

Letter Mailed to Horse Racing Commissions in 28 U.S. Jurisdictions



September 30, 2013

Re: Uniform National Medication Rules, Penalties and Laboratory Accreditation

Dear [Chairman]:

As you may be aware, the horse racing industry in the United States has recently developed new uniform model medication guidelines, a penalty system designed to target individuals with multiple medication violations and a requirement for laboratory accreditation and participation in an industry external quality assurance program (the “Reforms”). These Reforms were developed by the Racing Medication and Testing Consortium (“RMTC”), the industry’s scientific advisory organization consisting of 25 major racing industry stakeholder organizations and the Association of Racing Commissioners International (“RCI”), the industry’s association of state regulatory bodies responsible for the integrity of racing. RMTC recommended the Reforms to RCI and RCI voted to incorporate the Reforms into their official Model Rules earlier this year. Individual regulatory bodies must now move to adopt the Reforms.

In fact, earlier this year eight states in the Mid-Atlantic and Northeast, two regions which comprise the largest concentration of racing on a daily basis in North America and produce about 36% of the daily national handle, jointly agreed to implement the Reforms on January 1, 2014, or when a participating state’s live racing begins in 2014. The states committed to implementing the Reforms are Delaware, Maryland, Massachusetts, New Jersey, New York, Pennsylvania, Virginia and West Virginia and several other states are in the process of adopting these Reforms as well. Nationwide adoption of these Reforms is essential to safeguarding horses and riders and providing uniformity to fans and participants alike. If you have not done so already, we ask you to commit to the Reforms and move expeditiously to adopt all aspects of the Reforms without amendment or delay.

The Reforms consist of the following:

1. **The RCI Controlled Therapeutic Medication Schedule** (“Schedule”). The Reforms include a “Schedule of Controlled Therapeutic Medications” which lists medications that have been recognized as necessary for the treatment of illness or injury in the horse on a routine basis. For each medication, the Schedule lists a uniform detection level at which the testing laboratory is to report a positive test and horsemen are provided with guidance for discontinuing treatment to minimize the risk of incurring a violation. The Schedule is based upon years of research by the RMTC and is scientifically supported so

that each level of detection is specifically linked to the concentration above which the drug could affect the horse's performance. Version 1.0 of the Schedule was adopted as part of the RCI Model Rules ("Model Rules") at ARCI-011-020 Section C (1) (b). A copy of Version 1.0 of the Schedule is attached as **Exhibit A** to this letter.

2. **Multiple Medication Violations Penalty System ("MMV").** The MMV represents an industry-wide plan to provide enhanced penalties for those individuals who accumulate multiple medication violations. Under the new system, each drug or medication violation is assessed points. A trainer's record will be tracked by a central database maintained by RCI and available to state stewards and commissions. A trainer's point record will include violations across all jurisdictions. At certain point total thresholds, the offending trainer will be required to serve an additional suspension. The MMV was adopted as part of the Model Rules at ARCI-011-020 Section B (13) (a)-(j). A copy of the MMV is attached as **Exhibit B** to this letter.

3. **Restrictions on the use and administration of bleeder medications** (the "Furosemide Restrictions"). The Furosemide Restrictions require that Furosemide be the only medication authorized for administration on race day and limit Furosemide administration to no less than four hours prior to post time for the race in which the horse is entered. The Furosemide Restrictions also require that the administration of Furosemide be performed only by third-party veterinarians or veterinary technicians who are prohibited from working as private veterinarians or technicians on the racetrack or with participating licensees. The Furosemide Restrictions were adopted as part of the Model Rules at ARCI-011-020 Section F. A copy of Section F is attached as **Exhibit C** to this letter.

4. **Laboratory Accreditation and Minimum Standards.** The Reforms require that every participating state's drug testing laboratory must be accredited by the RMTC to standards set forth in the RMTC testing laboratory accreditation code of standards ("RMTC Standards"), which are the strictest laboratory standards for equine sport drug testing in the world. RMTC Standards include a requirement for lab accreditation to international laboratory standards known as ISO 17025 accreditation standards. Currently, two labs have been fully accredited to the RMTC Standards and six more labs are undergoing RMTC Standards accreditation review. A copy of the RMTC Standards is attached as **Exhibit D** to this letter.

5. **Reform Adoption Timeline.** Every jurisdiction in the United States that conducts pari-mutuel horse racing is urged to fully and uniformly adopt each of the Reforms without amendment or substantive modification by January 1, 2014, or as soon thereafter as practicable given any legal or procedural limits on adoption or implementation in individual jurisdictions.

6. **Future Modification of the Reforms.** The Reforms process is intended to be ongoing and allows for additional substances to be considered for inclusion in the Schedule, upon recommendation from the American Association of Equine Practitioners (AAEP) and the RMTC. Other aspects of the Reforms may likewise be modified in the future to reflect scientific research and development. States are urged to adopt the Reforms in their entirety without amendment or modification.

These Reforms are in the best interests of the health and welfare of the horse and the safety of the rider, enhance the integrity of our sport, ensure a level playing field for our competitors, assist horsemen who race in multiple jurisdictions and accomplish the uniform regulation of racing in the United States.

To advance the goals and objectives of the Reforms on a uniform basis nationwide, the undersigned, representing a broad cross section of the horse racing industry, hereby formally request that the _____ Commission adopt these Reforms in their entirety and that you schedule a hearing and/or any other official action for the purpose of adopting these Reforms as soon as practicable.

You can expect to be contacted by an industry representative very shortly to determine whether your jurisdiction is committed to the Reforms and your expected timeline for adoption.

To assist you in this process, we have authorized the RMTTC to make available to you such scientific expertise and documentation as you may need to fully consider and act upon the Reforms. Feel free to contact Dionne Benson, RMTTC Executive Director and COO, at 859-224-2845 or at dbenson@rmttcnet.com for further assistance.

We appreciate your cooperation in this matter and look forward to working with you to achieve national uniformity so that everyone in horse racing will benefit from these critical Reforms.

Sincerely,

Alex Waldrop,
President and CEO, National Thoroughbred Racing Association
Chairman, Racing Medication and Testing Consortium

Additional signatories on attached page.

Exhibits A-D attached and online at http://www.ntra.com/media/Exhibits_to_NTRA_Letter.pdf.