5, 2008 – September 22, 2008  
 Emerald Downs: September 14, 2008  
 Thistledown: September 5, 2008 – September 22, 2008  
 Turfway Park: September 5, 2008 – September 22, 2008

Woodbine: September 5, 2008 – September 22, 2008  
 Hastings Park: September 5, 2008 – September 22, 2008  
 Fort Erie: September 5, 2008 – September 22, 2008  
 United Kingdom: September 5, 2008 – September 22, 2008  
 South America: September 5, 2008 – September 22, 2008

Include the name of the host track, the dates imported races will be held, and how many races will be imported:

*None*

OTHER BREED SIMULCAST RACES TO BE IMPORTED

Name of Host Track	Breed of Horse	Race Dates	Number of Races to be Imported
--------------------	----------------	------------	--------------------------------

H. If any out-of-state or out-of-country races will commence outside of the time constraints set forth in B&P Code Section 19596.2 and 19596.3, attach a copy showing agreement by the appropriate racing association(s). *N/A*

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

Every fair shall pay to the simulcast organization within 3 calendar days following the closing of wagering for each racing program, or upon receipt of the proceeds, such amounts that are retained from off-track simulcast wagering, interstate and out-of-state wagering and which are obligated by statute for guest commissions, simulcast operator's expenses and promotions, equine research, local government in-lieu taxes, and stabling and vanning deductions. Every fair shall pay to its Paymaster of Purses' account within 3 calendar days following the closing of wagering for each racing program, or upon receipt of the proceeds, such amounts that are retained or obligated from off-track simulcast wagering, interstate and out-of-state wagering for purses, breeders' awards or other benefits to horsemen. (See Notice to Applicant, Section 5.)

**10. RACING OFFICIALS, OFFICIALS, AND OFFICIATING EQUIPMENT**

A. Racing Officials nominated:

<i>Association Veterinarian(s)</i>	<i>Jessica Christiansen</i>
<i>Clerk of Scales</i>	<i>Ruben Hernandez</i>
<i>Clerk of the Course</i>	<i>Lisa Jones</i>
<i>Film Specialist</i>	<i>Cheryl White</i>
<i>Horse Identifier</i>	<i>Darrel Sparks</i>
<i>Horseshoe Inspector</i>	<i>Victor Tovar</i>
<i>Paddock Judge</i>	<i>Ken Goldberg</i>
<i>Patrol Judges</i>	<i>Myra Truitt</i>
	<i>Cheryl White</i>
	<i>Heather Correa</i>
<i>Placing Judges</i>	<i>Kevin Colosi</i>
	<i>Matt Nichols</i>
<i>Starter</i>	<i>Jay Slender</i>
<i>Steward's Aide</i>	<i>Leslie Miller</i>
<i>Timer</i>	<i>Jim Porep</i>
<i>Quick Official</i>	<i>Robert Vela</i>

B. Management officials in the racing department:

<i>Director of Racing</i>	<i>N/A</i>
<i>Racing Secretary</i>	<i>Richard Wheeler</i>
<i>Assistant Racing Secretary</i>	<i>Zachary Soto</i>
<i>Paymaster of Purses</i>	<i>Bridget Crawford</i>
<i>Others (identify by name and title)</i>	
<i>Equine Manager</i>	<i>Paul Ryneveld</i>
<i>Racing Consultant</i>	<i>Cliff Goodrich</i>
<i>Racing Consultant</i>	<i>Tom Robbins</i>

<i>Racing Supervisor</i>	<i>Terry Gilligan</i>
<i>Racing Secretary-Quarter Horses &amp; Appaloosas</i>	<i>Robert Moreno</i>
<i>Jockey Room Custodian</i>	<i>Charles McCaul</i>
<i>Mutuel Manager</i>	<i>Bill Navarro</i>
<i>Safety Manager</i>	<i>Dennis Fee</i>
<i>Announcer</i>	<i>Trevor Denman</i>
<i>Track Superintendent</i>	<i>Steve Wood</i>
<i>Director of Labor Relations</i>	<i>Ken Walker</i>

- C. Name, address and telephone number of the reporter employed to record and prepare transcripts of hearings conducted by the stewards:  
***Barbara Weinstein, PMB 265, 9582 Hamilton Ave., Huntington Beach, CA 92646, 714-964-7102***
- D. Photographic device to be used for photographing the finish of all races, name of the person supplying the service, and expiration date of the service contract:  
***William D. O'Brien, Plusmic Corp USA      Expiration Date of Contract: 12/31/08***
- E. Photo patrol video equipment to be used to record all races, name of the person supplying the service, and expiration date of the service contract. Specify the number and location of cameras for dirt and turf tracks.      ***Jim Porep, Pegasus Communication      Expiration of Contract: 4/30/09***

***One pan camera located in the Grandstand crow's nest near the Finish Line. Tower cameras are located at the 1/8 Pole, 9/16 Pole and 1/4 Pole. In addition, we have a fixed camera on the Starting Gate and 3 additional handheld cameras at the Paddock, Winner's Circle and the Starting Gate.***

- F. Type of electronic timing device to be used for the timing of all races, name of the person supplying the service, and expiration date of the service contract:  
***Pegasus Datalink Track System  
 Provided by Pegasus Communication  
 Jim Porep  
 Expiration Date of Contract: 4/30/09  
 (951)-789-9333***

***Timing cells – (16) 42 MRR – 5,000 receiving cells  
 (16) 42 MRR – 5,000 light source cells  
 Owned and operated by Fairplex***

## 11. SECURITY CONTROLS

- A. Name and title of the person responsible for security controls on the premises. Include an organizational chart of the security department and a list of the names of security personnel and contact telephone numbers.
- ***Dwight Richards, Vice-President Operations      909-865-4202***
  - ***Barry Gillies, Interim Safety Services Manager      909-865-4355***
  - ***Lt. Anthony Casella, CHRB Security Supervisor      909-865-4654***
  - ***Dean Gardner, Sergeant      909-865-4654***

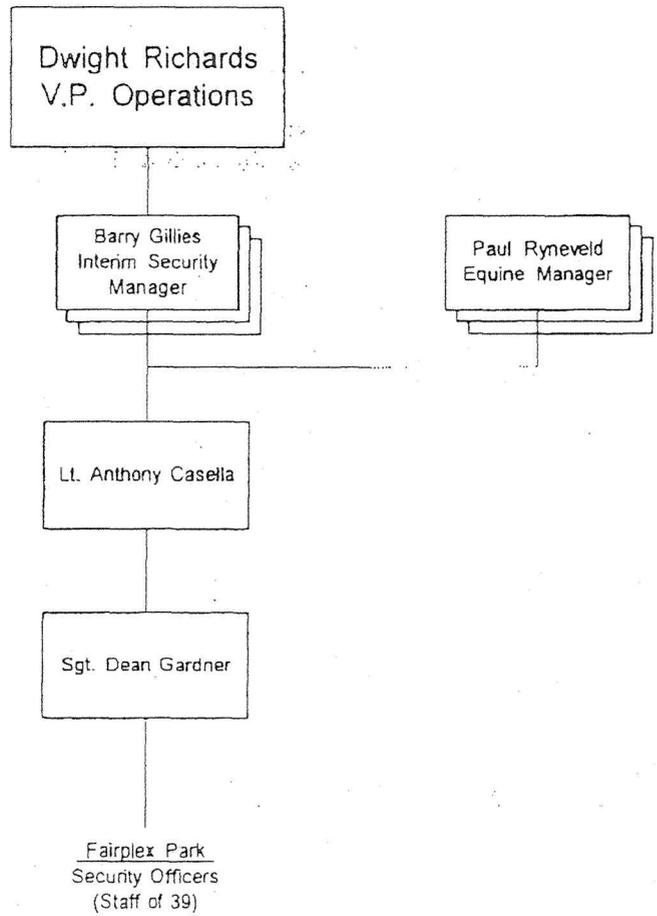
- B. Estimated number of security guards, gatemen, patrolmen or others to be engaged in security tasks

# FAIRPLEX PARK

## Security

July 3, 2008

Page 4-24



on a regular full-time basis: **39 Security Guards**

1. Attach a written plan for enhanced security for graded stakes races, and races of \$100,000 or more, to include the number of security guards in the restricted areas during a 24-hour period and a plan for detention barns. ***Attached Security Plan***
2. Detention Barns:
  - A. Attach a plan for use of graded stakes or overnight races. ***Attached Security Plan***
  - B. Number of security guards in the detention barn area during a 24-hour period.  
***See Attached Security Plan***
  - C. Describe number and location of surveillance cameras in detention barn area.  
***See Attached Security Plan***
3. TCO2 Testing:
  - A. Number of races to be tested, and number of horses entered in each race to be tested.  
***We will test every horse or mule in every race.***
  - B. Plan for enhanced surveillance for trainers with high-test results.  
***Trainers with high test results and who enter their horses in a race will have those horses placed in the detention barn in accordance with attached Security Plan.***
  - C. Plan for detention barns for repeat offenders.  
***All horses entered in races by repeat offenders will be placed in the detention barn in accordance with attached Security Plan.***
  - D. Number of security personnel assigned to the TCO2 program.  
***Up to three. See attached Security Plan.***
- C. Describe the electronic security system:
 

***Money room in the Grandstand Mezzanine has magnetic connections at each opening. There are also interior motion detectors. These systems are monitored by a central alarm station located at Gate 1, which is manned by Security 24 hours a day.***

  1. Location and number of video surveillance cameras for the detention barn and stable gate.  
***See attached Security Plan.***

## 12. EMERGENCY SERVICES

- A. Name, address and emergency telephone number of the ambulance service to be used during workouts and the running of the races:

***Workouts:***

***Cole-Schaefer Ambulance Service, 324 N. Towne Avenue, Pomona, CA 91767***

***Emergency Telephone No.: 800-966-4727 / 909-622-1273***

***Regional Manager – Simon Concepcion, cell: 909-263-4559***

***Running of the races:***

***Huntington Ambulance, P. O. Box 145, Sunset Beach, California 90742, 562-904-1550***

***Emergency Telephone No.: 562-460-1463***

## Fairplex Park 2008 License Application

**Security Controls**

Paragraph B (1) Surveillance of horses in races with a purse of \$100,000 or more:

Del Mar will provide payroll and administrative services for Sam Templeton, coordinator for this project. "In today" horses in the Barretts Juvenile and Debutante, Las Madrinas, Pomona Derby and the Ralph M. Hinds Pomona Invitational Handicap will be subject to surveillance. The CHRB will provide hand-held cameras and Sam Templeton will be responsible to hiring non-union security to remain outside the stall of each horse in these races 6 hours prior to the running of the race. The security person assigned to a horse will escort the horse from the stall to the receiving barn. Anytime an authorized person enters the stall within the 6 hour period, the security person must operate the camera and memorialize the interaction of the authorized person and the horse.

**Paragraph B (2) Detention Barn**

A) Barn 28A is our detention barn. Cameras are installed and will be operational every racing day. Video tapes will also be available for review by the stewards at their request. Upon written instruction from the CHRB, trainers may be required to place their "in today" horse in the detention barn 24 hours prior to the race.

With regard to TCO2 detention barn procedures, protocols and disciplinary procedures as set forth in agreements with TOC and CTT, these items are detailed in the TOC agreement.

B) Three Guards cover the Detention Barn, one per eight hour period.

**C) Camera Locations**

Camera surveillance locations cover:

- West Gate: Fixed Camera. Web broadcast. View of vehicle entering into restricted CHRB area.
- East Gate: Fixed Camera. Web broadcast. View of vehicles exiting out of CHRB area.
- Triangle Parking: General coverage of parking lot.
- Daily Double: Two Fixed Cameras. Web broadcast. View of entrances and mutuel windows.
- Barn 28A: Camera coverage of all 10 stalls and outside East/West stalls sides.

These cameras monitor for activities in these locations and are recorded for a specific number of days. Monitoring of surveillance cameras are done at Backside Security office, the West Gate, and Security Headquarters.

**Holding Barn**

Barretts Barn 1 is our holding barn. All horses shipping in, except those accommodated by trainers assigned stalls, will be housed in the holding barn while on the grounds at Fairplex Park.

**Shockwave Therapy Barn**

A stall in Barretts Barn 1 will be assigned for this procedure. All horses receiving this treatment must register and use this stall.

- B. Name, address and emergency telephone number of the ambulance service to be used during workouts at auxiliary sites:

*Santa Anita, Hollywood Park and Los Alamitos  
 Huntington Ambulance, P. O. Box 145, Sunset Beach, California 90742, 562-904-1550  
 Emergency Telephone No.: 562-460-1463  
 San Luis Rey Downs, North County Fire Protection District, Bonsall, CA, 760-723-2005*

- C. Describe the on-track first aid facility, including equipment and medical staffing:  
*See attached Emergency Care and Medical Facilities Document*

- D. Name and emergency telephone number of the licensed physician on duty during the race meeting:  
**The staffing of the physician is on a rotating basis with doctors supplied through the staff at Western University in Pomona, California (909-469-5683) and contracted through Cole Schaefer. A list of these physicians is pending and will be made available prior to the Fair. The First Aid office is 909-865-4370.**

- E. Name, address and emergency telephone number of the hospital to be used for admittance and treatment of emergency injuries in the event of an on-track injury to a jockey:  
**Pomona Valley Medical Center  
 1798 N. Garey Ave.  
 Pomona, CA 91767  
 909-865-9611**

- F. Attach, in English and Spanish, the emergency medical plan procedures that will be posted in each jockey's room to be used in the event of an on-track injury to a jockey: *See attached Emergency Care and Medical Facilities Document*

- G. Name of health and safety manager and assistant manager responsible for compliance of health and safety provisions pursuant to B& P Code 19481.3(d):

Health and Safety Manager:	213-276-3150 (cell)
Barry Gillies	909-865-4186 (office)
Assistant Manager:	909-263-4559 (cell)
Simon Concepcion	800-966-4727 (office)
Alternate Manager:	909-865-4383
Ray Ortegaso	

- H. Attach a fire clearance from the fire authority having jurisdiction over the premises.  
**Attached**

- I. Attach a Certificate of Insurance for workers' compensation coverage. The CHRB is to be named as a certificate holder and given not less than 10 days' notice of any cancellation or termination of insurance that secures the liability of the fair for payment of workers' compensation.  
**Attached**

**13. CONCESSIONAIRES AND SERVICE CONTRACTORS**

Attachment to LACF License Application – Section 12 C**Los Angeles County Fair Emergency Care and Medical Facilities**

The Los Angeles County Fair provides emergency care which allows for comprehensive medical care for jockeys, track staff and allied personnel. Emergency care focuses on immediate stabilizing, comfort and evacuation of injured racetrack personnel to appropriate hospital care facilities.

**Staffing**

Two Emergency Medical Technicians from Huntington Ambulance Service staff are located in an on-track ambulance that follows the horses during each race. This ambulance and crew are present whenever horses are on the track and are responsible for initiating basic life support measures, including immediate medical stabilization, care and evacuation to medical care facilities.

During training hours Cole Schaefer Ambulance Service executes the same procedure as above as well as are the primary service covering the Fairgrounds outside of training hours.

Huntington is the primary during the live racing but Cole Schaefer is a back-up source. Cole Schaefer is in charge of the First Aid building located on the southeast side of the grandstand clubhouse. There are two ambulances and a golf cart with gurney for transport capabilities. Cole Schaefer follows the protocols of Los Angeles County fire rescue.

A licensed Physician is on duty and is responsible for care on an ongoing basis of jockeys, track staff and allied personnel requiring non-emergency medical care. The staffing of the physician is on a rotating basis with doctors supplied through the staff at Western University in Pomona, California (909-469-5683) and contracted through Cole Schaefer. A list of these physicians is pending and will be made available prior to the Fair.

**Equipment**

9 Beds  
Cardiac Monitor  
Oxygen at each station  
AED  
Otoscope  
Ophthalmoscope  
12 Lead Monitors

**Physical Resources**

The Los Angeles County Fair provides the services of a state of the art Kimzey Horse Ambulance as well as a senior experienced driver who is responsible for the evacuation and disposition of injured horses.

Redundant communications services are provided to ensure constant contact between all emergency care personnel. Two way radio networks are established within the racing operations as well as fair emergency operations. All key emergency care personnel also carry cell phones and each is provided a laminated card containing all contact numbers.

Section 12 F in English

## **Los Angeles County Fair Racing Accident Procedures**

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

### **Track Ambulance**

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

### **Security**

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

### **Racing Staff/Track Veterinarian**

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

### **Plant Staff**

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

### Announcer

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

### Senior Management

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

### All Department Heads

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

Section 12 F in Spanish

**Procedimiento en caso de Accidente en Los Angeles County Fair**

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

**El personal de la Ambulancia**

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

**Seguridad**

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

**Personal de Carreras/Veterinario del hipodromo**

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

**Personal de Planta/Plant Staff**

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

### Locutor

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

### Gerencia

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

### Todo los Jefes de Departamento

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



County Of Los Angeles  
Fire Department

Page 4-33

Date: July, 1 2008

P. Michael Freeman  
Fire Chief  
Forester & Fire Warden

Mr. Roy Wood, Jr.  
California Horse Racing Board  
1010 Hurley Way, Suite 300  
Sacramento, CA 95825

Dear Mr. Wood,

**SUBJECT: INSPECTION REPORT – STABLE AND GRANDSTAND  
AREAS AT THE LOS ANGELES COUNTY FAIRPLEX**

This letter is to inform you that the County of Los Angeles Fire Department has completed the annual fire inspection of the stable and grandstand areas at the Los Angeles County Fairplex.

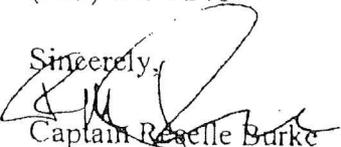
*There are no outstanding fire or life safety violations at this time.*

In accordance with regulations adopted by the California Horse Racing Board, this letter may be accepted as a fire and life safety clearance from the East Region Fire Prevention Pomona Office of the Los Angeles County Fire Department for the race meet scheduled for the fall season of 2008.

If you have any questions or need additional information please contact,

Captain Reselle Burke  
East Region Fire Prevention Pomona Office  
(909) 620-2216

Sincerely,

  
Captain Reselle Burke  
E.R.F.P. Pomona Office

July 1, 2008

To: California Horse Racing Board  
Attn: Andrea Ogden  
1010 Hurley Way, Suite 300  
Sacramento, CA 95825

Re: Los Angeles County Fair Association  
PO Box 2250  
Pomona, CA 91769-2250

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

## II. WORKERS' COMPENSATION AND EMPLOYERS' LIABILITY

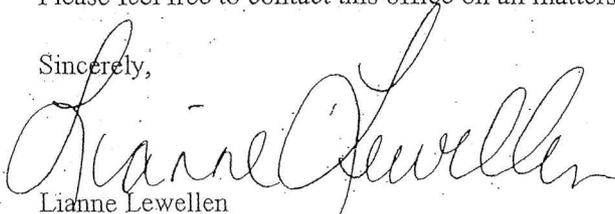
- A. Primary Coverage \$500,000 self-insured retention California Fair Services Authority  
Coverage continuous until cancelled
- B. Excess Coverage (a) Workers' Compensation: \$299,500,000 in excess of \$500,000  
(b) Employers' Liability: \$4,500,000 in excess of \$500,000  
Coverage provided by CSAC Excess Insurance Authority  
Term: 07/01/2008 to 07/01/2009

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

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

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

Sincerely,



Lianne Lewellen  
Risk Analyst

Names and addresses of all persons to whom a concession or service contract has been given, **other than those already identified**, and the goods and/or services to be provided by each:

*Cornucopia, LLC at Fairplex, Jeff Tucci, P. O. Box 2250, Pomona, CA 91769*

*Today's Racing Digest, Kay Neves, 1414 E. Foothill Blvd., Glendora, California 91741*

*Bob's Cards, Inc., Tiffany Bohland, 6288 Highland Meadows, Medina, Ohio 44256*

#### 14. ON-TRACK ATTENDANCE/FAN DEVELOPMENT

*A detailed Marketing Plan will be sent under separate cover.*

##### A. Describe any promotional plans:

- *Handicapping Tournament & Contests*
- *\$1 Opening Day Admission*
- *Monday Race Fan Appreciation Days*
- *Bingo Bash*
- *Day At The Races and Group Sales/Picnics in Infield*
- *Season Pass Program*
- *Giveaway Days*

##### B. Number of hosts and hostesses employed for meeting:

*We employ approximately 25 customer service representatives on weekdays (Monday, Wednesday, Thursday), and 35 on weekends (Friday, Saturday, Sunday).*

##### C. Describe facilities set aside for new fans:

- *At Fairplex Park, we are geared for new fans by nature of the L.A. County Fair and the 1.4 million people it attracts.*
- *We create an exhibit on Broadway Street, the main street of the Fair, complete with televisions showing the races, pari-mutuel machines, friendly and helpful customer service personnel to answer questions about horse racing and to demonstrate how to place a wager with the STAN betting machine.*
- *In addition to the many and diverse food and beverage eateries on the Fairgrounds, Fairplex Park offers uniqueness and variety for F&B options at the racetrack. We have designed places to have fun with a group of friends, business associates and places to meet new folks. Here's a run-down of where to go for the type of fun you're looking for:*
  - ***The Veranda at Fairplex Park.** This is a popular group dining area with a close-up view of the racing action right on the clubhouse turn. Savor a delicious carving-station buffet lunch at your reserved, comfortable table. Restrooms, a full-service bar and wagering amenities are easily accessible and service with a smile comes at no extra charge.*
  - ***Stute's Sports Bar:** September is Sports Month at Fairplex Park. Watch all the games from the road to the baseball playoffs, college and professional football (NFL Ticket), golf, and the best sport of them all, Horse Racing. Over 10 plasma televisions and one giant projection screen is a sure bet to cheer your team or your horse on to victory. Located at the west end of the grandstand mezzanine, Stute's offers both hot snacks and cold drinks for whatever your mood.*
  - ***Box Seats at Fairplex Park.** Located right in front of the racing action, this is the perfect place to kick back and enjoy the races with your friends. Pari-mutuel and food and beverage service brought right to your seat.*
  - ***Long Line Bar & Grill:** Be where the action is! This is the hot spot for owners and trainers to hang out before and after the races. Located adjacent to the saddling*

*paddock, saddle up to the bar or sit down and enjoy a burger or a dog from the grill. Just maybe you'll hear the name of the next race winner!*

- **Top of the Park Terrace:** *The Terrace features canopied outdoor seating, Top of the Park menu-dining, friendly service, your own tabletop monitors and a majestic, panoramic view of Fairplex Park and the beautiful San Gabriel Mountains. Located high above the clubhouse turn, you'll see every step of the race from this spectacular vantage point!*
- **Top of the Park Restaurant:** *Make reservations early! This is the most popular dining at the track. You'll have your own table with plenty of large TV monitors for easy viewing. The bar is always a happening place, so play the ponies and celebrate with your friends until the last race.*
- **Sky Boxes:** *From the highest perch on the racetrack, fans will be able to socialize in an intimate environment with everything at their fingertips. Wagering access, plasma televisions, a live panorama view of the races, and food and beverage service all in your private box. Seating for groups of up to 20 people.*
- *Clubhouse Level 3 will be our designated tournament floor. For the tenth year, Fairplex will participate in the DRF/NTRA Handicapper of the Year tournament. Fifteen slots (the most of any participating site) in the finals at the Red Rock Casino in Vegas will be up for grabs in 2008.*

**D. Describe any improvements to the physical facility in advance of the meeting that directly benefits:**

1. *Horsemen: Major repair and painting of barns (restricted area)*
2. *Fans*  
*Renovation of Clubhouse level 2 – new furniture*  
*Complete renovation, sealing and paint in the Box Seat sections of the grandstand.*  
*Ongoing replacement of television monitors with flat panel televisions.*  
*Creation of new eateries and seating areas in the grandstand (see above)*
3. *Facilities in the restricted areas*  
*Purchase flat screen televisions for the backside café (restricted area), Direct TV, New paint, tables, and chairs. See D1*

**15. SCHEDULE OF CHARGES**

**A. Proposed charges, note any changes from previous year:**

<i>General Admission Adults</i>	<i>\$12 weekdays/\$17 weekends</i>
<i>General Admission Child</i>	<i>\$ 7 weekdays/\$12 weekends</i>
<i>General Admission Seniors</i>	<i>\$ 6 Senior Days/\$ 9 weekdays/\$14 weekends</i>
<i>Adult purchased through Group Sales</i>	<i>\$ 11</i>
<i>Child purchased through Group Sales</i>	<i>\$ 6</i>
<i>RaceFan ClubCard</i>	<i>\$ 8</i>
<i>Box Seats</i>	<i>\$ 5 Daily, Season remains \$48</i>
<i>General Parking</i>	<i>\$10</i>
<i>Preferred Parking</i>	<i>\$15</i>
<i>Valet Parking</i>	<i>\$20</i>
<i>Programs On-Track</i>	<i>2.25</i>
<i>Programs Off-Track</i>	<i>2.25</i>

**B. Describe any "Season Boxes" or other special accommodation fees: *Described above***

## 2008 FAIRPLEX PARK RACE MEETING PROMOTIONS SCHEDULE

1. **Opening Day \$1 Fair Admission.** Tailgate Party at the Paddock beginning at 11:00 a.m. Fans will have the ability to meet and greet jockey and trainer personalities as well as get a jump on the 2008 Race Meet.
2. **Saturday September 6 and Sunday, September 7 Fairplex Park baseball cap giveaway sponsored by San Manuel Indian Bingo and Casino.** To be given away to the first 5,000 patrons each day at 3 p.m. Redeem coupon disbursed at Laser Gate for the free hat.
3. **Sunday, September 14-Wiener Dog Races.** Up to eight Qualifying heats run between races with the finals after the 11<sup>th</sup> race. Up to \$5,000 in Prizes. \$200 for each heat winner, \$1,500 to the winner of the final, \$1,000 to second, \$600 to third, \$350 to fourth, \$200 to fifth, \$150 to sixth, \$100 to seventh and eighth.
4. **Sunday, September 21-Fairplex Park Championship Day.** Five Stakes races, leading trainer and jockey awards, Giveaway to be determined. Giveaway after 3 p.m. with coupon from laser gate admission.

## RUN OF FAIR

5. **Wednesdays Bingo Bash.** San Manuel sponsored San Dimas Knights charity Bingo played on Clubhouse floor 1 during the hours of live racing. Ties in with Senior Day and has a cross-over with wagering on horse racing.
6. **Pick 3 for a TV Thursdays.** Fans will enter on Thursdays by picking a winning horse in each of races One through Nine. Those who pick 3 winners out of the nine races will be eligible for a drawing after the 10<sup>th</sup> race for a 42 inch Plasma TV. The person(s) who pick the most winners in those nine races will share \$1000 cash. One entry per person.
7. **Fridays Budweiser Beer Jockey.** The popular promotion is back! One jockey will be selected each Friday. Every time the jockey wins a race, a special size draft Budweiser Beer will go on sale at a reduced price after the race is official and until the next race

runs. Patrons will delight in cheering on the Beer Jockey as well as pay attention to the races as they are run.

8. **Fridays (September 12 and 19) NTRA Handicapping Mini-tournaments.** Fifty player limit on Clubhouse floor 3 during the hours of live racing. Top three players each Friday will receive a berth in the DRF/NTRA World Series of Horseracing Tournament at the Red Rock Casino and Hotel in Las Vegas in January, 2009.
9. **Saturdays and Sundays NTRA Handicapping Contest.** On each day, 165 entrants participate for prize money and qualifying spots into the DRF/NTRA World Series of Horseracing Tournament at the MGM in Las Vegas in January 2008. **NEW THIS YEAR! \$5,000 PARTICIPATION BONUS FOR PLAYERS PARTICIPATING IN ALL THREE WEEKEND TOURNAMENTS. AWARD BASED ON WEEKLY PLACING IN TOURNAMENTS.**
10. **Mondays are Fan Appreciation Days.** Admission, Parking, Programs are free. Discounted Popcorn, Hotdog and Soda.
11. **San Manuel promotions booth and giveaway.** San Manuel Indian Bingo and Casino will have a booth on the west end apron where fans can participate in mini-games of fun to try to win prizes.

**(Other Fairplex Park Promotions/Run of Meet)**

12. **PFF Bank & Trust Season Fun Pass.** Patrons can receive a season pass to the 2007 L. A. County Fair by stopping by any PFF branch and purchasing the pass for \$44.95. This is a \$211 value.
13. **Day at the Races.** Group parties on the Veranda with exclusive buffet, bar and wagering services. This is a continuation on the success of 2007 where over 115 groups enjoyed the races. This year we will have a hostess and a racing host to assist groups with general customer service needs as well as horse racing and wagering questions.
14. **Live Racing Shown on Fair Megascreen.** All races throughout the meet will be broadcast live on the Fair's megascreen located at the Clocktower at the corners of Palm St. and Broadway, the center of the Fairgrounds and central meeting place for Fair guests.

15. **Gordon Jones-Better Bettors' Forum.** Every day of the 16 day live race meet, renowned handicapper Gordon Jones will be at Fairplex Park to educate and entertain fans.
16. **Groom Stakes Award.** \$40 Belt Buckle and \$450 Voucher awarded to the groom of all Stakes winners at the meet.

NEW AND IMPROVED AMENITIES TO ENHANCE  
PATRON COMFORT AND EXPERIENCE FOR 2008

- ⓐ Create three Sky Boxes at the top of the grandstand (Crows Nest). Boxes will have individual seats, high top tables, food and beverage service, plasma televisions and wagering.
- ⓐ Remodeled “Long Line Bar and Grill” by the Jockey’s Quarters. Increased seating capacity, comfort and plasma televisions. Visible to the passerby on the fairgrounds.
- ⓐ Mezzanine Level 2 Sports Bar and Grill (Stute’s Opened in 2007).
  - Ten Flat Screen Televisions.
  - One Projection Television.
  - A minimum of four televisions dedicated to horse racing during the busy weekend sports schedule.
  - Cocktail and table food service as well as walk-up.
  - Tableside mutuel teller service.
- ⓐ All box seat areas to include tableside Food and Beverage Service as well as the ability to place wagers from your seat with a Walk-Around Teller. There will be up to four walk around tellers servicing the terraced dining, veranda, box seats and Stute’s Sports Bar.
- ⓐ A horsemen’s liaison will be on staff to assist and support owners and trainers race day needs throughout meet.
- ⓐ Removed 16 analog televisions and replaced with 20 Plasma screens in the Top of the Park Restaurant and Bar.
- ⓐ More upgrades to Clubhouse Level 2. Additional Plasma Televisions, couches and benches.
- ⓐ Expanded Wagering on Fairplex races at the Ralph Hinds Pavilion at Barretts. Opened in 2007, the Barretts restaurant area was used as a VIP player’s room. Expanded operation will triple capacity in 2008.
- ⓐ Gift Shop.

- C. Describe any "package" plans such as combined parking, admission and program:  
*Season Admission Pass – Daily pass with free parking upgrades - \$44.95*

**16. JOCKEYS' QUARTERS**

- A. Check the applicable amenities available in the jockeys' quarters:

<input checked="" type="checkbox"/>	Corners (lockers and cubicles)	How many	<input type="text" value="40"/>
<input checked="" type="checkbox"/>	Showers	<input checked="" type="checkbox"/>	Steam room, sauna or steam cabinets
<input checked="" type="checkbox"/>	Masseur	<input checked="" type="checkbox"/>	Food/beverage service
		<input checked="" type="checkbox"/>	Lounge area
		<input checked="" type="checkbox"/>	Certified platform scale

- B. Describe the quarters to be used for female jockeys:  
*12' x 11' lounge with air conditioning and closed circuit TV. 11' x 13' restroom with shower, sauna and 4 cubicles. Located between Paddock and Food and Beverage Area*

**17. BACKSTRETCH EMPLOYEE HOUSING**

- A. Inspection of backstretch housing will be completed August 21, 2008 by Investigator Bill Westerman.
- B. Number of rooms used for housing on the backstretch of the racetrack: **0**
- C. Number of restrooms available on the backstretch of the racetrack: **26**
- D. Estimated ratio of restrooms to the number of backstretch personnel: **26/1000**

**18. TRACK SAFETY**

- A. Total distance of the racecourse - measured from the finish line counterclockwise (3' from the inner railing) back to the finish  feet.
- B. Describe the type(s) of materials used for the inner and outer railings of the race course, the type of inner railing supports (i.e., metal gooseneck, wood 4" x 4" uprights, offset wood 4" x 4" supports, etc.), the coverings, if any, on the top of the inner railing, and the approximate height of the top of the inner railing from the level of the race course.  
*Rail designed per specifications of the California Horse Racing Board.  
 Metal gooseneck supports with sheet metal cover.  
 Aluminum face of rail – 25" overhang.  
 Approximate height of the top of inner railing from the level of the race course – 40".*
- C. Name of the person responsible for supervision of the maintenance of the racetrack safety standards pursuant to CHRB Rule 1474: **Steve Wood**
- D. Attach a Track Safety Maintenance Program pursuant to CHRB Rule 1474. **On file**
- E. If the fair is requesting approval to implement alternate methodologies to the provisions of Article 3.5, Track Safety Standards, pursuant to CHRB Rule 1471, attach a Certificate of Insurance for liability insurance which will be in force for the duration of the meeting specified in Section 2. The CHRB is to be named as a certificate holder and given not less than 10 days' notice of any cancellation or termination of liability insurance. Additionally, the CHRB must be listed as additionally insured on the liability policy at a minimum amount of \$3 million per incident. The liability insurance certificate must be on file in the CHRB headquarters office prior to the conduct of any racing. **N/A**

19. DECLARATIONS

- A. All labor agreements, concession and service contracts, and other agreements necessary to conduct the entire meeting have been finalized except as follows (if no exceptions, so state):  
*No exceptions*
- B. Attach each horsemen's agreement pursuant to CHRB Rule 2044.  
*In negotiations with Thoroughbred Owners of California*  
*Mule agreement – on file.*  
*Quarter Horse – on file.*
- C. All service contractors and concessionaires have valid state, county or city licenses authorizing each to engage in the type of service to be provided and have valid labor agreements, when applicable, which remain in effect for the entire term of the meeting except as follows (if no exceptions, so state): *No exceptions*
- D. Absent natural disasters or causes beyond the control of the fair, its service contractors, concessionaires or horsemen participating at the meeting, no reasons are believed to exist that may result in a stoppage to racing at the meeting or the withholding of any vital service to the fair except as follows (if no exceptions, so state): *No exceptions*

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

20. CERTIFICATION BY APPLICANT

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

MICHAEL D. SEDER

Print Name

V.P.

Print Title



Signature

6/6/2008

Date

STAFF ANALYSIS  
RECOVERY OF DAILY COST ATTRIBUTED TO CHRB FOR STEWARDS,  
VETERINARIANS, AND STAFF NECESSARY TO FACILITATE THE RUNNING  
OF A RACE MEETING

Regular Board Meeting  
July 17, 2008

BACKGROUND

Business and Professions Code section 19612.8 states that any association conducting a race meeting shall pay no less than the actual amount necessary to cover the costs for compensation, including any fringe benefits to stewards, official veterinarians, and to cover the cost for that race meeting in accordance to Business and Professions Code section 19518.

Further, Business and Professions Code section 19518 authorizes the Board to:

- contract for stewards and official veterinarians at different rates based on their experience.
- establish a committee of at least two board members to meet quarterly with representatives of the stewards.
- provide remuneration including fringe benefits to stewards, official veterinarians, and for the cost of laboratory testing.

Also, the legislature finds and declares that the services performed by stewards and official veterinarians at horse race meetings are unique and cannot be performed adequately, competitively, or satisfactorily by civil service personnel.

ANALYSIS

Pursuant to Business and Professions Code sections 19612.8 and 19518 associations conducting race meeting are required to pay sufficient license fees to cover costs as follows:

- Cost for stewards
- Cost for official veterinarians
- Drug testing cost

Using the above cost restrictions, staff calculated a standard daily cost that would be attributable to a race meeting. The period under review is from July 1, 2007 through June 30, 2008 which includes a total of 923 race days.

The table below depicts the average daily cost for the three cost categories included in the analysis. The data shows that the statewide average daily cost for any race meet is \$4,482.

For purposes of this analysis, this amount is considered a standard cost.

	Standards	Official Vets	Drug Tests	Total
Total Cost	1,679,518	518,566	1,938,850	4,136,934
Allocated race days	923	923	923	923
<b>Standard Daily Costs</b>	<b>1,820</b>	<b>562</b>	<b>2,101</b>	<b>4,482</b>

In addition, we are providing a breakdown by track/association of their total race meeting cost, license fee collected, and their corresponding difference. The data shows that while most race meetings generate license fees well above their total standard cost others, specifically the Humboldt County Fair and Cal-Expo Harness do not. Note that Cal-Expo numbers include the activity under the Sacramento Harness Association as well as the meet currently under operation by Cal-Expo. Please refer to the table and graph below for additional detail.

Track/Association	Paid Days	Standards	Official Vets	Drug Tests	Total Cost	License Fees Collected	Difference
Alameda County Fair	13	23,655	7,304	27,308	58,267	359,360	301,093
Bay Meadows	122	221,995	68,543	256,273	546,810	2,532,468	1,985,658
Del Mar	43	78,244	24,159	90,326	192,728	5,876,286	5,683,557
Fairplex Park	16	29,114	8,989	33,610	71,713	855,026	783,313
Fresno District Fair	11	20,016	6,180	23,107	49,303	80,596	31,293
Golden Gate Fields	92	167,406	51,688	193,255	412,349	2,304,770	1,892,422
Hollywood Park Fall	32	58,228	17,978	67,219	143,426	2,969,858	2,826,432
Hollywood Park Spring	62	112,817	34,833	130,237	277,887	6,664,474	6,386,586
Humboldt County Fair	10	18,196	5,618	21,006	44,821	27,840	(16,980)
Los Alamitos	203	369,385	114,051	426,421	909,857	930,009	20,152
Oak Tree	31	56,409	17,417	65,118	138,944	3,206,613	3,067,669
San Mateo County Fair	11	20,016	6,180	23,107	49,303	166,602	117,299
Santa Anita Park	77	140,111	43,261	161,746	345,118	8,843,803	8,498,685
Wine Country Racing	23	41,851	12,922	48,314	103,087	601,002	497,915
Cal-Expo Harness	177	322,074	99,443	371,805	793,323	449,551	(\$43,772)
<b>Total</b>	<b>923</b>	<b>1,679,518</b>	<b>518,566</b>	<b>1,938,850</b>	<b>4,136,934</b>	<b>35,868,257</b>	<b>31,731,323</b>

From a business point of view, staff recognizes that an array of other costs exist that are not included in this analysis; however, the California Horse Racing Law is very specific as to the costs associations' license fees must cover. Direct costs associated with Board investigator and CHRB's recovery of indirect costs is not included in this analysis.

Currently the CHRB does not have an indirect cost rate structure; however, an indirect cost rate could be developed for the CHRB.

#### RECOMMENDATION

This item is presented for discussion purposes.

STAFF ANALYSIS  
PUBLIC HEARING AND ACTION BY THE BOARD ON THE PROPOSED  
AMENDMENT TO CHRB RULE 1843.2, CLASSIFICATION OF DRUG  
SUBSTANCES, TO RECLASSIFY THE ANABOLIC STEROIDS BOLDENONE,  
NANDROLONE, STANOZOLOL AND TESTOSTERONE FROM CLASS FOUR  
TO CLASS THREE AND CHANGE THE PENALTY CLASS FROM CATEGORY  
D TO CATEGORY B.

Regular Board Meeting  
July 17, 2008

BACKGROUND

Business and Professions Code section 19580 provides that the Board shall adopt regulations to establish policies, guidelines and penalties relating to equine medication to preserve and enhance the integrity of horse racing in this state. Section 19581 of the Business and Professions Code states that no substance of any kind shall be administered by any means to a horse after it has been entered to race in a horse race, unless the Board has, by regulation, specifically authorized the use of the substance and the quantity and composition thereof. Business and Professions Code section 19582 provides that violations of Business and Professions Code section 19581, as determined by the Board, are punishable in regulations adopted by the Board, and that the Board may classify violations based upon each class of prohibited drug substances, prior violations within the previous three years and prior violations within the violator's lifetime.

In May 2008 the Office of Administrative Law approved the amendment of Rule 1843.2, Classification of Drug Substances, which reclassified drug substances, and the addition of Rule 1843.3, Penalty Guidelines, which established penalty guidelines.

At the May 20, 2008 Regular Board Meeting the Board's Equine Medical Director, Dr. Rick Arthur, proposed the reclassification of anabolic steroids under Rule 1843.2. Dr. Arthur stated the long delay in moving Rule 1843.2 and Rule 1843.3 through the regulatory process put the Board in a precarious position relative to the anabolic steroid regulation timeline he presented to the Board in December 2007. If the Board wished to achieve its goal of reclassifying anabolic steroids before the 2008 Breeders' Cup, a 45-day public comment period regarding a proposed amendment to Rule 1843.2 needed to be initiated. The Board agreed and directed staff to notice the proposed amendment to Rule 1843.2 for a 45-day public comment period.

ANALYSIS

The proposal to amend Rule 1843.2 reclassifies the anabolic steroids boldenone, nandrolone, stanozolol and testosterone, as listed in the form *California Horse Racing Board (CHRB) Penalty Categories Listing by Classification*, which is incorporated by reference in rule 1843.2, from Drug Class 4/Penalty Class "D" drug substances to Drug Class 3/Penalty Class "B" drug substances. Under Rule 1843.3, a 1<sup>st</sup> offense Category "B" penalty requires purse redistribution, and a minimum 30-day suspension and/or a minimum fine of \$500 for the trainer. Under the current Rule 1843.3, Penalties for Medication Violations, a Penalty Class "D" violation may result in a written warning to the licensed trainer and trainer.

RECOMMENDATION

No comments were received during the 45-day public comment period. Staff recommends the Board approve the proposed amendment to Rule 1843.2 as presented.

CALIFORNIA HORSE RACING BOARD  
TITLE 4. CALIFORNIA CODE OF REGULATIONS  
ARTICLE 15. VETERINARY PRACTICES  
PROPOSED AMENDMENT OF  
RULE 1843.2. CLASSIFICATION OF DRUG SUBSTANCES

Regular Board Meeting  
July 17, 2008

1843.2. Classification of Drug Substances.

The Board, the board of stewards, the hearing officer, or the administrative law judge, when adjudicating a hearing for a violation of Business and Professions Code section 19581, shall consider the classification of the substance as referenced in the California Horse Racing Board (CHRB) Penalty Categories Listing by Classification (Revised 045/08), hereby incorporated by reference, which is based on the Association of Racing Commissioners International (ARCI) Uniform Classification Guidelines for Foreign Substances (4/05), as modified by the Board.

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

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

# California Horse Racing Board (CHRB)

## Penalty Categories

### Listing by Classification

**Class 1:** Stimulant and depressant drugs that have the highest potential to affect performance and that have no generally accepted medical use in the racing horse. Many of these agents are Drug Enforcement Agency (DEA) schedule II substances. These include the following drugs and their metabolites: Opiates, opium derivatives, synthetic opioids and psychoactive drugs, amphetamines and amphetamine-like drugs as well as related drugs, including but not limited to apomorphine, nikethamide, mazindol, pemoline, and pentylenetetrazol.

Drug	Trade Name	Drug Class	Penalty Class	Drug	Trade Name	Drug Class	Penalty Class
Alfentanil	Alfenta	1	A	Metaraminol	Aramine	1	A
Amphetamine		1	A	Methadone	Dolophine	1	A
Anileridine	Leritine	1	A	Methamphetamine	Desoxyn	1	A
Apomorphine		1	A	Methaqualone	Quaalude	1	A
Benzylpiperazine (BZP)		1	A	Methylphenidate	Ritalin	1	A
Carfentanil		1	A	Metopon (methyldihydromorphinone)		1	A
Cocaine		1	B	Morphine		1	B
Darb-erythropoetin		1	A				
Dextromoramide	Palfium, Narcolo	1	A	Nikethamide	Coramine	1	A
Diamorphine		1	A	Oxycodone	Percodan	1	A
Endorphins		1	A	Oxymorphone	Numorphan	1	A
Enkephalins		1	A	Pemoline	Cylert	1	A
Ethylmorphine	Dionin	1	A	Pentylenetetrazol	Metrazol, Nioric	1	A
Etorphine HCl	M99	1	A	Phenazocine	Narphen	1	A
Fentanyl	Sublimaze	1	A	Phencyclidine (PCP)	Sernylan	1	A
Hydromorphone	Dilaudid	1	A	Phendimetrazine	Bontril, etc.	1	A
Hydroxyamphetamine	Paradrine	1	A	Phenmetrazine	Preludin	1	A
Levorphanol	Levo-Dremoran	1	A	Picrotoxin		1	A
Lofentanil		1	A	Piritramide		1	A
				Recombinant equine-Growth Hormone		1	A
				Recombinant human-Growth Hormone		1	A
Mazindol	Sanorex	1	A	Remifentanil	Ultiva	1	A
				Recombinant human-erythropoetin		1	A
Meperidine	Demerol	1	A	Strychnine		1	B
Mephentermine		1	A	Sufentanil	Sufenta	1	A

## Listing by Classification

**Class 2:** Drugs that have a high potential to affect performance, but less of a potential than Class 1. These drugs are 1) not generally accepted as therapeutic agents in racing horses, or 2) they are therapeutic agents that have a high potential for abuse.

Drug	Trade Name	Drug Class	Penalty Class	Drug	Trade Name	Drug Class	Penalty Class
Acecarbromal		2	A	Benzazepam	Tiadipona	2	A
Acetophenazine	Tindal	2	A	Benzactizine	Deprol, Bronchodiletten	2	A
Adinazolam		2	A	Benzoctamine		2	A
Alclofenac		2	B				
Alcuronium	Alloferin	2	A	Benzphetamine	Didrex	2	A
Alphaprodine	Nisentil	2	A	Benztropine	Cogentin	2	A
Alpidem	Anaxyl	2	A	Biriperone		2	A
Alprazolam	Xanax	2	A	Bromazepam	Lexotan, Lectopam	2	A
Althesin	Saffan	2	A	Bromisovalum	Diffucord, etc.	2	A
Amisulpride	Solian	2	A	Bromocriptine	Parlodel	2	A
Amitriptyline	Elavil, Amitril, Endep	2	A	Bromperidol	Bromidol	2	A
Amobarbital	Amytal	2	A	Brotizolam	Brotocol	2	A
Amoxapine	Asendin	2	A	Bupivacaine	Marcaine	2	A
Amperozide		2	A	Buprenorphine	Temgesic	2	A
Anilopam	Anisine	2	A	Buspirone	Buspar	2	A
Aprobarbital	Alurate	2	A	Buspropion	Wellbutrin	2	A
Azacylonol	Frenque	2	A	Butabarbital (Secbutobarbitone)	Butacaps, Butasol, etc.	2	A
Azaperone	Stresnil, Suicalm, Fentaz (with Fentanyl)	2	A	Butalbital (Talbutal)	Fiorinal	2	A
Barbital	Veronal	2	A	Butanilicaine	Hostacain	2	A
Bemegride	Megimide, Mikedimide	2	A	Butaperazine	Repoise	2	A
Benoxaprofen		2	B				
Benperidol		2	A	Butoctamide	Listomin	2	A

## Listing by Classification

**Class 2:** Drugs that have a high potential to affect performance, but less of a potential than Class 1. These drugs are 1) not generally accepted as therapeutic agents in racing horses, or 2) they are therapeutic agents that have a high potential for abuse.

Page 6-6

Drug	Trade Name	Drug Class	Penalty Class	Drug	Trade Name	Drug Class	Penalty Class
Caffeine		2	B	Clocapramine		2	A
Camazepam	Paxor	2	A	Clomethiazole		2	A
Captodiame	Covatine	2	A	Clomipramine	Anafranil	2	A
Carbidopa + levodopa	Sinemet	2	A	Clonazepam	Klonopin	2	A
Carbromol	Mifudorm	2	A	Clorazepate	Tranxene	2	A
Carphenazine	Proketazine	2	A	Clothiapine	Entermin	2	A
Carpipramine	Prazinil	2	A	Clotiazepam	Trecalmo, Rize	2	A
Chloralose (Alpha-Chloralose)		2	A	Cloxazolam	Enadel, Sepazon, Tolestan	2	A
Chloral betaine	Beta-Chlor	2	A	Clozapine	Clozaril, Leponex	2	A
Chloral hydrate	Nactec, Oidrate, etc.	2	A	Codeine		2	B
Chloraldehyde (chloral)		2	A	Conorphone		2	A
Chlordiazepoxide	Librium	2	A	Corticaine	Ultracain	2	A
Chlormezanone	Trancopal	2	A	Crotetamide		2	A
Chloroform		2	A	Cyamemazine	Tercian	2	A
Chlorhexidol		2	A	Cyclobarbital	Phanodorm	2	A
Chloroprocaine	Nesacaine	2	A	Decamethonium	Syncurine	2	A
Chlorproethazine	Newiplege	2	A	Demoxepam		2	A
Chlorpromazine	Thorazine, Largactil	2	A	Desipramine	Norpromine, Pertofrane	2	A
Chlorprothixene	Taractan	2	A	Dezocine	Dalgan®	2	A
Citalopram	Celex	2	A	Diazepam	Valium	2	B
Clobazam	Urbanyl	2	A	Dichloralphenazone	Febenol, Isocom	2	A

## Listing by Classification

**Class 2:** Drugs that have a high potential to affect performance, but less of a potential than Class 1. These drugs are 1) not generally accepted as therapeutic agents in racing horses, or 2) they are therapeutic agents that have a high potential for abuse.

Drug	Trade Name	Drug Class	Penalty Class	Drug	Trade Name	Drug Class	Penalty Class
Diethylpropion	Tepanil, etc.	2	A	Ethylisobutrazine	Diquel	2	A
Diethylthiambutene	Themalon	2	A	Etidocaine	Duranest	2	A
Dihydrocodeine	Parcodin	2	A	Etifoxin	Stresam	2	A
Dilorazepam	Briantum	2	A	Etizolam	Depas, Pasaden	2	A
Diprenorphine	M50/50	2	A	Etodroxizine	Indunox	2	A
Dixyrazine	Esucos	2	A	Etomidate		2	A
Dopamine	Intropin	2	A	Fenarbamate	Tymium	2	A
				Fenclozic acid	Myalex	2	B
Doxapram	Dopram	2	A	Fenfluramine	Pondimin	2	A
Doxefazepam	Doxans	2	A	Fluanisone	Sedalande	2	A
Doxepin	Adapin, Sinequan	2	A	Fludiazepam	Erispam	2	A
Droperidol	Inapsine, Droleptan, Innovar-Vet (with Fentanyl)	2	A	Flunitrazepam	Rohypnol, Narcozep, Darkene, Hypnodorm	2	A
Enciprazine		2	A	Fluopromazine	Psyquil, Siquil	2	A
Ephedrine		2	A	Fluoresone	Caducid	2	A
Epibatidine		2	A	Fluoxetine	Prozac	2	A
Epinephrine		2	A	Flupenthixol	Depixol, Fluaxol	2	A
Erythropoietin (EPO)	Epogen, Procrit, etc.	2	A	Fluphenazine	Prolixin, Permitil, Anatsol	2	B
Estazolam	Domnamid, Eurodin, Nuctalon	2	A	Flurazepam	Dalmane	2	A
Ethamivan		2	A	Fluspirilene	Imap, Redeptin	2	A
Ethanol		2	B	Flutoprazepam	Restas	2	A
Ethchlorvynol	Placidyl	2	A	Fluvoxamine	Dumirox, Faverin, etc.	2	A
Ethinamate	Valmid	2	A	Gallamine	Flaxedil	2	A
Ethopropazine	Parsidol	2	A	Gepirone		2	A

## Listing by Classification

**Class 2:** Drugs that have a high potential to affect performance, but less of a potential than Class 1. These drugs are 1) not generally accepted as therapeutic agents in racing horses, or 2) they are therapeutic agents that have a high potential for abuse.

Drug	Trade Name	Drug Class	Penalty Class	Drug	Trade Name	Drug Class	Penalty Class
Glutethimide	Doriden	2	A	Lithium	Lithizine, Duralith, etc.	2	A
Halazepam	Paxipam	2	A	Lobeline		2	A
Haloperidol	Haldol	2	A	Loflazepate, Ethyl	Victan	2	A
				Loperamide	Imodium	2	B
Haloxazolam	Somelin	2	A	Loprazolam	Dormonort, Havlane	2	A
Hemoglobin glutamers	Oxyglobin, Hemopure	2	A	Lorazepam	Ativan	2	A
Hexafluorenium	Myalexen	2	A	Lormetazepam	Noctamid	2	A
Hexobarbital	Evipal	2	A	Loxapine	Laxitane	2	A
Homophenazine	Pelvichthol	2	A	Maprotiline	Ludiomil	2	A
Hydrocodone (dihydrocodeinone)	Hycodan	2	A	Mebutamate	Axiten, Domate, Capla	2	A
Hydroxyzine	Atarax	2	B	Meclofenoxate	Lucidril, etc.	2	A
Ibomal	Noctal	2	A	Medazepam	Nobrium, etc.	2	A
Imipramine	Imavate, Presamine, Tofranil	2	A	Melperone	Eunerpan	2	A
Isapirone		2	A	Meparfynol	Oblivon	2	A
Isocarboxazid	Marplan	2	A	Mepazine	Pacatal	2	A
Isomethadone		2	A	Mephenoalone	Control, etc.	2	A
Isoproterenol	Isoprel	2	A	Mephentoin	Mesantoin	2	A
Isoxicam	Maxicam	2	B				
Ketamine	Ketalar, Ketaset, Vetalar	2	B	Mephobarbital (Methylphenobarbital)	Mebaral	2	A
Ketazolam	Anxon, Laftram, Solatran, Loftran	2	A	Mepivacaine	Carbocaine	2	B
Lenperone	Elanone-V	2	A	Meprobamate	Equanil, Miltown	2	B
Levomethorphan		2	A	Mesoridazine	Serentil	2	A
Lidocaine	Xylocaine	2	B	Metaclazepam	Talis	2	A

## Listing by Classification

**Class 2:** Drugs that have a high potential to affect performance, but less of a potential than Class 1. These drugs are 1) not generally accepted as therapeutic agents in racing horses, or 2) they are therapeutic agents that have a high potential for abuse.

Drug	Trade Name	Drug Class	Penalty Class	Drug	Trade Name	Drug Class	Penalty Class
Metazocine		2	A	Nortriptyline	Aventyl, Pamelor	2	A
Metharbital	Gemonil	2	A	Olanzapine	Zyprexa	2	A
Methohexital	Brevital	2	A	Oxazepam	Serax	2	A
Methotrimeprazine	Levoprome, Neurocil, etc.	2	A	Oxazolam	Serenal	2	A
Methyprylon	Noludar	2	A	Oxyperitine	Forit, Integrin	2	A
Metocurine	Metubine	2	A	Pancuronium	Pavulon	2	A
Metomidate	Hypnodil	2	A	Paraldehyde	Paral	2	A
Mexazolam	Melex	2	A	Paroxetine	Paxil, Seroxat	2	A
Midazolam	Versed	2	A	Penfluridol	Cyperon	2	A
Mirtazepine	Remeron	2	A	Pentobarbital	Nembutal	2	A
Modafinil	Provigil	2	A	Perazine	Taxilan	2	A
Molindone	Moban	2	A	Periciazine	Alodept, etc.	2	A
Moperone	Luvatren	2	A	Perlapine	Hypnodin	2	A
Mosaprimine		2	A	Perphenazine	Trilafon	2	A
Nalbuphine	Nubain	2	A	Phenaglycodol	Acalo, Alcamid, etc.	2	A
Nalorphine	Nalline, Lethidrone	2	A	Phenelzine	Nardelzine, Nardil	2	A
Nefazodone	Serzone	2	A	Phenobarbital	Luminal	2	A
Nimetazepam	Erimin	2	A	Phentermine	Iomamin	2	A
Nitrazepam	Mogadon	2	A	Piminodine	Alvodine, Cimadon	2	A
Nordiazepam	Calmday, Nordaz, etc.	2	A	Pimozide	Orap	2	A
Norepinephrine		2	A	Pinazepam	Domar	2	A

## Listing by Classification

**Class 2:** Drugs that have a high potential to affect performance, but less of a potential than Class 1. These drugs are 1) not generally accepted as therapeutic agents in racing horses, or 2) they are therapeutic agents that have a high potential for abuse.

Drug	Trade Name	Drug Class	Penalty Class	Drug	Trade Name	Drug Class	Penalty Class
Pipamperone	Dipiperon	2	A	Quetiapine	Seroquel	2	A
Pipequaline		2	A	Racemethorphan		2	A
Piperacetazine	Psymod, Quide	2	A	Racemorphan		2	A
Piperocaine	Metycaine	2	A	Raclopride		2	A
Pipotiazine	Lonseren, Piportil	2	A	Remoxipride	Roxiam	2	A
Pipradrol	Dataril, Gerondyl, etc.	2	A	Reserpine	Serpasil	2	B
Piquindone		2	A	Rilmazafone		2	A
Prazepam	Verstran, Centrax	2	A	Risperidone		2	A
Prilocaine	Citanest	2	A	Ritanserlin		2	A
Prochlorperazine	Darbazine, Compazine	2	A	Rivastigmine	Exelon	2	A
				Rofecoxib	Vioxx	2	B
Propanidid		2	A	Romifidine	Sedivet	2	B
Propiomazine	Largon	2	A	Ropivacaine	Naropin	2	A
Propionylpromazine	Tranvet	2	B	Secobarbital (Quinalbarbitone)	Seconal	2	A
Propiram		2	A	Selegiline	Eldepryl, Jumex	2	A
Propofol	Diprivan, Disoprivan	2	A	Sertraline	Lustral, Zoloft	2	A
Propoxycaine	Ravocaine	2	A	Snake Venoms		2	A
Prothipendyl	Dominal	2	A	Spiclomazine		2	A
Protriptyline	Concordin, Triptil	2	A	Spiperone		2	A
Proxibarbitol	Axeen, Centralgol	2	A	Succinylcholine	Sucostrin, Quelin, etc.	2	A
Pyrithyldione	Hybersulfan, Sonodor	2	A	Sulfondiethylmethane		2	A
Quazipam	Doral	2	A	Sulfonmethane		2	A

## Listing by Classification

**Class 2:** Drugs that have a high potential to affect performance, but less of a potential than Class 1. These drugs are 1) not generally accepted as therapeutic agents in racing horses, or 2) they are therapeutic agents that have a high potential for abuse.

Drug	Trade Name	Drug Class	Penalty Class	Drug	Trade Name	Drug Class	Penalty Class
Sulforidazine	Inofal	2	A	Tribromethanol		2	A
Sulpiride	Aiglonyl, Sulpitol	2	A	Tricaine methanesulfonate	Finquel	2	A
Sultopride	Barnetil	2	A	Trichloroethanol		2	A
Talbutal	Lotusate	2	A	Trichloethylene	Trilene, Trimar	2	A
Tandospirone		2	A	Triclofos	Triclos	2	A
Temazepam	Restoril	2	A	Trifluomeprazine	Nortran	2	A
Tetrabenazine	Nitoman	2	A	Trifluoperazine	Stelazine	2	A
Tetracaine	Pontocaine	2	B	Trifluperidol	Triperidol	2	A
Tetrazepam	Musaril, Myolastin	2	A	Triflupromazine	Vetame, Vesprin	2	A
Thebaine		2	A	Trimipramine	Surmontil	2	A
Thialbarbital	Kemithal	2	A	Tubocurarine (Curare)	Metubin	2	A
Thiamylal	Surital	2	A	Tybamate	Benvil, Nospan, etc.	2	A
Thiethylperazine	Torecan	2	A	Urethane		2	A
Thiopental	Pentothal	2	A	Valdecoxib		2	B
Thiopropazate	Dartal	2	A	Valnoctamide	Nirvanyl	2	A
Thiopropazine	Majeptil	2	A	Venlafaxine	Efflexor	2	A
Thioridazine	Mellaril	2	A	Veralipride	Accional, Veralipril	2	A
Thiothixene	Navane	2	A	Vercuronium	Norcuron	2	A
Tiapride	Italprid, Luxoben, etc.	2	A	Viloxazine	Catatrol, Vivalan, etc.	2	A
Tiletamine	Component of Telazol	2	A	Vinbarbital	Delvinol	2	A
Timiperone	Tolopelon	2	A	Vinylbital	Optanox, Speda	2	A
Tofisopam	Grandaxain, Seriel	2	A	Yohimbine		2	A
Topirimate	Topamax	2	A	Zolazepam		2	A
Tramadol	Ultram	2	A	Zolpidem	Ambien, Stilnox	2	A
				Zomepirac	Zomax	2	B
Tranlycypromine	Parnate	2	A	Zopiclone	Imovan	2	A
Trazodone	Desyrel	2	A	Zotepine	Lodopin	2	A
Triazolam	Halcion	2	A	Zuclopenthixol	Ciatyl, Cesordinol	2	A

## Listing by Classification

**Class 3:** Drugs that may or may not have generally accepted medical use in the racing horse, but the pharmacology of which suggests less potential to affect performance than drugs in Class 2.

Drug	Trade Name	Drug Class	Penalty Class	Drug	Trade Name	Drug Class	Penalty Class
19-Norandrostenediol		3	B	Bumetanide	Bumex	3	B
19-Norandrostenedione		3	B	Butorphanol	Stadol, Torbugesic	3	B
4-Hydroxytestosterone		3	B	Candesartan	Atacand	3	B
Acebutolol	Sectral	3	B	Captopril	Capolen	3	B
Acepromazine	Atrovet, Notensil, PromAce®	3	B	Carazolol	Carbacel, Conducton	3	A
Albuterol (Salbutamol)	Proventil, Ventolin	3	B	Carbachol	Lentin, Doryl	3	B
Alprenolol		3	A	Carbamezapine	Tegretol	3	B
Ambenonium	Mytelase, Myeuran	3	B	Carbinoxamine	Clistin	3	B
Aminophylline	Aminophyllin, etc.	3	B	Carteolol	Cartrol	3	B
Amlodipine	Norvasc	3	A	Carvedilol	Coreg	3	B
				Celecoxib	Celebrex	3	B
				Cimeterol		3	A
Amyl nitrite		3	A	Clausterone	Methosorb	3	B
Arecoline		3	A				
Atenolol	Tenormin	3	B	Clenbuterol	Ventipulmin	3	B
Atropine		3	B	Clonidine	Catapres	3	B
				Clostebol		3	B
Betaxolol	Kerlone	3	B	Cyclandelate	Cyclospasmol	3	A
Bethanidine	Esbatal	3	A	Cycrimine	Pagitane	3	B
				Danazol	Danocrine	3	B
Biperiden	Akineton	3	A	Dehydrochloromethyl-testosterone		3	B
				Deracoxib <sup>2</sup>		3	C
Bisoprolol	Zebeta, Bisobloc, etc.	3	B	Desoxymethyl-testosterone		3	B
Bitolterol	Effectin	3	B	Detomidine	Dormosedan	3	B
Bolasterone		3	B	Dextropropoxyphene	Darvon	3	B
Boldenone	Equipoise	3	B	Diazoxide	Proglycem	3	B
Boldione		3	B	Diflunisal		3	C
Bretylum	Bretylol	3	B	Dimeflin		3	A
Brimonidine	Alphagan	3	B	Diphenhydramine	Benadryl	3	B
Bromfenac	Duract	3	A	Dipyridamole	Persantine	3	B
Bromodiphenhydramine		3	B	Dobutamine	Dobutrex	3	B
Bufexamac		3	B				

## Listing by Classification

**Class 3:** Drugs that may or may not have generally accepted medical use in the racing horse, but the pharmacology of which suggests less potential to affect performance than drugs in Class 2.

Drug	Trade Name	Drug Class	Penalty Class	Drug	Trade Name	Drug Class	Penalty Class
Doxylamine	Decapryn	3	B	Irbesarten	Avapro	3	A
Dyphylline		3	B	Isoetharine	Bronkosol	3	B
Edrophonium	Tensilon	3	B	Isosorbide dinitrate	Isordil	3	B
Enalapril (metabolite enalaprilat)	Vasotec	3	B	Kebuzone		3	B
Ergoloid mesylates		3	C	Ketorolac	Toradol	3	B
Erthryl tetranitrate	Cardilate	3	A	Labetalol	Normodyne	3	B
Esmolol	Brevibloc	3	B	Losartan	Hyzaar	3	B
Ethylestrenol	Maxibolin, Organon	3	B				
Etamiphylline		3	B	Mabuterol		3	A
Ethacrynic acid	Edecrin	3	B	Mecamylamine	Inversine	3	B
Ethylnorepinephrine	Bronkephrine	3	A	Medetomidine	Domitor	3	B
Etodolac	Lodine	3	C	Mefenamic acid	Ponstel	3	B
Fenbufen	Gincopal	3	B				
Fenoldopam	Corlopam	3	B	Mestanolone		3	B
Fenoprofen	Nalfon	3	B				
Fenoterol	Berotec	3	B	Mesterolone		3	B
Fenspiride	Respiride, Respan, etc	3	B	Metaproterenol	Alupent, Metaprel	3	B
Fentiazac		3	B	Metenolone		3	B
Flufenamic acid		3	B				
Fluoxymesterone	Halotestin	3	B				
Flupirtine	Katadolone	3	A	Methachloline		3	A
Flurbiprofen	Froben	3	B	Methandienone		3	B
Formebolone		3	B	Methandriol	Probolic	3	B
Formoterol	Altram	3	B	Methasterone		3	B
Furazabol		3	B	Methixene	Trest	3	A
Gabapentin	Neurontin	3	B	Methoxamine	Vasoxyl	3	A
Gestrinone		3	B	Methoxyphenamine	Orthoxide	3	A
Glycopyrrolate	Robinul	3	B	Methyl-1-testosterone		3	B
Guanadrel	Hylorel	3	A	Methylatropine		3	B
Guanethidine	Ismelin	3	A	Methyldienolone		3	B
Guanabenz	Wytensin	3	B	Methyldopa	Aldomet	3	A
Heptaminol	Corofundol	3	B	Methylnortestosterone		3	B
Homatropine	Homapin	3	B	Methyltestosterone	Metandren	3	B
Hydralazine	Apresoline	3	B	Metolazone		3	B
Indomethacin	Indocin	3	B	Metoprolol	Lopressor	3	B
Ipratropium		3	B	Mibefradil	Posicor	3	B

## Listing by Classification

**Class 3:** Drugs that may or may not have generally accepted medical use in the racing horse, but the pharmacology of which suggests less potential to affect performance than drugs in Class 2.

Drug	Trade Name	Drug Class	Penalty Class	Drug	Trade Name	Drug Class	Penalty Class
Mibolerone		3	B	Phenylpropanolamine	Propadrine	3	B
Midodrine	Pro-Amiline	3	B	Physostigmine	Eserine	3	A
Minoxidil	Loniten	3	B	Pindolol	Viskin	3	B
Moexipril (metabolite moexiprilat)	Uniretic	3	B	Pirbuterol	Maxair	3	B
Muscarine		3	A	Piretanide	Arelix, Tauliz	3	B
Nabumetone	Anthraxan, Relafen, Relifex	3	B	Piroxicam	Feldene	3	B
Nadolol	Corgard	3	B	Prazosin	Minipress	3	B
Naratriptan	Amerge	3	B	Primidone	Mysoline	3	B
<u>Nandrolone</u>	<u>Nandrolin, Laurabolin, Durabolin</u>	3	B				
Nefopam		3	A	Procaine		3	B
Neostigmine	Prostigmine	3	B	Procaterol	Pro Air	3	A
Niflumic acid	Nifluril	3	B				
Nimesulide		3	B				
Nitroglycerin		3	B	Procyclidine	Kemadrin	3	B
Norbolethone		3	B	Promazine	Sparine	3	B
Norclostebol		3	B	Promethazine	Phenergan	3	B
Norethandrolone		3	B	Propentophylline	Karsivan	3	B
Oxabolone		3	B	Propranolol	Inderal	3	B
Oxandrolone	Anavar	3	B				
Oxprenolol	Trasicor	3	B	Prostanazol		3	B
Oxymesterone		3	B	Protokylol	Ventaire	3	A
Oxymetholone	Adroyd, Andarol	3	B				
Papaverine	Pavagen, etc.	3	A	Pseudoephedrine	Cenafed, Novafed	3	B
Paramethadione	Paradione	3	A	Pyridostigmine	Mestinon, Regonol	3	B
Pargyline	Eutonyl	3	A	Pyrilamine	Neoantergan, Equihist	3	B
Penbutolol	Levatol	3	B	Quinbolone		3	B
Pentaerythritol tetranitrate	Duotrate	3	A	Ractopamine	Raylean	3	B
Pentazocine	Talwin	3	B	Ritodrine	Yutopar	3	B
Phenoxybenzamine	Dibenzyline	3	B	Rizatriptan	Maxalt	3	B
Phentolamine	Regitine	3	B	Salmeterol		3	B
Phenylephrine	Isophrin, Neo-Synephrine	3	B	Scopolamine (Hyoscine)	Triptone	3	B

## Listing by Classification

**Class 3:** Drugs that may or may not have generally accepted medical use in the racing horse, but the pharmacology of which suggests less potential to affect performance than drugs in Class 2.

Drug	Trade Name	Drug Class	Penalty Class
Sibutramine	Meridia	3	B
Sotalol	Betapace, Sotacor	3	B
Stanozolol	Winstrol-V	3	B
Stenbolone		3	B
Sulindac	Clinoril	3	B
Sumatriptan	Imitrex	3	B
Telmisartan	Micardis	3	B
Tenoxicam	Alganex, etc.	3	B
Tepoxalin		3	C
Terbutaline	Brethine, Bricanyl	3	B
Testolactone	Teslac	3	B
Testosterone		3	B
Tetrahydrogestrinone		3	B
Theophylline	Aqualphyllin, etc.	3	B
Tiaprofenic acid	Surgam	3	B
Timolol	Blocardrin	3	B
Tolazoline	Priscoline	3	B
Tolmetin	Tolectin	3	B
Torsemide (Torasemide)	Demadex	3	B
Trandolapril (and metabolite, Trandolaprilat)	Tarka	3	B
Trenbolone	Finoplix	3	B
Trihexylphenidyl	Artane	3	A
Trimethadione	Tridione	3	B
Trimethaphan	Arfonad	3	A
Tripelennamine	PBZ	3	B
Valerenic acid		3	C
Valsartan	Diovan	3	B
Xylazine	Rompun, Bay Va 1470	3	B
Zolmitriptan	Zomig	3	B
$\Delta$ -1-androstene-3,17-diol		3	B
$\Delta$ -1-androstene-3,17-dione		3	B
$\Delta$ -1-dihydrotestosterone		3	B
Zonisamide	Zonegran	3	B

## Listing by Classification

**Class 4:** This class includes therapeutic medications that would be expected to have less potential to affect performance than those in Class 3.

Drug	Trade Name	Drug Class	Penalty Class	Drug	Trade Name	Drug Class	Penalty Class
Acetaminophen (Paracetamol)	Tylenol, Temptra, etc.	4	C	Baclofen	Lioresal	4	B
Acetanilid		4	B	Beclomethasone	Propaderm	4	C
Acetazolamide	Diamox, Vetamox	4	B	Benazepril	Lotrel	4	B
Acetophenetidin (Phenacetin)		4	B	Bendroflumethiazide	Naturetin	4	B
Acetylsalicylic acid (Aspirin)		4	C				
				Benoxinate	Dorsacaine	4	C
Acclomethasone	Aclovate	4	C	Benzocaine		4	C
Aldosterone	Aldocortin, Electro cortin	4	B	Benzthiazide		4	B
Ambroxol	Ambril, etc.	4	B	Bepidil	Bepadin	4	B
Amcinonide	Cyclocort	4	C	Betamethasone	Betasone, etc.	4	C
Aminocaproic acid	Amicar, Caprocid	4	C	Bethanechol	Urecholine, Duvoid	4	C
Aminodarone		4	B	Boldenone	Equipoise	4	D
2-Aminoheptaine	Tuamine	4	B	Bromhexine	Oletor, etc.	4	C
Aminopyrine		4	B	Brompheniramine	Dimetane, Disomer	4	B
Amisometradine	Rolictron	4	B	Budesonide	Pulmacort, Rhinocort	4	C
Amlodipine	Norvasc, Ammivin	4	B	Butacaine	Butyn	4	B
Amrinone		4	B	Butamben (butyl aminobenzoate)	Butesin	4	C
Anisotropine	Valpin	4	B	Butoxycaine	Stadacain	4	B
Antipyrine		4	B				
Apazone (Azapropazone)	Rheumox	4	B	Camphor		4	C
Aprindine		4	B	Carisoprodol	Relo, Soma	2	B

## Listing by Classification

**Class 4:** This class includes therapeutic medications that would be expected to have less potential to affect performance than those in Class 3.

Drug	Trade Name	Drug Class	Penalty Class	Drug	Trade Name	Drug Class	Penalty Class
Carprofen		4	C	Cyproheptadine	Periactin	4	C
Chlormerodrin	Neohydrin	4	B	Dantrolene	Dantrium	4	C
Chlorphenesin	Maolate	4	C	Dembroxol (Dembrexine)	Sputolysin	4	C
Chloroquine	Avloclor	4	C	Deoxycorticosterone	Percortin, DOCA, Descotone, Dorcostrin	4	C
Chlorothiazide	Diuril	4	B				
Chlorpheniramine	Chlortriemton, etc.	4	B	Desonite	Des Owen	4	C
Chlorthalidone	Hydroton	4	B	Desoximetasone	Topicort	4	C
Chlorzoxazone	Paraflex	4	B	Dexamethasone	Azium, etc.	4	C
Cinchocaine	Nupercaine	4	C	Dextromethorphan		4	C
Clanobutin		4	C				
Clibucaine	Batrax	4	C	Dibucaine	Nupercainal, Cinchocaine	4	C
Clidinium	Quarezan, Clindex, etc.	4	B	Dichlorphenamide	Daramide	4	C
Clobetasol	Temovate	4	C	Diclofenac	Voltaren, Voltarol	4	C
Clocortolone	Cloderm	4	C	Diflorasone	Florone, Maxiflor	4	C
Clofenamide		4	B	Diflucortolone	Flu-Cortinest, etc.	4	C
Clormecaine	Placacid	4	C				
Colchicine		4	B	Digitoxin	Crystodigin	4	B
Cortisone	Cortone, etc.	4	C	Digoxin	Lanoxin	4	B
Cyclizine	Merazine	4	B	Dihydroergotamine		4	C
Cyclobenzaprine	Flexeril	4	B	Diltiazem	Cardizem	4	B
Cyclomethylcaine	Surfacaine	4	C	Dimethisoquin	Quotane	4	B
Cyclothiazide	Anhydron, Renazide	4	B	Diphenoxylate	Difenoxin, Lomotil	4	B

## Listing by Classification

**Class 4:** This class includes therapeutic medications that would be expected to have less potential to affect performance than those in Class 3.

Drug	Trade Name	Drug Class	Penalty Class	Drug	Trade Name	Drug Class	Penalty Class
Dipyron	Novin, Methampyrone	4	C	Floctafenine	Idalon, Idarac	4	B
Disopyramide	Norpac	4	B	Flucinolone	Synalar, etc.	4	C
Dromostanolone	Drolban	4	C	Fludrocortisone	Alforone, etc.	4	C
Dyclonine	Dyclone	4	C				
Eltenac		4	C	Flumethasone	Flucort, etc.	4	C
Ergonovine	Ergotrate	4	C	Flumethiazide	Ademol	4	B
Ergotamine	Gynergen, Cafergot, etc.	4	C	Flunarizine	Sibelium	4	B
Etanercept	Enbrel	4	B	Flunisolide	Bronilide, etc.	4	C
Ethoheptazine	Zactane	4	B	Flunixin	Banamine	4	C
Ethosuximide	Zarontin	4	B	Fluocinolone	Synalar	4	C
Ethotoin	Peganone	4	B	Fluocinonide	Licon, Lidex	4	C
Ethoxzolamide	Cardrase, Ethamide	4	C	Fluoroprednisolone	Predef-2X	4	C
Ethylaminobenzoate (Benzocaine)	Semets, etc.	4	C				
				Fluprednisolone	Alphadrol	4	C
				Flurandrenolide	Cordran	4	C
Felodipine	Plendil	4	B				
				Fluticasone	Flixonase, Flutide	4	C
				Guaifenesin (glycerol guaiacolate)	Gecolate	4	C
				Halcinonide	Halog	4	C
Fexofenadine	Allegra	4	C	Halobetasol	Ultravate	4	C
Firocoxib		4	C	Hexocyclium	Tral	4	B
Flecainide	Idalon	4	B				

## Listing by Classification

**Class 4:** This class includes therapeutic medications that would be expected to have less potential to affect performance than those in Class 3.

Drug	Trade Name	Drug Class	Penalty Class	Drug	Trade Name	Drug Class	Penalty Class
Hexylcaine	Cyclaine	4	C	Meloxicam	Mobic	4	C
Hydrochlorthiazide	Hydrodiuril	4	C	Mepenzolate	Cantil	4	B
Hydrocortisone (Cortisol)	Cortef, etc.	4	C	Mephenesin	Tolserol	4	B
Hydroflumethiazide	Saluron	4	B	Meralluride	Mercurhydrin	4	B
Ibuprofen	Motrin, Advil, Nurpin, etc.	4	B or C	Merbaphen	Novasural	4	B
				Mercaptomerin	Thiomerin	4	B
Infliximab	Remicade	4	B	Mercumalilin	Cumertilin	4	B
Isoflupredone	Predef	4	C	Mersalyl	Salyrgan	4	B
Isometheptene	Octin, Octon	4	B	Metaxalone	Skelaxin	4	B
Isopropamide	Darbid	4	B				
				Methandrostenolone	Dianabol	4	C
Isoxsuprine	Vasodilan	4	C	Methantheline	Banthine	4	B
Isradipine	DynaCirc	4	B	Methapyrilene	Histadyl, etc.	4	B
Ketoprofen	Orudis	4	C	Methazolamide	Naptazane	4	C
Letosteine	Viscotiol, Visiotol	4	C	Methdilazine	Tacaryl	4	B
				Methocarbamol	Robaxin	4	C
Loratidine	Claritin	4	B	Methotrexate	Folex, Nexate, etc.	4	B
Meclizine	Antivert, Bonine	4	B	Methscopolamine	Pamine	4	B
Meclofenamic acid	Arquel	4	C	Methsuximide	Celontin	4	B
Medrysone	Medriusar, etc.	4	C	Methylchlorthiazide	Enduron	4	B
				Methandrostenolone	Dianabol	4	C

## Listing by Classification

**Class 4:** This class includes therapeutic medications that would be expected to have less potential to affect performance than those in Class 3.

Drug	Trade Name	Drug Class	Penalty Class	Drug	Trade Name	Drug Class	Penalty Class
Methylergonovine	Methergine	4	C	Orphenadrine	Norlflex	4	B
Methylprednisolone	Medrol	4	C				
				Oxaprozin	Daypro, Deflam	4	C
Methysergide	Sansert	4	B	Oxymetazoline	Afrin	4	B
Metiamide		4	B				
Metoclopramide	Reglan	4	C	Oxyphenbutazone	Tandearil	4	C
Mexilitine	Mexilil	4	B	Oxyphencyclimine	Daricon	4	B
Milrinone		4	B	Oxyphenonium	Antrenyl	4	B
Mometasone	Elocon	4	C	Paramethasone	Haldrone	4	C
Montelukast	Singulair	4	C	Pentoxyfylline	Trental, Vazofirin	4	C
				Phenacemide	Phenurone	4	B
Naepaine	Amylsine	4	C	Phensuximide	Milontin	4	B
Nandrolone	Nandrolin, Laurabolin, Durabolin	4	D	Phenylbutazone		4	C
Naphazoline	Privine	4	B	Phenytoin	Dilantin	4	B
Naproxen	Equiproxen, Naprosyn	4	C				
Nicardipine	Cardine	4	B	Polythiazide	Renese	4	B
Nifedipine	Procardia	4	B	Pramoxine	Tronothaine	4	C
				Prednisolone	Delta-Cortef, etc.	4	C
				Prednisone	Meticorten, etc.	4	C
Nimodipine	Nemotop	4	B	Probenecid		4	C
Norethandrone		4	C	Procainamide	Pronestyl	4	B
Nortestosterone		4	C				

## Listing by Classification

**Class 4:** This class includes therapeutic medications that would be expected to have less potential to affect performance than those in Class 3.

Drug	Trade Name	Drug Class	Penalty Class	Drug	Trade Name	Drug Class	Penalty Class
Propafenone	Rythmol	4	B	Tocainide	Tonocard	4	B
Propantheline	Pro-Banthine	4	B				
Proparacaine	Ophthaine	4	C	Tranexamic acid		4	C
Propylhexedrine	Benzedrex	4	B				
Quinidine	Quinidex, Quinicardine	4	B	Triamcinolone	Vetalog, etc.	4	C
				Triamterene	Dyrenium	4	B
Salicylamide		4	C	Trichlormethiazide	Naqua, Naquasone	4	C
Salicylate		4	C	Tolmetin	Tolectin	4	B
Spironalactone	Aldactone	4	B	Tridihexethyl	Pathilon	4	B
Stanozolol	Winstrol-V	4	D	Trimeprazine	Temaril	4	B
Sulfasalazine	Azulfidine, Azaline	4	C	Tripolidine	Actidil	4	B
				Tuaminoheptane	Tuamine	4	C
				Vedaprofen		4	C
Terfenadine	Seldane, Triludan	4	B	Verapamil	Calan, Isoptin	4	B
Testosterone		4	D	Xylometazoline	Otrivin	4	B
Tetrahydrozoline	Tyzine	4	B	Zafirlukast	Accolate	4	C
Theobromine		4	C	Zeranol	Ralgro	4	C
Thiosalicylate		4	C	Zileuton	Zyflo	4	C
Thiphenamil	Trocinate	4	B				

## Listing by Classification

**Class 5:** This class includes *the following* therapeutic medications for which concentration limits have been established.

Drug	Trade Name	Drug Class	Penalty Class
Anisindione		5	D
Cilostazol	Pletal	5	D
Cimetidine	Tagamet	5	D
Cromolyn	Intel	5	D
Dicumarol	Dicumarol	5	D
Dimethylsulfoxide (DMSO)	Domoso	5	D
Dimethylsulphone (MSM)		5	D
Diphenadione		5	D
Famotidine	Gaster, etc.	5	D
Lansoprazole		5	D
Misoprostel	Cytotec	5	D
Nedocromil	Tilade	5	D
Nizatidine	Axid	5	D
Omeprozole	Prilosec, Losec	5	D
Phenindione	Hedulin	5	D
Phenprocoumon	Liquamar	5	D
Pirenzapine	Gastrozepin	5	D
Ranitidine	Zantac	5	D
Warfarin	Coumadin, Coufarin	5	D

CALIFORNIA HORSE RACING BOARD  
TITLE 4, CALIFORNIA CODE OF REGULATIONS  
ARTICLE 15, VETERINARY PRACTICES

RULE 1843.3. PENALTIES FOR MEDICATION VIOLATIONS

1843.3. Penalties for Medication Violations.

(a) In reaching a decision on a penalty for a violation of Business and Professions Code section 19581, the Board, the board of stewards, the hearing officer or the administrative law judge shall consider the penalties set forth in subsections (d) and (e) of this Rule and any aggravating and mitigating circumstances. Deviation from these penalties is appropriate where the facts of the particular case warrant such a deviation, for example: there may be mitigating circumstances for which a lesser or no penalty is appropriate, and aggravating factors may increase the penalties beyond the minimum.

(b) Mitigating circumstances and aggravating factors, which must be considered, include but are not limited to:

- (1) The past record of the licensee regarding violations of Business and Professions Code section 19581;
- (2) The potential of the drug(s) to influence a horse's racing performance;
- (3) The legal availability of the drug;
- (4) Whether there is reason to believe the responsible party knew of the administration of the drug or intentionally administered the drug;
- (5) The steps taken by the trainer to safeguard the horse;
- (6) The steps taken by an owner to safeguard against subsequent medication violations including, but not limited to, the transfer of the horse(s) to an unaffiliated trainer;

(A) For the purpose of this regulation “unaffiliated trainer” means a trainer or an assistant trainer who is not related by blood, marriage or domestic partnership, or who is not or was never employed by the trainer from whose care such horse(s) were transferred.

(7) The probability of environmental contamination or inadvertent exposure due to human drug use or other factors;

(8) The purse of the race;

(9) Whether the drug found to be present in the official test sample was one for which the horse was receiving treatment as determined through the process described in Rule 1842 of this division;

(10) Whether there was any suspicious wagering pattern on the race;

(11) Whether the licensed trainer was acting under the advice of a licensed veterinarian.

(c) For the purpose of this regulation, the Board shall consider the classification of a drug substance as referred to in Rule 1843.2 of this division and the California Horse Racing Board (CHRB) Penalty Categories Listing By Classification, (1/08), which is hereby incorporated by reference, if a determination is made that an official test sample from a horse contained:

(1) Any drug substance, medication, metabolites or analogues thereof foreign to the horse, whose use is not expressly authorized in this division, or

(2) Any drug substance, medication or chemical authorized by this article in excess of the authorized level or other restrictions as set forth in the article.

(d) Penalties for violation of each classification level are as follows:

## CATEGORY "A" PENALTIES

Penalties for violations due to the presence of a drug substance in an official test sample, which CHRB drug classification is categorized as warranting a Category A penalty are as follows:

<b>LICENSED TRAINER:</b>		
<b>1<sup>st</sup> offense</b>	<b>2<sup>nd</sup> LIFETIME offense</b>	<b>3<sup>rd</sup> LIFETIME offense</b>
<ul style="list-style-type: none"> <li>◦ Minimum one - year suspension absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum of a three-year suspension.</li> </ul> <p style="text-align: center;"><b>AND</b></p> <ul style="list-style-type: none"> <li>◦ Minimum fine of \$10,000 or 10% of gross purse (greater of the two) absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum fine of \$25,000 or 25% of purse (greater of the two).</li> </ul> <p style="text-align: center;"><b>AND</b></p> <ul style="list-style-type: none"> <li>◦ May be referred to the Board for any further action deemed necessary by the Board.</li> </ul>	<ul style="list-style-type: none"> <li>◦ Minimum two-year suspension absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum of a three-year suspension.</li> </ul> <p style="text-align: center;"><b>AND</b></p> <ul style="list-style-type: none"> <li>◦ Minimum fine of \$20,000 or 25% of gross purse (greater of the two) absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum fine of \$50,000 or 50% of purse (greater of the two).</li> </ul> <p style="text-align: center;"><b>AND</b></p> <ul style="list-style-type: none"> <li>◦ May be referred to the Board for any further action deemed necessary by the Board.</li> </ul>	<ul style="list-style-type: none"> <li>◦ Minimum three -year suspension absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum of permanent license revocation.</li> </ul> <p style="text-align: center;"><b>AND</b></p> <ul style="list-style-type: none"> <li>◦ Minimum fine of \$25,000 or 50% of gross purse (greater of the two) absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum of \$100,000 or 100% of purse (greater of the two).</li> </ul> <p style="text-align: center;"><b>AND</b></p> <ul style="list-style-type: none"> <li>◦ May be referred to the Board for any further action deemed necessary by the Board.</li> </ul>
<b>LICENSED OWNER:</b>		
<b>1<sup>st</sup> offense</b>	<b>2<sup>nd</sup> LIFETIME offense in owner's stable</b>	<b>3<sup>rd</sup> LIFETIME offense in owner's stable</b>
<ul style="list-style-type: none"> <li>◦ Disqualification of horse and loss of purse.</li> </ul> <p style="text-align: center;"><b>AND</b></p> <ul style="list-style-type: none"> <li>◦ Horse may be placed on the veterinarian's list for up to 90 days and must pass a Board - approved examination pursuant to Rule 1846 before becoming eligible to be entered.</li> </ul> <p style="text-align: center;"><b>AND</b></p> <ul style="list-style-type: none"> <li>◦ Be subject to drug testing at the owner's expense and be negative for prohibited drug substances as defined in Rule 1843.1.</li> </ul>	<ul style="list-style-type: none"> <li>◦ Disqualification of horse and loss of purse.</li> </ul> <p style="text-align: center;"><b>AND</b></p> <ul style="list-style-type: none"> <li>◦ Horse shall be placed on the veterinarian's list for up to 120 days and must pass a Board - approved examination pursuant to Rule 1846 before becoming eligible to be entered.</li> </ul> <p style="text-align: center;"><b>AND</b></p> <ul style="list-style-type: none"> <li>◦ Be subject to drug testing at the owner's expense and be negative for prohibited drug substances as defined in Rule 1843.1.</li> </ul>	<ul style="list-style-type: none"> <li>◦ Disqualification of horse, loss of purse and absent mitigating circumstances, minimum fine of \$10,000. The presence of aggravating factors could be used to impose a maximum fine of \$50,000.</li> </ul> <p style="text-align: center;"><b>AND</b></p> <ul style="list-style-type: none"> <li>◦ Horse shall be placed on the veterinarian's list for up to 180 days and must pass a Board-approved examination pursuant to Rule 1846 before becoming eligible to be entered.</li> </ul> <p style="text-align: center;"><b>AND</b></p> <ul style="list-style-type: none"> <li>◦ Be subject to drug testing at the owner's expense and be negative for prohibited drug substances as defined in Rule 1843.1.</li> </ul> <p style="text-align: center;"><b>AND</b></p> <ul style="list-style-type: none"> <li>◦ Referral to the Board with a recommendation of a suspension of owners license for a minimum of 90 days.</li> </ul>

## CATEGORY "B" PENALTIES

Penalties for violations due to the presence of a drug substance in an official test sample, which CHRB drug classification is categorized as warranting a Category B penalty are as follows:

<b>LICENSED TRAINER:</b>		
<b>1<sup>st</sup> offense</b>	<b>2<sup>nd</sup> offense (365-day period)</b>	<b>3<sup>rd</sup> offense (365-day period)</b>
<ul style="list-style-type: none"> <li>◦ Minimum 30 -day suspension absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum of a 60-day suspension.</li> </ul> <p style="text-align: center;"><b>AND/OR</b></p> <ul style="list-style-type: none"> <li>◦ Minimum fine of \$500 absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum fine of \$10,000.</li> </ul>	<ul style="list-style-type: none"> <li>◦ Minimum 60-day suspension absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum of a 180-day suspension.</li> </ul> <p style="text-align: center;"><b>AND/OR</b></p> <ul style="list-style-type: none"> <li>◦ Minimum fine of \$1,000 absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum fine of \$20,000.</li> </ul>	<ul style="list-style-type: none"> <li>◦ Minimum 90-day suspension absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum of a one-year suspension.</li> </ul> <p style="text-align: center;"><b>AND/OR</b></p> <ul style="list-style-type: none"> <li>◦ Minimum fine of \$2,500 absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum fine of \$50,000 or 10% of purse (greater of the two).</li> </ul> <p style="text-align: center;"><b>AND</b></p> <ul style="list-style-type: none"> <li>◦ May be referred to the Board for any further action deemed necessary by the Board.</li> </ul>
<b>LICENSED OWNER:</b>		
<b>1<sup>st</sup> offense</b>	<b>2<sup>nd</sup> offense in stable (365-day period)</b>	<b>3<sup>rd</sup> offense in stable (365-day period)</b>
<ul style="list-style-type: none"> <li>◦ Disqualification of horse and loss of purse.</li> </ul> <p style="text-align: center;"><b>AND</b></p> <ul style="list-style-type: none"> <li>◦ Horse must pass a Board-approved examination pursuant to Rule 1846 before becoming eligible to be entered.</li> </ul> <p style="text-align: center;"><b>AND</b></p> <ul style="list-style-type: none"> <li>◦ Be subject to drug testing at the owner's expense and be negative for prohibited drug substances as defined in Rule 1843.1.</li> </ul>	<ul style="list-style-type: none"> <li>◦ Disqualification of horse and loss of purse.</li> </ul> <p style="text-align: center;"><b>AND</b></p> <ul style="list-style-type: none"> <li>◦ Horse must pass a Board-approved examination pursuant to Rule 1846 before becoming eligible to be entered.</li> </ul> <p style="text-align: center;"><b>AND</b></p> <ul style="list-style-type: none"> <li>◦ Be subject to drug testing at the owner's expense and be negative for prohibited drug substances as defined in Rule 1843.1.</li> </ul>	<ul style="list-style-type: none"> <li>◦ Disqualification of horse, loss of purse and absent mitigating circumstances minimum fine of \$5,000. The presence of aggravating factors could be used to impose a maximum fine of \$20,000.</li> </ul> <p style="text-align: center;"><b>AND</b></p> <ul style="list-style-type: none"> <li>◦ Horse shall be placed on the veterinarian's list for up to 45 days and must pass a Board-approved examination pursuant to Rule 1846 before becoming eligible to be entered.</li> </ul> <p style="text-align: center;"><b>AND</b></p> <ul style="list-style-type: none"> <li>◦ Be subject to drug testing at the owner's expense and be negative for prohibited drug substances as defined in Rule 1843.1.</li> </ul>

**CATEGORY "B" PENALTIES FOR RULE 1843.6 TOTAL CARBON DIOXIDE (TCO<sub>2</sub>) TESTING**

Penalties for violations due to exceeding permitted levels of TCO<sub>2</sub> as defined in Rule 1843.6 are as set forth below. All concentrations are for measurements in serum or plasma.

<b>LICENSED TRAINER:</b>		
<b>1<sup>st</sup> offense TCO<sub>2</sub> (&gt; 37.0mmol/l- &lt;39mmol/l)</b>	<b>2<sup>nd</sup> offense TCO<sub>2</sub> (&gt; 37.0mmol/l- &lt;39mmol/l)</b>	<b>3<sup>rd</sup> offense TCO<sub>2</sub> (&gt; 37.0mmol/l- &lt;39mmol/l)</b>
<ul style="list-style-type: none"> <li>Up to a 30-day suspension absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum of a 60-day suspension.</li> </ul> <p style="text-align: center;"><b>AND/OR</b></p> <ul style="list-style-type: none"> <li>Minimum fine of \$1,500 absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum fine of \$5,000.</li> </ul>	<ul style="list-style-type: none"> <li>Minimum 60-day suspension absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum of a 120-day suspension.</li> </ul> <p style="text-align: center;"><b>AND/OR</b></p> <ul style="list-style-type: none"> <li>Minimum fine of \$2,500 absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum fine of \$10,000.</li> </ul>	<ul style="list-style-type: none"> <li>Minimum 90-day suspension absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum of a 180-day suspension.</li> </ul> <p style="text-align: center;"><b>AND/OR</b></p> <ul style="list-style-type: none"> <li>Minimum fine of \$5,000 absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum fine of \$15,000.</li> </ul>
<b>LICENSED OWNER:</b>		
<b>1<sup>st</sup> offense TCO<sub>2</sub> (&gt; 37.0mmol/l- &lt;39mmol/l)</b>	<b>2<sup>nd</sup> offense TCO<sub>2</sub> (&gt; 37.0mmol/l- &lt;39mmol/l)</b>	<b>3<sup>rd</sup> offense TCO<sub>2</sub> (&gt; 37.0mmol/l- &lt;39mmol/l)</b>
<ul style="list-style-type: none"> <li>Disqualification of horse and loss of purse.</li> </ul>	<ul style="list-style-type: none"> <li>Disqualification of horse and loss of purse.</li> </ul>	<ul style="list-style-type: none"> <li>Disqualification of horse, loss of purse and in the absence of mitigating circumstances, \$2,500 fine.</li> </ul>
<b>LICENSED TRAINER:</b>		
<b>1<sup>st</sup> offense TCO<sub>2</sub> (≥ 39.0mmol/l)</b>	<b>2<sup>nd</sup> offense TCO<sub>2</sub> (≥ 39.0mmol/l)</b>	<b>3<sup>rd</sup> offense TCO<sub>2</sub> (≥ 39.0mmol/l)</b>
<ul style="list-style-type: none"> <li>Minimum 30-day suspension absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum of a 60-day suspension.</li> </ul> <p style="text-align: center;"><b>AND/OR</b></p> <ul style="list-style-type: none"> <li>Minimum fine of \$2,500 absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum fine of \$10,000.</li> </ul>	<ul style="list-style-type: none"> <li>Minimum 60-day suspension absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum of a 180-day suspension.</li> </ul> <p style="text-align: center;"><b>AND/OR</b></p> <ul style="list-style-type: none"> <li>Minimum fine of \$5,000 absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum fine of \$15,000.</li> </ul>	<ul style="list-style-type: none"> <li>Minimum 90-day suspension absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum of a 365-day suspension.</li> </ul> <p style="text-align: center;"><b>AND/OR</b></p> <ul style="list-style-type: none"> <li>Minimum fine of \$10,000 absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum fine of \$25,000.</li> </ul>
<b>LICENSED OWNER:</b>		
<b>1<sup>st</sup> offense TCO<sub>2</sub> (≥ 39.0mmol/l)</b>	<b>2<sup>nd</sup> offense TCO<sub>2</sub> (≥ 39.0mmol/l)</b>	<b>3<sup>rd</sup> offense TCO<sub>2</sub> (≥ 39.0mmol/l)</b>
<ul style="list-style-type: none"> <li>Disqualification of horse and loss of purse.</li> </ul>	<ul style="list-style-type: none"> <li>Disqualification of horse and loss of purse.</li> </ul>	<ul style="list-style-type: none"> <li>Disqualification of horse, loss of purse and a fine ranging from a minimum of \$5,000, up to a maximum of \$20,000.</li> </ul>

## CATEGORY "C" PENALTIES

Penalties for violations due to the presence of a drug substance in an official test sample, which CHRB drug classification is categorized as warranting a Category C penalty and for the presence of more than one non-steroidal anti-inflammatory (NSAID) in a plasma/serum sample, as defined in Rule 1844 of this division, and furosemide as defined in Rule 1845 of this division in an official test sample are as set forth below. All concentrations are for measurements in serum or plasma.

<b>LICENSED TRAINER:</b>		
<b>1<sup>st</sup> offense</b>	<b>2<sup>nd</sup> offense (365-day period)</b>	<b>3<sup>rd</sup> offense (365-day period)</b>
<ul style="list-style-type: none"> <li>◦ Minimum fine of \$500 to a maximum fine of \$1,000 absent mitigating circumstances.</li> </ul>	<ul style="list-style-type: none"> <li>◦ Minimum fine of \$1,000 to a maximum fine of \$2,500, and up to a 15 - day suspension absent mitigating circumstances.</li> </ul>	<ul style="list-style-type: none"> <li>◦ Minimum fine of \$2,500 and up to a 30 - day suspension absent mitigating circumstances</li> </ul>

**CATEGORY “C” PENALTIES FOR RULE 1844, AUTHORIZED MEDICATION (C) (1), (2), (3)**

Penalties for violations due to overages for permitted non-steroidal anti-inflammatory drug substances (NSAIDs) as defined in Rule 1844 (c) (1), (2) and (3) of this division. All concentrations are for measurements in serum or plasma.

The official veterinarian shall consult with the treating veterinarian in all violations of 1844 (c). With permission of the official veterinarian the trainer may elect to pay the minimum fine in lieu of a stewards’ hearing. If the trainer has not had an 1844 (c) violation within the previous three years, the official veterinarian or the board of stewards may issue a warning in lieu of a fine for violations of 1844 (c)(1), phenylbutazone, provided the reported level is below 7.5mcg/ml.

<b>LICENSED TRAINER:</b>	<b>Phenylbutazone (5.1-&lt;10.0mcg/ml)</b> <b>Flunixin (50-100 ng/ml)</b> <b>Ketoprofen (11-49 ng/ml)</b>	<b>Phenylbutazone (5.1-&lt;10.0mcg/ml)</b> <b>Flunixin (50-100 ng/ml)</b> <b>Ketoprofen (11-49 ng/ml)</b>
<b>1<sup>st</sup> offense</b>	<b>2<sup>nd</sup> offense (365-day period)</b>	<b>3<sup>rd</sup> offense (365-day period)</b>
◦ Minimum fine of \$500 to a maximum fine of \$1,000.	◦ Minimum fine of \$1,000 to a maximum fine of \$2,500.	◦ Minimum fine of \$2,500 to a maximum fine of \$5,000.
<b>LICENSED OWNER:</b>	<b>Phenylbutazone (5.1-&lt;10.0mcg/ml)</b> <b>Flunixin (50-100 ng/ml)</b> <b>Ketoprofen (11-49 ng/ml)</b>	<b>Phenylbutazone (5.1-&lt;10.0mcg/ml)</b> <b>Flunixin (50-100 ng/ml)</b> <b>Ketoprofen (11-49 ng/ml)</b>
<b>1<sup>st</sup> offense</b>	<b>2<sup>nd</sup> offense (365-day period)</b>	<b>3<sup>rd</sup> offense (365-day period)</b>
No penalty administered.	No penalty administered.	No penalty administered.
<b>LICENSED TRAINER:</b>	<b>Phenylbutazone (≥ 10.0 mcg/ml)</b> <b>Flunixin (≥ 100 ng/ml)</b> <b>Ketoprofen (≥ 50 ng/ml)</b>	<b>Phenylbutazone (≥ 10.0 mcg/ml)</b> <b>Flunixin (≥ 100 ng/ml)</b> <b>Ketoprofen (≥ 50 ng/ml)</b>
<b>1<sup>st</sup> offense</b>	<b>2<sup>nd</sup> offense (365-day period)</b>	<b>3<sup>rd</sup> offense (365-day period)</b>
◦ Minimum fine of \$1,000 to a maximum fine of \$2,500.	◦ Minimum fine of \$2,500 to a maximum fine of \$5,000.	◦ Minimum fine of \$5,000 to a maximum fine of \$10,000.
<b>LICENSED OWNER:</b>	<b>Phenylbutazone (≥ 10.0 mcg/ml)</b> <b>Flunixin (≥ 100 ng/ml)</b> <b>Ketoprofen (≥ 50 ng/ml)</b>	<b>Phenylbutazone (≥ 10.0 mcg/ml)</b> <b>Flunixin (≥ 100 ng/ml)</b> <b>Ketoprofen (≥ 50 ng/ml)</b>
<b>1<sup>st</sup> offense</b>	<b>2<sup>nd</sup> offense (365-day period)</b>	<b>3<sup>rd</sup> offense (365-day period)</b>
◦ Horse must pass Board-approved examination pursuant to Rule 1846 before being eligible to run.	◦ Disqualification of horse and loss of purse. If same horse, placed on veterinarian’s list for up to 45-days, must pass Board-approved examination pursuant to Rule 1846 before being eligible to run.	◦ Disqualification of horse and loss of purse. Minimum \$5,000 fine. If same horse, placed on veterinarian’s list for 60 days, must pass Board-approved examination pursuant to Rule 1846 before being eligible to run

(e) Violations due to the presence of a drug substance in an official test sample, which CHRB drug classification is categorized as warranting a Category “D” penalty, may result in a written warning to the licensed trainer and owner. A Category “D” penalty is a written warning to the licensed trainer or owner.

(f) Any drug or its metabolite or analogue thereof found to be present in an official test sample that is not classified in Rule 1843.2 of this division shall be classified as a Class 1 substance and a Category "A" penalty until classified by the Board.

(g) The administration of a drug substance to a race horse must be documented by the treating veterinarian through the process described in Rule 1842 of this division.

(h) Any licensee found to be responsible for the administration of any drug substance resulting in a positive test may be subject to the same penalties set forth for the licensed trainer and his presence may be required at any and all hearings relative to the case.

(1) Any veterinarian found to be involved in the administration of any drug substance resulting in a positive test in Penalty Category "A" shall be referred to the California Veterinary Medical Board (CVMB) for consideration of further disciplinary action.

(2) Any veterinarian found to be involved in the administration of any drug substance resulting in a positive test in Penalty Category "B" or "C" may be referred to the CVMB for consideration of further disciplinary action upon the recommendation of the Equine Medical Director, the board of stewards or hearing officers.

(i) A licensee who is suspended, or whose license is revoked, because of a medication violation is not able to benefit financially during the period of suspension or revocation. This includes, but is not limited to, ensuring that horses are not transferred to licensed family members.

(j) For the purpose of this regulation "licensed family members" means any person who holds an occupational license issued by the CHRB and who is related to the suspended licensee, or the licensee whose license is revoked, by blood, or by marriage or domestic partnership, or who is related by blood to the spouse or domestic partner of such licensee.

(l) For the purpose of this regulation, licensed trainers suspended 60 days or more, or whose license is revoked, shall be banned from all inclosures under the jurisdiction of the CHRB. In addition, during the period of suspension, or revocation, such trainer shall forfeit all assigned stall space and shall remove from the

inclosures all signage, advertisements, training-related equipment, tack, office equipment, and any other property.

Authority: Sections 19440, 19461 and 19580,  
Business and Professions Code.

Reference: Sections 19461, 19580, 19581 and 19582,  
Business and Professions Code.

Section 11425.50,  
Government Code.

STAFF ANALYSIS  
PUBLIC HEARING AND ACTION BY THE BOARD ON THE  
PROPOSED AMENDMENT OF  
RULE 1850, POSTERIOR DIGITAL NEURECTOMY

Regular Board Meeting  
July 17, 2008

## BACKGROUND

Business and Professions Code section 19440 provides that the Board shall have all powers necessary and proper to enable it to carry out fully and effectually the purposes of this chapter. Responsibilities of the Board shall include adopting rules and regulations for the protection of the public and the control of horse racing and pari-mutuel wagering. Business and Professions Code section 19580 states the Board shall adopt regulations to establish policies, guidelines, and penalties relating to equine medication to preserve and enhance the integrity of horse racing in California. Rule 1850, Posterior Digital Neurectomy, allows a horse that has had a posterior digital neurectomy, also known as "nerving" or "heel nerving," to race provided the official veterinarian is satisfied the loss of sensation to the horse due to the posterior digital neurectomy will not endanger the safety of any horse or rider.

In March 2007 the Medication Committee recommended that heel nerved horses should no longer be allowed to run in California. To prohibit such horses from running the committee recommended the amendment of Rule 1849 and the repeal of Rule 1850 and Rule 1851. At the March 2007 Regular Board Meeting staff was directed to initiate a 45-day public comment period regarding the proposed amendment of Rule 1849 and the repeal of Rule 1850 and Rule 1851. A hearing for the adoption of the proposal to amend Rule 1849 and repeal Rule 1850 and Rule 1851 was held at the July 2007 Regular Board Meeting. No action was taken, as the Board determined there needed to be more industry comment regarding the issue. The issue was again heard for adoption at the February 2008 Regular Board Meeting. After discussion a motion was made not to amend Rule 1849, or repeal Rule 1850 or Rule 1851. The vote was three "yes" and two "no;" however, the motion failed because fewer than four members of the Board concurred with the action as required by Business and Professions Code section 19431.

After the February 2008 regulatory hearing Dr. Rick Arthur, CHRB Equine Medical Director, submitted an Australian Rule of Racing regarding posterior digital neurectomy, and suggested the Board consider a similar rule that would grandfather in those horses having undergone the procedure. The rule would also use a forward date that would eliminate the possibility of eliminating a horse from the 2008 and 2009 Breeders' Cup, and provide the Board with the opportunity to develop a national consensus for a uniform rule. At the March 27, 2008 Regular Board Meeting the Board determined it would prohibit any horse from running in California if it had a posterior digital neurectomy after October 1, 2008. This action would only necessitate the amendment of Rule 1850. The proposed amendment of Rule 1849 and the

repeal of Rule 1851 would not be necessary. Staff was directed to notice the proposed amendment to Rule 1850 for public comment.

## ANALYSIS

The proposed amendment of Rule 1850 would prohibit any horse that has had a posterior digital neurectomy after October 1, 2008 from running in a race in California. A posterior digital neurectomy, commonly known as “nerving” or “heel nerving,” is a procedure where the posterior digital nerves of a horse’s hoof are transected with a scalpel, laser or other means to desensitize the posterior portion of the foot. In racehorses the procedure is primarily used for wing fractures of the coffin bone, navicular disease and other chronic conditions of the foot. A horse that has undergone a posterior digital neurectomy can feel its foot; it just cannot feel the heel of its foot. If the horse puts pressure on its foot it can feel where it is, or where it is running, and so it does not cause the horse to lose stability. However, the procedure is not common among California racehorses due to improved diagnostics, medications and therapeutic shoeing. In the spring of 2007, an informal survey of the Santa Anita race meeting revealed only two horses on the list of nerved horses (This list is a requirement of Rule 1851, List of Nerved Horses.).

A survey of several racing jurisdictions revealed that out of seven racing states, only Arizona prohibited nerved horses from running. States that allow nerved horses to run include: New York; Illinois; Indiana; Ohio; Kentucky and Texas.

During the 45-day public comment period staff received comment from Dr. Rick Arthur, CHRB Equine Medical Director. Dr. Arthur stated he was opposed to the proposed amendment of Rule 1850. He said there was no veterinary medical or safety justification for the proposed action. Dr. Arthur also expressed concern with the ability to regulate a prohibition of nerved horses, as rules without enforcement schemes were nonsensical. Dr. Arthur commented that the principle behind Rule 1850 was full disclosure. Allowing nerved horses to run with the consent of the official veterinarian removes the incentive for owners and trainers to hide the true condition of a horse. Dr. Arthur also commented that adopting a prohibition on nerved horses running in California without national consensus was contrary to the effort to develop uniform racing regulations.

## RECOMMENDATION

To date there have been no additional comments received regarding the proposal to amend Rule 1850. The 45-day public comment period concludes July 14, 2008. 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 1850. POSTERIOR DIGITAL NEURECTOMY

Regular Board Meeting  
July 17, 2008

1850. Posterior Digital Neurectomy.

(a) Notwithstanding the prohibition against "nerving", a horse upon which a posterior digital neurectomy has been performed, commonly known as "heel nerving" is not ineligible to race, and is not subject to the prohibitions in this article pertaining to nerving, provided:

(1) that the official veterinarian is satisfied that the loss of sensation to such horse due to the posterior digital neurectomy will not endanger the safety of any horse or rider,

(2) that the prior approval of the official veterinarian has been obtained if the horse is on the grounds of a racing association,

(3) that the racing secretary is notified of such nerving at the time such horse is admitted to the grounds of a racing association, and its

(4) the posterior digital neurectomy was performed prior to October 1, 2008, and

(5) the horse's registration or eligibility certificate marked to indicate such nerving.

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

Reference: Sections 19420, 19440 and 19562,  
Business and professions Code.

To: Jackie Wagner

From: Rick M. Arthur, DVM  
Equine Medical Director

Re: Amendment to Rule 1850

A posterior digital neurectomy is an accepted surgical technique necessary to address specific conditions of chronic heel pain caused by several pathological conditions not amenable to other alternatives. There is no objective information to indicate the procedure is a risk to horse or rider. I oppose the proposed amendment to CHRB Rule 1850 as unwarranted, unenforceable and unnecessary. Evidence indicates the procedure is only occasionally used in specific cases after alternative veterinary medical options have been exhausted. Even though only a small number of horses have undergone a posterior digital neurectomy in accordance to current rules, a posterior digital neurectomy can no more be reversed than a castration if the board decided next to prohibit geldings from racing. Notwithstanding my general opposition to the proposed amendment, this revised version addresses the administrative problem where horses have undergone a surgical posterior digital neurectomy under then existing CHRB rules will be "grandfathered" under this amendment. The broader problem of a single state, especially a major racing state such as California, taking unilateral action on this issue without a national consensus flies in the face of years of effort to develop uniform racing regulations across the country. This is complicated by the fact California will host the Breeder's Cup in both 2008 and 2009. Brave Act, a California based horse, ran in the 1999 Breeder's Cup after a posterior digital neurectomy in one hind foot for a specific shipping injury. We do not know whether potential competitors would be eliminated from the 2008 or 2009 Breeder's Cup races.

STAFF ANALYSIS  
PUBLIC HEARING AND ACTION BY THE BOARD ON THE  
PROPOSED AMENDMENT OF RULE 1853, EXAMINATION REQUIRED

Regular Board Meeting  
July 17, 2008

BACKGROUND

Business and Professions Code section 19420 states jurisdiction and supervision over meetings in this State where horse races with wagering on their results are held or conducted, and over all persons or things having to do with the operation of such meetings, is vested in the California Horse Racing Board (Board). Business and Professions Code section 19440 provides that the Board shall have all powers necessary and proper to enable it to carry out fully and effectually the purposes of this chapter. Responsibilities of the Board shall include adopting rules and regulations for the protection of the public and the control of horse racing and pari-mutuel wagering. Board Rule 1853, Examination Required, states the horseshoe inspector shall inspect the horseshoes of each horse. No horse shall be eligible to start in a race, and shall be declared by the stewards, if it is found to be improperly shod.

In 2006 the Board adopted an amendment to Board Rule 1433, Application for License to Conduct a Horseracing Meeting to provide that as of January 1, 2008, no racing association that operates four weeks or more of continuous thoroughbred racing in a calendar year shall be licensed to conduct a horse racing meeting at a facility that has not installed a polymer synthetic type racing surface. To date, all major thoroughbred racetracks, except Bay Meadows, have installed such synthetic racing surfaces. After the synthetic racetrack surfaces were installed the possibility of allowing horses to run unshod on them was raised.

Vice-Chairman Harris requested that a proposal to amend Rule 1853, Examination Required, to allow horses to run unshod, be placed on the agenda for the April 24, 2008, Regular Meeting. The item was heard by the Board at the April 24, 2008 Regular Board Meeting and staff was instructed to begin the 45-day public comment period for proposal to amend Rule 1853, Examination Required.

ANALYSIS

The proposed amendment to Board Rule 1853 provides that a horse may run in a race unshod provided the horse's condition is declared at time of entry and noted in the official program. The requirement to declare the horse's condition at time of entry and to note it in the official program is common among the racing jurisdictions that currently allow horses to run unshod. The proposed text does not specify the types of surfaces upon which a horse may run unshod. The Board currently allows mules to run unshod under Board Rule 1748, Shoeing Mules. The rule does not require the mule's unshod condition to be announced due to a history of mules running unshod in California.

Vice-Chairman Harris provided three informational items for this issue. They are:

- A survey of shoeing rules
- A package of articles regarding the effects of shoeing a horse
- An article entitled: The Unfettered Foot: A paradigm change for equine podiatry.

The survey of shoeing rules showed that Delaware; Idaho; Illinois; Indiana; Kentucky; Louisiana; Maine; Maryland; Michigan; New Hampshire; New York; Virginia and Wyoming allow horses to run unshod under certain conditions. California currently allows mules to run unshod.

Arizona; Arkansas; Tampa Bay Downs; Kansas; Minnesota; Nebraska; Ohio; Oregon; Pennsylvania; Texas; Washington and West Virginia do not allow horses to run unshod. California also currently does not allow horses to run unshod.

#### RECOMMENDATION

To date, no comments have been received. The 45-day public comment period concludes on July 14, 2008. This item is presented to the Board for discussion and action.

CALIFORNIA HORSE RACING BOARD  
TITLE 4. CALIFORNIA CODE OF REGULATIONS  
ARTICLE 15. VETERINARY PRACTICES  
RULE 1853. EXAMINATION REQUIRED

1853. Examination Required.

(a) The official veterinarian shall examine each horse which is scheduled to race to determine its fitness to start. The horse identifier shall examine each horse to identify such horse from the Board's identification record and the photographs, record of pedigree, tattoo or brand number and such other points of identification as may be available. The horseshoe inspector shall inspect the horseshoes of each horse. No horse shall be eligible to start in a race, and shall be declared by the stewards, if it is found to be unfit to race, not properly identified, or improperly shod.

(b) A horse that is not shod is eligible to start in a race provided the horse's "unshod" participation in such race is declared at time of entry and noted in the official program.

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

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

## Survey of Shoeing Rules

### Summary:

**Allow Barefoot:** California (mules only); Delaware (if approved by Stewards); Idaho (if approved by Stewards); Illinois (if declared at entry); Indiana; Kentucky (if approved by Stewards); Louisiana (if approved by Stewards); Maine (must be reported); Maryland; Michigan (with authorization to change from shod to unshod or vice versa); New Hampshire (if not detrimental to horse); New York (with announcement); Virginia (with approval and noted in program); Wyoming

**Do Not Allow Barefoot:** Arizona (track rule); Arkansas (Regulation); California – TB, QH, Paint, Arab, Appaloosa (Regulation, as interpreted), Tampa Bay Downs (FL) (Track Rule); Kansas (Regulation); Minnesota; Nebraska; Ohio (regulation); Oregon (Steward policy); Pennsylvania (regulation); Texas (regulation); Washington (Regulation); West Virginia

**Toe Grab Prohibition:** California (>4mm on front; >1/4 inch on rear); Arlington Park (IL) (Quarter Horses shoes and toe grabs >1/4 inch); Indiana (>4mm on front); Keeneland (KY) (Quarter Horses shoes and toe grabs >1/4 inch); Maryland (no raised quarter toes); Minnesota (Model Rules); Nebraska (>1/2 inch); New Mexico (> 4mm); Washington (>4mm on front)

### **Arizona**

By track rule, a horse may not run unshod in Arizona. (Bill Walsh)

### **Arkansas – Rule 1211**

A thoroughbred horse, starting in a race, shall not be shod with ordinary or training shoes or turn down shoes.

### **Rule 2022**

The Paddock Judge shall in each and every race require the Plater in attendance in the paddock to see to it that all horses are properly shod.

### **California – Rule 1853**

The official veterinarian shall examine each horse which is scheduled to race to determine its fitness to start. The horse identifier shall examine each horse to identify such horse from the Board's identification record and the photographs, record of pedigree, tattoo or brand number and such other points of identification as may be available. The horseshoe inspector shall inspect the horseshoes of each horse. No horse shall be eligible to start in a race, and shall be declared by the stewards, if it is found to be unfit to race, not properly identified, or improperly shod.

### **(Rule Up For Consideration)**

At the present time the stewards' policy has been that all horses must be properly shod. Acting on an earlier request from the mule industry, the CHRB already allows mules to race unshod. (Mike Martin)

1748 Shoeing Mules

A mule that is not shod is eligible to start in a race. (*Dr. Rick Arthur*)

*Del Mar-*

- Turf Shoe Policy. Only Queen's Plates or flat shoes will be allowed on the turf course. This rule applies to both workouts and races on the turf. Failure to obey these rules may result in severe penalties.
- Shoes for the main track.

*Rule 1690.1*

Toe Grabs prohibited (a) Toe grabs with a height greater than four millimeters, worn on the front shoes of thoroughbreds while racing are prohibited.  
Hind shoe – Turndowns, or any shoe with a toe grab of more than one-quarter inch will not be allowed on the main track for training or racing.

*Rule 1555*

The horseshoe inspector shall make an inspection of the horseshoes of each horse prior to its departure for the post. He shall report immediately to the stewards any horse which is improperly shod, and he shall maintain a record of the type of shoes worn by each horse. He has the authority to make adjustments and corrections in shoes of any horse as he may deem necessary, subject to the approval of the stewards.

**Delaware**

Pertaining to Thoroughbreds, horses generally run "with shoes" rather than unshod. This is due to safety factors associated with poor footing on unshod horses. However, if a trainer came to the Stewards and made a compelling argument for running their horse without shoes, it would be under their discretion to permit. Obviously, this would have to be done in advance so that the betting public would be made aware of this. Also, as with any equipment change, it would have to be noted in the horse's racing record. Historically, our Stewards at Delaware Park recall one instance of a horse running unshod approximately twenty years ago with less than successful results. (*John F. Wayne*)

**Florida**

The Division does not have rules regarding toe grabs or horses running without shoes. (*David Roberts*)

*-Tampa Bay Downs*

We do not allow horses to run with no shoes here at Tampa Bay Downs. (*Dennis Lima*)

*-Calder Race Course*

- TURF SHOES. In an effort to preserve the turf course NO shoes with caulks, raised toes, mud nails or BENT SHOES will be allowed. This will be strictly enforced. Block heels will be allowed.
- NO TURN DOWNS. True Turn Downs will not be permitted on any racing surface.

**Idaho**

*Shodding.* A horse starting in a race shall not be shod with ordinary shoes, training shoes or bar plates except by permission of the Stewards.” In other words if a horse wants to run “bare foot” it needs to be approved by the stewards and has to be announce over the loud speaker. It happened once three years ago where the owner wanted to run the horse with no shoes on the rear legs. The stewards approved it, the announcement was made and the horse then ran last. The owners were then informed to get shoes on the horse before running again. (*Mike Bosen*)

#### **Illinois – Rule 1415.260**

A representative of the operator shall inspect the plating of each horse as it enters the paddock before the race, record the type of shoes worn on a board provided for that purpose in the paddock and keep a written record for the stewards. Any deficiency in shoeing shall be reported immediately by said inspector to the paddock steward. A trainer or owner shall not enter or start, or cause to be entered or started, a horse that, if plated, is not plated properly, as determined by the paddock blacksmith. If a horse is intended to start without shoes, it must be declared at the time of entry.

#### *Arlington Park*

Shoes for Polytrack: turndowns, quarter horseshoes and any shoe with a toe grab of more than one-quarter inch will not be allowed on polytrack for training or racing.

#### **Indiana**

*Rule 5. Eligibility for Racing. 71 IAC 7.5-5-1 Horses ineligible*

Sec. 1. (a) A horse is ineligible to start in a race when: (26) it has shoes (racing plates) that have toe grabs with a height greater than four (4) millimeters (fifteen thousand seven hundred forty-eight hundred-thousandths (0.15748) inches) on the front hooves.

Indiana has adopted the model rule banning toe grabs greater than 4mm on front hooves. Our rules on silent on bare feet, so we would permit a horse to race barefoot. (Joe Gorajec)

#### **Iowa**

We do not have a rule requiring shoes or types of shoes/grabs – that would be up to the racetrack. (*Keith Soring*)

#### *Rule 491-10.5(1)*

a. Responsibility. The trainer is responsible for: (23) Ensuring that the trainer’s horses are properly shod, bandaged, and equipped. (*Patrick Lamoreux*)

#### **Kansas**

By regulation it is illegal for any horse to enter the racing surface unshod at Kansas Pari-mutuel tracks. (*Bryce Peckham*)

It is our opinion that more research is in order regarding the presumed increase risk for limb injury associated with the use of toe grabs. We have therefore not restricted toe grabs. (*Bryce Peckham*)

**Kentucky** – 810 KAR 1:012. Horses. Section 10.

Equipment. (1) Whips and blinkers shall be used consistently on a horse. Permission to change use of any equipment used on a horse in its last previous start shall be obtained from the stewards. A horse's tongue may be tied down during a race with a clean bandage or gauze. A horse's bridle may weigh no more than two (2) pounds. Bits shall be of a metallic alloy base of stainless steel or aluminum and may be encased in rubber, plastic, or leather. War bridles shall be prohibited. No horse shall race in ordinary training shoes. Bar shoes may be used for racing only with permission of the stewards.

The rules state that a horse may not run in "ordinary training shoes", and that the trainer is responsible for "proper shoes" on his horse. However, on a case by case basis the Stewards will grant permission for a horse to run without a shoe or shoes. (*Barbara Borden*)

**Keeneland**

-Shoes for Turf Course - Shoes with caulks, stickers, blocks, raised toes or turndowns will not be allowed on the turf course. This includes quarter horseshoes or any shoe with a toe grab of more than one-quarter inch.

-Shoes for Polytrack® - Turndowns, quarter horseshoes or any shoe with a toe grab of more than one quarter inch will not be allowed on Polytrack® for training or racing.

**Turfway**

Shoes: No turndowns permitted.

**Louisiana**

Horses are, by commission rule, conditionally allowed to run barefoot in La. provided it is approved by the stewards prior to entry and is restricted to the horse starting that way through the balance of the meet. Toe grabs are not regulated as such. Our rule states "no ordinary or training shoes" and refers to "properly plated". The associations usually have restrictions on turndowns and other forms of shoes especially if they have a turf course. This is published in the condition book which is approved by the commission and given the force of a rule. (*Larry Munster*)

**Maine**

Please be advised that the type and shape of the horse shoe is the responsibility of the trainer and must be reported to the licensed equipment person on included on the horse's equipment card. Any changes must be approved by the equipment person and recorded on the card. In Maine we have only harness horse racing. (*Henry Jackson*)

**Maryland**

A horse in Maryland can race with no shoes, with just 2 front, with just 2 hind. It doesn't matter. If they come back and race again and are wearing shoes that is alright. We have a blacksmith in the paddock that looks at the horses when they come in the paddock and he tells the announcer, who in turn announces it to the public, if a horses has no shoes, if he has a bar shoe, if he has stickers on etc. he reports anything out of the ordinary that the public would want to know. Our shoe rules are the following:

-Dirt Course- The use of shoes with raised quarter horse toes will not be permitted on the main dirt track. Hind shoes may have a bend of up to 1/4 inch.

-Turf Course- Only Flat, Queen's Plate, Queen's Plate XT or factory Wedge Queen's Plate shoes will be allowed for the use on the turf course. (*Georganne Hale*)

### **Michigan**

Shoes are defined as equipment for flat racing in Michigan. There are no rules about whether a horse may race barefoot. In fact, during the last several years, we have had a few horses that have run barefoot. Since shoes are defined as equipment, the trainer must get authorization from the stewards to change from shoes to barefoot or reverse. We do not have a rule or policy that dictates how long the horse may run one way or the other before changing back. (*Christine White*)

We do not have a rule regulating toe grabs. (*Christine White*)

### **Minnesota**

Horses have to be shod to race. They can train without shoes, but not race. We have adopted the RMTTC recommendations for toe grabs and the rule goes into effect this season. (*Lynn Hovda*)

### **Nebraska**

Must be shod with shoes or racing plates, may not run without shoes, may not run with turn downs more than one-half inch. Stewards may give permission to run with experimental shoe. (*Jim Haberlan*)

### **New Hampshire**

There is nothing in our rules that stop a horse from racing barefoot or with toe grabs EXCEPT if it was detrimental to the well being of the horse, which then falls under the trainer responsibility rule. (*Dale Childs*)

### **New Jersey – Rule 13:70-19.15. Shodding of Horses.**

The paddock judge shall, in each race, require the plater in attendance to see to it that all horses are properly shod. (*Anthony Socci*)

### **Meadowlands**

-TURNDOWNS: The use of turndowns or turned down heels are prohibited at all New Jersey tracks due to safety concerns.

- Use of a bar shoe(s) must be declared at time of entry

-In order to prolong usage of our turf course, we require that only inner rim/outer rim or plain shoes be worn. No caulked shoes or extended toe grabs will be allowed on the turf course.

### **New Mexico**

*15.2.5.13 RUNNING OF THE RACE:*

A. EQUIPMENT: (3) Toe grabs with a height greater than four millimeters worn on the front shoes of horses while racing are prohibited. The horse shall be scratched and the trainer subject to fine.

*Ruidoso:* Toe Grabs: Toe grabs with a greater than four millimeters worn on the front shoes of horses while racing are prohibited.

### **New York**

The rules regarding shoes are house (association) policies. The NYSRWB thoroughbred rules only state that shoe information must be announced and posted for the public.

- Turf shoe policy - ONLY Queen's Plate or Queen's Plate XT will be allowed on the front and hind.
- Only plain hind shoes may have a bend of up to 1/4 inch. All other shoes must be flat.
- Stickers no longer than 3/8 inch (front only), bar shoes, aluminum pads, clips, wedges and plastic wedges will be permitted all around.
- Any shoe changes involving bar shoes and aluminum pads should be reported at entry time. These changes will be published on the overnight and in the official program.
- Should a change of shoes fail to appear on the overnight, it is the trainer's sole responsibility to immediately notify the Racing Secretary's Office of the discrepancy no later than 10 a.m. on the day of the race. Failure to do so may result in a late scratch and a possible fine at the discretion of the Board of Stewards.

Horses may run without shoes, though we rarely see that any more. A couple of trainers used to start their 2 year olds w/o shoes, but that was years ago. Of course, horses running barefooted are announced and posted for the public. When the horse runs back, the shoeing status will be announced and posted, i.e., "runs w/o shoes again", or "will be running with shoes today". (*Dr. Ted Hill*)

### **Ohio – Rule 3769-4-49**

A horse shall not start in a race if not properly shod. (*John Izzo*)

### **Oklahoma**

There are no rules concerning toe grabs at this time in Oklahoma. We will however, review the issue this year for a possible rule. (*Constantin "Tino" Rieger*)

### **Oregon**

At the present time the steward's policy has been that all horses must be properly shod. (*Mike Twiggs*)

At present time we do not have any regulations on toe grabs, but will be addressing the issue this summer as we go through our rule making/changing process. (*Mike Twiggs*)

### **Pennsylvania**

(d) The paddock judge shall, in each race, require the plater in attendance in the paddock to see that the horses are properly shod. The judge shall report the findings of the plater immediately to the stewards.

### **Texas**

#### *Lone Star Park Horsemen's Guide: Shoes*

On both the dirt and turf tracks, no turn-down shoes are allowed. On the turf course, the only shoes allowed are queens plates, level grips and world class race plates. All shoes will be inspected upon arrival in the paddock.

In Texas a horse can not run barefooted since our rule only states a horse must be properly shod. So we interpret the rule as you must have shoes.

The only rule that most of the associations have concerning shoes is that no turn-downs are allowed. (*John Ferrera*)

#### *Rule 313.51*

(a) The horseshoe inspector shall inspect the horseshoes of each horse in the paddock. The inspector shall immediately report to the stewards and paddock judge a horse that is improperly shod.

(b) The horseshoe inspector shall maintain a record of unusual types of racing plates worn by each horse scheduled to race. With the approval of the stewards, the horseshoe inspector may order adjustments or corrections to the racing plates of a horse.

#### *Rule 313.44*

(c) The paddock judge shall maintain a record of all equipment on a horse saddled for a race and shall report to the stewards any change indicated at a subsequent saddling.

### **Virginia**

In Virginia, running barefoot falls into our change of equipment rule—it can be done subject to approval of the Paddock Judge and duly noted in the program. (*Stan Bowker*)

### **Washington – Rule WAC 260-44-150. Horseshoes.**

(1) A horse starting in a race must be fully shod with racing plates.

(2) During off-track conditions the trainer is required to report any additional traction devices to the board of stewards or designee.

(3) For turf racing, horses must be shod with racing plates approved by the association.

(4) Toe grabs with a height greater than four millimeters, worn on the front shoes of thoroughbred horses while racing or training on any surface or conditions are prohibited.

### **West Virginia**

We do not allow horses to run barefoot and there is no rule allowing for toe grabs. (*Linda L. Lacy*)

### **Wyoming**

There is no prohibition against running a horse barefoot or regulation regarding toe grabs in Wyoming. (*Frank Lamb*)

# THE UNFETTERED FOOT:

## A paradigm change for equine podiatry

Tomas G. Teskey D.V.M.<sup>1</sup>

*"PRIMUM NON NOCERE" (First, do no harm)*

-Attr. Hippocrates c.460-357 B.C

Equine veterinarians have a responsibility to study the evidence that shoeing is harmful to horses.<sup>1-34</sup> At graduation, we swear an oath to use our knowledge to enhance animal health and we accept, as a lifelong commitment, the obligation to continually improve our knowledge and competence.

In the last eight years, a quantum leap has been achieved in the understanding of hoof care. In the words of the old song, the speed and distance of the leap has left many veterinarians and farriers feeling "bewitched, bothered and bewildered."<sup>2</sup> The result is that, for a period of time yet, a widely stretched spectrum of professional opinion will exist, together with some tension, concerning what is considered to be appropriate hoof care. At the traditional end of the spectrum are farriers who combine their knowledge of hoof anatomy with blacksmithing skills to provide a metallic system of hoof care that has been firmly in place for over a thousand years. At the opposite end of the spectrum is the new paradigm that first emerged in the closing years of the 20th century. These are barefoot systems of hoof care initiated by two pioneers, a veterinarian, Hiltrud Strasser, and a farrier, Jaime Jackson. They are based on and nourished by knowledge gained by research, observation and trimming to provide physiologically acceptable, non-metallic systems of hoof care.<sup>2, 4, 5, 7</sup>

Many farriers, and many veterinarians who have previously obtained farriery credentials, remain ardent advocates of shoeing. Though they damn their craft with faint praise when they concede that shoeing is a necessary evil, they revoke this weakness by citing the millennium-long history of shoeing, under management strictures imposed by non-leisure usage, as evidence that horses suffered no ill effects from such a practice.<sup>26 3</sup>

The farrier-cum-veterinarians are fighting a rearguard action to defend the metallic end of the spectrum. Feeling the need to stay loyal to their first profession and its traditions, they are finding it difficult to defend their position in the face of an increasing army of knowledgeable horse owners who have studied barefoot hoof care. It is easy to sympathize with their dilemma. As more and

---

<sup>1</sup> 8075 E.Bloomfield Road, Hereford, AZ 85615 Tel: 520 366 0707 E-mail: tteskey@2i2.com

<sup>2</sup> Rodgers and Hart, 1944

<sup>3</sup> The survival of a hypothesis over a long period of time is of course no guarantee of its validity. As Carl Sagan pointed out, Ptolemy's hypothesis that the earth was the center of the universe survived 1500 years before being shown to be dead wrong.

more horse owners demonstrate success in working their horses without steel shoes, unheeding farriers and veterinarians alike will become increasingly uneasy at remaining entrenched in the metallic end of the hoof care spectrum. Utilizing the knowledge of natural hoof form and function as the basis for barefoot hoof care advances our success with horses, whereas holding fast to an untenable paradigm leaves hoof care mired in the past.

I am fortunate to have practiced at both ends of this spectrum. Having been raised and employed on working cattle ranches in Arizona, I learned from the wisdom of three generations how to shoe the horses in order to get the work done. These jobs demanded long hours of cross-country riding, a chore I recall as being dictated by necessity rather than choice. I am now aware that it is not only possible, but preferable, more efficient, and healthier for horses to work barefoot.<sup>32-34</sup>

Nevertheless, the entrenched opinion of most farriers and veterinarians is that horses are simply unable to work without shoes. It is more correct, however, to say that their *own* horses cannot work unshod, while others can. Their opinion stems from the retention of traditional thinking and, therefore, practices that have not appreciably changed over the past few decades. There are those that cling to tradition by portraying modern-day shoeing as advanced and no longer the harmful practice it was, speaking of "new shoeing methods" or even using another odd term, "natural principled" shoeing. But with awareness of hoof biodynamics and of how and why horses can be trimmed and managed barefoot, these opinions are refuted. In their place emerges a new paradigm for hoof care that enhances the welfare of the horse.

I submit that any acceptable method of hoof care should provide the hoof capsule with the ability to:

- Flex and torque in all directions in response to changes in terrain
- Assist in the movement of blood and lymph through weight-driven pump mechanics
- Protect sensitive inner structures from physical and environmental variables
- Exfoliate itself in a process that eliminates old and stimulates new growth
- Transfer sensory information about the environment to the central nervous system

Such criteria are met by the unfettered foot: a marvel of engineering that accomplishes these tasks by virtue of 60 million years of evolution. It possesses structures based on three very strong shapes ... a cone-shaped inner and outer wall and coffin bone, a dome-shaped sole and coffin bone, and a triangular frog and bar-heel. This arrangement is healthy and helpful to the horse only when the hoof can shape itself by movement or be sculpted appropriately by tools and remain in a dynamic state. Inappropriate sculpting or the attachment of shoes

impedes all these functions and, to varying degrees, hurts every hoof and harms every horse.

Forcing the flexible hoof to function when restricted by a rigid, steel shoe is one powerful prescription for promoting the hoof's deterioration. It results in deformity of the hoof and other nearby tissues, disrupts physiological processes, and leads to harmful overgrowth of the hoof capsule. Because when a shoe is finally removed, the overgrown hoof is trimmed in a manner designed to ensure the retention of the next shoe (rather than comply with the physiology of the hoof) additional harm follows. Such trims do not respect the shape conducive to optimal hoof performance.

Though iron, a thousand years ago, was utilized as the material of choice to prevent hooves from wearing down, we now realize that hooves are harmed when fixed in space due to the rigidity of metal, and fixed in time due to the normal growth of horn no longer being exfoliated. A review of my clinical records in equine veterinary practice over the past ten years has revealed that 85% of hoof and leg ailments of all kinds have occurred in shod horses, including catastrophic limb fractures. Yet the prevalence of shod horses amongst my clientele during that time was only 48%. The hoof capsule is a highly-evolved and specialized area of skin ... but it is still skin. Steel has no redeeming qualities as a material for protecting skin.

Shod horses have historically represented what has been thought of as a "higher level" of care in my area and throughout the equine industry, receiving "better" nutrition, housing and management than barefoot horses. However, in my practice, the incidence of limb disease and injury is 70% higher amongst shod horses. Shod hooves cannot adequately dissipate forces of torque and concussion. Instead, these forces harm the hoof and are also referred up the limb to assault other structures that have not evolved to withstand these stresses and strains. The resultant harm to the horse's flesh and bone is both predictable and inevitable.

So common are hoof deformities in our daily clinical experience that many veterinarians accept them as normal. But upright cylindrical hoof capsules; with high, contracted heels; long toes; flat, oval soles; and relatively horizontal hairlines represent common and severe deformities. Normal hooves have sloping, conical capsules; with low, expansive heels; short toes; domed, round soles; and 30 ° hairlines. Many veterinarians blame the poor shape and condition of horse's feet today on genetic flaws, arguing that steel shoes are necessary to prevent further deterioration and breakage. But the evidence points to a simple environmental reason for the flawed feet of our domesticated horses ... an overall lack of movement of both horse and hoof. Foals, from the time they are born, are often confined on soft footing instead of being allowed to walk and run on firm terrain. The foal's feet are not shaped by the natural wear that should start in the first few days of life.<sup>24</sup> Though we know that bone mass increases until four or five years of age, many horses are shod at one or two years old. Many adults continue to live sedentary lives and receive improper trimming

and/or are regularly shod. Any combination of the above variables results in hoof deformities and small feet for the horse's size. Horses rarely inherit poor feet. They develop poor quality, atrophied feet due to improper trimming, confinement, and shoeing. My observations indicate that foals born from "genetically small-footed" parents with deformed feet have beautiful, appropriately sized feet when trimmed properly from a young age, allowed adequate movement, and kept barefoot.

Steel shoes weaken the hoof capsule. Preparation of a hoof for shoeing begins the weakening process by removing its strong, natural shape. A normal hoof is not flat in any plane, having naturally arching quarters, recessed bars and sole. But these important shapes are eliminated to permit the secure application of a shoe. A horse left barefoot, but trimmed as for shoeing, has poor hoof form, an uncomfortable gait, and impaired hoof function. Such improper trimming leaves an owner with the impression that their horse "can't go barefoot." The abnormally high pressure on bars and sole harms the hoof, as well as other portions of the limb and the whole of the body. With the shoe applied, the hoof incurs further harm through contact of the shoe with the outer wall. The outer wall has evolved to fulfill a function that is primarily protective rather than weight bearing. Increased concussion and constant pressure on the outer wall causes the commonly seen rippling and buckling of horn tubule and disrupts the normal flow of the outer wall relative to the inner wall<sup>7,25</sup>. The transfixing metal nails course along the distal aspect of the inner wall, transmitting the excessive and harmful concussive force from the shoe through these areas. This breach of external surfaces results in mechanical disruption of the hoof wall, an unavoidable degree of laminar separation, the invasion of saprophytic bacteria and fungi, and exposure of the hoof to extremes of temperature. In addition, shoes inhibit the pumping system that promotes full circulation in the hoof, so reducing shock-absorbing ability.<sup>1,3</sup> It is also easy to appreciate how this ischemia interferes with normal horn growth and metabolism. A congested physiology, with resultant dysplastic, weakened growth is the result, leading to the severe hoof deformities and leg diseases we see daily in clinical practice. Shoes provide such an effective barrier to sensation that their presence automatically debars a horse from being declared sound at any speed. The definition of a sound horse *should* be one free from pain that can walk, trot and canter with animation and impulsion, *on unfettered feet*.

In my experience, the terms "therapeutic" and "corrective" shoeing are oxymorons. Five years ago, I observed and provided reluctant veterinary support for a gelding that had prolapsed both coffin bones through the soles of his front feet and, at this late stage, was finally being managed on a barefoot hoof care program. Seven months later, this gelding was being ridden, never having had anything nailed to his feet to 'support' him through the ordeal. I was accustomed to forecasting one and a half to two years of healing time when applying the protocol of the Equine Digital Support System (EDSS), having seen several master farriers use this system on about fifty such cases. I noticed these horses grew what appeared to be new hooves, but upon removal of the EDSS appliance

they were still unable to walk normally. When I learned about some barefoot trimming techniques, I discovered the problem. Realizing that healthy horses are suspended by their hoof capsules rather than supported by their soles, it became clear that EDSS and other shoeing protocols encourage horn growth that remains highly dependent on solar support, ignoring the need to develop strong laminar suspension. I quickly discovered that barefoot trimming techniques, boots, and a respect for the normal physiology of the hoof allowed these horses to grow durable structure with strong suspension. To "therapeutically" shoe them was contra-indicated. Healing in a natural manner minimized the redundant tissue repair and metabolic stresses that otherwise the horse's body had to endure. In this way, feet regained their normal shape and outperformed shod ones in a shorter time, becoming honestly sound.

Users of EDSS and other shoeing systems often advocate that the heels of laminitic and foundered horses should be elevated above their physiological height.<sup>30, 31</sup> I trust that this regrettable procedure will soon be discontinued, because laminae become even more stressed and ischemic when heels are elevated beyond physiologic parameters. The belief that deep digital flexor tendon tension must be "slackened" to prevent further coffin bone separation is erroneous. Mathematical equations and structural models indicate that it is primarily the weight of the horse on a coffin joint with higher than normal heels, not deep digital flexor tendon tension, that leads to coffin bone rotation.<sup>7</sup> The majority of foundered horses have deformed heels that are already too long. To elevate them even higher is contraindicated and harmful. It robs the horse of the strength and attributes of normal hoof form and is contrary to the normal biomechanics of the hoof. It causes decreased circulation, desensitization, severe hoof contraction, coffin bone deterioration and worsening separation. Surgical transection of the deep digital flexor tendon adds insult to injury, as it needlessly disrupts one of the important anatomical components offering dynamic support in the caudal region of the foot. Foundered horses can be properly managed through respectful sculpting of their hooves and the judicious use of boots and firm, nonconcussive terrain. What the inventors of the EDSS appliances intend, and what the EDSS patients in my practice develop is wildly different.

Other examples abound, such as horses with typical navicular-type pain at age two, to teenage horses with the more classical 'navicular' syndrome.<sup>6</sup> When properly managed barefoot, such affected horses often achieve honest soundness, and this at a time when traditional veterinary care claims no cure for such a condition.<sup>34</sup> Navicular problems are absent in horses that have been trimmed for optimum hoof form and function from day one and allowed freedom of movement. Instead of investigating these shining examples and examining these case histories, most equine practitioners continue to use drugs, special bar shoes and surgical neurectomy to attempt a "cure". All such affected horses can be seen to have obvious deformities of their hooves, yet the drugs and shoes prescribed do nothing to provide these horses with better hoof form. A sad situation exists when large amounts of money are spent on misguided

"therapeutic" or "corrective" treatments that are contrary to the physiology of the hoof and only serve to progressively worsen the horse's condition.

The increasing body of evidence about barefoot rehabilitation techniques and the demonstrably convincing performance of barefoot endurance horses is both fascinating and compelling. Other veterinarians that both ride and shoe cite the "impossibilities" of riding barefoot. I can only say that my own and thousands of other horses can and do ride, for hundreds of miles a week, on rocks, without steel shoes. Clearly, domestic equine hooves can be conditioned beyond a level that is customary in feral horses. Five short years ago, I lacked the knowledge of proper hoof form and function and, as a result, I was unable to salvage many horses with devastating hoof problems. It was the shoeing and the subsequent progressively debilitating hoof deformities in these horses that brought them to their end. I realized I could not, in good conscience, continue to use steel appliances to bring "healing" to hooves that were deformed due to the use of such appliances in the first place. Now the horses I see with similar problems improve in a short time. The knowledge of normal hoof form and function is powerful. Using it to *prevent* hoof deformities beats rehabilitating deformed feet any day, and is the key to honest hoof health. Pete Ramey is another enlightened 'former farrier' who no longer uses metal. He writes, "Our goal continues to be for every horse to outperform its former shod self, and the hooves deliver this with shocking consistency that amazes me more every day."  
28

Other common but unsound arguments claim that shoes are needed because of the added weight of tack and rider, the harder terrain, and the extreme sports that are expected of the modern-day horse. Each of these arguments can be refuted, in order, on physiological, evolutionary and historical grounds. For example, the feet of pregnant mares comfortably adapt, in the wild, to the increased weight of the gravid uterus. Horses evolved in varied terrains, including desert, where hard terrain is the norm. The 'extreme sport' of cavalry warfare was conducted for c. 2500 years without shoes. For the last two hundred years of this period, horses were carrying the 'added weight' of armor and equipment.

We should recognize that, on weight bearing, steel shoes hold the sole of the hoof in a non-weight-bearing, vaulted position against the descending coffin bone. We misinterpret so-called "stone bruising" of the soles of shod horses as being caused by stones on the ground. This pattern of bruising originates from concussion followed by pressure necrosis of solar corium that cannot escape the blows of the coffin bone above and an unyielding sole beneath. Bruising of the moonsickle points to a pathology at the tip of the coffin bone and originates because of excessive heel height. Another example is the almost 'epidemic' incidence of ringbone among shod horses in my practice. With or without extra weight, shod hooves are disallowed vital flexion and torsion, forcing the proximal interphalangeal and other joints to torque unnaturally. Add to these stresses the greatly increased concussive forces from the shoe below<sup>7,11,24</sup> and the weight

above, and it inevitably follows that nailed-on shoes are a prescription for disease.

The provision of movement is an important factor in a barefoot management program.<sup>2, 4,7,12,13,24</sup> The ideal is turnout 24/7 with companion horses on terrain that, at least in part, matches the ground on which they have to work. But where movement cannot be provided, such as for horses in more urban environments where turnout space is limited, they are still much better off barefoot than shod. All horses should be provided with dry or well-drained footing whether kept in confinement or on several acres of pasture. But firm, dry footing is mandatory for those that are confined. Daily riding or lead exercise is especially critical for the confined horse. Similarly, when confined, frequent trimming of the hooves is essential to prevent the onset of imbalances, cracks, infections and overgrowth. Physical confinement does not necessitate shoeing, but it does necessitate more regular and careful attention to the hooves and, when riding on rough terrain, the use of boots. If the unshod feet of stalled horses are cared for, as outlined, they can remain healthy and sound. To achieve this goal some simple changes in management become necessary.

My own and other barefoot horses have hooves that wear slower than steel shoes over a given period of time. If at first that seems "impossible", stop and appreciate the critical variables that are the allies of the barefoot horse: time, wear, growth, callusing and a dynamic existence. Their "unprotected" hooves grow overnight in response to the wear they receive between daily rides, whereas shod horses are unable to help themselves with hoof growth or balance and are totally dependent on the shoes which transfix their hooves in a predetermined plane. Other interesting comparisons can be made on the basis of speed, agility and degree of soundness.

Proprioception is significantly impaired in shod horses.<sup>7</sup> Through lack of sensory feedback, they pay less attention to where their feet are landing and suffer more trauma from interference, slipping and stumbling on rocky terrain. Having a normal (i.e. highly sensitive) feedback system, barefoot horses are more agile, watch where they are stepping, avoid rocks, and rarely stumble. Due to the superior traction of a yielding hoof, neither do they slip and slide. The result is healthy, but minimal hoof wear and a safer, more enjoyable ride for them and their passengers. Those who ride shod horses on rocky ground know how dangerous it is: Those who have experienced the confidence of a barefoot horse in such terrain are most reluctant to get back on a shod horse.

I have documented a decreased incidence of heart murmurs, and lower resting heart rates, in my own barefoot horses as well as in many barefoot endurance horses. Their cardiovascular fitness, as judged by cardiac recovery measurements, is superior compared to shod horses doing similar work.

One of the most compelling examples of the underlying unsoundness of all shod horses is the crippling lameness that quickly follows the loss of a shoe. This becomes a serious problem when miles from home and nails or appropriately

sized boots are unavailable. If shod horses suffer no ill effects from their shoes, as many professionals contend, why are they so lame within minutes when walking a short distance without them? Again, the earlier proposed definition of a truly sound horse comes to mind.

Sound, barefoot horses, when allowed movement over a suitably demanding terrain, often trim their own feet. This is the most ideal trim they can get. But many still need trimming despite having been worked on rough terrain. Though I have mentioned little about how barefoot trimming is performed, the above two sentences provide the key. A barefoot trim sculpts the horse's hoof by mimicking the effects of mileage. If occasions arise in which hoof wear does exceed growth, boots allow the work to get done.

Boots provide an outstanding option for honest hoof protection, being made of dynamic materials that move and recoil to complement a hoof capsule's function.<sup>28,29</sup> They are especially helpful in this transition age of hoof care, in which the need to rehabilitate hooves harmed by shoeing is omnipresent. The number of new boot designs that have been marketed in the last five years has tripled, and the demand for new and user-friendly designs is increasing to the point where supply sometimes fails to meet demand. Nevertheless, riders find that the more they work with properly trimmed and conditioned horses, the less are hoof boots needed. "These days", says Pete Ramey, "I have traded in my metal shoes for state of the art hoof boots, and I have learned the awesome power in allowing the 'off season barefoot healing period' to extend throughout the horse's life."<sup>28</sup> It is ironic that the iron shoe we once thought offered protection, support and traction is now known to expose the hoof to harm, deprive it of support, and render it incapable of providing proper traction. And these are only a few of the harms that a shoe inflicts.<sup>11</sup> There just aren't any good excuses for nailing rigid steel shoes to horses' hooves, recommending their use, or standing idly by while they are used. As veterinarians, we should be advocating what is healthiest for the horses under our care

Barefoot hoof care works exquisitely well with the natural horsemanship philosophies of today, and the welfare of the horse is enhanced. As in any work with a horse, "asking" instead of "telling" becomes our guide for trimming a hoof. Horses are only too happy to perform with their bodies and spirits intact. That spirit of the horse always keeps us coming back for more. As hoof care specialist Martha Olivo remarks, "Horses and I just 'find' each other... we always have. They have been my best teachers and at many important levels, we keep each other whole."

It is a grave mistake for 'entrenched' veterinarians to comfort themselves with the belief that the barefoot movement is no more than a passing fad. It dismisses the fact that this body of knowledge is securely based on a respect for the horse's inherent genetic endowments. If we nurture their physiological inheritance, horses are perfectly able to complete a longer, more fruitful, lifetime of work. Keeping horses barefoot is a phenomenal win-win situation, offering increased vitality and performance. Though I can continue to write about these facts, others

must do their own research and use their own observational skills if they wish to arrive at the same understanding.

Championing the barefoot cause allows us to comply with the oath we took on graduation. Barefoot methods of hoof care stand firm on a sound body of knowledge. Farriers and veterinarians are the best men and women to promote this movement as they have the necessary broad training, the clientele, the love for the horse, and the tools. The primary objective is to improve the welfare of the horse by carefully applying barefoot (i.e. physiological) management programs. Happily, this brings its own secondary rewards, as such work is not only more successful and professionally satisfying than the traditional approach but it is physically less strenuous and safer. For the cooperating farrier it actually extends his business, as most owners would prefer not to do their own trimming. The former farrier KC La Pierre tells his audiences that shoeing is not, as claimed, a necessary evil. The evil arises, he says, from our lack of understanding of the hoof. It is this that leads to the belief that shoeing is necessary. Julian Huxley expressed the same thought in five words, "... false thinking brings wrong conduct."

The currently divisive spectrum of hoof care will be less polarized in the future. Similarly, organizations can expect sports activities that depend solely on specialized shoeing techniques to wane. Slider shoes that allow for exaggerated sliding stops, gait-altering shoes that interfere with normal hoof flight arcs, racing plates with grabs that increase the incidence of injuries, and other appliances that are used strictly for fashion will be replaced with barefoot trimming techniques and/or boot designs that do no harm.

We are professionals, pledged to advance our knowledge and competence and offer it to people who count on us, without restraints of ego or tradition. Science is a self-correcting system and, though the corrections are often sadly delayed, they do eventually take place. For example, we no longer fight disease by blood-letting: the practice of pin-firing and the use of caustics is on the wane: medial patellar desmotomy is largely a surgery of the past: and we now know that riders can communicate better with their horses if the bit is removed,<sup>9,14</sup> metal in the mouth being the cause of over a hundred behavioral and medical problems. Clients will come to us to find out about barefoot hoof care, to discover how their horses can improve their performance, and become less prone to a whole host of problems when barefoot. Veterinarians should be aware that there is a growing dissatisfaction among horse owners with the traditional hoof care options that are currently being offered by the profession. Already the climate of opinion among knowledgeable horse owners is such that an owner whose veterinarian has overlooked, ignored, refused or failed to offer them the barefoot option might construe such an omission as an act of negligence.

All of us want nothing less than faster, more complete healing for our patients. We would do well to take seriously the evidence clearly indicating that horses should not be shod. Taking the lead in promoting healthy hooves, educating ourselves, and our veterinary students, is a worthwhile, rewarding project and it

is one that we have a responsibility to adopt. Those who resist shouldering this responsibility will soon find themselves corralled by horse owners who have a better understanding of the horse's foot than they do.

### Conclusion

The shod and deformed foot is a sad and sorry sight, harmful to the horse.

The bare and healthy foot is a joy to behold, and does no harm, of course.

### REFERENCES

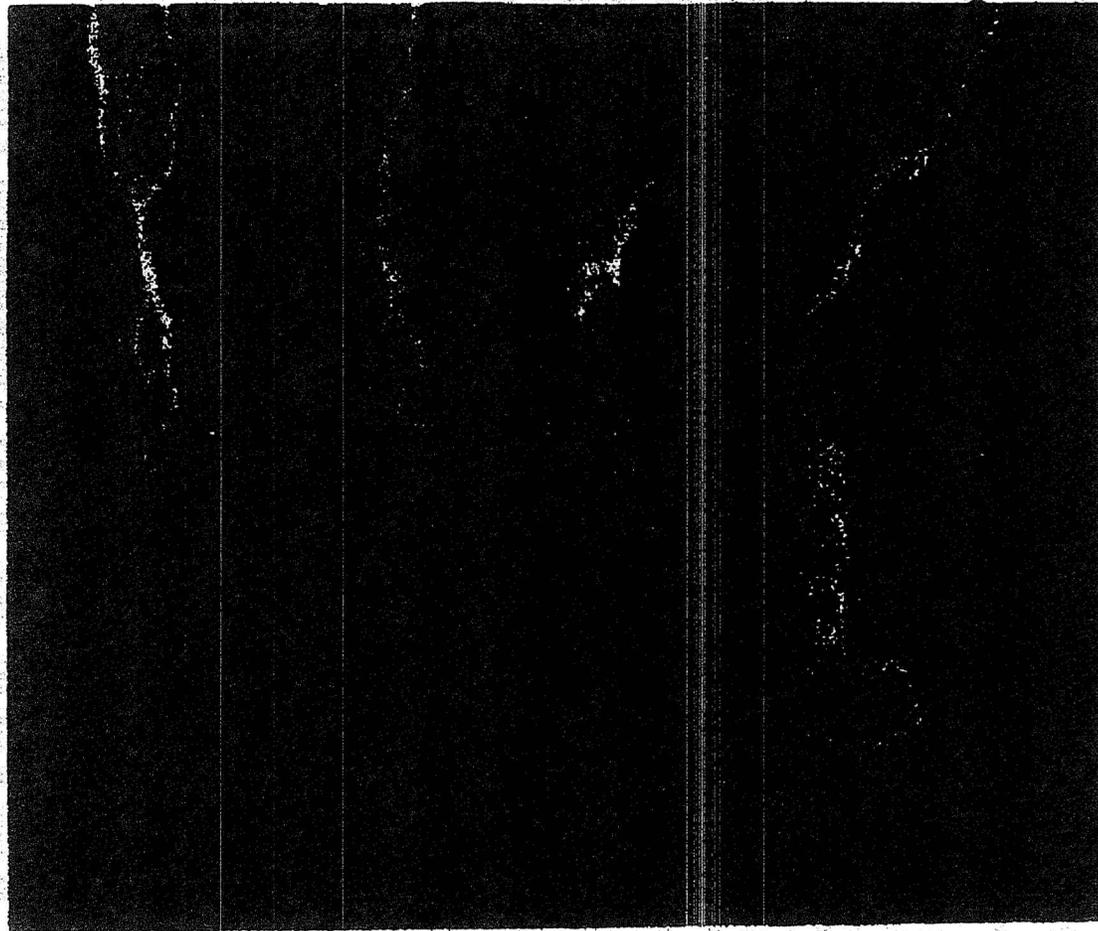
1. Pollitt, C: "Clinical Anatomy and Physiology of the Normal Equine Foot." *Equine Veterinary Education*. 1992; 4: 219-224.
2. Jackson J: *The natural horse*. Star Ridge Publishing, Harrison AR 1997
3. Bowker, R: "A New Theory About Equine Foot Physiology" March 6, 1998. Available at <http://cvm.msu.edu/news/press/footphy.htm>
4. Strasser H and Kells S: *A lifetime of soundness*. Sabine Kells, PO Box 44, Qualicum Beach, BC Canada V9K 1S7. 1998
5. Strasser H: *Shoeing: A necessary evil?* Ed: Kells S. Sabine Kells, PO Box 44, Qualicum Beach, BC Canada V9K 1S7. 1999
6. Bowker, R: "New Theory May Help Avoid Navicular" March, 1999. Available at <http://cvm.msu.edu/news/press/navicular.htm>
7. Strasser H and Kells S: *The hoofcare specialist's handbook: Hoof orthopedics and holistic lameness rehabilitation*. Sabine Kells, PO Box 44, Qualicum Beach, BC Canada V9K 1S7. 2001
8. Cook WR: "Educated owners and barefoot horses: An open letter to veterinarians." *Journal of Equine Veterinary Science* 2001; 21: 471-473.
9. Cook W.R.: "On talking horses: barefoot and bit-free." *Natural Horse Magazine* 3, 19, 2001
10. Strasser H: Video: *Optimum Hoof Form - The Basic Trim*. 2002. Available at [www.strasserhoofcare.com](http://www.strasserhoofcare.com)
11. Strasser H and Kells S: "Listing of the harmful effects of shoeing." 2002. Available at [www.thehorseshoof.com/listing.html](http://www.thehorseshoof.com/listing.html).
12. Jackson J: *Horse owners guide to natural hoof care*. Star Ridge Publishing. Harrison AR 2002

13. Jackson J: "*Founder: Prevention & cure the natural way.*" Star Ridge Publishing, Harrison AR 2002.
14. Cook W.R: "On 'mouth irons', 'hoof cramps', and the dawn of the metal-free horse." *Natural Horse Magazine*, Vol 4, Issue 4, 2002
15. Cook W.R: "Leave nothing but footprints ... and fertilizer." *Trail Blazer Magazine*, May 2002, P 13
16. Welz Y: "Hoofcare for the Millennium." 2002. Available at [www.thehorseshoof.com/tufts.html](http://www.thehorseshoof.com/tufts.html)
17. Cook W.R: "Professional dismissiveness of equine barefootedness." *Journal of Equine Veterinary Science*, December 2003, p564-566, 2003
18. Simons L: "Rethinking traditional hoofcare: the Strasser theory flies in the face of mainstream farrier logic." 2003. Available at: [www.hoofcare.com/contents74.html](http://www.hoofcare.com/contents74.html)
19. Welz Y: "The changing face of hoofcare in the United States." 2003. Available at [www.thehorseshoof.com/hoofcareus.html](http://www.thehorseshoof.com/hoofcareus.html)
20. Strasser H: *Who's afraid of founder?: Laminitis demystified.* Edited and translated by the publisher, Sabine Kells, Qualicum Beach, BC Canada, 2003.
21. Welz Y: *Barefoot Stories: Featuring the Strasser Method of hoof care.* Sabine Kells, Qualicum Beach, BC Canada. 2003
22. Speckmaier P. & Kells S.: *The Centaur Reborn: Holistic horsemanship and the foundation for optimal performance.* Sabine Kells, Qualicum Beach, BC Canada, 2003.
23. Cook W.R; "Get a grip." Published online at [www.bitlessbridle.com](http://www.bitlessbridle.com) and a shortened version "Remove the shoes" published in the *Thoroughbred Times*, September 6, 2003, p 18 Vol. 19, Number 36.
24. Bowker,R: "The Growth and Adaptive Capabilities of the Hoof Wall and Sole: Functional Changes in Response to Stress." *American Association of Equine Practitioners*, Lexington, KY. Available at [www.ivis.org/proceedings/aaep/2003/toc.asp](http://www.ivis.org/proceedings/aaep/2003/toc.asp), Internet Publisher: International Veterinary Information Service, Ithaca NY, 2003.
25. La Pierre K.C: *The chosen road: Achieving high performance through applied equine podiatry.* Naked Greyhound Press Dover DE, 2004
26. Jochle W: "Use defines shoeing." *Journal of Equine Veterinary Science*, 24, 122-123, 2004
27. Cook W.R; "Horseshoes totally indefensible." *Journal of Equine Veterinary Science*. 24, 266, 2004

28. Ramey P: "Making natural hoof care work for you." Star Ridge Publishing, Harrison AR, 2004
- 29 Jackson J: "*Guide to booting horses for hoof care professionals.*" Star Ridge Publishing, Harrison AR 2004
30. Ovnicek G.: "New Hope for Soundness." Wild Horse Publishing, Florence, CO, 2004  
Available at <http://www.whpublishing.com/store/products.html>
31. Redden R.: "Instructions for Redden Modified Ultimates, State of the Art Treatment for Laminitis" Available at <http://www.nanric.com/ULTIMATE.htm> 2004
32. Teskey T.: "Breaking traditions: A veterinary medical and ethical perspective on the modern day usage of steel horseshoes." Available online at [www.hoofcareunltd.com](http://www.hoofcareunltd.com)
33. Teskey T.: "Bringing the Sparkle back into Crystal's Life." Available online at [www.hoofcareunltd.com](http://www.hoofcareunltd.com)
34. Dean Y.: "Interview with Barefoot Vet, Dr. Tom Teskey." The Horse's Hoof. Issue 16, Summer 2004, p10-11.

[The above list of references, in year order of publication, includes a dozen books and provides comprehensive descriptions of the rationale and practice of barefoot hoof care. The Internet also contains an enormous amount of supplementary information, case histories and user comment. A Google search on 'barefoot hoof care' reveals nearly 2000 entries and provides a sense of the intense interest expressed by horse owners in this new approach, and the worldwide momentum that this movement has achieved in the last eight years.]

# Shoeing blocks the energy flow in the feet and metacarpus



The right front hoof is shod

## Barefoot Racing

### Introduction

An Insurance study done in Germany from 1984-1994 found the loss of use (excluding death and euthanasia) in horses was due between 46.8 - 55.9% of the time to lameness of some kind. Another study completed in 1995 revealed the most permanent loss of use was once again lameness at an incredible 83%. Only about 11% of the horses studied lived past the age of 14.

These astounding statistics prompted Dr. Hiltrud Strasser to research the causes. Over the last 20 years her research has surmounted any to date. Yet nothing has changed in the way we look at the natural hoof. In Australia in 1999, another such study showed again 83% of young race starters came up lame.

Today, there are two distinct groups promoting barefoot performance horses working throughout Europe and North America. One being Dr. Strasser's from Germany, and the other, Jaime Jackson from the USA. Jaime Jackson began studying the wild horses in the USA and has written numerous books on the subject of the barefoot performance horse. He is also the founder of a growing organization, The American Association of Natural Hoof Care Practitioners. What you will find in the next few pages to follow is a very brief overview of some of Dr. Strasser's research work that she accumulated over 20 years. The first section of the overview examines how the natural hoof works which allows the reader to understand more fully the true harmful effects of the iron shoe which man has so needlessly infringed on the horse for far too long. Since the publishing of the many books on the evils of horseshoeing, no person has yet been able to undermine these findings. Horseshoes are a slow painful death for any horse subjected to this cruelty. These two groups are leading the equine industry into a massive revolution. The Barefoot Performance Horse. Man's evolution, Horse's revolution!

### Mechanics of the Horse's Hoof

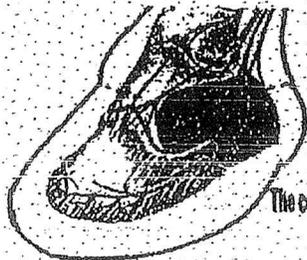
The hoof is a highly complex vascular organ which is very flexible enabling it to act like a shock absorber and suction cup on any terrain when left in its natural healthy state. The moment a shoe is nailed onto the foot, the vital mechanism is prevented. When shoed, the hoof is fixed in its narrowest state preventing flexibility and therefore blood flow, slowing down waste elimination from the body, as well as, a whole multitude of devastating chain reactions.

## What is the function of the foot

1. Protection and Traction
2. Shock absorption
3. Heart supporting circulatory pump

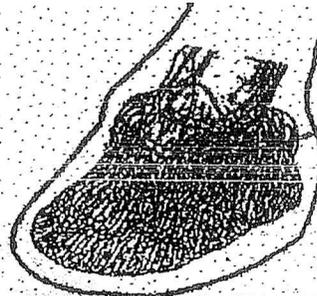
### Protection

The outer hoof protects the sensitive internal vascular system from outside forces, acts as a temperature insulator and secures footing on any terrain. The hoof capsule must keep the temperature of the inside of the hoof constant in order that the cell metabolism, ie. horn production, protein removal from the bloodstream, is maintained.



The corium also contains the nerves of the foot

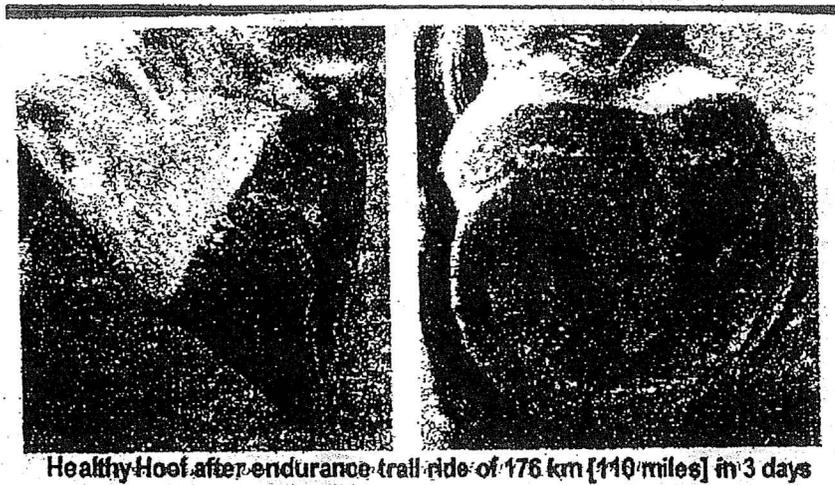
Fig. 35: Nerves in the Foot



Vascular network of the corium

### Traction

In a natural worn hoof the bars and walls of the heels protrude slightly above the concave sole; very similar to the traction grooves of a car. Through the skid brake action of the bars, the wedge-action of the toe and the suction cup effect of the sole and frog, the natural hoof ensure safe footing on any terrain. Since the hoof is conical in shape, this means its walls meet the ground at any angle giving the hoof again a wedge-like action insuring surefootedness both forward and sideways.



Healthy Hoof after endurance trail ride of 176 km [110 miles] in 3 days

### Shock Absorption

One of the most important functions that is achieved through the principle of energy transformation (energy cannot be destroyed, only changes form), is shock absorption. There are four major forms that Dr. Strasser has noted:

#### 1. Leaf spring effect of bone alignment

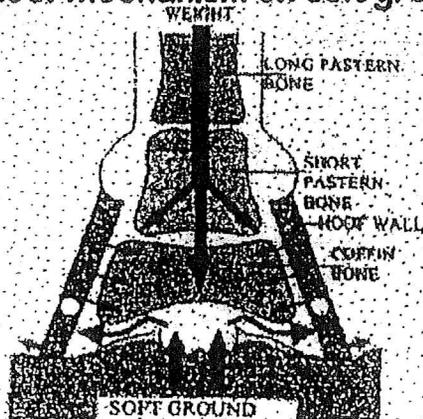
The bones of the foot are not aligned vertically, but in a harmonic curve. This way when the hoof contacts the ground, the impact force does not travel straight up the leg, but is partially absorbed the way a leaf spring will absorb shocks.



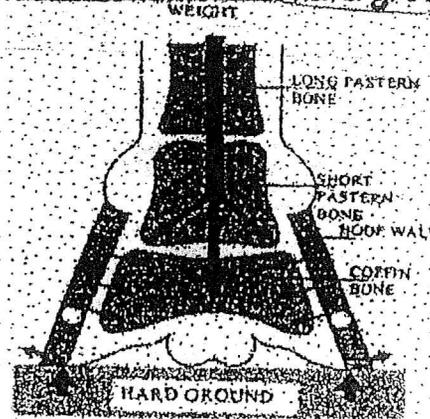
Fig. 33: Photo of Sagittal Cross-section of the Hoof

2. Expansion of the hoof capsule (hoof mechanism) narrows when the foot is lifted and expands again on weight bearing. This constitutes 79 to 80% absorption, Luca Bein, University of Zurich. See Professor Prueuschoff 1980, University of Bochum.

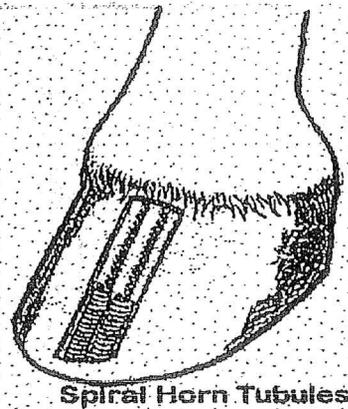
#### Hoof mechanism on soft ground



#### Hoof mechanism on hard ground



3. Compression of the spiral horn tubules in the wall act like individual springs compressing independently of each other, ensuring the greatest possible shock absorption and aiding in surefootedness. fig. 54 page 93



Spiral Horn Tubules

4. Stretching of laminar horn and lamellae. The lamellae and laminar horn have interlocking leaves and since both are elastic they add a bit of spring, contributing to further shock absorption

#### Heart - Supporting circulatory Pump

The hoof corium is a highly vascular sponge which lies between the hoof capsule and the internal structures of the hoof. When the horse lifts the foot ( non weight bearing) the hoof capsule narrows and squeezes the blood out of the corium and up the leg. It then fills with blood when the hoof capsule expands or is weight bearing. Fig. 55 pg 95

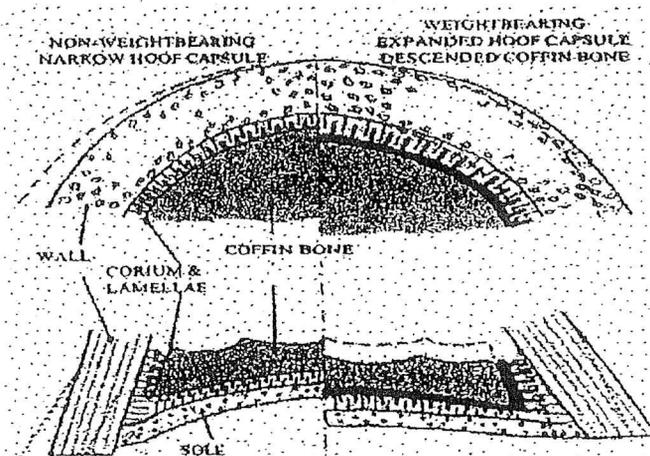


Fig. 55. Cross-sections Through Hoof Showing Corium During Weightbearing and Non-weightbearing Phase

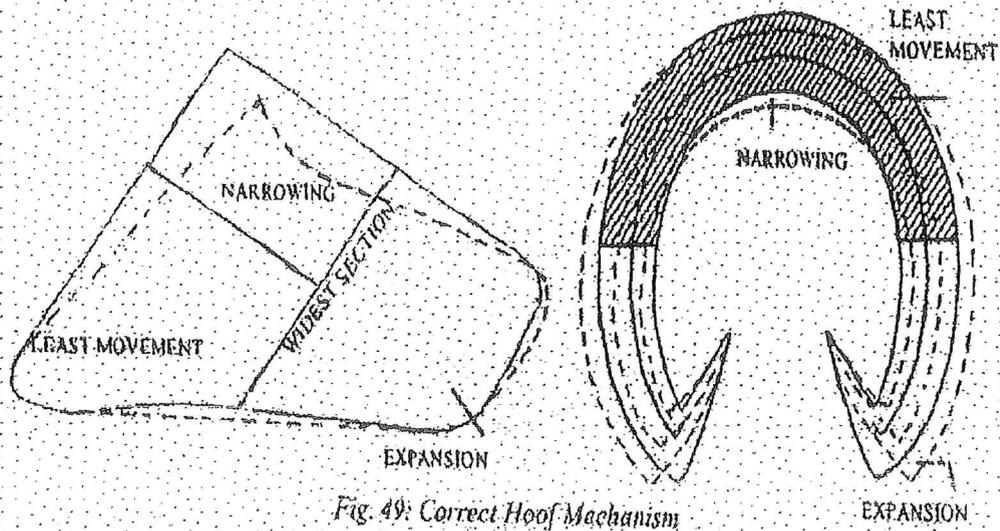


Fig. 49: Correct Hoof Mechanism

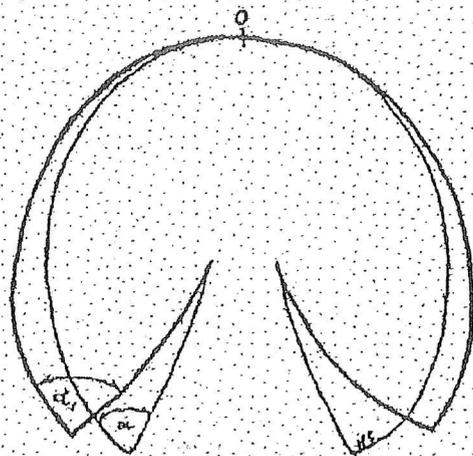
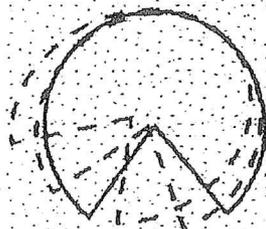


Fig. 50: Change in Angle of Bars During Expansion of Hoof on Weightbearing

## 5. Traction

A naturally trimmed bare hoof has excellent traction on any surface. The hoof is flexible and acts like a suction cup on any terrain. Nerves let the horse feel the terrain it walks or runs on.

The bars work like skid brakes. Shoes not only impair these natural mechanism but prevent the horse from truly feeling the ground under it. It will take a bad step much more easily than if it were barefoot. The shoes add too much traction when it is not needed. For example, when the horse suddenly turns or pivots the shoes prevents normal movement and stresses the ligaments, joints and bones of the leg. This continued pounding and wrenching only ends in ossification such as ring bone.

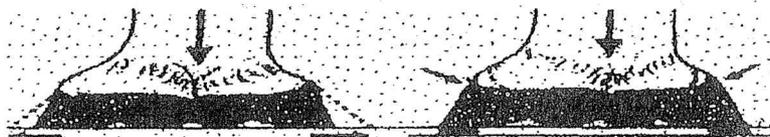


*Fig. 59: Hoof Pivots Around the Toe*

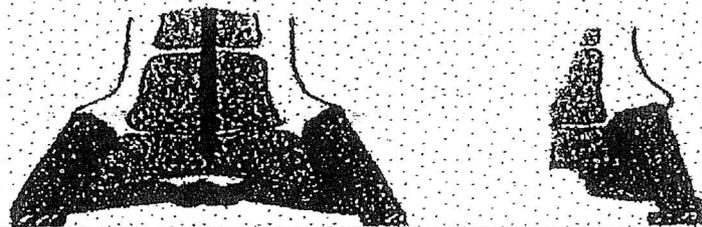
## 6. Corium Damage

The hoof grows much slower in a shod horse. Since the walls affixed to a shoe are not able to grow downward and outward, they are forced more and more against the coffin bone. The corium is increasingly pinched and bruised causing many lameness that conventional medicine does not see the connection between the shoes (cause) and the effect (lameness). There is a lack of the correct information in the textbooks and ignorance of scientific publication of these matters.

Unshod natural hoof mechanism



Shod hoof - virtually no hoof mechanism



*Fig. 58: Pinching of Living Tissues in Shod Hooves*

## Harmful Effects of Shoes

### 1. Impairs Hoof Mechanism

Since no movement of the hoof capsule can take place, 70 - 80% of the natural shock absorption is lost. This means the feet can no longer act as pumps to the heart. Preventing this important function has severe consequences. The heart is overstressed, the cell metabolism (horn production) is reduced, slowing the protein removal out of the blood stream; tissue necrosis in the hoof takes place resulting in ossification, arthritis of the joint and ligament damage. When the hoof is always shod, it is fixated in its narrowest state. The lateral walls cannot expand making it impossible for the sole to draw flat which means the coffin bone has nowhere to go and impacts the hard sole horn where bruising occurs. When a hoof is shod in this narrow form, the corium exists in a state of perpetual, pathogenic pressure. A shod horse receives three times the impact forces on pavement than a barefoot horse trotting on the same ground. Imagine the impact on a racehorse at fast repetitive speeds.

### 2. Impairs nerve function

Shoeing reduces the circulation resulting in oxygen and glycogen deficiency, ion potential around nerve endings cannot be rebuilt properly. The hoof is in effect numbed and the horse is walking with its feet asleep. See thermograph picture

### 3. Alters Hoof Temperature

Production of hoof horn depends on metabolic temperature. The reduced circulation drops the temperature in the foot and therefore further impairs the metabolic processes which stunts the corium and cause tissue necrosis resulting in decreased horn quantity and poorer quality. Nails lower the temperature inside the hoof because they conduct the cold. Decreased hoof mechanism results in decreased circulation which means less warm blood reaches the hoof. Misdiagnosis often occurs since a normal shod hoof is cold while on the other hand a healthy unshod hoof is warm.

### 4. Vibrations

Raynaud's Syndrome, as in humans, occurs in the hoof through pathological alterations due to the vibrations of the nails. The nails vibrate at about 800 HZ, a frequency damaging to living tissue. (Luca Bein 1994) This is especially serious in the laminar corium which provides the suspension for the coffin bone inside the hoof capsule.

### 7. Metabolic Disorders

The horse is a biological entity, any change in one area will affect other areas. Horn growth constitutes protein excretion from the body. Since this cleansing is reduced because the reduced hoof mechanism, other organs like the liver and kidneys are effected.

### 8. Contraction

Continuous shoeing in most cases results in a severely contracted hoof especially with a young horse who's coffin bone have not even had a chance to develop normally.

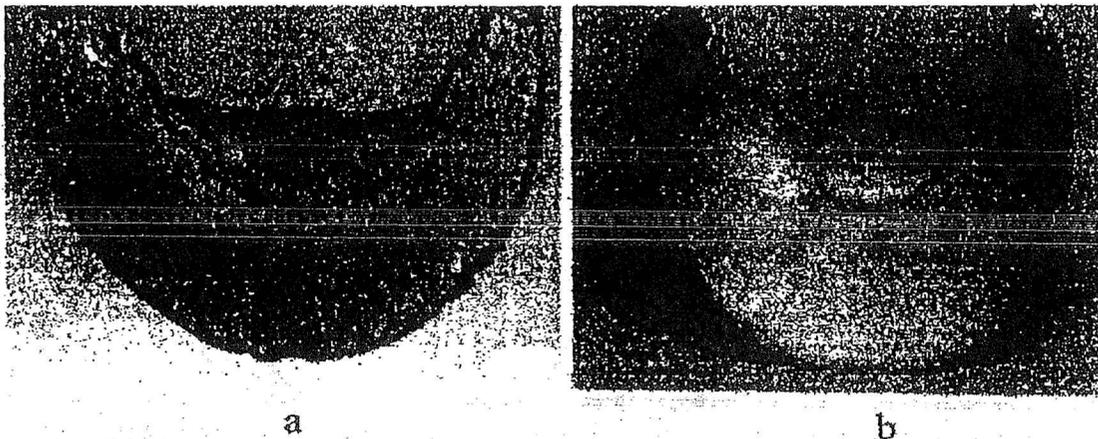
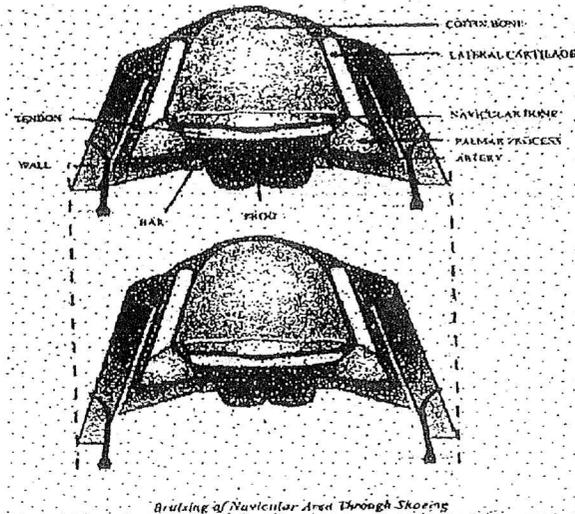


Fig. 60: Coffin Bone from a) a Healthy Hoof. b) a Contracted Hoof.

### 9. Impairs Hoof Mechanism and Circulatory Pump

The shoe is always nailed on in the narrowest position permanently. This is just like placing a metal band around one's rib cage after exhaling and then asking them to exert itself to peak performance.



**10. Protects Hoof Wall from Wear and water absorption**

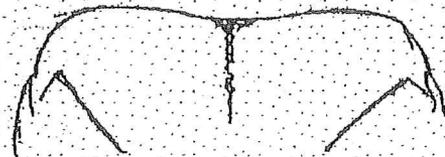
The wall grows longer than it ever would in nature causing unnatural forces and tension with the hoof capsule. The horse can't truly feel the ground under it and can trip or stumble far more easily. A shoe always covers the white line on the sole which is one of the primary areas this vascular system draws vital water for it to remain supple.

**11. Bruising of the Navicular Area (Heel Pain) and Contraction**

The shoe prevents proper development of a young horse's foot since the coffin bone cannot develop into its proper shape. The effect of a horse shoe is like that of keeping a growing child in the same size shoes.

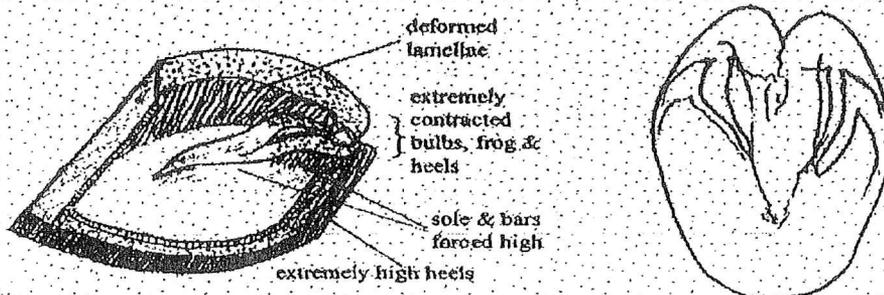


*Fig. 25: Bulb shape of a contracted hoof*



*Fig. 26: Bulb shape of a healthy hoof*

Figures 27 and 28 portray a contracted hoof (interior and sole view) resembling the one represented as anatomically correct in a current textbook for veterinary medicine (Budras).



*Fig. 27: Interior view of an extremely contracted hoof, shown as anatomically correct in a veterinary textbook*

*Fig. 28: Sole view of an extremely contracted hoof, shown as anatomically correct in a veterinary textbook*

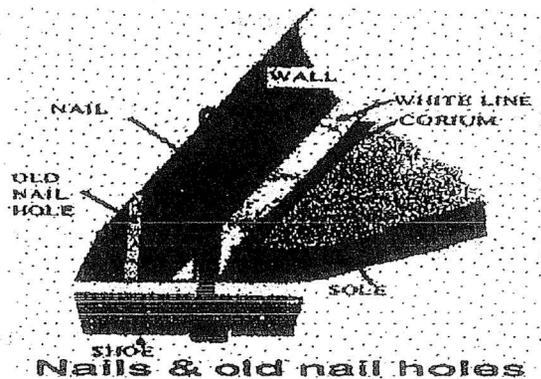
**12. Thrush**

Blood supply to the frog and sweat glands that run along the frog, may be disrupted severely enough to cause thrush.

13. Meridians, Reflex Zones, Electrical and Magnetic Fields  
How the shoe effects these areas is still underway.

#### 14. Nails Destroy the Hoof Wall

Nails driven time after time, destroy the wall not only through vibration but especially since they open the foot to microbes bacteria and fungi.



#### 15. Exercise-Induced Pulmonary Haemorrhage

The connection between high impact on the front end (caused by shoeing) to bleeding EIPH, premature fatigue and impaired performance. See Professor Robert Schroter, Department of Biological and Biomedical Systems at the Imperial College of Science, Technology and Medicine in London. A New Look at "Bleeding" in Horses.

#### 16. Reduced Safety

The increase risk of greater injury to the horse itself, other horses and the jockeys.  
A look at the statistics needs to be addressed.

## **Benefits of the Barefoot Horse to the Racing Industry**

1. Extra Safety for both horse and jockey - increased neural response resulting in surefootedness
2. Increased traction without negative effects of shoes
3. Increased Speed - Barefoot horses do run faster
4. Fewer breakdowns and better recovery times because of increased circulation
5. Less congestion of lungs - prevention of EIPH
6. Increase performance
7. Economic viability :
  - A) We could be the leader in the field of barefoot racing by introducing the first research group proposed on an international level. This would be a huge credit to the racing industry in general.
  - B) This would improve the image of racing. This barefoot movement is upon us in other areas of performance horses, ie. Dressage and Endurance. It is only a matter of time before this will eventually reach the racing community. Why not take the proactive approach and enhance our image. The whole world will be watching.
  - C) Will actually give more work to blacksmiths since horses kept in the right natural environment will require more specialized trimming
  - D) Would make a great television documentary.

## **Bibliography**

**Shoeing: A necessary Evil? Dr. Vet.med. Hiltrud Strasser  
Ed. & Trans Sabine Kells**

**A Lifetime of Soundness: The Keys to Optimal Horse Health lameness  
Rehabilitation and the High-Performance Barefoot Horse  
Dr. Vet. Med. Hiltrud Strasser  
Ed. & Trans. Sabine Kells**

**Horse Owners Guide to Natural Hoof Care Jaime Jackson**

**The Natural Horse Lessons from the Wild Jaime Jackson**

**Letters of Dr. W. Robert Cook FRCVS.,PhD.,  
Professor of Surgery Emeritus  
Tufts University School of Veterinary Medicine**

1. An open letter to veterinarians August 2001
2. Professional Dismissiveness of Equine Barefootedness 2003
3. Get A Grip 2003

**Internet Sites on Barefoot Horse - to many to list.**

**Overview Prepared by Anne Riddell 2004  
705-533-2900**

Maria Klein, DVM, Breeder and Trainer of Racehorses, Germany

## Shoeing in Race Horses

### 1. Preface

I am a breeder and trainer for race horses. To reach our training track, we have to go over a paved road with chip sealing. My race horses were usually successful barefoot before 1995. (Some were partially shod).

In 1995, the racing society changed the rules and every horse starting a race had to be shod on all four hooves. It was not possible for me to do anything against this new rule. The excuse the director of the racing society had for this new ruling was "the safety of the jockey and the horses." It was then no longer possible to start with barefoot or partially shod horses.

Racing plates are very narrow with a continuous rim and a crease which soon fills with sand, which is supposed to give better traction. However, there must be no toe grips or caulks or protruding nail heads because of the danger of injury to the other horses.

The official reason for requiring hoof protection: the opinion that only shod horses are surefooted enough to not endanger the jockeys. Paragraph 480 of the German racing rules now requires that race horses have to be shod with "approved" shoes. Which shoes are approved remains a secret since 1995.

### 2. Race horse is a profession

To be a race horse means to be fit at a certain date. The smallest error or slightest lack of top form often decides between winning and losing. The trainers are required to report the loss of a shoe to the racing directors. The shoe must be found in order to avoid injuries in the following races.

Individually some race horses need shoes in order to be optimally suited for their job in the same way that some humans need work gloves for example with excessive wear, torquing of the hind limbs, with injury of the hoof capsule, etc. Lameness can make a race horse unfit for its job. A healthy, capable hoof does not need a shoe, especially not for reasons of traction with racing or training for racing. With certain terrain, grips or caulks might prevent slipping, but these are as already mentioned forbidden in the German sport of racing.

### 3. Damaging side effects

As is well known shoeing can have negative side effects. This is especially true with shoeing for racing: overreaching, striking, forging, and interfering; lameness; ligament and tendon sprains; periostitis; and premature deterioration; result in the horse being incapable of performing its job.

The track farriers make the shoes especially short to prevent accidental pulling of the shoes with a hind hoof. The result is dramatic stresses on the flexor tendons. The high frequency of shoeing destroys the hoof capsule.

Lost shoes are very common in racing for the following reasons: cold shoeing and high speed (centrifugal forces).

A computer animation of the University of Vienna shows impressively that the greatest stresses in the hoof capsule of a shod horse occur in the area of the last nails. On softer shoes, such as aluminum/titanium ones, it can be seen in some horses that the grooves worn into the shoe go far forward beyond the last two nails holes. It is no wonder that a horse shod in this manner in the long run suffers pain and is no longer capable of good performance on the track.

(In 2003 in Hamburg, the horse "Sachsenking" won after a long time of being unsuccessful and being an unlikely candidate for winning due to his utterly damaged hooves. When the ground of the race track became very soft, he won the race.)

The damages occur slowly and can be recognized by the increasingly stiff gaits. The shod hoof horn becomes brittle. This is also a reason why long-term shod race horses often require a great deal of time until they can be sound barefoot.

I know race horses which, after a new shoeing, had to be cooled for several days before they could tolerate the new shoes.

A world-renowned German race horse trainer offered the following comment: A race horse without shoes is like a Formula 1 race car without tires.

#### 4. Is the horse shod with racing plates really protected from slipping?

The bare hoof is more surefooted than the shod hoof because:

1. It is proven that the hoof, because of its special structure, can conform to the unevenness of the ground. This capacity of deforming to the ground makes the hoof more surefooted than a stiff shoe.
2. The coefficient of friction of hoof horn is surely greater than that of steel.
3. The weightbearing wall of the unshod horse is meant to dig into the ground. The healthy weightbearing wall is sharper than the narrowest shoe can be, but not as sharp as a toe grip (which is not permitted).
4. Sensation in a bare hoof is working fully, so that a horse, if necessary, can move with more caution.
5. Before the thoughtless mandatory shoeing rules, barefoot horses were often more successful than their shod colleagues on extremes of terrain (extremely hard, slippery, muddy).

#### 5. The following facts are ingored in the informal circles of the DVR (German Racing Association)

- A) In racing, accidents (falls) are dependant on 1. the condition of the track; 2. the technique and skill of the jockey; 3. the health of the horse.
- B) The number of accidents has not decreased as a result of the so-called "preventative measure" of mandatory shoeing.
- C) A lifestyle where the horse can move more freely makes them more capable of adapting to the terrain conditions. They are better able to react to sudden incidents. This creates true safety for the jockey. With the boarding conditions common at the track, the horses have lost coordination skills; because of this, the danger of an accident arising from even a small slip is disproportionately greater.

## 6. Animal welfare (of which the DVR often boasts) is lost

With bitterness, I see that the shoeing mania blossoms into ever stranger forms:

Since 2001, the yearlings for the auctions in Baden-Baden have to be shod all around (internal rule). Recently, a farrier told me that, for the first time, he shod a horse that was lying down. The most unfair mandatory cruelty to animals in the races is the shoeing of the two-year-olds, whose hooves are still developing: the natural growth and wear are restricted. The animals are damaged. A truly sensible reason is missing.

The skeletal maturing of the Thoroughbred: the growth in length of the bones is complete at 8 months (according to a report of the DVR). But the growth in width is not complete until the age of 4 years. Especially with irregular hoof form (steep or flat) the damage from premature shoeing of these horse children is often irreversible, and the hooves become crippled and deformed; movement thus increasingly represents torture.

## 7. Is shoeing a cause for nosebleeds?

A special phenomenon which I have observed in my horses which are now shod for the actual race is the nosebleed (EIPH – exercise induced pulmonary hemorrhage).

According to the newest scientific research from England, the following theory was proposed: the impact of the hoof on landing continues up the front legs into the chest cavity. Increasing vibrations on vertebrae and ribs result (tuning fork effect). In the upper areas of the lungs, these vibration waves cause damage and finally tearing of capillaries.

Even nosebleeds, in my opinion, develop insiduously. Shock absorption in the hoof occurs via hoof corium and hoof mechanism. The latter is restricted in the shod hoof. The impact on hard ground is, in a shod hoof, seven times greater than in an unshod hoof. This is one possibly plausible explanation for my race horses' nosebleeds, which did not occur until they were shod for the first time.

## 8. In summary

Horses with healthy hooves often run faster and are healthier and have a longer performance life than if they were shod. The healthy bare hoof offers more safety for horse and rider because the adaptability of the hoof is fully preserved. Whether a race horse needs shoes should once more be judged on an individual basis.

## 9. Prognosis

The sport of racing in Germany is known to be doing poorly. The big breeding farms are becoming larger and larger. They breed huge numbers of racing prospects for which there is often no market. One might think that the rule of mandatory shoeing is, despite people knowing better, maintained in order to ensure a faster wearing out and using up of race horses.

## GET A GRIP

The foot of the horse is a triumph of engineering. Starting with a four-toed mammal the size of a fox terrier, its design has been shaped by 60 million years of evolution. The one-toed modern horse (*equus caballus*) evolved about a million years ago. Let's put aside the first 59 million years of development and reduce the last million to a 24-hour time scale. Within this period, modern man (*homo sapiens*) did not evolve until about 11.10 pm. He first domesticated the horse around 11.53 pm and did not start nailing iron clamps on its toes until some time after 11.58 pm. Attempts to improve the horse by selective breeding commenced about 17 seconds before midnight.

This perspective assures us that the horse's foot today cannot be markedly different from the unshod foot of horses in the Greek and Roman armies. The modern foot is also the same design that served well, over many a stony path, for the unshod Mongol cavalry. If permitted by man, the foot of the present-day horse is still capable of similar feats, as demonstrated by barefoot horses that compete successfully in 100-mile endurance rides.

Barefoot endurance horses are showing by example that racehorses could do likewise. Thoroughbreds in training never work over anything but carefully manicured ground. They carry far less weight than an endurance horse and they do this for much shorter distances. If they were barefoot they could do it with greater safety to themselves and their jockeys, and also stay sounder for longer. If safety and soundness are not reason enough for owners and trainers to consider this change for the better, add in the probability of greater speed.

With all due respect to Dr. David Nunamaker's interesting idea for a new shoe, as described by Denise Steffanus in her article "Grip and Slide" (Thoroughbred Times, August 9, 2003), no shoe can fail to upset the finely-tuned mechanism of the natural foot. Nature has already evolved the perfect design for grip and slide in all conditions; from ice, snow, and slush, to rock, sand, and mud. Furthermore, nature's design provides for unsurpassable shock absorption, an indispensable supplementary blood pump, and maximum awareness of foot placement.

Millions of years of evolution cannot be improved upon by man's last-minute tinkering, no matter what the design of the shoe. On the contrary, the foot cannot carry out its vital functions when clamped. The foot should be permitted to expand when weight-bearing and contract when weight-bearing. Unless this happens, blood supply to the foot is impoverished, horn production becomes deficient, and circulation of blood to the rest of the body during a race is impaired. A shoe clamps the foot in the contracted state. A further indictment of shoeing is that the foot is numbed, impact forces are hugely increased and, because most flat racehorses are immature, growth of the coffin bone is prevented. A shod horse walking on pavement suffers three times the impact forces of a barefoot horse trotting on the same ground. The effect of this hammering on juvenile bones and joints is predictable. Because of their relative immobility, two-year-olds in training that are housed in backside stalls also suffer a loss of bone density compared to their yearling

status. In view of these and other man-made problems, it is not surprising that our elite equine athletes are so frequently disabled by bruised feet, sesamoid fractures, bucked shins, strained tendons, and chipped knees.

A horse does not, as is widely supposed, need shoes to protect its feet. The shoe does not protect the foot ... quite the opposite. The foot is harmed by the shoe and the rest of the leg is also subjected to dangerous stress. Horseshoes are indeed harmful to the health of the whole horse. When the foot is prevented from functioning correctly, the pastern, fetlock, canon, and knee are also placed at risk. This leads to bone, joint and soft tissue injuries and, in addition, a whole cascade of problems affecting not only the musculoskeletal system but also many other systems. For example, as circulation is impeded, the heart will be put under unnecessary strain during racing, congestion of the lungs is likely (another factor in the cause of 'bleeding'), and breathing will be impaired. Horseshoes handicap horses; performance is adversely affected and the risk of accidents increased.

Evidence for the above statements can be found in the first two references listed below. Both books are quite short and eminently readable. Those who wish to probe deeper can study the magisterial third reference, which contains the fruit of 20 years of research by Dr. Hiltrud Strasser of Germany. All the books can be ordered online at [www.strasserhoofcare.com](http://www.strasserhoofcare.com). The last two references were written in the hope that more veterinarians and farriers would follow Strasser's pioneering lead and support her landmark contribution to the welfare of both horse and rider.

By adopting the management conditions required for Strasser's barefoot method, horses could be made happier, healthier, less dependent on medication, and more productive. Such improvements in equine welfare at the backside stables and on the racetrack could do much for the image of racing. This would not be just a publicity stunt. Owners and trainers would be helping themselves by helping their horses.

W.Robert Cook, FRCVS., PhD.  
Professor of Surgery Emeritus  
Tufts University  
School of Veterinary Medicine

### References

1. Strasser H and Kells S: *A lifetime of soundness*. Sabine Kells, PO Box 44, Qualicum Beach, BC Canada V9K 1S7. 1998
2. Strasser H: *Shoeing: A necessary evil?* Ed: Kells S. Sabine Kells, PO Box 44, Qualicum Beach, BC Canada V9K 1S7. 1999
3. Strasser H and Kells S: *The footcare specialist's handbook: Foot orthopedics and holistic lameness rehabilitation*. Sabine Kells, PO Box 44, Qualicum Beach, BC Canada V9K 1S7. 2001
4. Cook W.R: *Educated Owners and Barefoot Horses; an open letter to veterinarians*. Journal of Equine Veterinary Science, 21, 471-473, 2001

# Shoeless 'T.V.' triumphs at Delaware Park

By IZZY KATZMAN

T.V. Highlights demonstrated once again yesterday that she likes running without horseshoes.

Labadie Mill Farm's 6-year-old won the \$46,000 Parlo Turf Handicap for fillies and mares on the final day of Delaware Park's 50-day meeting.

Labadie Mill Farm — the nom de course of Dr. and Mrs. William H. Wright of Middletown, gained the lead on the final turn of the 1 1/16 miles test and scored by a length over Eric Frank's Native Wine, with Hill-N-Dale Farm's Glamazon another 1/4 lengths back in third place.

T.V. Highlights, ridden by John Ruane, was clocked in 1:43 and paid \$19.80, \$3.40, \$5.80. The second and third-place finishers also returned good prices, Native Wine paying \$20.60, \$15.60, and Glamazon \$11.40.

Euphrosyne, the 8-5 favorite, and Diplomatic Role, the 2-to-1 second choice, ran disappointing races, both finishing far back in the nine-horse field.

This was T.V. Highlights' fourth victory in nine starts this year, including three in stakes. The 6-year-old daughter of T.V. Commercial-Fanrigo, by Amerigo, who won for the first time this year at a distance greater than one mile, also has two seconds. With the \$29,900 earned yesterday, she raised her 1960 bankroll to \$92,232.

Much interest developed in the race for the jockey championship after Ronnie Franklin won the first two races of the day and five of his first six. Mario Pino appeared a shoo-in for the title entering the racing day, leading by five, and with nine rides against Franklin's eight on the final program. Franklin's hot streak narrowed Pino's margin to one, 51 to 50, with two riding assignments left. He went unplaced in both and Pino wound up with the jockeys' championship for the second straight year.

The former St. Mark's High wrestler gained his winning margin by taking the third race with Blue Fife And Drum (\$5.40).

Pino and Franklin also were

involved in the most controversial race of the day.

First there was an inquiry and then objections were lodged by two riders, Kenny Black with third-place finisher Double Whammy against Franklin and second-place finisher Silent Basis, and Franklin against Pino and first-place finisher What A Michael.

The stewards moved Franklin's horse up as the winner and set Pino's mount back to second place for drifting out in the stretch. Black claimed Franklin's horse came into contact with his horse in the stretch, but the stewards ruled instead that Black's horse was more responsible for the incident and Black's objection was disallowed. With the reversal of the first two horses, Pino, instead of gaining a 52-49 lead and clinching the championship, had his lead cut to one and the final outcome remained in doubt up to the final race.

Bud Delp wound up with four winners for the day, all-ridden by Franklin, and won the trainers' championship for the 10th time with

49 wins. Dick Dutrow was second with 28 wins.

Austin Brown, vice president and general manager, announced that the handle had risen 8.73 percent over last year and that the attendance had climbed 6.36 percent. The average handle was \$763,779 and the average attendance 6,285.

The first three finishers in the Parlo were trailed in order by I'll Be Around, Lady Roberta (with Franklin as the rider), Sharp Zone, Euphrosyne, Diplomatic Role and Keeler (a 25-to-1 shot ridden by Pino).

Sharp Zone is owned by the Bohemia Stable of Mrs. Richard C. du Pont, who is Mrs. Wright's mother.

"I was concerned how well she (T.V. Highlights) would do because the course was rough," said Ruane after the race. "But she held up well. I had a lot of horse under me as I turned for home. I was worried, though, about those behind me."

Queried about riding a horse without shoes, Ruane replied: "He (Wright) must know what he's doing. I've been riding two horses for him without horseshoes — the other is

Cayot's Corner — and they're both dynamite."

Wright, who is on the University of Delaware faculty in the Department of Animal Science and has a veterinary consultant practice, was questioned about having some of his horses run barefoot. "How can you improve on God?" he said. Then he amplified.

"Without good feet, everything else suffers. Our horses get proper feeding programs, in part to promote healthy feet. Also proper exercise and proper rest."

Asked what instructions were given to Ruane, Wright said he told the jockey, "You know what to do."

Ruane has ridden T.V. Highlights in all his races this year. Ruane after the race recalled that "I was the leading apprentice rider here in 1957, the year Steve Brooks won the title."

Keeler, Glamazon, T.V. Highlights and Native Wine ran in that order for three-quarters of a mile, before T.V. Highlights seized command. The Wrights' mare went into the stretch leading by two lengths.

## Belmont roundup

### Entries

First Post 1:00 (EDT) 11	
1st—17,000, d, 3YO up, 1 1/16mi.	
ArbeesChrm	113 Tulleff
CousinsThres	117 AsilHen
LeAnn	119

### Results

Weather Clear, TRACK Fast			
1st—12,000, d, 3YO up, 1/16mi.			
Flying Straight (Attanasio)	5.00	3.00	2.40
Return For Glory (Lovaio)		3.20	2.40
Bye Bye Blues (Foley)			3.40

## Handicaps and results from Liberty Bell

1st — 3,000 — Trot			
8	His Heritage (F. Burrows)	2-4-3	3-1
7	Able Windswept (No driver)	5-1-7	4-1
1	Fabian Paloma (A. Martin)	3-4-6	5-1
2	Joans Viking (A. Maker)	5-2-6	6-1
5	Veloz Incasuesi (L. Railbone)	4-9-5	6-1
3	Bingen Blue (P. Jones)	3-2-1	8-1

5th — 2,700 — Pace			
4	Belmont Shadow (S. DeCample)	5-4-6	3-1
2	Grey Horse (No driver)	4-6-3	4-1
5	Payday J (J. Smith)	5-3-4	5-1
6	Don't Merse (M. Lancaster)	8-3-8	6-1
3	Dolly Turb (E. Davis)	4-4-6	6-1
1	Sire Henry (C. Vitale)	7-3-2	8-1

4th — Pace, 6,500, 2:01			
	Riotorn (E. Davis)	6.20	2.80
	Dennis Hanover (Dancer)	3.20	2.80
	Jersey Abbe (Delcampe)		3.40
EXACTA (1-2) PAID 11.40			
5th — Pace, 5,000, 2:01 1/5			
Second Guesser (Glamazon)			



Staff photo by Leo S. Matkin

the first turn in the Andora Flat Race, the second event at Fair Hill, was a crowded one, as three horses vie for the lead.

# Wright's method right one

*Barefoot entries win two at Fair Hill*

By ERIC RUTH  
Staff reporter

FAIR HILL, Md. — Dr. William H. Wright probably wouldn't be very popular with blacksmiths, but race-horse owners think he's just fine.

Dr. Wright, a University of Delaware professor who trains horses for the Labadie Mill Farm at Chesapeake City, Md., sends his steeds to the track without horseshoes. It's an unconventional method, but in Monday's final 1983 day of the Fair Hill Races, it was a successful one.

Dr. Wright's barefoot proteges took both divisions of the Lewisville Flat Race before 14,862 at Fair Hill. Conclude, a 3-year-old brown gelding owned by Harry A. Love, won the \$1,000 first division in the first race of the day. Double My Trouble, a Labadie Mill Farm native, topped off the sweep with a victory in the \$1,000 fourth race.

Wright, who teaches animal science and biological chemistry at Delaware, practiced veterinary

medicine for 30 years at Belmont Park. During those years Wright learned that for a horse to win, it must be happy. And, said Wright, a happy horse is a barefoot horse.

His first happy patient, Conclude, geared up from the back of the six-horse field to win the 1 5/16-mile flat race. Apprentice jockey Ben Guessford guided the gelding to the first victory of its career in two minutes, 17 seconds. Conclude returned \$6.60, \$3.60 and \$4.00.

"Conclude had been through two or three trainers before I got him," Wright said, "and they hadn't had any luck with him. I had him for two or three months before today's race. We just concentrated on giving him a lot of exercise and keeping him happy."

Wright's other happy horse, Double My Trouble, took the same route in winning the second division of the Lewisville. Jockey Holly Mitten, a U.S. Olympic Equestrian team alternate, rode the 3-year-old black gelding past its five challengers in the stretch, winning the race at the wire.

Double My Trouble and Le Sauter, ridden by Bernie Houghton, overtook Ahwaz in the last 30 yards. Ahwaz, who had led throughout the 1 5/16-mile contest, faded as Double My trouble charged past Le Sauter for a 2:17 4/5 finish. Double My Trouble paid \$5.00, \$3.20 and \$2.20.

"The race went just the way we [she and Wright] planned," Mitten said. "We were last until the stretch, then he answered pretty well."

As a rider of one of the day's only two unshod mounts, Mitten supported Dr. Wright's technique.

"They don't slip as much and you don't have shoeing problems," Mitten said. "Shoes distort the legs too much. I've been in races where everybody has slipped but me."

In other action Monday, veteran jockey Bill Martin won a pair of races, including the top-purse \$7,000 fifth race, The High Hopes. Martin also showed in the fourth race, aboard Ahwaz, and placed in the sixth-and-last race.

His win came in The High Hopes, as he and Class Orator took a 4:15 1/5 victory in the 2 3/16-mile steeplechase.

Class Orator gave the start to Publisher, with Colvin Ryan up. Coming past the stands for the first time, however, Class Orator overtook his three competitors.

He widened his lead to three lengths by the second fence, took a five-length lead by the fifth fence, and was up by six at the final backstretch. The field tired around the final turn and Class Orator smoked in with a 17-length victory.

"He seemed to like hot weather," Martin said of the 4-year-old gelding, trained by D. Michael Smithwick and owned by Mrs. Ogden Phipps. "I was kind of hoping to come from off of it, but nobody was willing to make the speed. It's the first time he's jumped since last spring."

Martin also won the \$1,000 second race, the 1 5/16-mile Andora Flat Race, this time riding Phipps and Smithwick's Fabulous Time in 2:15.

STAFF ANALYSIS  
PUBLIC HEARING AND ACTION BY THE BOARD  
ON THE  
PROPOSED AMENDMENT OF  
RULE 1865. ALTERING OF SEX OF HORSE

Regular Board Meeting  
July 17, 2008

BACKGROUND

Business and Professions Code section 19420 provides that jurisdiction 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, is vested in the California Horse Racing Board (Board). Business and Professions Code section 19440 states responsibilities of the Board shall include adopting rules and regulations for the protection of the public and the control of horse racing and pari-mutuel wagering, and the administration and enforcement of all laws, rules, and regulations affecting horse racing and pari-mutuel wagering. Business and Professions Code section 19460 provides that all licenses issued by the Board are subject to all rules, regulations, and conditions from time to time prescribed by the Board. Business and Professions Code section 19562 states the Board may prescribe rules, regulations, and conditions, consistent with the provisions of Business and Professions Code Chapter 4, under which all horse races with wagering on their results shall be conducted in California. Board Rule 1865, Altering of Sex of Horse, states that any alteration of the sex of a horse from the sex recorded on the certificate of foal registration or the eligibility certificate or other official registration certificate of the horse shall be reported to the racing secretary and the official horse identifier if the horse is entered to race at any race meeting.

During the 06/07 fiscal year the stewards issued 44 rulings against trainers who did not report the gelding of a horse by time of entry for its first race after the alteration. The typical fine for each of those violations was \$300. The issue of failure to report, or untimely reporting of a first time gelding was discussed at the February 2007 Pari-Mutuel/ADW and Simulcast Committee (committee) meeting. The committee revisited the issue in July 2007 and considered possible sanctions for first time gelding reporting violations, including increasing the typical fine to \$1,000. At the Board's September 2007 Regular Meeting the issue of late or non-reporting of first time geldings was discussed. After hearing from interested parties, the Board directed staff to draft a regulation that would provide for scratching a horse entered to race if the trainer failed to report a first time gelding in a timely manner. At the November 2007 Regular Board Meeting staff was directed to initiate a 45-day public comment period regarding the proposed amendment of Rule 1865.

A hearing for adoption of the proposed amendment to Rule 1865 was held at the Board's February 2008 Regular Meeting. At the hearing industry representatives objected to the requirement that a horse entered to race be scratched if its true sex was not listed on its

certificate of registration by the scratch time designated for the race in which it was entered. Industry representatives stated despite the best efforts of the trainer, information regarding a horse's true sex could be improperly reported on the program, as there were many points at which such information could be entered in error. Further, the error could easily be remedied, and scratching the horse a day and a half before the race would unnecessarily reduce the field. Scratching the horse would also penalize the owner and racing fans. After discussing the issue, the Board directed staff to change the text of the proposed regulation to provide for a minimum \$1,000 fine if the trainer failed to ensure the true sex of the horse was not entered on the certificate of registration on file in the racing office. The text of the proposed regulation was amended and noticed for a 15-day public comment period.

During the 15-day public comment period staff received comments objecting to the proposed \$1,000 minimum fine. The comments stated the idea was not to fine trainers, but to ensure the information regarding the true sex of the horse was correct, or not allow the horse to run. If a horse was gelded since its last start, but the gelding was not noted in the program, it should be scratched. Staff was subsequently directed to provide text that would allow the Board to consider one of two options:

- (1) A minimum fine of \$1,000 for a trainer if the true sex of the horse is not properly identified in the official program, or
- (2) Provide that a horse shall be scratched if its true sex was not correctly noted in the official program.

Each of the proposals was discussed at length at the March 27, 2008, Regular Board Meeting. The Board directed staff to notice for public comment both options for the proposed amendment to Rule 1865.

## ANALYSIS

Draft "1" of the proposed amendment to Board Rule 1865 adds a new subsection 1865(d), which would establish a \$1,000 minimum fine for failure to identify a horse as a gelding in the official program. The prospect of the increased fine is meant to cause trainers to ensure the true sex of the horse is reported on the entry form.

Draft "2" of the proposed amendment adds a new subsection 1865(d), which provides that a horse entered to race shall be scratched if its true sex is not correctly noted on the official program.

During the 15-day public comment period the Thoroughbred Owners of California (TOC) submitted a letter that stated the TOC "strongly favored" the proposed amendment #1, which would require a minimum \$1,000 fine for failure to identify a horse's true sex in the official program. The TOC letter stated: "*The notion of absolving a trainer's responsibility to accurately describe the sex of a horse by shifting to the owner the consequence of the trainer*

*improperly noting that information at the time of entry, seems to TOC counter-intuitive and unlikely to correct the problem in an expeditious fashion.”* The TOC letter claimed the issue of improperly identifying the true sex of a horse that is entered to race is the result of lax entry procedures designed to make the entry of a horse more convenient for trainers. The TOC also quoted an American Racing Commissioners International model rule that places the burden of reporting the alteration of the sex of a horse on the trainer.

#### RECOMMENDATION

One comment from the TOC was received during the 15-day public comment period. This item is presented for Board discussion and action.

**DRAFT TEXT #1**

CALIFORNIA HORSE RACING BOARD  
 TITLE 4. CALIFORNIA CODE OF REGULATIONS  
 ARTICLE 15. VETERINARY PRACTICES  
 PROPOSED AMENDMENT TEXT #1 OF  
 RULE 1865. ALTERING OF SEX OF HORSE

Single Underlined text represents the original language as noticed December 28, 2007, through February 11, 2008, and heard by the Board on February 28, 2008.

Deletions to the proposed text appear as ~~Double Strikethrough~~ and new and revised text appears as *Italicized Double Underlined* as noticed March 10, 2008 through March 25, 2008.

Subsequent deletions to the text appear as ~~**Bold Italicized Double Strikethrough**~~ and new and revised text appears as **Bold Double Underlined** as noticed April 24, 2008 through May 9, 2008.

Regular Board Meeting  
 July 17, 2008

1865. Altering of Sex of Horse.

Any alteration to the sex of a horse from the sex as recorded on the ~~Certificate of Foal Registration~~ certificate of foal registration or the ~~Eligibility Certificate~~ eligibility certificate or other official registration certificate of such the horse shall be reported to the ~~Racing Secretary~~ racing secretary and the ~~Official Horse Identifier~~ official horse identifier if such the horse is ~~registered~~ entered to race at any race meeting.

(a) ~~Should~~ If the gelding or castration of a ~~race horse~~ racehorse ~~be~~ is performed on the premises of a licensed racing association, or other facility under the jurisdiction of the Board, the trainer shall report the alteration ~~same~~ within 72 hours.

(b) ~~Should~~ If the gelding or castration of a ~~race horse~~ racehorse ~~is~~ performed off the premises of a licensed racing association, or other facility under the jurisdiction of the Board, and the horse has been previously ~~registered~~ entered to race at any race meeting in this State,

**DRAFT TEXT #1**

## DRAFT TEXT #1

the owner and/or trainer shall report the same alteration at the time the horse is next registered entered to race.

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

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

~~(1) The minimum penalty for failure to ensure that the true sex of the entered horse is listed on its certificate of registration on file in the racing office shall be not less than \$1,000. If the true sex of a horse entered to race is not correctly identified in the official program for such race, the trainer of the horse shall be subject to a minimum fine of \$1,000.~~

~~(1) If the true sex of a horse entered to race is not listed on its certificate of registration by the "scratch time" designated for the race in which the horse is entered, the stewards shall declare the horse from the race.~~

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

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

## DRAFT TEXT #2

CALIFORNIA HORSE RACING BOARD  
 TITLE 4. CALIFORNIA CODE OF REGULATIONS  
 ARTICLE 15. VETERINARY PRACTICES  
 PROPOSED AMENDMENT TEXT #2 OF  
 RULE 1865. ALTERING OF SEX OF HORSE

Single Underlined text represents the original language as noticed December 28, 2007, through February 11, 2008, and heard by the Board on February 28, 2008.

Deletions to the proposed text appear as ~~Double-Strikethrough~~ and new and revised text appears as *Italicized Double Underlined* as noticed March 10, 2008 through March 25, 2008.

Subsequent deletions to the text appear as ~~**Bold Italicized Double Strikethrough**~~ and new and revised text appears as **Bold Double Underlined** as noticed April 24, 2008 through May 9, 2008.

Regular Board Meeting  
 July 17, 2008

1865. Altering of Sex of Horse.

Any alteration to the sex of a horse from the sex as recorded on the ~~Certificate of Foal Registration~~ certificate of foal registration or the ~~Eligibility Certificate~~ eligibility certificate or other official registration certificate of such the horse shall be reported to the ~~Racing Secretary~~ racing secretary and the ~~Official Horse Identifier~~ official horse identifier if such the horse is ~~registered~~ entered to race at any race meeting.

(a) ~~Should~~ If the gelding or castration of a ~~race horse~~ racehorse be ~~is~~ performed on the premises of a licensed racing association, or other facility under the jurisdiction of the Board, the trainer shall report the alteration ~~same~~ within 72 hours.

(b) ~~Should~~ If the gelding or castration of a ~~race horse~~ racehorse is performed off the premises of a licensed racing association, or other facility under the jurisdiction of the Board, and the horse has been previously ~~registered~~ entered to race at any race meeting in this State,

DRAFT TEXT #2

the owner and/or trainer shall report the ~~same~~ alteration at the time the horse is next registered entered to race.

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

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

~~(1) The minimum penalty for failure to ensure that the true sex of the entered horse is listed on its certificate of registration on file in the racing office shall be not less than \$1,000.~~

Any horse entered to race shall be scratched from the race in which it is entered if the horse's true sex is not correctly identified in the official program for such race.

~~(1) If the true sex of a horse entered to race is not listed on its certificate of registration by the "scratch time" designated for the race in which the horse is entered, the stewards shall declare the horse from the race.~~

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

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



**BOARD CHAIR**  
MARSHA NAIFY

**PRESIDENT**  
DREW J. COUTO

**OFFICERS**  
MADELINE AUERBACH  
VICE CHAIR, SOUTHERN CALIF.  
TOM BACHMAN  
VICE CHAIR, NORTHERN CALIF.  
MACE SIEGEL  
VICE PRESIDENT  
MARTIN BACH  
TREASURER  
BILLY KOCH  
SECRETARY

**CHAIRS EMERITUS**  
ED FRIENDLY (1996-97)  
ROBERT B. LEWIS (1997-2001)  
GARY BURKE (2001)  
JACK B. OWENS (2001-03)  
RON CHARLES (2003-04)  
JACK B. OWENS (2004-05)  
ALAN LANDSBURG (2005-07)

**DIRECTORS**  
MADELINE AUERBACH  
MARTIN BACH  
TOM BACHMAN  
BOB BAFFERT  
BOB BONE  
RON ELLIS  
BILLY KOCH  
KIM KUHLMANN  
MARSHA NAIFY  
PHILIP OVIEDO  
HARRY PELLMAN  
MIKE SHUSTEK  
MACE SIEGEL  
PABLO SUAREZ  
DONALD VALPREDO

**EXECUTIVE STAFF**  
GUY LAMOTHE  
EXECUTIVE DIRECTOR  
KELLEE BREEN  
CHIEF FINANCIAL OFFICER  
MARY FORNEY  
DIRECTOR OF OPERATIONS  
LUCINDA MANDELLA  
DIRECTOR OF OWNER SERVICES  
RICHARD SCHEIDT  
NO. CA. DIRECTOR OF  
OPERATIONS  
WAYNE ATWELL  
ASST. NO. CA. DIR. OF  
OPERATIONS

**CORPORATE OFFICE**  
285 W. HUNTINGTON DRIVE  
ARCADIA, CA 91007  
(626) 574-6620 Phone  
(800) 994-9909 Toll Free  
(626) 921-1515 Fax

May 8, 2008

**VIA ELECTRONIC MAIL AND FAX**

Harold Coburn  
Regulations Analyst  
California Horse Racing Board  
1010 Hurley Way, Suite 300  
Sacramento, CA 95825  
Fax: (916) 263-6042

**Re: Public Comment on Proposed Rule 1865. Altering Sex of Horse**

Dear Mr. Coburn:

Reference is made to the two alternative proposed amendments to Rule 1865 Altering of Sex of Horse, one of which the Board may chose to adopt at the public hearing on May 20, 2008.

Please be advised that **TOC strongly favors "Proposed Amendment #1,"** which would increase the fine to a minimum of \$1,000 for a violation of the rule; and that, **TOC is opposed to "Proposed Amendment #2,"** which unjustly punishes owners by scratching their horses.

The notion of absolving a trainer's responsibility to accurately describe the sex of a horse by shifting to the owner the consequence of the trainer improperly noting that information at the time of entry, seems to TOC counter-intuitive and unlikely to correct the problem in an expeditious fashion. In our opinion, the genesis of this issue stems from lax entry procedures that have evolved in recent years in order to make the entry of a horse a more convenient process for trainers. This has been permitted to occur in spite of several existing rules clearly placing the onus to enter horses properly on the trainer.

*Rule 1894. Duties of Trainer. Trainers are responsible for the condition of horses in their care and are presumed to know the rules. A trainer represents the owner relative to horses which he is training in the matter of entries, declarations, and the naming of jockeys or drivers, unless the owner notifies the stewards in writing to the contrary. A trainer is responsible for the timely attendance of his horse at the receiving barn and paddock and he shall attend his horse in the paddock and be present to supervise the saddling except when relieved of such duty by the stewards. No trainer shall delegate or sublet his duties as a trainer except as provided in this article, nor shall a trainer have any interest in the earnings, winnings, or bonuses of any other trainer.*

Not only are these rules the foundation for horse welfare and racing activities in California, but also throughout the country. As you know, the American Racing Commissioners International (ARCI) is responsible for establishing standardized model rules in the United States. ARCI is very clear about trainers' responsibilities,

especially with respect to identifying the true sex of the horse, and has several rules addressing this issue:

*ARCI-008-020 Trainers (excerpted)*

*C. Other Responsibilities*

*A trainer is responsible for:*

- (5) the proper identity, custody, care, health, condition and safety of horses in his/her charge;*
- (8) registering with the racing secretary each horse in his/her charge within 24 hours of the horse's arrival on association grounds;*
- (9) ensuring that, at the time of arrival at a licensed racetrack, each horse in his/her care is accompanied by a valid health certificate which shall be filed with the racing secretary;*
- (12) immediately reporting the alteration of the sex of a horse in his/her care to the horse identifier and the racing secretary, whose office shall note such alteration on the certificate of registration;*
- (14) promptly reporting any errors with regard to the registrations papers as to sex alterations, of sex noted, digital neurectomy (heel nerving) and any known inaccuracy in the ownership, racing record or description of the horse.*
- (17) maintaining a knowledge of the medication record and status of all horses in his/her care;*
- (19) representing an owner in making entries and scratches and in all other matters pertaining to racing;*
- (20) horses entered as to eligibility and weight or other allowances claimed;*

As California Rule 1894 states above, a trainer's responsibilities cannot be "delegated" or shifted to another party, such as the owner. By connecting a scratch to the identification of the horse effectively delegates the trainer's responsibility to the owner. Even if this were permitted, which it is not, scratching the horse would not solve the problem of correctly identifying a horse's true sex by scratch time. Based on investigation by racing secretaries, the Jockey Club, and TOC on this issue, it appears the primary causes of this problem lie in outdated database reporting systems and a trend in "virtual" horse management by trainers – that is, they phone in or delegate required activities without visual or "face-to-face" confirmation as a means to make entries a more convenient process for trainers.

In conclusion, Amendment #1 rightly maintains accountability with the trainer, whose duties include the proper entry of a horse, while Amendment #2 amounts to an excessive, unjust penalty on the owner without solving the real problem. Accordingly, TOC strongly urges the Board to adopt Amendment #1 and to reject Amendment #2.

Thank you for your consideration of TOC's position on this matter.

Sincerely,



Drew J. Couto  
President

STAFF ANALYSIS  
DISCUSSION AND ACTION REGARDING  
MINIMUM NET WORTH STANDARDS  
FOR RACING ASSOCIATIONS  
SUBMITTING AN APPLICATION FOR LICENSE  
TO CONDUCT A HORSE RACING MEETING  
AT BOTH PUBLIC AND  
PRIVATE RACE TRACKS

Regular Board Meeting  
July 17, 2008

BACKGROUND

Business and Professions Code section 19440 states the Board shall have all powers necessary and proper to enable it to carry out the purposes of this chapter. Responsibilities of the Board shall include adopting rules and regulations for the protection of the public and the control of horse racing pari-mutuel wagering. Business and Professions Code section 19562 provides that the Board may prescribe rules, regulations, and conditions under which all horse races with wagering on their results shall be conducted in this State.

Business and Professions Code section 19464 specifies no application for license to conduct a horse racing meeting shall be granted unless the applicant has deposited with the Board a surety bond in the amount of \$100,000, or a greater amount, as determined by the Board, which is sufficient to ensure payment of employees' wages and benefits including, but not limited to, health, welfare and pension plans. Racing associations licensed to operate a horse race meeting prior to January 1, 2001, that have conducted a race meeting in each of the immediate three previous consecutive calendar years are exempt from this requirement.

Business and Professions Code section 19490 states each application for a license to conduct a horse racing meeting shall be accompanied by a deposit to secure the payment of any license fee imposed by this article, in the form of a certified check payable to the Treasurer of the State of California, in the amount of \$10,000.

ANALYSIS

With the recent financial difficulties experienced by a California licensed racing association, the feasibility of developing minimum net worth standards for racing associations submitting an application to conduct a horse racing meeting has been raised. Currently a minimum net worth requirement is not required for applicants submitting applications.

The issue of requiring minimum net worth standards for race meeting applicants was last discussed at the Board's March 27, 2008, Regular Meeting. The Board, concerned with protecting the financial interest of horsemen, instructed staff to develop financial security requirements for applicants submitting applications for license to conduct horse racing meetings. Under the current application process a \$100,000 surety bond is required pursuant to Business and Professions Code section 19464 to ensure payment of the racing association's

employees' wages and benefits. However, a racing association licensed to operate a horse race meeting prior to January 1, 2001, that has conducted a race meeting in each of the immediate three previous consecutive calendar years is exempt from this requirement. Board Rule 1433, Application for License to Conduct a Horse Racing Meeting, requires applicants submitting an application to conduct a horse racing meeting to provide a copy of their most recent audited financial statements and a \$10,000 deposit with the completed application. The required deposit is to secure payment of any required license fee. The provision does not apply to fairs.

There are currently no financial sureties in place to ensure payment to horsemen in the event of financial difficulties experienced by a racing association. Financial deposits to ensure payment to horsemen and/or vendors in the event of financial difficulties experienced by a racing association are currently not required. Furthermore, under Business and Professions Code section 19464 the financial guarantee bonds or letters of credit currently held by the Board could not expressly be used to discharge any financial obligations to horsemen.

Arizona, Illinois, Kentucky, Maryland, Pennsylvania, New York, Ohio and Texas were surveyed to determine if other racing jurisdictions require a minimum net worth or financial surety as a condition for licensure. Of the eight contacted, Ohio is the only racing jurisdiction that requires a minimum net worth to secure a racing meeting license. To qualify for a permit to race in Ohio an applicant must have a minimum net worth of \$500,000. Additionally, if upon examination of financial statements a reasonable doubt exists as to the applicant's financial security, the Ohio commission may require sureties not to exceed \$1 million dollars. A copy of Ohio's rule is attached for your reference.

Arizona does not require a minimum net worth, but it does require applicants for license to conduct a horse racing meeting to file a bond. Arizona law requires that in addition to a cash deposit not to exceed \$5,000, an association conducting a horse or harness racing meeting shall file with the racing board a bond not to exceed \$300,000 payable to the state. The bond ensures priority payment in the amounts due to the state, owner accounts, employees in connection with the conduct of the racing meeting, and breeders. A copy of Arizona's law is attached for your reference.

Illinois does not require a minimum net worth. However, Illinois law requires racing associations to file with the Illinois horse racing board a bond payable to the state in the sum of \$200,000 at the time of application. The bond ensures payment of state license fees, purses due and payable, and winning tickets. A copy of the Illinois law is attached for your reference.

Minimum net worth requirements for race meeting applicants can be used to help determine their creditworthiness, and provide a snapshot of the applicants' financial history. Such a requirement could potentially mitigate or reduce the risk of applicants conducting race meetings with inadequate capital to sustain the meeting if a financial emergency should occur. However, financial history reports do not guarantee the applicant could cover any future liabilities and there is no assurance that the applicant would use the available funds identified in its net worth assessment to cover race meeting liabilities. Potential risk exists with relying solely on a minimum net worth requirement to gauge the financial stability of an applicant. If the financial statements do not cause reason for concern there may be no financial surety requested from the applicant. However, without securing a financial surety there is no guarantee that the applicants' financial obligations will be covered. This is exemplified in

Ohio, the only racing jurisdiction surveyed that requires a minimum net worth in addition to authorizing the Ohio commission the flexibility to require sureties not to exceed \$1 million dollars.

In addition to surveying the before mentioned eight racing jurisdictions, staff also contacted the California Department of Transportation (Cal-Trans), Department of General Services (DGS), California State Lottery and Division of Gambling Control to determine how other State agencies mitigate financial risk.

The California State Lottery requires a credit report when processing applications for retailers, and based on the credit score a security deposit may be collected. Cal-Trans and DGS contract with private companies to complete projects on behalf of the State. When procuring private contract services these agencies use performance bond requirements to mitigate risk and protect the interests of the State. A performance bond is a type of surety bond, and is used to guarantee that the contractor will comply with the terms and conditions of the contract. If the contractor is unable to successfully perform the contract, the surety assumes the contractor's responsibilities and ensures that the project is completed. The bond is a three-party agreement between a surety company, a contractor, and the project owner.

The Chairman of the Racing Committee of the Cal-Expo Board of Directors recently recommended that any future requests for proposal at Cal-Expo would require a \$4 million dollar surety bond or letter of credit.

The bond "guarantee" concept could be adapted to address the concerns of the Board by requiring that applicants for license to conduct a race meeting secure a surety sufficient to cover the expense of the race meeting. The audited financials the associations are currently required to submit in compliance with the race meeting application include the expenses for the prior year race meet. These figures could be used as a measure for the amount of the bond.

The Board might also consider requiring a bond to cover the current estimated purse program and/or payment to the horsemen. The current estimated purse program total and amount distributed to the horsemen could be extracted from the race meet application section five. Within section five of the application the association is required to provide the "*Amount from all sources to be distributed at the meeting in the form of purses or other benefits to horsemen.*" Applications approved to date by the Board include estimated purse distributions ranging from \$5 million dollars to \$42 million dollars.

Requiring each racing association to file a surety bond of a set amount at the time of application is a third option the Board may consider. The amount of the surety bond, prescribed by the Board, would be the same for each association. Ohio currently requires a surety bond not to exceed \$1 million dollars, but only if financial risk is determined by its board.

There are a variety of surety bonds available (performance bonds, license and permit bonds, payment bonds, etc), and premiums vary from one surety to another, but can range from one-half of one percent to two percent of the contract amount. CHRB Rule 2071, License to Conduct Advance Deposit Wagering by a California Applicant, and Rule 2072, Approval to Conduct Advance Deposit Wagering by an Out-of-State applicant, require ADW providers to file a bond from a surety company or other form of financial security in the amount of

\$500,000. Currently, the CHRB has on file license and permit bonds and an indemnity bond. Indemnity bonds are an acknowledgment of an obligation to make good the performance by another of some act, duty, or responsibility and are usually issued by companies that assume risk of performance by a bonded party for a fee. License and permit bonds are a type of surety bond that are required by state law or local regulations in order to obtain a license or permit to engage in a particular business.

Establishing a surety bond requirement at the time of application may help to mitigate the risk of non-payment in the event an association should experience financial difficulties during the running of the race meeting; however, the liabilities incurred during a race meet are ultimately the responsibility of the association. The entities running the race meets are running businesses and handle all of the banking related to their businesses. The efforts of the Board to provide assurance to horsemen in the case of a financial catastrophe during a race meet are commendable. However the Board must be cautious that the interpretation of responsibility for liabilities during a race meet does not shift to the Board.

An amendment to the Board's regulations would be necessary if the Board determines that establishing a surety bond requirement for applicants for license to conduct a horseracing meeting is in the best interest of horseracing.

#### RECOMMENDATION

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

Staff recommends that the Board consider requiring a surety bond or other financial instrument, not to exceed \$1 million dollars from applicants that submit applications to conduct horse racing meetings at privately owned racetracks.

Staff recommends that the Board consider requiring a surety bond or other financial instrument not to exceed \$4 million dollars from applicants submitting applications to conduct horse racing meetings at publicly owned racetracks. This recommendation is predicated on the recommendation of the Chairman of the Racing Committee of the Cal-Expo Board of Directors requiring a \$4 million dollar surety bond or letter of credit for any future requests for proposals.

# OHIO STATE RACING COMMISSION RULE

## **3769-2-11. Permit to race**

(A) No permit shall be issued under the provisions of the Ohio Revised Code to any person, association, firm or corporation engaged in the conducting of horse racing on a commercial basis solely with a view to profit unless and until such person, association, firm or corporation shall have filed with the commission:

(1) A current accurate financial statement, prepared and certified by an independent certified public accountant, stating that all financial statements were made in accordance with generally accepted auditing standards and, accordingly, included tests of the accounting records and other auditing procedures as considered necessary. **A statement shall show the net worth of the applicant for such permit and indicate the applicant can reasonably be expected to meet all financial obligations incurred in conducting the racing meeting.**

(2) A statement as to when salaries, wages and purses that are or may be owed by the applicant shall become due and payable.

**(B) If, upon examination of a financial statement, the commission should entertain reasonable doubt as to the financial ability of the applicant to meet and discharge all financial obligations, the commission may require the filing of a surety bond with the commission as hereinafter provided. In no event shall a person, association, firm or corporation having a net worth of less than five hundred thousand dollars be issued a permit under the Ohio Revised Code unless the applicant has filed a surety bond with the commission as hereinafter provided.**

**(C) In the event that the commission shall determine, that a surety bond as herein provided shall be filed with the commission, such bond shall be in favor of the Ohio state racing commission as obligee, for the use and benefit of all aggrieved parties, as hereinafter defined, shall have sureties to the satisfaction of the commission in an amount not to exceed one million dollars, and shall be conditioned upon payment by the permit holder of all financial obligations (provided, however, that no bond shall be required under the provisions of this rule in the case of an applicant who has filed a bond with a nationally recognized association of horsemen for substantially equivalent coverage to that herein provided, said bond being in favor of the association as obligee for the use and benefit of substantially the same categories of persons as are defined herein as "aggrieved parties").**

The term "aggrieved parties" is hereby defined as:

(1) Agents and employees of the permit holder holding licenses issued to them by the commission pursuant to the provisions of rules 3769-2-24 and 3769-2-25 of the

Administrative Code (excluding corporate officers in their capacity as such), with reference to amounts of salaries and wages owed to them which, if promptly requested when due and payable, are not paid by

the permit holder forthwith, together with such amounts of any and all salaries and wages owed to them as may not be due and payable at the time of such failure to pay.

(2) Owners of horses and their agents holding licenses issued to them by the commission pursuant to the provisions of rules

3769-2-24 and 3769-2-25 of the Administrative Code with reference to:

(a) Amounts of purses owed to them which, if promptly requested when due and payable are not paid by the permit holder forthwith, together with the amounts of any and all purses owed to them as may not be due and payable at the time of such failure to pay;

(b) Entry fees, nominating fees, eligibility fees and sustaining fees, paid for races not run; and

(c) Money owed to owners by the horsemen's bookkeeper for horses claimed.

(3) The state of Ohio and any of its departments or agencies for pari-mutuel taxes or any other obligations owed to the state of Ohio.

(4) The holders of all winning uncashed pari-mutuel tickets.

(5) A testing laboratory which has outstanding fees owed to them.

(6) Jockeys which have outstanding fees owed to them.

(D) All horsemen's bookkeeper funds shall be held as a separate interest bearing trust fund and there shall be no commingling of these funds with any other funds and the money in such fund and all interest accrued therein shall be held for benefit of the horsemen. This language shall not be construed to prohibit the use of said trust funds to purchase certificates of deposit or U.S. treasury notes. *Effective: 1-1-85; 6-6-88; 2-2-08*

# ARIZONA DEPARTMENT OF RACING LAW

## 5-107. Nature of racing meeting permits; application for permit; cash deposit; return; bond; conditions and priorities for satisfaction of bond

A. Permits to conduct racing meetings are deemed to be personal in nature, are nontransferable and shall terminate upon a substantial change of ownership of the permittee. The sale or transfer of twenty-five per cent or more of the equity of a permittee shall be considered a substantial change of ownership. Nothing in this subsection shall be construed so as to cause the termination of a permit upon the death of the permittee, or if a corporation, the death of a shareholder thereof, during the period for which such permit was granted.

B. Every applicant making application for a permit to hold a racing meeting shall file an application with the commission. The commission shall promulgate rules and regulations regarding application procedures. The application shall include:

1. The full name and address of the applicant, and if a corporation, the name of the state under which it is incorporated. If such applicant is an association or corporation, the residence addresses of the members of the association and the names of all directors of the corporation shall be included, and the stock certificate records of such applicant shall be made available to the department upon request of the director. The department shall be notified within ten days of the election of any new officer or director of a permittee, and the identity of every person who acquires ten per cent or more of a permittee's equity or interest. Each new officer, director or substantial owner shall furnish all information requested by the department to facilitate approval of his participation in racing in this state.

2. The exact location where it is desired to conduct or hold a racing meeting.

3. A statement as to whether or not the racing plant is owned or leased, and if leased, the name and residence of the fee owner, or if a corporation, the names and addresses of the directors of the corporation.

4. A complete financial statement and balance sheet of the person, corporation or other business entity making such application, completed and certified by a certified public accountant. In the case of applications for renewal of dog racing meeting permits which were in existence before May 5, 1972, such financial statement and balance sheet shall be on a calendar year basis. In the case of applications for renewal of horse or harness racing meeting permits which were in existence before May 5, 1972, such financial statement and balance sheet shall be on a fiscal year basis. In the case of all new permit applications made from and after May 5, 1972, and renewal applications of such permits, such financial statement and balance sheet shall be on either a calendar year or fiscal year basis, at the discretion of the department. In addition, the application shall identify any guarantors or any indebtedness of the applicant, and the department shall be provided, upon request, with a statement from a certified public accountant certifying that the net worth of any guarantor or guarantors is at

least equal to the amount of the unpaid indebtedness so guaranteed. Applications for racing meetings operated by county fair racing associations are exempt from this paragraph.

5. A complete list of all management and concession contracts in effect at the time of the application, copies of which shall be furnished to the department upon request. If the applicant is granted a permit he shall further be required, upon the request of the department, to submit a complete list of all subsequent management and concession contracts, and copies of such contracts shall be submitted to the department upon request.

6. Such other relevant and material information pertaining to the application as the department may require.

**C. Not less than ten days prior to the commencement of a commercial racing meeting, the permittee shall submit to the department a cash deposit in such amount, but not to exceed five thousand dollars, as the director deems necessary to insure payment of fees and the amount due the state as the percentage of pari-mutuel receipts payable to the state as prescribed by law. Upon termination of the racing meeting, the deposit shall be returned to the applicant, less any fees or pari-mutuel receipts remaining unpaid.**

**D. In addition to the cash deposit and prior to the issuance of a racing meeting permit, the applicant shall deposit with the department a bond payable to the state for the benefit of the state and any person covered by this section, in such amount, but not to exceed one hundred thousand dollars in the case of dog racing meeting permittees, and not to exceed three hundred thousand dollars in the case of horse or harness racing meeting permittees, as the director deems necessary, with a surety or sureties to be approved by the department and the attorney general and conditioned in accordance with the following order of priorities:**

1. That the permittee shall first faithfully pay to the state the percentage of the pari-mutuel receipts, as applicable, prescribed by law and all taxes due to the state.

2. That thereafter the permittee shall pay to the owner thereof all funds held by the permittee for the account of such owner, including purses won, if such owner is or has been licensed by the department.

3. That thereafter the permittee shall pay all salaries and wages due to the employees of such permittee in connection with the conduct of the racing meeting.

4. That thereafter the permittee shall pay all amounts due to the breeder of any horse or dog for a breeder's award.

E. Any person, including the state, claiming against the bond may maintain an action at law against the permittee and the surety or sureties, and the surety or sureties may be sued upon the bond in successive actions until the penal sum thereof is exhausted. If it appears that there is more than one claim upon such bond or if it appears that the state may have an interest therein, the state or any other claimant may move the court in which such actions are filed to intervene or to consolidate such actions to determine the priority order of claims in accordance with subsection D. No suit may be commenced upon the bond after the expiration of one year following the day of the closing of the racing meeting during which any act or failure to act giving rise to a claim against the bond shall arise.

F. The bond prescribed by this section shall be effective for the period of the racing permit granted by the commission, and the liability of the surety for all claims shall be limited to the face amount of the bond. If the surety desires to make payment without awaiting court action, the amount of any bond filed in compliance with this chapter shall be reduced to the extent of any payments made by such surety in good faith thereunder. Any such payment shall be based first upon the priority of claim order as established by subsection D and thereafter upon the priority of the date the written claims are received by the surety prior to court action.

# ILLINOIS RACING BOARD LAW

## ILLINOIS RACING ACT OF 1975

(230 ILCS 5/21) (from Ch. 8, par. 37-21)

Sec. 21. (a) Applications for organization licenses must be filed with the Board at a time and place prescribed by the rules and regulations of the Board. The Board shall examine the applications within 21 days after the date allowed for filing with respect to their conformity with this Act and such rules and regulations as may be prescribed by the Board. If any application does not comply with this Act or the rules and regulations prescribed by the Board, such application may be rejected and an organization license refused to the applicant, or the Board may, within 21 days of the receipt of such application, advise the applicant of the deficiencies of the application under the Act or the rules and regulations of the Board, and require the submittal of an amended application within a reasonable time determined by the Board; and upon submittal of the amended application by the applicant, the Board may consider the application consistent with the process described in subsection (e-5) of Section 20 of this Act. If it is found to be in compliance with this Act and the rules and regulations of the Board, the Board may then issue an organization license to such applicant.

(b) The Board may exercise discretion in granting racing dates to qualified applicants different from those requested by the applicants in their applications. However, if all eligible applicants for organization licenses whose tracks are located within 100 miles of each other execute and submit to the Board a written agreement among such applicants as to the award of racing dates, including where applicable racing programs, for up to 3 consecutive years, then subject to annual review of each applicant's compliance with Board rules and regulations, provisions of this Act and conditions contained in annual dates orders issued by the Board, the Board may grant such dates and programs to such applicants as so agreed by them if the Board determines that the grant of these racing dates is in the best interests of racing. The Board shall treat any such agreement as the agreement signatories' joint and several application for racing dates during the term of the agreement.

(c) Where 2 or more applicants propose to conduct horse race meetings within 35 miles of each other, as certified to the Board under Section 19 (a) (1) of this Act, on conflicting dates, the Board may determine and grant the number of racing days to be awarded to the several applicants in accordance with the provisions of subsection (e-5) of Section 20 of this Act.

(d)(Blank).

**(e) Prior to the issuance of an organization license, the applicant shall file with the Board a bond payable to the State of Illinois in the sum of \$200,000, executed by the applicant and a surety company or companies authorized to do business in this State, and conditioned upon the payment by the organization licensee of all taxes due under Section 27, other monies due and payable under this Act, all**

**purses due and payable, and that the organization licensee will upon presentation of the winning ticket or tickets distribute all sums due to the patrons of pari-mutuel pools.**

(f) Each organization license shall specify the person to whom it is issued, the dates upon which horse racing is permitted, and the location, place, track, or enclosure where the horse race meeting is to be held.

(g) Any person who owns one or more race tracks within the State may seek, in its own name, a separate organization license for each race track.

(h) All racing conducted under such organization license is subject to this Act and to the rules and regulations from time to time prescribed by the Board, and every such organization license issued by the Board shall contain a recital to that effect.

(i) Each such organization licensee may provide that at least one race per day may be devoted to the racing of quarter horses, appaloosas, arabians, or paints.

(j) In acting on applications for organization licenses, the Board shall give weight to an organization license which has implemented a good faith affirmative action effort to recruit, train and upgrade minorities in all classifications within the organization license.

(Source: P.A. 90-754, eff. 1-1-99; 91-40, eff. 6-25-99.)

STAFF ANALYSIS  
CALIFORNIA MARKETING COMMITTEE  
PROMOTION AND EXPENDITURE PLANS

Regular Board Meeting  
July 17, 2008

BACKGROUND

Business and Professions Code section 19605.73 states that racing associations, fairs, and the organization responsible for contracting with racing associations and fairs with respect to the conduct of racing meetings, may form a private, statewide marketing organization to market and promote thoroughbred and fair horse racing, and to obtain, provide, or defray the cost of workers' compensation coverage for stable employees and jockeys of thoroughbred trainers. The California Marketing Committee (CMC) is that organization.

Business and Professions Code section 19605.73(b) requires the CMC to annually submit to the Board a statewide marketing and promotion plan and a thoroughbred trainers' workers' compensation defrayal plan for thoroughbred and fair horse racing that encompasses all geographical zones in the state, and which includes the manner in which funds were expended in the implementation of the plan for the previous calendar year.

These activities are funded from the deduction of 0.4 percent of the amounts available to commissions and purses from the total amount handled by each satellite wagering facility. No more than one-sixth of the total amount available each year shall be used to defray the cost of workers' compensation insurance. Moneys not expended in the year collected may be expended the following year, and when the expenditures from a particular year are greater than the revenues collected into the fund, expenditures for the following year shall be reduced by the excess amount.

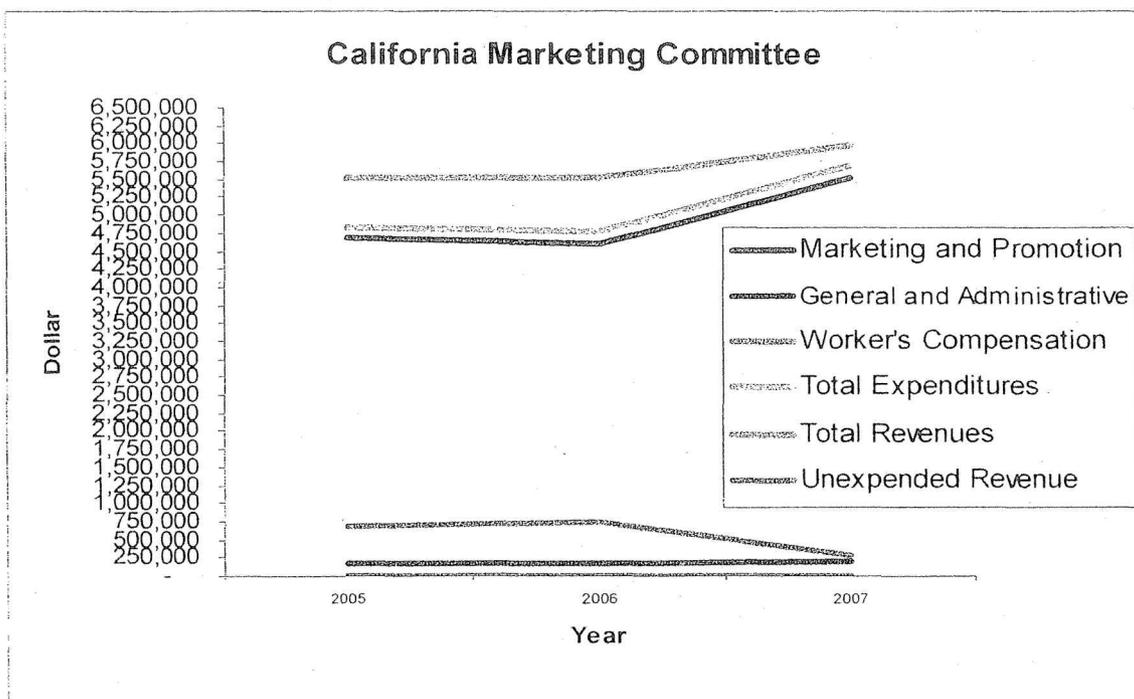
ANALYSIS

According to reviewed financial statements from the CMC for years 2005, 2006, and 2007 the majority of the revenues the organization received were used on expenses related to marketing and promotion of thoroughbred and fair horse racing. However, no funds were spent to defray the cost of workers' compensation coverage for stable employees and jockeys of thoroughbred trainers. Business and Professions Code section 19605.73 (c) provides that no more than one-sixth of the total amount available annually be used to defray the cost of worker's compensation. According to the CMC no funds were spent for worker's compensation due to an expected refund from prior year's contributions. The refund amount was received in the year 2007 in the amount of \$601,790.

The table and graph below outlines the CMC's revenues, and expenses including marketing and promotional, general and administrative, and worker's compensation for years 2005, 2006 and 2007.

### California Marketing Committee

Year	Marketing and Promotion	General and Administrative	Worker's Compensation	Total Expenditures	Total Revenues	Unexpended Revenue
2005	4,681,350	164,538	0	4,845,888	5,523,141	677,253
2006	4,604,275	163,941	0	4,768,216	5,524,751	756,535
2007	5,507,822	200,844	0	5,708,666	5,991,908	283,242



Staff has requested that the CMC provide an audit of its revenue and expenses in accordance to Business and Professions Code section 19440.5

#### RECOMMENDATION

Staff recommends the Board hear from the CMC representative and other interested parties on their marketing and promotion and other expenditure plans.

STAFF ANALYSIS  
REQUEST OF LOS ANGELES TURF CLUB  
TO DISTRIBUTE CHARITY DAY RACING PROCEEDS

Regular Board Meeting  
July 17, 2008

BACKGROUND

Business and Professions Code section 19550 states the Board shall require each licensed racing association that conducts 14 or less weeks of racing to designate three racing days during any one meeting to be conducted as charity days by the licensee for the purpose of distribution of the net proceeds to beneficiaries through the distribution agent. Business and Professions Code section 19556 provides that the distributing agent shall make the distribution to beneficiaries qualified under this article. At least 50 percent of the distribution shall be made to charities associated with the horse racing industry.

ANALYSIS

The Los Angeles Turf Club, Incorporated is requesting approval to distribute proceeds from charity day races conducted at Santa Anita during its December 26, 2007 through April 20, 2008 race meeting. The net proceeds from the charity days totaled \$217,843. The list of organizations selected and amount to be distributed is attached. Staff notes that 75.7 percent of the proceeds will be given to racing related organizations.

RECOMMENDATION

Staff recommends that the Board approve this request.



Frank De Marco, Jr., Esq.  
Vice President, Regulatory Affairs and  
Assistant Secretary

June 20, 2008

California Horse Racing Board  
1010 Hurley Way, Suite 300  
Sacramento, California 95825

Re: Los Angeles Turf Club, Incorporated's Charity Days

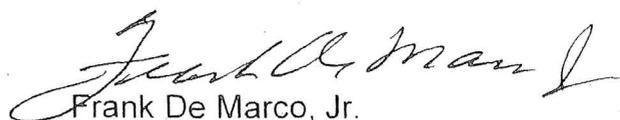
Gentlemen:

Los Angeles Turf Club, Incorporated, doing business as "Santa Anita Park," has determined the beneficiaries of proceeds from "Charity Days" races conducted at Santa Anita Park during its 2007-2008 winter meet. The net proceeds from the "Charity Days" totaled \$217,843. Attached hereto is the list of the organizations selected to be the beneficiaries of the Charity Days proceeds and the amount to be distributed to each. Distributions will be made upon approval of the proposed amounts by the California Horse Racing Board.

Please note that approximately 75.7% of the distributions are to horse related charities.

Should you have any questions regarding the distributions or the matters set forth herein, please do not hesitate to contact the undersigned.

Very truly yours,

  
Frank De Marco, Jr.

FDM:mr

Enclosure

Los Angeles Turf Club, Inc.

285 W. Huntington Drive, P.O. Box 60014, Arcadia, CA 91066-6014 (626) 574-7223 Fax (626) 446-9565

Los Angeles Turf Club, Incorporated  
Distribution of Charity Day Proceeds  
2007-2008 Meet

	<u>Amounts</u>	<u>Subtotals</u>
I. <u>Horse Related Charities – BP 19556(b) (20% minimum)</u>		
California Equine Retirement Foundation, Inc.	\$ 1,000	
California Thoroughbred Foundation	1,000	
California Thoroughbred Horsemen's Foundation	15,000	
California Council on Problem Gambling	5,000	
Edwin Gregson Foundation	32,000	
Holy Angels Church (Backside Permanent Deacon)	8,000	
Race for Education	1,000	
Racetrack Chaplaincy of America (Southern California Council)	8,000	
Racetrack Chaplaincy of America (San Luis Rey Downs Council)	4,000	
Southern California Equine Foundation, Inc.	1,000	
Tranquility Farm	1,000	
United Pegasus Foundation	1,000	
Winners Foundation	21,500	\$ 99,500
II. <u>Welfare Fund for Backside Personnel – BP 19641(b) (5%)</u>		
California Thoroughbred Horsemen's Foundation	10,890	10,890
III. <u>Fund for Substance or Alcohol Abuse – BP 19556(b) (5%)</u>		
Winners Foundation	10,890	10,890

Los Angeles Turf Club, Incorporated  
Distribution of Charity Day Proceeds  
2007-2008 Meet

IV. <u>Disabled Jockeys Fund – BP 19556(c) (20%)</u>	<u>Amounts</u>	<u>Subtotals</u>
Disabled Riders Endowment	43,563	43,563
V. <u>Other Qualified Charities</u>		
American Red Cross, Arcadia Chapter	1,000	
Arboretum Foundation, Arcadia	1,000	
Arcadia Campership Program	1,000	
Arcadia Mounted Enforcement Team	2,000	
Arcadia Welfare and Thrift Shop, Inc.	1,000	
Arcadia White Christmas	1,000	
Angeles Community Counseling Center	1,000	
Assistance League of Arcadia	1,000	
Boys and Girls Club of the Foothills	1,000	
Children’s Hospital of Los Angeles	5,000	
City of Hope	5,000	
Cystinosis Research Foundation	5,000	
Everybody Wins	1,000	
Fairplex Child Development Center	1,000	
Foothill Unity Center	1,000	
ICAN Associates	1,000	

Los Angeles Fair Club, Incorporated  
Distribution of Charity Day Proceeds  
2007-2008 Meet

	<u>Amounts</u>	<u>Subtotals</u>
Methodist Hospital Foundation	8,000	
San Gabriel Valley Special Olympics	1,000	
Santa Anita Family YMCA	2,000	
UCLA Medical Center	5,000	
USC Norris Cancer Hospital for Andrew Kure Memorial Fund	5,000	
Villa Esperanza Guild	1,000	
West San Gabriel Boys and Girls Club	1,000	
Young and Healthy (Pasadena)	1,000	53,000
Total		<u>\$217,843</u>

STAFF ANALYSIS  
STAFF REPORT ON END-OF-MEET RESULTS

Regular Board Meeting  
July 17, 2008

BACKGROUND

This item contains end-of-meet report for the following concluded race meet: Los Angeles Turf Club at Santa Anita.

Staff is prepared to answer questions regarding the information presented.

RECOMMENDATION

These items are for information and discussion.

Los Angeles Turf Club  
December 26, 2007 - April 20, 2008  
Race Days: 77

#### AVERAGE DAILY STATISTICS

	Percent Change	Total Value
Avg. Daily Handle	2.77	325,052
Avg. Daily On-Track Handle	-9.97	(213,390)
Avg. Daily ITW Network Handle	-3.58	(102,787)
Avg. Daily ADW In Network Handle	33.24	290,939
Avg. Daily Out-Of-State Handle	5.99	350,289
Avg. Daily Attendance	-5.46	(989)
Avg. Daily On-Track Attendance	-5.56	(514)
Avg. Daily ITW Attendance	-5.36	(476)

# END OF MEET REPORT

Santa Anita

2008 Number's Do not  
include AB480 Purses  
and Track Commissions

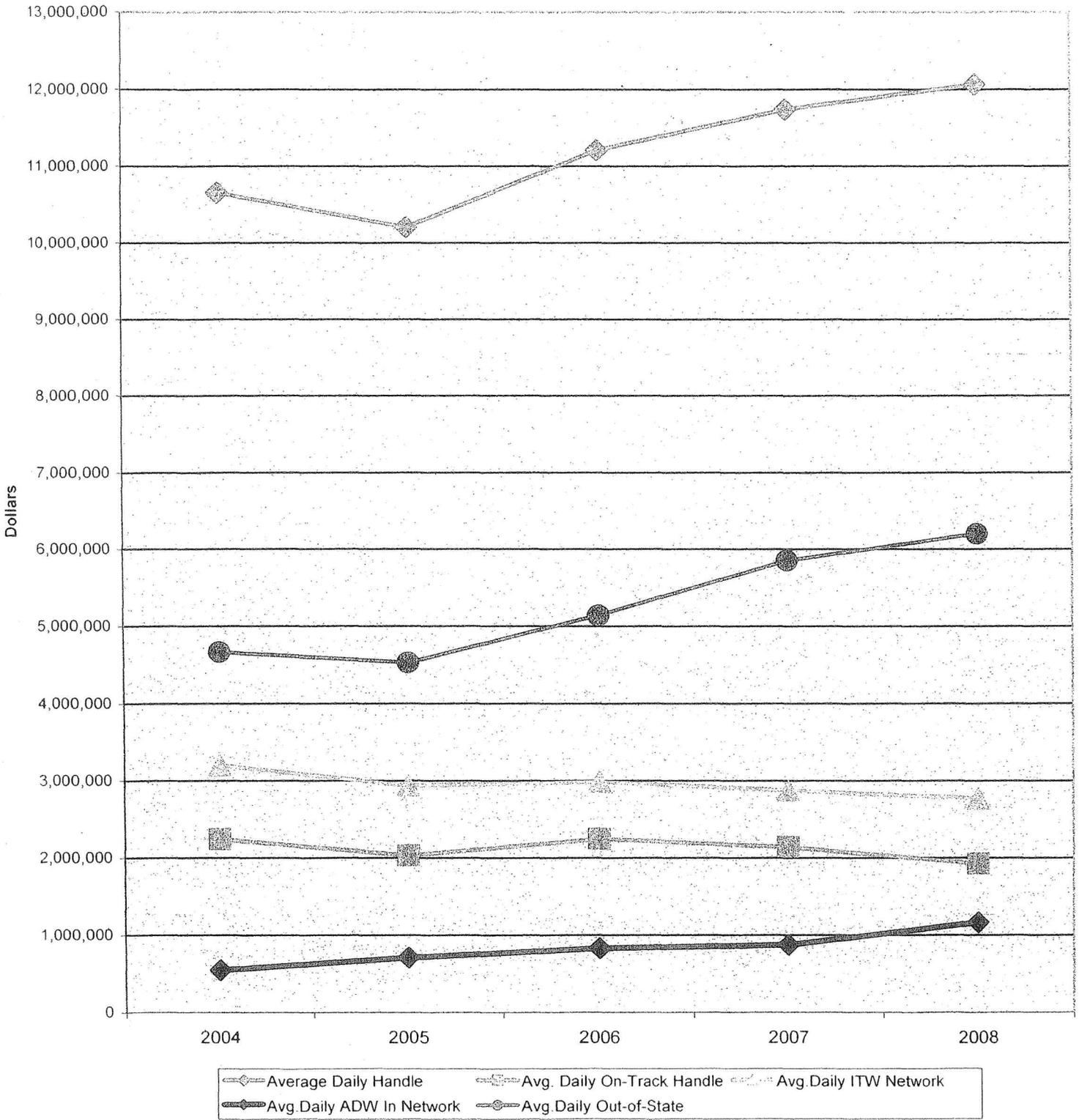
Previous Year \$  
and % Change

	<u>2004</u>	<u>2005</u>	<u>2006</u>	<u>2007</u>	<u>2008</u>	<u>2008 \$ CHANGE</u>	<u>2008 % CHANGE</u>
TOTAL RACE DAYS	84	85	86	85	77	(8)	-9.41%
TOTAL HANDLE	895,295,884	867,614,465	963,949,422	997,699,283	928,827,174	(68,872,108)	-6.90%
<b>BY ORIGIN OF WAGER</b>							
ON-TRACK	188,596,686	172,706,230	193,149,553	181,931,924	148,377,922	(33,554,002)	-18.44%
ITW NETWORK	268,557,636	249,449,558	256,916,467	244,157,759	213,263,622	(30,894,137)	-12.65%
ADW IN NETWORK	46,235,471	60,627,905	71,579,464	74,404,308	89,803,885	15,399,577	20.70%
OUT-OF-STATE	391,906,091	384,830,773	442,303,938	497,205,292	477,381,746	(19,823,546)	-3.99%
<b>BY ORIGIN OF RACE</b>							
LIVE	679,633,218	644,105,147	732,703,490	778,773,589	725,307,400	(53,466,188)	-6.87%
OUT-OF-ZONE	85,771,698	83,258,382	81,258,761	72,877,390	69,555,515	(3,321,875)	-4.56%
INTERSTATE-IMPORT	128,986,161	137,594,006	144,087,908	134,785,738	124,205,288	(10,580,450)	-7.85%
INTERNATIONAL-IMPORT	904,807	2,656,931	5,899,263	11,262,565	9,758,971	(1,503,595)	-13.35%
AVG DAILY HANDLE	10,658,284	10,207,229	11,208,714	11,737,639	12,062,691	325,052	2.77%
<b>AVG BY ORIGIN OF WAGER</b>							
AVG ON-TRACK	2,245,199	2,031,838	2,245,925	2,140,376	1,926,986	(213,390)	-9.97%
AVG ITW NETWORK	3,197,115	2,934,701	2,987,401	2,872,444	2,769,657	(102,787)	-3.58%
AVG ADW IN NETWORK	550,422	713,269	832,319	875,345	1,166,284	290,939	33.24%
AVG OUT OF STATE	4,665,549	4,527,421	5,143,069	5,849,474	6,199,763	350,289	5.99%
<b>AVG BY ORIGIN OF RACE</b>							
AVG LIVE	8,090,872	7,577,708	8,519,808	9,162,042	9,419,577	257,534	2.81%
AVG OUT-OF-ZONE	1,021,092	979,510	944,869	857,381	903,318	45,937	5.36%
AVG INTERSTATE IMPORT	1,535,550	1,618,753	1,675,441	1,585,715	1,613,056	27,341	1.72%
AVG INTERNATIONAL IMPORT	10,772	31,258	68,596	132,501	126,740	(5,761)	-4.35%
TOTAL TAKEOUT	173,099,426	170,261,309	188,187,256	196,470,877	182,709,167	(13,761,709)	-7.00%
EFFECTIVE TAKEOUT %	19.33%	19.62%	19.52%	19.69%	19.67%	-0.02%	-0.11%
STATE LICENSE FEES	10,371,730	9,658,842	10,397,619	10,115,922	8,843,803	(1,272,119)	-12.58%
STATE %	1.16%	1.11%	1.08%	1.01%	0.95%	-0.06%	-6.09%
TRACK COMMISSION	36,084,884	34,717,466	38,173,797	38,256,612	35,179,678	(3,076,934)	-8.04%
TRACK %	4.03%	4.00%	3.96%	3.83%	3.79%	-0.05%	-1.22%
PURSE COMMISSION	35,448,027	34,080,435	37,293,459	37,521,113	34,514,707	(3,006,405)	-8.01%
PURSE %	3.96%	3.93%	3.87%	3.76%	3.72%	-0.04%	-1.19%
CALIFORNIA NETWORK ATT	1,641,055	1,484,947	1,579,223	1,539,010	1,317,996	(221,014)	-14.36%
ON-TRACK	747,640	677,193	789,196	785,167	671,725	(113,442)	-14.45%
ITW NETWORK	893,415	807,754	790,027	753,843	646,271	(107,572)	-14.27%
AVG DAILY ATTENDANCE	19,536	17,470	18,363	18,106	17,117	(989)	-5.46%
AVG DAILY ON-TRACK	8,900	7,967	9,177	9,237	8,724	(514)	-5.56%
AVG DAILY ITW NETWORK	10,636	9,503	9,186	8,869	8,393	(476)	-5.36%
TOTAL RACE EVENTS	726	730	747	740	696	(44)	-5.95%
STARTERS	5,842	5,738	6,330	6,379	6,020	(359)	-5.63%
AVG STARTERS PER EVENT	8.05	7.86	8.47	8.62	8.65	0	0.34%
AVG HANDLE PER START	116,336	112,253	115,751	122,084	120,483	(1,601)	-1.31%

Data Date 6/6/2008  
Print Date 6/6/2008

numbers provided by CHRIMS, Inc.

## Los Angeles Turf Club Average Daily Totals



STAFF ANALYSIS  
POLICY AND REGULATIONS RELATED TO REDISTRIBUTION OF PURSES  
AS A RESULT OF POST-RACE POSITIVE MEDICATION VIOLATIONS

Regular Board Meeting  
July 17, 2008

The repayment and redistribution of purses, including the shares originally received by the owners, trainers, and jockeys of horses subsequently disqualified for medication violations, has been the subject of questions and problems. Because purses are distributed before the results of sample testing are known, the recipients, who may have left the premises, may be required to refund significant amounts. Instances of owners and trainers failing to return their shares are few, but may be contentious and potentially the subject of litigation. However, the jockeys have been treated somewhat differently as a group. One school of thought holds that because the jockey had nothing to do with the administration of the medication, and he or she effectively performed the riding duties to guide the horse to a purse winning position, that such performance should place the jockey outside the redistribution requirements. Further, because the decisions related to disqualifications can take months (or in a few cases, years) to resolve, the bookkeeping logistics can be rather daunting at best. While the Board seemingly has clear guidance from the law and regulations, current practices have resulted in situations that seemingly lack equity for all involved.

Staff has surveyed a number of industry stakeholders, including owners, track executives, paymasters, trainers, jockeys, stewards, and other officials, to determine a general understanding of the situation and to identify possible suggestions for the Board to pursue.

## BACKGROUND

Business and Professions Code 19582.5 states:

The board may adopt regulations that prohibit the entry in a race of a horse that tests positive for a drug substance in violation of Section 19581. Upon a finding of a prohibited drug substance in an official test sample, a horse may be summarily disqualified from the race in connection with which the drug sample was taken. Upon the disqualification of a horse pursuant to these regulations, any purse, prize, award, or record for that race shall be forfeited. However, the board, including its hearing officers and stewards, shall have the authority to order, in the interests of justice, that a jockey be permitted to keep his or her share of the purse, prize, or award for that race upon a finding that a person, other than the jockey, willfully, and with flagrant disregard for recommended veterinary practice and the regulations of the board, administered the prohibited substance. Such an order may provide that the jockey's share of the purse, prize, or award shall be paid by the person or persons determined to be responsible for willfully administering the prohibited substance.

The stewards or the Board may order any purse, award or prize for any race withheld from distribution pending the determination of any protest; and in the event any purse, award or prize has been distributed to an owner or for a horse which by reason of a protest or other reason is disqualified or determined to be not entitled to such purse, award or prize, the stewards or the Board may order such purse, award or prize returned and redistributed to the rightful owner or horse. Any person who fails to comply with an order to return any purse, award or prize erroneously distributed shall be suspended until its return.

## ANALYSIS

Business and Professions Code section 19582.5 makes clear that purses shall be forfeited upon a disqualification for a drug positive. However, it allows the jockey's situation to be considered separately in the instance where someone other than the jockey willfully administered the substance. The specific language suggests that the Board, including its hearing officers and stewards, could determine what is "willful and flagrant disregard for recommended veterinary practice and the regulations of the board in the administration of the prohibited substance," and could then permit the jockey to keep his or her share. This of course begs the question of the jockey who would move up as a result of the disqualification and who might legitimately expect to receive a greater share of the purse in question.

Rule 1760 grants the Board and the Board of Stewards (BOS) the ability to withhold purses from distribution pending the determination of any protest. The rule further provides that for purses already distributed, the Board and BOS may order the purse returned and redistributed. The rule specifies only the owner and horse, thus leaving the shares that go to the trainer and jockey implicitly included in the owner's distribution. This is not necessarily the way things are handled by the paymasters.

Although the following is a description of the purse distribution process at Hollywood Park, and may not apply universally, it is fairly representative of the process at other tracks as well:

- Purses are distributed into the accounts of the owner, trainer, and jockey on the day they are earned. The winning horse earns 60 percent of the purse, the runner-up 20 percent, third horse 12 percent, fourth horse 6 percent, and fifth horse 2 percent. Of that, 10 percent is placed in the trainer's account unless the owner has opted out of this program. Jockeys receive 10 percent for first, 5 percent plus \$10 for second or third, and after that there is a sliding scale depending on the size of the purse, ranging from \$45 to \$115.
- The purse money placed in the owner and trainer accounts is placed on hold for 72 hours. After 72 hours, the accountholder can withdraw that money in person or can ask that it be mailed. If the accountholder does neither, the money remains in the account.
- Jockeys are paid once a week. At Hollywood Park, the work week is Wednesday through Sunday, and the check is issued the following Thursday. The clerk of scales

personally delivers the checks to the jockeys in the jockeys' room. At other racetracks, the work week and pay day might differ slightly.

When it comes to the redistribution of purses, the process at Hollywood Park is not necessarily representative of other racetracks. At Hollywood Park:

- No effort is made to collect any of the previously distributed purse until the paymaster receives a ruling from the stewards – be that weeks, months, or years later.
- The paymaster allows 30 days for appeal before taking any action. If there is no appeal, the paymaster sends letters to the owner, trainer, and jockey citing the ruling and asking for the return of the purse money. The paymaster finds it helpful if the ruling includes a date certain by which the money is to be returned.
- Once the money is returned, the paymaster immediately redistributes the purse. The InCompass system is programmed to recalculate the purse distribution based on the revised order of finish.
- In those instances where the jockey has difficulty repaying all of the money at once, the paymaster will work out a schedule of payments to accommodate the jockey. In the meantime, the jockey's share of the purse is redistributed using Hollywood Park's own funds.

If one were to define awaiting the results of the sample testing as a form of protest, the Board and the BOS could order the tracks to withhold purses until the results were determined. Moreover, if the rule language were changed to expressly require purses to be held until test results were known, the entire point would be largely moot, and the issue would be effectively mitigated without protest. The timing of sample testing and results availability is discussed below:

The Maddy laboratory at the University of California at Davis (UC Davis) can generally clear approximately 90% of the samples in 72 hours, not counting weekends and holidays. Most of the rest, about 80% of those uncleared on the first run, are cleared within 120 hours (an additional 48 hours.) A few take the entire 18 days, however, that is rare. The samples must reach the laboratory by 10:30 a.m. for timely processing.

Shipping is a bigger problem. Some samples do not reach the laboratory for up to 8 days in the worst-case scenario. Samples are not ready for shipment until they are frozen overnight, and must be shipped with an overnight delivery to remain frozen or at least chilled. Holidays may exacerbate the problem. Shipping times could be tightened up in some instances. Without holidays, the longest shipping time is approximately 6 days from Southern California to UC Davis. Additional efficiencies might be achieved. The laboratory accepts samples on Saturdays, so Wednesday and Thursday samples could be shipped immediately to arrive on Saturday.

The few cases resulting in disqualifications could tie up purses for some period of time, but the length of time for most case resolution has shrunk in the past couple of years. In addition, other than the race winners and randomly selected sample test horses, the other participants could be paid the share assumptively earned pending an official clearance by the lab. The

jockeys of the winners and the randomly selected sample test horses could receive the losing jockey mount fee pending the official clearance. It was pointed out by one respondent that the jockeys are entitled only to the losing jockey mount fee. All additional amounts they earn are contractual in basis between them and the owners for whom they ride.

This position seems to be that of the majority of respondents to our survey.

One alternative was the historical model, wherein horsemen's representatives and associations negotiated to release purses after 72 hours, with the associations insuring the funds.

## RECOMMENDATION

Staff recommends that the Board consider the above and encourage additional comment from the industry and public. Further, the Board should consider amending Rule 1760 to limit the payment of purses initially to those not subject to sample testing, and for all others until the results of samples have been cleared. Consider also the release of jockey losing mount fees prior to the sample test results.