

From Ingrid Fermin, executive director of the California Horse Racing Board:

The matter involving the heel nerving procedure of Refinery is to be closed without the filing of an enforcement action.

It is clear from the input that I have received that the Association /Official Veterinarians that pre-race examined Refinery were satisfied that the partial loss of sensation to Refinery due to the posterior digital neurectomy would not endanger the safety of any horse or rider. After the procedure had been performed, and prior to the horse's move to Arizona, pre-race examining veterinarians approved Refinery to race on each of five occasions. The horse's Health and Racing Soundness Record clearly indicated that the procedure had been performed, and the Registration Papers were properly marked. Even if the Rule 1850 were interpreted as requiring Official Veterinarian approval prior to performing the procedure on the grounds of a racing association, in this case the multiple pre-race approvals by Association/Official Veterinarians of the horse minimizes the significance of such a potential technical noncompliance. Pre-approvals for the procedure, when requested, are routinely granted. Regardless, with Refinery, the Association /Official Veterinarians learned of the procedure prior to repeatedly pre-race approving the horse. Accordingly, this does not rise to the level justifying the filing of any enforcement action.