

**CALIFORNIA HORSE RACING BOARD**

1010 Hurley Way, Suite 300  
Sacramento, CA 95825  
[www.chrb.ca.gov](http://www.chrb.ca.gov)  
(916) 263-6000 Fax (916) 263-6042



## **MEDICATION AND** **TRACK SAFETY** **COMMITTEE MEETING**

of the California Horse Racing Board will be held on **Wednesday, May 27, 2015**, commencing at **10:00 a.m.**, in the **Baldwin Terrace Room** at the **Santa Anita Park Race Track, 285 West Huntington Drive, Arcadia, California**. Non-committee Board members attending the committee meeting may not participate in the public discussion, official committee vote or committee closed session.

### **AGENDA**

#### **Action Items:**

1. Report and update by the University of California, Davis on the **CHRB/University of California, Davis Necropsy Program** for fiscal year 2013-2014.
2. Discussion regarding a **proposed addition of CHRB Rule 1846.6, Postmortem Examination Review**, to require a postmortem examination review of each equine fatality within a CHRB inclosure.
3. Report and discussion regarding **emerging threats and related detection strategies in horse racing and drug testing including hair testing, proteomics and gene doping**.
4. Report and discussion regarding **racing soundness exam procedures as required pursuant to CHRB Rules 1846 Racing Soundness Examination and 1853 Examination Required**.
5. Discussion and action regarding a **proposed amendment to CHRB Rule 1581 Racing Secretary to Establish Conditions**, to allow the racing secretary to establish as a condition for any race, adherence to the International Medication Protocols, which prohibit lasix administration within 24 hours of a race, as a condition of entry of a horse in a particular race.
6. Discussion and action regarding **examination requirements for pony horses within CHRB inclosures**.
7. Discussion and action regarding a **proposed amendment to CHRB Rule 1843.3, Penalties for Medication Violations**, to adjust the penalties for medication violations.

8. Discussion and action regarding **scratching a horse that has been gelded since its last start but not designated as such in the official program.**

9. **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](http://www.chrb.ca.gov). \*Information for requesting disability related accommodation for persons with a disability who require aids or services in order to participate in this public meeting, should contact Jacqueline Wagner.

**MEDICATION AND  
TRACK SAFETY COMMITTEE**

Madeline Auerbach, Chairman

Alex Solis, Member

Rick Baedeker, Executive Director

Jacqueline Wagner, Assistant Executive Director

## POSTMORTEM EXAMINATION PROGRAM

Conducted for the California Horse Racing Board  
July 1, 2013–June 30, 2014

**California Animal Health and Food Safety  
Laboratory System**

**J.D. Wheat Veterinary Orthopedic  
Research Laboratory**

School of Veterinary Medicine  
University of California, Davis

**April 2015**



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## Postmortem

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## Examination

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## Program

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### California Animal Health and Food Safety Laboratory System

### J.D. Wheat Veterinary Orthopedic Research Laboratory

School of Veterinary Medicine  
University of California, Davis  
Davis, CA 95616  
(916) 752-8700  
April 2015

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### Equine Welfare and Racing Injury Prevention Committee

Rick Arthur, DVM  
Gary Beck, DMV  
William Bell, DVM  
Jeff Blea, DVM  
Richard Breitmeyer, DVM, MPVM  
Ellen Jackson  
Bud Johnston  
Richard Mandella, Chair  
Alan Severinsen  
Donald Smith, DVM  
Lawson Williams  
Steve Wood

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## POSTMORTEM EXAMINATION PROGRAM

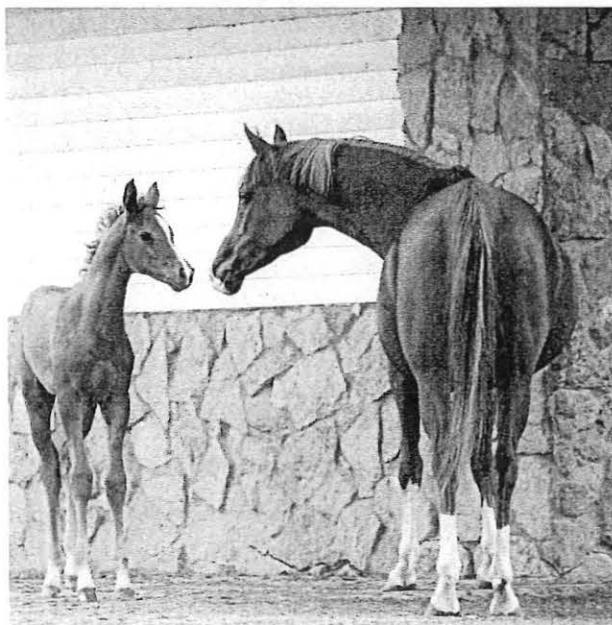
### Introduction

The Postmortem Examination Program has been in operation since February 1990, and has performed examinations on 6,325 horses, as of June 30, 2014. Initiated by the California Horse Racing Board (CHRB), the program is a partnership with the California Animal Health and Food Safety Laboratory System (CAHFS) to meet three primary objectives: 1) to determine the nature of injuries occurring in racehorses, 2) to determine the reasons for these injuries, and 3) to develop injury prevention strategies. To accomplish this, a broad, cooperative approach was organized involving the development of a contract with the CAHFS to perform a necropsy on every horse that died spontaneously or was euthanized on racetracks or training facilities under the jurisdiction of the CHRB. This visionary partnership has become a national and international model for the horse racing industry in an effort to improve the safety and welfare of racehorses.

Pathologists at the CAHFS' Davis, Tulare and San Bernardino laboratories conduct postmortem examinations and compile detailed information on each horse, which is then reported to the equine medical director and the submitting CHRB official veterinarian. A broad range of specimens are collected and shared with veterinary scientists in the School of Veterinary Medicine (SVM) at the University of California, Davis (UC Davis). Specimens from select cases are also sent to the Veterinary Orthopedic

Laboratory at UC Davis for in-depth analyses. This has helped to more precisely determine the causes and risk factors leading up to catastrophic injuries in racehorses, resulting in their death or euthanasia. Racing associations provide transportation of the horses to the nearest laboratory facility and additional studies are funded by the Center for Equine Health at UC Davis and private sources.

Information from the tests and data gathered from the postmortem examinations are analyzed in efforts to elucidate the specific cause of catastrophic injuries.



# UC DAVIS

## VETERINARY MEDICINE

*California Animal Health and  
Food Safety Laboratory System*



## SUBMISSIONS

### General Submission Information

During the 2013-14 fiscal-year, 199 horses were submitted to CAHFS as part of the CHRB Postmortem Program. This number is a decrease of ~5 percent (10 horses) over the fiscal year 2012-13 count of 209, and continues the downward trend initiated several years ago (Figure 1). The 2013-14 total number of fatalities (199) represents the lowest number of fatalities of the past 19 years. The graph below (Figure 1) shows the number of horses that have been submitted to the program since 1990 by fiscal year. The first year of the program (1990) began in February and does not represent a full fiscal year. The trend line shows that the number of horses submitted for the CHRB program have been increasing slightly almost every year until 2005-06, after which a decline, interrupted temporarily in 2008-09 and 2011-12.

The CAHFS' Davis, Tulare and San Bernardino laboratories performed the necropsies, with horses being brought directly to the closest CAHFS facility.

At the time of submission, the CHRB track official categorized the activity of the horse at the time of injury into one of three types: non-exercise, racing or training (Table 1).

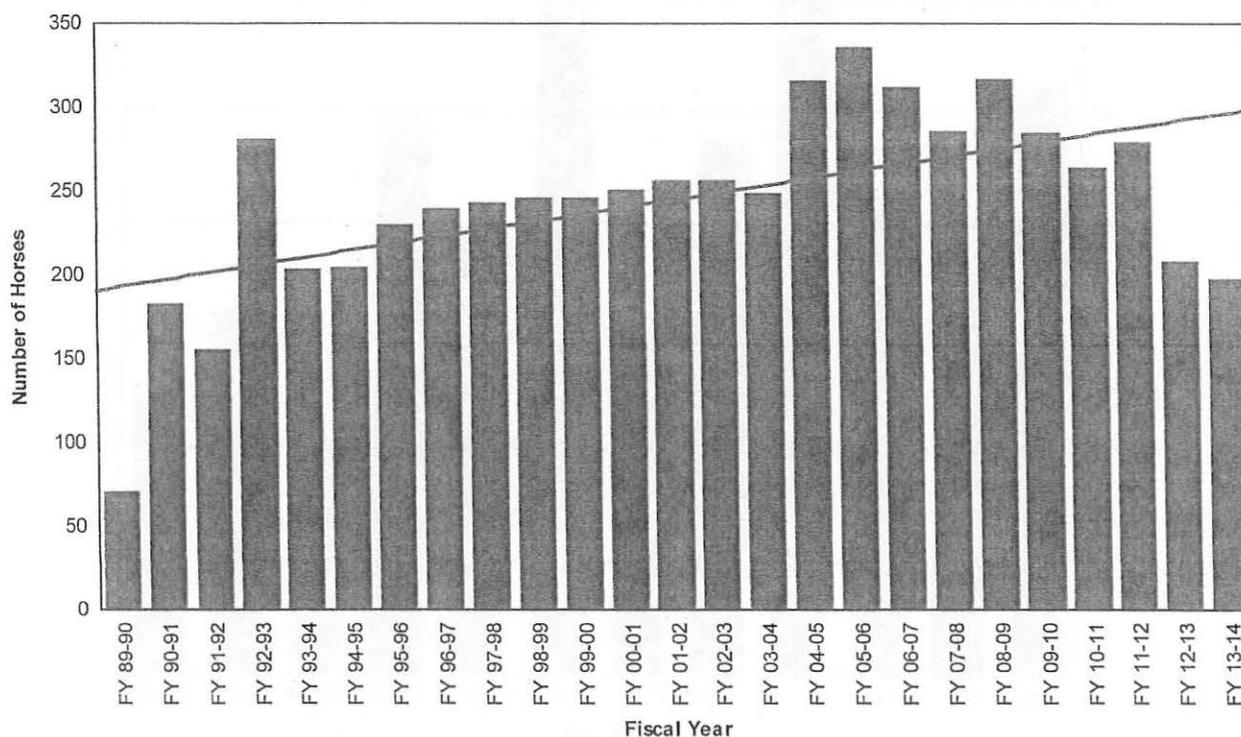
The vast majority of catastrophic injuries, 74 percent, occurred during or immediately following training or racing. Of these, approximately 52 percent occurred during or immediately after racing, and the remaining 48 percent were training-related. This

*Continued*

**Table 1. Activity at Time of Injury/Fatality**

Non-Exercise	52 (26%)
Racing	76 (38%)
Training	71 (36%)
<b>Total</b>	<b>199 (100%)</b>

**Figure 1. Number of Horses Submitted to the CHRB Postmortem Program by Fiscal Year**



## SUBMISSIONS • continued

is in agreement with previous years, in which most fatalities were exercise-related. The third category of fatalities, accounting for ~26 percent of submissions, included horses in the non-exercise group. These were horses suffering primarily from medical conditions such as colic, infectious diseases or other conditions.

As in the past, the vast majority of submissions, 176 (~88 percent) during FY 2013-14 were Thoroughbreds (Table 2). Nineteen of the horses submitted in

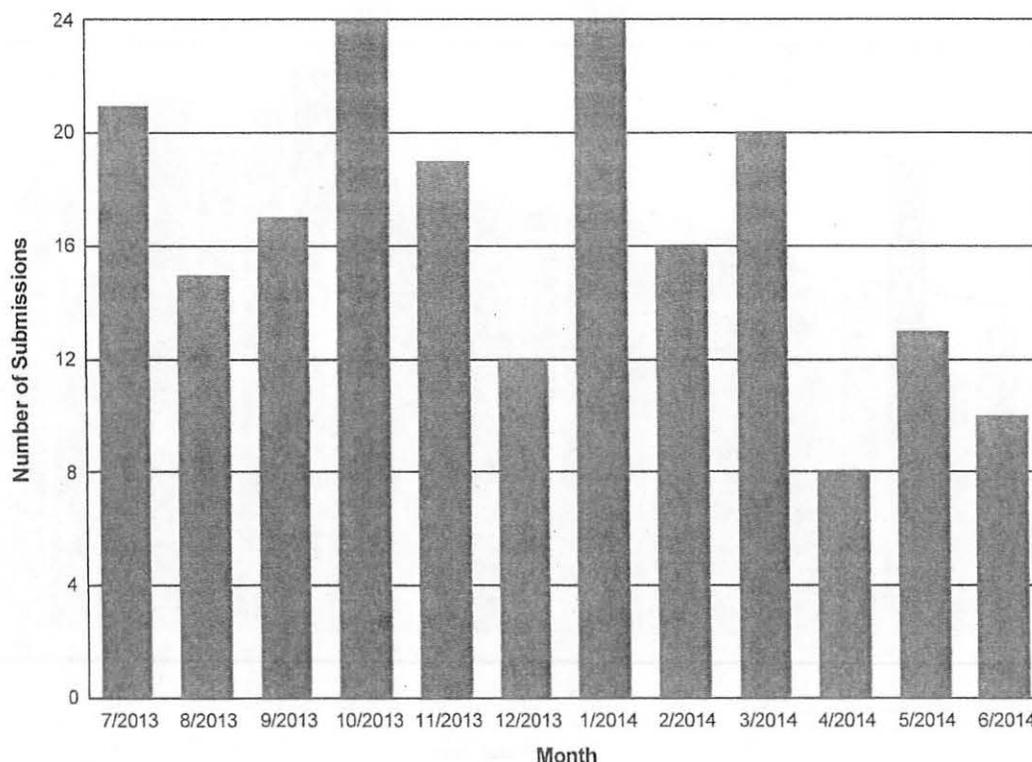
2013-14 (~10 percent) were Quarter Horses. This is an ~8 percent decrease over the prior fiscal year and constitutes the third year in which a reduction in the number of Quarter Horse submissions is observed. With very small numbers of other breeds racing, not enough data exists to allow comparison of injury rates among breeds for any predisposition to any particular type of injury.

*Continued*

**Table 2. Submissions by Breed and Month**

Breed	Jul 13	Aug 13	Sep 13	Oct 13	Nov 13	Dec 13	Jan 14	Feb 14	Mar 14	Apr 14	May 14	Jun 14	Total
Appaloosa	0	0	0	1	0	0	0	0	0	0	0	0	1
Quarter Horse	1	0	5	3	3	3	1	1	1	0	0	1	19
Standardbred	0	0	0	0	0	0	1	0	1	1	0	0	3
Thoroughbred	20	15	12	20	16	9	22	15	18	7	13	9	176
<b>Grand Total</b>	<b>21</b>	<b>15</b>	<b>17</b>	<b>24</b>	<b>19</b>	<b>12</b>	<b>24</b>	<b>16</b>	<b>20</b>	<b>8</b>	<b>13</b>	<b>10</b>	<b>199</b>

**Figure 2. Number of Horses Examined by Month**



## SUBMISSIONS • continued

The number of horses submitted per month was variable, with no obvious clusters of submissions at any given month of the year (Table 2 and Figure 2). This is very similar to submission patterns over the last few years.

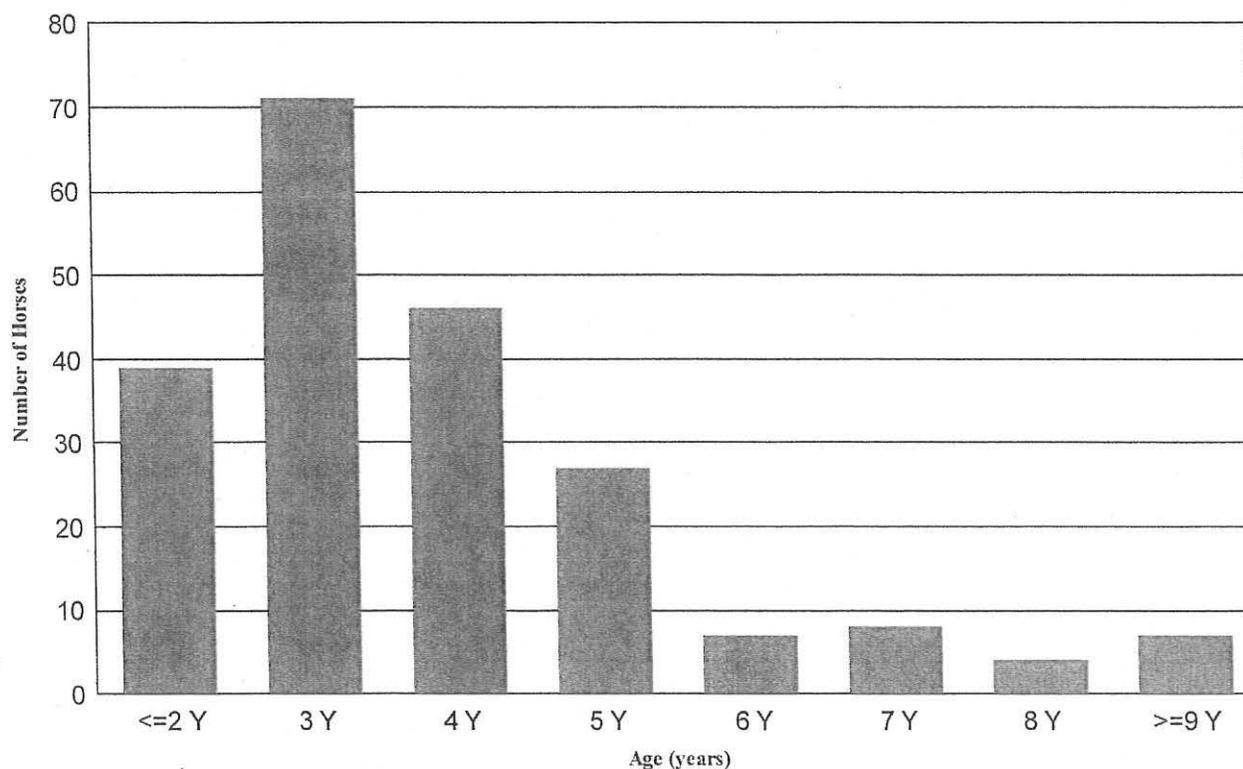
The largest proportion of submissions (~50.0 percent) were 3- or 4-year-old horses (Table 3). Only ~19 percent of all racehorses submitted were 2-years-old or less. The number of horses submitted

with catastrophic injuries or death drops dramatically after the fifth year of age (Table 3 and Figure 3). This distribution is consistent with the age distribution that has been seen in prior years of the program. We cannot conclude if horses 5 years of age and greater are much less susceptible to the athletic injuries of racing, because the total number of horses in each age group that are racing and training on facilities controlled by CHRB are not known to us.

**Table 3. Submissions by Breed and Age**

Breed/Age	<=2	3	4	5	6	7	8	>=9	Total
Appaloosa Horse	0	0	0	0	0	0	0	1	<b>1</b>
Quarter Horse	9	6	2	0	0	0	1	1	<b>19</b>
Standardbred	0	0	0	1	0	1	0	1	<b>3</b>
Thoroughbred	29	47	43	31	12	7	2	5	<b>176</b>
<b>Total</b>	<b>38</b>	<b>53</b>	<b>45</b>	<b>32</b>	<b>12</b>	<b>8</b>	<b>3</b>	<b>8</b>	<b>199</b>

**Figure 3. Number of Horses Examined by Age**



## SUBMISSIONS • INJURIES

### Submissions By Gender

The gender distribution of the horses submitted during 2013-14 is shown in Table 4 below. Males represented ~63 percent of the total group, with 31 percent of males being intact (stallions) and 69 percent geldings. Females comprised ~37 percent of the group.

**Table 4. Distribution of Horses by Gender and Category**

Gender	Non-Exercise	Racing	Training	Total
Mares	23	28	22	73 (37%)
Stallions	8	10	21	39 (19%)
Geldings	21	38	28	87 (44%)
<b>Total</b>	<b>52</b>	<b>76</b>	<b>71</b>	<b>199 (100%)</b>

### Injuries

As previously mentioned, the categories of injury represent the activity of the horse or circumstances at the time of the fatal or catastrophic injury. The largest cluster of fatal injuries, ~86 percent, occurred in 2-, 3-, 4- and 5-year-old racehorses (Table 5). The age of the horses submitted for non-exercise related fatalities was also concentrated between 2 and 5 years of age.

**Table 5. Category of Injury/Fatality by Age**

Category/Age	<=2	3	4	5	6	7	8	>=9	Total
Non-Exercise	15	11	7	10	1	2	1	5	<b>52</b>
Racing	7	17	25	15	5	5	1	1	<b>76</b>
Training	16	25	13	7	6	1	1	2	<b>71</b>
<b>Total</b>	<b>38</b>	<b>53</b>	<b>45</b>	<b>32</b>	<b>12</b>	<b>8</b>	<b>3</b>	<b>8</b>	<b>199</b>

During this fiscal year, Thoroughbred horses suffered exactly the same number of racing as training (39 percent each) catastrophic injuries (Table 6). This is a variation from the year before when racing fatalities were more numerous than training catastrophic injuries, and from the year before when these proportions were inverted. Quarter Horses suffered only two (10 percent) catastrophic injuries during training in this period. This is consistent with previous years, when Quarter Horses infrequently suffered a catastrophic injury during a training session. Quarter Horse submissions during 2013-14 were significantly lower than the previous year, continuing the steady decline which started five years ago. Figure 4 shows the historical number of Quarter Horses submitted to the program since its inception.



## INJURIES • continued

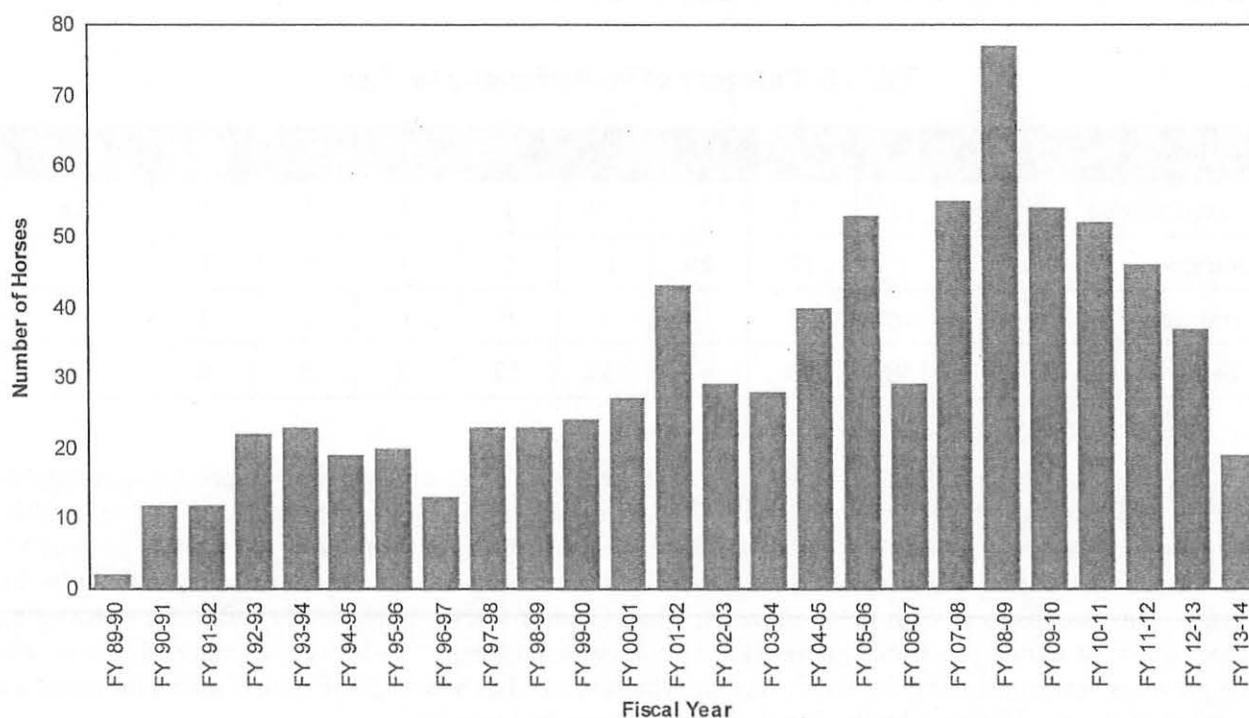
In 2013-14, ~77 percent of the total primary injuries or conditions in all breeds were due to musculoskeletal problems (Table 7), which is consistent with what has been observed in previous years. Of this group, ~ 82 percent of injuries affected the front or rear legs (Table 8). The injuries listed in these tables represent the primary injury to the horse.

In many cases, several primary findings for each horse submitted were recorded. Thus, the total number of reported injury types exceeds the total number of horses submitted. This is especially true in severe

**Table 6. Category of Injury/Fatality by Breed**

Injury Class by Breed	Non-Exercise	Racing	Training	Total
Appaloosa Horse	1	0	0	<b>1</b>
Quarter Horse	11	6	2	<b>19</b>
Standardbred	2	1	0	<b>3</b>
Thoroughbred	38	69	69	<b>176</b>
<b>Total</b>	<b>52</b>	<b>76</b>	<b>71</b>	<b>199</b>

**Figure 4. Number of Quarter Horses Submitted to the CHRB Postmortem Program by Fiscal Year**



## INJURIES • continued

injuries involving multiple bones in the fore- or hind-limbs. In these cases, multiple related injuries, such as tendon and ligament ruptures are identified concomitantly.

Musculoskeletal injuries are most likely to occur during racing or training. Because these injuries are by far the most common, most of the investigative efforts at the University of California, Davis, have focused on causes and prevention of limb injuries.

Table 8 lists catastrophic injuries by limb and other axial locations. The number of front limb injuries sustained during racing (65) was slightly higher than those injuries sustained during training (63). There were variable numbers of right and left front limb injuries, but similar numbers of right and left rear limb injuries.

**Table 7. Organ Systems Affected**

Breed	CV	GI	MS	Nerv	Resp	Skin	Spec Sens	WB	Total
Appaloosa Horse	0	0	0	0	0	0	1	0	1
Quarter Horse	0	2	13	2	1	0	0	1	19
Standardbred	0	0	1	0	0	0	0	2	3
Thoroughbred	1	11	139	8	5	1	0	11	176
<b>Total</b>	<b>1</b>	<b>13</b>	<b>153</b>	<b>10</b>	<b>6</b>	<b>1</b>	<b>1</b>	<b>14</b>	<b>199</b>

(CV=Cardiovascular; GI=Gastrointestinal system; MS=Musculoskeletal; Nerv=Nervous system; Resp=Respiratory system; Skin=Integumentary system; Spec Sens=Special Senses; WB=Whole body).

**Table 8. Musculoskeletal Structures Affected**

Structure Affected	Non-Exercise	Racing	Training	Total
Left Front	0	34	24	58
Left Rear	1	1	3	5
Right Front	1	31	39	71
Right Rear	1	1	0	2
Pelvis	1	7	3	11
Skull	5	0	0	5
Vertebra	0	1	2	3
Various Structures*	10	0	0	10
<b>Total</b>	<b>19</b>	<b>75</b>	<b>71</b>	<b>165</b>

\* Includes laminitis and/or tendinitis of one or more legs



**INJURIES** • continued**Table 9. Musculoskeletal Injury Type by Breed**

Finding	Quarter Horse	Standard bred	Thorough- bred	Total
Carpal Fracture – Left	0	0	2	<b>2</b>
Carpal Fracture – Right	5	0	5	<b>10</b>
Femur Fracture – Left	0	0	1	<b>1</b>
Fedlock Failure – Left Front	0	0	39	<b>39</b>
Fedlock Failure – Left Rear	0	0	2	<b>2</b>
Fetlock Failure – Right Front	0	0	35	<b>35</b>
Humerus Fracture – Left	0	0	5	<b>5</b>
Humerus Fracture – Right	0	0	6	<b>6</b>
Laminitis	5	0	3	<b>8</b>
Metacarpus III Fracture – Left	2	0	2	<b>4</b>
Metacarpus III Fracture – Right	1	0	8	<b>9</b>
Metatarsus III Fracture – Left	0	0	1	<b>1</b>
P1 Fracture – Left Front	0	0	2	<b>2</b>
P1 Fracture – Right Front	0	1	4	<b>5</b>
P1 Fracture – Right Rear	0	0	2	<b>2</b>
P2 Fracture – Left Front	0	0	1	<b>1</b>
Pelvis Fracture	0	0	11	<b>11</b>
Radius Fracture – Left	0	0	1	<b>1</b>
Radius Fracture – Right	0	0	2	<b>2</b>
Scapula Fracture – Left	0	0	3	<b>3</b>
Skull Fracture	0	0	5	<b>5</b>
Suspensory Apparatus Failure – Left Front	0	0	2	<b>2</b>
Suspensory Apparatus Failure – Right Front	0	0	1	<b>1</b>
Suspensory Apparatus Failure – Left Rear	1	0	0	<b>1</b>
Tendon Rupture – Right Front	0	0	1	<b>1</b>
Tenosynovitis	1	0	0	<b>1</b>
Ulna Fracture – Right	0	0	1	<b>1</b>
Vertebra Fracture	0	0	3	<b>3</b>
<b>Total</b>	<b>15</b>	<b>1</b>	<b>148</b>	<b>164</b>



## INJURIES • continued

### Track Surface and Musculoskeletal Injuries in Thoroughbreds

The distribution of musculoskeletal injuries in Thoroughbreds was evaluated when comparing the three types of track surfaces in which these horses performed. Table 10 shows the limb distribution of injuries. As before, this data shows that for the current fiscal year the absolute number of injuries on dirt surfaces was higher than on other surfaces. Because the total number of horses racing on each surface is not known to CAHFS, it cannot be determined from this data whether the injury rates differ by track surface.

**Table 10. Musculoskeletal Injury: Affected Limb by Track Type**

Structure Affected	N/A*	Dirt	Synthetic	Turf	Total
Left Front	0	29	19	10	58
Left Rear	1	2	1	1	5
Right Front	1	39	25	6	71
Right Rear	1	1	0	0	2
Pelvis	1	6	3	1	11
Skull	5	0	0	0	5
Vertebra	0	2	1	0	3
Various Structures**	10	0	0	0	10
<b>Total</b>	<b>19</b>	<b>79</b>	<b>49</b>	<b>18</b>	<b>165</b>

\*Injuries that did not occur on a racing/training surface.

\*\*Includes laminitis and/or tendinitis of one or more legs.

### Other Organ Systems Affected by Injuries

#### Cardiovascular:

During this period there was one case with a confirmed diagnosis of cardiovascular disease; Cardiomyopathy.

Diagnosis	Total
Cardiomyopathy	1
<b>Total</b>	<b>1</b>

#### Integumentary (Skin):

Only one diagnosis of disease of the skin was made on horses submitted to CAHFS during 2013-2014. This is consistent with the reduced number of horses with diseases of the skin submitted regularly to CAHFS as part of the CHRB necropsy program.

Diagnosis	Total
Cellulitis	1
<b>Total</b>	<b>1</b>



## INJURIES • continued

### Other Organ Systems Affected by Injuries

#### Gastrointestinal:

Of the digestive system diagnoses, enteritis, colitis and typhlitis or combinations of these syndromes, and gastrointestinal displacements and/or ruptures were the most frequently observed diagnoses. Causes of these syndromes during this period were due to infections with *Clostridium difficile*, *Clostridium sordellii*, Non-steroidal anti-inflammatory drugs, enteroliths or undetermined.

Diagnosis	Total
Enteritis/colitis/typhlitis	16
Gastrointestinal displacement/rupture	6
<b>Total</b>	<b>22</b>

#### Respiratory:

There were significantly fewer cases of respiratory diseases identified in 2013-2014 (9) than had been seen the two previous years (21 and 22, respectively). By far the main cause for pneumonia and pleuropneumonia, was bacterial and within this, *Streptococcus equi*, subspecies *zooepidemicus* was the most prevalent etiology.

Diagnosis	Total
Pleuropneumonia	2
Pneumonia	5
Upper respiratory disease	2
<b>Total</b>	<b>9</b>

#### Nervous System:

Horses with neurological disorders were identified infrequently during 2013-2014.

Diagnosis	Total
Equine Protozoal Myelitis	3
Bacterial encephalitis	1
Head trauma	1
Nervous disease of undetermined etiology	5
<b>Total</b>	<b>10</b>

#### Whole Body:

The number of unexplained sudden deaths (10) in horses was significantly lower during this reporting period (10) than the previous year (27). Of these 10 horses, 7 died during exercise (5 during race, and 2 during training), while the remaining 3 were not exercising when they died.

\* Refers to horses that were euthanized but the cause of disease was not found on post-mortem examination.

Diagnosis	Total
Hemoperitoneum	1
Septicemia	2
Unexplained sudden death	10
Unexplained cause of disease (euthanasia)*	3
<b>Total</b>	<b>16</b>

#### Special Senses:

Diagnosis	Total
Periodic ophthalmia	1
<b>Total</b>	<b>1</b>



## RESEARCH SUPPORT

- Research Sponsors**
- Center for Equine Health, with funds provided by:
    - State of California Satellite Wagering Fund
    - Southern California Equine Foundation
    - Private donors
  - Dolly Green Foundation
  - Grayson-Jockey Club Research Foundation, Inc.
  - Pacific Coast Quarter Horse Racing Association

<b>Researchers</b>		
John Adaska		Hailu Kinde
Mark Anderson		Panaiotis Loukopoulos
Bradd Barr		Asla Mete
Patricia Blanchard		Rob Moeller
Francisco Carvallo		Janet Moore
Peter Chu		Akinyi Nyaoke
Vanessa Dahl		Sarah Puchalski
Santiago Diab		Guillermo Rimoldi
David Fyhrie		Sara Sammons
Patricia Fyhrie		Tiffany Sarrafian
Tanya Garcia		Jacob Setterbo
Federico Giannitti		Susan Stover
Dave Hawkins		Jennifer Symons
Mont Hubbard		Francisco Uzal
		Leslie Woods





**California Animal Health and Food Safety Laboratory System**

**J.D. Wheat Veterinary Orthopedic Research Laboratory**

School of Veterinary Medicine  
 University of California, Davis  
 West Health Sciences Drive  
 Davis, California 95616

*J.D. Wheat  
 Veterinary Orthopedic  
 Research Laboratory*  
**UCDAVIS**  
 School of Veterinary Medicine

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

Medication and Track Safety Committee Meeting  
May 27, 2015

BACKGROUND

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

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

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

## ANALYSIS

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

The PERP review is intended to be an educational process for trainers and veterinarians, rather than a punitive effort, and will further advance the Board's research into the cause and prevention of horse racing accidents. Only in the case of the discovery of an egregious act, a violation of CHRB regulations, or an unlawful act would independent action be taken against responsible parties. The overall goal of the PERP is to establish a more interactive process to investigate and understand equine fatality more thoroughly, and importantly, provide feedback to licensees that may be of use in improving safety.

## RECOMMENDATION

This item is presented to the Committee for discussion.

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

Medication and Track Safety Committee Meeting  
May 27, 2015

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

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

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

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

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

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

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

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

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

(5) Daily progress and disposition of the case.

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

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

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

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

Authority: Section 19440,

Business and Professions Code.

Reference: Sections 19345 and 19444(c),

Business and Professions Code.

Section 2032.3,

California Code of Regulations.

**CALIFORNIA HORSE RACING BOARD**

**MAY 27, 2015**

**MEDICATION AND**  
**TRACK SAFETY**  
**COMMITTEE MEETING**

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

STAFF ANALYSIS  
REPORT AND DISCUSSION REGARDING  
RACING SOUNDNESS EXAM PROCEDURES AS  
REQUIRED PURSUANT TO CHRB RULES  
1846, RACING SOUNDNESS EXAMINATION  
AND  
1853, EXAMINATION REQUIRED

Medication and Track Safety Committee Meeting  
May 27, 2015

ISSUE

Pre-race examinations are a key component for racing safety programs. As the examinations have become more thorough, the time necessary to perform the each examination properly has increased. On some days examining veterinarians are required to examine far more horses than can be reasonably accomplished by one or even two veterinarians. Particularly problematic is maintaining continuing health and racing soundness record of each horse so examined. The hand-written records currently maintained on form CHRB-21, Health and Racing Soundness Examination, are not amenable to transmitting between tracks and are difficult to review retroactively. They often contain individual veterinarian's abbreviations and handwriting idiosyncrasies that make sharing records difficult between tracks and examining veterinarians. An electronic record system is available to examining veterinarians and is in use in a number of states. The CHRB needs to examine ideas relative to relieving the burden of pre-race examinations, and improving its record keeping.

RECOMMENDATION

This item is presented for Committee discussion.

CALIFORNIA HORSE RACING BOARD  
TITLE 4. CALIFORNIA CODE OF REGULATIONS  
ARTICLE 15. VETERINARY PRACTICES  
RULE 1846. RACING SOUNDNESS EXAMINATION

Medication and Track Safety Committee Meeting  
May 27, 2015

1846. Racing Soundness Examination.

Each and every horse entered to race shall be subjected to a veterinary examination for racing soundness and health on race day not later than two hours prior to official post time for the race in which the horse is to compete. Such an examination shall be referred to as the "Racing Soundness Exam".

(a) The examination shall include but not be limited to close inspection of the eyes, examination of the legs, recording of the temperature of the horse and observation of the horse at rest and while in motion.

(b) All such examinations shall be conducted in or near the stall to which the animal is assigned and shall be conducted by the Official Veterinarian or the Racing Veterinarian.

(c) The Official Veterinarian shall keep or cause to be kept a continuing health and racing soundness record of each horse so examined.

Authority: Section 19440,  
Business and Professions Code.

Reference: Sections 19401 and 19440,  
Business and Professions Code.  
Sections 337f, g, and h,  
Penal Code.

CALIFORNIA HORSE RACING BOARD  
TITLE 4. CALIFORNIA CODE OF REGULATIONS  
ARTICLE 15. VETERINARY PRACTICES  
RULE 1853. EXAMINATION REQUIRED

Medication and Track Safety Committee Meeting  
May 27, 2015

1853. Examination Required.

(a) The official veterinarian shall examine each horse that 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 thoroughbred horse that is not shod is eligible to start in a race if the trainer declares at the time of entry that the horse will race unshod.

(1) At the time of entry a trainer shall declare if a thoroughbred horse that raced unshod in its previous start will race shod.

(2) Any declaration made under subsections (b) or (b)(1) above shall be noted in the official program, and shall state if the horse will race without horseshoes in the front or back or all around.

(3) For the purposes of this regulation "unshod" means running without horseshoes in the front or back or all around.

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

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



STAFF ANALYSIS  
DISCUSSION AND ACTION REGARDING A PROPOSED AMENDMENT TO  
CHRB RULE 1581, RACING SECRETARY TO ESTABLISH CONDITIONS,  
TO ALLOW THE RACING SECRETARY TO ESTABLISH AS A CONDITION FOR ANY  
RACE,  
ADHERENCE TO THE INTERNATIONAL MEDICATION PROTOCOLS,  
WHICH PROHIBIT LASIX ADMINISTRATION WITHIN 24 HOURS OF A RACE,  
AS A CONDITION OF ENTRY OF A HORSE IN A PARTICULAR RACE

Medication and Track Safety Committee Meeting  
May 27, 2015

ISSUE

The administration of furosemide on race day has subjected United States (US) racing to criticism as being in conflict with international rules of racing. Furosemide is not allowed on race day under international rules. In recent years the furosemide controversy has re-emerged in the US and abroad.

ANALYSIS

The Kentucky Horse Racing Commission recently adopted provisions which would allow racing secretaries to write conditions of races to meet international medication protocols which would prevent the administration of furosemide on raceday notwithstanding any other regulations permitting or requiring furosemide administration. Participation in such races would be voluntary as is the case with any other race offered by the racing secretary at a race meet.

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, but not be limited to, adopting rules and regulations for the protection of the public and the control of horse racing and pari-mutuel wagering. Business and Professions Code section 19590 states the Board shall adopt rules governing, permitting, and regulating wagering on horse races under the system known as the pari-mutuel method of wagering. Business and Professions Code section 19562 provides that the Board may prescribe rules, regulations, and conditions, consistent with the provisions of this chapter, under which all horse races with wagering on their results shall be conducted in California. Board Rule 1581, Racing Secretary to Establish Conditions, provides that the racing secretary may establish the conditions for any race, the allowances or handicaps to be established for specific races, the procedures for the acceptance of entries and declarations, and such other conditions as are necessary to provide and conduct the association's race meeting.

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 1581. RACING SECRETARY TO ESTABLISH CONDITIONS

Medicaiton and Track Safety Committee Meeting  
May 27, 2015

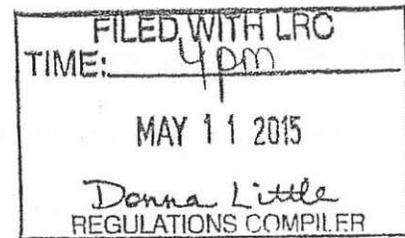
1581. Racing Secretary to Establish Conditions.

(a) The racing secretary may establish the conditions for any race, the allowances or handicaps to be established for specific races, the procedures for the acceptance of entries and declarations, and such other conditions as are necessary to provide and conduct the association's race meeting, including but not limited to adherence to the International Medication Protocol as a condition of a particular race.

(b) For the purposes of this regulation "International Medicaiton Protocol" means a condition of a race that all horses nominated or entered to compete in the race shall not be administered furosemide less than twenty-four hours prior to post time for the race.

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

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



1 PUBLIC PROTECTION CABINET

2 KENTUCKY HORSE RACING COMMISSION

3 (New Administrative Regulation)

4 810 KAR 1:300. International medication protocol as a condition of a race.

5 RELATES TO: KRS 230.210, 230.215, 230.240, 230.260, 230.290, 230.320

6 STATUTORY AUTHORITY: KRS 230.215, 230.240, 230.260, 230.290, 230.320

7 NECESSITY, FUNCTION, AND CONFORMITY: KRS 230.215(2) authorizes the Kentucky Horse

8 Racing Commission to promulgate administrative regulations prescribing conditions under

9 which all legitimate horse racing and wagering thereon is conducted in Kentucky. KRS

10 230.240(2) requires the commission to promulgate administrative regulations restricting or

11 prohibiting the administration of drugs or stimulants or other improper acts to horses prior to

12 the horse participating in a race. This administrative regulation authorizes licensed racing

13 associations to require adherence to International Medication Protocol, as defined, as a

14 condition of entry in a particular race.

15 Section 1. Definition. "International Medication Protocol" means a condition of a race

16 that all horses nominated or entered to compete in the race shall not be administered

17 furosemide less than twenty-four (24) hours prior to post time for the race.

18 Section 2. Notwithstanding any other provision of 810 KAR Chapter 1 to the contrary, an

19 association may require adherence to the International Medication Protocol as a condition of a

20 particular race. The association shall publish the requirement in its condition

1 book or otherwise make the requirement known to all licensees participating in its race  
2 meeting. The horses entered to compete in any such race shall not be eligible to receive  
3 furosemide less than twenty-four (24) hours prior to post time for the race. All matters related  
4 to sample collection, ownership, storage, shipment, chain of custody, testing, and reporting and  
5 other applicable provisions shall be done in accordance with 810 KAR 1:018, 810 KAR 1:028,  
6 and 810 KAR 1:130.

7 Section 3. Penalties. If the commission laboratory determines the presence of furosemide  
8 at a concentration of greater than 1,000 picograms/ml in a serum sample, derived post-race  
9 from a horse that is not eligible to receive furosemide pursuant to this administrative  
10 regulation, it shall be prima facie evidence that furosemide was administered to the horse in  
11 violation of this administrative regulation. Violations of this administration regulation shall be  
12 subject to the penalties provided in 810 KAR 1:028 for Class C drug violations.

13 Section 4: To the extent of any conflict between a provision in this administrative  
14 regulation and a provision in any other administrative regulation contained in 810 KAR Chapter  
15 1, the provisions in this administrative regulation shall supersede.

## REGULATORY IMPACT ANALYSIS AND TIERING STATEMENT

Contact Person: Susan B. Speckert, General Counsel, Kentucky Horse Racing Commission  
Telephone: (859) 246-2040

(1) Provide a brief summary of:

(a) What this administrative regulation does: The regulation allows a race track to schedule a race prohibiting the use of furosemide on race day as a condition of that race. It establishes a penalty for licensees who violate the condition. It does not ban furosemide on race day. If an owner/trainer wants to run his/her horse on furosemide on race day, he/she will still be able to do that in other races. The regulation will enable the industry to determine if there is an interest in running races without furosemide. It will enable tracks to market races to international markets that do not use furosemide on race day.

(b) The necessity of this administrative regulation: This regulation enables race tracks to better serve the owners and trainers who compete at their track. Many owners and trainers believe horses should not be administered furosemide on race day, and they want to compete in races in which none of the horses are running on furosemide. North America is the only jurisdiction that allows horses to compete with furosemide on race day and many believe this fact is damaging the marketability of American horses. This regulation gives tracks the ability to schedule such races and gives the Commission the ability to penalize participants who violate the prohibition.

(c) How this administrative regulation conforms to the content of the authorizing statutes: KRS 230.215(2) mandates that the commission establish the conditions under which thoroughbred racing and pari-mutuel wagering thereon shall be conducted in Kentucky and charges it to, "promulgate administrative regulations prescribing conditions under which all

legitimate horse racing and wagering thereon is conducted in the Commonwealth." KRS 230.240(2) further requires the commission to promulgate administrative regulations restricting or prohibiting the administration of drugs or stimulants or other improper acts to horses prior to the horse participating in a race.

(d) How this administrative regulation currently assists or will assist in the effective administration of the statutes: This regulation enables the Commission to enforce the condition, should a track choose to impose it. This is consistent with the Commission's statutory authority and mandate to protect the integrity of horse racing.

(2) If this is an amendment to an existing administrative regulation, provide a brief summary of:

(a) How the amendment will change this existing administrative regulation: Not applicable.

(b) The necessity of the amendment to this administrative regulation: Not applicable.

(c) How the amendment conforms to the content of the authorizing statutes: Not applicable.

(d) How the amendment will assist in the effective administration of the statutes: Not applicable.

(3) List the type and number of individuals, businesses, organizations, or state and local governments affected by this administrative regulation: This administrative regulation will affect race tracks that choose to impose the condition. It will affect owners and trainers who choose to enter and compete in non-furosemide races. It will also affect the Commission, which will enforce the condition.

(4) Provide an analysis of how the entities identified in question (3) will be impacted by either the implementation of this administrative regulation, if new, or by the change, if it is an amendment, including:

(a) List the actions that each of the regulated entities identified in question (3) will have to take to comply with this administrative regulation or amendment: Only those owners and trainers who choose to enter and compete in a race with the condition will be impacted. They will not be permitted to administer furosemide to their horses on race day.

(b) In complying with this administrative regulation or amendment, how much will it cost each of the entities identified in question (3): No additional costs associated.

(c) As a result of compliance, what benefits will accrue to the entities identified in question : The regulation will give tracks the option of scheduling non-furosemide races. It does not ban furosemide on race day. If an owner/trainer wants to run his/her horse on furosemide on race day, he/she will still be able to do that in other races. The regulation will enable the industry to determine if there is an interest in running races without furosemide. It will enable tracks to market races to international markets that do not use furosemide on race day.

(5) Provide an estimate of how much it will cost the administrative body to implement this administrative regulation:

(a) Initially: No costs associated.

(b) On a continuing basis: No costs associated.

(6) What is the source of the funding to be used for the implementation and enforcement of this administrative regulation: No costs associated.

(7) Provide an assessment of whether an increase in fees or funding will be necessary to implement this administrative regulation, if new, or by the change if it is an amendment: No increase in fees or funding necessary.

(8) State whether or not this administrative regulation established any fees or directly or indirectly increased any fees: The regulation does not establish any fees or directly or indirectly increase any fees.

(9) TIERING: Is tiering applied? (Explain why or why not): Tiering is not applied. All aspects of this regulation will be applied equally to the affected parties.

**CALIFORNIA HORSE RACING BOARD**

**MAY 27, 2015**

**MEDICATION AND**  
**TRACK SAFETY**  
**COMMITTEE MEETING**

There is no package material for Item 6

STAFF ANALYSIS  
DISCUSSION AND ACTION REGARDING A PROPOSED AMENDMENT TO  
CHRB RULE 1843.3, PENALTIES FOR MEDICATION VIOLATIONS, TO ADJUST THE  
PENALTIES FOR MEDICATION VIOLATIONS

Medication and Track Safety Committee Meeting  
May 27, 2015

ISSUE

A proposal to amend Rule 1843.3 was discussed at the January 2015 Medication and Track Safety Committee meeting. In addition to making several clarifying changes to the text, the proposed amendment to Rule 1843.3 would: 1) eliminate the Category D penalties for phenylbutazone violations; 2) cause medication violations that occur within a specified time period to count as either a prior offense, or as an aggravating factor with regards to the determination of penalties for subsequent violations; 3) prohibit suspended trainers from transferring their horses to any other licensee who has been an employee within the previous year; and 5) require that any trainer who is suspended for 45 days be banned from all inclosures under the jurisdiction of the Board.

ANALYSIS

At the January 2015 Medication and Track Safety Committee meeting the Board's Equine Medical Director stated the proposed amendment to Rule 1843.3 required some additional work, especially with regards to the proposed subsection 1843.3(d), which stated all penalties incurred for a category A, B, C and D violation within a 12 month time frame would be considered cumulative increasing in severity with the repetition of an offence. The subsection needed clarification. The proposed text has been changed to eliminate subsection 1843.3(d). Instead, a new subsection 1843.3(f) has been added to provide that if a licensee has received a penalty for a Class A, B or C medication violation, and within a period of 12 months has a subsequent lesser violation (e.g. an A violation followed by a B violation), the earlier violation shall count as a "first violation" for the purposes of determining the penalty for the subsequent lesser violation. This means that if a trainer has had a violation at the same level or higher within 12 months of a subsequent violation, he or she does not get to "start over again" and the previous violation will count as a prior offense. A new subsection 1843.3(g) has been added to provide that if a licensee has received a penalty for a Class B, C or D medication violation, and within a period of 12 months has a subsequent greater violation (e.g. a D violation followed by a C violation), the earlier violation shall count as an aggravating factor for the purposes of determining the penalty for the subsequent greater violation. This means the first Class D violation will not automatically push the trainer into a second offense for the subsequent Class C violation.

In addition to the new subsections 1843.3(f) and (g) described above, the proposed amendment to Rule 1843.3 would eliminate the separate Category D penalties for phenylbutazone at the 2.1 ug/ml to 5.0 ug/ml level. Instead, such phenylbutazone violations would be Category C penalties. In addition, subsection 184.3.(k) has been amended to prohibit suspended trainers from transferring their horses to any other licensee who has been an employee within the

previous year. Subsection 1843.3 (1) has been amended to require that any trainer who is suspended for 45 days be banned from all inclosures under the jurisdiction of the Board, shall forfeit all assigned stall space and shall remove from the inclosures all signage, colors, advertisements, training-related equipment, tack, office equipment and any other property.

## 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 19461 states every license granted under this chapter is subject to suspension or revocation by the Board in any case where the Board has reason to believe that any condition regarding it has not been complied with, or that any law, or any rule or regulation of the Board affecting it has been broken or violated. Business and Professions Code section 19580 provides 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. Those policies, guidelines and penalties shall include, at a minimum, the provisions set forth in this article. 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 the composition thereof. Business and Professions Code section 19582 states violations of Section 19581, as determined by the Board are punishable as set forth in regulations adopted by the Board. The Board may classify violations of section 19581 based on each class of prohibited drug substances, prior violations within the previous three years, and prior violations within the violator's lifetime. The Board may provide for the suspension of a license for not more than three years, except as provided in subdivision (b), or a monetary penalty of not more than one hundred thousand dollars, or both, and disqualification from purses, for a violation of Section 19581. The actual amount of the monetary penalty imposed pursuant to this paragraph shall be determined only after due consideration has been given to all the facts, circumstances, acts, and intent of the licensee, and shall not be solely based on the trainer-insurer rule, as established in Section 1843 and 1887 of Title 4 of the California code of Regulations. The punishment for second and subsequent violations of section 19581 shall be greater than the punishment for a first violation of section 19581 with respect to each class of prohibited drug substances, unless the administrative law judge, in findings of fact and conclusions of law filed with the Board, concludes that a deviation from this general rule is justified. A third violation of section 19581 during the lifetime of the licensee, determined by the Board to be at a class I or class II level, may result in the permanent revocation of the person's license. The administrative law judge shall, after consideration of the circumstances surrounding a violation specified in paragraph (1), file a decision with the Board that includes findings of fact and conclusions of law. Any person whose license is suspended or revoked pursuant to this section shall not be entitled to receive any material benefit or remuneration in any capacity or from any business activity permitted or allowed by the license during any period of its suspension or revocation. The penalties provided by this section are in addition to any other civil, criminal, and administrative penalties or sanctions provided by law, and do not supplant, but are cumulative to, other penalties or sanctions. Business and Professions Code section 19461 provides that every license granted

under this chapter is subject to suspension or revocation by the Board in any case where the Board has reason to believe that any condition regarding it has not been complied with, or that any law, or any rule or regulation of the Board affecting it has been broken or violated. All proceedings to revoke a license shall be conducted in accordance with Chapter 5 of Part 1 of Division 3 of Title 2 of the Government Code. Government Code section 11425.50 states the decision shall be in writing and shall include a statement of the factual and legal basis for the decision. 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. Board Rule 1843.2, Classification of Drug Substances, categorizes and defines drug substances based on the Association of Racing Commissioners International (ARCI) drug classifications. Board Rule 1843.3, Penalties for Medication Violations, defines the penalties medication violations involving the substances defined and categorized in Board Rule 1843.2. 1843.3(i) prohibits a person whose license is suspended or revoked due to a medication violation from transferring horses to licensed family members.

#### RECOMMENDATION

This item is presented for Committee discussion and action.

CALIFORNIA HORSE RACING BOARD  
TITLE 4. CALIFORNIA CODE OF REGULATIONS  
ARTICLE 15. VETERINARY PRACTICES  
PROPOSED AMENDMENT OF  
RULE 1843.3. PENALTIES FOR MEDICATION VIOLATIONS

Medication and Track Safety Committee Meeting  
May 27, 2015

(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 for which a greater penalty is appropriate 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 and the amount of the drug present;
- (3) The legal availability of the drug and whether the drug was prescribed by a CHRB licensed veterinarian to the horse;
- (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 and documented 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 CHRB 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, (2/13 4/08), 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 "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 (two years <u>time period</u>)</b>	<b>3<sup>rd</sup> offense (five years <u>time period</u>)</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. <b>AND/OR</b></li> <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. <b>AND/OR</b></li> <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. <b>AND/OR</b></li> <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). <b>AND</b></li> <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 (two years <u>time period</u>)</b>	<b>3<sup>rd</sup> offense in stable (five years <u>time period</u>)</b>
<ul style="list-style-type: none"> <li>◦ Disqualification of horse and loss of purse. <b>AND</b></li> <li>◦ Horse must pass a Board-approved examination pursuant to Rule 1846 before becoming eligible to be entered. <b>AND</b></li> <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. <b>AND</b></li> <li>◦ Horse must pass a Board-approved examination pursuant to Rule 1846 before becoming eligible to be entered. <b>AND</b></li> <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. <b>AND</b></li> <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. <b>AND</b></li> <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; 37.0mm/l/-&lt;39mm/l)</b>	<b>2<sup>nd</sup> offense TCO<sub>2</sub> (&gt; 37.0mm/l/-&lt;39mm/l)</b>	<b>3<sup>rd</sup> offense TCO<sub>2</sub> (&gt; 37.0mm/l/-&lt;39mm/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; 37.0mm/l/-&lt;39mm/l)</b>	<b>2<sup>nd</sup> offense TCO<sub>2</sub> (&gt; 37.0mm/l/-&lt;39mm/l)</b>	<b>3<sup>rd</sup> offense TCO<sub>2</sub> (&gt; 37.0mm/l/-&lt;39mm/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> (≥ 39.0mm/l)</b>	<b>2<sup>nd</sup> offense TCO<sub>2</sub> (≥ 39.0mm/l)</b>	<b>3<sup>rd</sup> offense TCO<sub>2</sub> (≥ 39.0mm/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> (≥ 39.0mm/l)</b>	<b>2<sup>nd</sup> offense TCO<sub>2</sub> (≥ 39.0mm/l)</b>	<b>3<sup>rd</sup> offense TCO<sub>2</sub> (≥ 39.0mm/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 5.1 mcg/ml.

<b>LICENSED TRAINER:</b>	Phenylbutazone (2 5.1-<5 10.0mcg/ml) Flunixin (20-<100 ng/ml) Ketoprofen (2 11-< 50 49 ng/ml)	Phenylbutazone (2 5.1-<5 10.0mcg/ml) Flunixin (20-<100 ng/ml) Ketoprofen (2 11-< 50 49 ng/ml)
<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>	Phenylbutazone (2 5.1-<5 10.0mcg/ml) Flunixin (20-<100 ng/ml) Ketoprofen (2 11-< 50 49 ng/ml)	Phenylbutazone (2 5.1-<5 10.0mcg/ml) Flunixin (20-<100 ng/ml) Ketoprofen (2 11-< 50 49 ng/ml)
<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>	Phenylbutazone (≥ 10.0 mcg/ml) Flunixin (≥ 100 ng/ml) Ketoprofen (≥ 50 ng/ml)	Phenylbutazone (≥ 10.0 mcg/ml) Flunixin (≥ 100 ng/ml) Ketoprofen (≥ 50 ng/ml)
<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>	Phenylbutazone (≥ 5 10.0 mcg/ml) Flunixin (≥ 100 ng/ml) Ketoprofen (≥ 50 ng/ml)	Phenylbutazone (≥ 5 10.0 mcg/ml) Flunixin (≥ 100 ng/ml) Ketoprofen (≥ 50 ng/ml)
<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 for a first offense may result in a written warning or fine that will remain on the licensee's record for a period of two years. After the two year period, if the licensee has had no further violations of CHRB Rule 1843, the Category "D" penalty will be expunged from the licensee's record for penalty purposes.

**CATEGORY "D" PENALTIES**

1 <sup>ST</sup> offense (365 day period)	2 <sup>nd</sup> offense (365 day period)	3 <sup>rd</sup> offense (365 day period)
Minimum of an official written warning to a maximum fine of \$250.	Minimum of a \$250 fine to a maximum fine of \$500.	Minimum of a \$500 fine to a maximum fine of \$750.

**CATEGORY "D" PENALTIES FOR RULE 1844(e)(1) VIOLATIONS**

<b><u>Phenylbutazone 2.1ug/ml to 5.0 ug/ml</u></b>		
1 <sup>st</sup> offense (365 day period)	2 <sup>nd</sup> offense (365 day period)	3 <sup>rd</sup> offense (365 day period)
Minimum of an official written warning to a maximum fine of \$250.	Minimum of a \$250 fine to a maximum fine of \$500.	Minimum of a \$500 fine to a maximum fine of \$750.

(f) If a licensee has received a penalty for a Class A, B or C medication violation, and within a period of 12 months has a subsequent lesser violation (e.g. an A violation followed by a B violation), the earlier violation shall count as a "first violation" for the purposes of determining the penalty for the subsequent lesser violation.

(g) If a licensee has received a penalty for a Class B, C or D medication violation, and within a period of 12 months has a subsequent greater violation (e.g. a D violation followed by a C violation), the earlier violation shall count as an aggravating factor for the purposes of determining the penalty for the subsequent greater violation.

(fh) 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.

(gi) 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.

(hj) 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.

(k) 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 or to any other licensee who has been an employee of the suspended licensee within the previous year.

(l) 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.

(1) For the purpose of this regulation, licensed trainers suspended ~~45~~ 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, colors, 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  
DISCUSSION AND ACTION REGARDING  
SCRATCHING A HORSE THAT HAS BEEN GELDED  
SINCE ITS LAST START BUT NOT  
DESIGNATED AS SUCH IN THE OFFICIAL PROGRAM

Medication and Track Safety Committee  
May 27, 2015

ISSUE

Despite the reduction in the numbers of violations of Rule 1865, Altering of Sex of Horse, there continues to be problems in reporting the gelding of horses in the prescribed manner.

ANALYSIS

Rule 1865 states in part: (d) a trainer who enters a horse, or who causes a horse to be entered on his behalf, is responsible for ensuring that the true sex of the entered horse is listed on its certificate of registration on file in the racing office. (1) if the true sex of a horse is not correctly identified in the official program for the race in which the horse is entered, the trainer of the horse shall be subject to a minimum fine of \$1,000."

In some cases, information about a gelded horse is not made public until the horse reaches the receiving barn or even the saddling paddock – meaning some multi-race pools (e.g. Pick Six) may already have closed.

The Board has addressed this problem several times over the last eight years with increasing but not total success. In 2007, the stewards issued 44 rulings against trainers who had not reported the gelding of horses by entry time for their first race after the operation. In 2014 there were 11 such violations. So far in 2015 there have been four violations. This reduction has been due in large part to efforts of the California Thoroughbred Trainers (CTT).

When the Board considered this problem in 2008, one option was to increase the penalty to a minimum fine of \$1,000 for a trainer if the true sex of the horse was not listed in the official program. The Board opted to increase the fine to \$1,000, which is the current penalty.

At the December 2014 Board meeting concerns were expressed that the betting public is not being adequately protected when there are late announcements of horses being gelded. It was suggested that one possible solution would be to not allow the horse to run. The need was cited for more public discussion in addressing this matter. Chairman Winner referred the matter to the Medication and Track Safety Committee for further review. At the same time, staff was instructed to work with the Horseplayers Association of North America (HANA) to survey its membership on whether they believe a horse should be scratched if the sex change is not reported in a timely manner. The results of the HANA survey (included in the Board package) showed overwhelming support for scratching horses in such cases.

Analysis of the most recent 16 violations of Rule 1865 determined the following:

- Six were first-time starters
- Eight were returning from long layoffs
- One was making his first start in California. (This horse had been racing at Gulfstream Park after he was gelded.)
- One was castrated at a CHRB facility but the practicing veterinarian did not report it to the official veterinarian and the trainer did not report the castration to the horse identifier and racing office as required.
- One horse was castrated at a CHRB facility seven months previously where the practicing veterinarian reported the castration to the official veterinarian when a temporary secretary was working. The trainer was advised by his veterinarian to report the castration to the horse identifier and racing office as required, but the trainer did not do so. This horse had been laid up for 11 months.

The Board's Equine Medical Director, has stated that it is not always apparent whether a horse is a gelding or has small or retained testicles. In some cases it is necessary to tranquilize a horse to palpate the testicles or do ultrasound. In rare cases blood testing is required (for testosterone). In addition, he stated there always will be unusual situations that cannot be sorted out on race day.

#### RECOMMENDATION

This item is presented for Committee discussion and action.

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

Medication and Track Safety Committee Meeting  
May 27, 2015

1865. Altering of Sex of Horse.

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

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

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

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

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

5/18/15

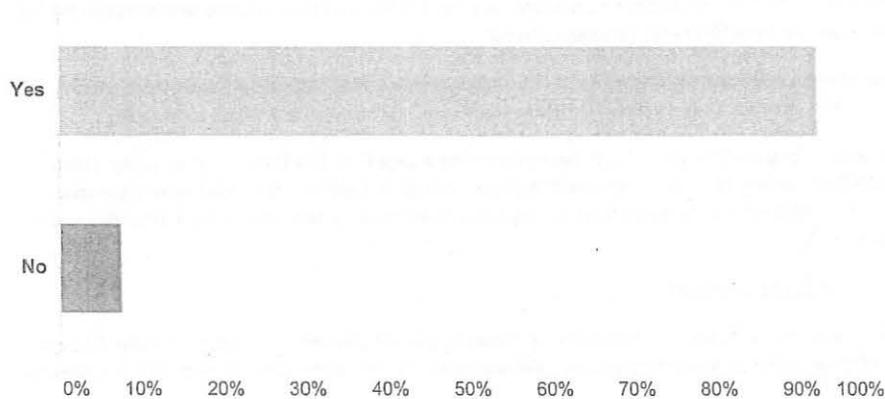
Rulings that reference specified sections  
with Ruling Dates 2014/01/01 thru 2015/05/18

Page 1

Section	Ruling	Ruling	Ruling	Ruling	Amount
-----	Number	Date	Text	Penalty	Fined
-----	-----	-----	-----	-----	-----
1865	LATS020	01-18-2014	14SA013/1865/GELDING	FINED \$1,000	1000
1865	LATS025	01-26-2014	14SA025/1865/GELDING	FINED \$1,000	1000
1865	LATS030	02-01-2014	14SA016/ALTER SEX OF HORSE	\$1000 FINE	1000
1865	LATS167	04-19-2014	14SA093/1865(B)/REPORT GELDING	FINED \$750.00	750
1865	PRTG092	06-13-2014	GELDING VIOLATION	FINE 1000	1000
1865	CSFC007	07-17-2014	FAIL 2 RPT GELDING OF HORSE	FINE \$1000.00	1000
1865	DMTD025	08-14-2014	14DM019/ALTER SEX OF HORSE	\$750 FINE	750
1865	FDF013	10-13-2014	FAIL TO REPORT GELDING	FINE 750	750
1865	PRTG033	12-07-2014	FAILED TO REPORT ALTERED SEX	OF HORSE FINE	1000
1865	LWTL007	12-13-2014	14DM067/ALTER SEX OF HORSE	\$750 FINE	750
1865	LWTL009	12-19-2014	14LT027/ALTER SEX OF HORSE	\$750 FINE	750
1865	LATS002	01-01-2015	14LT026/ALTER SEX OF HORSE	\$750 FINE	750
1865	LATS068	03-12-2015	15SA077/ ALTER SEX OF HORSE	\$750.00	750
1865	LATS099	05-07-2015	15SA108/ALTER SEX OF HORSE	\$750 FINE	750
1865	PRTG079	05-15-2015	ALTERING THE SEX OF A HORSE	FINE \$1000.00	1000

**Q1 Do you favor scratching any horse that has been gelded since its last start if that information is not communicated to the public at or before the first race of the day?**

Answered: 305 Skipped: 1



Answer Choices	Responses	
Yes	92.46%	282
No	7.54%	23
<b>Total</b>		<b>305</b>

#	Comments	Date
1	this is very important information, to not be aware of it would put me at a disadvantage!!!!	3/25/2015 7:12 PM
2	This is obviously the ultimate equipment change. And we the fans/bettors should know about it WAY ahead of time.	3/25/2015 6:22 PM
3	The fact of the matter is that gelding an equine can have a drastic affect on the race. First time geldings can usually run better.	3/25/2015 1:49 PM
4	Absolutely	3/25/2015 1:37 PM
5	only if the process is made clear beforehand and VETS are required to hand in the paperwork and are fined if they don't. They are the ONLY ones gelding horses.	3/25/2015 1:20 PM
6	should be across board with all states	3/25/2015 1:06 PM
7	As stated, gamblers need this information ahead of time before putting together multi-race wagers.	3/25/2015 7:35 AM
8	This is a good idea but still not adequate redress for someone who ends up with the post-time favorite rather than their selection who scratched.	3/25/2015 3:01 AM
9	It is not fair to the public to NOT have that information.	3/25/2015 2:06 AM
10	If the information does not appear in all Past Performance products by 6:00 PM the evening prior to the race, the horse should be scratched.	3/25/2015 12:36 AM

## California Gelding Reporting Survey

SurveyMonkey

11	I have trained owned 100s of horses and cannot see where this would effect anything. Most horses are gelded as soon as they prove themselves not worthy of having testicles. This happens while they are being trained down in their early 3 year old training if not sooner. You don't need to train a horse all the way to the races to know they are not stakes horses. They will let you know early. Most gelding is done in the winter so the flies are not a factor. Gelding a horse never changes an ordinary horse into a super horse. You geld when you know they will never get to use them or they are too rank to handle. A horse would be more than a month away from the races after being gelded.	3/25/2015 12:14 AM
12	I seriously do not feel that a recent gelding procedure has enough impact on a horse's condition to warrant a scratch. The gelding's androgen levels would probably be at stallion-levels for some time post-castration, making the information that he is a new gelding less relevant than listing information about a horse who had been gelded in the distant past and was incorrectly listed as a "horse".	3/24/2015 10:34 PM
13	Yes, if the information is not in the Racing Form. If the information is in the Racing Form, and other pertinent publications, then the track does not need to communicate it, and the horse should not be scratched.	3/24/2015 9:26 PM
14	North American racing could learn a thing or two by borrowing a page from Sha Tin and Happy Valley. There, TRANSPARENCY is king. Not surprisingly, their handle trend is up. In California, the objective as expressed on this issue by the TOC in the past seems to be the opposite of transparency. Not surprisingly, the handle trend in California is down.	3/24/2015 9:08 PM
15	This information can be significant.	3/24/2015 8:46 PM
16	We need to keep horses in races, not kick them out. Scratching would only serve to shorten our fields. I'd be in favor of fining the trainer an amount equal to the winner's share of the purse for failing to disclose this information.	3/24/2015 8:32 PM
17	Doesn't the state vet do a morning check of the horses, administering Lasix etc? If so, shouldn't be hard to tell if a horse is now a gelding! Should be plenty of time to announce this info in a timely fashion.	3/24/2015 8:21 PM
18	Obviously, this is a huge equipment change that needs to be announced asap.	3/24/2015 8:18 PM
19	A powerfull angle e.g. Spin Forty/march 20/SA-9th/13.80 M. Glatt [Dic-b's off. Watch this trainer.Had a 43.20 from this same trainer -1st geld.	3/24/2015 8:07 PM
20	You have to eliminate ALL of the scam trainers, so scratching the horse is a top priority.	3/24/2015 8:01 PM
21	needs chance for hormones to stabilize	3/24/2015 7:56 PM
22	Protecting the public is paramount!!!	3/24/2015 7:49 PM
23	When the horse is entered they should report the date the horse was actually gelded	3/24/2015 7:47 PM
24	but we could say the horse cannot race for 30 days after a castration that would totally inforce an amount of time after the horse was castrated to the next performance. also a comment could be listed in the program denoting a surgery of this type was performed on date.	3/24/2015 7:38 PM
25	public should have all pertinent information	3/24/2015 7:28 PM
26	how will this work?who will be held responsible"?Is it to catch the trainers and owners?	3/24/2015 7:18 PM
27	I still check the Form to see if a horse listed as a gelding in the program is listed as a colt in the form (indicating new gelding). I'm sorry they carry the info on the program now, but it is the right thing to do.	3/24/2015 7:09 PM
28	Handicapping successfully requires the best information you can get as early as you can get it for any race. Not knowing if a high strung horse may be less unpredictable before a race is not good for accurate handicapping. I think it makes sense to scratch a horse if this is not known. The industry is be better served by not having any practices in place that may be perceived as deceptive.	3/24/2015 6:58 PM
29	This is a very significant "equipment" change. Is it not the responsibility of the trainer to provide this info , when the entry is made ?? Besides the scratch...for violating the rule, there should be significant fine for the trainer...who does not advise the stewards of the change....and a fine for the Stewards and/or race office./ program director.....if the trainer has reported the change...and the officials have have NOT done their job.	3/24/2015 6:49 PM
30	There is no excuse not to advise the bettors, the information is obviously available as we know horses are not gelded on race day. If the connections didn't think withholding the information was not an advantage to them they would not be doing so, The public should be protected in this case and even more importantly the CHRB should close the betting when the horses are in the gate as the rampant past posting is evident in many races. I've have heard all the denials out there but in this era where hackers can gain access to anything, Really	3/24/2015 6:41 PM

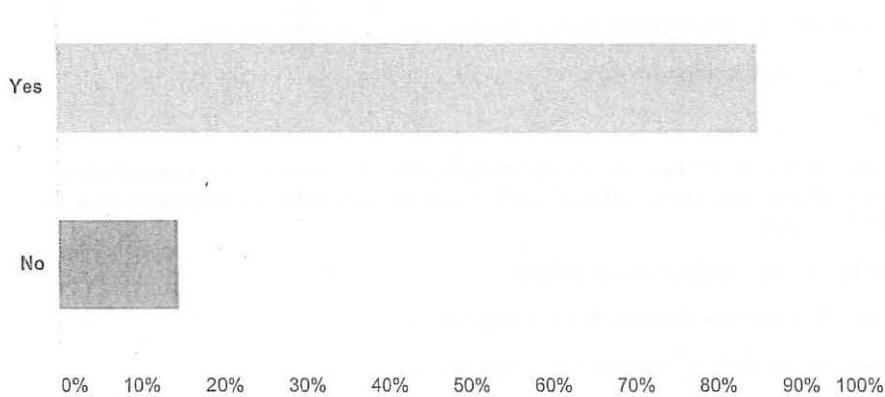
## California Gelding Reporting Survey

SurveyMonkey

31	non disclosure is a serious offense. also. every needle that goes into a horse, either by vet, trainer, groom, owner, etc should be reported within 1 hour of race. this is the real problem.	3/24/2015 6:40 PM
32	Please protect the bettors by providing needed info.	3/24/2015 6:33 PM
33	Protect the public.	3/24/2015 6:29 PM
34	A much more significant equip. Change than any others that r routine!	3/24/2015 6:25 PM
35	I don't like the scratching of the horse but I think its the only way to make sure the bettors get the proper information.	3/24/2015 6:23 PM
36	This rule change affects only a few horses but if the change is not made then the problem will continue. I am confident that with this change there will be even fewer issues.	3/24/2015 6:20 PM
37	This info should be made public ahead of time.	3/24/2015 6:20 PM
38	Seems a bit too rough. If the trainer or owner can not give a valid reason for the oversight, then take the purse money from them & give it to the Jockey Fund.	3/24/2015 6:19 PM
39	This is information that should be reported to the public.	3/24/2015 6:15 PM
40	Disclosure is crucial to the integrity of the racing product.	3/24/2015 6:11 PM
41	I feel like this amounts to insider trading, which we want to remove from the sport.	3/24/2015 6:11 PM
42	It really should be in the PP data or racing program so that the information can be evaluated into the days handicapping.	3/24/2015 6:09 PM
43	Any changes to the health of a horse registered in a race must be clearly, fully and openly communicated to the betting public prior to the running of his next race.	3/24/2015 5:59 PM
44	Full disclosure is essential for the credibility of the sport.	3/24/2015 5:59 PM
45	Important information that insiders have must be shared with the public.	3/24/2015 5:58 PM
46	There are many reasons to distrust the horse racing industry in general. This action would surely increase the level of trust that bettors have in California horse racing. It will set a new standard that is long overdue nationwide.	3/24/2015 5:51 PM
47	Information to a horseplayer is like air to humans the most important ingredient for survival.	3/24/2015 5:48 PM
48	this is a fair request for the integrity of the sport and so far the new info of horses being gelded is a good thing as are shoe changes etc.	3/24/2015 5:44 PM
49	It should atleast be made visually and audibly know before any multi race wagering events, if not before 1st race.	3/24/2015 5:44 PM
50	To date I am not aware of any analysis regarding the impact of a horse's performance in the first race after being gelded.	3/24/2015 5:41 PM
51	Information should also include date the horse was gelded and communicated at time all other equipment changes, medication changes, etc. have to be disclosed.	3/24/2015 5:39 PM
52	Too much form change	3/24/2015 5:38 PM
53	This is critical information which, like any other information affecting the outcome of a race, needs to be communicated well in advance of post time. Personally, I often do my handicapping and betting before noon each day so I would want the rule to be that the horse is scratched if the information isn't communicated 2 hours before race 1.	3/24/2015 5:35 PM
54	There's more than enough time for the barns to report that and it's also the biggest equipment change possible.	3/24/2015 5:33 PM
55	This is a very useful information when handicapping a race.	3/24/2015 5:33 PM
56	I understand bettors need the information but California fields are to short already.	3/24/2015 5:32 PM
57	Transparency is critical to the game. This will help to illustrate that point to horsemen who may be late or lax in reporting.	3/24/2015 5:31 PM
58	This is so obvious that it is self-evident.	3/24/2015 5:28 PM

**Q2 If the scratch is made after the scratches and changes are announced, and for example, a speed horse is scratched for the race you have handicapped altering the race dynamics and your handicapping, do you still feel the horse should be scratched?**

Answered: 303 Skipped: 3



Answer Choices	Responses	
Yes	85.48%	259
No	14.52%	44
<b>Total</b>		<b>303</b>

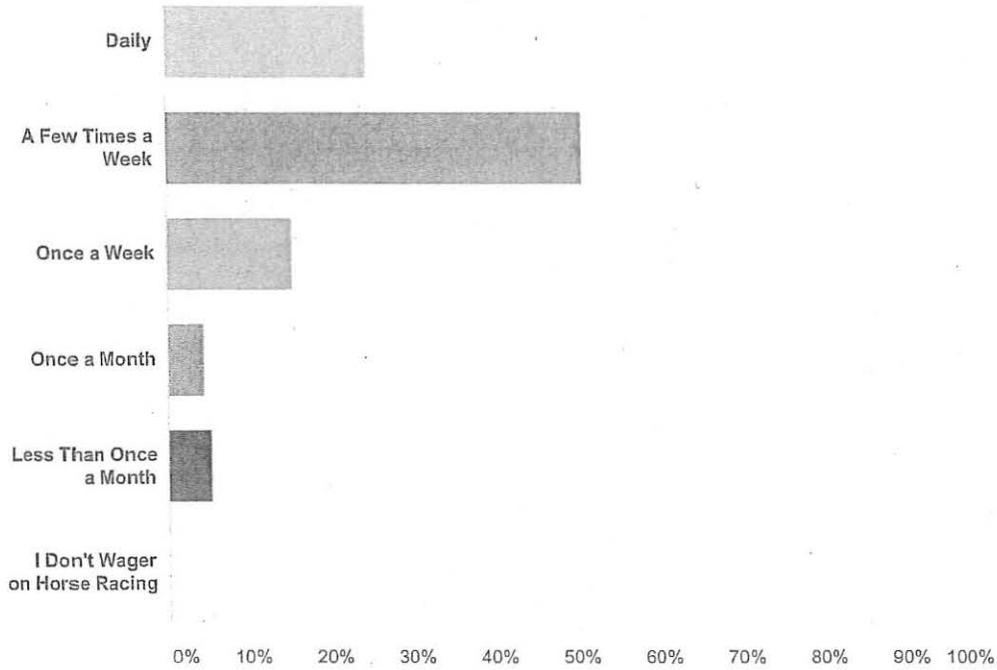
#	Comments	Date
1	I would just rework my handicapping.	3/25/2015 7:12 PM
2	The fans/bettors should be informed and the racetracks should do a MUCH better job of taking of the fans/bettors	3/25/2015 6:22 PM
3	no comment	3/25/2015 1:06 PM
4	a rule is a rule...but there is absolutely no reason the above should happen, unless of course somebody does not do there job properly	3/25/2015 8:49 AM
5	No I don;t, but the needs of the many overrides the need of the individual.	3/25/2015 7:35 AM
6	This is an oddly worded question and I am not sure I understand it. However, if you have a rule you have a rule, and you can't have its enforcement dependent on an individuals handicapping (that is how I read the question).	3/25/2015 3:01 AM
7	As long as it is before the first race.	3/25/2015 2:05 AM
8	As long as it doesn't happen in the middle of a sequence. Maybe they could run for purse money only at that point.	3/25/2015 12:05 AM
9	.....and the trainer should be suspended for one month if this happens.	3/25/2015 12:03 AM
10	Don't understand the question....but if I read the intent correctly, then, YES.	3/24/2015 11:23 PM
11	I do not feel it is fair to horseman not to allow them to scratch when they feel the need,.	3/24/2015 11:17 PM
12	Gelding a horse could potentially have an affect on handicapping as well as an effect on the race.	3/24/2015 11:09 PM

13	Again, a recent geld procedure would affect my handicapping far less than if the recently-gelded horse was scratched altogether.	3/24/2015 10:34 PM
14	Yes if there something wrong with the horse by the vet I otherwise the trainer and owner should be fine !!	3/24/2015 10:16 PM
15	Bayern took out Moreno and no one gave a shit about race dynamics then.	3/24/2015 9:59 PM
16	See comments above.	3/24/2015 9:26 PM
17	Shoot for transparency and make them scratch the freaking horse. Whatever you do: DO NOT allow the horse to run for purse money only. When you allow horsemen to run for purse money only: Your field size goes down and so does your handle and revenue. If you force them to scratch they likely find another race for the horse and soon. When that happens you get to recover the lost handle and revenue for purses on that horse. As a result you are better off in the long run vs. allowing them to run for purse money only.	3/24/2015 9:08 PM
18	Its unfortunate if that happens but to be fair and consistent I don't think you can impose those sort of conditions.	3/24/2015 8:32 PM
19	But they should still know a horse has been gelded when they announce the early scratches.	3/24/2015 8:21 PM
20	Of course, late scratches happen all the time.	3/24/2015 8:18 PM
21	Unworkable.	3/24/2015 8:07 PM
22	If this "mistake" is made to often by either the trainer or the stewards, or whoever is in charge, they should be FIRED, we are betting our money, racing has enough black eyes & cheats, so drastic measures have to be taken to PROTECT us bettors	3/24/2015 8:01 PM
23	You can still get a ticket cancellation before post time!	3/24/2015 7:49 PM
24	But the connections need to be fined heavily to avoid this scenario.	3/24/2015 7:33 PM
25	anything can change the race dynamics- the speed horse could stumble at the start.	3/24/2015 7:28 PM
26	circumstances be damned on this.not well thought thru if no refunds etc	3/24/2015 7:18 PM
27	Yes, but there is no excuse that a horse's gelding since it's last start should not BE included in the announced scratches & changes well before the first race of that day, & indeed well before that day, even in time for published Past Performances to have (& they SHOULD have) a code / indication / comment of that event in the horse's career.	3/24/2015 7:03 PM
28	You need to be able to adapt to any changes because regardless of this issue they will happen.	3/24/2015 6:58 PM
29	Another handicapper may have "handicapped" based on the "horse's last race".....and its now a gelding	3/24/2015 6:49 PM
30	how many times have you seen a favored speed horse get hounded by a 90-1 shot? happens every race. another way the jocks help out the crooked gamblers and gangsters that rule the backstretch.	3/24/2015 6:40 PM
31	But the information should be announced to the public both visually and audibly and several times before the race is run, as soon as the info first becomes available.	3/24/2015 6:39 PM
32	Time of scratch is elemental ie when card is ready with all changes before PT of initial race. If happens at race x not when they r going in gate. If one has the race in a horizontal we already have rules that somewhat protect the punters.	3/24/2015 6:25 PM
33	I wouldn't like it but bettors must be given the proper information on a horse that has been entered in a race. It takes away the feeling there is inside information that only a few people are getting.	3/24/2015 6:23 PM
34	That's unfortunate but it's the trainer's job to follow the rule.	3/24/2015 6:20 PM
35	If the trainer or owner can not give a valid reason why it was not announced, then fine them & take the purse away from them.	3/24/2015 6:19 PM
36	The scratch of the horse must be at the same time as all of the scratches are being announced. Not some kind of hindsight observation. The trainer should be fined along with the track for not taking care of this in a timely manner.	3/24/2015 6:15 PM
37	This is on the Vets, the Owners, the Trainers and everyone else on the backside to open up communication	3/24/2015 6:11 PM
38	as stated above the gelding info must be reported to the public before the the days races begin so that the info can be evaluated in the handicapping.	3/24/2015 6:09 PM

39	Being a good handicapper is all about adapting to the situation. I rather be betting on accurate information with only a few minutes to decide, than have hours to decide with inaccurate information.	3/24/2015 6:01 PM
40	By default, the horse should be scratched until the change in health status is made public. If this is not the case and the 'scratch' occurs after the races' regular scratches and changes are already announced then this horse (silk race number) is an automatic win on the ticket.	3/24/2015 5:59 PM
41	It's an issue of industry transparancy, not of any individual bettor's circumstances.	3/24/2015 5:51 PM
42	But the trainer should also be fined/suspended or both.	3/24/2015 5:46 PM
43	the rule should be adhered to even if it makes the horse ineligible because someone hasn't done their job in reporting the gelding process.	3/24/2015 5:44 PM
44	As noted above so the public is protected.	3/24/2015 5:44 PM
45	Dynamics are not THAT predictable; horses are not machines	3/24/2015 5:38 PM
46	In these instances, significant fines and possibly suspension should be levied to the trainer so as to discourage this behavior.	3/24/2015 5:35 PM
47	My personal handicapping is less important than integrity of the game in this case.	3/24/2015 5:31 PM
48	Depends if the horse is hurting.	3/24/2015 5:28 PM

**Q3 Please tell us how often you wager on horse racing**

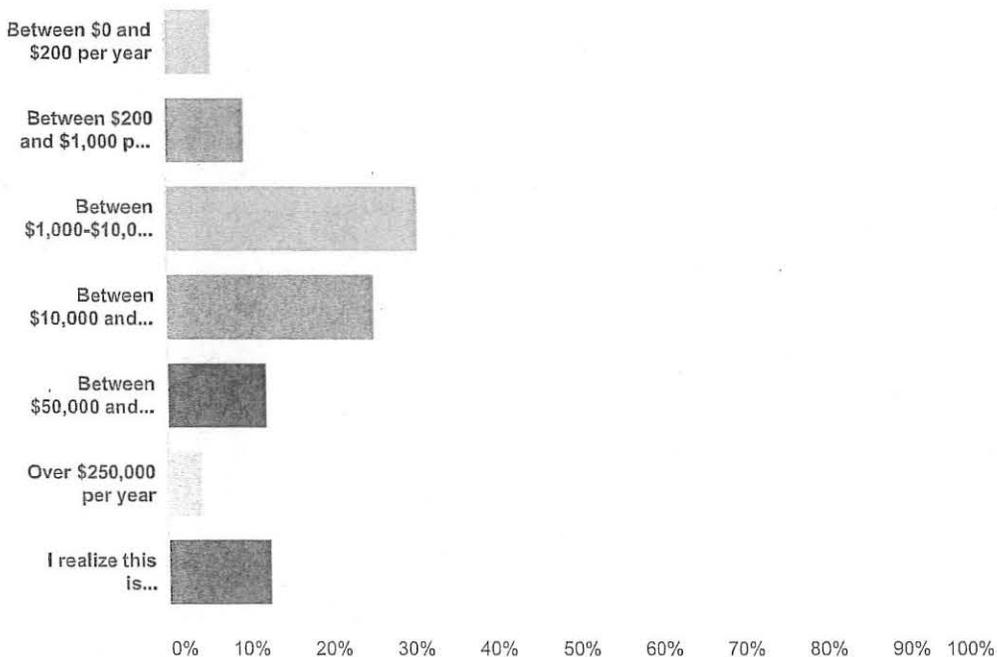
Answered: 303 Skipped: 3



Answer Choices	Responses	Count
Daily	24.42%	74
A Few Times a Week	50.83%	154
Once a Week	15.18%	46
Once a Month	4.29%	13
Less Than Once a Month	5.28%	16
I Don't Wager on Horse Racing	0.00%	0
<b>Total</b>		<b>303</b>

**Q4 Please tell us how much you wager**

Answered: 304 Skipped: 2



Answer Choices	Responses	Count
Between \$0 and \$200 per year	5.59%	17
Between \$200 and \$1,000 per year	9.54%	29
Between \$1,000-\$10,000 per year	30.59%	93
Between \$10,000 and \$50,000 per year	25.33%	77
Between \$50,000 and \$250,000 per year	12.17%	37
Over \$250,000 per year	4.28%	13
I realize this is confidential, but I decline to answer	12.50%	38
<b>Total</b>		<b>304</b>

#	Other (please specify)	Date
1	the particular reason why scratch is made after the scratches.	3/25/2015 12:20 AM
2	Tell California that I'm one of many Canadians who have quit playing their races many days because they won't let us play the fractional bets	3/24/2015 11:56 PM
3	NYRA, for example, announces "Bends" only before each race. Bends, if they are that important should be required to be in the Racing Form, not be allowed, or all horses should be required to use Bends.	3/24/2015 9:26 PM
4	I go to the races when I can sometimes 2 or 3 times a week, then off for months so my attendance is best described as "sporadic". When I do attend, I bet \$2,000 to \$3,000 per day depending on how I like the card.	3/24/2015 7:29 PM
5	Chronic misreporters or under reporters should be disciplined	3/24/2015 6:39 PM

6

between \$50,000-\$100,000

3/24/2015 5:46 PM