

# New York State Racing and Wagering Board

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## **RACING AND WAGERING BOARD ENACTS SIGNIFICANT MEASURES TO INCREASE SAFETY OF NEW YORK STATE'S THOROUGHBRED RACING**

*Increased restrictions and documentation of administration of corticosteroids and Clenbuterol; significant improvements to claiming procedures and recordkeeping are initial actions in response to Task Force on Racehorse Health & Safety*

The New York State Racing and Wagering Board today approved multiple rule changes that will significantly increase the safety of horses and riders involved in Thoroughbred horseracing in New York State and serve as a model for all racing jurisdictions.

These initial rule changes – allowing voiding of claims of horses that are vanned off the track after a race, requiring disclosure of corticosteroid administrations and treatments to stewards and claimants, expanding the Racing and Wagering Board's out-of-competition drug testing program, implementing stricter and lengthier timeframes for the administration of corticosteroids and Clenbuterol before a race – will apply to all Thoroughbred racing in New York state, including Saratoga Race Course, Aqueduct Racetrack, Belmont Park and Finger Lakes Race Track.

They are in direct response to the emergency rule recommendations of the Task Force on Racehorse Health and Safety. The Task Force was formed at the request of Governor Andrew M. Cuomo to investigate the circumstances surrounding 21 equine fatalities at the Aqueduct Racetrack between December 1, 2011 and March 18, 2012. The Task Force issued its comprehensive findings and report on September 28, 2012.

John D. Sabini, Chairman of the Racing and Wagering Board said, "As Governor Cuomo has said repeatedly, New York State leads the nation when it comes to reform and progress. That notion certainly applies to the Sport of Kings. New York has the most effective, meaningful rules regarding equine health and safety, thanks to the Task Force on Racehorse Health and Safety. Their comprehensive recommendations signify a new era for the horse racing industry and we are proud to quickly implement these rule change to make the sport safer for horses and jockeys."

Dr. Scott E. Palmer, Chair of the Task Force on Racehorse Health and Safety and hospital director and staff surgeon at the New Jersey Equine Clinic, said, "The New York State Racing and Wagering Board is to be commended for quickly enacting these rules, which will create a safer environment for horses and riders. The Task Force on Racehorse Health and Safety believes New York is leading the way in improving the safety of Thoroughbred racing, and these

changes should serve as a model for the rest of the nation. We are optimistic that these actions will be the beginning of a new chapter for the nation's horse racing industry.”

James Gagliano, President and Chief Operating Officer of The Jockey Club, said, “The Jockey Club applauds the approval of these rules and the swift action of the New York State Racing and Wagering Board. We have been advocating for reforms through similar recommendations and Governor Cuomo and the members of the Board are to be commended for taking these steps to enhance the safety and integrity of Thoroughbred racing in New York.”

The emergency rules enacted today institute the following changes:

1. Voiding a claim for a horse that is vanned off the track, within one hour of the race, at the discretion of the claimant. The existing rule where a claim is voided if a claimed horse dies on the track remains in place. (Rule 4038.5)
2. Providing that the claimant of a horse shall be notified, within 48 hours after the claim is finalized, of any intra-articular corticosteroid administrations to the horse within 30 days of the race. (Rule 4038.5)
3. Providing that the trainer shall maintain accurate records of all corticosteroid joint injections to horses trained by them. The record of every corticosteroid joint injection shall be submitted, in a form and manner approved by the Board, by the Trainer to the Board within 48 hours of treatment. (Rule 4043.4)
4. Rule prohibiting: (Rule 4043.2)
  - (a) the intra-articular administration of methylprednisolone (DepoMedrol) within 15 days of the date of a race
  - (b) the administration of all other intra-articular corticosteroids within seven days of the date of a race
  - (c) the administration of all systemic corticosteroids within five days of the date of a race
  - (d) administration of Clenbuterol to a horse within 21 days of the date of a race.
5. Out of competition sampling of Thoroughbred racehorses for corticosteroids, methylprednisolone and Clenbuterol. (Rule 4012.5)
6. Removing Clenbuterol from the 96-hour permissible drug schedule to be in compliance with the above. (Rule 4043.2)
7. Removing steroids from permissible 48-hour drug schedule to be in compliance with the above. (Rule 4043.2)

The rule providing for the voiding of a claim for a horse vanned off the track will go into effect October 19, 2012. The remaining rules go into effect December 12, 2012.

The Task Force on Racehorse Health and Safety has advised the Racing and Wagering Board that its original recommendation of changing the purse-to-claim ration to 1.6 should not be enacted on an emergency basis. Therefore, the Racing and Wagering Board is not taking it up at this time.

The Racing and Wagering Board is working to implement other rules and protocols outlined by the Task Force that do not require emergency rulemaking, including the hiring of an Equine Medical Director at the state level to oversee veterinarians at New York racetracks. Aside from

the many NYRA-specific measures outlined in the report, some, including increased and enhanced necropsy procedures, require collaboration between the Racing and Wagering Board and NYRA. Board staff has been in contact with NYRA to discuss how to put those practices into effect as soon as possible.

The Task Force on Racehorse Health and Safety's full Report and Recommendations can be found at: <http://www.governor.ny.gov/assets/documents/Report.pdf>.

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