



ASSOCIATION OF RACING COMMISSIONERS INTERNATIONAL

December 10, 2018

California Horse Racing Board
New Jersey Racing Commission
Delaware Harness Racing Commission
Indiana Horse Racing Commission
Maine State Racing Commission
Maryland Racing Commission
Massachusetts Gaming Commission
Michigan Gaming Control Board

Minnesota Racing Commission
NY State Gaming Commission
Ohio State Racing Commission
PA Bur. of Standardbred Horse Racing
Florida Div. of Pari-Mutuel Wagering
Illinois Racing Board
Kentucky Horse Racing Commission
Virginia Racing Commission

Dear Colleague Regulators:

On November 27, 2018, the United States Trotting Association's (USTA) newly formed medication policy committee, the Harness Racing Medication Collaborative, submitted a proposal to each regulatory agency listed above requesting a liberalization of your current anti-doping and equine medication policies affecting Standardbred races in your jurisdiction.

Consistent with the discussion of the ARCI Board of Directors on December 3, 2018, I formally request that your agency refer this proposed policy change to the ARCI for review and comment prior to taking any regulatory action.

Without commenting on the merits of the USTA committee proposal, it appears on the surface to be incomplete as certain relevant scientific studies may not have been assessed particularly those that have examined the steroidal affects of clenbuterol. The ARCI has requested any supporting information, specifically complete copies of the studies or papers relied upon and minutes from the USTA Collaborative meetings.

The USTA's November 27, 2018 letter represents a significant departure from the long established process the racing regulatory agencies and industry constituencies

have relied upon to advise agencies of appropriate regulatory policy, specifically the ARCI Model Rules process.

USTA officials contacted the ARCI this fall to understand the process the ARCI would use to review any submitted recommendations. The ARCI is a regulator driven entity and works to ensure that all pertinent information and input is considered prior to making any recommendation on a policy change or adoption being contemplated by its member agencies.

As has been our long standing practice, the ARCI gives industry organizations and constituencies the opportunity to review and provide input on pending model regulatory policies. The ARCI Scientific Review Committee is also requested to review and advise on any scientific matters to come before the collective regulators. The regulators, collectively, review such submissions and advice, and they alone determine what the proper policy should be as embodied in the Model Rules.

It is important to note that on matters pertaining to Standardbred Racing, the standardbred regulators have wide latitude to recommend to the ARCI Board any breed specific matters. The ARCI Board traditionally defers to the consensus desire of the standardbred regulatory agencies.

One of the industry organizations included on the list of those invited to comment is the Racing Medication and Testing Consortium, an industry based, multi-breed, organization formed years ago upon the impetus of the American Association of Equine Practitioners (AAEP). The USTA, up until several years ago, was an active member and source of funding for the RMTC.

The RMTC operates a scientific review process before recommending policies to the ARCI. Over the years the ARCI has often, but not always, relied upon RMTC recommendations. Due to the withdrawal of the USTA and criticisms by some thoroughbred horsemen, the ARCI in late 2014 created a separate scientific review process, independent of the RMTC, including some experts who choose not to participate in the RMTC scientific committee as well as some who do.

Regulatory agencies, consistent with the Administrative Procedures Acts that govern their operations, are required to consider all opinions prior to taking action to enact or change a government policy. Historically, those agencies have relied upon the ARCI to do some of that legwork prior to a bringing forward a proposed policy change. In so doing, we eliminate or streamline a redundant policy formation processes in individual jurisdictions and promote uniform adoption to address what has been a long standing complaint of standardbred horsemen who race in multiple jurisdictions.

While some standardbred regulatory agencies have chosen not to adopt some aspects of the ARCI Medication Rules, many have. There have been no adverse affects on standardbred racing or horsemen complying with regulatory policies that are

based upon the existing Model Rules, as reported by the regulatory commissions who have adopted them.

We would caution any regulatory commission from adopting any policy that has not been fully vetted and note the inherent risks of doing so. While we appreciate the USTA's Harness Racing Medication Collaborative's efforts, we note that many key experts and regulatory jurisdictions who should be involved in such a process are not. This is a problem that can only be addressed by a thorough review by the ARCI.

We respectfully request that you refer this proposal to the ARCI for review and communicate that referral to those who made the proposal.

Sincerely,

A handwritten signature in black ink, appearing to read "E. J. Martin". The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

Edward J. Martin
President, ARCI

EJM/m.