



## ASSOCIATION OF RACING COMMISSIONERS INTERNATIONAL

TO: ARCI MODEL RULES COMMITTEE

FROM: Ed Martin, ARCI President

DATE: JULY 17, 2019

RE: Project to Restructure the ARCI Penalty Guidelines

### **Background:**

In August, 2017, the RCI Board tasked the DTSP Committee with performing a review of the current penalty guidelines and structure with an eye toward differentiating between violations that could clearly be called “doping” or “equine endangerment” from those that were overages of therapeutic medications with less of an impact on performance by virtual of being classified as a Class 4 or 5 drug.

Following that meeting an online survey was conducted of DTSP Committee members and a similar survey was conducted of interested industry contacts. A conference call was held to discuss the project and a smaller group provided subsequent input.

Recognizing that the task was a potentially enormous undertaking, Committee Chair Patterson asked Dan Hartman to lead a Task Force to flesh out what a new penalty guideline system might look like. The Task Force was deliberately formed with individuals not burdened by other industry projects associated with the RCI or other organizations, but who possessed the level expertise necessary to do the legwork necessary to bring a concept forward.

The following individuals were appointed to the Working Group and literally spent countless hours discussing almost every substance contained on the RCI Classification Document. The expertise was balanced to ensure veterinary participation, horseman participation, track operator experience, and regulatory enforcement experience.

The ARCI is especially grateful for the volunteer efforts of:

- Dr. Kathy Anderson, DVM - past AAEP President;
- Dr. Charles Vail, DVM - past AAEP President, former Colorado Racing Commissioner;
- Mr. John Ward - former regulator and lifelong horseman;
- Rick Baedeker - former track operator and current regulator;
- Mike Hopkins - former horseman and lifelong regulator, and;
- Dan Hartman - regulator and workgroup coordinator.

In early 2018, the project could not proceed without guidance from the RCI Board as the members of the DTSP committee were split on a significant question affecting the outcome. Should the ARCI keep the present penalty guideline structure and adjust the recommended

penalties within it, or create a bifurcated structure, separating “Doping and Equine Endangerment” Violations from “Treatment Misapplication & Mismanagement” violations as had been originally discussed.

The Board voted unanimously for the later.

### **Current Status:**

The ARCI Drug Testing Standards and Practices Committee voted to issue this proposal for public input at its meeting on April 4, 2019. The committee reserved action pending comments from the industry and public.

On April 20, 2019, a press release was issued seeking comment from the public and industry organizations.

The DTSP committee will meet via conference call prior to the Model Rules Committee meeting. Any recommendations will be presented at the Model Rules Committee meeting and public input is anticipated.

### **Workgroup Proposal:**

The Workgroup has generated a DRAFT for a new Classification document indicating the recommended penalties for each type of violation: “Doping and Equine Endangerment” and the existing violations which would be termed The working draft can be downloaded here: <https://drive.google.com/file/d/1rtaiT7YmgMhV7xkDIfZfKSyaMDBzKzgF/view?usp=sharing>

Please note that it is the recommendation of the WorkGroup that a drug finding not be elevated into the Equine Endangerment category for a penalty without a recommendation to do so from the Regulatory Veterinarian or Equine Medical Director. The workgroup did not feel that a Steward or other non-veterinary personnel would be qualified to assess whether the substance found or the amount found would pose a potential threat to the health and well being of the horse.

The Workgroup recommends keeping the existing penalty guidelines in place for the less harmful overages of therapeutic medications that do not rise to a level to be considered “Doping”. As such they have not recommended penalty changes to the existing penalty document.

The Workgroup recommends more stringent penalties than now exist for violations that can be considered doping by virtue of the substance itself, or equine endangerment by virtue of the substance or the amount and potential health risk to the horse. This proposed maitrix can be accessed here: <https://drive.google.com/file/d/1RnoaRh8DqUSsyQfzoeihAbSYPQfJuhEF/view?usp=sharing>