

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

[www.chrb.ca.gov](http://www.chrb.ca.gov)

## CALIFORNIA HORSE RACING BOARD



Los Alamitos Race Course  
4961 E. Katella Avenue  
Los Alamitos, CA 90720

Contact: Mike Marten  
(714) 820-2748  
Cell: (714) 240-1870  
Fax (714) 821-6232

CHRB NEWS RELEASE

JUNE 20, 2011

## UPDATE ON PROPOSED REGULATORY CHANGES

SACRAMENTO, CA – The California Horse Racing Board is seeking written comments from the public on three proposed regulatory changes scheduled for public hearings July 21 relating to the voiding of claims, providing veterinary records to the postmortem program, and changing the penalties for certain drug overages. The CHRB also invites public participation in those three and a fourth public hearing July 21 at Del Mar on a proposal to lower the allowable levels of certain drugs in official test samples.

Additionally, the CHRB already has approved five other regulatory changes on a variety of matters, which either have been or soon will be sent to the Office of Administrative Law (OAL) for review. An update on those five matters as well as details on the four proposed changes set for public hearing July 21 follow:

- A proposed amendment to CHRB Rule 1658 would void a claim (sale) if a claimed horse suffers a fatality during the running of the race or before it is returned to be unsaddled. This proposal is currently noticed for public comment. The Board must receive all comments by 5 p.m. on July 18. Submit all comments to Harold Coburn, Regulation Analyst, California Horse Racing Board, 1010 Hurley Way, Suite 300, Sacramento, CA 95825, Telephone (916) 263-6397, Fax: (916) 263-6022, E-Mail: [haroldc@chrb.ca.gov](mailto:haroldc@chrb.ca.gov). The public hearing on this matter will be held July 21 at the regular Board meeting in the Surfside Race Place simulcast facility on the Del Mar Fairgrounds.
- A proposed amendment to CHRB Rule 1846.5 would require the submission of the previous six months of veterinary records for any horse subject to postmortem examination. This proposal also is noticed for public comment through July 18 and scheduled for public hearing July 21.
- A proposed amendment to CHRB Rule 1843.3 would change the penalty for violations due to the overage for the non-steroidal inflammatory drug substance (NSAID) phenylbutazone and for drug substances in an official test sample which CHRB categorizes as warranting a Category “D” penalty. This proposal also is noticed for public comment through July 18 and scheduled for public hearing July 21.

- A proposed amendment to CHRB Rule 1844 would change the allowable levels of phenylbutazone in an official test sample from 5 micrograms to 2 micrograms of the drug substance per milliliter of blood plasma or serum and would change the allowable levels of flunixin in the official test sample from 50 nanograms to 20 nanograms per milliliter of blood plasma or serum. The 45-day public comment period for this proposal is completed. This proposal also is scheduled for public hearing July 21.
- The Board previously repealed the requirement in Rule 1606 for the coupling of horses with common ownership. That regulatory change was submitted May 31 to OAL. The CHRB is awaiting final approval.
- The Board previously approved an amendment to Rule 1876 to add complaints from equine medical hospitals, services by horse farms as specified, horse auction sales, and wage disputes between licensees to the list of matters the stewards are authorized to adjudicate in determining financial responsibility. That regulatory change was submitted May 31 to OAL. The CHRB is awaiting final approval.
- The Board previously approved amendments to CHRB Rules 1500.1 and 1498 to require random drug testing of jockeys, apprentice jockeys and drivers and to require drug testing during the annual jockey/driver physicals. That regulatory change will be submitted to OAL for review and final approval
- The Board previously approved an amendment to Rule 1844.1 to allow for the suspension of a medication authorized under Rule 1844 after a notification at a properly noticed public hearing. That regulatory change will be submitted to OAL for review and final approval.

California law requires the Board to adopt rules and regulations for the protection of the public and the control of horse racing and pari-mutuel wagering. Procedurally, the rulemaking process begins with the drafting of a proposed regulatory action, which is ultimately approved by the Board for notice to the public. CHRB staff presents the text of the regulation and other required documentation to OAL, which then publishes the text, the notice announcing the 45-day comment period, and the scheduled date of the public hearing, which always occurs at a regular Board meeting. If the Board approves the regulatory change, staff prepares the required documentation to complete the rulemaking file, and sends the complete package, including the transcript of the public hearing, to OAL, which then has 30 working days to review. If OAL approves the regulatory change, the file is then sent to the California Secretary of State and the change becomes effective 30 days later.

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