



# RCI Bulletin

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### **Equine Health and Welfare Issues Discussed at RCI Conference**

The Association of Racing Commissioners International celebrated its 75<sup>th</sup> anniversary when its four-day conference on racing and wagering integrity convened April 20 in downtown Lexington.

The 2009 gathering of racing regulators occurred at a time of tremendous economic challenge not only for the entities and individuals the association regulates, but for the governments they serve.

One of the highlights of the conference was an extensive discussion of equine health and welfare issues. Topics included equine injury prevention research, equine injury reporting systems, pre-race veterinary examinations, and a discussion of various track surfaces.

Speakers on the topics of equine health and welfare were Dr. Sue Stover, University of California Davis School of Veterinary Medicine; Dr. Mary Scollay, equine medical director at the Kentucky Horse Racing Commission; Dr. Tom David, equine medical director Louisiana State Racing Commission; and John Bridge, technical leader Racetrack Surfaces Testing Laboratory. The AAEP White Paper was also addressed by Foster Northrup.

“Racing commissions represent the conscience of racing and are the only true independent voice advocating for integrity programs,” RCI President Ed Martin said. “This year we continue to explore ways to safeguard the health and welfare of our equine and greyhound athletes as well as how to effectively police this sport to earn the confidence of racing fans.”

Keeneland Association president and chief executive officer Nick Nicholson presented the keynote address April 21.

Among other topics discussed during the four days included: the creation of a new national racing compact; wagering systems and tote standards with topics of discussion including monitoring updates, monitoring systems and certification, and a demonstration of new ways to present pari-

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mutuel wagering opportunities, among others. Representative of New York, California, Indiana, and Minnesota presented reports on monitoring wagers.

The Standardbred committee also discussed using the whip in racing and produced a new model rule, while the Quarter Horse committee held a roundtable discussion, as well as discussed starting gate personnel issues.

The conference was held April 20-24 at the Lexington Hilton Downtown Hotel and Conference Center.

*Source: RCI New Release*

### **Owens Named Chair Of Association Of Racing Commissioners International**

Erin Owens, chairman of the Arizona Racing Commission, has been named chair of the Association of Racing Commissioners International. Owens succeeds outgoing chairman Joe Gorajec of Indiana. Owens previously served as secretary and chairman-elect of ARCI.

A native of Arizona, Owens hails from a Thoroughbred racing and breeding family. She spent many years as a racetrack official, serving in the capacity of a steward, director of racing, and racing secretary, all of which has extended her knowledge of the horse racing industry.

For 10 years, Owens was a Director at the University of Phoenix where she also completed her Master's degree.

*Source: RCI Press Release*

### **Kentucky Derby To Be Contested Steroid Free**

For the first time in its 135-year history, the grade I Kentucky Oaks and Derby, as well as all other races on the Churchill Downs weekend race card, will be contested steroid free thanks to rules passed by the Kentucky Racing Commission.

"This year racing is steroid free thanks to reforms enacted by the overwhelming majority of racing regulators," said Ed Martin, President of Racing Commissioners International.

The plan to remove steroid use from racing was first discussed at an Eastern Regional meeting of the Association of Racing Commissioners International at Charles Town Race Course in West Virginia Sept. 30, 2006. The association worked with racing regulators and the Racing Medication and Testing Consortium to develop an omnibus regulatory approach to this issue, which was embodied in a model rule passed by the RCI in April 2007.

Since the model rule was passed, all stakes races across the country are now free of horses competing on steroids, and an overwhelming majority of racing jurisdictions have outlawed, removed, and regulated steroid use on horses that race.

FDA approved steroids, under the controlled supervision of a licensed veterinarian, are still permitted consistent with the practice of veterinary medicine to assist a horse recuperating from an injury or

medical procedure; however, horses being treated with steroids are not allowed to participate in racing contests.

“In the past year we have proven that regulators can move in a concerted effort to enact reforms that are in the best interest of our equine athletes and racing in general,” said Martin. “Regulators have effectively stopped the routine use of steroids in racing horses. As a result, our horses will be stronger, healthier, and run according to their natural ability.”

RCI has adopted a rule requiring softer riding crops in Thoroughbred racing and has just enacted a Model Rule requiring all horses scheduled to race to receive a pre-race physical examination by an association or commission veterinarian.

RCI is also encouraging state legislatures to provide adequate funding to state racing agencies so they can provide staffing in order perform the pre-race examinations. Kentucky is one of many states that already require a pre-race physical examination by a commission veterinarian before racing.

A rule on softer riding crops in Kentucky is currently going through the regulatory process, and toe grabs have been banned in the state. Maryland and New York, homes of the second and third legs of the Triple Crown, Preakness and Belmont Stakes, both grade I, respectively, also have a ban on toe grabs on front horseshoes with heights greater than two millimeters.

“There are funding issues (in state governments) that are beyond the control of the state regulators,” Martin said. “But every trainer, owner, breeder, veterinarian, and racing fan has a vested interest to be heard to make sure regulators receive adequate funding in order to do their job.”

*Source: RCI Press Release*

### **A Trainer's Cloudy Reputation Reigns in a Sport**

(AP) — While the Triple Crown races capture the public's attention, the sport of thoroughbred racing hopes to win new fans by showcasing its glamour and excitement. But the 2008 series turned out to be a public-relations disaster. When Big Brown became the nation's dominant 3-year-old, his trainer Rick Dutrow became the face of horse racing. The media recounted his long history of drug-related infractions. Dutrow unblushingly admitted that he regularly administered anabolic steroids to the Kentucky Derby winner. The steroid issue exploded just after the death of the filly Eight Belles in the Derby, and it fueled a national outcry about the way thoroughbred racehorses are treated.

Could anything be worse?

Meet Jeff Mullins, the trainer of I Want Revenge, who is favored to win Saturday's Derby.

Mullins has a reputation as clouded as Dutrow's, without any of Dutrow's roguish charm. While Dutrow is always quotable, Mullins is taciturn and guarded. He had almost nothing to say when he was recently caught red-handed in possession of a syringe at an inappropriate time and place, becoming the latest symbol of horse racing's drug problems and the industry's ineffectual response to them.

Until now, Mullins has never had a top-class 3-year-old to put him on the national stage. But he has been a dominant force in California since he started training there regularly in 2001. He had paid his dues dealing with cheap stock at minor-league tracks in the southwest, and he earned respect as a skilled horseman and an obsessive hard worker. Nevertheless his success in California generated more suspicion than praise. Horses improved too suddenly, too dramatically when they went into the Mullins barn. In one instance Mullins claimed a horse named Kid Royal, who in four career starts had recorded Beyer Speed Figures of 62, 11, 67 and 8. Kid Royal promptly won by eight lengths with a figure of 98 in his first start for Mullins.

The California Horse Racing Board put Mullins under scrutiny. Twice the trainer's horses tested for a high level of sodium bicarbonate, evidence of the illegal procedure known as "milkshaking." One of these tests, in 2005, prompted the authorities to put Mullins' horses under 24-hour surveillance for a month, and during that time his winning percentage plummeted. Rick Arthur, equine medical director for the CHRB, told John Scheinman in a 2005 story for The Washington Post that Mullins' main problem was "basic ethics." Arthur said: He "does things his own way and thinks it's right."

I Want Revenge helped bring a Mullins controversy to the East Coast. The colt had been running on California's synthetic racetracks with moderate success, but Mullins thought the colt's pedigree suggested he might be more effective on dirt. He shipped him across the country to Aqueduct, where I Want Revenge scored a smashing victory 8 1/2-length victory in the Gotham Stakes. He returned to New York and won the Wood Memorial impressively. The two performances solidly established I Want Revenge as the horse to beat in the 135th Derby.

However, it was the events before the Wood that galvanized the racing industry. Mullins's colt Gato Go Win was entered to run in the Bay Shore Stakes about an hour before the Wood. Both he and I Want Revenge were in Aqueduct's detention barn, which exists to prevent horses from receiving any illegal treatments in the four hours before they race. Shortly before Gato Go Win was to go the track, Mullins entered the barn, went to the colt's stall and treated him with an over-the-counter cough syrup called Air Power. Security guards spotted him, Aqueduct racing officials ordered Gato Go Win scratched and the incident turned into a cause celebre.

Air Power might be a "natural" product, but any substance that affects horses' respiration may enhance their performance. (Mullins acknowledged that Gato Go Win didn't have a cough, so why else was he using Air Power?) In any event, for a trainer to treat a horse with anything in the hours before a race is flatly illegal. Carrying a syringe into a barn before a race is a bit like carrying a weapon past airport security. Mullins said he had made an honest mistake, but it is almost unimaginable that any trainer would not know he was breaking the rules. Mullins' brazenness was no less distressing than the response by the New York State Racing and Wagering Board's. The guardians of the sport's integrity gave Mullins this penalty: a \$2,500 fine and a seven-day suspension, beginning May 3. And what's the significance of May 3? It's the day after the Kentucky Derby, with the "punishment" seemingly designed to cause minimal inconvenience to the trainer. He can spend the week at Churchill Downs, serve his suspension and be back in action at Pimlico for the Preakness.

The New York ruling was just another reminder that the thoroughbred industry, despite its posturing, isn't serious about policing itself. Because rule-breaking trainers rarely receive meaningful penalties ? even when they are caught red-handed ? they thrive at the expense of their honest rivals. And that is why the key players in the biggest American races are so often trainers whose prominence should be an embarrassment to the sport. *Source: Associated Press*

**California legislators want bets more closely watched**  
**Wednesday, April 29, 2009 - by John Pawlak, the U.S. Trotting Association**

A California State Senate Committee has unanimously approved legislation that will require the California Horse Racing Board to monitor, in real-time, all pari-mutuel transactions in the state.

The mandate comes in the wake of several problems encountered in California betting pools. In one, a horse owner placed \$1,300 worth of "quick pick" Superfecta bets on last year's Kentucky Derby. Despite the random nature of the bets, however, the number 20 horse was not included in any of the 1,300 bets -- but turned out to be the betting number of the winner, Big Brown.

The error was said to be a "computer glitch" on the part of pari-mutuel vendor Scientific Games, which processes bets at the state's tracks.

The Association of Racing Commissioners International (ARCI) also reported another recent problem in New York, with a different vendor, where \$2 bets were entered into pools as \$200 bets. Other reports of "past posting," purchasing tickets after a race has begun, and a celebrated rigged bet scheme involving the 2002 Breeders Cup have led ARCI to push regulators to follow its Wagering and Security Program protocols.

The California measure was reported to another Senate Committee for further legislative action.

*Source: USTA News.*

**Hopeful prognosis emerges on Md. slots revenue**  
**Possibility of a full-scale casino in Baltimore boosts optimism**

The chairman of a commission charged with awarding Maryland's five casino licenses said Tuesday that "there's more optimism" these days for a gambling-related windfall to state coffers despite a recession and lackluster initial interest from the private sector.

Donald C. Fry, a former Harford County delegate who heads the politically appointed panel, said he based his hopeful prognosis on new expectations that a full-scale casino will come to downtown Baltimore and on preliminary feedback from consultants hired to advise the commission.

In February, prospects for a slots-funded bailout of Maryland's structural budget deficit fizzled when officials acknowledged that two of just six bidders for five gambling licenses failed to submit millions of dollars in legally required fees and that Baltimore's applicant proposed a small, 500-machine parlor. That bidder, Baltimore Casino Entertainment Group LP, pledged to the city this month that it now intends to build a 3,750-machine casino, the maximum size allowed under the law.

At a commission meeting in Annapolis on Tuesday, consultants with PricewaterhouseCoopers told panelists that the recession-wracked gambling economy should recover "in the latter part of 2010" and that regional markets with monopoly-like licenses - as in Maryland - would better withstand the economic downturn than "destination" areas such as Las Vegas or Atlantic City.

Though the bids in Maryland were few, Michael French, the lead consultant, said the state had the "good fortune" of being courted by experienced operators, such as Pennsylvania-based Penn National Gaming Inc.

In a March 6 letter to the commission, Penn National, the sole bidder for the Cecil County slots license, said it intends to construct a 1,500-machine casino in Perryville - three times the size of the 500-machine parlor it proposed in February. The largest proposed casino would be a 4,750-machine slots parlor at Arundel Mills mall, though that project faces a zoning fight in the County Council.

Gov. Martin O'Malley and the Democratic leadership in Annapolis are counting on about \$600 million in annual slots-related tax revenue to partly fix a structural deficit within three years.

Despite the generally upbeat tone of Tuesday's meeting, two members of the seven-person slots commission voiced misgivings.

Thomas P. Barbera, a retired health care executive, said he worried that having only one viable bid per site lessened the commission's "leverage" on the bidders. And D. Bruce Poole, a Hagerstown attorney and former lawmaker, said he wanted the consultants to look into whether the state's 67 percent tax rate on gambling operators - among the highest in the country - was dampening interest, thereby preventing the state from getting "the best deal for the taxpayers."

French told Poole he believed the anemic bidding was largely the result of the economy and "bad timing," not the state's tax structure.

*Source: Baltimore Sun.*

### **Racing's on right track with safety as Kentucky Derby approaching**

A year ago, the winner of the Kentucky Derby became famous for more than just finishing first in America's most famous race. Big Brown also made headlines when his trainer, Rick Dutrow Jr., told the Daily News he had given the colt the steroid Winstrol on the 15th of every month.

At the time, Winstrol was legal in Kentucky, but in the furor that ensued, the use of anabolic steroids was banned, and this year, no horse will compete on steroids in the Triple Crown series that begins on Saturday with the 135th running of the Kentucky Derby.

The steroid ban went into effect on Jan. 1 in almost every racing jurisdiction and had already been adopted by California for last year's Breeders' Cup at Santa Anita in October.

"I'm all into it," Dutrow said of the ban. "I don't notice it at all now. Steroids never meant nothing."

Other changes announced by the Jockey Club Thoroughbred Safety Committee, created days after the death of the filly Eight Belles in last year's Derby, included the ban on toe grabs or any other traction device worn on the front shoes while racing or training, so a horse's stride isn't impeded, and a requirement to use safer whips.

No drugs or steroids were found in Eight Belles' body after both front ankles broke simultaneously on the track after she finished second to Big Brown. She became the first fatality in America's most famous race.

"They are trying," said Larry Jones, Eight Belles' trainer. "The industry has put itself under the microscope. It is now more humane. It wasn't bad to be a horse in last year's Derby but it's better to be a horse in this year's Derby. We still have a ways to go and we're going to get there."

In October, the National Thoroughbred Racing Association created the Safety and Integrity Alliance, calling for reforms that include the adoption of uniform medication rules and penalties, the ban of steroids, out-of-competition testing for blood and gene doping agents, pre- and post-race veterinary examinations, mandatory on-track injury reporting, enhanced backstretch security and having each track support and maintain an association with qualified retraining and adoption programs for thoroughbreds no longer competing.

This month a Racing Surfaces Testing Laboratory was launched to promote safer and more consistent racing surfaces, with Churchill Downs becoming the first track to be accredited by the Safety and Integrity Alliance.

The accreditation process requires participation in track surface research studies, and the freezing and storage of equine blood and urine samples for future testing.

"I'm sure that they're trying to do everything they can," said Michael Matz, who trained the ill-fated Barbaro. "The main thing I wish we could accomplish is to have one rule for everything - medication, licensing. That's the biggest thing to have one national body to rule. A lot of people are trying but there are still a lot of people trying to make it go the other way."

Matz admits that accidents will continue to happen in the sport.

"Most trainers want the best for their horses no matter what, but these things can happen all the time. Horses are athletes that are trying to do the best they can. Accidents will happen. Just like a young kid who's a pitcher blows out his arm. The difference is that humans are much better patients."

"I never want to see a horse break down but even if they raced on pillows it would still happen," Dutrow said. "It's nobody's fault."

The three trainers all agree that racing is trying to move in the right direction, but more can be done and should be done.

A recent example of integrity failure is the arrest of breeder Ernie Paragallo, who faces 22 counts of negligence toward horses on his upstate farm.

"To have that many horses and not go and see your farm for nine months, that's pretty sad," Matz said, referring to Paragallo.

*Source: NY Daily News.*

## Hollywood Cancels Thursday Card

A severe horse shortage in California has forced the hand of Hollywood Park, which cancelled live racing Thursday due to insufficient entries. Despite postponing the draw by two days, it became clear late Tuesday morning there were not enough horses to make the Thursday card go.

Hollywood vice-president Eual Wyatt Jr. stated it simply. "The factors are that we could not fill a representative card; we didn't have a choice," he said.

Hollywood will remain open for simulcasting on Thursday. Live racing at Hollywood will resume Friday with a 1 p.m. post. Night racing is schedule to resume the following Friday, May 8.

Hollywood, which opened its spring-summer meet on April 22, has struggled to fill races. Average field size opening week was 7.27, nearly one horse fewer than the average field size (8.25) during the 2008 spring-summer meet.

When the Wednesday card came up light (60 horses entered for eight races), it was only a matter of time until racing secretary Martin Panza simply ran out of horses for Thursday.

"Could I have pieced together six races? Maybe," he said.

Track officials will huddle this week to discuss a course of action for the remainder of the Hollywood meet, which ends July 19. A reduction in racing days to four per week will be considered, as will continuing to run five-day weeks with fewer races per day.

"We're going to sit down and take a look at it, and make decisions that need to be made," Wyatt said. "What the future brings, I do not know. We're open for simulcasting [Thursday], and there will be live racing Friday."

One upshot of the cancellation is improved appeal of the Friday card. There were 75 horses entered on the eight-race card, and only one maiden-claiming race. *Source: DRF*

## Bill Introduced To House Panel That Would Drop Withholding

Two U.S. representatives introduced a federal bill on Tuesday night that would eliminate the mandatory 25 percent withholding tax on winning horse racing wagers that exceed \$5,000 or pay off at greater than 300-1 odds, according to the National Thoroughbred Racing Association.

Rep. John Yarmuth, a Democrat from Kentucky, introduced the bill to the House Ways and Means Committee. The lead co-sponsor is Rep. Charles Boustany, a Republican from Louisiana.

The NTRA has pushed for similar legislation over the past several years, but efforts to get the bill through the full Congress have been compromised by the perception that elimination of the withholding would be a giveaway to horse racing bettors.

Critics of mandatory withholding state that the policy makes no allowance for the amount of money that bettors typically wager when attempting to cash the types of bets that result in payoffs at long

odds. For example, if a bettor spends \$2,000 on a pick six ticket that pays \$20,000, the winnings are subject to mandatory withholding even if the actual payoff was 10-1.

NTRA lobbyists have also stressed that the withholding policy reduces the amount of money that bettors wager back into the pools. That affects the health of the racing industry and the tax receipts generated by the industry for states, the lobbyists have said. *Source: DRF*

### **Innovations Key to Luring Fans to 2009 Meeting**

It's the time of year to welcome back an anachronism - a racetrack that seems truly to believe that it might still increase the number of real, live human beings in attendance.

Yes, Arlington Park is part of long-tentacled corporate power Churchill Downs Inc. Of course, the track wants to maximize out-of-state distribution of its simulcast signal. Sure, Arlington makes money from bettors gazing at monitors beaming in the simulcast signal from out-of-state tracks. But while Arlington on some level must surely acknowledge the realities of the industry's current state, it retains a stubborn focus on trying to get local fans out to see horses in the flesh.

"I don't think a track has to be one thing or the other," said Arlington president Roy Arnold. "I think it's a mistake for people to look at it as a binary thing. I think you can do both."

The effort begins anew Friday, when Arlington launches a 98-day meet. The installation of Polytrack before the 2007 season revitalized Arlington's fortunes after a troubled 2006 meet. But though attendance rebounded from 2006 to 2007, it fell 4 percent again last year. Now, Arnold and others have brewed all sorts of little strategies to get more people to the track. Arlington launched a second website ([www.arlingtonparklive.com](http://www.arlingtonparklive.com)), one with a social focus, to go along with its regular racing site.

Arlington, Arnold said, expects to increase online admission and seating sales by 100 percent from last year. When people buy online, Arlington has a means for following up on their visit, finding out who came to the track and why, and to encourage their return. Electronic surveys of existing customers - like those who inhabit high-end boxes - have led to attempts at improvement. Twittering, blogging, social-networking - such maneuvers might not reshape the sport, but Arnold thinks that over the long term, they just might help.

"If there are things we can try, why not try them?" Arnold said.

Arlington handle has trended downward for several seasons, and the economic climate of the day suggests a reversal is unlikely. Still, Arnold said Arlington intends to keep 2009 purses on par with 2008, when overnight races averaged around \$271,000 per day.

"We're starting off conservative, but our current pricing in our first condition book is consistent with last year," Arnold said. "I don't expect to have to get into a purse reduction."

Purses actually could go up - perhaps by as much as \$60,000 per day, Arnold said - if millions of dollars taken from revenues at four northern Illinois casinos and intended for the state's racing industry get released from a legal holding pattern. Money from the so-called casino impact fee would be released if the United States Supreme Court declines to take up an appeal filed by the

affected casinos. If the court decides to hear the appeal, the money - held up since legislation passed in 2006 - will remain in escrow. A decision by the court is expected soon.

The makeup of the equine population has changed since last year. Gone is trainer Todd Pletcher, whose Chicago string lent a big-name presence to this meet the last two years. Advice, a Kentucky Derby starter, began his career here last summer for Pletcher.

Also gone entirely or planning to scale back at Arlington are trainers Bill Mott and Ronny Werner. Donnie Von Hemel, however, will base here for the first time in 12 years, and has an entire barn's worth of stalls.

Racing secretary Kevin Greely said just 800 horses were on the grounds Sunday, but more have been coming every day. Greely said the racing program includes a few more overnight stakes this year, and Arlington bettors can expect to see a greater number of grass races, weather permitting.

"We have a grass track that's 132 feet wide with five lanes," Greely said. "We should use it."

The turf course will see its most important action on Aug. 8, Arlington Million Day. Million Preview Day, with three more, graded stakes, is July 11.

As for the main track, the Polytrack - one of the more successful synthetic tracks in North America - grew compacted and too tight toward the end of last meet. Many horsemen migrated to the dirt training track for daily exercise. Trackman Javier Barajas, who shepherded Arlington through the dirt-to-synthetic transition, has taken a job in Dubai, but returned to Chicago to help ready the surface for the upcoming season.

"We didn't go back over it and roll it with the tires like before," Barajas said Monday "We loosened it up, and I think if we stay on top of it, things will be good. Before, with the dirt track, the problem was moisture. With this track, the problem is temperature. That's what you have to deal with."

A search is ongoing for Barajas's replacement, with his two foreman guiding track maintenance for the moment.

"You don't want to put just anyone in there," Greely said. "It has to be someone who knows turf, dirt, and Polytrack."

The trackman job scarcely is known to the new fans Arlington would like to bring to the races. Jockey Rene Douglas, even the most casual bettors know well. Douglas will try for a seventh Arlington riding crown this season, and in the opening-day feature, the \$50,000 Timeless Native over a mile on Polytrack, Douglas could be on a live horse at a decent price, Lovango. Lovango was 12th last out at Oaklawn Park in his comeback from a winter break, but he has run big before on Arlington Polytrack. Graded stakes winner Recapturetheglory, whose glory has come on dirt and not synthetic racing surfaces, is also entered.

*Source: DRF*

## Tracking Safety Efforts, One Year Later

Inside of Gate 17 at Churchill Downs, visitors can handle jockey helmets, whips, and safety vests at an exhibit called "Safety From Start to Finish." Audio and video presentations tell about Churchill's attempts to make its track safer for horses and riders and to help gather data on track maintenance and racehorse injuries.

The exhibit, which opened last fall, is part of the new public face of racing, which has found itself in the unwelcome glare of animal-welfare advocates since the breakdown of the filly Eight Belles in the 2008 Kentucky Derby - the first fatality in the race's 134-year history.

To track officials, the exhibit addresses the need to publicize Churchill's safety efforts, but it is also part of a much larger effort by the racing industry. In October, the National Thoroughbred Racing Association launched its Safety and Integrity Alliance, a voluntary accreditation program that requires tracks to conform to a laundry list of standards. Not surprisingly, the NTRA put Churchill, the track that issues the most press passes, first in line for accreditation.

But to critics of racing, the question remains: How much has the industry done since the death of Eight Belles? Although exact figures are not available, about 1,000 horses die each year from racing-related injuries.

Churchill officials insist that real change has accompanied the racing industry's efforts over the past year. The administration of anabolic steroids is no longer unregulated, due to Kentucky rules that went into force last year. Front toe-grab horseshoes are banned in the Derby for the first time, though data connecting the shoes with significantly higher rates of catastrophic breakdown had been published a decade earlier. The whips that jockeys will use on Derby Day are somewhat shorter, somewhat softer, somewhat more pliant. Horses that have not yet reached their true second birthday are prohibited from racing.

"These are real differences, real changes," said Jim Gates, the general manager of the track. "It's true that a lot of what has happened was in conjunction with what was going on in the rest of the industry, but it's also true that we've made safety our priority for years, and we weren't getting that story out."

The brunt of the criticism lodged at racing over the past year concerned the use of medication, the fragility that is allegedly being bred into racehorses, and the fate of horses who can no longer compete on the racetrack. These are difficult criticisms to counter. For one, there is no data showing that drugs are contributing to injury rates, nor is there data to prove that the breed is any more fragile than it once was (even though average starts per horse have been in sharp decline for two decades). And the care of retired racehorses is a notoriously difficult problem; a troubling number of racehorses can end up in slaughterhouses or neglected on farms.

Dr. Larry Bramlage, a surgeon at Rood and Riddle Equine Clinic outside of Lexington who is a past president of the American Association of Equine Practitioners, said that the racing industry is making progress in safety by attempting to determine the factors that contribute to racehorse injuries. He pointed to national projects to gather data on injuries and determine the racing-surface factors that can influence those rates.

Still, Bramlage cautioned that there are no easy solutions. In the same way that fatal accidents are inevitable when you allow people to drive cars, as long as racehorses are allowed on racetracks, some will be hurt and some will die. And the industry is still years away from data that may help it limit the problem. Horses are fragile, and their injuries are often life-threatening, whether those injuries occur on racetracks or in the wild.

"There is no short-term fix," Bramlage said. "If you look at the Kentucky Derby, it's probably the last race you'd want to examine or make changes to, because it's been one of the safest events in racing. And you don't want to do something to make [the Eight Belles] fatality force you into doing something that doesn't make sense. That being said, we have a lot of research under way that should be able to help us improve our knowledge of how to build a safe racetrack. Actually, it's amazing that we weren't doing that before."

Alex Waldrop, the chief executive officer of the NTRA, acknowledged that the safety initiatives and changes in Kentucky and elsewhere almost certainly wouldn't have prevented the death of Eight Belles. But that doesn't mean that the industry can shrug its shoulders and move on as it has in the past.

"The most important effort we can make is to find out more information about why catastrophic injuries occur," Waldrop said. "We don't know enough about that. There are plenty of anecdotes, there are plenty of stories, but there are too many anecdotes and not enough science."

Dr. Mick Peterson, a University of Maine bioengineering specialist, is one of the scientists enlisted to begin to collect that data. Recently, a handful of racetracks and racing organizations, including Churchill Downs Inc. and the Jockey Club, committed to finance a laboratory co-headed by Peterson to conduct scientific testing on racing surfaces. Peterson typically shows up at a racetrack with a bio-engineered mechanical hoof and ground-penetrating radar.

So far, Peterson said, data from surface studies is not conclusively pointing to any silver bullet to reduce injuries. One factor that has begun to become apparent, Peterson said, is that a track needs to be consistent from one stride to the next, so that a horse does not take the proverbial bad step. Artificial surfaces also seem to have a measurable impact on catastrophic injury rates, but he cautioned that the data held up best in geographic areas where traditional dirt tracks were difficult to keep consistent.

The most important change that Peterson has seen over the past two years is that racetracks have begun cooperating with each other and sharing data.

"Catastrophic injuries are pretty rare," in a statistical sense, Peterson said, at about 2 per 1,000 starts. "Don't take this the wrong way, but that's a problem, because it takes a lot of data to prove a statistical link."

Will the general public have the patience to wait for that data? What will happen this year if another horse breaks down in a Triple Crown race, following the death of Eight Belles, the breakdown of Barbaro in the Preakness, and other deaths?

Wayne Pacelle, the president of the Humane Society of the United States, remains skeptical about the industry's efforts. While the humane society is not opposed to horse racing in principle, Pacelle

sees the same problems this year as last, and he criticized racing for failing to embrace a national regulatory structure. The NTRA effort is admirable, he said, but racing still has no way to punish and get rid of bad actors.

"How is the horse racing industry going to clean up some of their problems if it's balkanized?" Pacelle said. "Who is there to impose authority? You have new rules without any enforcement. When you have that situation, you are ultimately going to be unsuccessful in changing behavior."

Waldrop counters that the NTRA's voluntary program "holds the industry's feet to the fire." Racetracks will take larger steps in the future, as the NTRA's code is revised to reflect the results of the industry's ongoing studies, he said.

"We don't want to give the impression that our efforts will eliminate injuries," Waldrop said. "But we can do better. We can do more. We are doing more. You have to remember that safety and integrity is a process. It's not something you arrive at one day. It's continual. It takes time, and it always will." *Source: DRF*

### **Breeders' Cup to Remain At Santa Anita**

Breeders' Cup Ltd. has been cleared to stage the World Championships as originally planned at Santa Anita Park on November 6 and 7.

On Wednesday, the United States Bankruptcy Court for the District of Delaware affirmed the Oak Tree Racing Association's lease with Santa Anita through the end of 2009, assuring that Magna Entertainment Corp.'s bankruptcy proceedings would not interrupt North America's richest day of racing at the Arcadia, California, racetrack.

"It's great news," Breeders' Cup President Greg Avioli said.

Oak Tree hosted the World Championships for the fourth time last year. The event has never previously been to the same site for back-to-back editions. Churchill Downs had agreed to serve as the backup venue for 2009. The 2010 event is scheduled for Churchill.

"Together with our colleagues at Oak Tree and Santa Anita, we are very excited to showcase another outstanding Breeders' Cup from Southern California to our fans and horsemen around the globe," Avioli said. "We also want to take this opportunity to thank Bob Evans and the Churchill Downs organization for agreeing to serve as back-up host site for this year's Championships, and we very much look forward to our return to Churchill Downs in 2010."

Avioli said he does not expect any major changes to the World Championships format for 2009. He said some ticketing changes would be announced in a few weeks.

The company is currently developing a long-range strategic plan that will be presented to the Breeders' Cup board of members and trustees in early July.

"I doubt we'll have any formal announcement about it until the board has a chance to look at it," Avioli said. *Source: Thoroughbred Times*

## House Bill Would Eliminate Upfront Withholding On Exotic Bets

Representative John Yarnuth (D-Kentucky) introduced a bill on Tuesday night that would eliminate the 25% federal withholding on pari-mutuel winnings of \$5,000 or more on bets that paid out at odds of greater than 300-to-1.

Representative Charles Boustany Jr. (R-Louisiana) is the lead co-sponsor for the PACE Act that would amend the withholding threshold that has been unchanged since 1992.

Exotic wagering now accounts for roughly two-thirds of all wagers.

“The negative impact of withholding is multi-faceted,” said Peggy Hendershot, the National Thoroughbred Racing Association’s senior vice president of legislative affairs. “For the betting public, it has meant a confiscatory and frequently unfair loss of available capital. That loss of reinvestment or ‘churn’ leads to a reduction in overall wagering that in turn means less revenue generated for state governments, racetracks, and purse money for horsemen. The PACE act would also reduce the high burden of administrative compliance for pari-mutuel operators.

“Our industry and our fans applaud Congressmen Yarmuth and Boustany for introducing this important legislation and we look forward to working with our NTRA Horseplayers’ Coalition to add support to this initiative.” *Source: Thoroughbred Times*

## Non-Winning Mount Fees Increased In Louisiana

Jockeys in Louisiana will receive an increase in non-winning mount fees when a new pay scale is implemented on May 13.

The Louisiana Racing Commission has approved the new scale, which calls for non-winning mount fees ranging from \$50 for races with purses less than \$5,000 to \$115. Mount fees previously varied from \$35 to \$100.

“We appreciate the action the Louisiana Racing Commission took in approving this increase in mount fees,” Jockeys’ Guild National Manager Terry Meyocks said. “Our thanks go to the commission and the Guild’s regional manager, John Beech. Their help was instrumental in obtaining the first increase in mount fees in Louisiana since 1985.” *Source: Thoroughbred Times*

## Scoggins Asks For Patience With Magna Proceedings

Gregg Scoggins, national director for regulatory affairs for Magna Entertainment Corp., calmly faced six commissioners of the California Horse Racing Board (CHRB) at its monthly meeting at Hollywood Park on Friday.

“A college professor once told me you need to get comfortable with confusion,” Scoggins said in discussing the significance of Magna’s recent Chapter 11 bankruptcy filing that has rattled the racing industry. “I’m one of the most comfortable men you could find.”

In keying on the California operations of the racetrack owner giant that includes Santa Anita Park, Golden Gate Fields, and San Luis Rey Downs among its properties, Scoggins urged patience.

“Just let the process run its course,” he said. “It’s already taken several twists and turns.”

Scoggins pointed to two recent areas of progress: Magna’s parent company, MI Developments Inc., withdrawing its stalking horse bid of \$195-million to purchase various assets; and an extension of debtor-in-possession maturity from September 6 to November 6, with a reduction in the principal amount available from \$62.5-million to \$38.4-million.

Scoggins said three pending court dates should further clarify issues: one on April 29 to ensure that the Oak Tree Racing Association, which leases dates for a fall meet at Santa Anita, will be able to host the Breeders’ Cup World Championships for a second straight year on November 6-7; another on May 4 to determine which assets could be sold and which could be retained; and the third on May 7, to address fees issues that include California satellite facilities Southern California Off-Track Wagering Inc. (SCOTWINC) and Northern Off-Track Wagering Inc. (NOTWINC).

Sherwood Chillingworth, executive vice president of the Oak Tree Racing, Association, expressed confidence that the Breeders’ Cup site is not in jeopardy.

“We reached an agreement that our lease could not be negated until the meet is over,” Chillingworth said of an understanding involving Oak Tree, Breeders’ Cup Ltd, Magna, MI Developments, Wells Fargo and Co., Bank of Montreal, and a creditors’ committee.

“The petition was signed two days ago and the court granted us an urgency hearing to accept the petition and make it order of the court,” Chillingworth said of the April 29 hearing scheduled in Delaware, one day before the deadline Breeders’ Cup imposed to straighten out matters. “Since there is no opposition from anybody, I am confident that order will be forthcoming.”

In other meeting highlights:

The Del Mar Thoroughbred Club was granted a six-day reduction in live race dates to 37 from its traditional 43 for its upcoming summer meet that runs from July 22 through September 9. The track requested the elimination of all Monday racing except Labor Day, effectively creating a five-day race week for the first six weeks of the meet. Tuesday was already dark. The track sought to add one race to its Wednesday, Friday, and Sunday cards to make up for some of the deficit.

To fund shortfalls at state satellite outlets, the board approved an increased distribution of advance-deposit wagering revenue from California residents on California Thoroughbred races to 4.12% for SCOTWINC and 4% for NOTWINC.

The California Commerce Club, a casino in Los Angeles County, was the first to be granted a license to operate a mini-satellite wagering facility under new legislation in the state.

Rick Arthur, D.V.M., equine medical director for the CHRB, cited statistics from a survey that showed a 40% reduction in fatality rates since synthetic surfaces were mandated in the state. “From 38,000 starters, we have saved roughly 49 horses—a significant number—over what would have been if we had stayed on dirt,” Arthur said.

*Source: Thoroughbred Times*

## **AGC Sets Record Straight In Florida Newspaper**

The AGC has taken on Grey2K USA in a letter to the editor of the Naples (FL) News.

The letter, written by AGC Communications Coordinator Gary Guccione, was submitted in response to an April 4 article about a protest at the Naples-Fort Myers track. Here is the complete text:

*Dear Editor:*

*The April 4 story by John Osborne quoted several inaccurate statements by Grey2K USA representatives. Unfortunately, Grey2K is famous for misrepresenting the facts about greyhound racing.*

*First, more than 90 percent of all registered greyhounds are adopted or returned to the farm as pets or breeders when they retire. Since the number of greyhounds bred annually has dropped dramatically in the past couple of years, we are confident that we will achieve our goal of 100 percent placement of all eligible racers in the very near future.*

*Second, common sense should tell us that greyhounds must have plenty of exercise in order to stay in shape for racing. When they are not exercising outdoors, which they do three or four times daily, they prefer to lie quietly in their crates. Anyone who has ever adopted a greyhound will confirm that they are dedicated "couch potatoes" when not actively engaged in exercise.*

*Third, greyhounds must eat a healthy and nutritious diet to perform at their peak. The meat they eat is classified by the USDA as unsuitable for human consumption but perfectly healthy for pets. As any pet owner knows, dogs eat many things humans wouldn't, and usually without the benefit of broiling or frying first.*

*As Usual, Grey2K activists are promoting myth instead of fact. However, media stunts and publicity are not very productive for the greyhounds. They would do more good for the dogs if they focused on greyhound welfare instead of political warfare.*

*Sincerely,*

*Gary Guccione, Communications Corrdinator, AGC*

*Source: AGC*

## **Grey2k Guilty Of "Shameless Hype," Says Vet**

A leading veterinary expert on greyhound health says that racing greyhounds experience accidental injuries at about the same rate as other working dogs and active family pets, and dismissed contradictory claims by the animal rights group Grey2K USA as "shameless hype."

Dr. Brad Fenwick, Vice Chancellor for Research at the University of Tennessee—Knoxville and an internationally recognized expert on greyhound health, said that the vast majority of injuries to racing greyhounds are minor, and the dogs usually return to racing in a matter of weeks.

“Even when an injury ends a greyhound’s racing career, that dog usually is able to transition very successfully to life as an adopted pet,” Fenwick said. “Life-threatening injuries to greyhounds are extremely rare. To suggest otherwise is nothing more than shameless hype.”

American Greyhound Council (AGC) Communications Coordinator Gary Guccione said Grey2K uses isolated incidents of serious injury to inflame well-intentioned animal lovers and raise money for its political war against greyhound racing.

“Make no mistake, it’s all about fundraising,” Guccione said. “If they can find a video or two that gets a strong emotional response, the dollars will come pouring in. If they can’t stir people up, they can’t raise money.”

Guccione said the true measure of Grey2K’s concern for greyhounds is found in its opposition to adoption efforts.

“GreyK President Christine Dorchak has directed her supporters to refrain from any communication or involvement in greyhound adoption,” he said. “Her mission is political warfare, not greyhound welfare.”

The AGC is a joint program of greyhound breeders and track operators, founded in 1987 to fund and oversee greyhound welfare and adoption programs. More information on the AGC is available at [www.agcouncil.com](http://www.agcouncil.com). *Source: AGC*

### **Toxic Dose of Selenium Probably Killed Polo Ponies**

Florida Department of Agriculture Says Mineral Probably Killed 21 Horses

An overdose of the mineral selenium probably caused the deaths of 21 polo horses at the U.S. Open Polo Championship, Florida's state veterinarian said today.

The horses, from Venezuela's Lechuza Caracas team, began collapsing last Sunday afternoon as they were unloaded from trailers at the International Polo Club Palm Beach, in Wellington, Fla., where they were scheduled to play in the U.S. Polo Open.

"Signs exhibited by the horses and their rapid deaths were consistent with toxic doses of selenium," Thomas Holt, the state veterinarian, said in a statement.

Holt did not say how the horses were given the mineral, but a Florida pharmacy has acknowledged that it had mixed an incorrect dosage of a chemical in a supplement given to the horses before their deaths. . . . *Source: ABC World News*

### **Racing Community Set For Mohawk**

The local harness racing community is heralding the return of the sport to Mohawk Racetrack after nearly seven months at Woodbine Racetrack.

It's easy to see why, as much of the horse population is based at the Campbellville, Ont. facility.

But, Mohawk's 115-day meet, which kicks off Thursday night, is also host to some of the continent's biggest races and big money is on the line.

The most anticipated event on the stakes calendar is the \$1.5 million Pepsi North America Cup, featuring the finest three-year-old pacers, set for June 27.

"That's the one," says Scott McKelvie, the Woodbine Entertainment Group's standardbred racing secretary. "Everybody guns and aspires to have a (Pepsi North America) Cup horse. This year is different. There are 94 still eligible to the race and nobody is front and centre."

Many will recall a different scenario in 2008 when the Pepsi North America Cup was a one-horse affair, before, during and after the race. Somebeachsomewhere produced what many consider one of the finest seasons ever by a pacer (15 starts, 14 wins, 1 second, \$2,516,163 in purses).

Jody Jamieson, the recent Woodbine meet's leading reinsman, is ready for the five-plus month Mohawk season.

"Any driver will tell you going to Mohawk is like a vacation," Jamieson says. "It's not even work. The spring turns into summer, the better weather, the big races, the great horses. Everything is just ramped up at Mohawk. I'm looking forward to it."

Jamieson concurs with many in the racing community about the NA Cup, and with the race still some two months away, is still unsure about who will be peaking for the race. "It's wide open right now."

The lone division in the second leg of the Princess Pacing Series for three-year-old fillies is the highlight event on Thursday's opening night card. Topaz Seelster scored in the first leg last week at Woodbine and is the 6-5 morning line favourite. First race post time is 7:30 p.m. *Source: Trot*

### **A Candid Conversation with William Bissett**

"We'll have a fireside chat," joked Chris Roberts, sitting down to talk face to face with William J. Bissett, President of Delaware North Gaming and Entertainment, a leading operator of gaming and racing operations around the world.

Delaware North, based in the United States, is a private company in their 95th year. A national corporation involved in sports and entertainment through a variety of avenues, they own the Boston Garden, they have an airport terminal catering business, they operate national park hospitality activities across the country, and they own a few hotels and motels, in addition to a much longer list of additional interests. "All rolled up it's about a \$2 billion business," said Bissett, "and in the summer-time, at our peak, we have about 40,000 employees."

They also have a few interests internationally -- England and Australia specifically, among others. "It's a very diverse business," he smiled.

They touch a wide variety of realms in some way-- gaming, horse racing, dog racing, football, hockey, soccer and others -- and once upon a time Delaware North was the biggest operator of pari-mutuel facilities in the world.

How has the economic downturn, asked Roberts, changed the business Delaware North has done, and hopes to do?

The sport catering business, he commented, is off to a good start, though they are seeing some softness on the higher end as companies are spending less money to entertain.

"Airports are much softer, much fewer people (in the States at least) are travelling -- so that part of our business is off 10 per cent so far this year. Our parks and resorts have started off well -- advance bookings are very strong. And internationally, we are off to a good start this year."

"In the gaming business, strangely enough, we're 10-15 per cent ahead of where we were in 2008. If you have a regional gaming business where there is not a lot of money to travel, we are not seeing a lot of Draconian effect on our gaming business because so much of it is regional."

Roberts then asked if pari-mutuel racing could be a profitable and viable component of your business?

"We tend to focus our efforts and capital investments on that part of the business that returns the most investment," he admitted, "the gaming side. We tend to forget about the racing side -- we can't control the product necessarily. I think some of it is on our back, and I think some of it is on the back of providing a better product. It's still a work in progress. We've got to be more creative in how we draw new customers into the building," added Bissett. "Some of it is how you treat them when you get them there."

Service is critical, he stressed, as is the quality of the food operation. Bissett feels that raising the standard of the food quality in those locations is important, as well as creativity in offering your product to customers.

"Raise the bar and keep pushing down to the customer we're not seeing enough of -- that 18-35 group -- and get them interested in coming for an experience that's not just Derby day."

With respect to investing in the product his companies offer, Bissett asks the customer and goes from there.

"You also have to spend a little bit of money to see what your customer wants," he shrugged. "We constantly survey our customer base to find out what they would like to see more of and direct our capital to address those needs. On the racing side, those needs include more product, and more quality of product. In the live environment, having the ability to provide them with better food products and cheaper pricing is obvious, of course. In the simulcast world, having good quality signals from more locations is what we are being asked to do."

"It's such a simple business when you break it down. It's clearly not rocket science. It's clearly not brain surgery. For the most part, if the product is fairly similar, you start to get in the quality of the service, the experience, if you check off those boxes and pay attention to service and quality, people are going to come back to you. It's simple."

What is wanting?

"I think for the most part, it's pretty simplistic. Often times there is not enough maintenance capital investment to keep these places fresh. People have a fairly short view of the world. If they are not looked after quickly, you lose them. You need quick turn on how they feel about your place. I think service, again, is very, very, very important. Even if you have an average location, if you really look after a customer -- if you know their names and know who they are -- quality of the facility and change and freshness are all critical.

"When you go to Aqueduct, and you walk through the facility, the people who work there can tell you the names of everyone sitting in those chairs. And if you walk by an empty chair, unfortunately, that player has either died or missed the bus. It's that critical.

"If you ignore inserting other forms of entertainment into the mix, then you have to look at getting together and operating and conducting yourselves as a group or an industry -- and fight your battles as an industry. Until you can react as an industry and change policy -- it's very tough to do it on a one-off basis.

"Get that product into the flow of how people live their lives today. You have got to get into their world -- and their world is electronic."

The days of billboards and giveaways, Bissett joked, are over.

"That ship has sailed."

*Source: Trot*

### **Adoption process continues for Paragallo's horses**

New owners have already adopted more than three dozen of the 177 malnourished Thoroughbreds found at Ernest Paragallo's Upstate New York farm.

Paragallo's alleged treatment of horses on his Center Brook Farm has gained national attention—especially during Kentucky Derby Presented by Yum! Brands (G1) week. CNN filmed two horses leaving the farm on Tuesday for a segment it plans to air in conjunction with its Derby coverage.

Paragallo faces 22 misdemeanor counts of cruelty to animals. He is free on bail and the Town of Coxsackie Court has scheduled his arraignment for May 18.

"I don't accept any apologies," said Marcia Curran, who adopted the 18-year-old Journey at Sea mare Sea Gazer. "Anybody who does that isn't sorry; they're just sorry they got caught. If you're sorry you go do something about it."

Sea Gazer's condition included gaunt, hollow hindquarters and matted down, lice-infested skin. Some horses were too sick even for adoption and had to be euthanized.

Paragallo relinquished 67 of his horses for adoption and told authorities he wants to reduce his herd size even further.

"We're going to continue to monitor the farm until the case is wrapped up; I still want to have oversight," said Ron Perez, president and chief investigator for Columbia-Greene Humane Society, which is placing horses in new homes.

Horse rescue groups from throughout North America have reached out to support the Thoroughbreds found on Paragallo's farm.

"The Thoroughbred community has come out in full force to be helpful," said Jerry Bilinski, D.V.M., one of two veterinarians working on a pro bono basis at the farm.

With continued care, most horses are expected to make a full recovery, but the process could take months. Some will always bear the signs of malnourishment, such as undersized or misshapen skeletal structure.

"I don't know what his motives were," Bilinski said. "Only he would know the answer. The Humane Society has never seen anything to this level."

Most of the adopted horses have been mares. Ten stallions, more difficult to place, are expected to be gelded this week.

Those interested in adopting a horse from Center Brook should call the Columbia-Greene Humane Society at (518) 828-6044 or e-mail [cghsuser001@aol.com](mailto:cghsuser001@aol.com).

*Source: Thoroughbred Times*

### **Survey: Nonsteroidal Anti-Inflammatory Drugs Are Widely Used**

In a recent survey to better understand horse owner and trainer attitudes toward non-steroidal anti-inflammatory drugs, AQHA members were asked about their use of NSAIDs and other pain medications. The survey was sponsored by Merial, maker of Equioxx (firocoxib) and sponsor of the Merial Distaff Challenge series in the Bank of America Racing Challenge program.

Of the 1,050 members that responded to the survey:

- 95 percent used an NSAID to treat pain or inflammation associated with equine osteoarthritis, with 92 percent using NSAIDs to control inflammation and 91 percent to treat lameness;
- 51 percent said that phenylbutazone ("Bute") was the product they used most frequently, though only 19 percent said they were very confident about the safety of Bute;
- 81 percent said they don't always consult a veterinarian before administering an NSAID;
- Participants surveyed said they were concerned with the side effects when using NSAIDs, with 64 percent concerned about gastric ulcers and 38 percent concerned about renal or kidney failure; and
- 75 percent of owners administered NSAIDs to treat lameness in horses between the ages of 2 and 10.

NSAIDs are commonly used to treat horses with joint pain or inflammation resulting from degenerative joint disease, or osteoarthritis. Caused by progressive deterioration of the cartilage and other parts of the joint, equine osteoarthritis is one of the most common causes of lameness in horses

and can develop in horses as young as 2 years old. Osteoarthritis often leads to poor performance and early retirement.

*Source: AQHA*

### **Many Derby Owners Silent on Drug Issue**

The death of the filly Eight Belles at last year's Kentucky Derby, along with the revelation that Big Brown had been treated with steroids before his dazzling victory, spurred pledges of reform and accountability for the welfare of the American thoroughbred. But as racing prepares for its biggest show on Saturday, many top owners and trainers still resist discussing what legal medications their horses are receiving.

Of the 20 owners or their trainers who as of Monday intended to run a horse in the Derby, only three shared their veterinary records with The New York Times.

Even with the prohibition of steroids in the past year, the United States continues to have the world's loosest medication policies for thoroughbreds, and there is a growing concern within the veterinary community that overmedication — with drugs like corticosteroids, anti-inflammatories that can have dangerous consequences — and lax oversight have imperiled the safety and welfare of racehorses.

The aggressive use of legal drugs is a big reason this country has the worst mortality rate for thoroughbreds, veterinarians say. In effect, they say, short-term fixes with legal drugs have left horses vulnerable.

The 17 owners unwilling to show the records offered a variety of reasons for their refusal. Some talked about competitive pressures, and one trainer cited his horse's privacy.

David Lanzman, co-owner of the Derby favorite, I Want Revenge, referred the inquiry to his trainer, Jeff Mullins. "I'm a mortgage banker," Lanzman said. "I don't know what goes on back there." Mullins declined to provide the records.

The owners' responses make it impossible to tell what practices even racing's most prominent and accomplished people follow when using chemistry to improve their horses' performance.

"We've got to quit giving these horses drugs they do not need, and show the public that we are serious about cleaning this sport up," said Rick Porter, who owned Eight Belles and co-owns the Derby contender Friesan Fire. A necropsy of Eight Belles, who was euthanized after breaking down just beyond the finish, showed that she had no pre-existing injury or ailment and was free of steroids and other drugs.

Porter provided the records for a dozen of his horses now training with Larry Jones. Joining him in offering their horses' full medical records — which are not required to be disclosed — were Jerry Myers, the owner of Win Willy, and Bo Hirsch, who campaigns Papa Clem. On Wednesday, Win Willy's owners withdrew him from the Derby when they discovered a possible crack in his left front ankle.

According to the records, each of those owners took a conservative approach to medication. Porter paid \$165 last month for Friesan Fire's veterinary care. The monthly bills for routine care for some horses surpass \$1,000.

The 17 who declined to make their veterinary records available include a who's who of thoroughbred racing.

¶Edward Evans is the owner of the Florida Derby winner Quality Road, who was among the Derby favorites until his scratch on Monday. Evans is one of 98 members of the Jockey Club, one of the sport's most prestigious organizations, dedicated, it says, "to the improvement of thoroughbred breeding and racing."

¶Bill Casner and Kenny Troutt, owners of WinStar Farm, which will enter three horses in the Derby, are trustees of the Thoroughbred Owners and Breeders Association, which is dedicated "to improve the economics, integrity and pleasure of the sport."

¶Sheik Mohammed bin Rashid al-Maktoum, the ruler of Dubai, who has spent hundreds of millions at American horse sales, will send two runners in search of his first Derby win on Saturday.

The drug issue has been contentious in horse racing, and what comes off a veterinarian's truck and goes into a horse is often perceived to be as important to the performance of a horse as its talent. Before the 2005 Derby, Churchill Downs and Kentucky racing officials began 24-hour surveillance and more comprehensive drug testing.

Last spring at Keeneland, the trainer Patrick Biancone, who finished second in the 2004 Derby with Lion Heart, and his veterinarian were barred from the Kentucky circuit when cobra venom — a powerful, illegal painkiller — was found in his barn.

The Hall of Fame trainer Jack Van Berg told a Congressional subcommittee last June that training horses had become "chemical warfare." Arthur Hancock, a fourth-generation breeder and owner, said that after routinely receiving medication bills for more than \$1,000 per horse, he told his vet to give his horses drugs only when they were sick.

“You want to win races, don’t you, Arthur?” Hancock said the vet replied.

Thoroughbreds routinely receive medications whether they have ailments or not. Mullins, the trainer of I Want Revenge, will serve a seven-day suspension after the Derby for giving one of his horses a cough remedy before a stakes race last month at Aqueduct in New York. He acknowledged that his horse did not have a cold and that he gave the treatment to all his horses in the hope of increasing their air capacity.

Drugs help prevent ulcers, treat inflammation and open air passages. A common medication is Lasix, which prevents blood from seeping into the lungs and airways. It is given to nearly every horse that goes to post in the United States, although the practice is prohibited in Europe and Hong Kong. Most regulators and veterinarians say Lasix enhances performance because it is a diuretic that flushes 20 to 30 pounds of water out of a horse.

A consensus among equine researchers and surgeons has developed that legal medications and cortisone shots, over time, leave a horse vulnerable to a catastrophic breakdown.

Nancy Heitzeg, a professor at St. Catherine University in Minnesota, has tried to track all horse racing fatalities in the United States. She calculated that there had been about three breakdowns a day nationwide since last year’s Kentucky Derby.

In America, racehorse fatalities have occurred at the rate of 1.47 per 1,000 starts for synthetic surfaces, and 2.03 per 1,000 starts for dirt tracks, said Mary Scollay, the equine medical director for the Kentucky Horse Racing Commission, who conducts research for the Jockey Club.

In England, the average risk of fatality is much lower, from 0.8 to 0.9 per 1,000 starts. In Victoria, Australia, studies have reported the risk of fatality from 1989 to 2004 at 0.44 per 1,000 starts.

Corticosteroids can be injected into joints and are prevalent at American tracks. They are often given within days of a race, especially in the sport’s lower levels. In essence, that helps a sore horse make the starting gate.

“These are strong drugs and have therapeutic benefits,” said Dr. Wayne McIlwraith, a surgeon and leading researcher on joint injuries at Colorado State University. “The question we need to answer: When are we helping a horse, and when are we desensitizing pain to dangerous levels?”

This will be the first Kentucky Derby in which anabolic steroids are expressly prohibited. That is a victory for the industry’s Racing Medication and Testing Consortium, which has also pushed through uniform rules in 32 of the country’s 38 racing jurisdictions.

Many within the sport would like to eliminate all but the medicines that treat illness or injury.

“Sometimes there is a conflict for what is best for the horse and what’s best for the owner, and what’s best for the trainer or the vet,” said Rick Arthur, the equine medical director for the California Horse Racing Board. “The easiest way to regulate something is to take away the opportunities for bad judgments.”

Mac Robertson, the trainer of Win Willy, is the son of a trainer. He grew up at third-rate tracks in the Midwest, where horses were injected because horsemen needed them to run to feed their families. As he rose in the sport, he said, he was disappointed that some trainers and owners treated their horses as commodities.

“I’ve watched my favorite horse break his leg when I was a kid, and I know how much that hurts,” Robertson said. “We should get rid of all medications because they are bad for the horse, and it’s bad for the breed. If a horse is not healthy, he should not be running.

“We have too many people hold them together with drugs so they can win races and go to the breeding shed and make money. If they won on drugs, they really weren’t the best, and their flaws are going to keep being passed on.”

Porter will hardly feel outgunned when he sends Friesan Fire to the gate Saturday. His colt received only vitamins and electrolytes since arriving here from Louisiana, though he was treated by a chiropractor.

As Eight Belles’s death showed, racing is dangerous under the best conditions. Porter, however, is disappointed that the sport has not gone further in eliminating medications and conducting itself more transparently.

“Everyone who participates in this game should be taking care of these horses,” he said. “We’re the ones that speak for them.”

*Source: NY Times.*

### **Rosecroft ordered to cease operations**

Just days before the Kentucky Derby, Rosecroft Raceway, which hasn’t had live harness racing in nearly a year, was ordered to cease operations by the Maryland Racing Commission on April 28, thereby losing substantial income from simulcasting Thoroughbred racing.

The track suspended live racing in 2008 saying that harness racing could return next year depending on what happens with slot machines in Maryland. Located near Washington D.C., Rosecroft had

been open every day and night for continuous Thoroughbred and harness racing simulcasting.

On April 26, a new revenue-sharing agreement between Rosecroft and Thoroughbred interests called for the harness track to pay the Thoroughbred industry about \$5.9 million a year for the right to simulcast Thoroughbred racing. Because of its location, Rosecroft is a major in-state outlet for simulcasts and the live Maryland Jockey Club (MJC) product at Laurel Park and Pimlico Race Course.

In a release, the MJC said Rosecroft owes about \$2 million so far this year to the MJC, Maryland Thoroughbred Horsemen's Association, and Maryland Horse Breeders Association. The MJC indicated Rosecroft officials would not or could not pay the money, so the racing commission pulled its Thoroughbred simulcast rights. Harness simulcasts are allowed to continue.

Even if slots are put in place in Maryland, Rosecroft will not have them, but will benefit from a share of a projected \$20 million a year the harness industry could get from statewide slots operations. The state's only other harness track, Ocean Downs on the Eastern Shore, has submitted a bid for slots.

Slots revenue, when and if it ever comes, would be split 80-20 between Thoroughbred and Standardbred interests in line with a formula to split pari-mutuel revenue. (with files from The Bloodhorse)

Source: *Harnessracing.com*.

### **Ideas flourish at the Standardbred Wagering Conference Wednesday, April 29, 2009 - by Dean A. Hoffman**



**Dean  
Hoffman**

The Standardbred Wagering Conference conducted by Standardbred Canada kicked off on Tuesday morning at the Caesar's Casino in Windsor, Ont. It's the second such conference, and it's part of the larger Canadian Gaming Conference.

The keynote speaker was Paul Lavers, CEO and co-founder of SportsDirect, Inc., the world's leading online media organization for sports statistics. Although his firm can provide the most obscure stats on many sports, Lavers admitted that he didn't understand horse racing and told the delegates to make racing easier to understand.

SWAP, the Standardbred Wagering Action Plan, was unveiled by Darryl Kaplan of Standardbred Canada. This plan stemmed from last year's initial Wagering Conference, which was held in Montreal. This ambitious plan addresses research, distribution, national pools and products, a Canadian betting exchange, and racing product development.

The conference was a superb opportunity to hear from people outside the industry and the lineup of speakers included far more than just the "usual talking heads."

Erik Potek, founder of the Canadian Horseplayers Advocacy Group, questioned the policy of denying payoffs to bettors if a horse is placed into the money as a result of a ruling or disqualification after the race has been declared official.

Purse payments are held until any appeals are exhausted and the owners are paid accurately, but if a bettor's horse is moved into the mutuel payoffs it's too late. Potek said that with account wagering it is possible to track what bets a person made.

Although it was sponsored by Standardbred Canada, they reached across the borders for speakers and moderators. In fact, U.S. Trotting Association Executive Vice President and CEO Mike Tanner was part of the opening session, to give a snapshot of harness racing south of the border.

Dennis Dowd of the New Jersey Sports and Exposition Authority was also on an intriguing panel titled "No Holds Barred," on which bettors and racing executives traded comments on issues of mutual -- and mutuel -- concern.

I moderated a session called "Show Me the Money," in which we discussed a proposed funding model that would take 10 percent of purse money and place it in a fund to revitalize the industry. There were some strong opinions on this issue, of course, and I think that we could've continued most of the day, but we were stacked right up against the buffet luncheon.

Moira Fanning, Director of Publicity for The Hambletonian Society, was a panelist in this session, and she admonished attendees to quit referring to harness racing as a sport.

"It's a gaming product, so let's call it what it is," Fanning said. "It's not a sport."

It's a shame that more American track representatives didn't attend. Certainly, Windsor is easily accessible by flying to Detroit and taking a quick spin across the Ambassador Bridge.

The theme for this year's Standardbred Wagering Conference was "Driving Innovation," and it was an apt theme because many innovative ideas were floating among the attendees. Because of the diverse mix of the speakers and audience, we got into some areas that were quite intriguing. Alas, some defy easy answers.

Kathy Parker, editor of *The Horseman & Fair World*, moderated an afternoon session titled "Think Customers First," a slogan which should be emblazoned in every track manager's office.

After dinner and a night of racing at nearby Windsor Raceway, the delegates will be back at work on Wednesday morning.

Source: *USTA News*.

### **Great racing helped Churchill weather the Depression**

Kentucky Derby has long been considered recession proof.

It was not, however, Depression proof.

The Derby saw wagering plummet during the 1930s, as many people lost jobs, savings and homes. (Sound familiar?)

But the Depression era saw great popularity for the Derby, three Triple Crown winners and an expansion of horse racing in general.

"The quality of the race didn't suffer. The recognition of it as a national sporting event didn't diminish," said Ed Bowen, a journalist and author of 19 books about Thoroughbred racing. But there signs of economic struggles. There were fewer nominations of horses to the race — indicating that owners felt pinched and might not have been willing to pay entry fees to enter. The Derby's purse fell from \$50,000 to \$37,000 during the Depression years.

Times were hard for most everyone, but as in today's tough economy, Kentuckians seemed especially hard hit. Before the 1929 stock market crash, Kentucky's annual per capita income of \$371 was only slightly more than half the national average. By the start of 1933, it had fallen to \$198, still about half the national average. To put that figure in context, a used late-model Chevrolet might cost \$495 in Fayette County in 1933, wrote George T. Blakey in his book, "*Hard Times and New Deal in Kentucky*."

With fewer discretionary dollars, the amount wagered on the Derby and for all Derby Day races fell in 1930, 1931, 1932 and 1933.

Wagering was not a casual decision. The Courier-Journal described a scarce number of bettors in line in 1932.

"Only a few, if any bets were placed without earnest deliberation, forethought and study," reporter Allan M. Trout wrote. "Every so often, one from the line would step quietly to the window, purchase a ticket, and walk away with determined strides. As if to say, 'Well, I've done it. If I lose I'm sunk.'"

Against this somber background, horse racing in America — and the Kentucky Derby in particular — still saw great change.

In 1931, the first international radio broadcast of "The Run for the Roses" was transmitted to England. And radio brought the race home to more people in the states, too, who had previously been without electricity.

As Laura Hillenbrand noted in her Depression-era tale *Seabiscuit*, horse racing's dramatic action was suited to narration, and it found a perfect conduit through the radio.

There were physical changes to Churchill Downs as well. A stall machine, a kind of precursor to today's starting gate, was used to start the Derby in 1930.

The presentation area where Derby winners are led immediately after the race was first used in 1938, which also marked the debut of a tunnel under the track that extended from the grandstand to the infield.

The first Derby glass specifically produced as a souvenir debuted in 1939, a year after mint juleps were served in tall water glasses rather than paper cups.

Alice Headley Chandler, 83, owner of Mill Ridge Farm near Lexington, remembers going to the 1938 Derby. That year her father, Hal Price Headley, a horse breeder and the first president of Keene land Race Course, hoped to win with Menow.

On the drive to Louisville, Chandler recalls, "my sister (Patricia) and I sat in the back seat, and we were not allowed to speak" until after the race was over because their father wanted quiet. "That's the kind of pressure everybody was under. It didn't show, but he was a nervous wreck." (Menow came in fourth to the winner, Lawrin.)

The party, however, continued no matter the pressure. After 15 long years of Prohibition, beer returned to the Derby in 1933. Whiskey came back the following year, selling for 10 to 25 cents a glass. As described by newspapers at the time, the Derby scene was not much different than what one would see today. Courier-Journal writer Dave Brown described the 1934 infield this way: "Men lay about dozing; some drunk, some just tired. Many failed to see any race. Dice games and cards flourished in the oval during the interludes between races. Remnants of picnic lunches lay scattered about."

And, then as now, celebrities were on hand. English nobility arrived in 1930, when Edward George Villiers Stanley, the 17th Earl of Derby, came to Churchill Downs. Baseball great Babe Ruth and boxer Jack Dempsey, boxer Gene Tunney (who defeated Dempsey in 1926 and 1927) and FBI director J. Edgar Hoover all showed up in 1937. James Roosevelt, son of President Franklin D. Roosevelt, attended in 1933. Another son, Elliott Roosevelt, attended in 1938, with Time magazine reporting that, at a Derby party, the younger Roosevelt challenged a stranger to a fist fight for remarks that "besmirched the president's name."

The Depression era had some notable on-track moments, too. The 1930s saw three Triple Crown winners: Gallant Fox in 1930, his son Omaha in 1935, and War Admiral, son of Man o' War, in 1937. Perhaps the most indelible Derby moment of the Depression years was 1933's "fighting finish," in which Courier-Journal photographer Wallace Lowry caught jockeys Don Meade and Herb Fisher clawing at each other in their attempts to impede each other's horse, Brokers Tip and Head Play, to win the race. Brokers Tip won by a nose.

As the 1930s progressed, there were signs of recovery in people's bank accounts and in wagering at Churchill Downs. At the 1934 Derby, The Courier-Journal reported, "Everybody seemed to have a roll of money and a desire to bet it."

By 1936, The Courier-Journal saw it this way: "And to eyes which have been trained on many Derby crowds, this whole ensemble, notables and nobodies together, had the air of prosperity. This was no place to talk about the depression."

Nevertheless, the paper also noted that Derby visitor Harry Hopkins, administrator of the Works Progress Administration — the Depression relief agency that employed millions of people to build schools, parks, hospitals, roads and public buildings — "was cagily making two-dollar bets."

At the 1938 Derby, Lexington Herald writer Neville Dunn wrote, "Inasmuch as the country is of the opinion that we are in the grip of a financial recession, the heaviest business done at Churchill Downs today was at the window where they sell only \$50 tickets on the nose."

By decade's end, wagering on Derby Day had returned to the levels seen in 1930. The total wagering recorded for Derby Day 1939 was \$1.67 million, and for the Derby alone was \$584,977. "If Derby Day is any index," wrote The Courier-Journal's F.E. Wylie, "the Depression is long gone."

*Source: Lexington Herald Leader.*

### **Del Mar Cuts Horse Racing Days**

Del Mar will reduce its schedule to five days a week, dropping most Monday programs because of the economy when the seaside track opens its 70th season in July.

Track officials said Monday that racing will be staged Wednesdays through Sundays from July 22-Sept. 9. The only Monday races will be on Labor Day.

It's the first time since 1945 the track won't race six days a week. The move reduces the meeting from its usual 43 days to 37.

"There's a pinch on everyone due to the economy; there's a pinch on the number of racehorses available in the state," Del Mar president Joe Harper said. "Racing folks have been talking about racing less and presenting a better product because of it for some time now."

The track plans to add one additional race to its cards on Wednesdays, Fridays and Sundays. Under consideration are Wednesday promotions that would offer free admission and reduced food and drink prices.

Del Mar racing secretary Tom Robbins said it had become harder to fill racing cards.

"As a result of this change, I think our fans will see larger fields and better cards across the board," he said.

California's horse population has declined recently, while the number of mares bred in the state and the live-foal crop are both down over the last 10 years, Robbins said. The economic downturn has reduced discretionary spending for claiming and buying thoroughbreds.

Del Mar began its Wednesday through Monday schedule in 1973, when California approved Sunday racing. The track located north of San Diego was founded by Bing Crosby in 1937.

*Source: Associated Press/USA Today.*