

CALIFORNIA HORSE RACING BOARD

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MEDICATION, SAFETY AND WELFARE COMMITTEE MEETING

of the **California Horse Racing Board** will be held on **Wednesday, August 23, 2017**, commencing at **11:00 a.m.**, at the **Del Mar Surfside Race Place, (Downstairs General Admission Area) 2260 Jimmy Durante Blvd. Del Mar, California**. Non-committee Board members attending the committee meeting may not participate in the public discussion, official committee vote, or committee closed session.

AGENDA

Action Items:

1. Report and discussion on **California's medication violations for fiscal year 2016-17.**
2. Report and discussion on **CHRB/CAHFS Postmortem Program, Fatality Review Program and changes proposed for fiscal year 2017-2018.**
3. Report and discussion on **continuing education opportunities for California horsemen and update regarding CHRB's continuing education proposals for fiscal year 2017-2018.**
4. Report and update on **medication, drug and other substance surveillance from CHRB's Out-of Competition Testing, special medication and other programs.**
5. Discussion and action regarding the **proposed amendment to CHRB Rule 1588, Horse Ineligible to Start in a Race**, to provide that a horse that receives an intra-articular injection (glucocorticosteroid/cortisone) is ineligible to race for seven (7) days (168 hours) after the treatment.
6. Discussion and action regarding the **proposed addition of CHRB Rule 1846.1, Intra-Articular Corticosteroid Treatment Reporting**, to require that trainers maintain a record of all intra-articular injections and diagnostic procedures performed on horses within their care. Such records shall be made available for inspection by the racing veterinarian during the racing soundness examination or at other times as requested by the stewards, Official Veterinarian or Equine Medical Director.

7. **General Business:** Communications, reports, requests for future actions of the Committee.

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

**MEDICATION, SAFETY AND WELFARE
COMMITTEE**

Madeline Auerbach, Chairman

Alex Solis, Member

Rick Baedeker, Executive Director

Jacqueline Wagner, Assistant Executive Director

STAFF ANALYSIS
REPORT AND DISCUSSION ON CALIFORNIA'S MEDICATION VIOLATIONS FOR
FISCAL YEAR 2016 -17

Medication, Safety and Welfare Committee Meeting
August 23, 2017

BACKGROUND

Business and Professions Code section 19580 provides that the Board shall adopt regulations to establish policies, guidelines, and penalties relating to equine medication in order to preserve and enhance the integrity of horse racing in the state. Business and Professions Code section 19581 states no substance of any kind shall be administered by any means to a horse after it has been entered to race in a horse race, unless the Board has, by regulation, specifically authorized the use of the substance and the quantity and composition thereof. Board Rule 1843, Medication, Drugs and Other Substances, provides that no horse participating in a race shall carry in its body any drug substance or its metabolites or analogues, foreign to the horse except as hereinafter expressly provided. No drug substance shall be administered to a horse which is entered to compete in a race to be run in this state except for approved and authorized drug substances as provided in these rules.

Urine and blood samples are obtained post-race from the winner of every race, the horses finishing second and third in certain stakes races, and from any other horses selected at random from each program, as well as other horses designated by the stewards. Post-race testing includes in-depth testing for anabolic steroids, narcotics, tranquilizers, depressants and potent stimulants. A positive post-race test sample will result in the Board taking action against the license of the responsible party. Any licensee found to be responsible for the presence or administration of any drug substance resulting in a positive test may be subject to penalties as set forth in the Board's rules and regulations.

RECOMMENDATION

This item is presented for Committee discussion. The Board's Equine Medical Director is prepared to make a presentation to the Committee.

CHRB Medication Violations FY2016-2017.

There were 78 medication or drug violations in FY16-17 including 8 Class 1, 2 or 3 violations and 70 Class 4 or 5 violations from 40,126 samples

	Class 1, 2 or 3	Class 4 or 5
Post-race paired blood and urine (9,668) plus post-race blood only (926)	8 (0.08%)	62 (0.58%)
Work Bloods (516)	0	8 (1.6%)
TCO2 (19,438)	0	0
Out-of-Competition (1,686)	0	0

- Post-race samples include 9,668 paired blood and urine samples plus 926 blood only samples for a total of 20,202 post-race samples.
- 516 Work Bloods are post-work blood samples required for removal from the Veterinarian's List.
- 19,438 TCO2 samples are drawn on Thoroughbreds pre-race and harness primarily pre-race.
- 1,686 Out-of-Competition (OOCT) samples are obtained from horses at times other than race day.
- Hair sampling from OOCT and post-race samplings is not included.

Class 1, 2 or 3 Violations FY 16-17

Drug	SoCal TB's	Norcal TB's	Fairs	Cal Expo	Los AI	Total
Clenbuterol	1				2*	3
Cobalt				1#		1
Cocaine				1#		1
Sildenafil	2					1
Stanozolol	1					1
Total	4	0	0	2#	2*	8

*Quarter Horses

Standardbreds

Class IV & V Violations FY 16-17

Betamethasone	2
Cobalt (<50ng/ml)	1
Dexamethasone	4
DMSO	4
Flunixin	9
Isoflupredone	1
Methocarbamol	5
Methylprednisolone	4
Phenylbutazone & Flunixin	12
Phenylbutazone	29

There were 70 Class IV or V violations from 60 trainers and 67 different horses. 62 of the violations were during racing; 8 violations were working for removal from the Veterinarian's List under 1866 (6 excess phenylbutazone; 1 excess DMSO, and 1 excess flunixin. Two phenylbutazone violations were over 5 ug/ml.

CALIFORNIA HORSE RACING BOARD

AUGUST 23, 2017
COMMITTEE MEETING

There is no Committee Meeting package material for Item 2



Item 3

STAFF ANALYSIS
REPORT AND DISCUSSION ON CONTINUING EDUCATION OPPORTUNITIES FOR
CALIFORNIA HORSEMEN AND UPDATE REGARDING CHRB'S CONTINUING
EDUCATION PROPOSALS FOR FISCAL YEAR 2017-2018.

Medication, Safety and Welfare Committee Meeting
August 23, 2017

BACKGROUND

Business and Professions Code section 19520 provides that every person who participates in, or has anything to do with, the racing of horses including trainers shall be licensed by the Board pursuant to rules and regulations that the Board may adopt, and upon payment of a license fee fixed and determined by the Board.

For several years, the Board has considered the implementation of a continuing education requirement for all licensed trainers. In preparation for such a regulation, CHRB staff has partnered with the University of California, Davis to develop a number of educational modules which focus on race horse injuries. Recently, several of these modules have been added to the Welfare and Safety of the Racehorse Summit website,¹ which now hosts the following courses:

- California's Racing Safety Program Overview (CHRB/UCD)
- Scapular Fractures in Racehorses (CHRB/UCD)
- Humeral Fractures in Racehorses (CHRB/UCD)
- Nutrition and Balanced Feed Programs
- Introduction to Thoroughbred Risk and Protective Factors
- Understanding the National Uniform Medication Program
- The Hoof: Inside and Out
- Understanding & Managing EHV-1

RECOMMENDATION

This item is presented for Committee discussion.

¹ <https://courses.grayson-jockeyclub.org/course-index>



CALIFORNIA HORSE RACING BOARD

AUGUST 23, 2017
COMMITTEE MEETING

There is no Committee Meeting package material for Item 4

STAFF ANALYSIS
DISCUSSION AND ACTION REGARDING THE PROPOSED AMENDMENT TO CHRB
RULE 1588, HORSE INELIGIBLE TO START IN A RACE, TO PROVIDE THAT A HORSE
THAT RECEIVES AN INTRA-ARTICULAR INJECTION
(GLUCOCORTICOSTEROID/CORTISONE) IS INELIGIBLE TO RACE FOR SEVEN (7)
DAYS (168 HOURS) AFTER THE TREATMENT.

Medication, Safety and Welfare Committee Meeting
August 23, 2017

BACKGROUND

After a number of fatalities at Aqueduct Racecourse during their 2011-2012 fall-winter meet, New York Governor Andrew Cuomo established the New York Task Force on Racehorse Health and Safety. After thoroughly reviewing the deaths at Aqueduct, the task force made a number of recommendations¹, including enhanced restrictions on the use of intra-articular corticosteroids. Specifically, the recommendations included new trainer reporting requirements to owners of recently-claimed horses and to the Stewards. Additionally, the prohibition of racing after an intra-articular corticosteroid injection was extended from five days to seven days.² Since that report, at least one scientific study in Australia has found that intra-articular corticosteroids are associated with musculoskeletal injuries.³

ANALYSIS

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

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1. New York Task Force on Racehorse Health and Safety. (2012) accessed January, 2017 at: <http://www.governor.ny.gov/sites/governor.ny.gov/files/archive/assets/documents/Report.pdf> (p. 87).
 2. New York Gaming Commission Rule 4043.2, Restricted use of drugs, medication and other substances, states that a horse may not race "for at least seven days following a joint injection of a corticosteroid; and the following corticosteroids may be administered only by means of a joint injection: betamethasone, isoflupredone, any formulation of methylprednisolone and any formulation of triamcinolone."
 3. Whitton, R.C., Jackson, M.A., Campbell, G.A., Anderson, T.D., Parkin, T.D., Morton, J.M., Boden, L.A., 2014. Musculoskeletal rates in Thoroughbred racehorses following local corticosteroid injection. *The Veterinary Journal* 200: 71-76 (2014)

The proposed amendment to CHRB Rule 1588, Horse Ineligible to Start in a Race, would make any horse that has receives an intra-articular injection within seven days of a race ineligible to participate. Such a prohibition is consistent with the recommendations of the New York Task Force on Racehorse Health and Safety, and is intended to further safeguard the health and safety of those horses participating in California races.

RECOMMENDATION

This item is presented for Committee discussion and action.

CALIFORNIA HORSE RACING BOARD
TITLE 4. CALIFORNIA CODE OF REGULATIONS
ARTICLE 6. ENTRIES AND DECLARATIONS
PROPOSED AMENDMENT OF
RULE 1588. HORSE INELIGIBLE TO START IN A RACE.

1588. Horse Ineligible to Start in a Race.

In addition to any other valid ground or reason, a horse is ineligible to start in any race:

(a) if such horse is not registered by the Jockey Club if a thoroughbred, the United States Trotting Association if a standardbred, the American Quarter Horse Association if a quarter horse, the Appaloosa Horse Club if an appaloosa horse, the Arabian Horse Registry of America if an Arabian horse, or the American Paint Horse Association if a paint horse;

(b) if the parentage verification to both the sire and the dam of all horses foaled in 1992 and thereafter has not been certified by the Jockey Club if a thoroughbred, the United States Trotting Association if a standardbred, the American Quarter Horse Association if a quarter horse, the Appaloosa Horse Club if an appaloosa horse, the Arabian Horse Registry of America if an Arabian horse, or the American Paint Horse Association if a paint horse;

(c) if, unless the stewards permit otherwise, the certificate of foal registration, eligibility papers, or other registration issued by the official registry for such horse is not on file with the racing secretary at the time of entry;

(d) if such horse has been entered or raced at any recognized race meeting under any name or designation other than the name or designation duly assigned by and registered with the official registry;

(e) if the certificate of foal registration, eligibility papers or other registration issued by the official registry has been altered, erased, or forged;

(f) if the identification markings of the horse do not agree with the identification markings as set forth in the registration of such horse;

(g) unless he is eligible to enter said race and is duly entered for such race;

(h) when such horse is owned in whole or in part by an unlicensed person or is in the care of an unlicensed trainer;

(i) when such horse is on the Steward's List, the Starter's List or the Veterinarian's List;

(j) when, except with prior approval of the stewards for good cause, such horse is on the Veterinarian's List in another racing jurisdiction. Good cause includes:

(1) unforeseen administrative issues in removing the horse from the Veterinarian's List of another racing jurisdiction;

(2) the location of the horse prevents it from being evaluated by the official veterinarian of another racing jurisdiction and cleared from that jurisdiction's Veterinarian's List, and the horse is approved to race by a California official veterinarian; or

(3) any other unforeseen event or reason that would prevent a horse that would otherwise not be on a Veterinarian's List from being cleared from the Veterinarian's List of another racing jurisdiction.

(k) when, except with prior approval of the stewards, such horse has not been on the grounds of the association or its approved auxiliary stable area for at least 24 hours prior to the time the race is to be run.

(l) when such horse has received an intra-articular injection within the previous seven days (168 hours) prior to scheduled post-time.

NOTE: Authority cited: Sections 19440 and 19562, Business and Professions Code. Reference: Sections 19440 and 19562, Business and Professions Code.

Item 6

STAFF ANALYSIS

DISCUSSION AND ACTION REGARDING THE PROPOSED ADDITION OF CHRB RULE 1846.1, INTRA-ARTICULAR CORTICOSTEROID TREATMENT REPORTING, TO REQUIRE THAT TRAINERS MAINTAIN A RECORD OF ALL INTRA-ARTICULAR INJECTIONS AND DIAGNOSTIC PROCEDURES PERFORMED ON HORSES WITHIN THEIR CARE. SUCH RECORDS SHALL BE MADE AVAILABLE FOR INSPECTION BY THE RACING VETERINARIAN DURING THE RACING SOUNDNESS EXAMINATION OR AT OTHER TIMES AS REQUESTED BY THE STEWARDS, OFFICIAL VETERINARIAN OR EQUINE MEDICAL DIRECTOR.

Medication, Safety and Welfare Committee Meeting
August 23, 2017

BACKGROUND

After a number of fatalities at Aqueduct Racecourse during their 2011-2012 fall-winter meet, New York Governor Andrew Cuomo established the New York Task Force on Racehorse Health and Safety. After thoroughly reviewing the deaths at Aqueduct, the task force made a number of recommendations¹, including enhanced restrictions on the use of intra-articular corticosteroids. Specifically, the recommendations included new trainer reporting requirements to owners of recently-claimed horses and to the Stewards. Since that report, the New York Gaming Commission (NYGC) has constructed an online reporting portal, called the Equine Steroid Administration Log, on which trainers (and/or their veterinarians) are required to report all corticosteroid joint injections given to their horses. Specifically, NYGC Rule 4034.3, Trainer's Responsibility states:

Trainers shall maintain accurate records of all corticosteroid joint injections to horses trained by them. The record(s) of every corticosteroid joint injection shall be submitted, in a form and manner approved by the commission, by the trainer to the commission within 48 hours of the treatment. The trainer may delegate this responsibility to the treating veterinarian, who shall make the reports when so designated. The reports shall be accessible to the examining veterinarian for the purpose of assisting with pre-race veterinary examinations.

ANALYSIS

Business and Professions Code section 19440 provides that the Board shall have all powers necessary and proper to enable it to carry out fully and effectually the purposes of the Horse Racing Law. Responsibilities of the Board include adopting rules and regulations for the protection of the public and the control of horse racing and pari-mutuel wagering. Business and Professions Code section 19562 states the Board may prescribe rules, regulations and conditions under which all horse races with wagering on their results shall be conducted in California. Business and Professions Code section 19580 requires the Board to adopt regulations to establish

1. New York Task Force on Racehorse Health and Safety. (2012) accessed January, 2017 at: <http://www.governor.ny.gov/sites/governor.ny.gov/files/archive/assets/documents/Report.pdf> (p. 92)

policies, guidelines, and penalties relating to equine medication to preserve and enhance the integrity of horse racing in California. Business and Professions Code section 19581 provides that no substance of any kind shall be administered by any means to a horse after it has been entered to race, unless the Board has, by regulation, specifically authorized the use of the substance and the quantity and composition thereof.

The proposed addition of Rule 1846.1, Intra-Articular Corticosteroid Treatment Reporting, would require trainers to maintain a log of all intra-articular injections administered to horses while in the trainer's care. The log would have to include the corticosteroids administered, dates of administrations, dosage, articular structures treated, and the reason for treatment. Additionally, the trainer would be required to make the log available to the racing veterinarian when performing pre-race examinations, as well as to other CHRB staff as requested.

Knowledge of intra-articular corticosteroid treatments are potentially useful in assisting Official Veterinarians and Racing Veterinarians with their assessments of individual horses. In Australia, intra-articular corticosteroids have been associated with musculoskeletal injuries,² and they were also implicated in the aforementioned New York Task Force on Racehorse Health and Safety report. While intra-articular corticosteroids can have beneficial therapeutic uses, there still remain inherent risks that use of these drugs can mask the true extent of a horse's existing injury and also accelerate joint degeneration. Availability of intra-articular corticosteroid treatment information will therefore allow Official Veterinarians and Racing Veterinarians to better scrutinize treated joints before authorizing horses to race. Additionally, review of this information will provide the CHRB with the opportunity to correlate intra-articular corticosteroid injections with fatality data.

RECOMMENDATION

This item is presented for Committee discussion and action.

2. Whitton, R.C., Jackson, M.A., Campbell, G.A., Anderson, T.D., Parkin, T.D., Morton, J.M., Boden, L.A., 2014. Musculoskeletal rates in Thoroughbred racehorses following local corticosteroid injection. *The Veterinary Journal* 200: 71-76 (2014)

CALIFORNIA HORSE RACING BOARD
TITLE 4. CALIFORNIA CODE OF REGULATIONS
ARTICLE 15. VETERINARY PRACTICES
PROPOSED ADDITION OF
RULE 1846.1. INTRA-ARTICULAR CORTICOSTEROID TREATMENT REPORTING

1846.1. Intra-Articular Corticosteroid Treatment Reporting

Trainers shall maintain a current treatment log of all intra-articular corticosteroid injections administered to horses in their care that are intended to race in California, whether such treatments occur inside or outside of the inclosure. The treatment log shall include the name of the veterinarian administering the treatment, corticosteroid(s) administered, date of administration, dosage, articular structures injected, and reason for treatment. Trainers shall make these treatment logs available to any veterinarian performing an examination of a horse pursuant to Rules 1541, 1846, 1853, or 1866, and also to the Board or its staff as requested.

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

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

