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CHRB NEWS RELEASE

SEPTEMBER 15, 2004

BOARD MOVES FORWARD WITH TESTING REGULATION

POMONA, CA – The California Horse Racing Board took initial steps Wednesday toward eventually adopting a tough new rule to regulate the administration of alkalizing substances to racehorses.

With full industry support, the racing commissioners voted unanimously to place a proposed rule for 45-day public notice that would authorize the stewards or state veterinarian to select any horse entered in a race for testing of total carbon dioxide (TCO₂) concentrations in its blood. Although TCO₂ is naturally occurring in horses, its presence at high levels would indicate it was illegally administered in an attempt to improve performance by neutralizing lactic acid that might otherwise cause muscle fatigue.

“For some time, there have been rumors and speculation that alkalizing substances, commonly referred to as ‘milkshakes,’ have been administered to horses in order to affect their performance,” explained Dr. Ronald Jensen, the CHRB equine medical director. “Using generous financial contributions from CHRB Commissioner William Bianco and from the Oak Tree Racing Association, we conducted a survey earlier this year of horses racing at Santa Anita, Hollywood Park, Bay Meadows, and Golden Gate Fields. Then the Del Mar Thoroughbred Club continued that survey during its meet, and the survey is still continuing here at Fairplex.

“The results indicate some horses have been administered alkalizing substances, or milkshakes, in excessive amounts. At this point, the Board does not have a rule that expressly addresses alkalizing substances. We examined rules that are in place in other racing jurisdictions, primarily for standardbreds, and drafted this proposed rule to allow the CHRB to regulate milkshaking.”

Commissioner Roger Licht endorsed classifying a high TCO₂ reading as a “Class 3 violation,” which would require the automatic forfeiture of purse money in addition to any penalties that might be imposed by the stewards and would, in Licht’s words, “give this rule some teeth.”

Commissioner Jerry Moss added, “A second offense by the same trainer should result in a greater penalty. After all, bicarbonate (the typical alkalizing substance) is administered with the intent of changing the playing field, so the penalty should be quite severe.”

And after Craig Fravel, the executive vice president of Del Mar, testified that in some jurisdictions “they put the horse in jail,” meaning the horse is not allowed to compete for a specific period of time, CHRB Chairman John Harris responded, “I personally like the idea of some sanction against the horse.”

Representatives of the Thoroughbred Owners of California (TOC), California Thoroughbred Trainers (CTT), and various racing associations all expressed support for the proposed rule. The TOC even offered to purchase expensive equipment to facilitate the testing.

As approved for public notice, the proposed rule sets a TCO₂ limit of 37 millimoles per liter of serum or plasma if the horse is not competing with the authorized medication furosemide and a limit of 39 millimoles if the horse is competing on furosemide.

State law and CHRB regulations permit the collection and testing of split samples, which provides a way of confirming the validity of the initial test. But Dr. Jensen explained, “TCO₂ in blood samples is not stable,” meaning it couldn’t be stored for extended periods, so the normal procedures for the testing of split samples cannot apply to this process. In fact, CHRB Executive Roy Wood suggested beginning the process immediately to change the law as it pertains to split samples and TCO₂ testing.

“Unfortunately, this regulatory process is going to take some time,” said Chairman Harris. “In the meantime, any racing association that wants to adopt its own program is welcome to do so.”

Alan Horowitz, executive vice president of Capitol Racing LLC, said the harness industry has been conducting its own milkshake testing for years and has virtually eliminated the problem by imposing severe penalties.

Sherwood Chillingworth, executive vice president of the Oak Tree Racing Association, said that for the first week of the Oak Tree meet that begins at Santa Anita Park on September 29, “Every horse in every race will be tested (for TCO₂), then for the rest of the meet there will be random testing of at least three races per day. We will be hiring another veterinarian or a graduate student to assist the state veterinarian in the collection of those blood samples.

“We are also adding two security people for our meet, who will work under the jurisdiction of our chief of security, Dick Honaker,” continued Chillingworth. “Also, for every graded stakes, we will post a trained security person at every barn with an entrant in the race. These measures should improve the perception and the reality that we do have a level playing field at Oak Tree.”

Chairman Harris noted after the meeting, “The present rules prohibit the administration of any medication or substance – other than authorized bleeder medications – within 24 hours of a race. This proposed rule should assist in the enforcement of those rules.”

In other business, Chairman Harris said the process would begin immediately to find a replacement for Roy Wood, who will be retiring from the position of executive director effective December 30, 2004. The Board will be accepting applications for a minimum of 30 days. All applications and inquiries should go through Paige Noble, the chief of administration, at the CHRB headquarters office in Sacramento.

The Board approved a conditional license for the Pacific Racing Association to conduct a thoroughbred meet at Golden Gate Fields from November 10, 2004, through January 30, 2005, subject to the signing of a horsemen's agreement, the naming of a racing secretary, and other conditional requirements.

The Board also approved the application of Churchill Downs Fall Operating Company for a thoroughbred meet at Hollywood Park from November 3 through December 20 with the condition that Hollywood Park assign extra security personnel to barns with horses entered in graded stakes at the meet.

Following a lengthy discussion on the 2005 dates allocation for the thoroughbred circuit in Southern California, the Board tabled a recommendation from its Dates Committee until additional information can be obtained and considered. Tentative plans were made for an October 5 meeting to address this matter.

Dr. Alex Ardans, director of the California Animal Health and Food Safety Laboratory System at UC Davis, provided the annual report on the equine Postmortem Examination Program, which is a joint program with the CHRB and support from California racing associations.

The purpose of the program is to identify the nature of and reasons for catastrophic injuries to racehorses and to use the resulting information to prevent future injuries. Since 1990, the program has conducted research on stress fractures, gastric ulcers, heart abnormalities, toe grabs, diseases, toxins, suspensory injuries, and the risk factors associated with exercise regimens.

Chairman Harris noted, "This program provides California with a unique capability to address catastrophic injuries. I urge all horsemen to closely review the latest report."

The Board authorized Xpressbet to place newly developed Simplified Wagering Machines at racetracks beginning with the Golden Gate and Oak Tree meets. These machines are intended for use by racing and wagering novices and will offer greatly simplified wagering opportunities, such as win, place, and show combinations only on selected races. The approval was conditioned on a staff review for compliance with all CHRB regulations.

The Board took no action on agenda items relating to satellite wagering in San Mateo and wagering at Los Alamitos on harness races simulcast from Sacramento.

Commissioner Licht provided a brief report on activities of the Ad Hoc Security Committee, which included an update on a surveillance camera experiment in the stable area at Del Mar.

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