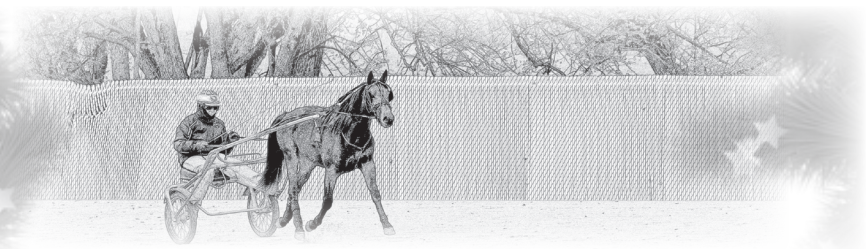


OHHA NEWS

DECEMBER 2017



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Executive Director

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Office Administrator

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Senior Accountant

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Susan Schroeder
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OHHA Track Reps

Amy Hollar
Northfield Park
(614) 778-5905

Brett Merkle
Scioto Downs
Miami Valley
Gaming & Racing,
Hollywood at Dayton
Raceway
(614) 354-1601

2017 Racing Dates

Northfield Park
Jan. 1 - Dec. 30
(222 Live Days)

Miami Valley Gaming
Jan 6 to May 8
(87 live days)

Scioto Downs
May 9 - Sept. 9
(90 live days)

Hollywood at
Dayton Raceway
Sept. 12 - Dec. 30
(75 live days)

Title photo from
S.F. Johnson Photos

OHHA Annual Awards Banquet & USTA District 1 Meeting



Let's Get Started,
2-Year-Old Trotting
Filly of the Year
won the 2016 Ohio
Horse of the Year!

Join us to celebrate 2017 at the OHHA Annual Awards Banquet on Saturday, January 13th, at the DoubleTree Worthington. The USTA District 1 and OHHA member meetings and First Lady's Luncheon are also January 13th.

- Reservations and payment for tickets for the banquet must be at the OHHA office by **Friday, December 29, 2017.**
- Tickets are \$30 each and can be picked up at the Banquet Reservation Table. No tickets will be sold at the door.
- There will be reserved tables available. If you would like to reserve a table, please indicate that and the name to be displayed on the table on your reservation form. Minimum reservation for a reserved table is 8 and can seat up to 10.

Agenda

- 11:30 a.m. Ladies Luncheon
- 1:00 p.m. USTA District 1 Meeting
- 2:30 p.m. OHHA Annual Membership Meeting
- 4:30 p.m. Cocktails Hour- Cash Bar
- 5:00 p.m. Stallion Auction Closes
- 5:30 p.m. Dinner Seating
- 6:00 p.m. OHHA Annual Awards Banquet
- 9:00 p.m. After Party
(Live Entertainment and Cash Bar).

Room Reservations must be made by December 29, 2017, by calling (614) 885-3334. Ask for the OHHA rate (\$111) with group code OHH, or book via the reservation link on the OHHA Website.

Annual First Lady's Luncheon

Ladies are invited to join First Lady Nancy Greenfield for a luncheon and charity project. The ladies will be decorating and filling gift bags that will be donated to Haven House of Pickaway County, a domestic violence and homeless shelter in Circleville, Ohio.

OHHA will be purchasing items to place in the bags that the ladies will decorate. **This year instead of having the annual gift exchange, the ladies will be gifting to those in need.**

We invite you to join us in collecting donations for the shelter. Items that the shelter is always in need of include: umbrellas, warm socks, cough drops, anti-bacterial wipes, hand sanitizer, antibacterial hand soap, Lysol spray, children's cough syrup, lotion, cold and flu medicine for adults and chap stick. Items can be dropped off at the Haven House booth in the Atrium. Thank you to those who participate in our drive.

Banquet Reservation Form

Tickets are \$30 each. Reservation and/or payment must be received by the OHHA office by **December 29, 2017.**

Name of Guest(s) & Meal Preference:

(Please note beside name B- Beef, C- Chicken, F- Fish or V- Vegan)

Reserve your own table? Y or N

Tables can be reserved for 8 to 10 guests only per table. Please let your guests know the name the table was reserved under.

Table Reservation Name.

Phone Number:

Total Tickets: _____ Amount Enclosed: \$ _____

Annual First Lady's Luncheon

Please RSVP if you would like to attend. The luncheon is free of charge.

Attendees:

Upcoming Meetings, Sales, Events and Deadlines

December 12th

OSRC Monthly Meeting 10:00 a.m.
Ohio Standardbred Dev. Fund Meeting
1:00 p.m.

Both meetings are at the Rife Center
Room 1948
77 South High St., Columbus

December 17th

Horsemen's Christmas dinner with Santa at
Northfield Park

December 31st

Ohio Breeder's Award Program
Mare Registration Application Deadline

December 31st

Feature Grant Fair Race application due

January 5th - 13th

Ohio P.A.C.E.R. Stallion Auction

Online bidding opens January 5th
at wedoauctions.net/ohha

Call in bids available Saturday, January 13th
1-800-353-6442 or 614-221-3650

January 12th

OHHA 1st Quarter Board Meeting 1:00 p.m.
OHHA members are always encouraged to
attend Board meetings.

January 13th

OHHA Annual Awards Banquet,
USTA District 1 Meeting and
OHHA Annual Membership Meeting

To book a hotel room, our link to
DoubleTree's site is on the OHHA website
www.ohha.com/annualmeetingandbanquet
or call 614-885-3334 and give Ohio Harness
Horsemen's Association as group name and
OHH as group code.

All events held January 12th - 13th will be at
DoubleTree Hotel- Columbus Worthington
175 Hutchinson Avenue
Columbus, Ohio 43235

January 15th

Deadline for ads for February issue of
The Buckeye Harness Horseman

January 12th - 13th

Blooded Horse Sales Co. - Delaware, OH

Thank You to our 2017 P.A.C.E.R. Contributors OHHA Pacesetters

as of 11/28/17 (in alphabetical order)

| | | | |
|-----------------------------|-----------------------------|---------------------------|---------------------------|
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P.A.C.E.R. Ohio horse racing received great support from Governor Kasich and Ohio legislators with the enactment of House Bill #386 (HB386). Help support those legislators who support us. Donate by sending a personal check, LLC check* or money order to:

P.A.C.E.R. | Ohio Harness Horsemen's Association | 2237 Sonora Dr. | Grove City, OH 43213

Include employer information and type of business.

All P.A.C.E.R. donations go to a candidate's campaign funds.

The OHHA offices receive calls every week from state legislators asking for campaign donations as they attempt to raise campaign financing throughout the year. Thank you to everyone who has donated! *Corporate checks are not acceptable for PAC donations. LLC checks only are acceptable for PAC donations.

From Your Executive Director, Renée Mancino



Medication and Testing, the Query Continues.

The OHHA has provided testimony on several important medication and testing initiatives under review and pending in Ohio. The query continues in the coming months with the Ohio State Racing Commission investigating all aspects of Medication and Testing. Attached is testimony provided to the Racing Commission September 26, 2017.

When promulgating a rule in Ohio, Administrative Agencies must have a legitimate governmental interest for proposing the rule and provide a summary of costs to the directly affected people the rule would apply to. In the context of additional or stricter medication and testing rules the underlying goal is to maintain public confidence in wagering, ensure the integrity of racing, and protect the health and welfare of racehorses. If the rules have an adverse impact on business, that the rules' regulatory intent must justify their adverse impact on business as demonstrated through the business impact analysis submitted to the Common-Sense Initiative (CSI) office and the CSI office's recommendations. Rule changes and amendments should be geared to a rational purpose related to the legitimate government interest.

Standardbred Fatality Statistics and Medication and Testing Positive Test numbers for the last four years tend to support maintaining the status quo and continuing the same course with medication and testing based on science and the real world. The numbers don't justify the removal of therapeutic tools from the Veterinarian's toolbox like, Amicar, and Extracorporeal Shock Wave Therapy or justify the elimination of and longer out-times for therapeutic medications like equine-use approved Corticosteroids and Bronchodilators. If the system needs to be modified it should be refined accounting for Breed distinctions, durability, and racing styles between Standardbreds and Thoroughbreds. Factors otherwise don't warrant major changes or tweaking and the costs associated with those changes to the horsemen.

Factors in Favor of Maintaining the Status Quo Racehorse fatality statistics, Medication Positive Test numbers, the Racing Medication and Testing Consortium's research and threshold shortcomings as amplified in Kentucky Circuit Court Decision, Graham Motion v. KHRC CV. No. 16-CI-1195.

Standardbred Fatalities for the last nine years in Ohio have been an average of .009% and .212% respectively, that is less than one-thousandth of one percent on the standardbred side and less than two-tenths of one percent on the thoroughbred side of racing. And the last three years has Ohio seen an expansion of reporting fatalities on the Standardbred side to mimic the Thoroughbred Jockey Club's database reporting of any racing or training related fatality.

| Year | SB Starts | SB Deaths | % per Start | TB Starts | TB Deaths | % per Start |
|----------------|-----------|-----------|---------------|-----------|-----------|---------------|
| 2016 | 58,097 | 5 | 0.009% | 18,617 | 41 | 0.220% |
| 2015 | 55,415 | 7 | 0.013% | 18,511 | 29 | 0.157% |
| 2014 | 50,054 | 7 | 0.014% | 17,541 | 40 | 0.228% |
| 2013 | 41,070 | 4 | 0.010% | 15,386 | 42 | 0.273% |
| 2012 | 38,076 | 2 | 0.005% | 17,706 | 38 | 0.215% |
| 2011 | 37,492 | 3 | 0.008% | 18,966 | 40 | 0.211% |
| 2010 | 39,842 | 1 | 0.003% | 20,612 | 49 | 0.238% |
| 2009 | 42,238 | 5 | 0.012% | 21,555 | 33 | 0.153% |
| Average | | | <u>0.009%</u> | | | <u>0.212%</u> |

Medication Positive tests in Ohio have decreased year over year for the last four years despite a dramatic increase in the total number of races conducted and the increased sensitivity and scope of the testing that is occurring in Ohio. The Ohio Department of Agriculture's testing lab can test for a substance present in picograms per milliliter, which equates to one-trillionth of a gram. A gram is about 1/30 of an ounce. At this level of detection is there a performance enhancement effect resulting from that substance. With diphenhydramine (Benadryl) administration in a dog recommended at 1mg/lb. every 8-12 hours to get the desired relief from an allergen, a horse dosage would be 1,000 mg/lb. What effect does detection of one-trillionth of a gram of any substance in a horse have on performance? Likely none.

Seven years ago, 2010 saw the highest number of positive tests with 1% of race tests drawn coming up positive. For the last seven years the number of positive tests has been in decline to an all-time low of .38% or 1-out-of-924 starts resulting in a positive test in 2016. And 2016 had 3,466 more test samples taken than 2015.

As a matter of fact, these numbers correlate with the increase as a direct result of the VLT enhanced purses. From 2013 (Eldorado Scioto first coin-in) forward the numbers average almost half of what they were prior to 2012. The truth of the matter appears more to be in conjunction with racing for more money the combined total positive tests have been in decline. That fact would lend itself to the conclusion that horsemen would rather make money racing horses than sitting on the sidelines due to a positive test.

| Year | Total Samples | SB Positive Result | SB % | TB Total Samples | TB Positive Result | TB % | Combined Total % |
|------|---------------|--------------------|-------|------------------|--------------------|-------|------------------|
| 2016 | 16,836 | 48 | 0.28% | 4,797 | 35 | 0.72% | 0.38% |

| Year | Combined Total SB & TB Starts | Total SB & TB Samples Taken | Total Combined Positive Tests | Combined Total % Positives | Percentage Per Start | Starts Per Positive Test |
|------|-------------------------------|-----------------------------|-------------------------------|----------------------------|----------------------|--------------------------|
| 2016 | 76,714 | 21,633 | 83 | 0.38% | 0.108% | 924 |
| 2015 | 73,926 | 18,167 | 104 | 0.49% | 0.141% | 711 |
| 2014 | 67,595 | 21,145 | 112 | 0.53% | 0.166% | 604 |
| 2013 | 56,456 | 14,333 | 76 | 0.53% | 0.135% | 743 |
| 2012 | 55,782 | 14,128 | 130 | 0.90% | 0.233% | 429 |
| 2011 | 56,458 | 15,012 | 134 | 0.89% | 0.237% | 421 |
| 2010 | 60,454 | 16,445 | 179 | 1.03% | 0.296% | 338 |
| 2009 | 63,793 | 17,492 | 102 | 0.58% | 0.160% | 625 |

Graham Motion v. Kentucky Racing Commission

Graham Motion's argument was the state's absolute insurer rule is unconstitutional because it should be limited to instances where affirmative action has occurred to place the substance in the horse. The petitioners argued that a 2.9 ng/ml level of methocarbamol in a horse's system (KY has a 1.0 ng.ml. threshold) merely indicates environmental contamination. Judge Wingate questioned Kentucky's adoption of threshold guidelines crafted by the Racing Medication and Testing Consortium and found the state's "absolute insurer rule," which places ultimate responsibility for what's in a horse's system on race day on the trainer, to be unconstitutional. "[E]vidence petitioners supplied to the record suggests that the RMTTC board members who made the advised drug schedule considered additional, unscientific factors outside of scientific suitability of the regulation." Clarifying that the methocarbamol penalties are not viable

because they are not based on science and the absolute-insurer rule is not constitutional as currently handled in almost all racing jurisdictions. Judge Wingate specifically held, “To disallow a trainer to safeguard his license, a trainer must receive due process to be heard on the propriety of his action to challenge liability for a dosing violation.”

Proposed New Rule: 3769-18-13 Extracorporeal Shock Wave Therapy.

Proposed 3769-18-13(A)(1) prohibits racing or qualifying for 10-days following treatment. The permitted use only 10 days outside of racing or qualifying would require Standardbred racehorses to be taken out of their typical five-day racing schedule if treatment occurred. In addition to the time restriction it is unclear whether the regulation is intended to apply from the date of treatment to the racing date or the date of entry to race. With the standard three-day or five-day box from entry to race day that would make a significant difference and may result in a horse being removed from competition for two weeks for treatment resulting in an economic impact to the Owner and Trainer of that racehorse.

Speaking specifically to Extracorporeal Shock Wave Therapy, a 10-day prohibition period modeled after the Association of Racing Commissioner’s proposed model rule is much stricter and more restrictive than many other equine organizations and regulators have enacted whether it be national or international.

A “Shock Wave” is an acoustic (pressure) wave applied to tissue. You can generate them in several ways, **electrohydraulic** (vaporizing fluid across a spark gap), **piezoelectric** (crystal expansion), or **electromagnetic** (pushing a membrane with an opposite electrical current). All three delivery methods use pressure to localize the energy in that acoustic wave and aim at a specific point in something, like tissue. Originally used in orthopedic medicine (heel spurs, tennis elbow) one of the first human studies showed that bone density within a pelvis increased upon application of ESW. Although this was the result the therapeutic mechanism isn’t clearly understood. The most common thought is a response occurs on the cellular level when the physical shock wave stimulates the cell. Studies since have been conducted in vivo and have shown healing of non-unions in bone and bone-tendon junctions. Data from bone healing studies has shown a lot of promise

for bone healing as in the case of fractures, however studies have lagged. In studies that have been done (bone spavin, dorsal cortical fractures) the methodology has been difficult to work out by application area. Another studied area is with suspensory ligament damage. One thing is clear, there is a therapeutic use even-if that use isn’t well understood.

Unfortunately, the healing potential of ESW has been foreshadowed by the analgesic effect that occurs in conjunction with treatment. A Grayson Foundation funded study at Iowa State University set the standard with the analgesic effect reported at an average of four days. Subsequent studies have shown an analgesic effect for 8 to 48 hours after application depending on application, delivery, and area effected. It is for this reason that medication and testing standards have been put in place that vary in effect from 3 days to 10 days.

In Thoroughbreds, which tend to be a more delicate breed than Standardbreds it might stand to reason that horses should be treated with a longer time-frame from application to racing. In conjunction with the breed difference on therapeutic maintenance and breakdowns the thoroughbred racing style is also conducive to a longer waiting period after treatment. With thoroughbreds a 10-day treatment period won’t impact many thoroughbreds who race an average of once a month, standardbreds however will have to be removed from competition to be treated with a mandatory 10-day prohibition.

It is the propensity for catastrophic breakdown that has resulted in many international organizations setting a much shorter out-time limit than the maximum seen analgesic effect limit of 10 days. In those breed industries where breakdowns are analogous to Standardbred racing’s statistics the regulatory organizations have set more realistic guidelines.

Alcohol and Gaming Commission of Ontario (AGO) 2016 Rules of Standardbred Racing, 6.52. The use of Extracorporeal Shock Wave Therapy or Radial Pulse Wave Therapy shall not be permitted on any racehorse unless the following conditions are met: (a) the treatment took place a minimum of 4 days (96 hours) prior to competing in a race.

Equestrian Canada (EC) is the national governing body for equestrian sport, horse welfare, and industry in Canada with 18,000

sport license holders, 90,000 registered participants, 12 provincial/territorial sport organization partners and 10+ national equine affiliate organizations. They represent Driving, Dressage, Endurance, Eventing, General Performance, Jumping, Para-Equestrian, Reining, and Vaulting disciplines. Equestrian Canada Equine Medication and Control Committee.

EC Equine Medication Control Guide, Shockwave Therapy, Article A517.3 Cruelty, Abuse or Inhumane Treatment of Horses (EC General Regulations Section A) (www.equestrian.ca). Shockwave therapy is a very useful treatment; however, it also produces analgesia of an area from between three and four days. Any horse that receives shockwave therapy is not eligible to compete for 96 hours. Shockwave therapy can only be administered on competition grounds by a veterinarian and a Shockwave form must be filled out, signed and given to an officiating Steward or to the Competition Organizer. The penalty for competing within 96 hours is immediate suspension of the horse from that competition, return of all awards received and a yellow card.

United States Equestrian Federation (USEF) US Equestrian trains, selects, and funds the United States Equestrian Team (including the Olympic Team), and license equestrian competitions of all levels across the United States. The Equine Drugs and Medications Program has worked to protect the welfare of equine athletes and ensure the balance of competition for nearly 40 years. The Equine Drug Testing and Research Laboratory (EDTRL) was established in 1995 by the Equine Drugs and Medications Program and currently conducts all sample analysis for USEF and FEI samples collected in the United States. Only one of five labs worldwide that is an FEI Reference Laboratory, and the only one in the western hemisphere.

GR 414 Prohibited Practice, 4. Concerns in racing focus around the analgesic effect provided by extracorporeal shockwave therapy, and it’s potential to place a horse at risk for catastrophic failure and further injury or death. The USEF Veterinary Committee has recommended a 3-day withdrawal from competition following extracorporeal shockwave therapy. Veterinary Committee agrees that no horse should be exposed to shockwave and then compete within 3 days based on current

science and expert opinion. Shockwave Therapy may be administered by a licensed veterinarian within the 3-day prohibited period, but no closer than 12 hours prior to competing. No Shockwave Therapy is permitted within 12 hours prior to competing.

Fédération Equestre Internationale (FEI) Headquartered in Lausanne, Switzerland, FEI is the world governing body for equestrian sports. FEI ensures that all events are conducted in a fair, consistent manner and the welfare of the athletes is protected. Disciplines overseen include, Jumping, Dressage, Para-Equestrian Dressage, Eventing, Driving, Endurance, Reining, Vaulting. The Veterinary Division oversees the Equine Anti-Doping and Controlled Medication program policy and management. The FEI's Clean Sport initiative provides a detailed approach to clean sports as well as incorporating World Anti-Doping Authority (WADA) principles.

FEI 2017 Veterinary Regulations, Article 1053 Other Therapies, 2. Shock Wave therapy (i.e. Extracorporeal Shockwave, ESWT) is not permitted during the Period of the Event, nor in the 5 days prior to the start of the Period of the Event.

The overriding concern is integrity of racing and health and safety of racehorses. Racehorse fatality statistics have held static for Standardbreds for the last nine years with a total of 34 fatalities or overall average of .009% in Ohio. Medication Positive Test numbers for 2016 saw the lowest numbers posted in nine years at .38% or 1-out-of-924 starts, noting that therapeutic overages for Class 4 regulated therapeutics like Bute or Banamine make up a sizable portion of those and Ohio has no environmental contaminant thresholds excluding their inclusion as false-positives. The Racing Medication and Testing Consortium's research and threshold shortcomings as amplified in Kentucky Circuit Court Decision, *Graham Motion v. KHRC CV. No. 16-CI-1195*, which held no scientific evidence as the basis for the underlying medication regulations and the absolute responsibility rule unconstitutional. These factors obviate the need for widespread and sweeping changes and against the adoption of the ARCI Model Rules and Penalty Guidelines in Ohio. The Horsemen in Ohio are proponents of common sense and reasonable regulations related to a reasonable governmental interest, which do not cause an adverse business impact to their equine businesses.

Horsemen Give Back

by Regina Mayhugh

Horsemen are a very generous group of people and they are always willing to help someone in need. Several horsemen (and women) collected almost 100 coats, hats, gloves and scarves that were presented to St. Vincent De Paul of Dayton (SVDP) at Dayton Raceway on November 17th, following the fourth race. Ken Terpenning and Teri Mt Pleasant both managed the event and worked hard to spread the word about the opportunity to give to others.

Kristina Heaton, Director of Development with St. Vincent De Paul of Dayton, attended the races and accepted the contribution on behalf of SVDP. She was excited about the donation and shared that St. Vincent is currently housing hundreds of folks that can benefit from the generosity. Heaton was a first-time attendee of harness racing and learned a little about the industry as she was given a paddock tour and starting gate ride as well. Special thank you goes out to Terpenning and Mt Pleasant for organizing the event, to the Dayton race office staff, Brett Merkle and to all who donated and helped create such a special event!

Next on the schedule in Dayton is the annual Drivers' Challenge. That night the drivers will be presenting a donation to the Dayton Fire Department Local 136 to distribute toys and Christmas gifts to children. Brett Merkle shares that there is another charity event being planned for a later date as well.

During the Annual OHHA Banquet in January will be another giving opportunity. This year the ladies who attend the annual First Lady's Luncheon will be decorating and filling gift bags that will be



donated to Haven House of Pickaway County, a domestic violence and homeless shelter in Circleville, Ohio. A representative from the shelter will also attend the luncheon to share about the organization. A table will be set up in the atrium and banquet attendees are invited to donate items. Items that the shelter is always in need of include: umbrellas, warm socks, cough drops, anti-bacterial wipes, hand sanitizer, antibacterial hand soap, Lysol spray, children's cough syrup, lotion, cold and flu medicine for adults and chap stick.

Horsemen have always been generous and are always spreading the love to those who are in need whenever the opportunity presents itself. Thank you everyone as you reach out to help others! Have a wonderful holiday season and continue to share the joy of giving throughout the upcoming year!

OHHA Sends Condolences to the friends and families of Betty Martindale, Dr. Jack Swagler and Amy Wildman.

Full obituaries can be found on the OHHA website www.ohha.com/obituaries.



P.A.C.E.R. Stallion Service Auction Returns

The OHHA will be offering the Stallion Service Auction again this year in conjunction with the OHHA Annual Awards Banquet. Funds raised through this event are distributed to P.A.C.E.R. (Political Action Committee for Equine Racing).

The auction will be available online again starting January 5th on the website wedoauctions.net/ohha. Bidding through the website is highly recommended. The website bidding will be available once the site goes live until close of the auction at 5:00 p.m. on Saturday, January 13, 2017.

Live bidding via telephone will also be available on Saturday, January 13th from 10:00 a.m. - 5:00 p.m. The phone numbers for bidding are 1-800-353-6442 or 614-221-3650.

Bidding Rules For Stallions

- Horsemen may bid on an unlimited number of stallions, with a \$50 minimum raise.
- All bids are confidential, and bidders are responsible to raise their bids either online or via phone.
- The winning bidder must make a deposit for 10% of the bid, with \$100 minimum. Make all checks payable to P.A.C.E.R. If a check is not received at the OHHA office by Monday, January 22, 2018 the credit card that you have on file will be charged the 10% deposit.
- The balance (90%) is due upon the birth of a live foal.
- All contracts are subject to P.A.C.E.R. and farm approval and are not transferable to another mare or individual.
- Failure to present your mare to the stallion without justifiable cause will result in forfeit of entire deposit.
- If there is no live foal, the deposit, less \$25, will be

refunded upon receipt of a veterinarian certificate, or the deposit may be donated to P.A.C.E.R.

- There is no return privilege.
- No ownership change on a mare is permitted until service is paid unless a statement from a licensed veterinarian declaring the mare not in foal is provided to P.A.C.E.R.

Driver Cutouts

Remember the driver cut outs at the Delaware County Fair? They can be yours! They will be added to the auction as well! Don't miss your chance to own one of these fellows!

Bidding Rules for Driver Cutouts

- You may bid on an unlimited number of drivers, with a \$5 minimum raise.
- All bids are confidential, and bidders are responsible to raise their bids either online or via phone.
- The winning bidder must pay for their driver with a credit card that is on file at the auction site.
- If your driver needs to be shipped, we will make every effort to ship him via friends. If he actually has to ship commercially, you will be responsible for the shipping fees

Did you know anyone can participate in the auction? That's one of the benefits of online bidding, is anyone can bid during the times it is open! So share the link wedoauctions.net/ohha! More information will be posted in the January issue of OHHA News as well as on the OHHA website once stallion information is confirmed. Happy Bidding!

Track News

Dear OHHA Members,

We at Miami Valley Gaming & Racing extend you the warmest of holiday greetings as you enjoy precious moments with family and friends.

Know the team at Miami Valley anxiously awaits your arrival to what is becoming one of harness racing's premier winter meets. We congratulate the horsemen on the growth in purses and the overall success of the racing program over the years at Miami Valley Raceway.

Understanding the labor of love of a horseman is not easy, know we truly appreciate the support you and the OHHA show Miami

Valley. We are pleased to be known as the state's most "Ohio friendly" racetrack supported by the Ohio preference system in place for this year.

We wish you continued success as 2018 sets up to be another exciting racing season.

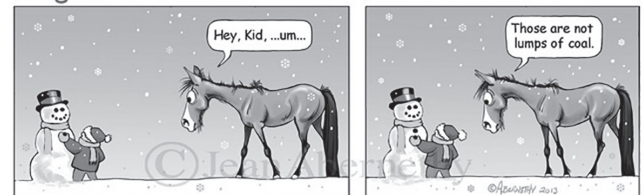
For those of you who know Rose Mary Wainscott in the race office, wish her luck as she is a candidate for Miami Valley's Associate of the Year Award.

Miami Valley welcomes the Ohio horsemen as we go post ward beginning January 5th.

See you at the races,

The Miami Valley
Gaming & Racing Team

Fergus by JEAN ABERNETHY



"Somehow, Sam . . . that doesn't seem like the proper way to introduce a yearling to racing equipment!"

Ohio Racing Commission Meeting Recaps-

Regularly scheduled Racing Commission Meeting recap from Wednesday, August 29, 2017 at the Columbus Riffe Center.

In normal business for the Commission the Executive Director's Approval items for ratification were introduced. No documents relative to the approvals were provided or disclosed to those in attendance. There was no discussion on the items provided to the Commissioners. The Racing Commission unanimously ratified the Executive Director's Approval items.

The Executive Director's Report included Hollywood Gaming at Dayton, Hollywood Gaming at Mahoning Valley, and Delaware County Agricultural Society items. No documents relative to the approvals were provided to those in attendance. The Agenda items included Waiver of Surety Bond, List of Officials, Number of Races and Wagering Format, Post Times, Simulcasting Schedule, and Letter to the Fire Marshall for the pari-mutuel racetracks. No discussion relative to the requests, the Racing Commission unanimously approved the submissions. On Delaware County Fair the agenda items were 2017 Futures wagering on the Little Brown Jug, Export Simulcasting for September 19-21, 11:00 a.m. two-day detention for the Little Brown Jug and Juliette, waiver of Rule 3769-15-31(b)(2) to apply the "preference rule", and request for approval of the wagering format. After a brief discussion of the items including OHHA approval on export simulcasting and the Racing Commission unanimously approved the submissions.

On the agenda item for the **Harness Horsemen's Health and Retirement Program** ratification of appointed Trustee Hugh "Sandy" Beatty Jr. nominated January 21, 2017 with ratification requested February 2017 by letter. The Racing Commission provided commentary that they were not inclined to ratifying the appointment without receiving the HHRP's independent audit, which was previously requested. Discussion concerning the Racing Commission having the authority to request the audits and the facts that HHRP had turned over the Financial Form 990 on February 16, 2017 in addition to an HHRP Trustee appearing in May 2017 with a copy of the Audit for a private meeting with the Chairman and a Commissioner to review in person. The Racing Commission did not see the compromises engaged in as adequate, they wanted a physical copy to include in their files, which the Corporation was opposed to for several reasons. Among them was making the Audits a matter of public record if full copies were turned over to their possession. The Racing Commission tabled the issue for consideration at September's Commission meeting.

The Racing Commission unanimously passed **Resolution 2017-04 the distribution of casino tax revenue**. Based on the total revenue of \$2,041,473.69 for the second quarter of 2017 the breakdown was

30.04% to the Thoroughbred purse pools and Ohio Thoroughbred Race Fund based on 2,361 races and 49.96% to the Standardbred purse pools and Standardbred Development Fund calculated on 6,624 total races. For Standardbred racetrack purse pools that included: Miami Valley Raceway at 5.65% for \$115,276.80, Northfield Park at 15.43% for \$315,007.23, Dayton Raceway 4.47% for \$91,228.99, and Scioto Downs 5.42% for \$110,600.84. Also, included in the revenue disbursement were 15% distributions to each of the Standardbred permit holders for commercial operations of \$76,555.26 and a \$102,073.71 (5%) distribution to the Ohio State Racing Commission to pay administrative staff that support the OSDF and TRF, and costs or fees associated with, Miami Valley Gaming and Racing, Northfield Park, Belterra Park and Scioto Downs.

The Permit Holders provided details on 2018 Race Dates. Miami Valley Gaming requested 87 live racing days from January 7th to May 7, 2018. Northfield Park requested 220 live racing days January 1st to December 31, 2018. Hollywood at Dayton requested 75 live racing days September 10th to December 29, 2018. Scioto Downs requested 90 live racing days May 8th to September 9, 2018. R.C. 3769.089(B)(2) sets forth minimum live race day requirements based upon yearly gross VLT revenue calculations. Those calculations for 2015 result in a minimum live day requirement for Northfield Park of 125 live days, Scioto Downs for 125 live days, Miami Valley for 100 live days, and Hollywood at Dayton, 75 days with the potential to be 100 days depending on their final actual gross VLT revenue number. The Racing Commission made it clear that they were mandating no date overlap in the southern half of the state between the Hollywood at Dayton, Miami Valley, and Scioto Downs live schedules. The Racing Commission further required consecutive running of meets at those same locations. Due to these mandates Miami Valley and Scioto Downs had to enter into Two-Party Agreements with the Ohio Harness Horsemen's Association to permit the reduction of those mandatory live race days below the statutory required minimum and Dayton Raceway would have to do the same if their gross revenue mandated 100 live racing days. The Racing Commission unanimously approved Northfield Park, Mahoning Valley, and Belterra's applications with those that needed two party agreements being held over to September's Commission meeting.

There was no monthly status update on Permit Holder and Horsemen's Agreement Negotiations between Belterra Park and the Ohio Horsemen's Benevolent and Protective Association (OHBA).

Eldorado Scioto Downs Grandstand issues was on the agenda for discussion. Stacy Cahill, General Manager of Racing Operations, and Bill Gustafson Vice President and General Manager of Eldorado

Scioto Downs appeared to discuss the current state of the situation. A week before the season opened they received a report that substantial repairs were necessary on the roof façade. Since that time, they have received two recommendations from engineering firms to take down the entire structure. The summer meet has progressed and they are currently in the exploratory phase of deciding what to do at the property. Assistant GM Cahill explained that they currently have a grandstand capacity of 3,000, clubhouse capacity of 540 and roughly 300 that can be seated in the patio area. The Chairman inquired as-to what they are planning and opined he would like to see covered seating. Commissioner Winters commented that he, "would hate to see this go beyond two seasons". Commissioner Book was concerned about seating and wanted calculations to be commensurate with other newly constructed facilities. Mr. Gustafson commented that the intent was to do the right thing to position the company for the future, they want to put something out there that will, "make the citizens of Ohio proud", but that they were still in the process of deciding what that would be as a master plan. Likely to be a multi-million-dollar proposition they were taking their time discussing it at the corporate level and would update the Commission when they had a course of action.

The Racing Commission's Consulting Veterinarian, Dr. Robertson provided the details on the **horse racing related catastrophic fatalities for 2017**. For the month of July and August there were 10 and 6 catastrophic Thoroughbred fatalities and 1 Standardbred fatality. The 2017 year-to-date totals being 30 Thoroughbred and 4 Standardbred fatalities whether racing or training. Dr. Robertson commented that there was no common thread in the thoroughbred fatalities and to try to attribute it to one factor would be inappropriate. It was noted that Ohio thoroughbred fatalities are below the national average.

The **OSRC Financial Report** was provided with the monthly totals for the end of the Biennium putting the OSRC \$345,000 up or 32% over Fiscal Year 2016. Overall revenue is up 6% for the next biennial budget reporting period. Expense are down with timing of invoices credited with reducing reported expenses.

An **Out-of-Competition** discussion was held. The OHHA provided written comments (included in the Buckeye Harness Horsemen's September 2017 Issue). The Ohio HBPA comments were brief and addressed the underlying Association of Racing Commissioner's International (ARCI) Model Rule being used and the appropriateness of passage at the State level when the ARCI was still struggling with implementation of a final Rule due to the many issues at play. With the uncertainty of the Model Rule consideration of a formal proposal

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now is premature and the Racing Commission tabled the discussion until the September 26th Medication and Testing Forum could be held.

In the matter of the **Financial Judgments**, Chris Short had three Judgement claims presented, cases 2017-4, 2017-8, and 2017-17. Mr. Short did not appear and no one appeared on his behalf. The judgment creditors in cases 2017-8 and 2017-14 appeared. Claim 2017-8 was a Judgement from Warren County Agricultural Society of which \$7,780 was outstanding. Judgement 2017-14 was a Judgement for Board and Breeding Fees with Hagemeyer Farms from April 2016 with \$2,122 remaining on a Judgement that had some payment applied towards the original total, but that was still outstanding to date. 2017-17 was a Judgement claim by Mr. Short's former owner, Michael Puff, which Executive Director Crawford represented was no longer on the agenda because to his knowledge it had been satisfied. Based on the discussion among the Racing Commission and Witnesses that appeared to discuss 2017-4 and 2017-8 the Racing Commission recommended and unanimously approved suspension of Mr. Short's licenses on September 15, 2017 if the judgments remaining were not satisfied in full prior to that date.

The Racing Commission adjourned into Executive Session to discuss employment hiring, and employee-related compensation. Upon the conclusion of the Executive Session there would be no further business so the Motion and Vote was taken to adjourn into Executive Session and conclude the meeting.

For a transcript of the meeting contact the State Racing Commission.

Regularly scheduled Racing Commission Meeting recap from Tuesday, September 26, 2017 at the Columbus Riffe Center.

In normal business for the Commission the Executive Director's Approval items for ratification were introduced. No documents relative to the approvals were provided or disclosed to those in attendance. There was no discussion on the items provided to the Commissioners. The Racing Commission unanimously ratified the Executive Director's Approval items.

The Permit Holders provided details on 2018 Race Dates. Miami Valley Gaming requested 87 live racing days from January 7th to May 7, 2018. Northfield Park requested 220 live racing days January 1st to December 31, 2018. Hollywood at Dayton requested 75 live racing days September 10, 2018 to December 29, 2018. Scioto Downs requested 90 live racing days May 8, 2017 to September 9, 2018. R.C. 3769.089(B) (2) sets forth minimum live race day requirements based upon yearly gross VLT revenue calculations. Those

calculations for 2015 result in a minimum live day requirement for Northfield Park of 125 live days, Scioto Downs for 125 live days, Miami Valley for 100 live days, and Hollywood at Dayton, 75 days with the potential to be 100 days depending on their final actual gross VLT revenue number. Hollywood Gaming at Dayton Raceway was held over from August's meeting. The Racing Commission provided commentary that estimates Hollywood Gaming at Dayton would fall short of the revenue number to require 100 days by approximately \$200,000. They also made it clear that they were mandating no overlap in the southern half of the state between the Hollywood at Dayton, Miami Valley, and Scioto Downs live schedules, so if Hollywood Gaming at Dayton's gross exceeded the amount necessary to go to 100 live racing days the schedule would have to be truncated by Agreement. Miami Valley and Scioto Downs had entered into Two-Party Agreements with the Ohio Harness Horsemen's Association to permit the reduction of those mandatory live race days below the statutory required minimum and Dayton Raceway would have to do the same if their gross revenue mandated 100 live racing days. The Racing Commission unanimously approved Miami Valley and Scioto Downs dates for 2018, temporarily approving Dayton for 75 days depending upon their final gross VLT revenue numbers. The issue will be revisited depending upon the final number for the year.

There was no monthly status update on Permit Holder and Horsemen's Agreement Negotiations between Belterra Park and the Ohio Horsemen's Benevolent and Protective Association (OHBPAA).

Agenda item for the **Harness Horsemen's Health and Retirement Program** ratification of appointed Trustee Hugh "Sandy" Beatty Jr. held over from the August 2017 meeting. Discussion was held among the Commissioners with the Chairman asking each if they had received a copy of the audit for their files. The Chairman then provided commentary that they still had not received a physical copy of the HHHRP's Audit to keep in their files. The Chairman requested a vote, which was taken denying ratification of the HHHRP Trustee with no additional comment or discussion.

The Racing Commission's Consulting Veterinarian, Dr. Robertson provided the details on the **horse racing related catastrophic fatalities for 2017**. For the month of August 2 catastrophic Thoroughbred fatalities and 1 Standardbred fatality. The 2017 year-to-date totals being 32 Thoroughbred and 5 Standardbred fatalities whether racing or training.

The **OSRC Financial Report** was provided with a 3% overall increase so far over the start of Fiscal Year 2017, aided by Casino Revenue up 4%. Tax Revenue was down 4% and other expense are down 13% to date over last year. The expenses will reverse the trend with

September's report when the Department of Agriculture's invoice is due. The Racing Commission's Operating Fund increased in value to \$2,000,000. There is a meeting scheduled later today to discuss the Department of Agriculture's 2018 proposed cost projection for medication and testing with costs expected to increase 28%, which is in addition to the 20% increase seen for 2017's medication and testing. The Department of Agriculture has agreed to discuss the cost increase; however, they would be shifting that increase in costs to the horsemen. The Chairman said he was putting the horsemen on Notice that the increase in costs regardless of negotiation would be shifted to the horsemen.

In the Matter of Curtis Rice 2017-13, the Commission discussed an April 19, 2017 incident whereby a random racetrack search of Mr. Rice turned up syringes in his pocket and in a tack room he was occupying, but the tack room was rumored to have been someone else's tack room. For ratification was a settlement agreement entered into between Mr. Rice and the Racing Commission Mr. Rice has agreed to a settlement with the Ohio State Racing Commission with a one-hundred-and-fifty-day suspension and a fine of five hundred dollars to be paid to the Commission by February 27, 2018. Mr. Rice is barred from all tracks governed by the OSRC during his suspension. Any horses under Mr. Rice's care that he wants to transfer must be approved by the judges or the OSRC.

The Racing Commission continued investigation on medication and testing in Ohio and received testimony opinion on the adoption (or not) of uniform RMTC and ARCI backed model rules. Dr. Dan Wilson, racetrack veterinarian with Lake Equine Associates, full-time consummate practitioner primarily servicing Northfield Park from 1975 to date, and Dr. John Reichert, with Woodland Run, licensed in eleven states is one of the most prolific backstretch veterinarians on the southern circuit, his primary practice, includes Scioto Downs, Miami Valley, and Dayton Raceway. Both Veterinarians appeared again as representatives for the Standardbred Racing Industry.

Both testified on the efficacy of being able to use all the tools in their therapeutic repertoire and the practical uses that go to the health, safety and welfare of the horse. Drs. Wilson and Reichert both opined as-to the need for separate Standardbred, Thoroughbred threshold levels for specific therapeutic medications. As currently promulgated the RMTC rules unfairly penalize Standardbreds and jeopardize their health, safety, and welfare. Dr. Reichert explained that corticosteroids are often confused with anabolic steroids, which were problematic in professional baseball. Corticosteroids are a misunderstood therapeutic tool and with judicious use in equine athletes, corticosteroids prolong the athletic career and life quality of the racehorse, and are a

necessary tool for the health and welfare of racehorses.

They also highlighted that the proposed RMTC and ARCI rules would eliminate the use of Clenbuterol for inflammatory airway disease (essentially asthma) within 14 days of racing, and prevent the use of Cortisones for joint therapy in their therapeutically approved uses.

Double-gaited Standardbred and Thoroughbred veterinarian Dr. Scott Shell appeared, principal veterinarian with Shell Equine Services in Chagrin Falls providing full service from his private practice primarily to Thistledown and Northfield Park. Dr. Shell passionately discussed the use of therapeutics and the importance of not losing those that are necessary for the protection of the health, safety, and welfare of Ohio's racehorses. Dr. Shell's comments were specifically tailored to corticosteroids and their efficacy, Amicar's benefits, and environmental contamination. It was clear that the preference was to enable practicing veterinarians to treat their equine patients with manufacturer's recommended dosages and understand what challenges lie in practice with environmental contamination.

Dr. Clara Fenger, research-centric practicing DVM, PhD, DACVIM, with an additional Master's Degree from Ohio State in the field of Equine Exercise Physiology (making her an expert in the field) appeared to provide the nuts and bolts of the research as applied to the RMTC and ARCI model rules. She also provided specific testimony on the efficacy of the ARCI therapeutic list of 24 medications, corticosteroid research, bronchodilator use, environmental contamination, and issues of performance enhancement versus detection. Opposed to following RMTC threshold levels implemented using a 95/95 statistical method she opined that, "leaves 5% of the population at risk of violating the threshold, instead the threshold should be set based upon the most appropriate use for that medication".

Dr. Thomas Tobin, MVB, MSc, PhD, MRCVS, DABT eminent industry research scientist with the University of Kentucky discussed the underlying science. A prolific expert on qualitative and quantitative analysis the focus of Dr. Tobin's testimony was on RMTC thresholds, the efficacy of the underlying research, those standards, and the reliability of the ARCI published model rules. Also included was information on environmental contamination, he opined, "there

is no such thing as a zero tolerance, scientists merely test the accuracy of their machinery being used to test, testing has gotten much more precise and the scope of what can be detected is at unprecedented levels." A proponent of screening thresholds Dr. Tobin concluded that screening thresholds are something you set and then use trial and error to refine going forward in the real world with industry input from the State's practicing veterinarians, research scientists, and testing lab.

Dr. Alicia L. Bertone DVM, PhD Diplomate ACVS, ACVSMR, Trueman Chair in Equine Clinical Medicine and Surgery Department of Veterinary Clinical Sciences at the Ohio State University. Dr. Bertone discussed current research with corticosteroids and a lot of stakeholders and individuals with an opinion that necessitated a, "reasonable, practical approach of what should be done and what is in the best interest of the horse". She analogized the current state of the therapeutic application in racehorses to her being given half an Advil when she has a headache.

All the veterinarians requested the creation of a common-sense model rule to address the horse's health and well-being as well as protecting the betting public. A common-sense rule that addressed physiological breed differences, environmental contamination issues, and zero tolerance policies, with reliable thresholds and recommended out-times. They requested a rule that was constantly monitored and modified with industry participation and input to handle emergent therapeutic medications. All are necessary for practicing veterinarians to address the health and well-being

of racehorses by properly treating common medical ailments, while protecting the participants, and ensuring integrity for the betting public.

The OHHA and HBPA provided closing comments (OHHA formal written comments in the Newsletter) on maintaining the status quo with some tweaks. Specifically, regarding environmental contamination and the new testing and regulation on Extracorporeal Shock Wave Therapy. Standardbred Racehorse fatality statistics (last nine years combined 34 fatalities or overall average of .009%), Ohio Medication Positive Test numbers (last year was the lowest rate of positive tests for the last nine years at .38% or 1-out-of 924 starts), the Racing Medication and Testing Consortium's research and threshold shortcomings as amplified in the Graham Motion Kentucky Circuit Court Decision all obviate the need for widespread and sweeping changes and against the adoption of the ARCI Model Rules and Penalty Guidelines in Ohio.

The Racing Commission adjourned into Executive Session to discuss employment hiring, and employee-related compensation. Upon the conclusion of the Executive Session there would be no further business so the Motion and Vote was taken to adjourn into Executive Session and conclude the meeting.

For a transcript of the meeting contact the State Racing Commission. The next scheduled Racing Commission meeting date is Friday, October 27, 2017 at 10:00 am, Room 1948, Riffe Center, 77 S. High St., Columbus. This meeting will include a Medication Forum continuation.





Ohio Harness Horsemen's Association
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Did You Know Jingle Bells Has Ties To Harness Racing?

One of the most famous Christmas songs today was not originally written to be a Christmas song. In fact, it was recited at a Thanksgiving church service after it was written. Is Jingle Bells really just about a joyful sleigh ride, or is there more to the song?

Jingle Bells was written in 1857 by James L. Pierpont, a music director in a Unitarian church on Oglethorpe Square in Savannah, GA. Now how does a Georgia resident come up with a song about sleigh rides? Pierpont was originally from Massachusetts and it is believed this song stems from his memories of his youth when racing with a horse and sleigh was a popular fun adventure for young men and women during the winter months. It may have even been written in Massachusetts, this is still being debated.

In the early nineteenth century, harness racing was extremely popular and as the seasons changed, those who enjoyed racing earlier in the year were racing with sleighs in the winter months. Although any horse could pull a sleigh, one that could trot was even more favored. A horse could trot a mile in 2 minutes and 40 seconds was even more impressive! The bobtail reference to the song describes the trotter's tail. They would "bob" or dock the trotter's tail to keep it from entanglement while racing. The beat of the horse's trot was favored too as one could sing with the beat of the hoof. The mention of jingle bells is in reference to the fact that sleighs made no sound so jingle bells were used to alert that others were coming.

Jingle Bells has been composed a few times since Pierpont, but it really became a popular Christmas carol when Bing Crosby turned it into a hit in the 1940's. The song, that was not originally written as a Christmas song sure has become a cherished sound of the Christmas season. Who would have thought it was based from the speed and fun adventure of the youth in the 1850's! Add to the fun Jingle Bells has so many references to harness racing! Do you have your sleigh and trotter ready for a Christmas adventure?

Have some interesting harness racing historical information or photos you'd like to share? Send them to mayhugh@ohha.com.



Photo from website <https://unrememberedhistory.com>

Various Versions of the Jingle Bells Lyrics

from unrememberedhistory.com

Dashing through the snow
In a one-horse open sleigh
O'er the fields we go
Laughing all the way
Bells on bobtail ring
Making spirits bright
What fun it is to ride and sing
A sleighing song tonight!

In one unfamiliar verse, the rider and his guest, a woman friend named "Fanny Bright," get upended, or "upsot" (meaning capsized) by a skittish horse:

The horse was lean and lank
Misfortune seemed his lot
He got into a drifted bank
And then we got upsot.

In another verse, a similar mishap is ridiculed by a passerby:
A gent was riding by
In a one-horse open sleigh,
He laughed as there I
sprawling lie,
But quickly drove away.

The chorus is then sung similar to what we know it today:

Jingle bells, jingle bells,
Jingle all the way;
Oh! what joy it is to ride
In a one-horse open sleigh.

(The word Joy was eventually replaced by "fun" in later versions.)

The last verse references the races:

Just get a bobtailed bay
Two forty as his speed
Hitch him to an open sleigh
And crack! you'll take the lead.