

LAW AND PUBLIC SAFETY

NEW JERSEY RACING COMMISSION

Harness Racing

Medication and Testing Procedures

Adopted Amendment: N.J.A.C. 13:71-23.8

Proposed: 39 N.J.R. 3280(a)

Adopted: October 10, 2007 by the New Jersey Racing Commission,
Frank Zanzuccki, Executive Director

Filed: _____ As R. 2007 _____, without change.

Authority: N.J.S.A. 5:5-30

Effective Date: _____

Expiration Date: June 17, 2010

Summary of Public Comments and Agency Responses:

COMMENT: On June 19, 2007, Stephen Bokman filed comments opposing the proposed amendment to on-farm lasix in New Jersey for the following reasons:

1. The program creates potential integrity problems for New Jersey horses.
2. The farm veterinarians do not want to do it. They do not have the time to do it.
3. The horsemen's groups and racetracks never asked for the horsemen's opinions on this program.

4. The program discriminates against trainers based at small farms and in other states, who can't easily participate.
5. The program endangers the existence of the on-track lasix program, which may not be able to keep a veterinarian.
6. The program will cause an increase in the cost of Lasix and Amicar.

RESPONSE: The Racing Commission disagrees with Dr. Bokman's contention that the proposed amendment will create potential integrity problems for New Jersey horses. The Racing Commission has developed requirements in the rule which must be met prior to granting approval to an off-track location, the Racing Commission would require the off-track location to enhance security where lasix administration is proposed to occur. Additionally, the off-track locations may be required to install video and audio equipment to enable the Racing Commission to monitor in real-time any lasix administrations and activity in the physical area where lasix administrations are proposed to occur.

The Racing Commission disagrees with Dr. Bokman's statement that the farm veterinarians do not do not want to do it. The Racing Commission conducted several meetings in 2006 with members of the Standardbred Breeders' and Owners' Association (S.B.O.A.), Freehold Raceway management and practicing veterinarians to discuss the pertinent issues concerning the proposal. The practicing veterinarians who attended represented that if approved they would comply with the requirements. Additionally, the Racing Commission has not received any other comment from practicing veterinarians

in opposition of the proposed amendment.

The Racing Commission disagrees that the horsemen were not asked for opinions. The request to amend the regulation was a joint proposal by the S.B.O.A. which represents the horsemen and Freehold Raceway.

The Racing Commission disagrees with the comment that the program discriminates against trainers at small farms and other states. All trainers would have the option of bringing their horses to an approved off-track location or racetrack for administration of lasix which currently takes place.

The Racing Commission disagrees that the on-track lasix program would be endangered. A large number of horses will continue to receive lasix at the racetrack. It is not known how many farms if any will elect to participate in the program.

The Racing Commission believes the overall cost to horsemen will be reduced by eliminating the cost of shipping horses to the racetrack for treatment.

Comments: On August 20, 2007, Barbara Sachua of Florham Park, New Jersey, filed comments opposing the proposed amendments stating that if a horse needs an injection it should not be racing at all and probably has health issues. She further state that the Commission is not fully protecting the horses but only protecting the profiteers who race horses.

RESPONSE: Although Mrs. Sachau opposes the proposed amendments because it involves the authorization of medication to race horses the administration of medication (Furosemide) to race horses in accordance with the proposed amendments is consistent with the health and well being of the animal.

Federal Standards Statements

A Federal standards analysis is not required because the rules of racing are dictated by State statute, N.J.S.A. 5:5-22, et seq., and the adopted amendment is not subject to any Federal requirements or standards.

The full text of the adopted rule can be found in the New Jersey Register at 39 N.J.R. 3280(a).