



**Delaware Thoroughbred Racing Commission  
Minutes of Regular Meeting Held On  
July 13, 2015**

The Delaware Thoroughbred Racing Commission held a regular meeting on Monday, July 13, 2015, at 10:15 a.m., in the Horseman's Office, 2<sup>nd</sup> Floor, at Delaware Park, 777 Delaware Park Blvd, Wilmington, DE 19804

**The following Commission members were present:**

W. Duncan Patterson, Jr., Chairman
Edward J. Stegemeier, Secretary/Commissioner
Henry J. Decker, Commissioner
Richard A. Levine, Esq., Commissioner
Debra M. Killeen, Commissioner

**The following individuals also were present:**

John F. Wayne, DTRC, Executive Director
Andrew Kerber, Deputy Attorney General, Commission Counsel
Edward Black, Deputy Attorney General, Stewards Counsel
Austin Short, Deputy Secretary of Agriculture
William Fasy, Delaware Park, President, Administration
John E. Mooney, Delaware Park, Executive Director of Racing
Michael Gorham, DTHA President
Bessie Gruwell, DTHA Executive Director
Francis J. Swift, Jr., DTRC, Inspector
Michael Delaney, DTRC, Inspector
John T. Peters, D.V.M., DTRC, Chief Commission Veterinarian
G. Jack Houghton, DTRC, Chief Steward
Dennis Lima, DTRC, Steward
Gary Katz, Attorney for Brian Pedroza
Robert E. Colton, Delaware Jockey's Association, Director
Steven Bertrando, DTHA-DHAF
Thomas Cash, Special Agent, Federal Bureau of Investigation
Brian Pedroza, Jockey
Beverly Fowler, Lasix Barn Supervisor
Pam Rash, DTRC, Administrative Asst. (Recording Minutes)

**1. WELCOME & CALL TO ORDER**

At approximately 10:17 a.m., Chairman Duncan Patterson called the meeting to order.

**2. APPROVAL OF MINUTES**

Upon a motion duly made (Killeen) and seconded (Levine), minutes of June 17, 2015 were approved.

**3. PUBLIC HEARING ON APPEAL OF BRIAN PEDROZA**

Appeal hearing moved to after business session as Mr. Pedroza's lawyer had not arrived.

#### 4. OLD BUSINESS

##### A. Package Monitoring and Inspections

DAG Andrew Kerber stated the package monitoring / inspection program was suspended by Secretary of Agriculture after the Commission's meeting. The Department of Justice is doing a legal review, and the program will be suspended until legal review is complete which should be by the next meeting.

Commissioner Decker felt the secretary of Agriculture has no power to suspend an enforcement action because only the Chairman of the Commission has that authority. Chairman Patterson stated he did talk with Secretary Kee subsequent to the meeting regarding this topic. There was no motion, but the consensus was a concern about this. It was left with the fact that Andrew Kerber and Tom McGonigle would discuss it and until such time, it would be suspended or put on hold. Secretary Kee made it somewhat official but we supported it.

Chairman Patterson asked DAG Kerber to confirm that Commissioner Decker's comment is correct that Secretary Kee does not have the power to make the enforcement. DAG Kerber confirmed that Commissioner Decker's comment is correct: the Commission has the authority over racing matters.

DAG Kerber suggested that the Commission consider taking formal action concerning the suspension of the program. The Department of Justice recommendation is that this program be put on hold pending completion of legal review. Upon a motion duly made (Decker) and seconded (Stegemeier) the Package Monitoring and Inspection program will be put on hold until the Commission receives legal advice from the Department of Justice.

##### B. Other Rule Updates

DAG Andrew Kerber indicated the Stacking Rule is in place and effective. The Stay and Summary Suspension Rules are in place and effective. The Cobalt rule was proposed and published in the June 1, 2015 Registrar with a comment period of June 1 to July 1, 2015. That period has now passed. DAG Kerber confirmed with John Wayne that no comments had been received. It would be appropriate for the Commission to approve the proposed regulation for final publication in the August 1, 2015 Registrar to be effective August 11, 2015.

Commissioner Stegemeier asked that the proposed rule be read so the Commission is reminded of what is being voted on so there is no question. DAG Kerber read the following:

15.21 ARCI Cobalt Rule.

15.21.1 The Commission hereby adopts by reference the Association of Racing Commissioners International Cobalt rule (ARCI-011-020), approved April 24, 2015.

He read from the ARCI recommendations:

1. The committee was unanimous in this recommendation.
  - a) It is recommended that horses with a plasma cobalt concentration greater than 25 ppb, but less than 50 ppb, be used a warning and placed on the vet's list until the level falls below 25 ppb.
  - b) Concentrations within this range may be due to the usage of cobalt-containing supplements or may be due to the administration of bulk cobalt salts as an attempt to increase red blood cell production (i.e. there is no way to confirm the type of cobalt administration that produced this result).
  - c) Since cobalt supplementation is not medically necessary, levels in this range should not be allowed as it cannot be ruled out that the horse may have been receiving bulk cobalt salts.

2. The committee was unanimous in this recommendation.
  - a) It is recommended that horses with plasma levels greater than 50 ppb should be penalized with a Class B Penalty.
  - b) The available unpublished cobalt supplement administration data suggest that values greater than 50 ppb are a result of the administration of bulk cobalt salts.

Upon a motion duly made (Decker) and seconded (Stegemeier), the Commission approved the regulation to be published August 1 and to be effective August 11, 2015.

## 5. NEW BUSINESS

### A. July 2, 2015 DTSP Meeting Update

- Chairman Patterson shared that the DTSP Committee held a meeting telephonically on July 2 to approve Gamma Aminobutyric Acid (GABA or Carolina Gold). It is a drug administered to calm a horse before a race. It is typically administered with Salix. Third party administration has prevented that from happening. At April's meeting there was a discrepancy between RMTTC & HPBA (George Maylin) proposals. That was resolved and they are ready to move forward with the model rules at the meeting to be held July 15. The RMTTC recommendation was 110 mg per ml of plasma vs. 190 mg. The proposal will be 110 mg.
- The other discussion will be proposal to enable commissions to move forward in the event certain medications are being abused that there currently are no tests on; i.e. cobalt. Rick Goodell, New York Gaming Commission Counsel, is working on language for that and will be reviewed by attorneys at various jurisdictions before it becomes final.

### Mid-Atlantic Medication Meeting

John Wayne indicated it was well represented by him, Mr. Mooney-Delaware Park, Bessie Gruwell-Horsemen's Association, Maryland regulators, West Virginia, Pennsylvania Horsemen, New Jersey Horsemen, Maryland Horsemen, West Virginia Horsemen, Illinois. The discussion was Methylprednisolone Depo Medrol and Procaine Penicillin. A Mid-Atlantic Medication Advisory was formatted by Mr. Allan Foreman, meeting facilitator. The language was recommended to be put on the Over Night for Horsemen. Mr. Wayne forwarded the final draft to John Mooney for his consideration.

Mr. Wayne read a portion: "The testing threshold for Methylprednisolone Acetate Depo Medrol is 100 pg per ml plasma. This testing threshold is based upon the administration of a total dose of 100 mg of Methylprednisolone as Methylprednisolone Acetate in one articular space. The recommended withdraw time for this administration is a minimum of at least 21 days." There is a footnote warning that reads: "Intramuscular administrations can result in plasma concentrations that can exceed the testing thresholds for weeks or months. It is important to understand that the testing threshold can be exceeded if there is: 1. An IM injection, 2. An injection in more than one articular space; 3. A different formation that is compounded of Methylprednisolone; and 4. An injection into a subcutaneous space. Example: not injecting into the right spot. This is of particular concern when injecting stifels and hocks, as a portion of the medication often is inadvertently deposited into tissues outside the joint capsule. It is important to understand that when a portion of this drug is placed outside the joint capsule of any joint, an intramuscular or subcutaneous injection will be the result. Accordingly, it is recommended that 1. Depo Medrol not be administered to any horse a trainer wishes to race in the Mid-Atlantic region (New York, New Jersey, Pennsylvania, Delaware, Maryland, West Virginia and Virginia). 2. A trainer who chooses to race a horse that has been treated with Depo Medrol despite this warning should at higher expense, get the horse tested prior to entry to ensure the horse will test below the testing threshold of 100 pg per ml plasma. The testing threshold of 100 pg per ml plasma will be enforced."

The second part is in reference to Procaine Penicillin. "The current guideline for Procaine Penicillin requires the reporting of the administration of this drug to the racing commission and a mandatory surveillance of the horse for six hours prior to the race, if the trainer wishes to race the horse. The

purpose of the quarantine is to insure against a nerve block. The guideline, however, does not specify how long after administration of Procaine Penicillin the reporting and mandatory surveillance requirements must be followed. Effective immediately, only Procaine Penicillin administrations within 30 days of a race need to be reported to the racing commission. The surveillance requirements remain in effect. The racing commission or the race track, as the case may be, will provide a security guard for the horse at the owner/trainer's expense. P.S. Please note that the testing threshold for Procaine Penicillin is 25 ng per ml plasma regardless of the surveillance requirement, and this testing threshold will be enforced."

Commissioner Decker asked, if it is placed in the hock, does it result in plasma concentration. Dr. John Peters answered yes. He also indicated it should not be used in the practice of veterinary medicine now.

Chairman Patterson commented that this has become a major discussion item. Methylprednisolone was one of the medications under serious discussion regarding whether it would be part of the uniform medication program because of the AAEP it did make it, but there is strong feelings it should not be. It may or may not be in the future. New York, Scott Palmer, does not use it. It became a major problem with Steeplechase as they inject stifles because of the jumping. Some of the Steeplechase races are run under Virginia's racing commission authority. There was a positive that was overturned and became a major problem. He felt the communication to the horsemen should be: do not use it and if you use it, have your horse tested before they run. He asked John Mooney if this was put on the Over Night. Mr. Mooney indicated it will be put in the Condition Book. Chairman Patterson indicated this did not require any action of the Commission and was for information only.

Bessie Gruwell shared that the four Mid-Atlantic States (Delaware, New Jersey, West Virginia and Maryland) using Truesdail Laboratories are not doing the same testing. That is supposed to be updated. Uniform medication is great, but uniform testing is needed. Alan Foreman received an email and stated what the difference was. All four states were supposed to come to the point where they are doing the same testing. Commissioner Levine questioned who was representing Delaware in these discussions. John Wayne stated he had discussions with Mike Hopkins, Frank Zanzuccki. He thought there was only one particular thing that Maryland was doing different than Delaware and New Jersey. Commissioner Stegemeier asked John Wayne to please follow-up on this. This goes against everything the Commission has been trying to accomplish. John Mooney shared that horsemen are still saying they are treated completely different here than in Maryland. Commissioner Decker hoped that when an agreement is reached that it will not discourage an individual commission from testing more than any other state is testing. He would be more concerned about the types of tests other states are doing. He would be interested in knowing what Maryland is doing. Mr. Wayne stated he would forward the information to the Commissioners. Chairman Patterson directed John Wayne to talk with the other commissions and confirm with Truesdail that the testing is consistent among the four jurisdictions.

Commissioner Levine asked John Mooney what he was hearing was the discrepancy between Delaware and Maryland. Mr. Mooney did not know what the discrepancy was only that they are being treated differently. They indicate there is a big advantage to run in Maryland. Commissioner Levine stated we do not object to being more stringent, we do not want to be less stringent. It sounds like the complaint is Delaware is more stringent. Mr. Mooney stated he wants a level playing field. John Wayne stated we should not lessen our standards; the other commissions need to catch up. The playing field does not need to be level if a commission wants test more. Chairman Patterson indicated that was not what Bessie Gruwell was stating. There needs to be uniform testing just as there is uniform medication rules. Commissioner Decker stated Truesdail was chosen because the majority of the Mid-Atlantic States were using them and methodology and protocol would be consistent. Commissioner Stegemeier asked what the advantage is in Maryland if the testing methodology is the same and the tests can be selected within reason. Chairman Patterson and John Mooney understand that the methodology is not the same. Commissioner Decker stated if a state is not testing the same then they are not following the RMTTC guidelines. Chairman Patterson indicated that John Wayne will be having discussions with Dionne Benson, Mike Hopkins, Frank Zanzuccki and Kelli Talbott so this can be worked out. Commissioner Stegemeier stated that this goes against everything the Commission wanted to do. Truesdail was selected so the states would all be the same so that no matter where you went to race the standard would be the same.

Robert Colton referred to an article in the Paulick Report that went into detail on this. Truesdail lab offers different types of testing: The ELISA which is more 1980's and the Mass Spectrometry which is more

2000 more modern and sophisticated. The request for Maryland goes from the Commission to a separate department which shopped bottom price and went ELISA which is much cheaper. They cut their testing from approximately \$5mm to \$2.5mm. They picked an older technology inside an accredited lab. Commissioner Stegemeier remembered the article and stated that was about 18 months ago and Maryland was using a different lab, not Truesdail.

Chairman Patterson asked John Wayne to update the Commission on this at the next meeting.

The meeting was moved to downstairs for the appeal hearing at 10:50 a.m. to accommodate video equipment needs.

### 3. PUBLIC HEARING ON APPEAL OF BRIAN PEDROZA

At 10:55 a.m. DAG Andrew Kerber began the appeal of Mr. Brian Pedroza on record being recorded by Jennifer M. Guy, RFR. Mr. Gary Katz, Esq. represented Mr. Brian Pedroza and Deputy Attorney General Edward Black represented the Stewards in the appeal. The testimony was closed and went off record at 11:43 a.m. for Commission deliberation. The Commission delivered its decision on record at 11:50 a.m. Upon a motion duly made (Stegemeier) and seconded (Killeen), the Commission unanimously voted to support the Stewards Decision and Mr. Pedroza is suspended for ten (10) calendar days. Mr. Pedroza is to contact the Stewards for when the suspension will begin. The hearing was closed and went off record at 11:57 a.m.

The Commission commended Mr. Pedroza on his professional behavior and his lawyer's presentation.

Commissioner Decker stated a subpoena was issued for a witness and that subpoena was ignored and does not feel it can go unnoticed or the subpoenas become worthless. He felt a penalty should be placed for failure to appear. They can then appeal that decision in the future. The Commission agreed, but felt DAG Andrew Kerber needed to address the issue. DAG Kerber indicated the witness would be called in for a hearing. Commissioner Decker felt he should be penalized and then come in to debate it. Commissioner Stegemeier felt that the witness not appearing could have been negative to Mr. Pedroza's case. His testimony might have changed the outcome. DAG Kerber suggested that from a procedural, due process standpoint he should be called for a hearing before he is penalized. Commissioner Killeen questioned why he would show up for that hearing if he ignored this subpoena. DAG Kerber felt that he would show up for his hearing because it directly impacts him.

Upon a motion duly made (Levine) and seconded (Decker), Executive Director, John Wayne will send a hearing notice to Jockey Andry Blanco for failure to appear at the hearing of Jockey Brian Pedroza as subpoenaed.

### 6. REPORT FROM DTRC EXECUTIVE DIRECTOR

#### Summary of Activities Report for June 30, 2015

Executive Director Wayne submitted his written report to the Commission for the period June 1 to June 30, 2015. Points of interest read into the record included:

	<u>June 2015</u>	<u>Year-To-Date</u>
Number of Persons Fingerprinted	17	100
Fingerprint Fees Collected	\$1,343	\$7,900
DTRC Licenses Issued	901	3,202
Fines & Appeal Fees Collected	\$1,500	\$5,450
License Fees Collected	\$41,225	\$113,425

#### Other Statistics During April

ARCI National Surveys answered	6
Contacts from Police Agencies	9
Contacts from Video Lottery Enforcement	1
Freedom of Information Act Request for Info	0
National Racing Compact Reviews	2
National Racing Compact Applications Rec'd	56

Contacts from Racing Industry Groups	14
Contacts from other Racing Commissions	24
Contacts from other Race Associations	17
Contacts from the General Public	11
Contacts from Horsemen	27
Media Contacts	9
Contacts from Racing Officials Accreditation Program (ROAP)	2

Mr. Wayne indicated Mr. William Fasy approached him in February/March requesting the Jockey Club format of conducting out-of-competition testing on graded stakes be implemented. Mr. Wayne indicated it would be a huge undertaking with staffing limitations; however it was successfully completed with help. Dr. Scott Palmer, New York Medical Director, New York Gaming Commission, collected samples on our behalf. Mr. Wayne and Fran Swift traveled to New York on July 2 to pick up the samples and brought them back to Delaware Park for Splits. The samples were then sent out with regular samples. Dr. Debbie Lamparter, Chief Veterinarian, New Jersey Racing Commission, went off track to a training center to collect samples for us. Dr. Anderson, President of the AAEP and practicing veterinarian at Fair Hill, went with Dr. Peters to collect samples at Fair Hill Training Center. Dr. Peters also traveled to Oxford, PA to collect samples at some farms there. Dr. Mary Scollay, Medical Director, Kentucky Horse Racing Commission collected samples at the Kentucky Horse Center and at Keeneland. Dr. Will Farmer, Kentucky Racing Commission Veterinarian collected samples from Churchill Downs. Dr. Picciano, a fill-in veterinarian at Delaware Park is collecting samples at Parx. This would not be possible without the cooperation of all those people. Mr. Wayne assured them Delaware Park would be glad to return the favor when they have horses stabled here for graded stakes in their jurisdictions. He felt they needed to be thanked and he will personally send a thank you letter to each of them and will assure that their Executive Directors and Commission Chairmen are aware of their cooperation.

Commissioner Decker felt it was appropriate for a letter to go out under the Chairman's signature on behalf of the commission thanking them and anything else that is appropriate such as informing their employers.

Commissioner Stegemeier questioned when a race, i.e. DelCap is run, is every horse tested after that race. Mr. Wayne indicated that the top three finishers are tested after the race and every horse is tested prior to the race for graded stakes. Commissioner Stegemeier asked if it would be simpler to test every horse in the race after the race. Chief Steward Jack Houghton confirmed they do test every horse prior to the race for graded races. Commissioner Stegemeier questioned why is testing being done prior to the race if testing after? Mr. Wayne stated that they are testing for blood doping agents, things not detectable post race, i.e. EPO, DPO, Mircera. Chairman Patterson stated it is recommended by the Graded Stakes Committee and The Jockey Club. Mr. Wayne indicated they are looking for different substances in the pre-race testing than in the post-race testing.

Commissioner Decker asked Mr. Fasy if the approach Mr. Wayne took was acceptable and passed his approval. He stated John Wayne has been excellent through this whole process and indicated it could not have been done without Mr. Wayne's help.

Mr. Wayne shared information from the Health of the Horse Race Summit. Some issues that came up had to do with safety:

- Riders are not wearing the approved vests and he feels that is something that the Stewards need to check occasionally. Dr. Mattacola did a presentation on different trends on concussions from the University of Kentucky. There was a discussion on helmet manufacturing and how some race tracks are still using the old caliente helmets that offer no protection. It was noted that female jockeys have a higher incidence of some injuries than male riders. They feel that a man's skull is about 33% thicker than a woman's.
- There is data that shows synthetic surfaces are safer than dirt when it comes to catastrophic injuries; however, there are soft tissue injuries that are associated with synthetic, which is why a lot of tracks that had synthetic surfaces are moving back to dirt surfaces.

- The longer a horse is in the barn, the safer the horse is. No matter how successful a trainer's program is, there is no substitute for getting to know the individual horse. Horses start racing at two years old instead of waiting until they are three years old. Dr. Brown gave a presentation on how a two year old horse's skeleton strengthens based on stresses applied to it and is stronger and less likely to suffer a catastrophic injury later. Sprint races can be more dangerous than middle or long distances because of the speed factor.
- The Jockey Club is pushing the idea that trainers take a continuing education class every couple of years - a refresher course on best management practices on how they run their stable. Mr. Wayne felt it was important. Racing Officials, Veterinarians, Attorneys go for accreditation, probably trainers should do the same thing. Chairman Patterson indicated it is part of the ARCI Model Rules. Trainers do not want to do it.
- Two months may be the optimum time needed for horses needing a refresher. Dr. Bramledge's research indicated that if a horse needs a break, two months vacation gives the horse's skeleton time to complete remodeling but not too much time to lose ground in bone or cardiovascular fitness. A horse's cardiovascular system begins detraining at about five weeks of rest. Dr. Bramledge does not like sound horses to have too much idle time past the five weeks.

Mr. Wayne thanked Natalie Voss, writer for the Paulick Report, for putting together a summary outline of the meeting. Ray Paulick, Tom Lamarra and Frank Angst from the Bloodhorse and Teresa Genaro from the Brooklyn Backstretch publication were at the Summit.

Commissioner Decker questioned the need to send copies of casino incident reports to the Commissioners. Mr. Wayne indicated he reformats and titles them so they know they can differentiate between racing and gaming. However, some of the incident reports are cross-overs into racing at times. He stated the past Chairman had asked to see everything and he has continued to do that. The Commissioners all agreed that they only need to see incident reports pertinent to racing.

## 7. REPORT FROM DTRC CHIEF COMMISSION VETERINARIAN

### Health Report

John T. Peters, D.V.M., Chief Commission Veterinarian made the following report for June 1 to 30:

Dr. Peters shared the report which was prepared by Dr. Teichner. He reported there were a total of 6 fatalities during the month of June. One died about 7:30 pm. due to heat stroke after a race, 5 were muscular/skeletal system. There were 2 condylar fractures, 1 diarrhea, 1 horse got loose and tore its knee up on a fence pole, 2 sesamoids. So far in July, there have been no racing or training deaths; however, 3 horses have been lost: 1 pneumonia, 1 colitis, 1 diarrhea. Chairman Patterson asked if there are other diarrhea incidents. Dr. Peters stated not at this time. There was concern and the horses were sent to New Bolton for post. A report on 1 horse stated the horse possibly had Potomac Fever. The results are not back for the 2<sup>nd</sup> horse and the 3<sup>rd</sup> horse that had diarrhea was shipped out to the farm. Potomac Fever is caused by Rickettsia and does not require quarantine. At the time of discussion, the cause was not known. The practitioners in all three cases treated the horses with oxytetracycline, which is a treatment for that disease. Chairman Patterson asked if the heat related death goes on the racing fatalities statistics. Dr. Peters stated it does not. Dr. Peters indicated that Potomac Fever is caused by intracellular bacterium, Neorickettsia risticii. <sup>1</sup> *The vector of Neorickettsia risticii is believed to be a trematode (fluke). The life cycle of the fluke takes it through freshwater snails and back into water where it is ingested by larval stages of several aquatic insects including caddis flies and mayflies. It is thought that the main mode of infection is by accidental ingestion of adult infected insects who may fly into barns and die in stalls or pastures.*

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<sup>1</sup> Wikipedia article on Potomac Horse Fever

## **8. REPORT FROM DELAWARE THOROUGHBRED HORSEMEN'S ASSOCIATION**

### **Delaware Certified Thoroughbred Program Report**

DTHA Executive Director, Bessie Gruwell filed the following report:

Ms. Gruwell shared there were 7 applications for yearlings in June, for a total of 43 this year. There have been 221 Delaware Certified horses start with 34 wins, 31 seconds, 34 thirds with a bonus payout of \$293,660 through June. There was an interest payment of \$247.99 and Owner/Certifier bonus of \$212,820 leaving a balance of \$756,840.37.

A Delaware Certified Horse, Galiana, won a stakes race on Saturday. He has won 8 races at Delaware Park out of 14 wins.

Ms. Gruwell brought up a couple of issues from the Mid-Atlantic Medication Committee. She indicated she has had trainers telling her they have horses coming back bleeding through Lasix. It is not happening on the race track at this point. The vets want to be sure they are using Salix, not a generic brand and that should be the third party administrator. Ms. Gruwell indicated that Mr. Wayne stated that Salix is being used here. Dr. Cathy Anderson, President AAEP spoke about thumps, electrolyte imbalance, indicating there are more horses returning with thumps after the races. Horses are now returning and getting off the track before they are seen bled. Has a concern that this will happen sooner. This has not been seen in the last several years.

There was talk about Federal legislation coming through on medication which would take away power of the Commissions throughout the industry. This is a huge concern for the commissions and the horsemen. Ms. Gruwell would like the commission to support going against this legislation if they can do that without the AG & the Governors permission. Chairman Patterson stated this will be discussed at the meeting this week where the ARCI will come out with a position on that. He indicated that they are against it. Ms. Gruwell indicated the horsemen's groups are doing the same thing and stated it would be nice to have the tracks come out with the same position. Chairman Patterson spoke with Senator Pitts' staff member, Heidi Stirrup and told her why he was against it. He was amazed how unknowledgeable she is about racing. Ms. Gruwell felt it was something everyone needs to be aware of it and cannot think it will not happen. Ms. Gruwell was impressed with Ed Martin's comments on the topic who stated there was a push that the anti-doping association should be doing the testing. Mr. Martin said they run about 9,000 tests a year, where Thoroughbred Racing runs close to 340,000 a year. Chairman Patterson had told her that we use the instrumentation, technicians have the same training, the problem is it falls into the hands of the Jockey Club and what they are trying to accomplish. The fact that there are different methodologies and protocols and no one was aware it was happening.

## **9. PUBLIC COMMENT**

John Mooney stated there is a lot of sickness in the barn area, mainly mucus. This is hurting the entries. Approximately 20% of the horses are being treated and hopefully it gets over soon. Chairman Patterson complemented Mr. Mooney on a great day of racing on Saturday. Mr. Mooney stated it was a good card and hopes it will repeated this coming Saturday. Commissioner Decker asked what the horse population was. Mr. Mooney stated around 1,200 which is better than last year. Commissioner Stegemeier addressed the Vet Observed list and asked Mr. Mooney if he completed the survey of the other tracks. Mr. Mooney indicated he sent a letter out and is waiting to hear back. Jack Houghton, Chief Steward, stated that Maryland is also having the problem with horses being sick. Mr. Mooney stated there is a lot of sickness in the whole Mid-Atlantic but he feels the percentage is higher here. Delaware Park tries to be thorough to be sure vaccinations are up-to-date, unfortunately other tracks do not look at that and horses come here that are not vaccinated until they get here.

Michael Gorham felt that what got lost in the earlier hearing was the well being of the horse, the owner, and the trainer of the horse. That horse hit the ground unnecessarily and the jockey hit the ground unnecessarily. He felt the Commission was very lenient on the jockey that the penalty was given to. He was sure there were vet bills and the horse is lucky it can race again. It does not usually end up like that. A lot of money is involved with owning horses and they need to be protected also. Chairman Patterson stated the Commission

upheld the Stewards' Ruling. Mr. Gorham felt it was too lenient. Commissioner Decker felt it was a good point about the welfare of the horse.

Robert Colton thanked the Commission for complimenting Brian Pedroza. He feels this year there are a lot more mature and responsible jocks and they are easier to work with. He also attended the Health of the Horse Race Summit along with Mr. Wayne. Ray Paulick put out 10 points to take away. Mr. Colton has two. 1. Helmets and safety. The day before the summit there was a committee meeting with several stakeholders from the racing industry. Several scientists had done studies on helmets. One of the helmets is the caliente style helmet. One of the tests showed on video, the maximum the machine would go to is 1,000 gforces. The machine went to 1,000 gforces. They refuse to test that helmet any more. He plans to work with the stewards and Mr. Wayne address the next Commission meeting to establish standard based safety equipment especially the vests. 2. Jockey injury database. Follow-up to the horse injury database has been in place for 5 years. There is enough data to see things. There is a certain classification of horse, under certain circumstances, has 6 times the chance of breaking down. He had a long discussion with Dr. Mattacola who runs the jockey database to see what the database can do and can hopefully add input from Delaware Park. Mr. Colton feels there is a really good use for the database.

## **10. EXECUTIVE SESSION**

Upon a motion duly made (Decker) and seconded (Stegemeier), the meeting was adjourned and moved to Executive Session at approximately 12:39 p.m.

## **11. ADJOURNMENT**

The meeting returned to public session at 1:12 p.m. and upon a motion duly made (Stegemeier) and seconded (Killeen), the meeting was adjourned.





# Bessie's Report - YTD - 2015 Weanlings/Yearlings

 Download data

Date Entered	Amount Paid	Yearlings	Weanlings	Name	Dam
<b>February 2015</b>					
February 2015 Yearlings		2			
February 2015 Weanlings					
<b>March 2015</b>					
March 2015 Yearlings		13			
March 2015 Weanlings					
<b>April 2015</b>					
April 2015 Yearlings		14			
April 2015 Weanlings					
<b>May 2015</b>					
May 2015 Yearlings		6			
May 2015 Weanlings					
<b>June 2015</b>					
June 2015 Yearlings		7			
June 2015 Weanlings					
<b>July 2015</b>					
July 2015 Yearlings		1			
July 2015 Weanlings					
<b>Yearlings</b>		<b>43</b>			
<b>Weanlings</b>					

Year	# of Starters	# of Starts	1st	2nd	3rd	25% DCTP Earnings	25% Certifier Awards	Total Annual Awards
June								
2015	144	221	34	31	34	\$ 146,825.00	\$146,835.00	\$ 293,660.00
2014	271	779	105	105	112	\$ 473,564.57	\$526,814.57	\$ 1,000,379.14
2013	270	713	97	99	102	\$ 416,504.00	\$470,722.00	\$ 887,226.00
2012	318	943	138	140	146	\$ 437,340.00	\$409,503.00	\$ 846,843.00
2011	414	1331	166	189	181	\$ 715,099.86	\$773,251.86	\$ 1,488,351.72
2010	364	1150	142	180	146	\$ 705,631.25	\$778,203.75	\$ 1,483,835.00
2009	287	922	105	120	121	\$ 511,810.00	\$584,382.50	\$ 1,096,192.50
2008	210	690	94	82	109	\$ 367,963.60	\$433,265.20	\$ 801,228.80
2007	271	608	90	87	102	\$ 331,809.00	\$355,609.00	\$ 687,418.00
2006	139	476	68	61	72	\$ 201,286.80	\$214,936.80	\$ 416,223.60
2005	99	366	52	49	53	\$179,690.00	\$193,340.00	\$ 373,030.00
2004*	56	134	20	19	19	\$ 44,947.00	\$ 44,947.00	\$ 89,894.00
2003*	9	17	7	3	2	\$ 13,505.00	\$ 13,505.00	\$ 27,010.00
<b>Total DCTP</b>							<b>\$9,491,291.76</b>	

**Delaware Certified Special Acct -Monthly Balance - 2015**

	Transactions	Balance
Ending Balance - 2014	\$ 99,275.84	\$ 99,275.84
2015 Jan Interest	\$ 17.39	\$ 99,293.23
Feb Interest	\$ 175.09	\$ 99,468.32
2015 Annual Bonus - 2/11/15	\$ 1,000,000.00	\$ 1,099,468.32
Admin 5%	\$ (50,000.00)	\$ 1,049,468.32
March Interest	\$ 258.42	\$ 1,049,726.74
April Interest	\$ 258.48	\$ 1,049,985.22
May Interest	\$ 267.16	\$ 1,050,252.38
Available Funds - 5/30/15	\$ 1,050,252.38	\$ 1,050,252.38
May Owner/Certifier Bonus Paid 6/9/15	\$ (80,840.00)	\$ 969,412.38
June interest	\$ 247.99	\$ 969,660.37
June Owner/Certifier Bonus	\$ (212,820.00)	\$ 756,840.37
Available Funds - 6/30/15	\$ 756,840.37	\$ 756,840.37

Starts	Win	Place	Show
62	11	5	9
221	34	31	34