

**THE JOCKEY CLUB
THOROUGHBRED SAFETY COMMITTEE
RECOMMENDATION**
August 12, 2012 (revised August 5, 2021)

Recommendation: Timing of Title Transfer with Claimed Horses

The Thoroughbred Safety Committee commends racing jurisdictions that have taken steps to ensure the safety of horse and rider by adopting regulations voiding the claim of horses suffering fatalities or injuries during the race since the initial recommendation was made in 2012.

Subsequent research by Dr. Tim Parkin using the Equine Injury Database demonstrates that the risk of fatal injury on dirt tracks where void claim rules were in place was 8% lower ($P=0.02$) than at tracks without void claim rules. In both claiming and maiden claiming races, the risk of fatal injury was significantly lower in starts following the introduction of a void claim rule.

Among the different types of void claim rules, the incidence of fatal racing injury was significantly greater with rules that voided claims for racing fatality only (1.83 per 1000 starts) versus those rules that included racing fatality in addition to placing horses on the vet list for soundness reasons (1.35 per 1000 starts).

In an effort to target improvements to a racetrack's safety and injury mitigation programs, the Thoroughbred Safety Committee calls for:

“All racing regulatory authorities and the Association of Racing Commissioners International modify existing void claim rules or, if no void claim rule is in place, implement a void claim rule covering horses that are placed on the vet list as unsound, lame or bled to further discourage the entry and subsequent transfer of title to horses with an increased risk of racing injury to unsuspecting claimants.

The Thoroughbred Safety Committee recommends the following additional amendments to the Association of Racing Commissioner Model Rules:

ARCI-009-010 General Provisions

(2) Except as set forth in Section 5 (regarding the voiding of claims), title to a horse that is claimed shall be vested in the successful claimant from the time the field has been dispatched from the starting gate and the horse becomes a starter, and said successful claimant becomes the owner of the horse unless voided by the stewards under the provisions of this article. However, the successful claimant may request on the claim blank at the time he/she makes the claim that the horse be tested for the presence of equine infectious anemia via a Coggins test or other test as approved by the official veterinarian. Should this test prove positive, it shall be cause for voiding the claim. The expense of the test and the maintenance of the horse during the period requested for the test shall be the responsibility of the successful claimant, unless the test proves positive, wherein the owner(s) of the horse at the time of entry shall be responsible.

(5) Except as set forth in Section 6, a claim shall be voided if a horse is a starter as determined by the regulatory authority and (a) the horse dies on the racetrack; (b) the horse suffers an injury that requires the euthanasia of the horse as determined by the official veterinarian while the horse

is on the racetrack; or (c) within one hour of the race, the racing or official veterinarian determines the horse will be placed on the Veterinarian's List as bled, unsound, or lame before the horse is released to the successful claimant. "Bled" is defined as the racing or official veterinarian observing a horse's bleeding from one or both nostrils during or after the race and determining that such bleeding is a direct result of exercise induced pulmonary hemorrhage.

(6) The stewards shall not void the claim under Section (5)(c) above if, prior to the race in which the horse is claimed, the claimant elects to claim the horse regardless of whether the racing or official veterinarian determines the horse will be placed on the Veterinarian's List as bled, unsound, or lame.

ARCI-009-015 Claiming Of Horses

- (1) Any horse starting in a claiming race is subject to be claimed for its entered price by any:
 - (a) licensed owner;
 - (b) holder of a valid claim certificate; or
 - (c) licensed authorized agent acting on behalf of an eligible claimant.
- (2) Every horse claimed shall race for the account of the original owner, but title to the horse shall be transferred to the claimant at the time the field has been dispatched from the starting gate and the horse becomes a starter, unless the claim is voided.

The committee recommends the following procedures be implemented to support fair enforcement of void claim rules:

1. If a claimed horse is vanned off the racetrack following the race, that horse will be taken to the Detention Barn or the Receiving Barn where it will be examined by the racing or official veterinarian. If the horse is observed to have bled or is declared lame or unsound by the racing or official veterinarian and subsequently placed on the Veterinarian's List, the claim shall be voided.
2. All other claimed horses must report to the Receiving Barn or Detention Barn after the race and be accompanied by the original trainer or their designee. Horses will be allowed to cool out for approximately one hour at which time they will be examined and jogged by a racing or official veterinarian. Horses that report to the receiving barn from the Detention Barn shall be examined as soon as practical by the racing or official veterinarian. If the horse is observed to have bled or is determined to be lame or unsound during this examination and subsequently placed on the Veterinarian's List, the claim shall be voided.
3. The racing or official veterinarian shall communicate with the Stewards to inform them of a voided claim. In the event the claim is declared void, the horse will be returned to the custody of the original trainer unless the successful claimant or trainer had elected prior to the race to claim the horse regardless of whether the racing or official veterinarian determines the horse will be placed on the Veterinarian's List as bled, unsound or lame.

Further the committee calls for the Association of Racing Commissioners International to develop a model rule that makes voidable the claim of any horse testing positive post-race for prohibited substances or substances present in excess of permissible limits.