

1010 Hurley Way, Suite 300
Sacramento, CA 95825
(916) 263-6000
Fax (916) 263-6042

CALIFORNIA HORSE RACING BOARD

12235 Beach Blvd., Suite 7
Stanton, CA 90680
(714) 890-7001
Fax (714) 890-7006
Contact:
Mike Marten
(714) 890-7004
Cell: (714) 240-1870

CHRB NEWS RELEASE

FEBRUARY 16, 2005

CHRB COMMITTEE SCRUTINIZES MEDICATION ISSUES

MONROVIA, CA – The Medication Committee of the California Horse Racing Board is considering a wide range of proposals to enhance the integrity of horse racing by toughening medication rules, policies, and penalties, raising the standard for official drug-testing laboratories, freezing urine samples for future analysis, better identifying horses entering and leaving restricted areas, and forming an advisory group to help the Board stay on top of issues of concern.

The matters discussed Wednesday at the Medication Committee meeting reflected an increasingly hard-line attitude among California racing commissioners and the stated resolve of newly appointed Executive Director Ingrid Fermin to get tough on rule violators and level the playing field for all racing participants and fans.

In her report to the Medication Committee, Fermin said she has been working closely with official veterinarians and CHRB investigators in a serious effort to tighten security and cause people to think twice about trying to gain any unfair advantage.

“We are trying to do some things differently,” she explained. “The thought is to be more of a deterrent – to provide more reasons for people to follow the rules and regulations of the California Horse Racing Board.

“We’ve posted signs at the gates advising everyone that if they enter the restricted area, they are subject to being searched. We’ve already done some random searches of vans entering the stable area, and soon we’ll begin random searches of veterinary trucks. We’ll also be confiscating some syringes to verify the veterinarians administered the therapeutic medication they said they did.

“We’ve made some changes in our investigative methods. We’ve collected equine samples at uncustomary times – both much earlier and after the race. We are and will continue to be more visible. We want people to know that we intend to be more proactive within the restricted area.”

CHRB Chairman John Harris, who chairs the Medication Committee, praised the job being done by Fermin and the staff, with concurrence from the other committee members, Vice Chairman William Bianco and Commissioner Richard Shapiro.

But Shapiro added, “If we are going to tighten security and do all of the things being advocated to catch people who violate our rules, then the next logical step is to impose strict penalties (whereby) people can lose their licenses, purses are going to be redistributed, and horses are going to be denied entry.”

Fermin, who served as a racing steward for 24 years prior to becoming executive director on January 7, said she has observed in those cases that have been diverted away from the stewards and have resulted in negotiated settlements over the last few years that “penalties have gone to the left, to the loose side, of what some of the other jurisdictions are doing.”

Shapiro said at the very least, California should have penalty guidelines in step with those recommended by the Association of Racing Commissioners International (RCI), “and I would like to see us go beyond that.”

Harris noted, “Everyone agrees we should be strict on Class 1 and 2 violations” involving drugs that either have no therapeutic value or great potential to unfairly affect performance.

Dr. Rick Arthur, a practicing veterinarian and board member of the Oak Tree Racing Association, said the Racing Medication Testing Consortium (RMTC), of which he also is a member, is “currently developing a uniform, nationwide penalty program, which could be adopted as early as May, and he urged the Committee to wait that short amount of time before proceeding.

CHRB Assistant Executive Director Roy Minami said he would coordinate the RMTC and RCI proposals with the Board’s own drug classifications and penalties in a report to the Committee.

Dr. Ron Jensen, the Board’s equine medical director, reported that the contract with Truesdail Laboratory, which handles two-thirds of the equine samples collected in California, expires this June 30, and the Kenneth L. Maddy Equine Analytical Chemistry Laboratory at UC Davis, which handles the other third, is prepared to do additional samples.

Dr. Jensen said the Maddy Laboratory is better equipped than Truesdail, as it is a much newer facility with state-of-the-art equipment, allowing the Maddy Laboratory to perform more comprehensive, full instrumental screening of all equine samples, whereas Truesdail routinely performs more traditional screening. He also emphasized the research capability of the Maddy Laboratory and the importance of research to drug testing.

Drew Couto, president of the Thoroughbred Owners of California, said, “Horse owners feel very strongly that we should be testing with the best technology at the best laboratory, and any laboratory we use should meet the standard of the Maddy Laboratory.”

The Committee members directed staff to prepare a request for proposal (RFP) that adds a requirement for instrumental screening to the testing contract.

Dr. Scott Stanley, the chief of the Maddy Laboratory, spoke in favor of adding a plasma rule for the drug Clenbuterol, a widely used therapeutic medication that is authorized to be present in urine samples at designated levels. Stanley expressed concern that urine might not be the best way to detect Clenbuterol administered very close to the race, and that by adding a blood plasma test for Clenbuterol, we could tighten the rule in California.

Dr. Arthur concurred that approving a Clenbuterol authorized level of 25 picograms in plasma, which is the standard in some racing jurisdictions, “makes a lot of sense and would help prevent people from trying to beat the system.”

Dr. Jensen will prepare a proposed amendment for future consideration by the Committee.

The Committee also heard a comprehensive discussion of a proposal to freeze urine samples, the thought being that as improvements in testing come along, the older samples could be tested for substances that are not currently detectable under existing methods. It might be difficult to prosecute someone for a positive in a frozen sample, but the information gained could be useful for other reasons, such as prompting increased surveillance of a barn. And the chance of being found out at some future date might cause some would-be cheaters to not take the risk.

Drs. Jensen, Stanley, and Arthur will work with the CHRB staff to develop a proposal for freezing samples, including a recommendation for the length of time the frozen samples should be retained.

Dr. Arthur, who also heads a committee that oversees testing at racetracks for total carbon dioxide levels (TCO₂), or “milkshakes,” said four horses involving three trainers have tested high for TCO₂ since the current Santa Anita meeting opened December 26. As a result, all horses entered by those three trainers now are required to be placed in a detention barn the day before they run.

He named the trainers and the horses involved: Jeff Mullins, the trainer of Puppeteer, which finished second in the seventh race on January 22; Vladimir Cerin, the trainer of Bless Her Heart, which finished second in the third race on February 3, and also the trainer of Smuggler’s Run, which won the fifth race on February 5; and Julio Canani, the trainer of Terpsichore, which finished third in the first race on January 14.

All testing for TCO₂ currently is being performed by racing associations. The CHRB has adopted a new regulation to take over that testing, but that regulation cannot take effect until companion legislation is enacted into law, possibly within the next two months.

The Committee heard testimony on a proposal to implant microchips for the identification of horses, which would be in addition to the more traditional forms of identification: lip tattoos, color, and markings. Chairman Harris said microchips would be very helpful in keeping track of horse inventories at racetracks, helping racing secretaries write races, and possibly resulting in larger fields. Commissioner Shapiro said the technology would help keep track of horses leaving and re-entering the stable area, possibly to receive shock wave therapy (SWT), which can have an analgesic effect by blocking nerves.

The staff will continue compiling information on microchip technology. In the interim, representatives of Santa Anita Park and Hollywood Park said they would develop procedures to better identify and keep track of horses moving in and out of the stable area.

The Committee approved for notice a proposed amendment to extend by three days – from 18 to 21 – the time limit for notifying trainers of positive tests, after which the burden of proof shifts to the CHRB in favor of the trainers.

The Committee asked for volunteers to serve on an advisory panel, described by Dr. Jensen as “a less formal gathering to gather views on matters before they go to the Committee.”

#