

October 15, 2009

ORC Animal Safety and Welfare Policies and Practices

The Oregon Racing Commission is dedicated to minimizing the number of fatal injuries associated with horse racing. To this end, the commission adopted a performance measure to track the horse fatalities that occur in Oregon during a race meet. The target goal was set at no more than 1.5 fatalities per 1000 starts. Unfortunately, Oregon has been experiencing an increase in the number of horse fatalities and has not been meeting that goal. While track surfaces, training methodology, and individual horse-related factors are all well known aspects associated with horse fatalities, the commission formed a subcommittee to more fully research this issue. The subcommittee conducted multiple meetings with the veterinarians and other staff of the Oregon Racing Commission and held a meeting on the backside at Portland Meadows with the stakeholders (Portland Meadows, Oregon Horsemen's Benevolent and Protective Association, Oregon Thoroughbred Owners & Breeders Association, Oregon Quarter Horse Racing Association). As a result of those meetings, the subcommittee identified six topics or areas of concern and developed new policies and practices to try to improve the safety of race horses in Oregon. On October 15, 2009, at its regularly scheduled meeting, the commission unanimously adopted those policies and practices, as follows:

1) Track Surface

The commission believes that faulty race track surfaces contribute to injuries; therefore, efforts should be directed toward providing a consistent surface utilizing appropriate cultivation and sand applications.

- **Coon Report** - In March of 2009, Portland Meadows responded to the commission's concerns about the racing surface by hiring Charles Coon and Sons to assess the track. The Coon report that ensued provided suggestions on how to improve the quality of the track. It is the commission's recommendation that Portland Meadows continue to follow those suggestions, including adding sand at regular intervals, and making changes associated with the management and cultivation of the surface depth.
- **Surface Monitoring and Recording** - During the racing season, it is the commission's recommendation that Portland Meadows, on a weekly basis, monitor and record the depth of the surface layer at regular intervals and at prescribed widths along the racing surface. Consistent with some other Magna tracks, the commission strongly recommends that Portland Meadows contract the services of Mr. Mick Peterson and the Racing Surfaces Testing Laboratory (Orono, Maine) and utilize a prescribed device for objective measurements.

- Track Surface Replacement at Grants Pass Downs - In addition, the Oregon Racing Commission has expressed concerns on several occasions regarding the number of catastrophic injuries at Grants Pass Downs. At the August commission meeting, the commissioners unanimously approved a motion to send a letter to Josephine County Fair stipulating that Grants Pass Down replace its current racing surface with a new and kinder surface. The letter also stated that the track would need to be replaced before the next racing season in order to receive the commission's approval of their next race meet application.

2) Non Steroidal Anti-inflammatory Drugs (NSAIDs) and Cortisone

The commission maintains its current position on NSAIDs and Cortisone per the administrative rules, as follows:

- Twenty-four Hour Withdrawal: Require a twenty-four (24) hour withdrawal of NSAIDs and withdrawal of cortisones to prevent any level of detection by the testing laboratory.

Note: The commission is postponing rule changes for withdrawal times until there is a better consensus from other racing groups (RCI, RMTC) on the most appropriate and enforceable withdrawal times. The commission recommends that all stakeholders be informed of the industry's inclinations toward longer withdrawal times for these medications.

3) Toe Grabs

The Oregon Racing Commission has adopted an administrative rule on horse shoes that is consistent with the recent decision by The Jockey Club Thoroughbred Safety Committee. The ORC rule allows toe grabs up to four millimeters (4mm) in height on front shoes used on dirt racing surfaces.

4) Pre Race Examinations

The commission recommends that the ORC veterinarian(s) conduct pre-race examinations on approximately 10 – 20 percent of the randomly selected race day starters. These exams will provide additional opportunity for the State Veterinarian to evaluate starters for lameness or injury that may not be apparent during a prerace parade. A protocol for implementation of this plan is attached, Appendix 1.

5) Euthanasia

Injuries are an unfortunate result of racing and training for the race horse. However, the commission is concerned that not just a horse's injury is taken into consideration when the decision to euthanize a horse is being decided. The possibility exists that the horse's past performance and its economic value are major factors in an owner determining whether to engage the horse in long term treatment of its injuries. Instead, the reason to euthanize becomes a cost-saving action. In an effort to characterize the types of injuries considered to be catastrophic, the commission adopted the attached Criteria for Euthanasia, Appendix 2. **It is critically important that racetrack veterinarians, owners, and trainers be familiar with the criteria as ORC veterinarians will be following these guidelines to determine the appropriate action to take on an injured horse.**

6) Fatality Evaluation Program (FEP) – “Necropsy Program”

Valuable information can be obtained by conducting a scientific evaluation (necropsy) of a horse that has been euthanized or that has died due to a catastrophic injury sustained while racing. Therefore, the commission adopted a necropsy program for Oregon, as follows:

- If a commission veterinarian euthanizes a horse (See Criteria for Euthanasia, Appendix 2), or if a track veterinarian euthanizes a horse associated with a race or training, the carcass will be submitted to OSU College of Veterinary Medicine (CVM) for the purpose of performing a necropsy and appropriate histological (microscopic) examination.
- The racetrack will be required to provide transportation for the carcass to OSU within 36 hours, but will not be required to pay for the disposal service. This exchange is expected to result in a cost savings to the track. The costs of the necropsy, x-rays (if needed), and microscopic examination will be covered by the ORC budget.

The commission believes that this program will not involve extra costs for the stakeholders and will serve to create a cooperative effort between the racetrack, horsemen, commission staff, and OSU-CVM. Accumulated information is expected to provide some valuable associations.

Appendix 1 - PRE-RACE EXAMINATION PROTOCOL

The Senior Commission Veterinarian shall have the right to modify the Pre Race Exam Protocol as needed in the best interest of the race horses and their riders.

The pre race exam shall be performed by a commission veterinarian or a licensed veterinarian designee.

The Senior Commission Veterinarian, commission veterinarian or licensed veterinarian designee shall create the list of To Be Examined Horses by random methods and may include horses that exist on the commission veterinarians watch list or other lists as determined by the ORC veterinary division.

The list of To Be Examined Horses will be posted approximately one hour prior to the start of the pre-race exams. All trainers or their representatives shall be required to be at their barns by 10:00 am until 11:45 am each race day and to be prepared for a commission veterinarian or licensed veterinarian designee to conduct an examination of the horses racing that day.

For clerical purposes, a commission staff assistant shall accompany the commission veterinarian or licensed veterinarian designee.

For horses that are scratched during the pre-race exam, notification of that scratch will be verbally communicated to the race office and stewards by the commission veterinarian, licensed veterinarian designee or commission staff assistant. A written copy of the horses scratched will be delivered to the race office by the commission staff assistant when the pre race exams are completed.

Appendix 2 - CRITERIA FOR EUTHANASIA

1. A commission veterinarian reserves the right to make the decision to euthanize any horse based upon the circumstances at hand.
2. Race horses that suffer a catastrophic injury on the track surface and during racing as described below may be euthanized by a commission veterinarian.
3. Euthanasia of horses for injuries other than catastrophic or for other reasons shall be performed by a track veterinarian and paid for by the owner/trainer. All track veterinarian euthanasia shall be reported to the commission veterinarian.
4. Catastrophic injury to a horse shall be defined as follows:
 - Starters** that incur an injury as a result of the running of the race that renders the horse unsalvageable. These injuries include but are not limited to:
 - a. Open fractures of any limb or skeletal structure.
 - b. Closed fractures that obviously involve 2 or more legs.
 - c. A recumbent horse that has suffered an obvious cardiovascular insult.
 - d. A horse that has incurred a rupture of the abdominal wall or chest cavity that communicates to the outside of the horse.
 - e. A horse that has collapsed and can not rise in a reasonable time as determined by the commission veterinarian in consultation with a track veterinarian.