

**CALIFORNIA HORSE RACING BOARD**

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## REGULAR MEETING

of the **California Horse Racing Board** will be held on **Thursday, April 16, 2015**, commencing at **10:00 a.m.**, at the **Bayview Lounge (Turf Club) at Golden Gate Fields, 1100 Eastshore Hwy, Berkeley, California**. The audio portion only of the California Horse Racing Board regular meeting will be available online through a link at the CHRB website ([www.chrb.ca.gov](http://www.chrb.ca.gov)) under "Webcasts."

### AGENDA

#### Action Items:

1. **Approval of the minutes of February 18, 2015.**
2. **Executive Director's Report.**
3. **Public Comment:** Communications, reports, requests for future actions of the Board.  
**Note:** Persons addressing the Board under this item will be restricted to **three (3) minutes** for their presentations.
4. Discussion and action by the Board regarding the **distribution of race day charity proceeds of the Watch and Wager LLC Racing Association in the amount of \$4,600 to six beneficiaries.**
5. Discussion and action by the Board on the **Application to Conduct a Horse Racing Meeting of the Oak Tree Racing Association at the Alameda County Fair (F), at Pleasanton, (Race meeting to be called "Oak Tree at Pleasanton")** commencing June 17, 2015 through July 7, 2015, inclusive.
6. Discussion and action by the Board regarding the **request from California Exposition and State Fair (Cal Expo) for a waiver to CHRB Rule 1472, (b) Rail Construction and Track Specifications, to facilitate the installation of the Mawsafe Rail System.**
7. Public hearing and action by the Board regarding the **proposed addition of CHRB Rule, 1891.1, Penalty for Possession of Electrical Device**, to establish penalties for the use of a buzzer on a horse. (Note: This concludes the 45-day public comment period. The Board may adopt the proposal as presented.)

8. Discussion and action by the Board regarding **the proposed amendment to CHRB Rule 1489.2, Rehabilitation Criteria for Evaluation of Denied, Suspended or Revoked Occupational License**, to establish criteria to be used to evaluate the rehabilitation of an applicant when considering the denial, suspension or revocation of an occupational license.
9. Discussion and action by the Board regarding the **proposed amendment to CHRB Rule 1489.3, Criteria for Denial, Suspension and Revocation of an Occupational License**, to establish criteria to be used when considering the denial, suspension or revocation of an occupational license.
10. Discussion and action by the Board regarding the **proposed amendment to CHRB Rule 1588, Horse Ineligible to Start in a Race**, to provide that a horse is ineligible to start in any race in California if it is on the veterinarian's list in another racing jurisdiction, unless with prior approval of the stewards.
11. Discussion and action by the Board regarding the **proposed amendment to CHRB Rule 1843.2, Classification of Drug Substances**, to add cobalt to the CHRB Penalty Categories Listing by Classification, thereby establishing the violation and penalty guidelines for the presence of cobalt in an official blood sample.
12. Discussion and action by the Board regarding a **report from Golden Gate Fields on the status of its marketing efforts for rebranding racing at Golden Gate Fields for the future, as noted in its race meet application for license**.
13. Discussion and action by the Board regarding **the proposed adjustment of the 2015 Southern California racing calendar, to allocate September 26<sup>th</sup> and September 27<sup>th</sup> from Santa Anita to Fairplex, at Los Alamitos**.
14. Discussion and action by the Board regarding **the proposed adjustment of the 2015 Northern California racing calendar to modify the allocated Fresno October 1, 2015 starting date to October 8, 2015**.
15. Report from the **Pari-mutuel, ADW and Simulcast Committee**.
16. Report from the **Northern California Race Dates Ad Hoc Committee**.
17. **Closed Session:** For the purpose of receiving advice from counsel, considering pending litigation, reaching decisions on administrative licensing and disciplinary hearings, and personnel matters, as authorized by section 11126 of the Government Code.
  - A. The Board may convene a Closed Session to confer with and receive advice from its legal counsel regarding the pending litigation described in the attachment to this agenda captioned "Pending Litigation," as authorized by Government Code section 11126(e).

- B. The Board may convene a Closed Session to confer with and receive advice from its legal counsel regarding the pending administrative licensing or disciplinary matters described in the attachment to this agenda captioned "Pending Administrative Adjudications," as authorized by Government Code section 11126(e).
- C. The Board may convene a Closed Session for the purposes of considering personnel matters as authorized by Government Code section 11126, (a).

Additional information regarding this meeting may be obtained from the CHRB Administrative Office, 1010 Hurley Way, Suite 300, Sacramento, CA 95825; telephone (916) 263-6000; fax (916) 263-6042. This notice is located on the CHRB website at [www.chrb.ca.gov](http://www.chrb.ca.gov). \*Information for requesting disability related accommodation for persons with a disability who require aid or services in order to participate in this public meeting, should contact Jacqueline Wagner.

**CALIFORNIA HORSE RACING BOARD**

Chuck Winner, Chairman  
Bo Derek, 1st Vice Chairman  
Richard Rosenberg, 2nd Vice Chairman  
Steve Beneto, Member  
Jesse H. Choper, Member  
George Krikorian, Member  
Madeline Auerbach, Member  
Rick Baedeker, Executive Director  
Jacqueline Wagner, Assistant Executive Director

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## PENDING LITIGATION APRIL 2015

### COURT LITIGATION

**A. Jeff Mullins vs. CHRB, et al**

Superior Court of California, County of San Diego, Case No. 37-2010-00092212

**B. Morteza Atashkar vs. CHRB**

Superior Court of California, County of Sacramento, Case No. 34-2008-00024426  
Court of Appeal, Third Appellate District, C074852

**C. San Luis Rey Racing, Inc., vs. CHRB, et al**

Superior Court of California, County of San Diego, Case No. 37-2011-00096586

**D. Donald Lockwood vs. CHRB**

Superior Court of California, County of Los Angeles, Case No. BS147701

**E. Jose DeLaTorre vs. CHRB**

Superior Court of California, County of Los Angeles, Case No. BS152795

**F. Eloy Navarro vs. CHRB**

Superior Court of California, County of Los Angeles, Case No. BS153348

**G. Dean Frey vs. CHRB**

Superior Court of California, County of Los Angeles, Case No. BS154219

**PROCEEDINGS** of the Regular Meeting of the **California Horse Racing Board** held at the **Santa Anita Park Race Track, Baldwin Terrace Room**, 285 West Huntington Drive, Arcadia, California, on **February 18, 2015**.

Present:       Chuck Winner, Chairman  
                  Richard Rosenberg, 2<sup>nd</sup> Vice-Chairman  
                  Madeline Auerbach, Member  
                  Steve Beneto, Member  
                  Jesse H. Choper, Member  
                  George Krikorian, Member  
                  Rick Baedeker, Executive Director  
                  Jacqueline Wagner, Assistant Executive Director  
                  Robert Miller, General Counsel

#### **APPROVAL OF THE MINUTES OF JANUARY 15, 2015**

Chairman Winner asked for approval of the minutes of the Regular Meeting of January 15, 2015.

Chairman Winner **motioned** to approve the minutes. Commissioner Krikorian **seconded** the motion, which was **unanimously carried**.

#### **EXECUTIVE DIRECTOR'S REPORT.**

Executive Director Rick Baedeker introduced Philip Laird, the new California Horse Racing Board (CHRB) staff counsel. He stated Mr. Laird would work with CHRB law enforcement, licensing, policy, regulations, and legislation. Executive Director Baedeker stated the microchip program was scheduled to begin on April 1, 2015, at Golden Gate Fields (GGF). He said CHRB safety stewards met with three trainers who would be participating in the program and everyone was supportive. The California Thoroughbred Trainers and management at GGF had been helpful and supportive of the project, which was appreciated by the Board. Executive Director Baedeker stated the California Department of Food and Agriculture provided six microchip scanners for the program, which was appreciated as well. Executive Director Baedeker stated

language regulating the use of cobalt would be presented at the February 2015 Regular Board meeting. He said the Medication Committee approved the proposed threshold of 25 parts per billion. He stated even though cobalt was a natural mineral, and found in vitamin B12, if administered in higher doses it could be a performance enhancer, and in very high doses could be toxic to a horse. Executive Director Baedeker stated Galway Downs was in compliance with all CHRB regulations. He said Galway Downs met all of its conditions and horses were shipped in. Executive Director Baedeker reported on Advance Deposit Wagering (ADW) distributions. He stated John Bucalo, of the Barona Casino, asked about the percentage that went to satellites from ADW. Executive Director Baedeker said a thorough understanding of how the percentage was derived and figures were provided to the Board by Bernie Thurman of Southern California Off Track Wagering, Incorporated (SCOTWINC). He stated distributions were paid to the following: the host, ADW company, retirement fund, Workers' Compensation, equine fund, Public Employment Board, backstretch fund, satellites, expense fund, stabling and vanning, breeder awards, purses and track commissions. He said distributions could change depending on who made the wager, on which track, and on what breed. He stated, for example, ADW wagers placed by Southern California residents on cards hosted by Santa Anita would be distributed as follows: 79.87 percent back to bettors; 4.91 percent hub fee paid to ADW; 1.89 percent to the various funds mentioned; 1.97 percent to brick-and-mortar satellites. He said the 1.97 percent would be placed in a pool and distributed according to the level of business done by the individual satellite the previous year; 2.9 percent to the expense fund; 5.12 percent to purses; and 3.35 percent to tracks. He stated Barona handled \$12,207,000 in 2014; it received \$248,000 in brick-and-mortar commissions, plus \$183,000 from the ADW share. He said added together this resulted in 3.54 percent of business done at Barona. Executive Director Baedeker stated the

financials for the month were good; business from daytime meets was up one percent and business for night meets was up 27.82 percent. He said the night meets were up due to a significant increase in ADW, two more racing days, and days where harness and quarter horses did not run against each other. He stated business was up just under 3.4 percent for the month. Chairman Winner asked Kip Levin of TVG and Keith Brackpool of the Stronach Group to report on HRTV and TVG. Mr. Brackpool stated the purchase of HRTV by TVG was announced, and the parties wanted to provide the Board with background on the transaction. He stated people wondered why they had two networks competing with other sports TV. He said the biggest issue facing horse racing was carrier distribution. He stated there had been a consolidation of main carriers of satellite and cable television with a fractured distribution depending on where someone lived in the country; you got one or nothing – not both. He said it was difficult to get both with California being an example. He stated he was introduced to Mr. Levin, CEO of TVG, and they began dialogue on merging the two companies. He said the transaction had closed and they were very excited. He stated it would have a positive effect on California racing because Santa Anita and Golden Gate would be on the main HD channel with licensed rights to show other Stronach Group tracks around the country. Mr. Levin stated TVG invested in building an amazing TV product and platform to represent the racing industry. TVG was building a new studio and upgrading its HD signal. He said TVG's plan was to continue to operate the two networks in unison. He stated the strategy was to shine a nation-wide spotlight on all premium races in California and to show more racing on TV. Chairman Winner asked when HRTV and TVG would be relicensed under the new agreement. Mr. Brackpool stated the ADW providers had not merged; just the television companies. He said Xpressbet was still owned 100% percent by the Stronach Group. Commissioner Auerbach asked Mr. Brackpool if

TVG was assuming control immediately; would the Board see TVG from Santa Anita, live onsite? Mr. Brackpool said yes; it would be seen immediately. He stated any issues that arose due to the purchase of HRTV would be worked through within one to two weeks and the entities would be smoothly integrated within 30 to 45 days. Mr. Levin stated there would be two television networks that would work in tandem/unison with each other. Mr. Brackpool gave the Board an example of Santa Anita; the race meeting would be shown on both networks and only certain races would be shown on one network. He said the intent was to have a main HD channel that would feature the premium racing, and other racing would be shown at a faster rate on the second channel. Commissioner Auerbach asked if the signal would be merged with the TVG signal and would the HRTV signal become superfluous. Mr. Brackpool stated TVG intended to keep the two channels operating. The branding issue would be discussed over time. Mr. Levin said the programming would allow the two channels to work in tandem rather than compete with each other. He used a stakes race at Santa Anita broadcast by HRTV as an example. As the race closed, instead of cutting over to another race, HRTV would show the winner's circle. Customers interested in watching a race starting at another race location would be told to turn to TVG. Chairman Winner asked if replays would be eliminated. Mr. Levin stated there would be time to show the replays for premium races. Chairman Winner asked if certain races shown on tape delay could be eliminated. Mr. Levin stated hundreds of races every year were shown on tape delay due to content commitments. He said tape delay would give TVG more time to figure out how to place a bigger spotlight on the premium content in California, while also meeting the needs of other content commitments. 2<sup>nd</sup> Vice-Chairman Rosenberg asked if the Stronach Group would have control of TVG going forward. Mr. Brackpool stated TVG acquired HRTV as part of the asset; however, the Stronach Group was



concurrently licensed to show Stronach Group racing around the country to the new entity. He said there was a TV board made up of himself, Mr. Levin, Scott Daruty, and others from TVG, as well as a combined TV board. Commissioner Auerbach asked if the CHRB was unhappy that TVG was not showing Golden Gate; could the CHRB lobby TVG. Mr. Levin stated TVG signed a contract commitment to show Golden Gate. Executive Director Baedeker asked if the existing HRTV channel would be converted to a second TVG channel; would both channels always be available? Mr. Levin said that would be dependent on the TV distributors, but they would promote both channels across each other; the hope was to get broader distribution for the second network. Commissioner Krikorian asked if TVG had a plan in place to expand high definition. Mr. Levin said both networks would broadcast out of TVG's HD studio and HRTV would move under the same technology platform. He stated TVG would have a conversation with the satellite companies and distributors to ensure they would broadcast the signal in HD. Commissioner Choper asked about potential antitrust implications. Mr. Brackpool stated they did not believe they had violated any antitrust regulations. Commissioner Beneto asked if the different race tracks would be on different channels. Mr. Levin stated races would all be on TVG and the premium network. Chairman Winner asked if the names HRTV and TVG would remain. Mr. Levin stated the immediate plan was to keep the name HRTV. Mr. Levin asked Mr. Brackpool if there was a TV board, a board within the company that would operate the TV side of the business. Mr. Brackpool stated there was such a board. Representatives from the Stronach Group and TVG were on the board. 2<sup>nd</sup> Vice-Chairman Rosenberg asked if the television broadcast arrangement had something to do with Xpressbet being a part of one of the networks. Mr. Brackpool said "no". Chairman Winner asked if Xpressbet and TVG would continue to operate separately. Mr. Levin stated that was correct. Chairman Winner said he

understood HRTV was being retained as the brand. He asked if Xpressbet and HRTV would promote each other on their ADW platforms. Mr. Brackpool stated HRTV did not have a wagering site and Xpressbet was a different unit of The Stronach Group. Chairman Winner stated since Xpressbet was not merging with TVG, and the platform of the ADW remained the same, Xpressbet did not have to reapply for a license.

#### **PUBLIC COMMENT**

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There were no public comments.

#### **DISCUSSION AND ACTION BY THE BOARD ON THE REQUEST FROM THE DEL MAR THOROUGHBRED CLUB TO ENACT CHRB RULE 1406, SUSPENSION OF RULE, TO WAIVE THE PROVISIONS OF CHRB RULE 1433(B), APPLICATION FOR LICENSE TO CONDUCT A HORSE RACING MEETING, TO FACILITATE THE INSTALLATION OF A DIRT RACE TRACK AT DEL MAR.**

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Josh Rubenstein, Del Mar Thoroughbred Club (DMTC), stated DMTC was returning to a natural dirt surface beginning with its 2015 summer meet. He said it requested a waiver to Rule 1433, subsection (b) of Application for License to Operate a Race Meeting. Subsection 1433(b) mandated a synthetic surface at race tracks that operate four weeks or more of continuous thoroughbred racing in a calendar year. Executive Director Baedeker informed the Board this issue had been administratively handled based on the Board's previous action to amend Rule 1433 to delete the requirement for a synthetic surface. He said based on the Board's intent to amend Rule 1433, staff determined it was appropriate and prudent for Del Mar to begin the process. Chairman Winner **motioned** to approve the request from DMTC to waive the provisions of Rule 1433(b) to facilitate the installation of a dirt racetrack at DMTC. Commissioner Krikorian **seconded** the motion, which was **unanimously carried**.

DISCUSSION AND ACTION BY THE BOARD REGARDING THE **PROPOSED AMENDMENT TO CHRB RULE 1658, VESTING OF TITLE TO CLAIMED HORSE**, TO PROVIDE THAT A CLAIM SHALL BE VOIDED BY THE STEWARDS IF THE RACING OR OFFICIAL VETERINARIAN DETERMINES THE HORSE WILL BE PLACED ON THE VETERINARIAN'S LIST AS "BLED".

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Dr. Rick Arthur, CHRB Equine Medical Director, stated the original version of Rule 1658, Vesting of Title to Claimed Horse, voided claims when the horse bled. However, in subsequent years the provision was eliminated and the regulation only dealt with soundness issues. He said California Thoroughbred Trainers (CTT) and official veterinarians requested that Rule 1658 be amended to include horses that bled. He stated a horse could be claimed as sound, but would go on the Veterinarian's List as bled. He said "bled" was defined in Rule 1845, Authorized Bleeder Medication, as horses that bleed from the nostrils, had epistaxis, appeared as exercise-induced pulmonary hemorrhage. He stated under the proposed amendment, claims would be voided if the claimed horse was placed on the Vet's List as bled. Chairman Winner stated the primary reason for amending Rule 1658 was to discourage the entry of horses for the purpose of offloading them; a deterrent to those who tried to enter a horse in a race that was unsound. He said often a trainer did not know a horse had a bleeding problem until it raced. He stated if the purpose of the proposed amendment was not to discourage placing a damaged horse in a claiming race, then he did not believe it was consistent with the intent of the rule. Dr. Arthur said 60 percent of horses treated with Lasix had exercise-induced pulmonary hemorrhage. He said soundness health and respiratory health were the two issues race track veterinarians dealt with. He stated he believed the proposed amendment to Rule 1658 would protect horses. Commissioner Auerbach asked if the Board wanted to keep amending Rule 1658 when it appeared the proposals were not in line with the original intent of the regulation. Chairman Winner stated he did not want the Board to over-regulate. He said the Board was trying to do

what was right for the industry, the horses, and the riders. He stated a horse would not go down for bleeding, causing damage to other horses, or the rider; however, a horse would more likely go down if there was preexisting skeletal or soft tissue damage. Dr. Arthur stated there were one to four sudden deaths a year related to exercise pulmonary hemorrhage; it was not a big problem. He stated, in terms of protecting the welfare of the horse, the proposed amendment was a reasonable step. Dr. Arthur said if it was known that a horse bled, the horse would go on the Vet's List, and could not race for 15 days. He stated the primary definition for a regulatory action was epistaxis, or blood at the nose, not endoscopic which was internal bleeding. Commissioner Krikorian asked if it was possible for a horse to bleed through the nostrils one time, and not the next time it ran a race. Dr. Arthur stated that was possible. Commissioner Krikorian asked if a horse that bled multiple times could be designated differently than one that had a few drops of blood after a race. Dr. Arthur stated as the regulatory agency, the Board only monitored blood at the nostrils; the Board did not perform endoscopic examinations. Commissioner Krikorian stated he had the same concerns as Chairman Winner and Commissioner Auerbach about the proposed amendment. Commissioner Choper said the purpose of the item was to put the proposed amendment forward for 45 day notice. Jim Cassidy, President, stated CTT was concerned about the welfare of the horse. Chairman Winner asked if a claim would be voided if a horse that never bled before bled once through the nostrils or would a pattern of bleeding be more reason to void a claim? He asked if the proposed amendment was written so if the horse bled through the nostril more than once the claim would be voided. Dr. Arthur stated a horse that bled through the nose would be observed by the official or track veterinarian and would go on the Vet's List for 15 days the first time it bled. Commissioner Choper asked if bleeding during training was included under the proposed amendment. Dr.

Arthur stated the rule did not include training. Commissioner Choper asked if horses that were not claimed would be observed by the track veterinarian as much as the horses that were claimed. Dr. Arthur stated no. He said horses that won were observed for an hour after the race. Commissioner Choper stated he believed claimed horses went on the Vet's List immediately. Dr. Arthur said no, if the horse was claimed it was examined by the official veterinarian at the test barn, and the horse was either released as sound, and the claim stood, or the horse was released as unsound, and the claim voided. Chairman Winner asked if all trainers, even those who opposed the rule initially, supported the proposed amendment. Mr. Cassidy said he believed horsemen thought the rule was working out well. He stated the proposed amendment would help those who claimed a horse but had no idea the horse bled in the past. Commissioner Krikorian asked why the wagering public was not informed about a horse that bled. Dr. Arthur stated the Vet's List was a public document; an individual could look up a horse to see if it had bled. Alan Balch, of the CTT, stated the proposal had to do with fairness. He said the issue arose when a claim was not voided for a horse that bled for the third time and then the horse was out. He stated that was not fair for the claiming owner or the claiming trainer. He said the claiming rule should be consistent and fair for everyone. 2<sup>nd</sup> Vice Chairman Rosenberg **motioned** to direct staff to initiate a 45-day public comment period for the proposed amendment to Rule 1658. Commissioner Choper **seconded** the motion, which was **unanimously carried**.

DISCUSSION BY THE BOARD REGARDING THE **PROPOSED AMENDMENT TO CHRB RULE 1699, RIDING RULES, AS IT PERTAINS TO THE CRITERIA FOR DISQUALIFICATION IN A HORSE RACE.**

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Executive Director Rick Baedeker stated the Board proposed language for an amendment to Rule 1699, Riding Rules, at the November 2014 Steward's Committee meeting. He said the language

went to the Regulatory and Legislative Committee for further review. He stated there were still issues with the proposed language and he recommended the Board postpone further action until a final text was approved. Chairman Winner stated the Board wanted the proposed amendment to be as clear and consistent as possible for the industry and to the wagering public. Executive Director Baedeker stated the issues with Rule 1699 did not originate with the controversial call in the Breeders' Cup Classic; the item was already on the agenda for the Stewards' Committee meeting prior to the Classic. He said he recognized the rule was interpreted differently in the North than the South. He stated the goal of the proposed amendment was to achieve more precise wording. He said when the Stewards' met in November 2014 they supported the change. Chairman Winner stated the Board looked at other racing jurisdictions, and discovered there was not a lot of difference between California and other jurisdictions' rules. He said at the conclusion of the Stewards' Committee meeting in November 2014, it was agreed that a change to Rule 1699 was necessary, and the draft language presented was well received. Commissioner Auerbach stated she agreed with the Stewards that the language should not be changed. She said the language was not the problem; the problem was lack of leadership. She stated it was up to the Board to set the tone for how its rules should be interpreted. The first priority should be safety of the riders, as well as the safety of the horse. She stated if the Board made rulings based on those two priorities it would see statewide alignment of rulings in California. Chairman Winner stated he believed the Stewards understood the priority to ensure the safety of horse and rider. He said he believed California's Stewards understood the Board provided them with guidance. He stated he watched the race in question 50 times, and based on the current version of Rule 1699 he agreed with the decision not to disqualify the horse. He said biggest problem, besides safety, was inconsistency between North and South, and within the same jurisdictions.

He stated the Stewards did the best they could and strove to make the right decisions. He said the Board could help the Stewards by clarifying the regulation. Commissioner Auerbach stated she did not object to clear language. She said she was concerned about young, inexperienced jockeys who did not know what to do. Chairman Winner asked Steward Scott Chaney why the Stewards changed their position regarding the proposed text. Mr. Chaney stated at the November 2014 Stewards Committee meeting the Stewards had the impression a rule change would occur regardless. He said a second conference call was held and the Stewards had the opportunity to express their opinions. He stated in close cases, ones in which the Stewards were not sure about, some Stewards believed the order of finish should be left alone, and that was the difference between North and South. He said there were more disqualifications in Northern California than in the South. He stated consistency was important and suggested taking a horse down in close cases would create more disqualifications in Southern California, but it may align Northern and Southern California. He said he was not opposed to making Rule 1699 clearer, either through a language change, or direction from the Board. Chairman Winner asked if suspending the rider would be more appropriate than taking a horse down if it was not clear that it affected the outcome of the race. Mr. Chaney stated suspending the jockey was more appropriate. Chairman Winner stated another alternative to consider was increasing the number of suspension days for riders. Commissioner Choper stated if the Board wanted consistency, it could be achieved by reducing the discretion of the decision maker. He said Rule 1699 could be amended to punish the jockey and not take the horse down. 2<sup>nd</sup> Vice Chairman Rosenberg stated versions two and three of the draft language were an attempt to distinguish between a foul at the start of a race and after the start of a race. That did not mean there was a disqualification; the language defined interference in each case. Executive Director Baedeker stated the difference

was severely bumping or severely impeding relative to the start, versus the definition of interference after the start. Mr. Chaney asked if the language of the proposed amendment changed what constitutes the collectively agreed upon meaning of interference. He said the subjective part was: did the interference cost the horse the opportunity of a better placing? 2<sup>nd</sup> Vice Chairman Rosenberg stated that was two separate issues. He said the problem with the language was the definition of when interference occurred, or disqualification. Mr. Chaney stated an example was the Breeders' Cup Classic. He said everyone agreed it was interference, but even if interference was defined, it would not have changed the analysis. He stated it would have still been called interference, and the Stewards would have been burdened with whether or not it cost the horse the opportunity of a better placing. Mr. Chaney said the blimp shot showed interference, but it was not severe. 2<sup>nd</sup> Vice Chairman Rosenberg stated a clear definition of interference would result in more consistent rulings. He asked how to interpret "a horse shall not cause interference in a part of the race where the horse loses the opportunity to place where it might be reasonably expected to finish." Mr. Chaney said in California that had always been interpreted as the next immediate place; whether it cost a horse a head, or if the horse was six lengths back, one had to decide whether it cost the horse six lengths to be in the immediate place ahead. Chairman Winner stated there should be greater discretion, not just verbal direction; the rule could be improved to ensure more consistency and guidance. Mr. Chaney said Rule 1699 should not be used to punish the jockey; its purpose was to get the correct order of finish. Commissioner Krikorian stated he agreed with Commissioner Choper that discretion needed moderation. He said the proposed language was going in the right direction and could be improved by reducing the discretion of the stewards. Chairman Winner stated it was a difficult issue and what was important was safety, clarity for the wagering public, and consistency. He



suggested the Board refer the issue to the next Stewards Committee meeting. Commissioner Auerbach requested a meeting with the Stewards and the jockeys. Chairman Winner stated the Stewards' Committee meeting was only for Stewards; however, an ad hoc meeting could work. He said he would work with staff to schedule a meeting with the Stewards and Jockeys. 2<sup>nd</sup> Vice Chairman Rosenberg suggested the Stewards form a subcommittee to draft language to either present at the Stewards' Committee meeting or before the Board. Chairman Winner stated the Board would proceed on the two issues.

**DISCUSSION AND ACTION BY THE BOARD REGARDING THE PROPOSED AMENDMENT TO CHRB RULE 1844, AUTHORIZED MEDICATION, TO 1) LOWER THE AMOUNT OF KETOPROFEN THAT CAN BE PRESENT IN A TEST SAMPLE FROM 10 NANOGRAMS PER MILLILITER OF BLOOD PLASMA OR SERUM TO 2 NANOGRAMS PER MILLILITER OF BLOOD PLASMA OR SERUM; AND 2) TO ADD ISOFLUPRODONE AND ITS SPECIFIED AUTHORIZED LEVEL TO THE LIST OF CALIFORNIA'S AUTHORIZED MEDICATION.**

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Dr. Rick Arthur, CHRB Equine Medical Director, stated the proposed amendment to Rule 1844, Authorized Medications, would bring California in line with the National Uniform Medication Testing Program for Therapeutic Medications. He said the proposed amendment would add corticosteroid and isofluprodone to the list of authorized medications under Rule 1844, and would reduce the permitted non-steroidal anti-inflammatory drug substance levels from 10 nanograms to 2 nanograms. Commissioner Beneto **motioned** to direct staff to initiate a 45-day public comment period regarding the proposed amendment to Rule 1844. Commissioner Choper **seconded** the motion, which was **unanimously carried**.

DISCUSSION AND ACTION BY THE BOARD REGARDING THE **PROPOSED AMENDMENT TO CHRB RULE 1845, AUTHORIZED BLEEDER MEDICATION, TO REQUIRE THAT AUTHORIZED BLEEDER MEDICATION BE ADMINISTERED BY INDEPENDENT, THIRD PARTY VETERINARIANS.**

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Executive Director Rick Baedeker stated the Board was aware the language for the proposed amendment of Rule 1845, Authorized Bleeder Medication, had been opposed by the California Veterinarian Board (Vet Board) because it claimed the veterinarian-patient-client relationship would be violated. He said the Board worked with Agency and the Vet Board over the last few months to develop new language. He stated the new language was presented to the Vet Board, and the issue was resolved. Dr. Rick Arthur, CHRB Equine Medical Director, stated the new language would accomplish third-party Lasix administration as part of the National Uniform Medication Program. 2<sup>nd</sup> Vice Chairman Rosenberg asked who would be responsible for checking on the business relationship of the third party veterinarian, or medical technicians. Dr. Arthur said it was the responsibility of the official veterinarian who designates the person administering the Lasix. Vice Chairman Rosenberg stated the track veterinarian did not examine horses during a workout; however, the proposed language includes "workout." Dr. Arthur said including the term "workout" would give the official veterinarian or track veterinarian the option to place a horse on the bleeder's list. Robert Miller, CHRB Staff Counsel, asked Dr. Arthur to specify the changes he wanted made to the CHRB 194 form. Dr. Arthur stated on the CHRB 194 form the title would be "Authorized Bleeder Medication Request and Medication History" and a space should be included on the form for the veterinarian to list medical history regarding authorized bleeder medication administration. Chairman Winner **motioned** to direct staff to initiate a 45-day public comment period for the proposed amendment of Rule 1845. Commissioner Choper **seconded** the motion, which was **unanimously carried**.

DISCUSSION AND ACTION BY THE BOARD REGARDING THE **PROPOSED AMENDMENT TO CHRB RULE 1887, TRAINER TO INSURE CONDITION OF HORSE**, TO ADD OWNERS OF A SHIP-IN HORSE AS EQUALLY RESPONSIBLE FOR THE CONDITION OF A HORSE.

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Executive Director Rick Baedeker stated the proposed amendment to Rule 1887, Trainer to Insure Condition of Horse, would affect owners that train a horse outside of a CHRB licensed facility, and then bring a horse in to race under another trainer's name. He said incidents occurred where a horse that was brought in to race had a positive test result and the trainer was held responsible as the absolute insurer. He stated the proposed amendment to Rule 1887 would require a ship-in horse to be under the care of a licensed trainer for at least seven calendar days prior to the race; if not, then the owner would be considered the joint absolute insurer. 2<sup>nd</sup> Vice Chairman asked how long a foreign horse that would be flown in to race had to remain in quarantine? Dr. Rick Arthur, CHRB Equine Medical Director, stated a horse from Europe would remain in quarantine for a minimum of 72 hours. 2<sup>nd</sup> Vice Chairman asked if a quarantine facility would fall within the enclosure. Dr. Arthur stated not within the enclosure at every race track but the horse would still be under the control of the trainer. Executive Director Baedeker stated the horse must be under the care of a licensed trainer whether in a national or internationally racing jurisdiction. Commissioner Beneto asked if a ship-in horse could be brought in to race with no works. Executive Director Baedeker stated a horse that never raced was required to have a published workout. Chairman Winner **motioned** to direct staff to initiate a 45-day public comment period for the proposed amendment of Rule 1887. Commissioner Auerbach **seconded** the motion, which was **unanimously carried**.

**DISCUSSION AND ACTION BY THE BOARD REGARDING THE REQUEST FOR APPROVAL OF THE CONTINUATION OF THE 0.50% DISTRIBUTION TO THE SOUTHERN CALIFORNIA STABLING AND VANNING FUND FROM ADVANCE DEPOSIT WAGERING (ADW) HOSTED BY THOROUGHBRED RACING ASSOCIATIONS AND RACING FAIRS CONDUCTING RACING IN THE CENTRAL AND SOUTHERN ZONES FOR THE PERIOD COMMENCING MARCH 1, 2015 THROUGH FEBRUARY 29, 2016 AS PERMITTED UNDER BUSINESS AND PROFESSIONS CODE SECTION 19604(F)(5)(E).**

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Joe Morris, of the Thoroughbred Owners of California and the Southern California Stabling and Vanning Committee, stated the funding mechanism was in place March 2014 through the end of February 2015. He asked for a one year extension of the 0.50% distribution to help fund Stabling and Vanning in the South. Commissioner Choper asked if the industry was in agreement. Mr. Morris stated yes; all parties had agreed. Commissioner Krikorian stated a request was previously made for an additional percentage for Southern California Off Track Wagering, Incorporated (SCOTWINC). Mr. Morris stated that request was for the funding of SCOTWINC. He said the current request was for Stabling and Vanning. The funds would pay for auxiliary offsite stabling. Commissioner Krikorian stated there was a shortage in Stabling and Vanning and asked for the number. Mr. Morris said at the end of 2014 the shortage was just shy of \$4.4 million. Chairman Winner asked how the cost of stabling at Galway had improved the situation. Mr. Morris stated it improved greatly. Commissioner Beneto asked how the funds was handling the parties it owed money. Mr. Morris stated the fund had accounts receivable that went out six to seven months. Chairman Auerbach **motioned** to approve the continuation of the 0.50% distribution to the Southern California Stabling and Vanning fund. 2<sup>nd</sup> Vice-Chairman Rosenberg **seconded** the motion, which was **unanimously carried**.

**DISCUSSION BY THE BOARD REGARDING THE OPERATION AND FINANCIAL STATUS OF SOUTHERN CALIFORNIA OFF TRACK WAGERING, INCORPORATED (SCOTWINC) AND NORTHERN CALIFORNIA OFF TRACK WAGERING (NOTWINC), AND THE AWARDING OF THE CONTRACT TO AMTOTE, TO PROVIDE CALIFORNIA'S WAGERING SERVICES AND THE IMPACT THIS MAY HAVE ON CALIFORNIA RACING.**

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Executive Director Rick Baedeker stated the Board had questions about the operational structure, the financial performance of Southern California Off Track Wagering, Incorporated (SCOTWINC) and Northern California Off Track Wagering (NOTWINC), the procedures used to award the new totalizator contract, and concerns about the number of entities owned or operated all or in part by the Stronach Group. George Haines, SCOTWINC, stated the process started in 2014 and SCOTWINC was in the process to sign a contract with AmTote as the selected vendor. Chris Korby, California Authority of Racing Fairs, stated the contract for the Totalizator System was a statewide contract. 2<sup>nd</sup> Vice Chairman Rosenberg stated a letter from Sportech sent to SCOTWINC indicated the bidding process was unfair and the Board did not receive the response from SCOTWINC until a couple of days before the Board meeting. He said the response letter from SCOTWINC stated Sportech presented first, with a representative from the Stronach Group present, and AmTote presented a day later. He stated the question was whether AmTote had the opportunity to adjust its proposal after it saw Sportech's proposal. Chairman Winner asked if it would be fair to say AmTote had an opportunity to adjust its presentation in the 24-hour period. Mr. Haines stated that was correct; it had the opportunity. Commissioner Krikorian asked Mr. Haines to explain the Request for Proposal (RFP) process. Chris Korby stated the RFP was a two-step process. He said SCOTWINC first sent out a document called Request for Information. The purpose of the document was to notify interested companies an RFP was forthcoming, and to solicit information from the companies regarding items they thought should be included in the RFP. He said responses were received from several

companies which helped SCOTWINC finalize the RFP. Commissioner Krikorian asked what was submitted by the companies that made proposals; what numbers were submitted and what was discussed? Mr. Korby stated the RFP required a technical proposal that described the services and equipment, and a cost proposal that was submitted in a separate sealed envelope. He said the RFP also required an oral presentation subsequent to submission of the written presentation and cost proposal. He said SCOTWINC allowed both companies to make a written clarification to their cost proposals. Chairman Winner asked if AmTote's cost proposal changed. Mr. Haines stated both companies cost proposals changed. 2<sup>nd</sup> Vice Chairman Rosenberg asked at what point were the companies allowed to make a change to their cost proposals; was it at the oral presentation? Mr. Korby stated it was after the oral presentation. Mr. Morris stated after SCOTWINC reviewed the proposals SCOTWINC had a few areas that needed clarification because SCOTWINC wanted new equipment. He said SCOTWINC wanted new equipment and the Sportech bid included used equipment. He stated SCOTWINC sent out letters to both companies seeking clarification. In the letter the bidding companies had the opportunity to tweak the cost proposals. Both of the bidding companies lowered their prices. Chairman Winner asked if the members of the Stronach Group who were present at the Sportech presentation knew Sportech's number? Mr. Morris stated the presentation were on technology and not costs; there was no discussion of costs. Chairman Winner asked if AmTote would have seen Sportech's written proposal. Mr. Morris stated possibly. He said the Tote committee did not include Stronach managers. He stated the Tote committee reported to NOTWINC and SCOTWINC at the board level. 2<sup>nd</sup> Vice Chairman Rosenberg asked when the Tote committee met. Mr. Morris stated the Tote Committee made its recommendation to the full boards at the joint SCOTWINC-NOTWINC meeting and the boards voted at that time. Commissioner Choper

commented the Board should look at anti-trust laws regarding the Stronach Group's involvements throughout the racing industry. Mr. Morris stated the RFP process followed a very diligent process by forming a Tote committee, sending out a Request for Information to identify potential bidders. He said they formed a Tote Committee with no Stronach representatives, required technology presentations, and gave the tote companies an opportunity to make clarifications and tweak numbers. Commissioner Choper stated it would have been better if the process was presented in a general record open to everyone. Commissioner Krikorian said Sportech's letter stated it was not invited to participate in AmTote's presentation, and that no other financial costs were presented after the initial cost submittal. Chairman Winner stated it may have been better if Sportech presented first. Mr. Morris stated Sportech had the option to go first but it chose otherwise. Commissioner Krikorian asked if Sportech put a hold on opening minisatellite facilities. Mr. Morris stated that was correct and he should know in several weeks if Sportech planned to move forward or not. He said if Sportech decided not to move forward he would have a plan B in place. 2<sup>nd</sup> Vice Chairman Rosenberg asked what would happen to totalizator equipment that was in the minisatellities? Mr. Morris stated initially the two contracts were together but over the last year they had separated the tote contracts from the audio-visual contracts. He said just tote machines would be removed. Commissioner Krikorian stated Sportech representatives should attend the next Regular Board meeting; the Board should give Sportech the opportunity to speak before making a decision to license. Mr. Bucalo asked if there would be downtime when the new equipment was installed, and would there be a loss in revenue during installation. Mr. Haines stated there would be no downtime. 2<sup>nd</sup> Vice Chairman Rosenberg suggested the report detailing SCTOWINC and NOTWINC financial and corporate

structure be referred to committee for further review. Chairman Winner stated the materials would be referred to committee.

**MEETING ADJOURNED AT 12:42 P.M.**



A full and complete transcript of the aforesaid proceedings are on file at the office of the California Horse Racing Board, 1010 Hurley Way, Suite 300, Sacramento, California, and therefore made a part hereof.

\_\_\_\_\_  
Chairman

\_\_\_\_\_  
Executive Director

**CALIFORNIA HORSE RACING BOARD**

**APRIL 16, 2015**  
**REGULAR BOARD MEETING**

**There is no board package material for Item 2**

**CALIFORNIA HORSE RACING BOARD**

**APRIL 16, 2015**  
**REGULAR BOARD MEETING**

**There is no board package material for Item 3**

STAFF ANALYSIS  
DISTRIBUTION OF THE RACE DAY CHARITY PROCEEDS OF THE WATCH AND  
WAGER LLC RACING ASSOCIATION IN THE AMOUNT OF \$4,600 TO SIX  
BENEFICIARIES

Regular Board Meeting  
April 16, 2015

ISSUE

Watch and Wager LLC (Watch and Wager) is requesting approval to distribute race day charity proceeds generated at its 2013 fall to 2014 spring racing meetings. Watch and Wager is proposing a total distribution of \$4,600. The organizations selected and amount to be distributed is listed on the attachment. Staff notes that 100 percent of the proposed charity distributions are made to equine related charity organizations.

BACKGROUND

Business and Professions Code section 19550 states the Board shall require each licensed racing association that conducts 14 or less weeks of racing to designate three racing days, and each licensed racing association that conducts more than 14 weeks of racing to designate five racing days during any one meeting, to be conducted as charity days by the licensee for the purpose of distribution of the net proceeds there from to beneficiaries through the distribution agent. No racing association shall be required to pay to a distributing agent for the purpose of distribution to beneficiaries more than an amount equal to two-tenths of one percent of the association's total on-track handle on live races conducted by the association at the meeting. Business and Professions Code section 19555 requires that proceeds are to be distributed to beneficiaries within 12 calendar months after the last day of the meet during which charity days were conducted. Business and Professions Code section 19556 provides that the distributing agent shall make the distribution to beneficiaries qualified under this article. At least 20 percent of the distribution shall be made to charities associated with the horse racing industry. An additional five percent shall be paid to a welfare fund and another five percent shall be paid to a non-profit corporation, the primary purpose of which is to assist horsemen and backstretch personnel who are being affected adversely as a result of alcohol or substance abuse. In addition to the above distributions, a separate 20 percent shall be made to a nonprofit corporation or trust, the directors or trustees of which shall serve without compensation except for reimbursement for reasonable expenses, and which has as its sole purpose the accumulation of endowment funds, the income on which shall be distributed to qualified disabled jockeys.

RECOMMENDATION

This item is presented for Board discussion and action. Staff recommends the Board approve the charity race day distribution as presented.



Operating Harness Racing at Cal Expo

March 21, 2015

Ms. Jackie Wagner  
 Assistant Executive Director  
 California Horse Racing Board  
 1010 Hurley Way, Suite 300  
 Sacramento, CA 95825

Dear Ms. Wagner:

Watchandwager.com, LLC has allocated charity day proceeds from our 2013/2014 Race Meet (10/5/2013 – 5/10/2014) as set forth below for the California Horse Racing Board's consideration and approval:

Sacramento Horsemen's Association (a)	\$1,000.00
Kirk Breed Memorial (a)	\$1,000.00
Standardbred Retirement Foundation (a)	\$1,000.00
CA Harness Horsemen's Benevolent Foundation (b)	\$280.00
Winners Foundation (c)	\$400.00
CHRB (to allocate to disabled jockeys) (d)	\$920.00
 Total:	 \$4,600.00
 Equine Related Charities	 \$4,600.00
Non-Equine Related Charities	\$ 0.00
 Percentage of Equine Related Charities	 100%

Attached you will find a schedule describing the charitable organizations listed above. Thank you for your attention to this matter. If you need further information, please contact Kate Phariss or me.

Sincerely,

A handwritten signature in black ink, appearing to read "B-K", written over a horizontal line.

Benjamin Kenney  
 CFO, Harness Racing at Cal Expo  
 Watchandwager.com, LLC

## Charity Days Recipients

Sacramento Horsemen's Association: non-profit regional equestrian club established in 1942, hosts horse shows and provides boarding. (contact phone: 916-470-1337; <http://www.sachorsemen.com>)

Standardbred Retirement Foundation: non-profit, tax exempt organization created to care for, rehabilitate, and secure lifetime adoption of non-competitive Standardbred racehorses, to ensure their proper care with follow-up, and combine the needs of youth at risk with these horses in therapeutic equine programs to benefit both. (contact phone: 732-446-4422; <http://www.adoptahorse.org>)

CA Harness Horsemen's Benevolent Foundation: non-profit established by the CA Harness Horsemen's Association to provide funding and support for backstretch employees in need. (contact phone: 916-263-7888)

Winners Foundation: established in 1984 as a non-profit organization to provide information, support and referral sources to employees and family members of the California horse racing community who are being adversely affected as a result of alcohol and/or substance abuse. There is no charge to anyone seeking aid through this group, which has aided and guided thousands of individuals. (Contact phone: 626-574-6498; <http://winnersfoundation.org>)

Kirk Breed Memorial Fund (through the registered non-profit organization, Friends of the California State Fair): Initiative to memorialize Kirk Breed at the Cal Expo Fairgrounds (Contact address: PO Box 15649, Sacramento, CA 95852; <http://www.kirkbreedmemorial.org>)

## CHRB ANALYSIS

### Watch and Wager Charity Day Proceeds (10/5/13- 5/10/2014)

#	Nonprofit Organization	Amount	Proposed Disbursement Percentage	Percentage Required By Horse Racing Law (from the 2/10 of 1%)	Notes
1	CHRB (to allocate to Disabled Jockeys)	920.00	20%	minimum of 20%	d
2	Standardbred Retirement Foundation	1,000.00	22%		a
3	Sacramento Horsemen's Association	1,000.00	22%		a
4	Winners Foundation	400.00	9%	minimum of 5%	c
5	CA Harness Horsemen's Benevolent Foundation	280.00	6%	minimum of 5%	b
6	Kirk Breed Memorial Fund	1,000.00	22%	minimum of 20%	a
	Total	4,600.00	100%	minimum of 50%	e
	Notes:				
	<b>a</b>	20% to charities associated with the horse racing industry (B&P 19556 (b))			
	<b>b</b>	5% to welfare fund for backstretch personnel (B&P 19556 (b))			
	<b>c</b>	5% to nonprofit organization to assist alcohol abuse victims (B&P 19556 (b))			
	<b>d</b>	20% to nonprofit organization that benefits qualified disabled jockeys (B&P 19556 (c)(1))			
	<b>e</b>	overall a minimum of 50% should go to horse racing industry related nonprofit organizations.			
	Background information for each organization is attached.				

STAFF ANALYSIS  
April 16, 2015

Issue: APPLICATION FOR LICENSE TO CONDUCT A HORSE RACING MEETING OF THE OAK TREE RACING ASSOCIATION AT THE ALAMEDA COUNTY FAIR AT PLEASANTON, COMMENCING JUNE 17, 2015 THROUGH JULY 7, 2015

Oak Tree Racing Association (OTRA) filed its application to conduct a horse racing meeting of a California fair at Pleasanton:

- June 17 through July 7, 2015, or 12 days, the same as 2014. The fair proposes to race a total of 138 races. OTRA will be simulcasting on June 17, 24 and July 1, 2015 and live racing will begin on June 18, 2015.

Assembly Bill 1303, (Hall), Chapter 7, Statutes of 2014 added Business and Professions Code section 19549.16, which authorizes the Board to allocate racing days to a fair in the northern zone to be conducted by the fair, or at the fair's request, allow the Board to license a racing association that was licensed to conduct racing meetings in California before 2010, to operate the fair's race meeting during its allocated dates. OTRA conducted a thoroughbred horse racing meeting at Santa Anita in 2009 and a race meeting at Hollywood Park in 2010.

June - 2015						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30				

July - 2015						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
			1	2	3	4 H
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

- Racing Thursday through Sunday for three weeks. 10 races on Thursday and 12 races on Fridays, Saturdays, and Sundays.
- 2014 Race Meeting: Average number of runners per race (TB): 7.60
- 2014 Race Meeting: Average number of runners per race (Arabian): 7.13
- 2014 Race Meeting: Average number of runners per race (Quarterhorse): 6.30
- 2014 Race Meeting: Average number of runners per race (Mules): 6.44
- First post 1:15 p.m.
- Request Darrel Sparks be appointed horse identifier pursuant to CHRB Rule 1525.
- In the event there is a prohibitive favorite where there is sufficient information that the entry will most likely generate a negative place or show pool, the Oak Tree Racing Association may request approval from the CHRB to allow an entry to run for purse only.
- Wagering program will use CHRB rules and ARCI rules.
  - \$1 Place Pick, \$1 Trifecta, and \$0.10 Superfecta when applicable.
  - \$0.50 Pick 4 on first 4 races and last 4 thoroughbred races – Pick five on last thoroughbred 5 races, with 100% major pool paid for 5 of 5. If no 5 of 5, 75% carryover and 25% minor pool to most winners.



- \$0.20 Pick 6 on last thoroughbred 6 races each day. 100% pools paid and any prior carryovers for unique tickets selecting 6 winners. If no ticket selects six winners the 40% minor pool paid for the day is paid to tickets selecting the most winners. 60% major pool will be added to the carryover.
- \$0.20 Pentafecta (Super High 5) selecting first five finishers in the same race. 100% pool paid and any prior carryovers paid for a unique ticket selecting the first five finishers. If no unique ticket selects the first five finishers then 40% minor pool paid to tickets selecting the first five finishers. 60% of major pool will be added to the carryover. If no ticket selects the first five finishers 100% of the pool will be added to the carryover. Super High-5 will be carded on the last race of the day.
- Early wagering will not be offered.
- The Advance Deposit Wagering (ADW) providers are XpressBet, TVG, TwinSpires, Bet America - Lien Games and Watch and Wager.

Pursuant to Business and Profession Code section 19604, specific provisions must be met before an ADW provider can accept wagers.

*Summary of Business and Profession Code 19604*

*To accept wagers on races conducted in California from a resident of California.*

- The ADW provider must be licensed by the Board.
- A written agreement allowing those wagers exists with the racing association or fair conducting the races on which the wagers are made.
- The agreement shall have been approved in writing by the horsemen's organization responsible for negotiating purse agreements for the breed on which the wagers are made.

*To accept wagers on races conducted outside of California from a resident of California.*

- The ADW provider must be licensed by the Board.
- There is a hub agreement between the ADW provider and one or both of (i) one or more racing associations or fairs that together conduct no fewer than five weeks of live racing on the breed on which wagering is conducted during the calendar year during which the wager is placed, and (ii) the horsemen's organization responsible for negotiating purse agreements for the breed on which wagering is conducted.

Documents received in compliance with Business and Professions Code section 19604:

- ODS Technologies, L.P. dba TVG Network has submitted all documents required in compliance with Business and Professions Code section 19604.
- XpressBet LLC. dba XpressBet.com has submitted all documents required in compliance with Business and Professions Code section 19604.
- Churchill Downs Technology Initiatives Company, dba TwinSpires, has submitted all documents required in compliance with Business and Professions Code section 19604.
- Lien Games Racing LLC, dba Bet America, has submitted all documents required in compliance with Business and Professions Code section 19604.
- Watch and Wager has submitted all documents required in compliance with Business and Professions Code section 19604.
- Simulcasting conducted with other out-of-state racing jurisdictions pursuant to Business and

Professions Code section 19602; and with authorized locations throughout California.

- Inspection of backstretch worker housing has been requested and will be completed prior to race meet.
- Track safety inspection has been requested and will be completed prior to race meet.

ITEMS STILL NEEDED:

1. Horsemen's agreement [Thoroughbred, Quarter, Mules and Arabian].
2. California Thoroughbred Trainers agreement.
3. Fire clearance.
4. Horsemen approval [Thoroughbred, Quarter, Mules and Arabian] of ADW agreement.

Specific information which will need **updating** during the proposed race dates:

1. Workers' Compensation – Expires July 1, 2015

RECOMMENDATION:

If the application is considered for approval, staff recommends a contingent approval upon the submission of outstanding items.



April 7, 2015

Mr. Rick Baedeker  
Executive Director  
California Horse Racing Board  
1010 Hurley Way  
Sacramento, CA

Dear Mr. Baedeker,

Please accept this as a formal request to the California Horse Racing Board to permit Oak Tree Racing Association to conduct live racing at Alameda County Fair during the dates allocated to Pleasanton. This request is made pursuant to Business and Professions Code Section 19549.16.

Respectfully submitted,

A handwritten signature in cursive script that reads 'Jerome P. Hoban'.

Jerome Hoban  
CEO

Cc: Oak Tree Racing Assn.  
California Authority of Racing Fairs

STATE OF CALIFORNIA  
CALIFORNIA HORSE RACING BOARD  
APPLICATION FOR LICENSE TO CONDUCT A HORSE RACING MEETING OF A CALIFORNIA FAIR  
CHRB-18 (Rev.07/11)

Application is hereby made to the California Horse Racing Board (CHRB) for a license to conduct a horse racing meeting of a California fair as authorized by Article 6.5 of the California Business and Professions Code, Chapter 4, Division 8, Horse Racing Law, and in accordance with applicable provisions and the California Code of Regulations, Title 4, Division 4, CHRB Rules and Regulations.

1. APPLICANT FAIR ASSOCIATION

A. Name, mailing address, telephone, and fax numbers of fair:

**Oak Tree Racing Association at Pleasanton**  
**Alameda County Fair Agricultural Association**  
**4501 Pleasanton Avenue, Pleasanton, CA 94566**  
**Phone: 925-426-7600 Fax: 925-426-7599**

**Oak Tree Racing Association**  
**201 Colorado Place, Arcadia, CA 91007**  
**Phone: 626-833-2209 Fax: 626-574-0852**

B. Fair association is a:  District Fair  County Fair  Citrus Fruit Fair  
 California Exposition and State Fair  Other qualified fair

C. Provide the name, telephone, and email address for the fair contact person:

**Jerome Hoban C.E.O., 925-426-7501, jhoban@alamedacountyfair.com**

NOTICE TO APPLICANT: Application must be filed not later than 90 days before the scheduled start date for the proposed meeting pursuant to CHRB Rule 1433.

2. DATES OF RACE MEETING

- A. Inclusive dates allocated for race meeting: **June 17 – July 7, 2015**
- B. Actual dates racing will be held: **June 18, 19, 20, 21, 25, 26, 27, 28 & July 2, 3, 4, 5**
- C. Dates racing will NOT be held: **June 22, 23, 29, 30, July 6 & 7. June 17, 24 & July 1 will be simulcast only days.**
- D. Total number of racing days: **12**
- E. Days of the week races will be held:  
 Wed - Sun  Tues - Sat  Other (specify) Thurs-Sun

3. RACING PROGRAM

A. Total number of races: 138

Application received: <i>3/19/15</i>	CHRB CERTIFICATION	Hearing date: <i>4/16/15</i>
Reviewed: <i>[Signature]</i>		Approved date:
		License number:

## B. Number of races by breed:

<input type="text" value="108"/>	Thoroughbreds	<input type="text" value="10"/>	Quarter Horses	<input type="text" value="0"/>	Appaloosas
<input type="text" value="10"/>	Arabians	<input type="text" value="0"/>	Paints	<input type="text" value="10"/>	Mules

## C. Number of races daily:

	Thurs 6/18	Fri 6/19	Sat 6/20	Sun 6/21	Thurs 6/25&7/2	Fri 6/26 & 7/3	Sat 6/27 & 7/4	Sun 6/28 & 7/5
Thoroughbred	8	9	9	10	8	9	9	10
Other Breeds	2	3	3	2	2	3	3	2
Total	10	12	12	12	10	12	12	12

## D. Total number of stakes races by breed:

<input type="text" value="5"/>	Thoroughbreds	<input type="text" value="0"/>	Quarter Horses	<input type="text" value="0"/>	Appaloosas
<input type="text" value="2"/>	Arabians	<input type="text" value="0"/>	Paints	<input type="text" value="0"/>	Mules

## E. Attach a listing of all stakes races and indicate the date to be run and the added money or guaranteed purse for each.

## Thoroughbred Stakes

Oak Tree Handicap Three-year olds & Upward - One Mile 1/16	\$50,000 Added Overnight Stakes (Plus up to \$15,000 to Cal-Breds)	Sat, Jun 20
Pleasanton Oak Stakes Three-year Old Fillies - Six Furlongs	\$50,000 Added Overnight Stakes (Plus up to \$15,000 to Cal-Breds)	Sun, Jun 21
Oak Tree Distaff CAL BREDS Three Year Olds & Upward F/M - Six Furlongs	\$100,000 (\$40,000 CTBA) Guaranteed	Sat, Jun 27
Juan Gonzalez Memorial Overnight Stakes-37 <sup>th</sup> Running Fillies Two-years old - Five & ½ Furlongs	\$50,000 Added Overnight Stakes (Plus up to \$15,000 to Cal-Breds)	Sat, Jul 4
Everett Nevin Futurity -54 <sup>th</sup> Running Two-year olds - Five & ½ Furlongs	\$50,000 Added Overnight Stakes (Plus up to 15,000 to Cal-Breds)	Sun, Jul 5

## Arabian Stakes

Grade III H.H. Sheikh Zayed Bin Sultan Al Nahyan Arabian Cup Three Year-Olds and Upward - Six Furlongs	\$48,000 Added	Sat., Jul 4
H.H. Sheikha Fatima Bint Mubarak Ladies IFAHR Cup Three Year-Olds and Upward - Six Furlongs	\$41,000 Added	Sat., Jul 4

## F. Will provisions be made for owners and trainers to use their own registered colors?

Yes  No      If no, what racing colors are to be used:

OAK TREE RACING ASSOCIATION AT PLEASANTON  
 ALAMEDA COUNTY FAIR AGRICULTURAL ASSOCIATION  
 DATES OF RACE MEETING  
 INCLUSIVE DATES ALLOCATED FOR RACE MEETING: JUNE 18 – JULY 6, 2014

**Thoroughbred Stakes**

Oak Tree Handicap Three-year olds & Upward - One Mile 1/8	\$100,000 Stakes (Guaranteed)	Sat, Jun21
Oak Tree Distaff CAL BREDS Three Year Olds & Upward F/M - Six Furlongs	\$100,000 Stakes	Sat, Jun28
Oak Tree Sprint Three-year olds & Upward - Six Furlongs	\$75,000 Stakes (Guaranteed)	Sat, Jul 4
Juan Gonzalez Memorial Overnight Stakes-36 <sup>th</sup> Running Fillies Two-years old - Five & ½ Furlongs	\$50,000 Added Overnight Stakes (Plus up to \$15,000 to Cal-Breds)	Sat, Jul 5
Everett Nevin Alameda County Stakes-53 <sup>rd</sup> Running Two-year olds - Five & ½ Furlongs	\$50,000 Added Overnight Stakes (Plus up to 15,000 to Cal-Breds)	Sun, Jul 6

**Arabian Stakes**

Grade III H.H. Sheikh Zayed Bin Sultan Al Nahyan Arabian Cup Three Year-Olds and Upward - Six Furlongs	\$48,000 Added	Sat., Jul 5
H.H. Sheikha Fatima Bint Mubarak Ladies IFAHR Cup Three Year-Olds and Upward - Six Furlongs	\$41,000 Added Amateur Jockeys	Sat., Jul 5

## G. List all post times for the daily racing program:

<i>Race Number</i>	<i>Weekdays</i>	<i>Fridays</i>	<i>Weekends</i>
Race # 1	1:15p.m.	2:15 p.m.	1:15 p.m.
Race # 2	1:45 p.m.	2:45 p.m.	1:45 p.m.
Race # 3	2:15 p.m.	3:15 p.m.	2:15 p.m.
Race # 4	2:45 p.m.	3:45 p.m.	2:45 p.m.
Race # 5	3:15 p.m.	4:15 p.m.	3:15 p.m.
Race # 6	3:45 p.m.	4:45 p.m.	3:45 p.m.
Race # 7	4:15 p.m.	5:15 p.m.	4:15 p.m.
Race # 8	4:45p.m.	5:45 p.m.	4:45 p.m.
Race # 9	5:15 p.m.	6:15 p.m.	5:15 p.m.
Race # 10	5:45 p.m.	6:45 p.m.	5:45 p.m.
Race # 11			6:15 p.m.
Race # 12			6:45 p.m.

*\* As much as possible, we intend to align our post times to complement the Santa Anita and Los Alamitos post times*

**NOTICE TO APPLICANT:** Every licensee conducting a horse racing meeting shall each racing day provide for the running of at least one race limited to California-bred horses, to be known as the "California-bred race" pursuant to CHRB Rule 1813.

## 4. FAIR ASSOCIATION

- A. **Names of the Oak Tree Directors:** John H. Barr, Sherwood C. Chillingworth, Dr. Rick Arthur, Thomas R. Capehart, Richard Mandella, Warren B. Williamson and Robert W. Zamarripa Sr.

Names of the fair directors: Jared Amgott-Kwan, Jack Balch, Paul Banke, Jason Chin, Dawna Dowdell, Gordon Galvan, Patsy Gilbert, Frank Imhof, Jack Kavanagh, Janet Lockhart, Michael Mahoney, Jim McGrail, Chuck Moore, George Pacheco, Richard Sealana, Don Sherratt, Robert Silva, Craig Smith, Harvey Smith, John Smith, Naomi Wallace, Tim Weaver, Eric Wente, Robin Wilma, & Ron Zeno

- B. Names of the directors serving on the Racing Committee or otherwise responsible for the conduct of the racing program: **Chair Frank Imhof, Vice Chair Jack Kavanagh, Jack Balch, Paul Banke, Jason Chin, Gordon Galvan, Janet Lockhart, Jim McGrail, Chuck Moore, Don Sherratt, Craig Smith, John Smith, Naomi Wallace & Ron Zeno**
- C. Name and title of the fair manager or executive officer and the names and titles of all department managers, fair staff and Oak Tree Staff other than those listed in 12B, who will be listed in the official program:
1. Alameda County Fair: **C.E.O. Jerome Hoban, Director of Racing Jeanne Wasserman, Maintenance Operations Manager Richard Sims, Track Superintendent Jim Burns & Stable Manager Claudio Santiago.**
  2. Oak Tree Racing: **President John Barr, Vice-President Dr. Rick Arthur & Executive Vice-President Sherwood C. Chillingworth**
- D. Name and title of the person(s) authorized to receive notices on behalf of the fair association and the mailing and email address of such person(s).
- Jerome Hoban, C.E.O.  
4501 Pleasanton Avenue**

Pleasanton, CA 94566  
jhoban@alamedacountyfair.com

Jeanne Wasserman, Director of Racing  
4501 Pleasanton Avenue  
Pleasanton, CA 94566  
jeanne@alamedacountyfair.com

5. TAKE OUT PERCENTAGE

1. Will the percentage deducted for any type of wager be adjusted pursuant to Business and Professions Code section 19601.01? If no, proceed to subsection 6. If yes, identify the wager and the proposed takeout percentage.

Yes  No

Wager(s) to be adjusted: \_\_\_\_\_ Proposed percentage: \_\_\_\_%

A. Attach copy of written notice requesting the proposed takeout adjustment, the proposed percentage and the wager(s) affected. The notice must include the written agreement of the fair association and the horsemen's organization for the meeting of the fair association accepting the wager.

**NOTICE TO APPLICANT:** Pursuant to Business and Professions Code section 19601.01 notwithstanding any other provision of law, a thoroughbred association or fair, upon the filing of a written notice with, and approval by, the board specifying the percentage to be deducted, may deduct from the total amount handled in the pari-mutuel pool for any type of wager an amount of not less than 10 percent nor more than 25 percent. The written notice shall include the written agreement of the thoroughbred association or fair and the horsemen's organization for the meeting of the thoroughbred association or fair accepting the wager. The established percentage to be deducted shall remain in effect until the filing of a subsequent notice with, and approval by, the board, unless otherwise specified in the notice.

6. HANDLE HISTORY

1. Complete the table below providing the last five years of handle and attendance for the fair association. If your association has been operating for fewer than five years, provide information for the period of time it has been in operation.

Year	Handle	Attendance	Number of Racing Days
2014	\$22,829,476	83,662	12 Days
2013	\$23,462,680	82,874	12 Days
2012	\$25,157,259	94,572	13 Days
2011	\$26,456,203	95,213	13 days
2010	\$27,991,722	102,728	14 days
2009	\$31,941,942	107,607	15 days



**7. PURSE PROGRAM (Excluding supplements, nominations, sponsorships, and starter fees):****A. Purse distribution:**

1. All races other than stakes:  
Current meet estimate: \$1,307,240  
Prior meet actual: \$1,365,240

Average Daily Purse (7A1 ÷ number of days):

Current meet estimate: \$108,936  
Prior meet actual: \$113,770

2. Overnight stakes:  
Current meet estimate: \$289,000  
Prior meet actual: \$189,000

Average Daily Purse (7A2 ÷ number of days):

Current meet estimate: \$24,083  
Prior meet actual: \$15,750

3. Non-overnight stakes:  
Current meet estimate: \$100,000  
Prior meet actual: \$275,000

Average Daily Purse (7A3 ÷ number of days):

Current meet estimate: \$8,333  
Prior meet actual: \$22,916

4. Total Purses: (7A1+7A2+ 7A3)  
Current meet estimate: \$1,696,240  
Prior meet actual \$1,829,240

**B. Funds to be generated for all California-bred incentive awards (including breeder awards and owners premiums):**

Current meet estimate: \$124,128  
Prior meet actual: \$132,052

**C. Payment to each recognized horsemen's organization contracting with the fair:**

Current meet estimate:		Prior meet actual:
CTT	\$ 4,448	\$ 4,732
TOC	\$ 8,896	\$ 9,464
NTRA	\$ 1,924	\$ 2,047
PCQHRA	\$ 1,173	\$ 1,248
CWAR	\$ -0-	\$ -0-

ARAC	\$ 3,632		\$ 3,855
AMRA	\$ 2,800		\$ 2,979
CHBPAPEN	\$ 13,344		\$ 14,196
CTHF	<u>\$ 13,344</u>		<u>\$ 14,196</u>
Total	\$ 49,561	Total	\$ 52,717

D. Amount from all sources to be distributed at the meeting in the form of purses or other benefits to horsemen (7A+7B+7C):

Current meet estimate: \$1,869,929

Prior meet actual: \$2,014,009

Average Daily Purse (7D ÷ number of days):

Current meet estimate: \$155,827

Prior meet actual: \$167,834

E. Purse funds to be generated from on-track handle and intrastate off-track handle (excluding carry-overs from prior race meet(s) :

Current meet estimate: \$1,527,437

Prior meet actual: \$1,624,934

Average Daily Purse (7E ÷ number of days):

Current meet estimate: \$127,286

Prior meet actual: 135,411

F. Purse funds to be generated from interstate handle:

Current meet estimate: \$170,094

Prior meet actual: \$180,952

Average Daily Purse (7F ÷ number of days):

Current meet estimate: \$14,174

Prior meet actual: \$15,079

G. Bank and account number for the Paymaster of Purses' purse account:

West America Bank (C.A.R.F.) TOC Account No. On file Emerging Breeds Account No. On file.

H. Name, address, email and telephone number of the pari-mutuel audit firm engaged for the meeting:

Disher Accountancy Corporation, 1816 Maryal Drive, Sacramento, CA. 95864, (916) 482-4224

**NOTICE TO APPLICANT:** All funds generated and retained from on-track pari-mutuel handle which are obligated by law for distribution in the form of purses, breeders' awards or other benefits to horsemen, **shall not** be deemed as income to the fair and **shall**, within 3 calendar days following receipt, be deposited in a segregated and separate liability account in a depository approved by the CHRB and shall be at the disposition of the Paymaster of Purses, who shall pay or distribute such funds to the persons entitled thereto. All funds generated from off-track simulcast wagering, interstate wagering, and out-of-state wagering which are obligated by law for distribution in the form of purses and breeders' awards, shall also be deposited within 3 calendar days following receipt into such liability account. In the event the fair is obligated to the payment of purses prior to those obligated amounts being retained from pari-mutuel wagering for such purpose, or as a result of overpayment of earned purses at the conclusion of the meeting, the fair shall transfer from its own funds such amounts as are necessary for the Paymaster of Purses to distribute to the horse owners statutorily or contractually entitled thereto. The fair is entitled thereafter to recover such transferred funds from the Paymaster of Purses' account; and if insufficient funds remain in the account at the conclusion of the meeting, the fair is entitled to carry forward the deficit to its next succeeding meeting as provided by Business and Professions Code section 19615(c) or (d). In the event of **underpayment** of purses which results in a balance remaining in the Paymaster of Purses' account at the conclusion of the meeting after distribution of amounts due to horsemen and breeders and

horsemen's organizations, the fair may carry forward the surplus amount to its next succeeding meeting; provided, however, that the amount so retained does not exceed an amount equivalent to the average daily distribution of purses and breeders' awards during the meeting. All amounts in excess shall be distributed retroactively and proportionally in the form of purses and breeders' awards to the horse owners and breeders having earned purses or awards during the conduct of the meeting.

## 8. STABLE ACCOMMODATIONS

- A. Number of usable stalls available for racehorses at the track where the meeting is held:  
**684 (100 Portables available if needed)**
- B. Minimum number of stalls believed necessary for the meeting:  
**2,000**
- C. Total number of usable stalls to be made available off-site at approved auxiliary stabling areas or approved training centers: **1,440**
- D. Name and location of each off-site auxiliary stabling area and the number of stalls to be maintained at each site: **Golden Gate Field – 1,440 stalls**
- E. Attach each contract or agreement between the fair and the person(s) furnishing off-site stabling accommodations for eligible racehorses that cannot be provided stabling on-site.  
**Northern California Stabling and Vanning Fund (On File).**

Complete subsections F through H if the fair will request reimbursement for off-site stabling as provided by Business and Professions Code sections 19607, 19607.1, 19607.2, and 19607.3; otherwise, proceed to section 9.

- F. Total number of usable stalls made available on-site for the **1986** meeting, pursuant to Business and Professions Code section 19535(c).  
**884**
- G. Estimated cost to provide off-site stalls for this meeting. Show cost per-day per stall:  
**\$7.91**
- H. Estimated cost to provide vanning from off-site stalls for this meeting. Show fees to be paid for Vanning per-horse: **Alameda County Fair will not be Vanning horses.**

## 9. PARI-MUTUEL WAGERING PROGRAM

- A. Is the fair applicant a member of the California Authority of Racing Fairs (CARF)? If yes, attach a copy of the CARF recommended wagering format.  Yes    No    (On File with CHRB)
- B. Pursuant to Business and Professions Code section 19599, and with the approval of the CHRB, fairs may elect to offer wagering programs using CHRB Pari-mutuel Rules, the Association of Racing Commissioners International (RCI) Uniform Rules of Racing, Chapter 9, Pari-mutuel Wagering, or a combination of both. Please complete the following schedule for the types of wagering other than WPS and the minimum wager amount for each. If applicant is a member of CARF, also indicate if wager is a part of the CARF recommended wagering format:

Use DD for daily double, E for exacta (special quinella), PK3 for pick three, PK4 for select four, PNP for pick (n) pool, PPN for place pick (n), Q for quinella, SF for superfecta, TRI for trifecta, and US for unlimited sweepstakes (pick 9).

Type	Rule Number
Exacta (1E)	1959
Trifecta (1TRI)	1979
Daily Double (2DD)	1957
Superfecta (.10SF)	1979.1
Pentafecta (.20 PF)	ARCI 004-105
PK 3 (1PK3)	1977
PK 4 (.50PNP4)	1976.9
PK 5 (.50PNP5)	1976.9
PK 6 (.20PNP6)	1976.9

FORMAT	TYPE OF WAGERS	APPLICABLE RULES	CARF	WAGERING
Example Race	\$1 E; \$1 Double	CHRB #1959; RCI #VE		Yes X
Race #1	\$1E, \$1PK3, \$1TRI, \$2DD, \$.10SF \$.50PNP4	CHRB #1959, CHRB #1977, CHRB #1979, CHRB #1957, CHRB #1979.1 CHRB #1976.9		
Race #2	\$1E, \$1PK3, \$1TRI, \$2DD, \$.10SF	CHRB #1959, CHRB #1977, CHRB #1979, CHRB #1957, CHRB #1979.1		
Race #3	\$1E, \$1PK3, \$1TRI, \$2DD, \$.10SF, \$1PPN% \$.20PNP6	CHRB #1959, CHRB #1977, CHRB #1979, CHRB #1957, CHRB #1979 ARCI 004-105 G. (g)		
Race #4	\$1E, \$1PK3, \$1TRI, \$2DD, \$.10SF, \$.50PNP5, \$.20PNP6	CHRB #1959, CHRB #1977, CHRB #1979, CHRB #1957, CHRB #1979.1, CHRB #1976.9 ARCI 004-105 G. (g)		
Race #5	\$1E, \$1PK3, \$1TRI, \$2DD, \$.10SF, \$.50PNP4, \$.50PNP5, \$.20PNP6	CHRB #1959, CHRB #1977, CHRB #1979, CHRB #1957, CHRB #1979.1, CHRB #1976.9 CHRB #1976.9, ARCI 004-105 G. (g)		
Race #6	\$1E, \$1PK3, \$1TRI, \$2DD, \$.10SF, \$.50PNP4 \$.50PNP5, \$.20PNP6	CHRB #1959, CHRB #1977, CHRB #1979, CHRB #1957, CHRB #1979.1, CHRB #1976.9 CHRB #1976.9, ARCI 004-105 G. (g)		
Race #7	\$1E, \$1PK3, \$1TRI, \$2DD, \$.10SF, \$.50 PNP4 \$.50PNP5, \$.20PNP6	CHRB #1959, CHRB #1977, CHRB #1979, CHRB #1957, CHRB #1979.1, CHRB #1976.9 CHRB 1976.9, ARCI 004-105 G. (g)		
Race #8	\$1E, \$1PK3, \$1TRI, \$2DD, \$.10SF, \$.50PNP4, \$.50PNP5, \$.20 SUPER HIGH 5	CHRB #1959, CHRB #1977, CHRB #1979, CHRB #1957, CHRB #1979.1, CHRB #1976.9 CHRB 1976.9, ARCI 004-105 X-Pentafecta (5) Option 4		
Race #9	\$1E, \$1PK3, \$1TRI \$2DD, \$.10SF, \$.50PNP4 \$.20 SUPER HIGH 5	CHRB #1959, CHRB #1977, CHRB #1979, CHRB #1957, CHRB #1979.1, CHRB #1976.9 ARCI 004-105 X-Pentafecta (5) Option 4		
Race #10	\$1E, \$1PK3, \$1TRI, \$2DD, \$.10SF,	CHRB #1959, CHRB #1977, CHRB #1979, CHRB #1957, CHRB #1979.1		

	<b>S.20 SUPER HIGH 5</b>	<b>ARCI 004-105 X-Pentafecta (5) Option 4</b>
<b>Race #11</b>	<b>\$1E, \$1TRI, \$2DD \$.10SF, S.20 SUPER HIGH 5</b>	<b>CHRB #1959, CHRB #1979, CHRB #1957, CHRB #1979.1 ARCI 004-105 X-Pentafecta (5) Option 4</b>
<b>Race #12</b>	<b>\$1E, \$1TRI, \$.10SF S.20 SUPER HIGH 5</b>	<b>CHRB #1959, CHRB #1979, CHRB #1979.1 ARCI 004-105 X-Pentafecta (5) Option 4</b>

- C. Maximum carryover pool to be allowed to accumulate before its distribution OR the date(s) designated for distribution of the carryover pool: **July 5, 2015 (Closing Day of Alameda County Fair)**

In the event there is a prohibitive favorite where there is sufficient information that the entry will most likely generate a negative place or show pool, the association may request approval from CHRB to allow that entry to run for purse only.

- D. List any options requested with regard to exotic wagering:  
**\$1 PPN when applicable; \$1 TRI and \$0.10 SF when applicable**  
**\$0.50 PNP4 on the first four races and the last four thoroughbred races each day**  
**\$0.50 PNP5 on the last five thoroughbred races each day, with 100% major pool paid for 5 of 5. If no 5 of 5, 75% carryover and 25% minor pool to most winners.**  
**\$0.20 PNP6 on the last six thoroughbred races each day. 100% pool paid and any prior carryovers for unique ticket selecting six winners. If no unique ticket selects six winners then the 40% minor pool that day is paid to the tickets selecting the most winners and the 60% major pool will be added to the carryover.**  
**\$0.20 Pentafecta (Super High 5) selecting the first five finishers in the same race. 100% pool paid and any prior carryovers paid for a unique ticket selecting the first five finishers. If no unique ticket selects the first five finishers then 40% minor pool paid to tickets selecting the first five finishers and 60% of major pool will be added to the carryover. If no ticket selects the first five finishers 100% of the pool will be added to the carryover. Super High-5 will be carded on the last race of the day.**

- E. Will "advance" or "early bird" wagering be offered?  Yes  No

If yes, when will such wagering begin? Specify days and time for "early bird" wagering:

- F. Type(s) of pari-mutuel or totalizator equipment to be used by the fair and the simulcast organization, the name of the person(s) supplying equipment, and expiration date of the service contract:  
**Sport Tech (Anthony Lovell) Expiration: October 30, 2015.**  
**Equipment description on file with Board.**

#### 10. ADVANCE DEPOIST WAGERING (ADW)

- A. Identify the ADW provider(s) to be used by the fair for this race meeting:  
**Express Bet, T.V.G. (Television Games Network), Twin Spires, Bet America & Watch & Wager.**
- B. Attach a copy of the agreement/contracts with each ADW provider to be used for this race meeting. To Be provided by CARF.



April 9, 2015

California Horse Racing Board  
Attn: Jackie Wagner  
Assistant Executive Director

To Whom It May Concern:

The following information is provided for you in response to the 2015 Race Meet Application Review of the Oak Tree at Pleasanton Race Meet:

The following is the CARF wagering format:

Example Race	TYPE OF WAGERS	APPLICABLE RULES
	\$1 E; \$1 Double	CHRB #1959; RCI #VE
Race #1	\$1E, \$1PK3, \$1TRI, \$2DD, \$.10SF \$.50PNP4	CHRB #1959, CHRB #1977, CHRB #1979, CHRB #1957, CHRB #1979.1 CHRB #1976.9
Race #2	\$1E, \$1PK3, \$1TRI, \$2DD, \$.10SF	CHRB #1959, CHRB #1977, CHRB #1979, CHRB #1957, CHRB #1979.1
Race #3	\$1E, \$1PK3, \$1TRI, \$2DD, \$.10SF \$.10PNP6	CHRB #1959, CHRB #1977, CHRB #1979, CHRB #1958, CHRB #1957, CHRB #1979.1 ARCI 004-105 G. (g)
Race #4	\$1E, \$1PK3, \$1TRI, \$2DD, \$.10SF, \$.50PNP5 \$.20PNP6	CHRB #1959, CHRB #1977, CHRB #1979, CHRB #1957, CHRB #1979.1 CHRB 1976.9, ARCI 004-105 G. (g)
Race #5	\$1E, \$1PK3, \$1TRI, \$2DD, \$.10SF, \$.50PNP4, \$.50PNP5, \$.20PNP6	CHRB #1959, CHRB #1977, CHRB #1979, CHRB #1957, CHRB #1979.1, CHRB #1976.9 CHRB 1976.9, ARCI 004-105 G. (g)
Race #6	\$1E, \$1PK3, \$1TRI, \$2DD, \$.10SF, \$.50PNP4, \$.50PNP5, \$.20PNP6	CHRB #1959, CHRB #1977, CHRB #1979, CHRB #1957, CHRB #1979.1, CHRB #1976.9 CHRB 1976.9, ARCI 004-105 G. (g)
Race #7	\$1E, \$1PK3, \$1TRI, \$2DD, \$.10SF, \$.50PNP4, \$.50PNP5, \$.20PNP6	CHRB #1959, CHRB #1977, CHRB #1979, CHRB #1957, CHRB #1979.1, CHRB 1976.9 CHRB 1976.9, ARCI 004-105 G. (g)
Race #8	\$1E, \$1PK3, \$1TRI, \$2DD, \$.10SF, \$.50PNP4, \$.50PNP5, \$.20 SUPER HIGH 5	CHRB #1959, CHRB #1977, CHRB #1979, CHRB #1957, CHRB #1979.1, CHRB #1976.9 CHRB #1976.9, ARCI 004-105 X-Pentafecta (5) Option 4
Race #9	\$1E, \$1PK3, \$1TRI, \$2DD, \$.10SF, \$.50PNP4, \$.20 SUPER HIGH 5	CHRB #1959, CHRB #1977, CHRB #1979, CHRB #1957, CHRB #1979.1 CHRB #1976.9, ARCI 004-105 X-Pentafecta (5) Option 4



Race #10	\$1E, \$1PK3, \$1TRI, \$2DD, \$.10SF, \$.20 SUPER HIGH 5	CHRB #1959, CHRB #1977, CHRB #1979, CHRB #1957, CHRB #1979.1 ARCI 004-105 X-Pentafecta (5) Option 4
Race #11	\$1E, \$1TRI, \$2DD, \$.10SF, \$.20 SUPER HIGH 5	CHRB #1959, CHRB #1979, CHRB #1957, CHRB #1979.1 ARCI 004-105 X-Pentafecta (5) Option 4
Race #12	\$1E, \$1TRI, \$.10SF, \$.20 SUPER HIGH 5	CHRB #1959, CHRB #1979, CHRB #1979.1 ARCI 004-105 X-Pentafecta (5) Option 4
Race #13	\$1E, \$1TRI, \$.10SF, \$.20 SUPER HIGH 5	CHRB #1959, CHRB #1979, CHRB #1979.1 ARCI 004-105 X-Pentafecta (5) Option 4

This format will be use at the following fairs: Alameda County Fair, The California State Fair, Humboldt County Fair, San Joaquin County Fair and the Big Fresno Fair. The 2005 NCOTWINC Agreement is still current for the 2015 racing season.

Respectfully Yours,

Larry A. Swartzlander  
Chief Operating Officer

**\$.20 PNP6 on the last six thoroughbred races each day. 100% pool paid and any prior carryovers for unique ticket selecting six winners. If no unique ticket selects six winners then the 40% minor pool that day is paid to the tickets selecting the most winners and the 60% major pool will be added to the carryover.**

**\$0.20 Pentafecta (Super High 5) selecting the first five finishers in the same race. 100% pool paid and any prior carryovers paid for a unique ticket selecting the first five finishers. If no unique ticket selects the first five finishers then 40% minor pool paid to tickets selecting the first five finishers and 60% of major pool will be added to the carryover. If no ticket selects the first five finishers 100% of the pool will be added to the carryover. Super High-5 will be carded on the last race of the day.**

C. Have the contract/agreements been approved by the respective horsemen's groups?

Yes  No

If yes, attach a copy of the approval. –To Be Provided by C.A.R.F.

If no, explain the status of the approval.

**NOTICE TO APPLICANT:** Pursuant to Business and Professions Code section 19604, ADW providers may accept wagers on races conducted in California from a resident of California if: 1) the ADW provider is licensed by the Board; 2) a written agreement allowing those wagers exists with the racing association or fair conducting the races on which the wagers are made; 3) the agreement shall have been approved in writing by the horsemen's organization responsible for negotiating purse agreements for the breed on which the wagers are made. ADW providers may accept wagers on races conducted outside of California from a resident of California if: 1) the ADW provider is licensed by the Board; 2) there is a hub agreement between the ADW provider and one or both of (i) one or more racing associations or fairs that together conduct no fewer than five weeks of live racing on the breed on which wagering is conducted during the calendar year during which the wagers are placed and (ii) the horsemen's organization responsible for negotiating purse agreements for the breed on which wagering is conducted.

## 11. SIMULCAST WAGERING PROGRAM

A. Simulcast organization engaged by the fair to conduct simulcast wagering:

**Northern California Off-Track Wagering, Inc. (NOCTWINC)**

B. Attach the agreement between the fair and simulcast organization permitting the organization to use the fair's live audiovisual signal for wagering purposes and providing access to its totalizator for the purpose of combining on-track and off-track pari-mutuel pools.

**On File**

C. California simulcast facilities the fair proposes to offer its live audiovisual signal:

### NORTHERN CALIFORNIA

Alameda County Fair, Pleasanton  
Bankers Casino, Salinas  
Big Fresno Fair, Fresno  
California State Fair & Exposition, Sacramento  
Club One, Fresno  
Firehouse Restaurant, Bakersfield  
Golden Gate Fields, Albany

\*Humboldt County Fair, Ferndale

Jockey Club at San Mateo, San Mateo

Monterey County Fair, Monterey  
San Joaquin County Fair, Stockton  
Santa Clara County Fair, San Jose  
Shasta District Fair, Anderson  
Solano County Fair, Vallejo  
Sonoma County Fair, Santa Rosa

Stanislaus County Fair, Turlock

### SOUTHERN CALIFORNIA

Barona Valley Ranch Resort & Casino, Lakeside

Cabazon Fantasy Springs Casino, Indio

Commerce Casino Racebook, Commerce  
Derby Club, Seaside Park, Ventura

Fairplex Park, Pomona

Fantasy Springs Casino, Indio

Los Alamitos Race Course, Los Alamitos

Mermaid Tavern, Thousand Oaks

OC Tavern & Sports Bar, San Clemente

Roadhouse Grill, Santa Maria

Sammy's Restaurant & Bar, Lake Forrest

Santa Anita Park, Arcadia

Santa Clarita Lanes, Santa Clarita

Shalimar Sports Center, Indio

Sports Center, San Bernardino

Sports Pavillion at The Farmers Fair, Lake Perris

Sports Pavillion, San Bernardino Cty. Fair, Victorville

Surfside Race Place at Del Mar, Del Mar

Sycuan Gaming Center, El Cajon

Tilted Kilt, Thousand Oaks

Viejas Casino & Turf Club, Alpine

Watch & Wager, Antelope Valley Fgds, Lancaster

\*Open only during Humboldt/Ferndale Fair Racing



## D. Out-of-state wagering systems the fair proposes to offer its live audiovisual signal:

## Out-of-State &amp; International Imports – Full and/ or Partial Card (Subject to Change)

2015 IMPORT TRACKS	
ARLINGTON	6/17-7/5
BELMONT	6/17-7/5
ASSINIBOIA	6/17-7/5
AUSTRALIAN RACING	6/17-7/5
BEULAH	6/17-7/5
CALDER RACECOURSE	6/17-7/5
CANTERBURY DOWNS	6/17-7/5
CHARLES TOWN	6/17-7/5
CHURCHILL DOWNS	6/17-7/5
DELAWARE	6/17-7/5
DOWNS AT ALBUQUERQUE	6/17-7/5
ELLIS PARK	6/17-7/5
EMERALD DOWNS	6/17-7/5
EVANGELINE DOWNS	6/17-7/5
FORT ERIE	6/17-7/5
GULFSTREAM	6/17-7/5
HASTINGS PARK	6/17-7/5
HAWTHORNE	6/17-7/5
INDIANA DOWNS	6/17-7/5
KEENLAND	6/17-7/5
KENTUCKY DOWNS	6/17-7/5
LAUREL	6/17-7/5
LONE STAR	6/17-7/5
LOUISIAN DOWNS	6/17-7/5
MONMOTH	6/17-7/5
MOUNTAINEER PARK	6/17-7/5
NYRA-AQUEDUCT	6/17-7/5
NYRA-BELMONT	6/17-7/5
NYRA-SARATOGA	6/17-7/5
PENN NATIONAL	6/17-7/5
PHILADELPHIA PARK (PARX)	6/17-7/5
PIMLICO	6/17-7/5
PRAIRIE MEADOWS	6/17-7/5
PRESQUE ISLE	6/17-7/5
RIVER DOWNS	6/17-7/5
SOUTH AMERICAN RACING	6/17-7/5
SUFFOLK DOWNS	6/17-7/5
SUNLAND PARK	6/17-7/5
SUNRAY PARK	6/17-7/5
TAMPA BAY	6/17-7/5
THISTLEDOWN	6/17-7/5
TURFWAY PARK	6/17-7/5
TURF PARADISE	6/17-7/5
UNITED KINGDOM	6/17-7/5
WOODBINE	6/17-7/5

## E. Out-of-state wagering systems that will combine their pari-mutuel pools with those of the fair:

**2015 CARF Meets**  
**Commingled Locations**

AmWest Entertainment	Dover Downs	Maronas (South America)	Saratoga Harness Raceway
Amwest Accounts	Dubuque Greyhound	Maryland Jockey Club	Saratoga Bets (ADW)
Greenbrier (WV)	Elite Turf Club (1 to 12)	Maywood	Scarborough
Riders Up (SD)	Ellis Park	Meadowlands	Scioto Downs
Time Out Lounge (SD)	Emerald Downs	Meadows The Meadows The (ADW) - PA regional	Seabrook Greyhound
Triple Crown (SD)	Evangeline Downs	Millers OTB	Social Gaming
Arapahoe-Mile High	Evangeline Downs AWA	Mobile Greyhound	Sol Mutuel
Arima Race Club	Fair Grounds	Monmouth Park	Southland Greyhound
Arlington I	Fair Grounds ADW	Montana OTB	Sports Creek Raceway
Atlantic City Racecourse	Fair Meadows	Monticello	State Fair (Lincoln, NE)
Balmoral	Favorites at Gloucester	Mountaineer Park	Suffolk District OTB
Balmoral ADW (BETZOTIC)	Finger Lakes	Mt. Pleasant Meadows	Suffolk Downs
Bangor Raceway	Fonner	Nassau Regional OTB	Sunland Park
Batavia	Freehold	New Jersey Casino Assoc.	SunRay Park & Casino
Bettor Racing	Gillespie County Fair	Nevada Pari-Mutuel Assoc.	Tampa Bay Downs
Beulah Park	Global Wagering Solutions	Newport Jai Alai	Taunton Acct Wagering
Birmingham	Bwin International Ltd.	NJ Bets (ADW)	Taunton Dog Track Inc.
Bluffs Run Greyhound	Intl Betting Assoc. Ltd	Northfield	The Downs at Albuquerque
Buffalo Raceway	Magna Bet	Cedar Downs OTB	Thistledown
Canterbury	Race bets	Northville	Tioga Downs
Capital District OTB	Greenetrack	NYRA	Tri-State GH (Mardi Gras)
Catskills OTB	Greyhound @ Post Falls	NYRA Account Wagering	Turf Paradise
Charles Town Race Course	Gulf Greyhound	Oaklawn	Turf Paradise Bets (ADW)
Chester Downs & Marina LLC	Gulfstream	Ocean Downs	Turfway Park
Churchill Downs	Harrington Raceway	Panama	TVG Chester
Club Hipica InTurf	Harrington Bets (DE regional)	PARX	TVG Network
Coeur d' Alene Casino	Hawthorne Race Course	PARX Phone Bet	TVG Prairie
Colonial Downs	Hawthorne ADW	Penn National	Twin River Greyhound
Colonial Downs Phone Bet	Hazel Park	Penn National Telebet	TwinSpires
Columbus Raceway	Hoosier Park	Peru	TwinSpires High Volume
Connecticut OTB	Horseman's Park	Plainridge Race Course	Velocity Wagering Ltd.
Bradley Teletheater, Bristol	Idabet	Plainridge Telephone Wagering	Venezuela OTB
New Britain, Norwalk, Milford	Indiana Downs	Player Management Group	Vernon Downs
East Haven, Hartford, Putnam	Clarksville/Evansville OTB	Pocono Account Wagering	WatchandWager
Shoreline Star, Sports Haven	Intermountain Racing	Pocono Downs and OTB	Western OTB
Torrington, Waterbury	Keeneland	Portland Meadows	Wheeling Downs
Manchester, New London	Keeneland Select ADW	Potawatomi Casino/ OTB	Will Rogers Downs
Willimantic, Sanford OTB	Kentuck Downs	Prairie Meadows	Wyoming OTB
John Martin's Manor Restaurant	Kentucky OTB	Premier Turf Club	Wyoming Downs
Connecticut OTB ADW	Lebanon	Presque Isle Downs	XpressBet
Coushatta Casino	Les Bois (Treasure Valley)	Raceway Park	Yonkers Raceway
Paragon Casino	Lewiston OTB's	Racing2Day LLC	Yonkers ADW
Ho-Chunk Casino and Racebook	Lien Games	Racing2Day Intl. (Stan James)	Youbet Group 1
Mohegan Sun Casino	Chips Lounge and Casino		Zia Park

Oneida Bingo and Casino	Howard Johnsons OTB	Remington Park	123Gaming
Pony Bar Simulcast Center	Rumors OTB	Remington OTB Network	
Tote Investment Racing	Skydancer Casino OTB	Retama	
Randall James Racetrack	Lien Games ADW	Racing & Gaming Services	
Millenium Racing	Bet America and Offtrackbetting	Rillito Park	Separate Pool Locations
Royal Beach Casino	Lone Star	River Downs	Camarero (Puerto Rico)
Divi Carina Bay Casino	Louisiana Downs	Rockingham Park	Caymanas (Jamaica)
Fair Chance, Winner's Circle	LVDC	Rockingham Account Wagering	Codere (Mexico/Spain)
Camouflage Gaming	Atlantis Paradise Casino	Ruidoso Downs	MIR Books (Caliente)
Corpus Christi Greyhound	Avatar Ventures	Running Aces Harness Park	NDS Books (Nevada)
Delaware	Buffalo Thunder Resort	Saddle Brook Park	Tabcorp (Australia)
Delta Downs	Foxwoods Resort Casino	Sam Houston	Tattsbet (Australia)
Derby Jackpot	Meskwaki Bingo & Casino	Valley Greyhound Park	New Zealand Racing Board

**Canadian Locations**

Alberta Downs, Assiniboia, Barrie, Charlottetown, Clinton Teletheatre, Dresden, Elmira Raceway, Evergreen Park, Exhibition Park, Flamboro Downs, Fraser Downs, Fort Erie, Fredericton Raceway, Georgian Downs, Grand River, Hanover Raceway, Hastings Park, Hiawatha, Hipodrome de Quebec, Inverness Raceway, Kawartha Downs, Marquis Downs, Mohawk, New Brunswick, Northlands, Northside Downs, Picov Downs, Quinte Raceway, Rideau Carlton, Rocky Mountain Turf Club, Royal Britiana Hub, St. Johns, Sudbury Downs, Summerside, TBC Sandown, TBC Teletheaters, Truro Raceway, Western Fair, Woodbine,

**F. California mini-simulcast facilities the fair proposes to offer its live audiovisual signal:**

OC Tavern & Sports Bar, San Clemente; Commerce Club, City of Commerce; Fresno Club One, Mermaid Tavern, Original Road House Grill, Santa Clarita Lanes, Bankers Casino, Firehouse Restaurant, Bakersfield, Tilted Kilt, Thousand Oaks, Sammy's Restaurant & Bar, Lake Forest

**G. List the host tracks from which the fair proposes to import out-of-state and/or out-of-country thoroughbred races. Include the dates imported races will be held and whether or not a full card will be accepted. If the full card will not be imported, state "selected feature and/or stakes races":**  
**N/A**

**NOTICE TO APPLICANT:** Business and Professions Code section 19596.2(a) stipulates that on days when live thoroughbred or fair racing is being conducted in the state, the number of thoroughbred races which may be imported by an association or fair during the calendar period the association or fair is conducting its racing meeting cannot exceed a combined daily total of 50 imported thoroughbred races statewide. The limitation of 50 imported thoroughbred races per day statewide does not apply to those races specified in Business and Professions Code section 19596.2(a)(1), (2), (3) and (4).

**THOROUGHBRED SIMULCAST RACES TO BE IMPORTED**

Name of Host Track	Race Dates	Full Card or Selected Feature and/or Stakes Races
See 11D above.	TBD	

**H. List imported simulcast races the fair plans to receive during the racing meeting which use breeds other than the breed of the majority of horses racing at its live horse racing meeting. Include the name of the host track, the dates imported races will be held, and how many races will be imported:**  
**N/A**

**OTHER BREED SIMULCAST RACES TO BE IMPORTED**

Name of Host Track	Breed of Horse	Race Dates	Number of Races to be Imported
Los Alamitos	Quarter Horses	Per CHRB Calendar Full Card	
Cal Expo	Harness Horses	Per CHRB Calendar Full Card	

- I. If any out-of-state or out-of-country races will commence outside of the time constraints set forth in Business and Professions Code sections 19596.2 and 19596.3, attach a copy showing agreement by the appropriate racing association(s).

N/A

**NOTICE TO APPLICANT:** All interstate wagering to be conducted by a fair is subject to the provisions of Title 15, United States Codes, which require specific written approval of the CHRB and of the racing commission having jurisdiction in the out-of-state venue. All international wagering to be conducted by a fair is subject to the provisions of Business and Professions Code sections 19596, 19596.1, 19596.2, 19596.3, 19601, 19602, and 19616.1, and will require specific written approval of the CHRB.

Every fair shall pay to the simulcast organization within 3 calendar days following the closing of wagering for each racing program, or upon receipt of the proceeds, such amounts that are retained from off-track simulcast wagering, interstate and out-of-state wagering and which are obligated by statute for guest commissions, simulcast operator's expenses and promotions, equine research, local government in-lieu taxes, and stabling and vanning deductions. Every fair shall pay to its Paymaster of Purses' account within 3 calendar days following the closing of wagering for each racing program, or upon receipt of the proceeds, such amounts that are retained or obligated from off-track simulcast wagering, interstate and out-of-state wagering for purses, breeders' awards or other benefits to horsemen. (See Notice to Applicant, Section 7.)

## 12. RACING OFFICIALS, OFFICIALS, AND OFFICIATING EQUIPMENT

- A. Racing officials nominated:

Association Veterinarian(s) – Sarah Sporer, D.V.M.

Clerk of Scales – Kenneth Sjoldal

Clerk of the Course – Dolores Collins (E-Breeds) & Tina Walker (Thoroughbreds)

Film Specialist – Danny Winick & Assistant Clerk of Scales

Horse Identifier – Darrel Sparks

Horseshoe Inspector – Jack Hammonds

Paddock Judge – Matt Nichols

Patrol Judges – Lisa Jones & Matt Nichols

Placing Judges – Dee Robinson & Cheryl White

Starter – Todd Stephens

Timer – Melody Truitt

- B. Management officials in the racing department:

Oak Tree Director of Racing – Larry A. Swartzlander

Racing Secretary – Tom Doutrich

Assistant Racing Secretary – Linda Anderson

Paymaster of Purses – Victoria Layne (C.A.R.F.)

Others (identify by name and title)

- C. Name, address, email and telephone number of the reporter employed to record and prepare transcripts of hearings conducted by the stewards:

**Niccoli Reporting**

619 Pilgrim Dr.

Foster City, CA 94404

Telephone: 650-573-9339

[pdqcsr@comcast.net](mailto:pdqcsr@comcast.net)

- D. Photographic device to be used for photographing the finish of all races, name of the person supplying the service, and expiration date of the service contract:  
**Plusmic Corporation USA – Bill O'Brien (Expires 12/7/15)**
- E. Photopatrol video equipment to be used to record all races, name of the person supplying the service, and expiration date of the service contract. Specify the number and location of cameras for dirt and turf tracks.  
**Pegasus Communication, Inc. – Jim Porep) Contract (Expires 4/30/18)**  
**Equipment description on file with the Board: 5 Cameras – (3 Tower, 1 Pan, 1-Hand Held)**
- F. Type of electronic timing device to be used for the timing of all races, name of the person supplying the service, and expiration date of the service contract:  
**Pegasus Communication, Inc. – Jim Porep - Contract (Expires 4/30/2018)**

### 13. SECURITY CONTROLS

- A. Name and title of the person responsible for security controls on the premises. Include an organizational chart of the security department and a list of the names of security personnel and contact telephone numbers. **See Attached**  
**Racetrack/Grandstand: Alameda County Sheriff Chief in Charge**  
**Liaison Officer yet to be assigned (925-426-7525)**
- B. Estimated number of security guards, gatemen, patrolmen or others to be engaged in security tasks on a regular full-time basis:  
**Racetrack/Grandstand: 8 Sheriff's Deputies**  
**Barn Area: 3 Licensed Gatemen based on 8/hour shifts, per day, 7 days per week. 1 night rover, 7 nights per week.**
1. Attach a written plan for enhanced security for graded stakes races, and races of \$100,000 or more, to include the number of security guards in the restricted areas during a 24-hour period and a plan for detention stalls.  
**One security guard shall be assigned to observe each horse entered in a \$100,000 race. The guard will assume their position 6 hours prior to the post time of the stakes race. The guard will have a video surveillance camera, a communications device and a notepad. The guard must log every person who enters the stall of the race horse. Information logged will include name, time, CHRB license number and type of license.**
  2. Detention Stalls:
    - A. Attach a plan for use of graded stakes or overnight races.  
**N/A. Addressed in B1 above.**
    - B. Number of security guards in the detention stall area during a 24-hour period.  
**One**
    - C. Describe number and location of surveillance cameras in detention stall area.  
**Surveillance cameras at each end of the detention shed row and two in between.**
  3. TCO2 Testing:
    - A. Number of races to be tested, and number of horses entered in each race to be tested.  
**All horses in thoroughbred races where the number is determined by a random algorithm generator.**
    - B. Plan for enhanced surveillance for trainers with high-test results.  
**Trainer with high test results will be moved to the detention area.**
    - C. Plan for detention stalls for repeat offenders.  
**Ten (10) stalls adjacent to Test Barn, which are under 24-hour video surveillance**
    - D. Number of security personnel assigned to the TCO2 program.  
**One (1) 24-hour security guard when detention stalls are occupied.**

**Item #13 A:****Security Organizational Chart**

Security during the Live Race Meet is coordinated by a number of groups. Day-to-day training security items are handled by the Stable Manager in concert with Security Eye personnel assigned to the Guard Shacks and Barn Area. Race Track, Grandstands and Fairgrounds security items are coordinated between Fair Management, Alameda County Sheriff's Department and Security Eye patrol. Daily meetings are held and as issues escalate, Fair Management, Security Eye Management, and the Sheriff's Department become involved as necessary.

**Alameda County Agricultural Fair Association**

Jerome Hoban, CEO	925-567-6032
Richard Sims, Manager of Maintenance Operations	925-596-5744
Judy Carrico, Fair Operations Manager	925-567-6039
Randy Magee, CFO Risk Manager	925-567-6034

**Security Eye**

Dave Rezendes, President	925-455-6585
Dave Graber, Vice President	925-455-6585
Barn Area Guard Shack, various personnel	925-426-7519

**Alameda County Sheriff Department**

Fairgrounds Command Center	925-426-7525
Sergeant J.D. Nelson, Sheriff Liaison Officer	510-272-6901

**Note: Confidential cell phone numbers are made available to CHRB staff. Additional security related personnel are available by direct radio contact.**

C. Describe the electronic security system.

**C.A.R.F. surveillance equipment and program that travels between racing Fairs.**

1. Location and number of video surveillance cameras for the detention stall and stable gate.

**4 surveillance cameras monitoring this area**

**14. EMERGENCY SERVICES**

A. Name, address and emergency telephone number of the ambulance service to be used during workouts and the running of the races: **Westmed Ambulance Service, 2424 Whipple Road, Hayward, CA 94544, 510-504-3616.**

1. Attach a certification from the Ambulance Company(s) listed in 14A, certifying that the paramedic staff are licensed with the California Emergency Medical Services Authority.

**See Attached**

B. Name, address and emergency telephone number of the ambulance service to be used during workouts at auxiliary sites:

**Golden Gate Fields**

**Turf Rescue LLC**

**4470 Hillsborough Drive**

**Castro Valley, CA 94546**

**510-581-8470**

1. Attach a certification from the Ambulance Company(s) listed in 14B, certifying that the paramedic staff are licensed with the California Emergency Medical Services Authority.

**See Attached**

C. Describe the on-track first aid facility, including equipment and medical staffing:

**See Attached**

D. Name and emergency telephone number of the licensed physician on duty during the race meeting:

**Dr. Peter Wong, 925-997-0015 cell**

E. Name, address and emergency telephone number of the hospital to be used for admittance and treatment of emergency injuries in the event of an on-track injury to a jockey:

**Valley Care Medical Center, 5555 W. Las Positas, Pleasanton, CA 94588, 925-416-3418**

F. Attach, in English and Spanish, the emergency medical plan procedures that will be posted in each jockey's room to be used in the event of an on-track injury to a jockey:

**See Attached**

G. Name of health and safety manager and assistant manager responsible for compliance of health and safety provisions pursuant to Business and Professions Code section 19481.3(d):

**Randy Magee, Health & Safety Manager, Patti Coonce, Assistant Manager**

H. Attach a fire clearance from the fire authority having jurisdiction over the premises.

**Scheduled for April 3, 2015**

I. Name of the workers' compensation insurance carrier for the fair and the number of the insurance policy (if self-insured, provide details):

**Self-Insured, see 14J attachment**

J. Attach a Certificate of Insurance for workers' compensation coverage. The CHRB is to be named as a certificate holder and given not less than 10 days' notice of any cancellation or termination of insurance that secures the liability of the fair for payment of workers' compensation.

**See Attached**



April 7, 2015

Mr. Rich Baedeker, Executive Director  
California Horse Racing Board  
1010 Hurley Way, Suite 300  
Sacramento, CA 95835

Dear Mr. Baedeker,

RE: Item 14, Oak Tree/Pleasanton Racing License: Emergency Services

Emergency services for training year around and during the annual race meet, at the Pleasanton Race Track, is provided by Westmed Ambulance. The information for Westmed has been provided for the license as an attachment to the license. Westmed provides two EMT's on their ambulance.

For the past two years the Alameda County Fire Department has provided a Paramedic, with equipment, to ride along on the Westmed Ambulance during the annual race meet. Due to Union restrictions, with the Union that the Alameda County Fire Department Paramedics belong to, the Paramedics can no longer ride along on the Westmed ambulance. The following is our plan for 2015, developed by Assistant Fire Chief Brian Caminada with input from management at the Alameda County Fair.

- The morning training will have two EMT's on the Westmed ambulance.
- The afternoon live race meet will have two EMT's on the Westmed ambulance and one Paramedic stationed at the entrance to the track on a mini-ambulance, complete with all paramedic equipment and a stretcher. The mini ambulance is an ambulance that has been built using a type of golf cart for easy access in small or crowded areas. The Alameda County Fire Department will be bringing two of these units to the Fair this year; one dedicated to the race track and one to the fair. The mini ambulance will not be driving around the race track following each race with Westmed, but will be stationed at the entrance, ready to go out if needed.
- In addition to the paramedic on the mini ambulance there are additional paramedics at the first aid station, located directly across from the paddock and track.

Assistant Fire Chief Brian Caminada reminded us that the Paramedics have to perform a basic life support assessment before they can treat, which is the same as what the BLS EMT's have to perform. In case of an accident the EMT's in the ambulance would start the basic life support assessment and the paramedic would arrive at the site of the accident to provide advanced life support if/or as needed.

Regards,

*for Jeane Wasserman Dir of Racing*  
Jeane Wasserman  
Director of Racing  
Alameda County Fair  
OTP



**Item #14 C:****ALAMEDA COUNTY FAIR EMERGENCY CARE AND MEDICAL FACILITIES**

Alameda County Fair as well as all Racing Fairs provides emergency care including comprehensive medical care for jockeys, track staff and allied personnel. Emergency care focuses on immediate stabilizing, comfort and evacuation of injured racetrack personnel to appropriate hospital facilities.

**Physical Resources & Staffing**

The Alameda County Fair provides multiple levels of safety and medical support for its many racing participants. Specifically: an Ambulance, a fully equipped Alameda County Fire Department Paramedic Engine, a permanent First Aid building, a licensed Physician, Sheriff Deputies and security personnel, redundant communications system, local Fire Station, Horse Ambulance, etc...

**Ambulance** - A fully staffed and equipped ambulance is provided through a contract with Westmed Ambulance Service and located at the Track. Two Emergency Medical Technicians and one Paramedic from the Alameda County Fire Dept. will be on this on-track ambulance. This ambulance and crew are at the Track whenever horses are on the Track (during both racing and training hours) and are responsible for initiating basic life support measures, including immediate medical stabilization, care and transport to medical care facilities. This ambulance follows the horses during each race, at a safe distance. This is a competitively bid contract.

**Fire Department Paramedic Engine** – During the Live Race Meet, a fully equipped Alameda County Fire Department Paramedic Engine is parked roughly 100 feet from the Jockey's Clubhouse. The Engine is staffed with four County of Alameda Firefighters, including at least two licensed Paramedics. The Alameda County Fire Department has provided the attached 10 page listing of major equipment and supplies carried by its various Fire Engines.

**Permanent First Aid Building** – A permanent First Aid building is located approximately 100 feet west of the Jockey's Club House. During the Live Race Meet, the Alameda County Fire Department staffs the First Aid Building with a full Engine Company, which includes at least two certified Paramedics. The First Aid Building includes two beds, restrooms, receiving area, triage area, medical equipment, medications, etc... In addition to the array of emergency medical equipment and supplies on the Paramedic Fire Engine, the Alameda County Fire Department annually determines the equipment and supply needs of the First Aid Building.

**Licensed Physician** - During the Live Race Meet, a licensed Physician is on duty and is responsible for care on an ongoing basis for jockeys, track staff and allied personnel requiring non-emergency medical care. The Licensed Physician is also associated with Valley Care Hospital, which is located 2.7 miles from the Track.

**Sheriff Deputies and security personnel** – Around the clock protection of the Track, Barn Area and Grandstands are provided by numerous Alameda County Sheriff Deputies and trained Security Guards (both in uniform and undercover.) For security purposes, the Fair Association does not publish the precise details of its security plans.

**Redundant Communications System** – During the Live Race Meet and Annual Fair redundant communications are provided to ensure constant contact between all emergency care personnel. Two way radio networks are established within the racing operations as well as fair emergency operations. All key emergency care personnel also carry cell phones and each is provided a laminated card containing all contact numbers. The Fair also has an emergency response team which responds to all emergencies both medical as well as non-medical.

**Local Fire Station** – A fully staffed Fire Station is located immediately across the street from the Fairgrounds on Valley Avenue. This Fire Station provides emergency medical support as requested by the County of Alameda.

**Horse Ambulance** – The Alameda County Fair provides the services of a state of the art Kimzey Horse Ambulance as well as a senior experienced driver who is responsible for the evacuation and disposition of injured horses at all racing fairs.



February 17, 2015

Christopher A. Seymour  
Westmed Ambulance Service  
14275 Wicks Blvd.  
San Leandro, Ca. 94544

To Whom It May Concern:

This letter shall serve as a statement of affirmation that Westmed Ambulance Service is a certified provider of Basic Life Support Non Emergency Service in the County of Alameda, certified through the Alameda County Emergency Medical Services Agency. Every Emergency Medical Technician (EMT) employed by Westmed Ambulance is trained, background checked and state certified in order to fulfill their job duties as authorized by the State of California Emergency Medical Services Authority.

Should you have any additional questions, comments or concerns please feel free to contact me at [cseymour@westmedambulance.com](mailto:cseymour@westmedambulance.com).

Best regards,

A handwritten signature in cursive script that reads "Christopher A. Seymour".

Christopher A. Seymour EMT-P, BA



# NON-EMERGENCY AMBULANCE CERTIFICATE OF OPERATION

This is to certify that:

## Westmed Ambulance

is authorized to provide non-emergency ambulance transportation within the boundaries of Alameda County. The above meets all of the requirements contained in the Alameda County Ambulance Ordinance and has passed equipment, staffing and vehicle inspections.

This certificate is valid from **December 17, 2014** to **December 16, 2016**

for **BASIC LIFE SUPPORT and CRITICAL CARE NON-EMERGENCY TRANSPORT**

Fred Claffidge  
EMS Director

Karl Sporer, MD.  
Alameda County EMS Medical Director

*An embossed seal should appear in a grey box*

**TURF RESCUE, LLC**

4470 Hillsborough Drive  
Castro Valley, CA 94546  
510-581-8470

September 25, 2014

California Horse Racing Board  
1010 Hurley Blvd., Suite 300  
Sacramento, CA 95825

Re: Turf Rescue, LLC licensed personnel in 2015

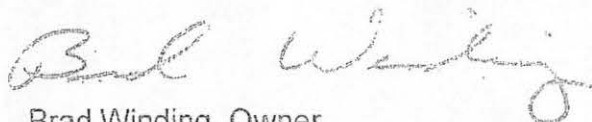
To Whom It May Concern:

This is to inform you that Turf Rescue, LLC operations and procedures are well within the standard care Operating Procedures set forth by Alameda County E.M.S.

Turf Rescue, LLC employs only licensed Paramedics and Emergency Medical Technicians that meet and follow the licensing requirements for Alameda County E.M.S.

If you have any further questions please feel free to contact me.

Sincerely,



Brad Winding, Owner  
Turf Rescue, LLC



March 9, 2015

To: California Horse Racing Board  
1010 Hurley Way, Suite 300  
Sacramento, CA 95825

Re: Alameda County Fair  
4501 Pleasanton Avenue  
Pleasanton, CA 94566

Please be advised that the Alameda County Fair is a member of the California Fair Services Authority (CFSA), and participates in the following self-insurance and loss pooling programs which are administered by CFSA:

**I. GENERAL LIABILITY PROGRAM**

- A. Coverage Limits \$10,000,000 California Fair Services Authority  
Coverage continuous until cancelled

**II. WORKERS' COMPENSATION AND EMPLOYERS' LIABILITY PROGRAM**

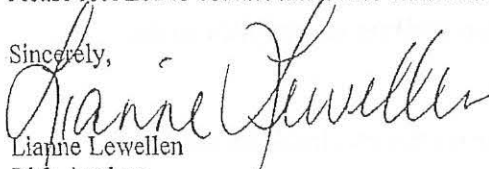
- A. Primary Coverage \$500,000 self-insured retention California Fair Services Authority  
Coverage continuous until cancelled
- B. Excess Coverage (a) Workers' Compensation: Statutory Limit in excess of \$500,000  
(b) Employers' Liability: \$4,500,000 in excess of \$500,000  
Coverage provided by CSAC Excess Insurance Authority  
Term: 07/01/2014 to 07/01/2015

CFSA represents to the California Horse Racing Board that within the above limits, terms and provisions of the coverage stated, to the extent provided by law, CFSA will provide defense, payment, and indemnification on loss funding in accordance with the terms of the contractual assumption of the Alameda County Fair as set forth in the California Horse Racing Board's "Insurance Requirements".

You will be given at least thirty (30) days notice of any change in the foregoing information. We trust that this commitment will satisfy your insurance requirements.

Please feel free to contact this office on all matters including possible claims.

Sincerely,

  
Lianne Lewellen  
Risk Analyst

1776 TRIBUTE ROAD, SUITE 100  
SACRAMENTO, CA 95815  
PHONE: (916) 921-2213 | FAX: (916) 646-1238

[WWW.CFSA.ORG](http://WWW.CFSA.ORG)

**Item #14F English:****Alameda County Fair Racing Accident Procedures**

In case of an accident on the racetrack, the following procedures are to be implemented:

**Track Ambulance**

The track ambulance will travel immediately to the scene of an accident and assume triage and patient care responsibilities and evacuate.

**Security**

1. As soon as possible, a member of the track security staff shall report to the scene of the accident and thereafter take direction from the EMT responsible for the accident scene management. The track security representative shall be responsible for keeping bystanders away from the accident scene.
2. A member of the track security staff shall proceed to the Jockey's Room to secure the ambulance transfer area and prevent visitation from bystanders away from the accident area.
3. A member of the track security staff shall be responsible for escorting emergency vehicles.
4. The security staff shall be responsible for all "crowd control" activities.

**Racing Staff/Track Veterinarian**

1. Upon arrival at the scene, the Outrider should hold the injured horse in order to prevent further harm to people, horses and property.
2. Horses with severe injuries should be transported off the track via the horse ambulance whenever it is practical to do so.
3. The track veterinarian shall make the decision as to the necessity of euthanasia on the track.
4. The screen blocking the public's view of the injured horse shall be set-up prior to the euthanasia procedure.
5. Outriders are responsible for the removal of any debris from the racetrack following the removal of the injured person or horse from the track.

### **Plant Staff**

1. The Horse Ambulance shall travel immediately to the scene of an accident whenever it appears that a horse will require transport.
2. Members of the plant department who are near the accident site shall assist in screening the accident scene from the public view and shall take direction from the EMT that is responsible for the management of the accident scene.

### **Announcer**

The announcer shall make riders aware of the details of the situation (such as the location of a loose horse, the necessity to pull up, etc), enabling them to take the necessary steps to mitigate additional problems.

### **Senior Management**

1. A senior management representative should quickly proceed to the location on the racetrack where the accident has occurred. The manager should report to other members of the management team as to the accident status.
2. An additional member of the management team should report to the video department in order to monitor the scene and determine the extent of video coverage to be transmitted to the public.
3. A member of the management team should provide input as to announcements to be made by the track announcer.
4. A member of the senior management team should be responsible for seeing that information regarding the accident is communicated to family members of the injured. Efforts need to be made to escort family members to the hospital, if necessary. In this regard, a current compilation as to who should be notified in the case of an injured jockey is kept on file.
5. All public address announcements and responses to press inquiries are within the sole purview of the senior member of the management team then available.

### **All Department Heads**

All Department heads shall communicate to their employees that, although intentions are good, the treatment of the injured rider must be left up to trained personnel, and all other employees must stay away from the scene of an accident.



**Item #14 F Spanish:****Procedimiento en caso de Accidente en Alameda County Fair**

De ocurrir un accidente en el hipodromo, se debe hacer lo siguiente:

**El personal de la Ambulancia**

El personal de la ambulancia trasladarse inmediatamente al lugar del accidente siempre que lo necesario para tratar a la(s) victima(s).

**Seguridad**

1. Tan pronto como sea posible, un miembro de seguridad del hipodromo debera reportarse al lugar del accidente y desde ahi recibir las instrucciones del Paramedico responsable del lugar del accidente. El miembro de seguridad sera responsable de mantener a los transeuntes fuera del lugar del accidente..
2. Un miembro del departamento de seguridad del hipodromo se acercara al cuart del jockey para aguardar el area donde la ambulancia estara y prevenir que transeuntes y personas ajenas se acerquen.
3. Un miembro de seguridad del hipodromo sera responsable de escoltar a los vehiculos de emergencia..
4. Los miembros de seguridad seran responsable de controlar a la multitud.

**Personal de Carreras/Veterinario del hipodromo**

1. Una vez en el lugar del accidente, el Outrider/escolta debera sujetar al caballo herido para evitar que lastime a la gente, a otros caballos o a la propiedad.
2. Los caballos muy mal heridoa deberan ser sacados de la pista con la ambulancia para caballos, siempre que sea posible hacerlo de esa manera.
3. El veterinario del hipodromo debera decidir si se sacrifica al caballo en la pista.
4. Sea posible hacerlo, se debe colocar la pantalla/screen para tapa la vista al publico, antes de iniciar el procedimiento de sacrificio del animal.
5. Los Outriders son responsables de remover cualquier desecho en la pista despues de que la persona o caballo accidentado haya sido trasladado del lugar.

### **Personal de Planta/Plant Staff**

1. La Ambulancia de Caballos debera trasladarse inmediatamente al lugar del accidente siempre que un caballo este severamente lesionado y necesite transporte.
2. Los miembros del departamento de planta que esten cerca del accidente deberan ayudar a fapar el lugar para que el pulico no pueda ver lo que sucede, ademas deberan recibir instrucciones del Paramedico responsable del lugar del accidente.

### **Locutor**

El locutor debera informar a los jinetes acerca de los detalles de la situacion (como la ubicacion del caballo suelto, la necesidad de adelantar, etc.) para que puedan hacer lo necesario y mitigar otros problemas.

### **Gerencia**

1. Un representante de la gerencia se apersonara rapidamente al lugar del accidente en el hoipodromo. El genente informara a los otros gerents sobre las lesions sufridas.
2. Otro representante de la gerencia debera informar al departamento de video para monitorear la escena y ver la cobertura de video que sera transmitida al publico.
3. Un miembro de la gerencia debera aportar con informacion sobre los anuncios que debera hacer el locutor.
4. Un miembro de la gerencia sera responsable de ver que la informacion con respecto al accidente sea dada a los familiars de los heridos. Se debe hacer lo necesario para acompanar a los familiars a los hospitals, de ser el caso. Al respecto, es necesario tener un registro de la persona a quien se debe comunicar en caso de que un jockey sufra un accidente.
5. Todos los anuncios publicos y respuestas a la prensa las realice unicamente el funcionario de gerencia de alto nivel que se encuentre disponible en ese momento.

### **Todo los Jefes de Departamento**

Todos los Jefes de Departamento deben comunicar a sus empleados que, a pesar de que las intenciones sean buenas, el tratamiento de un jinete/jockey herido debe ser realizado por el personal calificado para ello, y todos los demas empleados deben permanecer lejos del lugar del accidente.

**NOTICE TO APPLICANT:** Every licensee conducting a horse racing meeting shall pursuant to Business and Professions Code section 19481.3 maintain, staff, and supply an on-track first aid facility, that may be either permanent or mobile, and which shall be staffed and equipped as directed by the board. A qualified and licensed physician shall be on duty at all times during live racing, except that this provision shall not apply to any quarter horse racing at the racetrack if there is a hospital situated no more than 1.5 miles from the racetrack and the racetrack has an agreement with the hospital to provide emergency medical services to jockeys and riders. An ambulance licensed to operate on public highways provided by the track shall be available at all times during live racing and shall be staffed by two emergency medical technicians licensed in accordance with Division 2.5 (commencing with Section 1797) of the Health and Safety Code, one of whom may be an Emergency Medical Technician Paramedic, as defined in Section 1797.84 of the Health and Safety Code. (b) Each racing association and racing fair shall adopt and maintain an emergency medical plan detailing the procedures that shall be used in the event of an on-track injury. The plan shall be posted in each jockey room in English and Spanish. (c) Prior to every race meeting, the racing association or racing fair shall contact area hospitals to coordinate procedures for the rapid admittance and treatment of emergency injuries. (d) Each racing association or racing fair shall designate a health and safety manager and assistant manager, who shall be responsible for compliance with the provisions of this section and one of whom shall be on duty at all times when live racing is conducted. The health and safety manager may, at the discretion of the racing association, be the person designated to perform risk management duties on behalf of the association.

## 15. CONCESSIONAIRES AND SERVICE CONTRACTORS

- A. Names and addresses of all persons to whom a concession or service contract has been given, **other than those already identified**, and the goods and/or services to be provided by each:

**Food & Beverage:**

**Yogurt-a-Fair:** William Heher, 809 Riordan Road, Suite #202, Flagstaff, AZ 86001

**Sharp Concepts, Inc.:** Roger Sharp, P.O. Box 3767, Paso Robles, CA 93447, G/S Downstairs

**Food Service:** Ovarions Fanfare, Charlie Neary, 4501 Pleasanton Ave., Pleasanton, CA 94566

**Tip Sheets:** West Coast Wheelie

**Racing Form:** Daily Racing, Wicks Sports, 100 Broadway, 7<sup>th</sup> Floor, New York City, N.Y. 1005

**Program:** Daily Racing, Wicks Sports, 100 Broadway, 7<sup>th</sup> Floor, New York City, N.Y. 1005

**Winners Circle Photos:** Vassar Photo, Bill Vassar, 5075 Double Point Way, Discovery Bay, CA 94514

**Jockey Laundry Service:** Bailey Mobile, Lorene Dutton, 3263 Vineyard Venue, #35, Pleas.CA 94566

**Starting Gate:** United/Puett Start Gate, Michael Costello, 1 Soundview Loop, S. Salem, N.Y.10590

**Sound System:** Speeda Sound, Mike King, 5617 W. San Madele, Fresno, CA 93722

**Armor Car:** NOTWINC, 11875 Dublin Blvd., #D275, Dublin, CA 94568

- B. Does the fair plan to provide its own concessions? Yes  No

## 16. ON- TRACK ATTENDANCE/FAN DEVELOPMENT

- A. Attach a copy of the promotional and marketing plans for the race meeting:  
**See Attached**
- B. Promotional/ Marketing budget for this race meeting:  
Promotional/Marketing budget for prior race meeting:  
**See Attached**
- C. Number of hosts and hostesses employed for meeting:  
**N/A**
- D. Describe facilities set aside for new fans:  
**See Attached**
- E. Describe any improvements to the physical facility in advance of the meeting that directly benefits: **See Attached**

1. Horsemen
2. Fans
3. Facilities in the restricted areas

## 17. SCHEDULE OF CHARGES

A. Proposed charges, note any changes from previous year:

Admission/Grandstand (general)	Free with fair admission
Fair Admission	\$10
Advanced Sale Tickets	30% discount (on-line)
Fair Admission/Children (6-12)	\$8 (free on Fridays) (Increased from \$6 in 2013)
Fair Admission/Seniors	\$8 (free on Thursdays)
Fair Admission/V.I.P. discount	\$5
Admission (clubhouse)	N/A
Reserved Box Seats	\$5
Reserved seating (general)	\$3.50
Reserved seating (clubhouse)	N/A
Parking (general)	\$10 (pre fair \$8 on-line)
Parking (preferred)	\$15
Parking (WP Lot)	\$20
Parking (valet)	N/A
Programs (on-track)	\$2.50
(off-track)	\$2.50

B. Describe any "Season Boxes" or other special accommodation fees:

Box seats sold by the box for the seasonal race meet. We have 4-seat, 6-seat and 8-seat boxes. Box seat holders are offered a promotional 5% discounted price if paid for by June 1<sup>st</sup>.

C. Describe any "package" plans such as combined parking, admission and program:

**Fun Pack:** (\$58 Value for \$40) 4-General Admission, 1 General Parking, 2 "Buy 1 get 1 Free Drink".

**Season Pass:** (\$49.95) Fair Admission for all 17 days

## 18. JOCKEYS' QUARTERS

A. Check the applicable amenities available in the jockeys' quarters:

<input checked="" type="checkbox"/> Corners (lockers and cubicles)	How many	<input type="text" value="40"/>
<input checked="" type="checkbox"/> Showers	<input checked="" type="checkbox"/> Steam room, sauna or steam cabinets	<input checked="" type="checkbox"/> Lounge area
<input checked="" type="checkbox"/> Masseur	<input checked="" type="checkbox"/> Food/beverage service	<input checked="" type="checkbox"/> Certified platform scale

B. Describe the quarters to be used for female jockeys:

Separate area containing an office, lounge area, sauna, showers, restroom, lockers, & bunks. Jockeys & Jockettes share the scale.

## 19. BACKSTRETCH EMPLOYEE HOUSING

- A. Inspection of backstretch housing has been requested and will be completed prior to the beginning of the race meeting.

- B. Number of rooms used for housing on the backstretch of the racetrack: **95**
- C. Number of restrooms available on the backstretch of the racetrack: **9 (Total commodes =17)**
- D. Estimated ratio of restrooms to the number of backstretch personnel: **1 to 10.**

## 20. TRACK SAFETY

- A. Total distance of the racecourse - measured from the finish line counterclockwise (3' from the inner railing) back to the finish line 5,280 feet.
- B. Describe the type of track surface at the facility, including the specific track surface composition: **Organic dirt, silt, clay, sand, and Fir bark (composition and amendments per routine lab tests)**
- C. The percent of cross slope in the straight-aways is: **5.3% - 5.4%**  
The percent of cross slope in the center of the turns is: **5.6%**
- D. Describe the type(s) of materials used for the inner and outer railings of the race course, the type of inner railing supports (i.e., metal gooseneck, wood 4" x 4" uprights, offset wood 4" x 4" supports, etc.), the coverings, if any, on the top of the inner railing, and the approximate height of the top of the inner railing from the level of the race course.  
**Inner Rail: Fontana Safety Rail**  
**Outer Rail: Aluminum gooseneck, supports with aluminum top rail**  
**Inner Rail Height: ¼ mile/42", ½ mile/40.5", ¾ mile/40", 1 mile/42" (finish line)**
- E. Name of the person responsible for supervision of the maintenance of the racetrack safety standards pursuant to CHRB Rule 1474: **Jim Burns.**
- F. Attach a Track Safety Maintenance Program pursuant to CHRB Rule 1474. **On file**
- G. If the fair is requesting approval to implement alternate methodologies to the provisions of Article 3.5, Track Safety Standards, pursuant to CHRB Rule 1471, attach a Certificate of Insurance for liability insurance which will be in force for the duration of the meeting specified in Section 2. The CHRB is to be named as a certificate holder and given not less than 10 days' notice of any cancellation or termination of liability insurance. Additionally, the CHRB must be listed as additionally insured on the liability policy at a minimum amount of \$3 million per incident. The liability insurance certificate must be on file in the CHRB headquarters office prior to the conduct of any racing. **No.**

## 21. DECLARATIONS

- A. All labor agreements, concession and service contracts, and other agreements necessary to conduct the entire meeting have been finalized except as follows (if no exceptions, so state):  
**No Exceptions**
- B. Attach each horsemen's agreement pursuant to CHRB Rule 2044.  
**All Horsemen's agreements will be forwarded to CHRB when available.**
- C. All service contractors and concessionaires have valid state, county or city licenses authorizing each to engage in the type of service to be provided and have valid labor agreements, when applicable, which remain in effect for the entire term of the meeting except as follows (if no exceptions, so state):  
**No Exceptions**
- D. Absent natural disasters or causes beyond the control of the fair, its service contractors,

cessionaires or horsemen participating at the meeting, no reasons are believed to exist that may result in a stoppage to racing at the meeting or the withholding of any vital service to the fair except as follows (if no exceptions, so state):

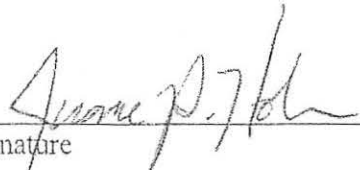
**No Exceptions**

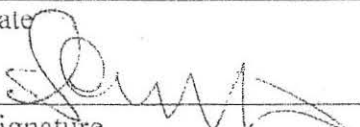
NOTICE TO APPLICANT: Pursuant to CHRB Rules 1870 and 1871, the CHRB shall be given 15 days' notice in writing of any intention to terminate a horse racing meeting or the engagements or services of any licensee, approved concessionaire, or approved service contractor.

**22. CERTIFICATION BY APPLICANT**

I hereby certify under penalty of perjury that I have examined this application, that all of the foregoing statements in this application are true and correct, and that I am authorized by the fair to attest to this application on its behalf.

Jerome Hoban  
Alameda County Fair CEO

  
\_\_\_\_\_  
Signature  
3-19-15

Date  
  
\_\_\_\_\_  
Signature

Sherwood C. Chillingworth  
Executive Vice-President, Oak Tree

3/19/15  
\_\_\_\_\_  
Date

## STAFF ANALYSIS

## DISCUSSION AND ACTION BY THE BOARD REGARDING THE REQUEST FROM CALIFORNIA EXPOSITION AND STATE FAIR (CAL EXPO) FOR A WAIVER TO CHRB RULE 1472, (B) RAIL CONSTRUCTION AND TRACK SPECIFICATIONS, TO FACILITATE THE INSTALLATION OF THE MAWSAFE RAIL SYSTEM.

Regular Board Meeting  
April 16, 2015

Business and Professions Code section 19481 provides that in performing its responsibilities, the Board shall establish safety standards governing the uniformity and content of the track base and racing surface, inner and outer rails, gates and gaps, turf, access and egress to the track, lighting for night racing, equipment for horse and rider, drainage, communications, veterinary services, medical and ambulance services, and other track facilities in order to improve the safety of horse, riders, and workers at the racetrack. Board Rule 1472, Rail Construction and Track Specifications, provides that all racing surfaces, including turf courses, shall have an inner rail, and an outer rail or shadow fence designed to meet the same impact standards as a permanent rail. Subsections 1472(b), (c) and (e) provide specifications for race track rails.

## BACKGROUND

Cal Expo has informed the CHRB that it would like to install the Mawsafe rail system on its main course in 2015. This report summarizes the CHRB's evaluation of:

- (1) The regulation waivers that would be required for the Mawsafe rail system, and
- (2) The engineering performance of the design.

As of January 31, 2013, 113 complete Mawsafe systems have been installed at 80 racecourses in Australia. It is estimated that over 16,000 races have been conducted on courses using the system. There is one system installed in New Zealand and plans are being finalized to install a system in Bahrain.

The following CHRB regulations will require a waiver using Board Rule 1406, Suspension of Rule, to implement the Mawsafe system.

Rule 1472, Rail Construction and Track Specifications, subsections (b), (c), and (e):

(b) ... Notwithstanding the above, no permanent or portable turf post or rail shall be constructed of fiberglass, poly vinyl chloride (P.V.C.), or wood, and hedges shall not be used as a post or rail.

The Mawsafe rail system is composed of high impact strength, high UV resistant PVC post and rail components. They are designed to deflect and to absorb load, as opposed to rigid metal systems that transfer a high load back to the jockey or horse upon impact.

(c) The height of all outside and inside rails shall be between 38 and 42 inches from the top of the racing surface to the top of the rail.

The Mawsafe horizontal rail is designed to a height that will result in impact to the shoulder area of the horse. This results in the rail deflecting and actually increasing in height so that the horse is not inclined to jump the rail. The nominal vertical height of the Mawsafe rail will be 48 inches.

(e) ... Portable rails and posts shall be designed not to collapse or break away when a horse that is running parallel to the rail bumps, lugs or falls into the rail or posts during normal training or racing conditions.

The Mawsafe vertical posts are designed to break away if a horse or jockey falls into the posts. This feature insures that the horse or jockey does not absorb the post impact load and bounce back onto the racing surface. Since the rail is hinged to the horizontal rail, it is not scattered around the impact point.

Staff reviewed all engineering information available on the Mawsafe web site, [globalbarriersystems.com](http://globalbarriersystems.com). The Mawsafe rail system uses a design approach that is completely different than the rigid rail systems typically used in California and across the nation.

The two major components, the vertical upright and the horizontal rail section, are made of high impact strength, high UV resistant PVC. These two components are designed to deflect when impacted by the horse and rider. As the curved vertical pole deflects and starts to straighten the height of the horizontal rail section increases in height. The higher rail section discourages the horse from attempting to jump the rail. The deflection of the horizontal rail section inward supports the horse and jockey, keeps them separated from the other horses and provides the jockey the opportunity to straighten the horse and return to the racing surface. If the horse or jockey impacts a vertical upright, the upright breaks away at the bottom and rotates around the attachment point to the horizontal rail section. This allows a minimum impact load to the jockey and horse and ensures that they do not rebound back into the path of oncoming horses.

The Mawsafe design is based on the engineering principle of absorbing an impact load by having the structure deflect. A typical portable turf rail system, as employed in California, is rigid (vertical metal poles that are anchored in a sleeve). Upon impact, the rigid rail system can impart a very high load to a jockey or horse. The deflecting system minimizes the impact load to the horse or jockey.

After review of available design and test information by staff, three concerns emerged. The first concern is whether the vertical pole or horizontal rail would fracture if deflected significantly by the load of the horse or jockey.



The Mawsafe system is manufactured by Global Barrier Systems, an Australian company. It has conducted extensive engineering testing of the system. Impact tests have been conducted at loads approaching 1,000 lb. over small cross-sectional areas. No impact fractures occurred. It has also conducted tests wherein the vertical poles and horizontal rails were bent to 90 degrees by forklifts without fracturing.

Staff contacted Michael Villante of Global Barrier Systems. Mr. Villante stated that for the 113 systems in operation, there has never been a fracture of a vertical upright or a horizontal rail section.

The second concern is the environmental life of the PVC extrusions for the vertical pole and horizontal rail. The material is produced by an Australian company, Polvin Compounds. It has developed a unique compound which has been proven in PVC fencing systems in Australia. The material uses 20% more UV protection than the industry standard. The material supplier and designer guarantee an operating life of in excess of 20 years before any significant degradation of material strength properties.

The third concern was whether a jockey could unfairly use the deflecting rail feature to create a running path that would be inside the normal rail path, especially on turns. This would be a dangerous maneuver because the jockey could never be sure how the horse would react to the rail contact. However, the stewards currently have the authority to reprimand or penalize an offender, if such strategy is used.

During the course of the evaluation, staff contacted the Jockeys' Guild. It has endorsed the Mawsafe system. Staff also contacted the Australian Jockey Association (AJA) and confirmed that the AJA has endorsed the Mawsafe system.

#### RECOMMENDATION

The Mawsafe system appears to have significant safety advantages compared to the rigid rail designs that are normally employed in California. The deflecting design greatly reduces impact loads to the horse and jockey and lowers the risk of the horse and jockey 'bouncing' back into the path of other horses.

Staff recommends the Board grant Cal Expo a waiver to Board Rule 1472 (b), (c) and (e) for the installation of the Mawsafe rail system on its turf course.

State of California

California Exposition & State Fair  
 1600 Exposition Boulevard  
 Sacramento, CA 95815  
 Tel: (916) 263-3033  
 Fax: (916) 263-7903

**MEMORANDUM**

**Date:** March 27, 2015

**To:** Honorable Commissioners  
 California Horse Racing Board  
 1010 Hurley Way, Suite 300  
 Sacramento, California 95825

**From:** Rick Pickering, Chief Executive Officer  
 California Exposition & State Fair

**Subject:** Installation of MawSafe Racing Rail - Request of Waiver to CHRB Regulation 1472

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**Background and Justification:**

Over the past two years, Cal Expo has invested roughly \$1 million on a number of significant improvements to its overall horse racing facilities. These renovations include such items as:

- a) Providing "human habitable" and air-conditioned housing units in the Barn Area;
- b) Completing ADA improvements in the Barn Area;
- c) Enhancing gate security to the Barn area;
- d) Expansion and remodeling of the Turf Club;
- e) Remediation of waste water issues;
- f) Enhanced painting of the entire Tote Board;
- g) Enhancements to pedestrian flows and site lines to the track from the Fairgrounds;
- h) Improvements to the general layout of the 1<sup>st</sup> floor wagering areas and the Winners Circle; etc...

Cal Expo's next scheduled horse racing improvement is the replacement of the entire inside racing rail. The existing inside rail is a Fontana Rail, and it is completely dismantled each year to enhance safety during Harness Racing from early September to late May. Since Harness Racing requires the inside rail to be removed annually,

Watch and Wager has offered to assist financially with the acquisition and installation of a new inside rail.

In working to replace its inside rail, Cal Expo contacted a number of prominent racing rail vendors. Discussions were held with various racing entities, including CHRB staff, and a competitive selection process was conducted by Cal Expo as a State Agency.

Based upon industry input and the results of the selection process, Cal Expo has tentatively selected the MawSafe Rail as the product to replace its current inside race rail. The Product is manufactured by Global Barrier Systems (GBS) out of South Victoria, Australia. GBS would oversee the installation process. Cal Expo has requested that GBS also provide movable rails to cover the gaps coming out of the six furlong and quarter chutes. The MawSafe product was selected for four primary reasons:

- 1) The MawSafe product is already in use in California thoroughbred racing, and has proven to be successful around the world;
- 2) The rail must be readily removable due to Cal Expo's Harness race meet, and MawSafe meets this need;
- 3) The MawSafe rail provides additional safety to Jockeys and horses, as the newest technology in PVC allows the rail to deflect and absorb loads; and
- 4) Race Tracks that use MawSafe have provided substantial positive documentation on MawSafe's exceptional safety records.

**NOTE:** More than 17,000 races have been run at some 80 plus race tracks that are currently using the MawSafe rail product.

#### **Waiver to CHRB Regulation 1472 – Rail Construction and Track Specifications:**

The MawSafe rail is constructed of a high-impact PVC product. The height of the MawSafe rail is designed to work best in the shoulder area of the horse. Consequently, it is designed at 48 inches, compared to more rigid metal rails at 42 inches. Due to the use of PVC and the effective height of 48 inches, the MawSafe rail does not meet the criteria currently outlined in CHRB Regulation 1472 - Rail Construction and Track Specifications.

CARF and Cal Expo have obtained email correspondence in support of installing a MawSafe rail from the Jockeys' Guild and from TOC. CARF and Cal Expo are working to obtain additional letters of support from several other racing entities.

At the CHRB Board Meeting of April 11, 2013, CHRB Staff presented a written analysis of the MawSafe rail, as the Del Mar Thoroughbred Club was requesting a waiver of CHRB Regulation 1472, so that it could install a MawSafe rail. The CHRB Staff Report concluded:

***“The MawSafe system appears to have significant safety advantages compared to the rigid rail designs that are normally employed in California. The deflecting design greatly reduces impact loads to the horse and jockey, and lowers the risk of the horse and jockey “bouncing” back into the path of other horses.”***

In order to have a new inside race rail installed in time for the 2015 California State Fair thoroughbred Race Meet, July 10-26, Cal Expo respectfully requests that a waiver be granted to CHRB Regulation 1472, and approval be granted by the CHRB Board for installation of the MawSafe rail at Cal Expo.

STAFF ANALYSIS  
PUBLIC HEARING AND ACTION BY THE BOARD  
REGARDING THE PROPOSED ADDITION OF CHRB RULE  
1891.1, PENALTY FOR POSSESSION OR USE OF ELECTRICAL DEVICE,  
TO ESTABLISH PENALTIES FOR THE USE OF A  
BUZZER ON A HORSE

Regular Board Meeting  
April 16, 2015

#### ISSUE

Board Rule 1890, Possession of Contraband, prohibits any person from having in his possession on the premises during any recognized meeting any electrical stimulating or shocking device commonly referred to as a battery, or any mechanical stimulating device, or any other appliance which might affect the speed or actions of a horse. However, Rule 1890 does not provide for penalty guidelines for those found to have possessed or to have used electrical devices on a horse.

#### ANALYSIS

The proposed addition of Rule 1891.1, Penalty for Possession or Use of Electrical Device on a Horse, provides penalty guidelines for cases involving the violation of Board Rule 1890(c). The proposed regulation states that a case against any licensee for the possession or use of an electrical device, as prohibited under Rule 1890(c), shall be referred to the Board for hearing. If the Board finds that a licensee has violated, attempted to violate, or conspired to violate Rule 1890(c), the licensee shall have his or her license revoked.

The proposed regulation addresses all licensees under the jurisdictions of the Board, as the possible use or possession of electrical stimulating or shocking devices may not be limited to jockeys or exercise riders. Referring such cases to the Board will allow Commissioners to consider the matter and impose the maximum penalty allowable; revocation of the person's occupational license. In addition, the proposed regulation requires that if the Board finds that a violation of Rule 1890(c) has occurred, the matter shall be referred to the district attorney for the county in which the violation occurred. Under Penal Code section 337f(a)(1), any person who influences, or induces, or conspires with any owner, trainer jockey, groom or other person to affect the result of a race by stimulating a horse through the use of any electrical device or any electrical equipment or by any mechanical or other device not generally accepted as regulation racing equipment is punishable by a fine not exceeding five thousand dollars, or by imprisonment in a county jail not exceeding one year, or by imprisonment pursuant to subdivision (h) of Section 1170, or by both that fine or imprisonment.

#### BACKGROUND

Business and Professions Code section 19420 gives the Board jurisdiction and supervision over meetings in California where horse races with wagering on their results are held. Business and

Professions Code section 19440 states that the Board shall have all powers necessary and proper to enable it to adopt rules and regulations for the protection of the public and the control of horse racing. Business and Professions Code section 19460 provides that all licenses granted by the Board are subject to all rules, regulations, and conditions prescribed by the Board. Business and Professions Code section 19523 gives the Board the authority to remove any employee for dishonest practices, failure to comply with conditions of license, or violation of a law or regulation. Penal Code section 337f(a)(1) defines the use of any device not generally accepted as regulation racing equipment, to stimulate or depress a horse, as a misdemeanor. Board Rule 1890, Possession of Contraband, subsection (c) states that no person shall have in his possession, on the premises during any recognized meeting, any electrical stimulating or shocking device commonly known as a battery, or any mechanical stimulating device, or any other appliance, which might affect the speed or actions of a horse. Board Rule 1891, Seizure of Contraband, states that contraband defined in Rule 1890 will be confiscated from any person within the inclosure.

#### RECOMMENDATION

This item is presented for Board discussion and action. No comments were received during the 45-day comment period.

CALIFORNIA HORSE RACING BOARD  
TITLE 4. CALIFORNIA CODE OF REGULATIONS  
ARTICLE 16. GENERAL CONDUCT  
PROPOSED ADDITION OF  
RULE 1891.1. PENALTY FOR POSSESSION OF ELECTRICAL DEVICE

Regular Board Meeting  
April 16, 2015

1891.1. Penalty for Possession of Electrical Device.

(a) A complaint against a licensee for a violation of, or conspiring to violate, Rule 1890 (c) of this division shall be referred to the Board for hearing and adjudication.

(b) Any licensee whom the Board finds to have violated, or conspired to violate Rule 1890 (c), shall have his or her license revoked.

(c) A finding by the Board of a violation of Rule 1890 (c) shall be referred to the district attorney for the county in which the violation occurred, citing California Penal Code section 337f(a)(1).

Authority: Sections 19420, and 19440,  
Business and Professions Code.

Reference: Sections 19460, and 19523,  
Business and Professions Code.  
Section 337f(a)(1), Penal Code.

STAFF ANALYSIS  
DISCUSSION AND ACTION BY THE BOARD REGARDING THE PROPOSED  
AMENDMENT TO CHRB RULE 1489.2, REHABILITATION CRITERIA FOR  
EVALUATION OF DENIED, SUSPENDED OR REVOKED OCCUPATIONAL LICENSE,  
TO ESTABLISH CRITERIA TO BE USED TO EVALUATE THE REHABILITATION OF  
AN APPLICANT WHEN CONSIDERING THE DENIAL, SUSPENSION OR REVOCATION  
OF AN OCCUPATIONAL LICENSE.

Regular Board Meeting  
April 16, 2015

ISSUE

Business and Professions Code section 482 states that every board that falls under the provisions of the Business and Professions Code shall adopt criteria to evaluate the rehabilitation of a person who has committed an act, offense, or crime when considering the denial of a license under section 480, or the suspension or revocation of a license under section 490. Presently, the Board does not have such criteria in place. Adoption of the proposed rehabilitation criteria will bring the Board in line with the requirements of section 482, and help provide consistent evaluation of applicants and licensees who have committed acts, offenses, or crimes that permit the denial, suspension, or revocation of a license.

ANALYSIS

Business and Professions Code section 19440 provides that the Board shall have all powers necessary and proper to enable it to carry out fully and effectually the purpose of this chapter. Responsibilities of the Board shall include, but are not limited to, licensing of each racing association and all persons, other than the public at large, who participate in a horse racing meeting with parimutuel wagering. Business and Professions Code section 19461 states that every license granted under this chapter is subject to suspension or revocation by the board in any case where the board has reason to believe that any condition regarding it has not been complied with, or that any law, rule, or regulation of the board affecting it has been broken or violated. Rule 1489, Grounds for Denial or Refusal of License, explains that, in addition to any other valid reason, the Board may refuse to issue a license or deny a license to any person who has been convicted of a crime punishable by imprisonment in a California state prison or a federal prison, or who has been convicted of a crime involving moral turpitude; who has been convicted of a crime in another jurisdiction which if committed in this state would be a felony; who has made any material misrepresentations or false statements to the Board or its agents in his or her application for a license or otherwise, or who fails to answer any material question on an application for a license; who is unqualified to engage in the activities for which a license is required; who fails to disclose the true ownership or interest in any or all horses as required by an application; who is subject to exclusion or ejection from the racing inclosure or is within the classes of persons prohibited from participating in pari-mutuel wagering; who has committed an act involving moral turpitude, or intemperate acts which have exposed others to danger, or acts in connection with horse racing and/or a legalized gaming business which were fraudulent or in violation of a trust or duty; who has unlawfully engaged in or who has been convicted of



possession, use or sale of any narcotic, dangerous drug, or marijuana; who is not permitted by any law to engage in the occupation for which the license is sought; or who has violated, or who aids, abets or conspires with any person to violate any provision of the rules or the Horse Racing Law. Finally, Rule 1900, Grounds for Suspension or Revocation, provides that any rule which is a ground for denial of a license is also ground for suspension or revocation of a license.

In instances where a license is denied, suspended, or revoked, however, nothing prohibits a person from reapplying for a license after such a determination has been made. Business and Professions Code section 486 provides that upon denial of a license, an applicant may reapply for that license after one year unless the Board prescribes an earlier date. Likewise, Business and Professions Code section 491 conveys, by reference to Government Code section 11522, that a licensee who has had their license suspended or revoked may appeal that decision after one year. Both provisions additionally express that the rehabilitation criteria adopted by the Board shall be provided to the applicant or licensee when their license is denied, suspended, or revoked. In Horse Racing Law, the only provision that expressly allows for permanent revocation of a license is Business and Professions Code section 19582(b)(1), which permits the permanent revocation of a person's license if they are guilty of three class I or class II medication violations under section 19581.

According to Business and Professions Code section 482, the Board shall adopt criteria to evaluate the rehabilitation of a person who has committed an act, offense, or crime when considering the denial of a license pursuant to section 480, or the suspension or revocation of a license pursuant to section 490.

The proposed criteria were developed by CHRB counsel to bring the Board into conformity with Business and Professions Code section 482, as well as to assist investigators and licensing staff in conducting consistent evaluations of applicants and licensees who have committed acts, offenses, or crimes that permit the denial, suspension, or revocation of their license.

Pursuant to the proposed criteria, when evaluating the rehabilitation of a licensee or applicant whose license has been denied, suspended, or revoked, the Board may consider the following:

- (a) The nature and severity of the act(s) and/or offense(s), including its relation to horse racing or pari-mutuel wagering and the protection of the public.
- (b) The total criminal record, including evidence of any act(s) and/or offense(s) committed subsequent to the act(s) or offense(s) under consideration as grounds for denial, suspension or revocation which also could be considered grounds for denial, suspension, or revocation under Business and Professions Code sections 480 or 490.
- (c) The time that has elapsed since commission of the act(s) or offense(s).
- (d) The extent to which the person seeking licensure or the licensee has complied with any terms of parole, probation, restitution or any other sanctions lawfully imposed against the person or licensee.
- (e) The credibility of the person seeking licensure or the licensee, and his or her acceptance of responsibility and remorse for the conduct.
- (f) Evidence, if any, of rehabilitation submitted by the person seeking licensure or by the licensee. If the evidence of rehabilitation consists of written statements by third parties in

support of the person seeking licensure or the licensee, the written statements should include a description of their relationship to the person or licensee, a description of the length of time their relationship has existed, a description of the rehabilitative efforts of the person seeking licensure or the licensee and should contain the following sentence at the end: "I declare under penalty of perjury, under the laws of the State of California, that the foregoing is true and correct." The written statement should be signed by the third party making the statement and dated.

## BACKGROUND

Business and Professions Code section 482 provides as follows:

Each board under the provisions of this code shall develop criteria to evaluate the rehabilitation of a person when: (a) Considering the denial of a license by the board under Section 480; or (b) Considering suspension or revocation of a license under Section 490. Each board shall take into account all competent evidence of rehabilitation furnished by the applicant or licensee.

To date, the Board has been without rehabilitative criteria for evaluating applicants and licensees who have committed certain acts, offenses, or crimes. Adoption of the proposed criteria would address this issue, and bring the Board in conformity with section 482.

## RECOMMENDATION

This item is presented to the Board for discussion and action.

CALIFORNIA HORSE RACING BOARD  
TITLE 4. CALIFORNIA CODE OF REGULATIONS  
ARTICLE 4. OCCUPATIONAL LICENSES  
PROPOSED ADDITION OF  
RULE 1489.2. REHABILITATION CRITERIA FOR EVALUATION OF DENIED,  
SUSPENDED OR REVOKED OCCUPATIONAL LICENSE

1489.2. Rehabilitation Criteria for Evaluation of Denied, Suspended or Revoked Occupational License

When considering the denial of a license under Business and Professions Code section 480, or the suspension or revocation of licensure under Business and Professions Code section 490, on the grounds that the person has committed an act or been convicted of a crime, the California Horse Racing Board will evaluate the rehabilitation of such person and his or her eligibility for licensure, and may consider the following criteria:

(a) The nature and severity of the act(s) and/or offense(s), including its relation to horse racing or pari-mutuel wagering and the protection of the public.

(b) The total criminal record, including evidence of any act(s) and/or offense(s) committed subsequent to the act(s) or offense(s) under consideration as grounds for denial, suspension or revocation which also could be considered grounds for denial, suspension, or revocation under Business and Professions Code sections 480 or 490.

(c) The time that has elapsed since commission of the act(s) or offense(s).

(d) The extent to which the person seeking licensure or the licensee has complied with any terms of parole, probation, restitution or any other sanctions lawfully imposed against the person or licensee.

(e) The credibility of the person seeking licensure or the licensee, and his or her acceptance of responsibility and remorse for the conduct.

(f) Evidence, if any, of rehabilitation submitted by the person seeking licensure or by the licensee. If the evidence of rehabilitation consists of written statements by third parties in support of the person seeking licensure or the licensee, the written statements should include a description of their relationship to the person or licensee, a description of the length of time their relationship has existed, a description of the rehabilitative efforts of the person seeking licensure or the licensee and should contain the following sentence at the end: "I declare under penalty of perjury, under the laws of the State of California, that the foregoing is true and correct." The written statement should be signed by the third party making the statement and dated.

Authority: Sections 482 and 19440,  
Business and Professions Code.

Reference: Sections 480, 490, 19460 and 19461,  
Business and Professions Code.

## STAFF ANALYSIS

## DISCUSSION AND ACTION BY THE BOARD REGARDING THE PROPOSED AMENDMENT TO CHRB RULE 1489.3, CRITERIA FOR DENIAL, SUSPENSION AND REVOCATION OF AN OCCUPATIONAL LICENSE, TO ESTABLISH CRITERIA TO BE USED WHEN CONSIDERING THE DENIAL, SUSPENSION OR REVOCATION OF AN OCCUPATIONAL LICENSE.

Regular Board Meeting  
April 16, 2015

## ISSUE

Business and Professions Code section 481 states that every board that falls under the provisions of the Business and Professions Code shall develop criteria to aid it, when considering the denial, suspension or revocation of a license, to determine whether a crime or act is substantially related to the qualifications, functions, or duties of the business or profession it regulates. Presently, the Board does not have such criteria in place. Adoption of the proposed relatedness criteria will bring the Board in line with the requirements of section 481, and help provide consistent determinations about which acts, offenses, or crimes are so substantially related to horse racing that they necessitate the denial, suspension, or revocation of a license.

## ANALYSIS

Business and Professions Code section 19440 provides that the Board shall have all powers necessary and proper to enable it to carry out fully and effectually the purpose of this chapter. Responsibilities of the Board shall include, but are not limited to, licensing of each racing association and all persons, other than the public at large, who participate in a horse racing meeting with parimutuel wagering. Business and Professions Code section 19461 states that every license granted under this chapter is subject to suspension or revocation by the board in any case where the board has reason to believe that any condition regarding it has not been complied with, or that any law, rule, or regulation of the board affecting it has been broken or violated. Rule 1489, Grounds for Denial or Refusal of License, explains that, in addition to any other valid reason, the Board may refuse to issue a license or deny a license to any person who has been convicted of a crime punishable by imprisonment in a California state prison or a federal prison, or who has been convicted of a crime involving moral turpitude; who has been convicted of a crime in another jurisdiction which if committed in this state would be a felony; who has made any material misrepresentations or false statements to the Board or its agents in his or her application for a license or otherwise, or who fails to answer any material question on an application for a license; who is unqualified to engage in the activities for which a license is required; who fails to disclose the true ownership or interest in any or all horses as required by an application; who is subject to exclusion or ejection from the racing inclosure or is within the classes of persons prohibited from participating in pari-mutuel wagering; who has committed an act involving moral turpitude, or intemperate acts which have exposed others to danger, or acts in connection with horse racing and/or a legalized gaming business which were fraudulent or in violation of a trust or duty; who has unlawfully engaged in or who has been convicted of possession, use or sale of any narcotic, dangerous drug, or marijuana; who is not permitted by

any law to engage in the occupation for which the license is sought; or who has violated, or who aids, abets or conspires with any person to violate any provision of the rules or the Horse Racing Law. Finally, Rule 1900, Grounds for Suspension or Revocation, provides that any rule which is a ground for denial of a license is also ground for suspension or revocation of a license.

To operate in conjunction with the above rules and regulations, Business and Professions Code section 481 further states that the Board shall develop criteria to aid it in determining whether a crime or act is substantially related to the qualifications, functions, or duties of a CHRB licensee when considering the denial, suspension or revocation of a person's license.

The proposed criteria were developed by CHRB counsel to bring the Board into conformity with Business and Professions Code section 481, as well as to assist investigators and licensing staff in making consistent determinations about which acts, offenses, or crimes are so substantially related to horse racing that they necessitate the denial, suspension, or revocation of a license.

## BACKGROUND

Business and Professions Code section 481 provides as follows:

Each board under the provisions of this code shall develop criteria to aid it, when considering the denial, suspension or revocation of a license, to determine whether a crime or act is substantially related to the qualifications, functions, or duties of the business or profession it regulates.

To date, the Board has been without relatedness criteria to aid it in determining which acts, offenses, or crimes are so substantially related to horse racing that they necessitate the denial, suspension, or revocation of a license. Adoption of the proposed criteria would address this issue, and bring the Board in to conformity with section 481.

## RECOMMENDATION

This item is presented to the Board for discussion and action.

CALIFORNIA HORSE RACING BOARD  
TITLE 4. CALIFORNIA CODE OF REGULATIONS  
ARTICLE 4. OCCUPATIONAL LICENSES  
PROPOSED ADDITION OF  
RULE 1489.3. CRITERIA FOR DENIAL, SUSPENSION AND REVOCATION OF AN  
OCCUPATIONAL LICENSE

1489.3. Criteria for Denial, Suspension and Revocation of an Occupational License

For the purposes of denial, suspension or revocation of a license, pursuant to Division 1.5 (commencing with Section 475) of the Business and Professions Code, a crime or act shall be considered to be substantially related to the qualifications, functions or duties of a person applying for or holding a license under the Horse Racing Law, if to a substantial degree the crime or act evidences a present or potential unfitness to perform the functions authorized by his or her license or in a manner consistent with the public health, safety, or welfare. Such crimes or acts shall include, but not be limited to, those involving the following:

(a) Violating or attempting to violate, directly or indirectly, or assisting in or abetting the violation of or conspiring to violate any provision or term of the Horse Racing Law and the Rules and Regulations adopted pursuant thereto.

(b) Commission of a crime or act punishable by imprisonment in a California state prison or federal prison, or commission of a crime or act in another jurisdiction which if committed in this state would be a felony.

(c) Commission of a crime or act involving moral turpitude.

(d) Commission of a crime or act involving dishonesty, fraud, or deceit.

(e) Commission of a crime or act involving animal abuse, cruelty, or neglect.

(f) Commission of a crime or act that willfully or recklessly exposes others to danger.

(g) Commission of a crime or act in connection with horse racing and/or a legalized gaming business which is fraudulent or in violation of a trust or duty.

(h) Commission of a crime or act involving the unlawful possession, use, or sale of any narcotic, controlled drug, or marijuana.

Authority: Sections 481 and 19440,  
Business and Professions Code.

Reference: Sections 480, 490, 19460 and 19461  
Business and Professions Code.



STAFF ANALYSIS  
DISCUSSION AND ACTION BY THE BOARD REGARDING THE PROPOSED  
AMENDMENT TO CHRB RULE 1588, HORSE INELIGIBLE TO START IN A RACE,  
TO PROVIDE THAT A HORSE IS INELIGIBLE TO START IN ANY RACE IN  
CALIFORNIA IF IT IS ON THE VETERINARIAN'S LIST IN ANOTHER RACING  
JURISDICTION, UNLESS WITH PRIOR APPROVAL OF THE STEWARDS

Regular Board Meeting  
April 16, 2015

ISSUE

In December 2014 the proposed amendment to Board Rule 1588, Horse Ineligible to Start in a Race, was submitted to the Office of Administrative Law (OAL) for review. The proposed amendment provided that a horse would be ineligible to start in any race in California if it was on the Veterinarian's List in another racing jurisdiction, unless with prior approval of the stewards. The OAL disapproved the rulemaking action based on the Clarity standard of Government Code section 11349.1. The OAL disapproval stated the rulemaking record implied that the stewards would be responsible for conducting an investigation to determine whether adequate cause existed to allow a horse to race, and the steward approval clause (subsection "j" of the proposed text) was to be used as a mechanism to correct racing eligibility errors that were identified. However, the proposed subsection 1588(j), which delegated unlimited approval power to the stewards, failed to align with the concept. The text of the regulation has been modified to address OAL's concerns. New subsections (j)(1) through (j)(3) define what may constitute "good cause" when the stewards make a determination regarding a horse's eligibility to race. A 15-day public comment period is required before the file can be resubmitted to OAL.

ANALYSIS

California does not have an official Veterinarian's List reciprocity policy for horses on the Veterinarian's List in other states. This potentially allows compromised horses to avoid official veterinary scrutiny by moving to other racing jurisdictions which do not always monitor or recognize out-of-state Veterinarian's Lists. The proposed amendment to Board Rule 1588 prohibits any horse on the Veterinarian's List in another jurisdiction from entering a race in California without the prior approval of the stewards. The 1588 rulemaking file was submitted to OAL for review in December 2014. The file was disapproved based on the Clarity standard, as OAL did not believe the text of the proposed subsection 1588(j), which delegated unlimited approval power to the stewards, aligned with the concept. OAL stated it appeared the Board intended for the stewards to take specific steps to determine whether a horse should be allowed to race, including consultation with the official veterinarian and with racing officials in other racing jurisdictions. OAL declared that those standards of general application should be promulgated in Rule 1588 and adequately explained in the rulemaking record. To address the OAL's concerns, the proposed text of subsection 1588(j) has been modified to provide that the stewards must have "good cause" to approve the entry of a horse that is on another racing jurisdiction's Veterinarian's List. Subsections 1588(j)(1) through (j)(3) have been added to define what such "good cause" may include: 1) unforeseen administrative issues in removing the horse from the other racing jurisdiction's Veterinarian's List; 2) the location of the horse

preventing it from being evaluated by the official veterinarian of another jurisdiction and cleared from that jurisdiction's Veterinarian's List; and 3) another unforeseen event or reason that would prevent the horse from being cleared from another racing jurisdiction's Veterinarian's List.

## BACKGROUND

Business and Professions Code section 19440 provides that the Board shall have all powers necessary and proper for it to carry out fully and effectually the purposes of this chapter. Responsibilities of the Board shall include adopting rules and regulations for the protection of the public and the control of horse racing and pari-mutuel wagering. Business and Professions Code section 19562 provides that the Board may prescribe rules, regulations and conditions under which all horse races with wagering on their results shall be conducted in this State.

Board Rule 1866, Veterinarians List, states the official veterinarian shall maintain a Veterinarian's List of those horses determined to be unfit to compete in a race due to physical distress, unsoundness, or infirmity. Subsection 1866(c) provides that a horse placed on the Veterinarian's List shall be removed from the list only after having established or demonstrated to the satisfaction of the official veterinarian or the racing veterinarian that the horse is then sound and in fit physical condition to exert its best effort in a race. The proposed amendment to Rule 1588 specifies that a horse is ineligible to start in any race in California if it is on the Veterinarian's List in another racing jurisdiction, unless with prior approval of the stewards. The proposed amendment to Rule 1588 was submitted to the OAL for review in December 2014. In January 2015, the OAL disapproved the regulatory action based on the Clarity standard of Government Code section 11349.1. The text of the proposed amendment has been modified to address the OAL's concerns. A 15-day public comment period is required before the file can be resubmitted to OAL.

## RECOMMENDATION

This item is presented for Board discussion and action. Staff recommends the Board direct staff to initiate a 15-day renote period.

CALIFORNIA HORSE RACING BOARD  
TITLE 4. CALIFORNIA CODE OF REGULATIONS  
ARTICLE 6. ENTRIES AND DECLARATIONS  
1588. HORSE INELIGIBLE TO START IN A RACE.

Regular Board Meeting  
April 16, 2015

Single underlined text represents the original language noticed to the public from September 5, 2014 to October 20, 2014.

Deletions to the original noticed text appear as ~~double strikethrough~~ and new and revised text appears as double underlined.

1588. Horse Ineligible to Start in a Race.

In addition to any other valid ground or reason, a horse is ineligible to start in any race ~~if:~~

(a) if ~~S~~such horse is not registered by the Jockey Club if a thoroughbred, the United States Trotting Association if a standardbred, the American Quarter Horse Association if a quarter horse, the Appaloosa Horse Club if an appaloosa horse, the Arabian Horse Registry of America if an Aarabian horse, or the American Paint Horse Association if a paint horse~~;~~

(b) if ~~F~~the parentage verification to both the sire and the dam of all horses foaled in 1992 and thereafter has not been certified by the Jockey Club if a thoroughbred, the United States Trotting Association if a standardbred, the American Quarter Horse Association if a quarter horse, the Appaloosa Horse Club if an appaloosa horse, the Arabian Horse Registry of America if an Aarabian horse, or the American Paint Horse Association if a paint horse~~;~~

(c) if, Unless the stewards permit otherwise, the certificate of foal registration, eligibility papers, or other registration issued by the official registry for such horse is not on file with the racing secretary at the time of entry;

(d) if ~~S~~such horse has been entered or raced at any recognized race meeting under any name or designation other than the name or designation duly assigned by and registered with the official registry;

(e) ~~if~~ if the certificate of foal registration, eligibility papers or other registration issued by the official registry has been altered, erased, or forged;

(f) ~~if~~ if the identification markings of the horse do not agree with the identification markings as set forth in the registration of such horse;

(g) ~~Unless~~ Unless he is eligible to enter said race and is duly entered for such race;

(h) ~~When~~ When such horse is owned in whole or in part by an unlicensed person or is in the care of an unlicensed trainer;

(i) ~~When~~ When such horse is on the Steward's List, the Starter's List or the Veterinarian's List;

(j) when, except with prior approval of the stewards for good cause, such horse is on the Veterinarian's List in another racing jurisdiction; or. Good cause includes:

(1) unforeseen administrative issues in removing the horse from the Veterinarian's List of another racing jurisdiction;

(2) the location of the horse prevents it from being evaluated by the official veterinarian of another racing jurisdiction and cleared from that jurisdiction's Veterinarian's List, and the horse is approved to race by a California official veterinarian; or

(3) any other unforeseen event or reason that would prevent a horse that would otherwise not be on a Veterinarian's List from being cleared from the Veterinarian's List of another racing jurisdiction.

~~(j)~~ ~~W~~ (k) when, except with prior approval of the stewards, such horse has not been on the grounds of the association or its approved auxiliary stable area for at least 24 hours prior to the time the race is to be run.

Authority: Sections 19440 and 19562,  
Business and Professions Code.

Reference: Sections 19440 and 19562,  
Business and Professions Code.

STAFF ANALYSIS  
DISCUSSION AND ACTION BY THE BOARD REGARDING  
THE PROPOSED AMENDMENT TO  
CHRB RULE 1843.2. CLASSIFICATION OF DRUG SUBSTANCES  
TO ADD COBALT TO THE  
CHRB PENALTY CATEGORIES LISTING BY CLASSIFICATION  
THEREBY ESTABLISHING THE VIOLATION AND PENALTY  
GUIDELINES FOR THE PRESENCE OF COBALT  
IN AN OFFICIAL BLOOD SAMPLE

Regular Board Meeting  
April 16, 2015

#### ISSUE

Cobalt is a naturally occurring trace element that may be present in horses at very low levels, as well as a normal dietary substance due to the ingestion of feedstuffs that contain it in trace amounts. Cobalt is also present in vitamin B12. Cobalt can be administered to horses in various forms, including feed supplements or injections. Although cobalt is a naturally existing and necessary dietary mineral for the horse, there is evidence it is being administered in very high doses. High doses of cobalt containing products are used to increase erythropoiesis, the process which produces red blood cells. This may allow a horse to oxygenate better than it would in its normal state; a form of "blood doping". Due to concerns regarding the illicit use of cobalt in horse racing, the Board has determined a threshold must be set to differentiate samples collected from a horse that was normally fed and supplemented from a horse administered an extremely high dose of cobalt to enhance performance. This may be accomplished by amending Board Rule 1843.2, Classification of Drug Substances, to add cobalt to the California Horse Racing Board (CHRB) Penalty Categories Listing by Classification (Revised 02/13).

#### ANALYSIS

The proposed amendment to Rule 1843.2 will add cobalt to the California Horse Racing Board (CHRB) Penalty Categories Listing by Classification (Revised 02/13), which is incorporated by reference in Rule 1843.2. Cobalt will be listed as:

- 1). A Class 4 drug violation with a Category C penalty for cobalt in blood above 25ng/ml (over 25ng/ml but under 50ng/ml). This would result in a fine and/or short suspension without revocation of purse; and
- 2). A Class 3 drug violation with a Category B penalty for cobalt in blood above 50ng/ml. This would result in purse redistribution, a fine of between \$500 to \$10,000 and a minimum 30 day suspension.

## BACKGROUND

Business and Professions Code section 19580 provides that the Board shall adopt regulations to establish policies, guidelines and penalties relating to equine medication to preserve and enhance the integrity of horse racing in this state. Section 19581 of the Business and Professions Code states that no substance of any kind shall be administered by any means to a horse after it has been entered to race in a horse race, unless the Board has, by regulation, specifically authorized the use of the substance and the quantity and composition thereof. Business and Professions Code section 19582 provides that violations of Business and Professions Code section 19581, as determined by the Board, are punishable in regulations adopted by the Board, and that the Board may classify violations based upon each class of prohibited drug substances, prior violations within the previous three years and prior violations within the violator's lifetime. Board Rule 1843, Medication, Drugs and Other Substances, provides that no horse participating in a race shall carry in its body any drug substance or its metabolites or analogues, foreign to the horse except as hereinafter expressly provided. No drug substance shall be administered to a horse which is entered to compete in a race to be run in this state except for approved and authorized drug substances as provided in these rules.

## RECOMMENDATION

This item is presented for Board discussion and action. Staff recommends the Board direct staff to initiate a 45-day public comment period regarding the proposed amendment of Rule 1843.2.

CALIFORNIA HORSE RACING BOARD  
TITLE 4. CALIFORNIA CODE OF REGULATIONS  
ARTICLE 15. VETERINARY PRACTICES  
PROPOSED AMENDMENT OF  
RULE 1843.2. CLASSIFICATION OF DRUG SUBSTANCES.

Regular Board Meeting  
April 16, 2015

1843.2. Classification of Drug Substances.

The Board, the board of stewards, the hearing officer, or the administrative law judge, when adjudicating a hearing for a violation of Business and Professions Code section 19581, shall consider the classification of the substance as referenced in the California Horse Racing Board (CHRB) Penalty Categories Listing by Classification (Revised ~~02/13~~04/15), hereby incorporated by reference, which is based on the Association of Racing Commissioners International (ARCI) Uniform Classification Guidelines for Foreign Substances (~~12/11~~12/14), as modified by the Board.

Authority: Sections 19580, 19581 and 19582,  
Business and Professions Code.

Reference: Sections 19580, 19581 and 19582,  
Business and Professions Code.

# California Horse Racing Board (CHRB)

## Penalty Categories

### Listing by Classification

**Class 1:** Stimulant and depressant drugs that have the highest potential to affect performance and that have no generally accepted medical use in the racing horse. Many of these agents are Drug Enforcement Agency (DEA) schedule II substances. These include the following drugs and their metabolites: Opiates, opium derivatives, synthetic opioids and psychoactive drugs, amphetamines and amphetamine-like drugs as well as related drugs, including but not limited to apomorphine, nikethamide, mazindol, pemoline, and pentylenetetrazol.

Drug	Trade Name	Drug Class	Penalty Class
3, 4-methylenedioxypyrovalerone	MCVP, "BATH Salts"	1	A
Alfentanil	Alfenta	1	A
Amphetamine		1	A
Anileridine	Leritine	1	A
Apomorphine		1	A
Benzylpiperazine (BZP)		1	A
Carfentanil		1	A
Cathinone	Khat	1	A
$\alpha$ -Cobratoxin	Cobra Venom	1	A
Cocaine		1	B
Codeine		1	A
Darbepoetin	Aranesp	1	A
Darb-erythropoetin		1	A
Dermorphin	Frog Venom	1	A
Drug Enforcement Administration (DEA) Class 1 (all)		1	A
Dextromoramide	Palfium, Narcolo	1	A
Diamorphine		1	A
Donepezil	Aricept	1	A
Endorphins		1	A
Enkephalins		1	A
Erythropoietin (EPO)	Procrit, Epogen	1	A
Ethylmorphine	Dionin	1	A
Etorphine HCl	M99	1	A
Fentanyl	Sublimaze	1	A
Heroin		1	A
Hydrocodone (dihydrocodeinone)		1	A
Hydromorphone	Dilaudid	1	A



## Listing by Classification

**Class 1:** Stimulant and depressant drugs that have the highest potential to affect performance and that have no generally accepted medical use in the racing horse. Many of these agents are Drug Enforcement Agency (DEA) schedule II substances. These include the following drugs and their metabolites: Opiates, opium derivatives, synthetic opioids and psychoactive drugs, amphetamines and amphetamine-like drugs as well as related drugs, including but not limited to apmorphine, nikethamide, mazindol, pemoline, and pentylenetetrazol.

Drug	Trade Name	Drug Class	Penalty Class
Hydroxyamphetamine	Paradrine	1	A
ITPP (myo-inositol trispyrophosphate)		1	A
Levorphanol	Levo-Dremoran	1	A
Lofentanil		1	A
Mazindol	Sanorex	1	A
Meperidine	Demerol	1	A
Mephentermine		1	A
Metaraminol	Aramine	1	A
Methadone	Dolophine	1	A
Methamphetamine	Desoxyn	1	A
Methaqualone	Quaalude	1	A
Methcathinone		1	A
<u>Methylhexanamine</u>	<u>Geranamine</u>	<u>1</u>	<u>A</u>
Methylphenidate	Ritalin	1	A
Metopon (methyldihydromorphinone)		1	A
Morphine		1	B
Nikethamide	Coramine	1	A
Oxycodone	Percodan	1	A
Oxymorphone	Numorphan	1	A
Pemoline	Cylert	1	A
Pentylenetetrazol	Metrazol, Nioric	1	A
Phenazocine	Narphen	1	A
Phencyclidine (PCP)	Sernylan	1	A
Phendimetrazine	Bontril, etc.	1	A
Phenmetrazine	Preludin	1	A
Picrotoxin		1	A
Piritramide		1	A
Recombinant Growth Hormones		1	A

## Listing by Classification

**Class 1:** Stimulant and depressant drugs that have the highest potential to affect performance and that have no generally accepted medical use in the racing horse. Many of these agents are Drug Enforcement Agency (DEA) schedule II substances. These include the following drugs and their metabolites: Opiates, opium derivatives, synthetic opioids and psychoactive drugs, amphetamines and amphetamine-like drugs as well as related drugs, including but not limited to apmorphine, nikethamide, mazindol, pemoline, and pentylenetetrazol.

Drug	Trade Name	Drug Class	Penalty Class
Remifentanil	Ultiva	1	A
Recombinant Erythropoiesis Stimulating Agents		1	A
Snake Venoms		1	A
Strychnine		1	B
Somatrem	Protropin	1	A
Somatropin	Nutropin	1	A
Sufentanil	Sufenta	1	A
Synthetic cannabis	Spice, K2, Kronic	1	A
Venoms Not Otherwise		1	A
Ziconotide	Cone Snail Venom	1	A

## Listing by Classification

**Class 2:** Drugs that have a high potential to affect performance, but less of a potential than Class 1. These drugs are 1) not generally accepted as therapeutic agents in racing horses, or 2) they are therapeutic agents that have a high potential for abuse.

Drug	Trade Name	Drug Class	Penalty Class
Acecarbromal		2	A
Acetophenazine	Tindal	2	A
Adinazolam		2	A
Alclofenac		2	B
Alcuronium	Alloferin	2	A
Alphaprodine	Nisentil	2	A
Alpidem	Anaxyl	2	A
Alprazolam	Xanax	2	A
Althesin	Saffan	2	A
Amisulpride	Solian	2	A
Amitriptyline	Elavil, Amitril, Endep	2	A
Amobarbital	Amytal	2	A
Amoxapine	Asendin	2	A
Amperozide		2	A
Anilopam	Anisine	2	A
Aprobarbital	Alurate	2	A
Articaine	Septocaine, Ultracaine, etc.	2	A
Atomoxetine	Strattera	2	A
Atracurium	Tracruim	2	A
Azacyclonol	Frenque	2	A
Azaperone	Stresnil, Suicalm, Fentaz (with Fentanyl)	2	A
Barbital	Veronal	2	A
Barbiturates	Benzo, BZD	2	A
Bemegride	Megimide, Mikedimide	2	A
Benoxaprofen		2	B
Benperidol		2	A
Bentazepam	Tiadipona	2	A
Benzactizine	Deprol, Bronchodiletten	2	A
Benzocetamine		2	A
<u>Benzonatate</u>		2	A
Benzphetamine	Didrex	2	A
Benztropine	Cogentin	2	A
Biriperone		2	A
Brimonidine	Alphagan	2	A
Bromazepam	Lexotan, Lectopam	2	A
Bromisovalum	Diffucord, etc.	2	A

## Listing by Classification

**Class 2:** Drugs that have a high potential to affect performance, but less of a potential than Class 1. These drugs are 1) not generally accepted as therapeutic agents in racing horses, or 2) they are therapeutic agents that have a high potential for abuse.

Drug	Trade Name	Drug Class	Penalty Class
Bromocriptine	Parlodel	2	A
Bromperidol	Bromidol	2	A
Brotizolam	Brotocol	2	A
Bupivacaine	Marcaine	2	A
Buprenorphine	Temgesic	2	A
Buspirone	Buspar	2	A
Buspropion	Wellbutrin	2	A
Butabarbital (Secbutobarbitone)	Butacaps, Butasol, etc.	2	A
Butalbital (Talbutal)	Fiorinal	2	A
Butanilicaine	Hostacain	2	A
Butaperazine	Repoise	2	A
Butoctamide	Listomin	2	A
Caffeine		2	B
Camazepam	Paxor	2	A
Captodiame	Covatine	2	A
Carbidopa + levodopa	Sinemet	2	A
Carbromol	Mifudorm	2	A
Carisoprodol	Soma, Rela	2	B
Carphenazine	Proketazine	2	A
Carpipramine	Prazinil	2	A
Carticaine	Ultracain	2	A
Chloralose (Alpha-Chloralose)		2	A
Chloral betaine	Beta-Chlor	2	A
Chloral hydrate	Nactec, Oridrate, etc.	2	A
Chloraldehyde (chloral)		2	A
Chlordiazepoxide	Librium	2	A
Chlormezanone	Trancopal	2	A
Chloroform		2	A
Chlorhexidol		2	A
Chlorprocaine	Nesacaine	2	A
Chlorproethazine	Newiplege	2	A
Chlorpromazine	Thorazine, Largactil	2	A
Chlorprothixene	Taractan	2	A
Citalopram	Celex	2	A
Clobazam	Urbanyl	2	A
Clocapramine		2	A

## Listing by Classification

**Class 2:** Drugs that have a high potential to affect performance, but less of a potential than Class 1. These drugs are 1) not generally accepted as therapeutic agents in racing horses, or 2) they are therapeutic agents that have a high potential for abuse.

Drug	Trade Name	DrugClass	Penalty Class
Clomethiazole		2	A
Clomipramine	Anafranil	2	A
Clonazepam	Klonopin	2	A
Clorazepate	Tranxene	2	A
Clothiapine	Entermin	2	A
Clotiazepam	Trecalmo, Rize	2	A
Cloxazolam	Enadel, Sepazon, Tolestan	2	A
Clozapine	Clozaril, Leponex	2	A
Codeine		2	B
Conorphone		2	A
Corticaïne	Ultracain	2	A
Crotetamide		2	A
Cyamemazine	Tercian	2	A
Cyclobarbitol	Phanodorm	2	A
Decamethonium	Syncurine	2	A
Demoxepam		2	A
Desipramine	Norpromine, Pertofrane	2	A
Dezocine	Dalgan®	2	A
Diazepam	Valium	2	B
Dichloralphenazone	Febenol, Isocom	2	A
Diethylpropion	Tepanil, etc.	2	A
Diethylthiambutene	Themalon	2	A
Dihydrocodeine	Parcodin	2	A
Dilorazepam	Briantum	2	A
Diprenorphine	M50/50	2	A
Dixyrazine	Esucos	2	A
Dopamine	Intropin	2	A
Doxacurium	Nuromax	2	A
Doxapram	Dopram	2	A
Doxefazepam	Doxans	2	A
Doxepin	Adapin, Sinequan	2	A
Droperidol	Inapsine, Droleptan, Innovar-Vet (with Fentanyl)	2	A
Duloxetine	Cymbalta, Ariclam	2	A
Enciprazine		2	A
Ephedrine		2	A

## Listing by Classification

**Class 2:** Drugs that have a high potential to affect performance, but less of a potential than Class 1. These drugs are 1) not generally accepted as therapeutic agents in racing horses, or 2) they are therapeutic agents that have a high potential for abuse.

Drug	Trade Name	DrugClass	Penalty Class
Epibatidine		2	A
Epinephrine		2	A
Ergoloid Mesylates (dihydroergocornine mesylate, dihydroergocristine mesylate and dihydroergocryptine mesylate)	Hydergine	2	A
Estazolam	Domnamid, Eurodin, Nuctalon	2	A
Ethamivan		2	A
Ethanol		2	A
Ethchlorvynol	Placidyl	2	A
Ethinamate	Valmid	2	A
Ethopropazine	Parsidol	2	A
Ethylisobutrazine	Diquel	2	A
Etidocaine	Duranest	2	A
Etifoxin	Stresam	2	A
Etizolam	Depas, Pasaden	2	A
Etodroxizine	Indunox	2	A
Etomidate		2	A
Fenarbamate	Tymium	2	A
Fenclozic acid	Myalex	2	B
Fenfluramine	Pondimin	2	A
Fluanisone	Sedalande	2	A
Fludiazepam	Erispam	2	A
Flunitrazepam	Rohypnol, Narcozep, Darkene, Hypnodorm	2	A
Fluopromazine	Psyquil, Siquil		
Fluoresone	Caducid	2	A
Fluoxetine	Prozac	2	A
Flupenthixol	Depixol, Fluanxol	2	A
Fluphenazine	Prolixin, Permitil, Anatensol	2	A
Flurazepam	Dalmane	2	B
Fluspirilene	Imap, Redeptin	2	A
Flutoprazepam	Restas	2	A
Fluvoxamine	Dumirox, Faverin, etc.	2	A
Galantamine	Reminyl	2	A
Gallamine	Flaxedil	2	A
Gepirone		2	A

## Listing by Classification

**Class 2:** Drugs that have a high potential to affect performance, but less of a potential than Class 1. These drugs are 1) not generally accepted as therapeutic agents in racing horses, or 2) they are therapeutic agents that have a high potential for abuse.

Drug	Trade Name	DrugClass	Penalty Class
Glutethimide	Doriden	2	A
Halazepam	Paxipam	2	A
Haloperidol	Haldol	2	A
Haloxazolam	Somelin	2	A
Hemoglobin glutamers	Oxyglobin, Hemopure	2	A
Hexafluorenum	Myalexen	2	A
Hexobarbital	Evipal	2	A
Homophenazine	Pelvichthol	2	A
Hydrocodone (dihydrocodeinone)	Hycodan	2	A
Hydroxyzine	Atarax	2	B
Ibomal	Noctal	2	A
Imipramine	Imavate, Presamine, Tofranil	2	A
Isapirone		2	A
Isocarboxazid	Marplan	2	A
Isomethadone		2	A
Isoproterenol	Isoprel	2	A
Isoxicam	Maxicam	2	B
Ketamine	Ketalar, Ketaset, Vetalar	2	B
Ketazolam	Anxon, Laftram, Solatran, Loftran	2	A
Lenperone	Elanone-V	2	A
Levamisole	Ergamisol	2	B
Levomethorphan		2	A
Lidocaine	Xylocaine	2	B
Lithium	Lithizine, Duralith, etc.	2	A
Lobeline		2	A
Loflazepate, Ethyl	Victan	2	A
Loperamide	Imodium	2	B
Loprazolam	Dormonort, Havlane	2	A
Lorazepam	Ativan	2	A
Lormetazepam	Noctamid	2	A
Loxapine	Laxitane	2	A
Maprotiline	Ludiomil	2	A
Mebutamate	Axiten, Dormate, Capla	2	A
Meclofenoxate	Lucidril, etc.	2	A
Medazepam	Nobrium, etc.	2	A

## Listing by Classification

**Class 2:** Drugs that have a high potential to affect performance, but less of a potential than Class 1. These drugs are 1) not generally accepted as therapeutic agents in racing horses, or 2) they are therapeutic agents that have a high potential for abuse.

Drug	Trade Name	DrugClass	Penalty Class
Melperone	Eunerpan	2	A
Memantine	Akatinol, Namenda, Ebixa	2	A
Meparfynol	Oblivon	2	A
Mepazine	Pacatal	2	A
Mephenoqualone	Control, etc.	2	A
Mephénytoin	Mesantoin	2	A
Mephobarbital (Methylphenobarbital)	Mebaral	2	A
Mepivacaine	Carbocaine	2	B
Meproamate	Equanil, Miltown	2	B
Mesoridazine	Serentil	2	A
Metaclazepam	Talis	2	A
Metazocine		2	A
Metharbital	Gemonil	2	A
Methohexital	Brevital	2	A
Methotrimeprazine	Levoprome, Neurocil, etc.	2	A
Methyprylon	Noludar	2	A
Metocurine	Metubine	2	A
Metomidate	Hypnodil	2	A
Mexazolam	Melex	2	A
Midazolam	Versed	2	A
Mirtazepine	Remeron	2	A
Modafinil	Provigil	2	A
Molindone	Moban	2	A
Moperone	Luvatren	2	A
Mosaprimine		2	A
Nalbuphine	Nubain	2	A
Nalorphine	Nalline, Lethidrone	2	A
Nefazodone	Serzone	2	A
Nimetazepam	Erimin	2	A
Nitrazepam	Mogadon	2	A
Nordiazepam	Calmday, Nordaz, etc.	2	A
Norepinephrine		2	A
Nortriptyline	Aventyl, Pamelor	2	A
Olanzapine	Zyprexa	2	A
Oxazepam	Serax	2	A



## Listing by Classification

**Class 2:** Drugs that have a high potential to affect performance, but less of a potential than Class 1. These drugs are 1) not generally accepted as therapeutic agents in racing horses, or 2) they are therapeutic agents that have a high potential for abuse.

Drug	Trade Name	DrugClass	Penalty Class
Oxazolam	Serenal	2	A
Oxilofrine (hydroxyephedrine)		2	A
Oxyperitine	Forit, Integrin	2	A
Paliperidone	Invega	2	A
Pancuronium	Pavulon	2	A
Paraldehyde	Paral	2	A
Paroxetine	Paxil, Seroxat	2	A
Penfluridol	Cyperon	2	A
Pentobarbital	Nembutal	2	A
Perazine	Taxilan	2	A
Perfluorodecalin		2	A
Perfluoro decahydronaphthalen		2	A
Perfluorooctylbromide		2	A
Perfluorotripropylamine		2	A
Perfluorocarbons		2	A
Periciazine	Alodept, etc.	2	A
Perlapipe	Hypnodin	2	A
Perphenazine	Trilafon	2	A
Phenaglycodol	Acalo, Alcamid, etc.	2	A
Phenelzine	Nardelzine, Nardil	2	A
Phenobarbital	Luminal	2	A
Phentermine	Iomamin	2	A
Piminodine	Alvodine, Cimadon	2	A
Pimozide	Orap	2	A
Pinazepam	Domar	2	A
Pipamperone	Dipiperon	2	A
Pipecuronium	Arduan	2	A
Pipequaline		2	A
Piperacetazine	Psymod, Quide	2	A
Piperocaine	Metycaine	2	A
Pipotiazine	Lonseren, Piportil	2	A
Pipradrol	Dataril, Gerondyl, etc.	2	A
Piquindone		2	A
Prazepam	Verstran, Centrax	2	A
Prilocaine	Citanest	2	A

## Listing by Classification

**Class 2:** Drugs that have a high potential to affect performance, but less of a potential than Class 1. These drugs are 1) not generally accepted as therapeutic agents in racing horses, or 2) they are therapeutic agents that have a high potential for abuse.

Drug	Trade Name	DrugClass	Penalty Class
Prochlorperazine	Darbazine, Compazine	2	A
Propanidid		2	A
Propiomazine	Largon	2	A
Propionylpromazine	Tranvet	2	B
Propiram		2	A
Propofol	Diprivan, Disoprivan	2	A
Propoxycaïne	Ravocaine	2	A
Prothipendyl	Dominal	2	A
Protriptyline	Concordin, Triptil	2	A
Proxibarbitol	Axeen, Centralgol	2	A
Pyrrithyldione	Hybersulfan, Sonodor	2	A
Quazipam	Doral	2	A
Quetiapine	Seroquel	2	A
Racemethorphan		2	A
Racemorphan		2	A
Raclopride		2	A
<u>Ractopamine</u>	<u>Raylean</u>	<u>2</u>	<u>A</u>
Remoxipride	Roxiam	2	A
Reserpine	Serpasil	2	B
Rilmazafone		2	A
Risperidone		2	A
Ritanserine		2	A
Rivastigmine	Exelon	2	A
Rocuronium	Zemuron	2	A
Rofecoxib	Vioxx	2	B
Romifidine	Sedivet	2	B
Ropivacaine	Naropin	2	A
Secobarbitol (Quinalbarbitone)	Seconal	2	A
Selegiline	Eldepryl, Jumex	2	A
Sertraline	Lustral, Zoloft	2	A
Spiclomazine		2	A
Spiperone		2	A
Succinylcholine	Sucostrin, Quelin, etc.	2	A

## Listing by Classification

**Class 2:** Drugs that have a high potential to affect performance, but less of a potential than Class 1. These drugs are 1) not generally accepted as therapeutic agents in racing horses, or 2) they are therapeutic agents that have a high potential for abuse.

Drug	Trade Name	DrugClass	Penalty Class
Sulfondiethylmethane		2	A
Sulfonmethane		2	A
Sulforidazine	Inofal	2	A
Sulpiride	Aiglonyl, Sulpitil	2	A
Sultopride	Barnetil	2	A
Talbutal	Lotusate	2	A
Tandospirone		2	A
Temazepam	Restoril	2	A
Tetrabenazine	Nitoman	2	A
Tetracaine	Pontocaine	2	B
Tetrazepam	Musaril, Myolastin	2	A
Thebaine		2	A
Thialbarbital	Kemithal	2	A
Thiamylal	Surital	2	A
Thiethylperazine	Torecan	2	A
Thiopental	Pentothal	2	A
Thiopropazate	Dartal	2	A
Thiopropazine	Majeptil	2	A
Thioridazine	Mellaril	2	A
Thiothixene	Navane	2	A
Tiapride	Italprid, Luxoben, etc.	2	A
Tiletamine	Component of Telazol	2	A
Timiperone	Tolopelon	2	A
Tofisopam	Grandaxain, Seriel	2	A
Topirimate	Topamax	2	A
Tramadol	Ultram	2	A
Tranylcypromine	Parnate	2	A
Trazodone	Desyrel	2	A
Tretoquinol	Inolin	2	A
Triazolam	Halcion	2	A
Tribromethanol		2	A
Tricaine methanesulfonate	Finquel	2	A
Trichloroethanol		2	A
Trichloroethylene	Trilene, Trimar	2	A
Triclofos	Triclos	2	A

## Listing by Classification

**Class 2:** Drugs that have a high potential to affect performance, but less of a potential than Class 1. These drugs are 1) not generally accepted as therapeutic agents in racing horses, or 2) they are therapeutic agents that have a high potential for abuse.

Drug	Trade Name	DrugClass	Penalty Class
Trifluomeprazine	Nortran	2	A
Trifluoperazine	Stelazine	2	A
Trifluoperidol	Triperidol	2	A
Triflupromazine	Vetame, Vesprin	2	A
Trimipramine	Surmontil	2	A
Tubocurarine (Curare)	Metubin	2	A
Tybamate	Benvil, Nospan, etc.	2	A
Urethane		2	A
Valdecoxib		2	B
Valnoctamide	Nirvanyl	2	A
Venlafaxine	Efflexor	2	A
Veralipride	Accional, Veralipril	2	A
Vercuronium	Norcuron	2	A
Viloxazine	Catatrol, Vivalan, etc.	2	A
Vinbarbital	Delvinol	2	A
Vinylbital	Optanox, Speda	2	A
Yohimbine		2	A
Zaleplon	Sonata	2	A
Zilpaterol	Zilmax	2	A
Zolazepam		2	A
Zolpidem	Ambien, Stilnox	2	A
Zomepirac	Zomax	2	B
Zopiclone	Imovan	2	A
Zotepine	Lodopin	2	A
Zuclopenthixol	Ciatyl, Cesordinol	2	A

## Listing by Classification

**Class 3:** Drugs that may or may not have generally accepted medical use in the racing horse, but the pharmacology of which suggests less potential to affect performance than drugs in Class 2.

Drug	Trade Name	DrugClass	Penalty Class
19-Norandrostenediol		3	B
19-Norandrostenedione		3	B
4-Hydroxytestosterone		3	B
Acebutolol	Sectral	3	B
Acepromazine	Atrovet, Notensil, PromAce®	3	B
Albuterol (Salbutamol)	Proventil, Ventolin	3	B
<u>Almotriptan</u>	<u>Axert</u>	<u>3</u>	<u>A</u>
Alprenolol		3	A
Amibenonium	Mytelase, Myeuran	3	B
Aminophylline	Aminophyllin, etc.	3	B
Amitraz	Mitaban	3	A
Amlodipine	Norvasc	3	A
Amyl nitrite		3	A
Arecoline		3	A
Arformeterol	Brovana	3	A
Atenolol	Tenormin	3	B
Atropine		3	B
Benazepril	Lotensin	3	A
Betaxolol	Kerlone	3	B
Bethanidine	Esbatal	3	A
Biperiden	Akineton	3	A
Bisoprolol	Zebeta, Bisobloc, etc.	3	B
Bitolterol	Effectin	3	B
Bolasterone		3	B
Boldenone	Equipoise	3	B
Boldione		3	B
Bretylium	Bretylol	3	B
Brimonidine	Alphagan	3	B
Bromfenac	Duract	3	A
Bromodiphenhydramine		3	B
Bufexamac		3	B
Bumetanide	Bumex	3	B
Butorphanol	Stadol, Torbugesic	3	B
N-Butylscopolamine	Bucospan	3	B
Candesartan	Atacand	3	B
Captopril	Capolen	3	B
Carazolol	Carbacel, Conductor	3	A

## Listing by Classification

**Class 3:** Drugs that may or may not have generally accepted medical use in the racing horse, but the pharmacology of which suggests less potential to affect performance than drugs in Class 2.

Drug	Trade Name	DrugClass	Penalty Class
Carbachol	Lentin, Doryl	3	B
Carbamezapine	Tegretol	3	B
Carbinoxamine	Clistin	3	B
Carteolol	Cartrol	3	B
Carvedilol	Coreg	3	B
Celecoxib	Celebrex	3	B
Cimeterol		3	A
Clausterone	Methosorb	3	B
Clemastine	Tavist	3	B
Clenbuterol	Ventipulmin	3	B
Clidinium	Quarezan, Clindex	3	B
Clonidine	Catapres	3	B
Clostebol		3	B
<u>Cobalt (&gt;50ng/ml in blood)</u>		<u>3</u>	<u>B</u>
Cyclandelate	Cyclospasmol	3	A
Cycrimine	Pagitane	3	B
Danazol	Danocrine	3	B
Dehydrochloromethyl-testosterone Dehydrochloromethyltestosterone		3	B
Deracoxib	<u>Deremaxx</u>	3	<u>CB</u>
Desoxymethyl-testosterone		3	B
Detomidine	Dormosedan	3	B
Dextropropoxyphene	Darvon	3	B
Diazoxide	Proglycem	3	B
Diffunisal		3	C
Dimeflin		3	A
Diphenhydramine	Benadryl	3	B
Dipyridamole	Persantine	3	B
Divalproex	Depakote	3	A
Dobutamine	Dobutrex	3	B
Doxazosin	Cardura	3	A
Doxylamine	Decapryn	3	B
Dromostanolone	Drolban	3	B
Dyphylline		3	B
Edrophonium	Tensilon	3	B
Eletriptan	Relpax	3	A
Enalapril (metabolite enalaprilat)	Vasotec	3	B

Ergoloid mesylates.				
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## Listing by Classification

**Class 3:** Drugs that may or may not have generally accepted medical use in the racing horse, but the pharmacology of which suggests less potential to affect performance than drugs in Class 2.

Drug	Trade Name	DrugClass	Penalty Class
Erthrityl tetranitrate	Cardilate	3	A
Esmolol	Brevibloc	3	B
Etamiphylline	Millophylline V	3	B
Ethacrynic acid	Edecrin	3	B
Ethosuximide	Zarontin	3	A
Ethylestrenol	Maxibolin, Organon	3	B
Ethylnorepinephrine	Bronkephrine	3	A
Etodolac	Lodine	3	C
Felbamate	Felbatol	3	A
Fenbufen	Gincopal	3	B
Fenoldopam	Corlopam	3	B
Fenoprofen	Nalfon	3	B
Fenoterol	Berotec	3	B
Fenspiride	Respiride, Respan, etc	3	B
Fentiazac		3	B
Flufenamic acid		3	B
Fluoxymesterone	Halotestin	3	B
Flupirtine	Katadolone	3	A
Flurbiprofen	Froben	3	B
Formebolone		3	B
Formoterol	Altram	3	B
Fosinopril	Monopril	3	A
Fosphenytoin	Cerebyx	3	B
Furazabol		3	B
Gabapentin	Neurontin	3	B
Gestrinone		3	B
Glycopyrrolate	Robinul	3	B
Guanadrel	Hylorel	3	A
Guanethidine	Ismelin	3	A
Guanabenz	Wytensin	3	B
Heptaminol	Corofundol	3	B
Homatropine	Homapin	3	B
Hydralazine	Apresoline	3	B
Indomethacin	Indocin	3	B
Ipratropium		3	B



## Listing by Classification

**Class 3:** Drugs that may or may not have generally accepted medical use in the racing horse, but the pharmacology of which suggests less potential to affect performance than drugs in Class 2.

Drug	Trade Name	DrugClass	Penalty Class
Irbesarten	Avapro	3	A
Ibutilide	Corvert	3	B
Iloprost	Ventavis	3	A
Isoetharine	Bronkosol	3	B
Isosorbide dinitrate	Isordil	3	B
Kebuzone		3	B
Ketorolac	Toradol	3	B
Labetalol	Normodyne	3	B
Lamotrigine	Lamictal	3	A
Levobunolol	Betagan	3	B
Lisinopril	Prinivil, Zestril	3	A
Losartan	Hyzaar	3	B
Mabuterol		3	A
Mecamylamine	Inversine	3	B
Medetomidine	Domitor	3	B
Mefenamic acid	Ponstel	3	B
Mestanolone		3	B
Mesterolone		3	B
Metaproterenol	Alupent, Metaprel	3	B
Metenolone		3	B
Methacholine		3	A
Methandienone		3	B
Methandriol	Proboloc	3	B
Methandrostenolone	Dianabol	3	A
Methantheline	Banthine	3	B
Methasterone		3	B
Methixene	Trest	3	A
Methoxamine	Vasoxyl	3	A
Methoxyphenamine	Orthoxide	3	A
Methsuximide	Celontin	3	A
Methyl-1-testosterone		3	B
Methylatropine		3	B
Methyldienolone		3	B
Methyldopa	Aldomet	3	A
Methylnortestosterone		3	B
Methyltestosterone	Metandren	3	B
Metolazone		3	B

## Listing by Classification

**Class 3:** Drugs that may or may not have generally accepted medical use in the racing horse, but the pharmacology of which suggests less potential to affect performance than drugs in Class 2.

Drug	Trade Name	DrugClass	Penalty Class
Metoprolol	Lopressor	3	B
Mibefradil	Posicor	3	B
Mibolerone		3	B
Midodrine	Pro-Amiline	3	B
Minoxidil	Loniten	3	B
Moexipril (metabolite moexiprilat)	Uniretic	3	B
Muscarine		3	A
Nabumetone	Anthraxan, Relafen, Relifex	3	B
Nadolol	Corgard	3	B
Naloxone	Narcan	3	A
Naltrexone	Revia	3	A
Naratriptan	Amerge	3	B
Nandrolone	Nandrolin, Laurabolin, Durabolin	3	B
Nebivolol		3	A
Nefopam		3	A
Neostigmine	Prostigmine	3	B
Niflumic acid	Nifluril	3	B
Nimesulide		3	B
Nitroglycerin		3	B
Norbolethone		3	B
Norclostebol		3	B
Norethandrolone		3	B
Nylidrin	Arlidin	3	A
Olmesartan	Benicar	3	A
Oxabolone		3	B
Oxandrolone	Anavar	3	B
Oxprenolol	Trasicor	3	B
Oxymesterone		3	B
Oxymetholone	Adroyd, Andarol	3	B
Papaverine	Pavagen, etc.	3	A
Paramethadione	Paradione	3	A
Pargyline	Eutonyl	3	A
Penbutolol	Levatol	3	B
Pentaerythritol tetranitrate	Duotrate	3	A
Pentazocine	Talwin	3	B
Pergolide		3	B

Perindopril	Biprel	3	A
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## Listing by Classification

**Class 3:** Drugs that may or may not have generally accepted medical use in the racing horse, but the pharmacology of which suggests less potential to affect performance than drugs in Class 2.

Drug	Trade Name	DrugClass	Penalty Class
Phenoxybenzamine	Dibenzyline	3	B
Phentolamine	Regitine	3	B
Phenylephrine	Isophrin, Neo-Synephrine	3	B
Phenylpropanolamine	Propadrine	3	B
Physostigmine	Eserine	3	A
Pindolol	Viskin	3	B
Pirbuterol	Maxair	3	B
Piretanide	Arelix, Tauliz	3	B
Piroxicam	Feldene	3	B
Prazosin	Minipress	3	B
Primidone	Mysoline	3	B
Procaine		3	B
Procaterol	Pro Air	3	A
Procyclidine	Kemadrin	3	B
Promazine	Sparine	3	B
Promethazine	Phenergan	3	B
Propantheline	Pro-Banthine	3	A
Propentophylline	Karsivan	3	B
Propranolol	Inderal	3	B
Prostanazol		3	B
Protokylol	Ventaire	3	A
Pseudoephedrine	Cenafed, Novafed	3	B
Pyridostigmine	Mestinon, Regonol	3	B
Pyrilamine	Neoantergan, Equihist	3	B
Quinapril	Accupril	3	A
Quinbolone		3	B
<del>Ractopamine</del>	<del>Raylean</del>	<del>3</del>	<del>B</del>
Ramipril	Altace	3	A
Ritodrine	Yutopar	3	B
Rizatriptan	Maxalt	3	B
Salmeterol		3	B
Scopolamine (Hyoscine)	Triptone	3	B
Sibutramine	Meridia	3	B
Sildenafil	Viagra	3	A
Sotalol	Betapace, Sotacor	3	B
Spirapril, Spiraprilat	Renormax	3	A

## Listing by Classification

**Class 3:** Drugs that may or may not have generally accepted medical use in the racing horse, but the pharmacology of which suggests less potential to affect performance than drugs in Class 2.

Drug	Trade Name	DrugClass	Penalty Class
Stanozolol	Winstrol-V	3	B
Stenbolone		3	B
Sulindac	Clinoril	3	B
Sumatriptan	Imitrex	3	B
Tadalafil	Cialis	3	A
Telmisartan	Micardis	3	B
Tenoxicam	Alganex, etc.	3	B
Tepoxalin		3	C
Terazosin	Hytrin	3	A
Terbutaline	Brethine, Bricanyl	3	B
Testolactone	Teslac	3	B
Testosterone		3	B
Tetrahydrogestrinone		3	B
Theophylline	Aqualphyllin, etc.	3	B
Tiaprofenic acid	Surgam	3	B
Timolol	Blocadrin	3	B
Tolazoline	Priscoline	3	B
Tolmetin	Tolectin	3	B
Torsemide (Torasemide)	Demadex	3	B
Trandolapril (and metabolite, Trandolaprilat)	Tarka	3	B
Trenbolone	Finoplax	3	B
Trihexylphenidyl	Artane	3	A
Trimethadione	Tridione	3	B
Trimethaphan	Arfonad	3	A
Tripelennamine	PBZ	3	B
Valerenic acid		3	C
Valsartan	Diovan	3	B
Vardenafil	Levitra	3	A
Xylazine	Rompun, Bay Va 1470	3	B
Zolmitriptan	Zomig	3	B
$\Delta$ -1-androstene-3,17-diol		3	B
$\Delta$ -1-androstene-3,17-dione		3	B
$\Delta$ -1-dihydrotestosterone		3	B
Zilpaterol	Zilmax	3	A
Zonisamide	Zonegran	3	B

## Listing by Classification

**Class 4:** This class includes therapeutic medications that would be expected to have less potential to affect performance than those in Class 3.

Drug	Trade Name	DrugClass	Penalty Class
Acetaminophen (Paracetamol)	Tylenol, Tempra, etc.	4	C
Acetanilid		4	B
Acetazolamide	Diamox, Vetamox	4	B
Acetophenetidin (Phenacetin)		4	B
Acetylsalicylic acid (Aspirin)		4	C
<del>Acclomethasone</del> <b>Acclomethasone</b>	Aclovate	4	C
Adrenochrome monosemicarbazone salicylate		4	B
Aldosterone	Aldocortin, Electro cortin	4	B
<b>Ambroxol</b>	Ambril, etc.	4	<b>BC</b>
Amcinonide	Cyclocort	4	C
Amiloride	Moduretic, Midamor	4	B
Aminocaproic acid	Amicar, Caprocid	4	C
<b>Aminodarone</b>		4	<b>B</b>
<del>2-Aminoheptaine</del> <b>2-Aminoheptane</b>	Tuamine	4	B
Aminopyrine		4	B
<b>Amiodarone</b>		4	<b>B</b>
Amisometradine	Rolictron	4	B
Amlodipine	Norvasc, Ammivin	4	B
Amrinone		4	B
Anisotropine	Valpin	4	B
Antipyrine		4	B
Apazone (Azapropazone)	Rheumox	4	B
Aprindine		4	B
Baclofen	Lioresal	4	B
Beclomethasone	Propaderm	4	C
Benazepril	Lotrel	4	B
Bendroflumethiazide	Naturetin	4	B
Benoxinate	Dorsacaine	4	C
Benzocaine		4	C
Benzthiazide		4	B
Bepidil	Bepadin	4	B
Betamethasone	Betasone, etc.	4	C
Bethanechol	Urecholine, Duvoid	4	C
Bromhexine	Oletor, etc.	4	C
Brompheniramine	Dimetane, Disomer	4	B
Budesonide	Pulmacort, Rhinocort	4	C

## Listing by Classification

**Class 4:** This class includes therapeutic medications that would be expected to have less potential to affect performance than those in Class 3.

Drug	Trade Name	Drug Class	Penalty Class
Butacaine	Butyn	4	B
Butamben (butyl aminobenzoate)	Butesin	4	C
Butoxycaine	Stadacain	4	B
Camphor		4	C
Carbazochrome		4	C
Carprofen	Rimadyl	4	B
Certirizine	Zyrtec	4	B
Chlormerodrin	Neohydrin	4	B
Chlorophenesin	Maolate	4	C
Chloroquine	Avloclor	4	C
Chlorothiazide	Diuril	4	B
Chlorpheniramine	Chlortriemton, etc.	4	B
Chlorthalidone	Hydroton	4	B
Chlorzoxazone	Paraflex	4	B
Ciclesonide	Alvesco, Omnaris, Omniair	4	B
Cinchocaine	Nupercaine	4	C
Clanobutin		4	C
Clibucaine	Batrax	4	C
Clidinium	Quarezan, Clindex, etc.	4	B
Clobetasol	Temovate	4	C
Clocortolone	Cloderm	4	C
Clofenamide		4	B
Clormecaine	Placacid	4	C
<b>Cobalt (&gt;25ng/ml in blood)</b>		<b>4</b>	<b>C</b>
Colchicine		4	B
Cortisone	Cortone, etc.	4	C
Cyclizine	Merazine	4	B
Cyclobenzaprine	Flexeril	4	B
Cyclomethylcaine	Surfacaine	4	C
Cyclothiazide	Anhydron, Renazide	4	B
Cyproheptadine	Periactin	4	C
Dantrolene	Dantrium	4	C
Dembroxol (Dembrexine)	Sputolysin	4	C
Deoxycorticosterone	Percortin, DOCA, Descotone, Dorcostrin	4	C
Desonite	Des Owen	4	C
Desoximetasone	Topicort	4	C

## Listing by Classification

**Class 4:** This class includes therapeutic medications that would be expected to have less potential to affect performance than those in Class 3.

Drug	Trade Name	Drug Class	Penalty Class
Dexamethasone	Azium, etc.	4	C
Dextromethorphan		4	C
Dibucaine	Nupercainal, Cinchocaine	4	C
Dichlorphenamide	Daramide	4	C
Diclofenac	Voltaren, Voltarol	4	C
Diflorasone	Florone, Maxiflor	4	C
Diflucortolone	Flu-Cortinest, etc.	4	C
Digitoxin	Crystodigin	4	B
Digoxin	Lanoxin	4	B
Dihydroergotamine		4	C
Diltiazem	Cardizem	4	B
Dimethisoquin	Quotane	4	B
Dimethylsulfoxide (DMSO) (>1 ug/ml in blood or >10ug/ml in urine)	Domoso	4	C
Diphenoxylate	Difenoxin, Lomotil	4	B
Dipyrrone	Novin, Methampyrone	4	C
Disopyramide	Norpace	4	B
Dromostanolone	Drolban	4	C
Dyclonine	Dyclone	4	C
Eltenac		4	C
Ergonovine	Ergotrate	4	C
Ergotamine	Gynergen, Cafergot, etc.	4	C
Etanercept	Enbrel	4	B
Ethoheptazine	Zactane	4	B
Ethosuximide	Zarontin	4	B
Ethotoin	Peganone	4	B
Ethoxzolamide	Cardrase, Ethamide	4	C
Ethylaminobenzoate (Benzocaine)	Semets, etc.	4	C
Felodipine	Plendil	4	B
Fexofenadine	Allegra	4	C
Firocoxib		4	C
Flecainide	Idalon	4	B
Floctafenine	Idalon, Idarac	4	B
Flucinolone	Synalar, etc.	4	C
Fludrocortisone	Alforone, etc.	4	C
Flumethasone	Flucort, etc.	4	C

(Revised 02/13 04/15)



## Listing by Classification

**Class 4:** This class includes therapeutic medications that would be expected to have less potential to affect performance than those in Class 3.

Drug	Trade Name	Drug Class	Penalty Class
Flumethiazide	Ademol	4	B
Flunarizine	Sibelium	4	B
Flunisolide	Bronilide, etc.	4	C
Flunixin	Banamine	4	C
Fluocinolone	Synalar	4	C
Fluocinonide	Licon, Lidex	4	C
Fluoroprednisolone	Predef-2X	4	C
Fluprednisolone	Alphadrol	4	C
Flurandrenolide	Cordran	4	C
Flurometholone	FML, Flarex	4	B
Fluticasone	Flixonase, Flutide	4	C
Guaifenesin (glycerol guaiacolate)	Gecolate	4	C
Halcinonide	Halog	4	C
Halobetasol	Ultravate	4	C
Hexocyclium	Tral	4	B
Hexylcaine	Cyclaine	4	C
Hydrochlorthiazide	Hydrodiuril	4	C
Hydrocortisone (Cortisol)	Cortef, etc.	4	C
Hydroflumethiazide	Saluron	4	B
Ibuprofen	Motrin, Advil, Nurpin, etc.	4	B or C
Infliximab	Remicade	4	B
Isoflupredone	Predef	4	C
Isometheptene	Octin, Octon	4	B
Isopropamide	Darbid	4	B
Isoxsuprine	Vasodilan	4	C
Isradipine	DynaCirc	4	B
Ketoprofen	Orudis	4	C
Letosteine	Viscotiol, Visiotal	4	C
Loratidine	Claritin	4	B
Meclizine	Antivert, Bonine	4	B
Meclofenamic acid	Arquel	4	C
Medrysone	Medriusar, etc.	4	C
Meloxicam	Mobic	4	C
Mepenzolate	Cantil	4	B
Mephenesin	Tolserol	4	B

## Listing by Classification

**Class 4:** This class includes therapeutic medications that would be expected to have less potential to affect performance than those in Class 3.

Drug	Trade Name	Drug Class	Penalty Class
Meralluride	Mercuryhydrin	4	B
Merbaphen	Novasural	4	B
Mercaptomerin	Thiomerin	4	B
Mercumalilin	Cumertilin	4	B
Mersalyl	Salyrgan	4	B
Metaxalone	Skelaxin	4	B
Methandrostenolone	Dianabol	4	C
Methantheline	Banthine	4	B
Methapyrilene	Histadyl, etc.	4	B
Methazolamide	Naptazane	4	C
Methdilazine	Tacaryl	4	B
Methocarbamol	Robaxin	4	C
Methotrexate	Folex, Nexate, etc.	4	B
Methscopolamine	Pamine	4	B
Methsuximide	Celontin	4	B
Methylchlorthiazide	Enduron	4	B
Methandrostenolone	Dianabol	4	C
Methylergonovine	Methergine	4	C
Methylprednisolone	Medrol	4	C
Methysergide	Sansert	4	B
Metiamide		4	B
Metoclopramide	Reglan	4	C
Mexilitine	Mexilil	4	B
Milrinone		4	B
Mometasone	Elocon	4	C
Montelukast	Singulair	4	C
Naepaine	Amylsine	4	C
Naphazoline	Privine	4	B
Naproxen	Equiproxen, Naprosyn	4	C
Nicardipine	Cardine	4	B
Nifedipine	Procardia	4	B
Nimodipine	Nemotop	4	B
Norethandrone		4	C
Nortestosterone		4	C
Olsalazine	Dipentum	4	B

## Listing by Classification

**Class 4:** This class includes therapeutic medications that would be expected to have less potential to affect performance than those in Class 3.

Drug	Trade Name	Drug Class	Penalty Class
Orphenadrine	Norfex	4	B
Oxaprozin	Daypro, Deflam	4	C
Oxymetazoline	Afrin	4	B
Oxyphenbutazone	Tandearil	4	C
Oxyphenyclimine	Daricon	4	B
Oxyphenonium	Antrenyl	4	B
Paramethasone	Haldrone	4	C
Pentoxifylline	Trental, Vazofirin	4	C
Phenacemide	Phenurone	4	B
Phensuximide	Milontin	4	B
Phenylbutazone		4	C
Phenytoin	Dilantin	4	B
Polythiazide	Renese	4	B
Pramoxine	Tronothaine	4	C
Prednisolone	Delta-Cortef, etc.	4	C
Prednisone	Meticorten, etc.	4	C
Probenecid		4	C
Procainamide	Pronestyl	4	B
Propafenone	Rythmol	4	B
Propantheline	Pro-Banthine	4	B
Proparacaine	Ophthaine	4	C
Propylhexedrine	Benzedrex	4	B
Quinidine	Quinidex, Quinocardine	4	B
Salicylamide		4	C
Salicylate		4	C
Spironalactone	Aldactone	4	B
Sulfasalazine	Azulfidine, Azaline	4	C
Terfenadine	Seldane, Triludan	4	B
Tetrahydrozoline	Tyzine	4	B
Theobromine		4	C
Thiosalicylate		4	C
Thiphenamil	Trocinate	4	B
Tocainide	Tonocard	4	B
Tranexamic acid		4	C
Triamcinolone	Vetalog, etc.	4	C

## Listing by Classification

**Class 4:** This class includes therapeutic medications that would be expected to have less potential to affect performance than those in Class 3.

Drug	Trade Name	Drug Class	Penalty Class
Triamterene	Dyrenium	4	B
Trichlormethiazide	Naqua, Naquasone	4	C
Tolmetin	Tolectin	4	B
Tridihexethyl	Pathilon	4	B
Trimeprazine	Temaryl	4	B
Tripolidine	Actidil	4	B
Tuaminoheptane	Tuamine	4	C
Vedaprofen		4	C
Verapamil	Calan, Isoptin	4	B
Xylometazoline	Otrivin	4	B
Zafirlukast	Accolate	4	C
Zeranol	Ralgro	4	C
Zileuton	Zyflo	4	C

## Listing by Classification

**Class 5:** This class includes *the following* therapeutic medications for which concentration limits have been established.

Drug	Trade Name	DrugClass	Penalty Class
<u>Acenocoumarol</u>		5	C
Anisindione		5	D
Cilostazol	Pletal	5	D
Cimetidine	Tagamet	5	D
Cromolyn	Intel	5	D
Dicumarol	Dicumarol	5	D
Dimethylsulfoxide (DMSO)	Domoso	5	D
Dimethylsulphone (MSM)		5	D
Diphenadione		5	D
Esomeprazole	Nexium	5	D
Famotidine	Gaster, etc.	5	D
Lansoprazole		5	D
Mesalamine	Asacol	5	D
Misoprostel	Cytotec	5	D
Nedocromil	Tilade	5	C
Nizatidine	Axid	5	D
Omeprozole	Prilosec, Losec	5	D
Pantoprazole	Protonix	5	D
Phenindione	Hedulin	5	D
Phenprocoumon	Liquamar	5	D
Pirenzapine	Gastrozepin	5	D
Polyethylene glycol		5	C
Rabeprazole	Aciphex	5	C
Ranitidine	Zantac	5	D
Warfarin	Coumadin, Coufarin	5	D

**CALIFORNIA HORSE RACING BOARD**

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**APRIL 16, 2015**  
**REGULAR BOARD MEETING**

**There is no board package material for Item 12**

STAFF ANALYSIS  
DISCUSSION AND ACTION BY THE BOARD REGARDING THE PROPOSED  
ADJUSTMENT OF THE 2015 SOUTHERN CALIFORNIA RACING CALENDAR, TO  
ALLOCATE SEPTEMBER 26TH AND SEPTEMBER 27TH FROM SANTA ANITA TO  
FAIRPLEX, AT LOS ALAMITOS

Regular Board Meeting  
April 16, 2015

#### ISSUE

Los Angeles County Fair Association (Fairplex) at Los Alamitos has asked the Board to reconsider and revise the race dates allocated to Fairplex for 2015. The Board approved a start date of Thursday, September 10, 2015 for Fairplex and a closing day of Friday, September 25, 2015. The Board allocated Los Angeles Turf Club (LATC) the weekend of September 26 and 27 in anticipation that the 2015 Breeders' Cup would be held at LATC. The transcript from the September 2013 meeting clearly shows that the Board "built in some flexibility in the Fairplex dates" ... "subject to when the Breeders' Cup happens." Given that the 2015 Breeders' Cup will not be run at LATC, Fairplex at Los Alamitos is seeking a restoration of its traditional race dates, i.e., opening Thursday, September 10, 2015 and concluding Sunday, September 27, 2015. The adjustment would also necessitate a change to the LATC Autumn calendar as well, with a revised start date of Wednesday, September 30 or Thursday, October 1, as requested at licensure. The closing date of October 25 would remain unchanged.

#### BACKGROUND

Business and Professions Code section 19530 provides the Board the authority to allocate racing weeks to an applicant pursuant to the provisions of the horse racing law and to specify such racing days, dates, and hours for horse racing meetings as will be in the public interest, and will subserve the purposes of the law. Business and Professions Code section 19531 states the Board shall make allocations for racing weeks, including simultaneous racing between zones as it deems appropriate. The maximum number of racing weeks that may be allocated for horse racing other than at fairs, shall be as follows: (a) For thoroughbred racing: 44 weeks per year in the northern zone; 42 weeks per year in the central zone; and seven weeks per year in the southern zone. (b) For harness racing: 25 weeks per year in the northern zone. (c) For quarter horse racing: 25 weeks per year in the northern zone. (d) For harness racing and quarter horse racing: a total of 77 weeks per year in the combined central and southern zones. Business and Professions Code section 19532(a) specifies any association licensed to conduct thoroughbred racing in the northern zone may receive no more than 35 weeks of that racing. (b) Any association licensed to conduct thoroughbred racing in the central zone may receive no more than 17 weeks of that racing, except that any association which conducts a split meeting may receive up to 20 weeks of that racing. No more than one such split meeting may be licensed in any one year. Business and Professions Code section 19549 provides the maximum number of racing weeks that may be allocated to a fair shall be four weeks each, except under specified conditions.

Board Rule 1430, Allocation of Racing Weeks and Dates, states the Board shall allocate racing weeks and dates for the conduct of horse racing in this State for such time periods and at such racing facilities as the Board determines will best subserve the purposes of the Horse Racing Law and which will be in the best interests of the people of California in accord with the intent of the Horse Racing Law.

#### RECOMMENDATION

This item is presented to the Board for discussion and action.



# ALLOCATED - 2015 SOUTHERN CALIFORNIA THOROUGHBRED RACE DATES

December						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
	22	23	24	25	26	27
28	29	30	31			

January						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

May						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

September						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30			

LATC @ Santa Anita (12/26/14 - 7/1/15)	
Los Alamitos TB @ Los Alamitos (7/2/15 - 7/12/15)	
DMTC @ Del Mar (7/15/15 - 9/7/15) Summer	
LACF @ Los Alamitos (9/10/15 - 9/25/15)	

LATC @ Santa Anita (9/26/15 - 10/25/15)
DMTC @ Del Mar (10/28/15 - 12/2/15) Fall
Los Alamitos TB @ Los Alamitos (12/3/15 - 12/20/15)

February						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
1	2	3	4	5	6	7
8	9	10	11	12	13	14
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**PROPOSED MODIFICATIONS TO THE ALLOCATED - 2015 SOUTHERN CALIFORNIA THOROUGHBRED RACE DATES**

December						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
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LATC @ Santa Anita (12/26/14 - 7/1/15)
Los Alamitos TB @ Los Alamitos (7/2/15 - 7/12/15)
DMTC @ Del Mar (7/15/15 - 9/7/15) Summer
LATC @ Los Alamitos (9/10/15 - 9/25/15)

LATC @ Santa Anita (9/26/15 - 10/25/15)
DMTC @ Del Mar (10/28/15 - 12/2/15) Fall
Los Alamitos TB @ Los Alamitos (12/3/15 - 12/20/15)

January						
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February						
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March						
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August						
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Proposal: To the allocate September 26 & 27 From Santa Anita to LA County Fair at Los Alamitos.

MEETING  
STATE OF CALIFORNIA  
HORSE RACING BOARD

In the Matter of )  
 )  
Regular Meeting )

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SHERATON FAIRPLEX CONFERENCE CENTER  
SONOMA BALLROOM  
601 WEST MCKINLEY AVENUE  
POMONA, CALIFORNIA

THURSDAY, SEPTEMBER 19, 2013

9:30 A.M.

Reported by:  
Martha L. Nelson

1 2014 will be Santa Anita Park, 12/26/13 through 7/1 -- or  
2 7/5/14; is that right?

3 VICE CHAIR WINNER: No.

4 CHAIR ISRAEL: To 7/2? All right. Well, so,  
5 okay. Okay. All right, 7/2, you're right. Okay.

6 Then -- then Del Mar will be as it exists.

7 VICE CHAIR WINNER: As it exists in our document?

8 CHAIR ISRAEL: In our -- in our document.

9 Fairplex will be 9/14 to 9/23. Santa Anita will be 9/23  
10 through 11/2. Okay.

11 Now, so now you have to add between Santa Anita  
12 and Del Mar at the beginning Los Alamitos, 7/20 -- 7/3  
13 through 7/13. Okay. Now, you need to adjust Del Mar's fall  
14 meet so that it ends on December 3rd; is that correct?

15 MS. WAGNER: Uh-huh.

16 CHAIR ISRAEL: Is that right, December 3rd, Josh?  
17 Joe? Somebody -- okay. Okay. So Del Mar will run 11/5  
18 through 12/3. And from 12/4 through 12/21 will be Los  
19 Alamitos in 2014. Okay.

20 Now, in 2015 Santa Anita's meet will end on July  
21 1, the first meet. Del Mar will run 7/15 through 9/7.  
22 Fairplex will run 9/10 through 9/25. And is 2015 the  
23 year -- or it 2014, 2015 --

24 MR. SEDER: Yes. Mike Seder.

25 CHAIR ISRAEL: 2015 is the year we're -- where

1 we've built in some flexibility on the Fairplex dates.

2 MR. SEDER: Subject to when Breeders' Cup happens.

3 CHAIR ISRAEL: Subject to when Breeders' Cup --  
4 okay. And Santa Anita will run 9/26 through 10/15. Los  
5 Alamitos then -- so between Del Mar and Santa Anita the  
6 first time Los Alamitos will run 7/2 through 7/12. Then Del  
7 Mar will end on 12/2/15. And Los Alamitos will run 12/3 to  
8 12/20/15.

9 MR. HAINES: Excuse me, Commissioner.

10 CHAIR ISRAEL: Yes. Did I get something wrong?

11 MR. HAINES: We're looking -- we heard you to say  
12 that Santa Anita would run 9/26 through 10/15.

13 CHAIR ISRAEL: That's what's written here. That's  
14 wrong. That's completely wrong. It's through -- it's  
15 through 10/27.

16 There's two weeks -- you've got two weeks where  
17 nobody is running, Jackie.

18 COMMISSIONER CHOPER: Yeah.

19 CHAIR ISRAEL: That's -- that's completely wrong.  
20 And Del Mar runs 10/28 --

21 MS. WAGNER: That must be a typo.

22 CHAIR ISRAEL: -- through 12/2

23 MR. HAINES: I believe it's 10/25.

24 MS. WAGNER: Hold on.

25 CHAIR ISRAEL: Okay. Yes, it must be 25.

1 VICE CHAIR WINNER: It's a typo.

2 CHAIR ISRAEL: It's 25.

3 MS. WAGNER: Uh-huh. Yeah.

4 CHAIR ISRAEL: Okay. It's wrong in the packet.

5 VICE CHAIR WINNER: Is this to or through?

6 CHAIR ISRAEL: They say too.

7 VICE CHAIR WINNER: Yeah. It should say through,  
8 just as you said it, because it includes those dates.

9 (Colloquy Between Commissioners and Ms. Wagner.)

10 CHAIR ISRAEL: Well, again, two tracks aren't  
11 running at the same time. We're just going to say that.

12 MS. WAGNER: Yes.

13 CHAIR ISRAEL: Okay. So, now I'll review what we  
14 just did in the form of -- since I don't think we need any  
15 more discussion because we already discussed all the  
16 permutations here --

17 MR. SEDER: Mr. Chair --

18 CHAIR ISRAEL: Yes, Mike?

19 MR. SEDER: May I interrupt for a second?

20 CHAIR ISRAEL: Sure.

21 MR. SEDER: This is Mike Seder, Barretts Sales and  
22 Racing. I want to just clarify on the 2015 dates --

23 CHAIR ISRAEL: Right.

24 MR. SEDER: Fairplex's traditional -- I said  
25 Fairplex. Barretts Sales and Racing's traditional dates --

1 CHAIR ISRAEL: It should go back to Fairplex by  
2 then.

3 MR. SEDER: Thank you.

4 CHAIR ISRAEL: The handle would improve.

5 MR. SEDER: It would take us through September the  
6 29th.

7 CHAIR ISRAEL: Right.

8 MR. SEDER: And in the -- in the event that  
9 Breeders' Cup happens at the end of October we're looking at  
10 these dates through the 25th. But there would be an  
11 economic consideration to make us whole for giving up those  
12 days.

13 CHAIR ISRAEL: Yes.

14 MR. SEDER: And in the event the Breeders' Cup is  
15 run the first week of November, then we would --

16 CHAIR ISRAEL: You would revert to your old  
17 tradition.

18 MR. SEDER: -- revert back to the 29th of  
19 September.

20 VICE CHAIR WINNER: That's a part -- that's part  
21 of the understanding.

22 CHAIR ISRAEL: That was part of -- that's a part  
23 of the understanding we reached back in May initially. And  
24 it obviously is something to be dealt with, you know, two  
25 years from now when licensing -- or a little bit less than

STAFF ANALYSIS  
DISCUSSION AND ACTION BY THE BOARD REGARDING THE PROPOSED  
ADJUSTMENT OF THE 2015 NORTHERN CALIFORNIA RACING CALENDAR  
TO MODIFY THE ALLOCATED FRESNO OCTOBER 1, 2015  
STARTING DATE TO OCTOBER 8, 2015

Regular Board Meeting  
April 16, 2015

#### ISSUE

California Authority of Racing Fairs (CARF) is requesting an adjustment to the 2015 race dates allocated to the Fresno Fair (Fresno). The Board allocated Fresno race dates of October 1, 2015 through October 12, 2015. CARF is requesting the Board modify the starting date for the Fresno race meeting from October 1, 2015 to October 7, 2015. CARF has shared that Fresno's live horse racing would begin October 8, 2015. On April 15, 2015, this item was discussed by the Northern California Race Dates Ad Hoc Committee.

#### ANALYSIS

CARF has provided that in order for horse racing to run concurrently with the Fresno Fair, the race dates would need to be modified. CARF has additionally provided . . . *"the dates presently shown in the calendar for Fresno Fair would require it to conduct racing without Fair activities, a scenario which would hurt the Fair and its racing meeting.*

*A change to the October calendar would involve a change in Golden Gate Fields schedule. Consequently, we've met several times with principals at GGF and Santa Anita and with representatives of the Thoroughbred Owners of California (TOC) to discuss this matter. We want the Board to know that CARF and the Fresno Fair are working with other affected parties and making every effort to find a mutually agreeable solution to this matter.*

*If the Fresno start date is not revised to October 7, the initial purse and stakes schedule we have proposed for Fresno Fair may need to be revised. If this were to occur, it could also affect purses and stakes at other Fairs."*

#### BACKGROUND

Business and Professions Code section 19530 provides the Board the authority to allocate racing weeks to an applicant pursuant to the provisions of the horse racing law and to specify such racing days, dates, and hours for horse racing meetings as will be in the public interest, and will subserve the purposes of the law. Business and Professions Code section 19531 states the Board shall make allocations for racing weeks, including simultaneous racing between zones as it deems appropriate. The maximum number of racing weeks that may be allocated for horse racing other than at fairs, shall be as follows: (a) For thoroughbred racing: 44 weeks per year in the northern zone; 42 weeks per year in the central zone; and seven weeks per year in the southern zone. (b) For harness racing: 25 weeks per year in the northern zone. (c) For quarter horse



racing: 25 weeks per year in the northern zone. (d) For harness racing and quarter horse racing: a total of 77 weeks per year in the combined central and southern zones. Business and Professions Code section 19532(a) specifies any association licensed to conduct thoroughbred racing in the northern zone may receive no more than 35 weeks of that racing. (b) Any association licensed to conduct thoroughbred racing in the central zone may receive no more than 17 weeks of that racing, except that any association which conducts a split meeting may receive up to 20 weeks of that racing. No more than one such split meeting may be licensed in any one year. Business and Professions Code section 19549 provides the maximum number of racing weeks that may be allocated to a fair shall be four weeks each, except under specified conditions.

Board Rule 1430, Allocation of Racing Weeks and Dates, states the Board shall allocate racing weeks and dates for the conduct of horse racing in this State for such time periods and at such racing facilities as the Board determines will best subserve the purposes of the Horse Racing Law and which will be in the best interests of the people of California in accord with the intent of the Horse Racing Law.

#### RECOMMENDATION

This item is presented to the Board for discussion and action. The Board may wish to hear from the Northern California Race Dates Ad Hoc Committee.



*a California joint powers agency*

1776 Tribute Road, Suite 205  
 Sacramento, CA 95815  
 Office: 916.927.7223 Fax: 916.263.3341  
 www.calairs.com

March 6, 2015

Mr. Rick Baedeker, Executive Director  
 California Horse Racing Board  
 1010 Hurley Way  
 Sacramento, CA 95825

Dear Rick,

We respectfully request that a matter be placed on the Board agenda for the meeting of March 19. We respectfully request that the Board approve certain adjustments to the October dates shown in 2015 racing calendar for Northern California.

The present calendar shows a starting date of October 1, 2015, for this year's Fresno Fair meeting. This year the Fresno Fair actually opens on **October 7, 2015**. In order for horse racing to run concurrently with the two weeks of the Fair in Fresno, racing would need to begin on Oct 7.

CARF and the Fresno Fair respectfully request that the Board approve a revised start date of October 7, 2015 for this year's Fresno Fair meeting.

The dates presently shown in the calendar for Fresno Fair would require it to conduct racing without Fair activities, a scenario which would hurt the Fair and its racing meeting.

A change to the October calendar would involve a change in Golden Gate Fields schedule. Consequently, we've met several times with principals at GGF and Santa Anita and with representatives of the Thoroughbred Owners of California (TOC) to discuss this matter. We want the Board to know that CARF and the Fresno Fair are working with other affected parties and making every effort to find a mutually agreeable solution to this matter.

If the Fresno start date is not revised to October 7, the initial purse and stakes schedule we have proposed for Fresno Fair may need to be revised. If this were to occur, it could also affect purses and stakes at other Fairs.

We respectfully suggest that time is of the essence in this matter. The parties which would be affected are planning right now for their respective meetings in the Fall. For this reason, we have requested that the matter be put on the March 19 agenda to seek the Board's approval for a prompt resolution.

We very much appreciate the Board's consideration of this matter.

Respectfully submitted,

/s/

Christopher Korby  
Executive Director

# ALLOCATED - 2015 NORTHERN CALIFORNIA RACE DATES

PRA Golden Gate Fields (12/26/14 - 6/15/15)	PRA Golden Gate Fields ( 8/21/15 - 9/13/15)
Alameda County Fair (6/17/15 - 7/6/15)	San Joaquin County Fair (9/18//15 - 9/27/15)
State Fair @ Cal Expo (7/9/15 - 7/26/15)	Fresno County Fair (10/8/15 -10/12/15)
Sonoma County Fair (7/30/15 - 8/16/15)	PRA Golden Gate Fields (10/15/15 - 12/20/15)
Humboldt County Fair (8/19/15 - (8/30/15)	

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## PROPOSED MODIFICATIONS TO THE ALLOCATED - 2015 NORTHERN CALIFORNIA RACE DATES

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<b>PRA Golden Gate Fields (12/26/14 - 6/15/15)</b>	<b>PRA Golden Gate Fields ( 8/21/15 - 9/13/15)</b>
<b>Alameda County Fair (6/17/15 - 7/6/15)</b>	<b>San Joaquin County Fair (9/18/15 - 9/27/15)</b>
<b>State Fair @ Cal Expo (7/9/15 - 7/26/15)</b>	<b>Fresno County Fair (10/8/15 - 10/12/15)</b>
<b>Sonoma County Fair (7/30/15 - 8/16/15)</b>	<b>PRA Golden Gate Fields (10/15/15 - 12/20/15)</b>
<b>Humboldt County Fair (8/19/15 - 8/30/15)</b>	

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Proposal: The request is to move Fresno's starting Race Date from October 1, 2015, to October 8, 2015.

Regular Board Meeting  
April 16, 2015

# **CALIFORNIA HORSE RACING BOARD**

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**APRIL 16, 2015**  
**REGULAR BOARD MEETING**

**There is no board package material for Item 15**

**CALIFORNIA HORSE RACING BOARD**

**APRIL 16, 2015**  
**REGULAR BOARD MEETING**

There is no board package material for Item 16