

by Dr. Scot Waterman

Thinking Alike

Conformity of medication guidelines helps jurisdictions' reinforcement

Note: The USTA is annually one of nearly two dozen organizations providing funding for the Racing Medication and Testing Consortium, which works to even the playing field for all horsemen related to medication awareness and testing. Following is RMTC Executive Director Dr. Scot Waterman's quarterly report to *Hoof Beats* readers on the RMTC's progress.

In December, I spoke at the second annual Conference on Officiating Horseracing, sponsored by the Racing Officials Accreditation Program at the University of Arizona Race Track Industry Program's Annual Symposium on Racing and Gaming. Hosted by Alan Foreman, CEO of the Thoroughbred Horsemen's Association, this day-long conference focused on the successful prosecution of drug cases, along with related topics such as chain of custody, penalties, drug classifications, laboratory capabilities and the potential of drugs affecting performance.



The material was geared especially toward state attorneys general and their assistants who are responsible for prosecuting drug cases for commissions, but many other industry stakeholders attended to learn about this important aspect of our sport. The goal was to give attendees guidelines on how to fairly, effectively and successfully enforce medication regulations in their respective jurisdictions.

The other panelists for the conference were:

- Ira Finkelstein, a partner with Harnik and Finkelstein with more than 30 years experience in equine law matters, particularly cases involving the drugging and abuse of horses;
- Dr. Scott Stanley, a professor of Equine Analytical Chemistry and director of the Kenneth L. Maddy Laboratory at University of California-Davis; and
- Dr. George Maylin, an associate professor of Toxicology and director of the New York State Racing and Wagering Board Equine Drug Testing and Research program at Cornell University.

While the concepts discussed were technical in nature, the

panelists did a fantastic job of presenting the information in a simple, easy-to-understand way that even the most basic racing fan could follow and, hopefully, find interesting.

One of the key themes that emerged was treating each violation as a unique set of circumstances. Too often it seems as if the penalty given for a drug violation is based solely on the RCI class of the drug and the penalty the previous licensee received for that substance.

While the RCI's Classification Guidelines for Foreign Substances is extremely useful in describing a drug's pharmacology and potential to influence performance, it was never designed to be the sole source of information for

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determining a penalty. As Foreman pointed out, a Class 2 drug can be used like a Class 4 drug and vice versa. Each violation is an individual case, and examining the circumstances, both aggravating and mitigating, is the key to developing a fair system that can be respected by participants and the wagering public.

A second theme that appeared was the tremendous difficulty of assessing whether a drug at a particular concentration found

by the laboratory had any effect on the performance of the horse. Dr. Maylin and Dr. Stanley did a terrific job explaining the science, but this is often a difficult, if not impossible, determination to make. Our research capabilities are not sensitive enough to accurately determine whether a picogram or nanogram of a substance may have affected the performance of a horse by less than one-fifth of a second.

After listening to the presentation, it became clear why the rules of the sport steer clear of putting any onus on the prosecution to prove a performance effect when determining a penalty.

Much more was discussed that day, and I would encourage everyone to visit the ROAP (www.horseracingofficials.com) and RMTC (www.rmtcnet.com) Web sites, where the presentations are archived, to learn more about the successful prosecution of a drug case.

These are fundamental concepts in protecting the integrity of the sport, and I tip my hat to ROAP, Foreman and all the panelists for a very successful day.

The views contained in this column are that of the author alone, and do not necessarily represent the opinions or views of the United States Trotting Association. To comment on this column, e-mail us at readerforum@ustrotting.com.

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<u>STATE/ PROVINCE</u>	<u>STALLION</u>	<u>FEE</u>	<u>COURTESY OF</u>
Delaware	Cam's Fortune	\$2,500	Ricky Pryor/Safe Haven
	Great George Two	\$2,000	Sharon Roberts/Safe Haven
	Rustler Hanover	\$4,500	J. Thomson/Winbak Farms
	Super Punk	\$1,500	P. Wojtowicz/Safe Haven
	Tune Town	\$2,000	Tony Controneo/Safe Haven
	Veeza	\$1,500	J. Thomson/Winbak Farms
Illinois	Duneside Perch	\$2,000	Carl Becker
	Southwind Breeze	\$1,200	Carl Becker
	Sportsmaster	\$4,000	Dr. Ken Walker
Indiana	LCB	\$2,000	Carl Becker
	Yankee Valor	\$1,500	Carl Becker
Maine	Grandslam Cam	\$1,000	C. Chamberlain
New Jersey	Matt's Scooter	Private Treaty	Hanover/Perretti
New York	Big Apple Deli	\$2,000	D. Hansen/Morrisville College
Ontario	Astronomical	\$2,500 CDN	R. McLellan/Casimir Farm
	Blissfull Hall	\$4,000 CDN	D. Plouffe/Winbak Farms
	Jereme's Jet	\$6,000 CDN	D. Heffering/Tara Hills
	Lis Mara	\$7,000 CDN	M. Gulotta/Kentuckiana Farms
	Mr Lavec	\$3,500 CDN	N. Clements/Tara Hills
	Mutineer	\$5,000 CDN	J. Thomson/Winbak Farms
	Sir Luck	\$3,000 CDN	Murray McConnell/Casimir Farm
Pennsylvania	Garth Vader	\$2,500	Dr. J. Hurtgen/Nandi Farm
	Hope's Victory	\$1,000	J. Brenneman/Rock Oak Stables
	KF St Patrick	\$1,000	J. Brenneman/Rock Oak Stables
	Nuclear Breeze	\$3,000	Tom Cooke/Nandi Farm
	Sierra Kosmos	\$1,500	R. Beinhauer/Lindwood
	Xactly Hanover	\$3,500	Dr. F. Hofsaess/Delaware Valley College

The CHHA is very grateful for the many generous stallion owners, farm managers, bidders and buyers that bless us year after year. We thank God for the opportunity to fund a significant portion of our ministry budget through this annual event! We are always glad to advertise new stallions. This stallion roster grows steadily with new donated breedings coming in daily. This is only a partial list. Please call or fax John Klark at (910) 281-4744 through 4/30/10 for information or assistance. After 4/30/10 call or fax John at 802-429-2841 or email: klarkjx3@pivot.net.

Have a great 2010!

BIDDING INSTRUCTIONS

Bid online at www.onGait.com March 3-12, 2010. A 10% refundable deposit will be required from winning bidders, with the balance due at foaling for a live foal.

Please do not bid for a mare over 20 years old or barren for two consecutive years. Please do not bid on a stallion for which you already have a contract.

DEPOSITS MUST BE POSTMARKED NO LATER THAN 3/17/10. MAIL TO CCHA C/O JOHN KLARK P.O. BOX 233 ABERDEEN, NC 28315