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## CALIFORNIA HORSE RACING BOARD



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CHRB NEWS RELEASE

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### COMMISSIONERS TO CONSIDER PENALTY GUIDELINES

SACRAMENTO, CA – Guidelines that would fundamentally change some aspects of penalties for violations of the California Horse Racing Board’s medication rules – including stricter sanctions for some violations, extending accountability to horse owners, veterinarians, and other licensees, and allowing for the consideration of both aggravating and mitigating factors in each case – will be the principal item of business Tuesday at a public meeting of the CHRB Medication Committee.

“This is an effort to adopt a set of penalty guidelines for a far-ranging set of prohibited substances,” explained Dr. Rick Arthur, the Board’s equine medical director. “The goal is to have penalties as consistent as possible across the state, and, eventually, across the country.

“Trainers and other licensees will be able to understand the penalties they face for any violation, and they will be offered the opportunity to offer mitigating circumstances. The hearing officers will be given the discretion of imposing no penalty if the case so warrants.

“On the other side, the state has the ability to present aggravating factors, which could increase the penalty within the limits of the guidelines. The intent is to implement a fair but firm disciplinary program for drug violations in California.”

The guidelines originally were developed by the national Racing Medication and Testing Consortium (RMTC) and submitted to each racing jurisdiction for consideration. The CHRB and its advisors have modified some of the RMTC recommendations.

Prominent throughout the proposed rule amendments are references to mitigating circumstances, which call for consideration of the past record of the licensee, the potential of the drug involved to influence the outcome of a race, the steps taken by the trainer to safeguard the horse, the probability of environmental contamination or inadvertent exposure to human drug use, and whether there were any suspicious wagering patterns in the race.

Along with the penalty guidelines, the Medication Committee will consider adopting drug classifications based on those recommended by Association of Racing Commissioners International (RCI). There are five RCI classifications. Stimulant and depressant drugs that have the highest potential to affect performance and that have no generally accepted medical use in the racing horse are Class 1.

The penalty guidelines and drug classifications go hand in hand. Within each class of drugs, each substance is placed in one of four penalty categories: A, B, C, and D. For example, the recommended penalty for a trainer’s first Class 1 offense, with few exceptions, falls into Class A and calls for a one-

year suspension and a minimum fine of \$10,000 (absent mitigating circumstances). The recommendations are for longer suspensions and even permanent license revocation for repeat violations. For a licensed owner, a Class 1 not only would mean loss of the purse, repeat violations could result in a \$50,000 fine, and the horse could be subject to additional periodic testing and other conditions. For Class 5 violations, involving therapeutic medications that would have far less potential to affect performance, the recommended penalty (Category D) for the first offense is a \$250 fine.

“It is important to note that all licensees will be subject to the penalty guidelines when found culpable,” said Dr. Arthur. “Owners, veterinarians, and other licensees are going to be held accountable where appropriate. Owners are specifically subject to fines for repeated Category A violations, and horses found positive in some categories are subject to certain restrictions and conditions.”

The Medication Committee members – Commissioners William Bianco (committee chairman), John Harris, and Richard B. Shapiro – will hear input from the public and interested parties, discuss the matter, and then consider whether to recommend that the full Board approve the penalty guidelines and classifications as soon as the next monthly Board meeting on January 23.

Other matters on the agenda for the Tuesday meeting, which will begin at 10 a.m. in the Baldwin Room at Santa Anita Park, include a proposed amendment relating to the entering of false information on a veterinarian report, a discussion of the administration of clenbuterol and its use prior to race time, and discussions on the use of shockwave therapy and anabolic steroids in horse racing.

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