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CHRB NEWS RELEASE

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BOARD FAVORS STUDY OF JOCKEY HEALTH ISSUES, INTERIM MEASURE

INGLEWOOD, CA – California racing commissioners resolved Thursday to take steps that should lead to a better understanding and improved health for jockeys, while providing accurate information to the public, and as an interim measure, expressed their support for an industry proposal to formally raise the minimum weights that horses carry in races.

In endorsing a scale of weights developed nationally by racing associations and horsemen, at least for the short term, the commissioners backed away from adopting an alternative rule patterned after a Jockeys' Guild proposal to raise the minimum weights even more. The proposed rule also contained provisions for male jockeys to maintain a minimum body fat content of 5 percent and female jockeys a minimum of 10 percent.

The commissioners were persuaded by the testimony of Dr. Dan Benardot, a nutritionist for the U.S. Olympic gymnastics team and director of the athlete performance laboratory at Georgia State University, who said the body fat requirements contained in the proposed rule lacked an adequate scientific basis. He said a comprehensive, yearlong study of jockeys throughout the country would provide a more accurate understanding of jockey body types and health issues, or as he put it, "the normal values of the jockey population."

Additionally, testimony by Craig Fravel, executive vice president of the Del Mar Thoroughbred Club, and trainer John Sadler indicated that a dramatic increase in weights in California races, independent of the rest of the country, would cause owners to race their horses in other jurisdictions where the horses would not have to carry as much weight.

The scale of weights developed by the industry, which has been in place since January, establishes a minimum weight of 118 pounds to be carried in all overnight races for 2-year-olds only, 3-year-olds only, and 4-year-olds and upward, subject to further sex and apprentice allowances. This part of the scale closely resembles the Guild proposal. The major differences occur in overnight races matching 3 year olds against older horses, in which the minimum is 112, and in handicap and stakes races, in which the minimum is 110. The Guild proposal would impose higher minimums regardless of the type of race. Furthermore, the industry proposal allows jockeys to carry some equipment onto the scale in order to make the weight assignment. The Guild proposal would exclude equipment from the jockey weights and consider all equipment – roughly 10 pounds – in addition to the minimum weight.

Barry Broad, an attorney for the Guild, urged the commissioners to adopt the proposed rule and not “study this to death.” He cautioned, “When our patience wears out, we might pull the only trigger we have, which would be to invite OSHA (the Occupational Safety and Health Administration) to determine whether the general safety of jockeys is being protected.”

Drew Couto, president of the Thoroughbred Owners of California, said the entire matter “deserves more than setting arbitrary weights that will not address the serious health issues that Dr. Benardot related today. The TOC will work with the other entities in an expeditious manner to ensure the safety of riders.”

After 90 minutes of testimony, the Board signaled its preference for the industry proposal, though individual commissioners differed slightly on different aspects of that proposal. Those differences will be worked out as staff develops proposed language for the rule amendments and as the new proposal goes through the public hearing process, which will take several months.

“Good jockey health is a goal shared by all of us, but the evidence we’ve heard today indicates we haven’t given this matter the study it needs,” said Chairman John Harris at one point. Then later he added, “We need to be sure that we have periodic medical exams of jockeys, as well as tools they can use to continually ensure they are riding at their peak of health. I wish we could have moved this subject a lot faster than we have, but we do need to get it right, rather than just rush into something.”

Commissioner Jerry Moss said, “I don’t think California is in an isolated situation. For us to step out, as a major regulatory body, without a national program, would be a grave mistake.”

Commissioner Marie Moretti indicated she had no problem with California being a “little bit different from the rest of the country,” but she advocated some balance with other jurisdictions. And she insisted that the “real weights” carried by horses in races, including all equipment, must be published in the official program.

Commissioner Richard Shapiro said, “We need to find out what is in the best interest of jockeys, and to do that we need a study (as recommended by Dr. Benardot). In the interim, we need to eliminate any unsafe health practices at the racetracks – beginning today!”

Shapiro outlined the rest of a new proposal for the Board to consider, beginning with the scale of weights favored by the industry, and a “new weigh-in and weigh-out procedure that is verifiable.” He said each racing association should employ a nutritionist to provide counseling services to jockeys. And he agreed with Moretti that the total weight carried by the horse should be listed in the program.

Commissioner John Sperry said he agreed with Shapiro’s proposal, except he favored listing the items of equipment that are not included in the horse’s weights rather than adding them to the weight listing. Vice Chairman William Bianco said he agreed with Sperry that the extra equipment be listed “with an asterisk” and not included in the published weight.

Representatives of the various groups, including Broad of the Jockeys’ Guild, indicated they would work together to complete the national study and present their findings as quickly as possible.

In other business, several commissioners indicated support for the implantation of microchips in horses racing in California as an additional means of identification and to better monitor their movements. This matter is being referred to the CHRB Medication Committee and its advisors, who will be asked to present an implementation plan at the June meeting of the Board.

“We learned a lesson recently. We don’t always know who is coming and going out of our racetracks,” said Shapiro in an obvious reference to the filly Sweet Catomine, who was misidentified as a “pony” when she was removed overnight from Santa Anita for health treatment.

Dr. Ron Jensen, the Board’s equine medical director, said the most popular technology involves implanting a 15-character microchip “about the size of a grain of rice” in the neck of the horse using a syringe-like device. He will work with the Medication Committee to determine the cost of such a program and ensure its compatibility with any national program that might develop.

In a related development, CHRB Executive Director Ingrid Fermin said she has distributed an 11-point proposal to racetracks and horsemen for suggested interim stable gate procedures for horse identification. This includes suggestions for additional personnel to accurately identify horses and specified shipping locations and hours. With the industry’s support, these changes could be implemented quickly.

The Board approved license applications for a thoroughbred meet at Golden Gate Fields from May 11 through June 19 and fair meets in Stockton (June 15-26) and Pleasanton (June 29-July 10). The fair licenses were approved on condition they provide programs similar to those in place at other tracks for TCO2 testing, or “milkshakes,” as well as adequate detention facilities.

An agenda item pertaining to the distribution of purse funds by Capitol Racing, and other matters relating to Capitol and Los Alamitos Race Course, were referred to an ad hoc committee consisting of Commissioners Sperry and Shapiro.

Commissioner Moss reported the Pari-Mutuel Operations Committee is moving forward with a regulatory amendment that would do away with the practice of automatically substituting the favorite for horses scratched in Pick 3 races. If the scratch occurs in the first leg of the Pick 3, the wager will be refunded. If it occurs in a subsequent leg, there will be a consolation payoff in the same manner as daily doubles.

Commissioner Moss also reported that under California law, racetracks are free to offer wagers in denominations less than \$1, subject to CHRB approval of their pari-mutuel format. This opens the door for a California racetrack so inclined to offer 10-cent superfectas and other exotic wagers, as are currently offered in other jurisdictions.

Commissioner Shapiro reported the Racing Dates Committee intends to present to the full Board in May a rearranged calendar for the 2005 fair racing season, which will include 12 less programs and reduced overlap between the fairs themselves and with Bay Meadows.