



Horseracing Integrity & Welfare Unit

ANNUAL REPORT 2023





hiwu.org

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(816) 800-8152

4801 Main Street, Suite 350
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Download the free
HIWU mobile app

Text an
anonymous tip



Scan To Text Your Anonymous Tip



See a potential violation of HISA's Racetrack Safety or Anti-Doping and Medication Control Programs?

Share an anonymous tip with HIWU's Investigations team:

CALL: (888) 714-HIWU

TEXT: (855) 901-TIPS

EMAIL: hiwutips@hiwu.realresponse.com



HIWUNews



HIWUNews



Horseracing Integrity & Welfare Unit (HIWU)

Cover photo: EquiSport Photos



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About Drug Free Sport International and the Horseracing Integrity & Welfare Unit

Drug Free Sport International (DFSI) is a global leader in the anti-doping industry, with more than 24 years of administering comprehensive anti-doping solutions for amateur and professional athletic organizations worldwide. In September 2018, DFSI merged with International Doping Tests & Management (IDTM), a Swedish-based provider of anti-doping services, thus furthering DFSI's mission to service its clients globally. Together, DFSI and IDTM operate in more than 100 countries and provide professional anti-doping solutions for many high-profile sport organizations, including MLB, the NFL, the NBA, NASCAR, the PGA Tour, the LPGA, UFC, the International Tennis Federation, World Athletics, the NCAA, and more than 300 colleges, universities, and amateur athletics organizations globally.

In May 2022, DFSI and the Horseracing Integrity and Safety Authority (HISA) announced their partnership for DFSI to serve as the independent administrator of HISA's Anti-Doping and Medication Control (ADMC) Program. Consequently, DFSI established the Horseracing Integrity & Welfare Unit (HIWU), a new division within the organization that would be dedicated to enforcing Thoroughbred racing's first national anti-doping and medication control program.

Drug Free Sport
INTERNATIONAL™

HIWU 
Horseracing Integrity & Welfare Unit

Meet Our Leadership Team



BEN MOSIER
EXECUTIVE DIRECTOR



KATE MITTELSTADT
CHIEF OF OPERATIONS



MICHELLE PUJALS, JD
GENERAL COUNSEL



MARY SCOLLAY, DVM
CHIEF OF SCIENCE

HIWU's Advisory Council

Jonathan Taylor, KC (Chairman)

Partner,
Bird & Bird

Larry Bowers, Ph.D.

Former Chief Science Officer,
United States Anti-Doping Agency

Larry Bramlage, DVM, MS, DACVS

Shareholder Emeritus,
Rood & Riddle Equine Hospital

Sonja Keating, JD

General Counsel,
United States Equestrian Federation

Günter Younger

Director of Intelligence & Investigations,
World Anti-Doping Agency



From the Desk of HIWU and DFSI

As we reflect on 2023, we are inspired by the accomplishments of HIWU and the positive response of the Thoroughbred industry. On May 22, Thoroughbred racing in the United States entered a new era. With the implementation of the HISA ADMC Program, the sport was officially regulated under one national set of medication rules, testing protocols, adjudication procedures, investigative operations, and laboratory standards. Its successful launch required tireless efforts from HIWU's staff and collaboration from those affected by the new regulations.

The establishment of HIWU as a new division of DFSI was a strategic decision made by DFSI's executive team in recognition of the complex needs and resources required to administer an anti-doping and medication control program for Thoroughbred racing. We knew that we needed to combine experience in the horse racing industry with backgrounds in anti-doping, investigations, veterinary science, and laboratory operations. Between the legacy DFSI staff who transitioned to the HIWU team, and the new individuals brought on to lend their expertise, we are confident that the best multi-disciplinary talent was engaged to ensure the Program's successful implementation and operation. Each day, HIWU staff, advisors, and partners demonstrate their commitment to the promotion of Thoroughbred racing by carrying out our mandate as the independent enforcement agency for the ADMC Program.

The data in this report shows that the overwhelming majority of horsemen are complying with the ADMC Program and protecting the safety and welfare of the horses in their care. Education is a top priority for HIWU, and we are appreciative of industry leaders who have been integral in facilitating the education of horsemen so that they can succeed under a new regulatory structure. HIWU staff have consistently engaged with stakeholders to minimize the rate of positive tests, especially for Controlled Medication Substances. They visited 30 racetracks to talk to horsemen about the new rules, attended and spoke at multiple industry conferences, created 40+ multi-lingual educational documents, launched a comprehensive app with a substance look-up tool, and hosted numerous virtual meetings to present to horsemen's groups and

regulatory veterinarians.

The success of HIWU would not be possible without acknowledging the tremendous work of the sample collection personnel and regulatory veterinarians, who are truly the backbone of the ADMC Program. These individuals safeguard the integrity of sample collection and chain of custody, ensuring that all horsemen are treated fairly. HIWU's national network of certified sample collection personnel and regulatory veterinarians, which includes many individuals who worked in test barns pre-HISA on behalf of their respective state racing commissions, are supported by a core set of individuals from HIWU's Operations team. Besides overseeing the training and quality of the network, these team members are in constant communication with sample collection personnel to answer questions, receive feedback, and maximize efficiencies in procedures.

As we look ahead to 2024, we are excited to have all major racing events, including all three Triple Crown races and the Breeders' Cup, run under the ADMC Program rules for the first time. In collaboration with Thoroughbred industry leaders and stakeholders, HIWU's processes will continue to be evaluated and refined to ensure integrity in the sport and protect the welfare of the industry's equine athletes. Only through the fair, consistent, and uniform application of HISA's rules will this be accomplished.

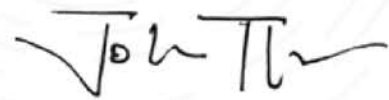
As illustrated in the following pages, we held ourselves to these standards in 2023 and will remain steadfast in this mission going forward for graded stakes competitors, claimers, and every horse in between.



Ben Mosier
Executive Director
HIWU



Chris Guinty, JD
President & CEO
DFSI



Jonathan Taylor, KC
Chairman
HIWU Advisory Council

**LETTER FROM
LEADERSHIP**

The foundation of an effective anti-doping and medication control program is a robust, strategic testing plan. On May 22, 2023, under HISA's ADMC Program, HIWU implemented the first national, coordinated program in



Thoroughbred racing. HIWU oversaw more than 50,000 sample collection sessions from 21,750 unique horses using modern, standardized sample collection processes that were backed by an extensive educational push designed to ensure racing participants and HIWU-certified Sample Collection Personnel (SCP) were equipped to comply with HISA's testing protocols and requirements.

Establishing the Sample Collection Personnel Network

HIWU prioritized training SCP to conduct standardized sample collections in accordance with the rules and protocols outlined in HISA's ADMC Program. Ultimately, more than 550 individuals were certified to conduct sample collections. Many members of this group were existing test barn personnel and regulatory veterinarians who continued in their positions while operating under the voluntary implementation agreement in place between HIWU and their respective state racing commission or racetrack. For states and/or tracks where voluntary implementation agreements were not reached, HIWU took over all operations of those test barns, including the management and recruitment of the SCP.

 An icon consisting of a cluster of stylized human figures in various shades of green, representing a group of people.

550+
Sample Collection Personnel certified

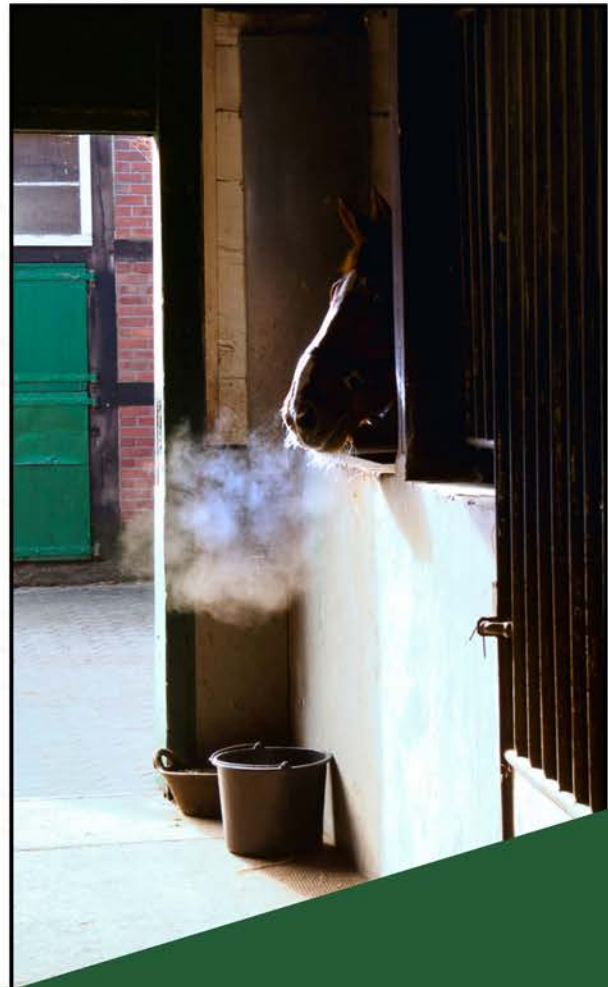


Training and Support for Sample Collection Personnel

The HIWU Operations team committed to extensive educational efforts to prepare SCP for the ADMC Program. Before testing under the ADMC Program began, SCP at all tracks received in-person training and certification on sample collection procedures, and HIWU representatives provided on-site support during every racetrack's initial days of live racing under the Program. On-site support continues to be offered based on the unique needs of each test barn.

In addition to in-person support, HIWU provided SCP with multiple resources to aid in smooth operations:

- Developing and distributing a bilingual Test Barn Handbook for all SCP and test barns
- Regularly auditing all sample collection documentation and providing feedback (as needed)
- Offering monthly virtual training and certification sessions to align with ongoing recruitment efforts



Test Barn Support Line available

**20 hours a day,
7 days a week,**

to assist with real-time questions in the field

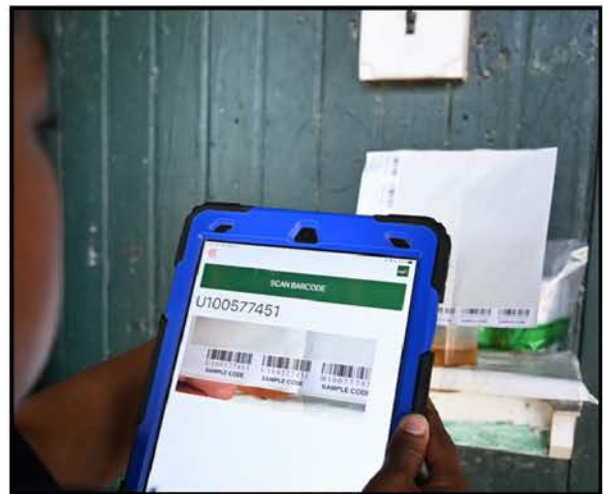
(816) 800-8152

6 a.m. - 2 a.m. ET Daily

OPERATIONS

Paperless Documentation System

HIWU introduced a paperless sample collection process through an iPad-based HIWU testing app, digitalizing the sample collection chain of custody process. In collaboration with HISA and InCompass, the HIWU testing app is prepopulated with relevant information for testing, such as race card and horse identification details, to build efficiencies and accuracy in operations. After sample collection sessions are complete, the final electronic chain of custody information is uploaded into HIWU's partner laboratories' Laboratory Inventory Management Systems, enabling necessary data sharing without divulging any information regarding the identity of the horses or Responsible Persons to the laboratories.

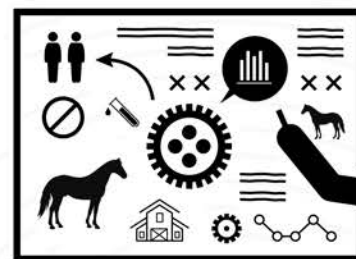


Testing

An Intelligence-Based Approach

When it comes to planning and the selection of horses for testing under the ADMC Program, HIWU's strategy emphasizes a collaborative approach.

While Post-Race testing of all winners is an expected component of the Test Distribution Plan, the Operations team also incorporates intelligence received from their colleagues on the Science and Investigations teams when determining what horses to select for testing. The intelligence informs test selection and the kinds of analyses applied to specific samples. This strategy is practiced in all aspects of the testing program, including TCO₂ Testing and Out-of-Competition Testing.



What does HIWU consider in the Test Distribution Plan?

- Risk Assessment**
- Tips and Investigations**
- Past Performance**
- Prior Test History**
- Qualifying Status for Major Events**
- Trainer and Owner Affiliations**

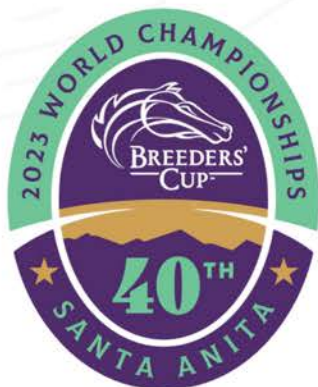


Strategies are informed through internal collaboration among HIWU staff, but they also rely on regular dialogue with, and information provided by, racing participants who have "boots on the ground" at racetracks, e.g., investigators, stewards, and regulatory veterinarians, who help advise testing strategies through their on-site observations.



Contribution to the Safety and Integrity of Major Racing Events

Collaboration with other industry groups is vital to the successful execution of the testing strategy, and this includes HIWU's approach to major racing days. In 2023, the ADMC Program was in effect for the Belmont Stakes and Breeders' Cup World Championships, plus hundreds of other stakes races. For both the Belmont Stakes and Breeders' Cup, as well as several other major racing days, HIWU provided on-site Operations and Investigations staff in the week leading up to each event to provide additional support.

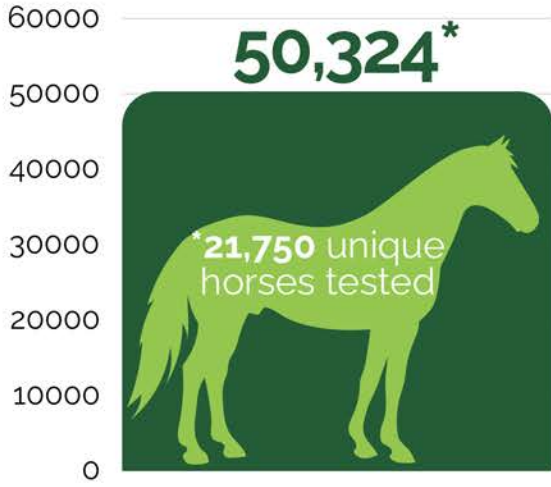
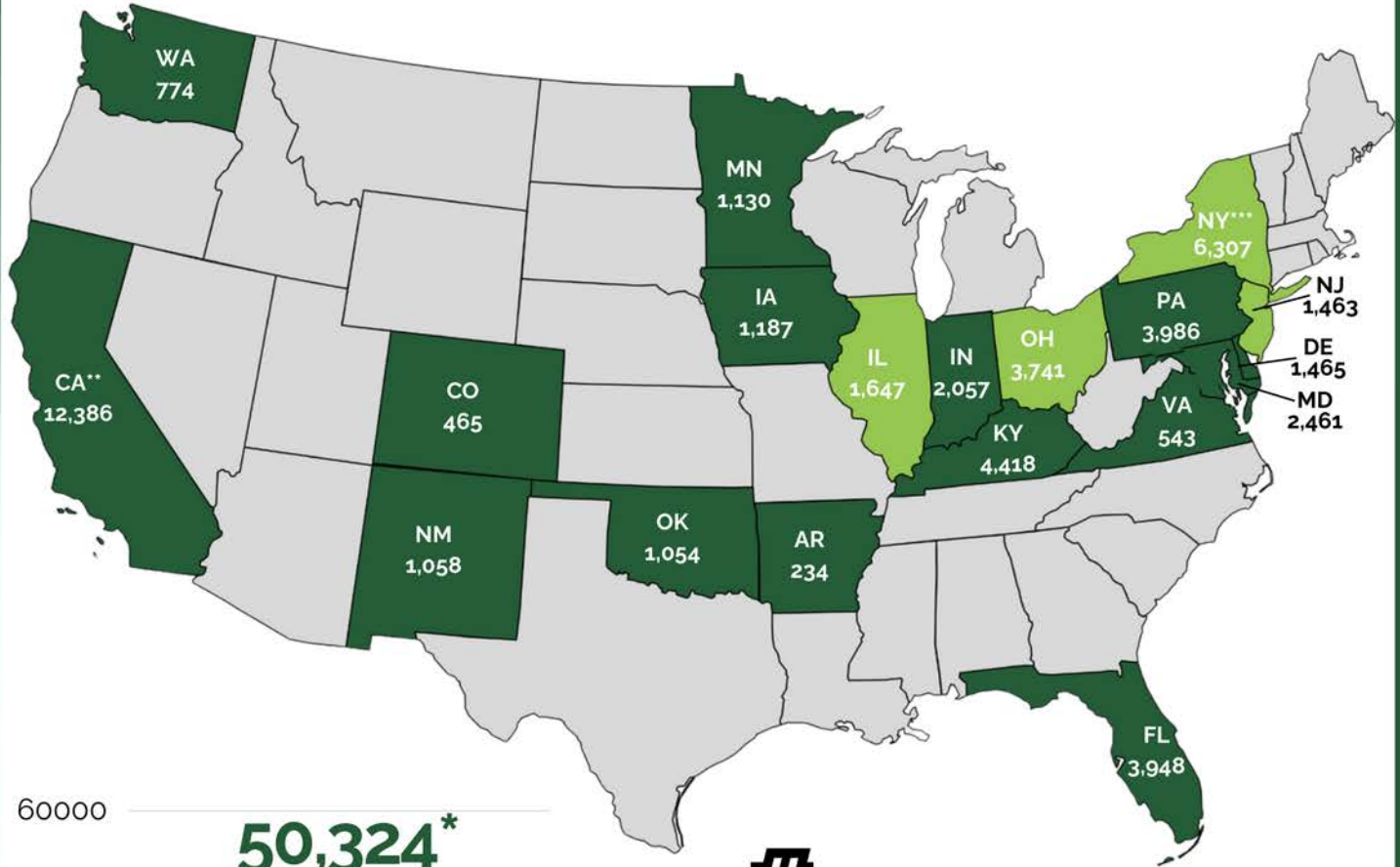


100+ OOC Tests on horses nominated to or who participated in the 2023 Belmont Stakes Racing Festival

350+ OOC Tests on horses nominated to or who participated in the 2023 Breeders' Cup World Championships

Testing on Breeders' Cup horses began months before the Breeders' Cup and continued up to the day of the event. This also included testing on foreign-based contenders, which was possible through partnerships with international racing jurisdictions such as Canada, England, France, Ireland, and Japan.

SAMPLE COLLECTION SESSIONS BY STATE



SAMPLE COLLECTION SESSIONS FOLLOWING PROGRAM LAUNCH ON MAY 22, 2023

- # Sample Collection Sessions by State
- Voluntary Implementation Agreement
- No Voluntary Implementation Agreement
- HISA Regulations Not In Effect

** The California Horse Racing Board requested and funded TCO₂ testing for all entries at racetracks in Southern California (Del Mar and Santa Anita).

*** New York Racing Association tracks operate under a voluntary implementation agreement, but Finger Lakes Gaming & Racetrack does not.



The core principles of the results management and adjudication processes required by HISA's ADMC Program are **expediency, uniformity, and transparency.**

Expediency

HIWU's partner laboratories are required to meet specific turnaround times for test results to be reported to HIWU*:

- **Post-Race Testing:** **10 business days** from the date of the laboratory's receipt of the samples
- **Vets' List and Clearance Testing:** **5 business days** from the date of the laboratory's receipt of the samples (for negative results only)
- **B Sample Testing:** **15 business days** from the date of the laboratory's receipt of the B Sample



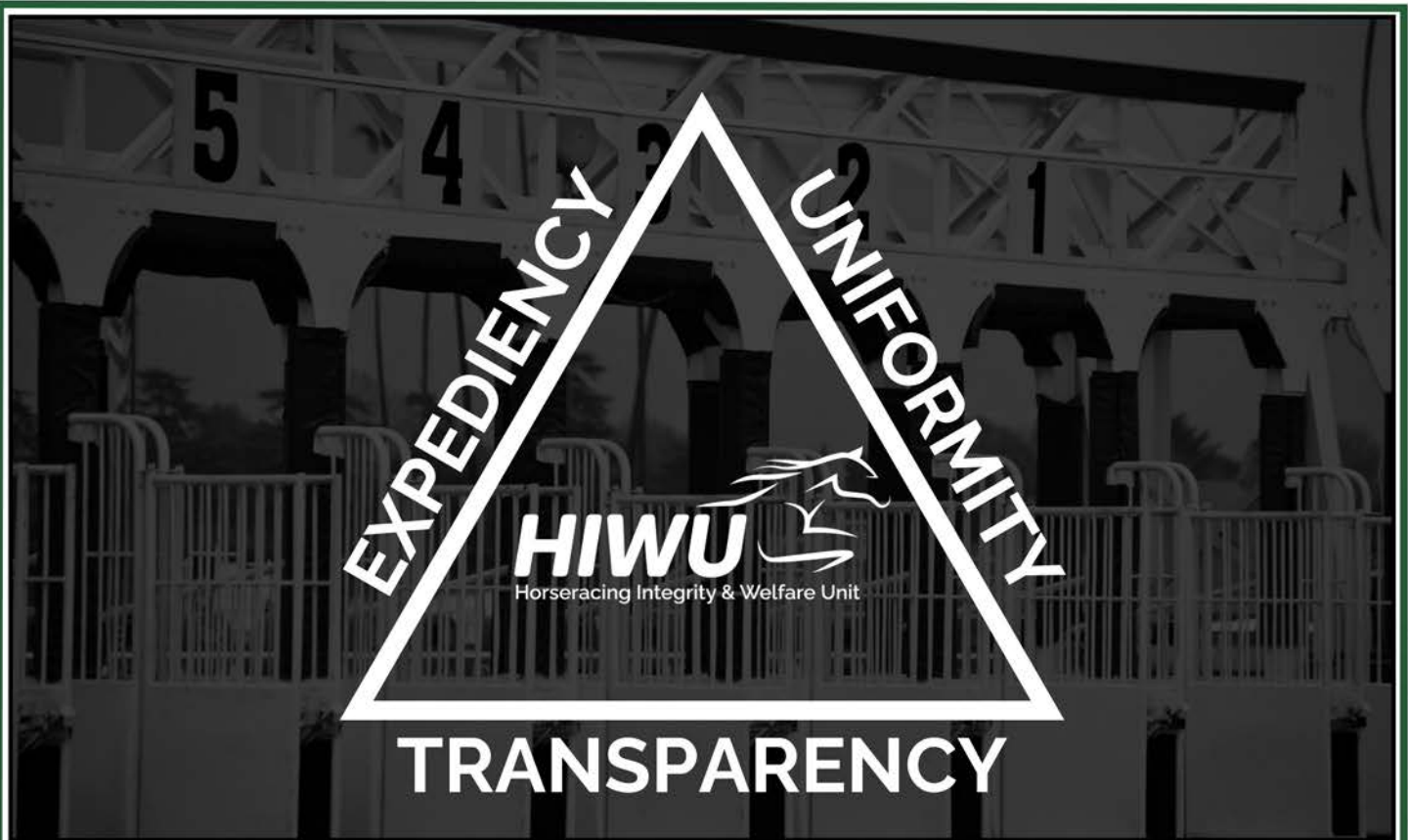
AVERAGE TIME FOR TEST RESULTS TO BE REPORTED TO HIWU



Additionally, timelines set forth in the ADMC Program for the adjudication of Anti-Doping and Controlled Medication Rule Violations promoted swift resolutions to the vast majority of cases. As of March 31, 2024, more than 200 cases that began in 2023 were resolved in an average of 74.6 days from the date that the alleged violation occurred (e.g., date of sample collection).

* Laboratories are permitted to request an extension, which HIWU must approve. HIWU reviews all laboratory results before providing notifications to the relevant individuals and/or entities (e.g., trainers, owners, state racing commissions, and veterinarians).

** The average time for B Sample reporting extended beyond 15 business days, in part, as a result of the requirement in the rules that HIWU provide Responsible Persons notice of, and the opportunity to view, the opening of the B Sample in person or virtually.



Uniformity

The ADMC Program mandates the uniform application of its rules across all states in which the Program is in effect. For all cases under the Program, Covered Persons have the opportunity to present evidence in their defense to prove the source of a Prohibited Substance in a horse's sample (where applicable) and demonstrate No Fault or Negligence (for all Prohibited Substances) or No Significant Fault or Negligence (for Banned Substances and Class A and B Controlled Medication Substances or the equivalent) in order to reduce the sanctions imposed on the Covered Person. All Covered Persons are subject to the same arbitration procedures and penalty structures, which are dictated by the type of violation being adjudicated. Previously, it was possible for processes and/or sanctions to be different depending on the state in which the alleged violation occurred.



RESULTS MANAGEMENT & ADJUDICATION

Transparency

HIWU must adhere to clear public disclosures obligations. Pending and resolved cases are posted on HIWU's website when permitted under the rules for viewing by anyone at any time; updates are made daily.

For alleged violations with respect to Banned Substances, which are never permitted to be in a horse, cases are generally publicly disclosed when a Provisional Suspension is imposed, even if such suspension is postponed. As of October 20, 2023, for cases involving human substances of abuse, such as cocaine or methamphetamine, this public disclosure did not occur unless/until a B Sample test result confirmed the original finding in the A Sample or the Responsible Person waived the right to B Sample analysis.



CASE RESOLUTION WITHOUT HEARING

ADMC Program Rule 3312/Presence of a Controlled Medication Substance and/or its Metabolites or Markers

Covered Person: [REDACTED]
Covered Horse: [REDACTED]

On [REDACTED], [REDACTED] agreed to an Admission of Equine Controlled Medication Rule Violation(s) and Acceptance of Consequences pursuant to the Anti-Doping and Medication Control (ADMC) Program in connection with the above-referenced matter. This matter involved the presence of a Controlled Medication Substance and/or its Metabolites or Markers (ADMC Program Rule 3312) in a Post-Race/Vet's List Sample – Phenylbutazone (Class C). The Controlled Medication Substance was found to be present in a blood Sample collected from [REDACTED] after a Vet's List Workout at [REDACTED] in [REDACTED] on [REDACTED]. Pursuant to ADMC 3132(e), any Sample collected following a Vet's List Workout constitutes a Post-Race Sample, and, as a result, is subject to all of the same requirements that apply to a Sample collection at Covered Horseraces.

As a result, the following Consequences were imposed against [REDACTED] under the ADMC Program:

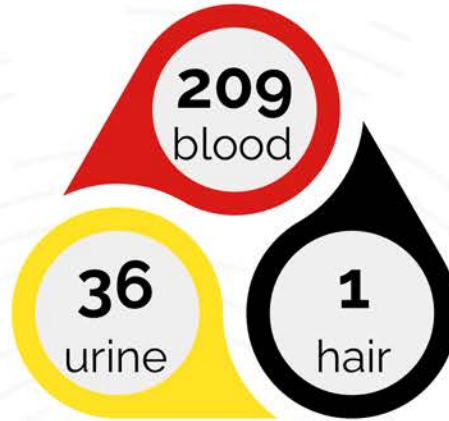
1. A fine of \$500 in accordance with ADMC Program Rule 3323;
2. Assignment of 1.5 Penalty Points (ADMC Program Rule 3328); and
3. Public reporting in accordance with ADMC Program Rule 3610(b) and Public Disclosure in accordance with ADMC Program Rule 3620.

For alleged violations with respect to Controlled Medication Substances, cases are generally publicly disclosed after the finding has been confirmed in the B Sample, B Sample analysis has been waived, and/or upon service of the Charge Letter. Under the ADMC Program, HIWU must also publicize Final Decisions, case resolutions, and the withdrawals of Charges within 20 days of the applicable outcome. The initial disclosure of resolutions is made promptly and is then supplemented by reports detailing the specific facts of each case.



In the interest of fairness, HIWU reviews the laboratory and sample collection procedures for all Adverse Analytical Findings (AAFs), i.e., positive tests, before serving a Notice to a Covered Person. Where appropriate, HIWU may choose not to pursue an AAF as a violation based on the outcome of this initial review.

NUMBER OF AAFs BY MATRIX



AAF NUMBERS BY BANNED/CONTROLLED MEDICATION SUBSTANCES

Banned	Controlled A	Controlled B	Controlled C	Controlled Method	
Altrenogest	7	Fentanyl 2	Acepromazine 20	Aminocaproic Acid 1	TCO2 5
Benzoyllecgonine	3	Lamotrigine 2	Albuterol 1	Betamethasone 2	
Butalbital	1		Caffeine 2	Dantrolene 6	
Clenbuterol	5		Cannabidiol 1	Dexamethasone 18	
Cobalt Salts	1		Detomidine 1	Diclofenac 6	
Diisopropylamine	12		Gabapentin 6	Dimethyl sulfoxide 4	
Hydrochlorothiazide	1		Levamisole 2	Flunixin 11	
Isoxsuprine	2		Lidocaine 2	Furosemide 4	
Metformin	6		Mepivacaine 1	Glycopyrrolate 6	
Methamphetamine	12		Tramadol 1	Guaifenesin 1	
Methylphenidate	2		Xylazine 2	Methocarbamol 23	
Oxymorphone	1			Naproxen 1	
Pemoline	1			Omeprazole 6	
Tapentadol	2			Phenylbutazone 45	
Venlafaxine	1			Salicyclic Acid 3	
Zeranol	1			Triamcinolone 2	
				Trichlormethiazide 1	
58	4	39	140	5	

	TOTAL SAMPLE COLLECTION SESSIONS	TOTAL AAFs
AR	234	0
CA	12,386	41
CO	465	1
DE	1,465	13
FL	3,948	9
IA	1,187	9
IL	1,647	3
IN	2,057	7
KY	4,418	11
MD	2,461	17
MN	1,130	3
NJ	1,463	7
NM	1,058	11
NY	6,307	35
OH	3,741	21
OK	1,054	5
PA	3,986	40
VA	543	3
WA	774	10
Total	50,324	246

246 Adverse Analytical Findings

0.49%
of all sample collection sessions in 2023 resulted in an AAF

RESULTS MANAGEMENT & ADJUDICATION

Atypical Findings

The Atypical Findings Policy was designed to **protect horsemen** during situations in which a horse under their care tests positive for a Prohibited Substance as a result of a substance that: 1) may be the result of environmental contamination; or 2) is naturally occurring in the specific horse.

Under the ADMC Program, environmental contamination can only be the result of: 1) substances arising from plants traditionally grazed or harvested as equine feed; and 2) substances in equine feed or bedding arising from contamination during cultivation, processing, treatment, storage, or transportation.

Substances that are subject to the Atypical Findings Policy include **26 Specified Substances**, endogenous substances (e.g., testosterone), and other novel substances not presently on the Prohibited List.

26 Specified Substances

Controlled

- Caffeine
- Colchicine
- Hordenine
- Morphine
- Scopolamine
- Theobromine
- Theophylline

Banned

- Aminorex
- Bufotenine
- Cannabinoids
- Demecolcine
- Dimethyltryptamine
- Ergotamine
- Glaucine
- Lobeline
- Meconine
- Muscarine
- Oripavine
- Papaverine
- Paraxanthine
- Ractopamine
- Sparteine
- Synephrine
- Thebaine
- Zeranol
- Zilpaterol

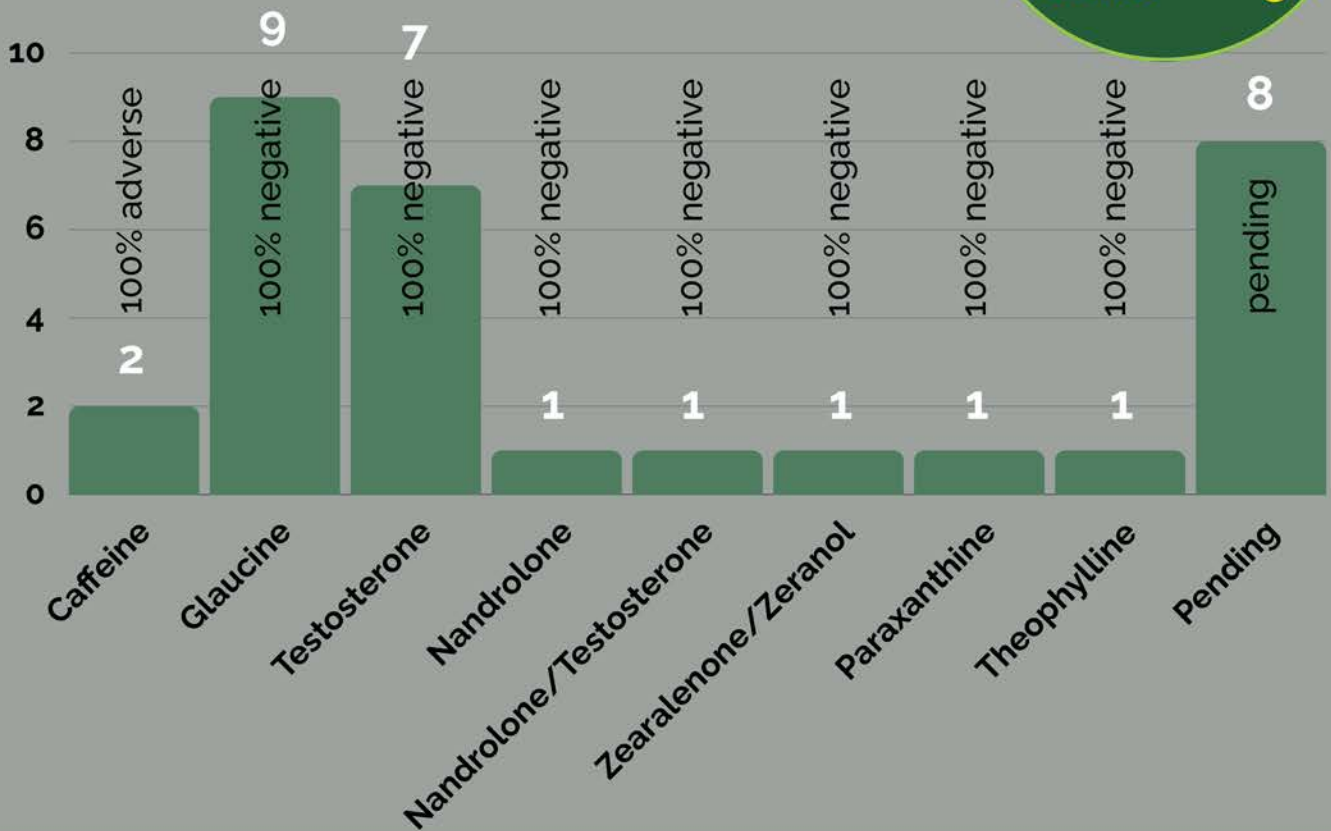
When a laboratory reports an Atypical Finding, HIWU works with the affected Responsible Person (e.g., trainer) to investigate the finding and determine the source of the Prohibited Substance. **If it is determined that the positive test result was the result of environmental contamination or a naturally occurring medical condition, no violation will be pursued, and the case will never become public.** The case is only posted publicly on the HIWU website should HIWU pursue the finding as an AAF and potential violation.

The Atypical Findings Policy has quickly demonstrated efficacy in identifying cases of environmental contamination and **preventing unfair consequences for trainers.**

In 2023, there were 31 Atypical Findings:

Adverse: 2
 Negative: 21
 Pending: 8

Blood: 28
 Urine: 3



RESULTS MANAGEMENT & ADJUDICATION



EAD | Equine Anti-Doping ECM | Equine Controlled Medication



Notice:

A Notice served by HIWU is the first communication with the Responsible Person; it sets forth the facts with respect to a possible violation of the ADMC Program and requests an explanation from the Responsible Person.

Filed Notices by Rule Violation with Percentages

Total Notices Filed	238	
Total EAD Notices Filed	66	27.7%
Presence (Rule 3212)	54	81.8%
Possession (Rule 3214(a))	11	16.7%
Other Violations	1	1.5%
Total ECM Notices Filed	172	72.3%
Presence (Rule 3312)	164	95.4%
ECM Method (Rule 3313)/TCO ₂	5	2.9%
Other Violations	3	1.7%

INTRA-ARTICULAR INJECTION (IAI)
(RULES 3313-14, 4221) VIOLATIONS

53

TOTAL ECM
NOTICES FILED

35

TOTAL ECM
CHARGES FILED

Admissions: 23
HIWU/IAP Decisions: 10
Withdrawn Charge: 1
Stayed: 1

Reprimands: 5

Charge:

A Charge is served by HIWU when it has made the determination that it is moving forward with a case against a Responsible Person; it is not served until after HIWU has received and reviewed the explanation and any other information submitted by the Responsible Person (if they have done so).



Filed Charges by Rule Violation with Percentages

Total Charges Filed	224	
Total EAD Charges Filed	58	25.9%
Presence (Rule 3212)	46	79.3%
Possession (Rule 3214(a))	11	19.0%
Other Violations	1	1.7%
Total ECM Charges Filed	166	74.1%
Presence (Rule 3312)	158	95.2%
ECM Method (Rule 3313)/TCO2	5	3.0%
Other Violations	3	1.8%

RESULTS MANAGEMENT & ADJUDICATION

EAD & ECM NOTICES & CHARGES FILED BY STATE*

** This chart does not reflect IAI Cases*

State	EAD Notices Filed	EAD Charges Filed	ECM Notices Filed	ECM Charges Filed
CA	14	14	28	28
CO	1	1	1	1
DE	2	2	9	9
FL	1	1	9	9
IA	6	6	1	1
IL	1	1	3	3
IN	4	4	2	2
KY	2	2	10	10
MD	1	0	12	11
MN	1	0	3	3
NJ	4	4	4	3
NM	3	3	9	8
NY	4	2	29	29
OH	9	8	14	14
OK	0	0	5	5
PA	12	9	21	18
VA	0	0	3	3
WA	1	1	9	9
TOTAL	66	58	172	166

94.1%
of notices
filed resulted in Charges

IAI Cases not included






The average resolution time is
74.6 days*
 as of March 31, 2024

** This number includes cases in which the Covered Person withdrew their admission and restarted the arbitration process.*

AB
 Arbitral Body

IAP
 Internal Adjudication Panel



16 Controlled Medication Decisions Issued by IAP

9 Anti-Doping Decisions Issued by AB

As a result of proposed changes to HISA's rules that were submitted by HISA to the Federal Trade Commission (FTC), HIWU elected to stay pending ADMC Program cases whose potential periods of Ineligibility would be affected by these rule updates, including due to either the reduction of the applicable periods of Ineligibility or the removal of the automatic application of penalty points for certain violations.

NUMBER OF DIFFERENT MEMBERS ISSUING DECISIONS

IAP
11

AB
7

RESULTS OF CHARGES FILED

	Anti-Doping		Controlled Medication	
	Total	%	Total	%
Admission	13	22.4%	88	53.1%
AB/IAP/HIWU Decision	17	29.3%	57	34.3%
Withdrawal	4	6.9%	0	0.0%
Stayed	12	20.7%	11	6.6%
Pending	12	20.7%	10	6.0%
Total	58	100.0%	166	100.0%

Appeals: In 2023, six Responsible Persons appealed their decision to an Administrative Law Judge of the FTC. Of those six, two decisions were affirmed, two were withdrawn, and two are pending.

RESULTS MANAGEMENT & ADJUDICATION

Responsiveness to Feedback

Since the implementation of the ADMC Program, HISA and HIWU have continually sought feedback from the Thoroughbred industry on the Program rules' content and enforcement, including through discussions with HISA's Horsemen's Advisory Group. We have collaborated with the industry to change or adapt the rules, where warranted, in response to this feedback. In the wake of any rule or enforcement changes, HIWU has undertaken robust education efforts and provided assistance to horsemen and industry stakeholders as they adapt to the new rules and associated changes in their responsibilities.



Major Changes

Provisional Suspensions: On July 28, HISA and HIWU announced that **any trainer whose horse tested positive for a Banned Substance (limited exceptions applied) would not be subject to a Provisional Suspension unless/until B Sample analysis confirmed the positive A Sample result or the right to B Sample analysis was waived.**

Previously, Provisional Suspensions were imposed upon notice of the positive A Sample finding.

Human Substances of Abuse: On October 20, HIWU announced that it would **delay public disclosure of cases involving human substances of abuse** (e.g., cocaine and methamphetamine) until B Sample analysis was waived or confirmed the A Sample finding. This update was intended to address concerns within the industry that the names of Covered Persons were being publicly disclosed in cases involving human substances of abuse before the Covered Persons had an opportunity to determine the source of the substance at issue, including whether it was the result of unintended human transfer.

Ombudsman: In September, Alan Foreman was named the ombudsman for HISA and HIWU. Foreman, the chairman and chief executive officer of the Thoroughbred Horsemen's Associations, Inc., serves as an impartial and unbiased resource for Covered Persons and other Thoroughbred industry constituents to provide confidential advice and assistance at no cost to them in relation to HISA's Programs. He also accepts feedback and comments from Thoroughbred industry constituents and communicates this feedback to HISA and/or HIWU.



Pro Bono Counsel: At the end of 2023, HISA introduced a pro bono legal assistance program for eligible Covered Persons facing alleged Anti-Doping Rule Violations. This program, which is administered directly by HISA, matches Covered Persons who are financially unable to secure legal representation with qualified attorneys who have agreed to provide legal services without any expectation of compensation. Three Covered Persons utilized this program in 2023.



RESULTS MANAGEMENT & ADJUDICATION

One of the many benefits of HISA's ADMC Program is HIWU's ability to conduct national, coordinated investigations. This structure enables the HIWU team to examine potential violations of HISA's ADMC and Racetrack Safety Programs in every state in which those programs are in effect. Case information can be shared across HIWU, as appropriate, facilitating more effective and meaningful investigations in response to alleged and/or anticipated violations. For potential Racetrack Safety Violations, HISA handles the processing of these cases.



HIWU launched the first national, anonymous whistleblower platforms for Thoroughbred racing in the United States

In 2023, HIWU's Investigations Unit was composed of 19 investigators and two full-time investigative analysts. HIWU's team is supported by state racing commission and/or racetrack investigators in states with voluntary implementation agreements, as well as

HIWU's own network of regional investigators. All investigators under the HIWU umbrella underwent standardized training on investigative policies and procedures, including the use of uniform HIWU-required documentation. This ensured that all investigations were conducted consistently regardless of location.

Furthermore, HIWU launched the first national, anonymous whistleblower platforms for Thoroughbred racing in the United States. Individuals can submit tips via phone, text message, or email. In addition to receiving one-time submissions, HIWU's investigators can message whistleblowers in real time about potential violations. All communications are kept anonymous.

122 tips

received through our **anonymous** tip line.

Of these tips, **more than 40** led to an investigation.





141
BARN SEARCHES
COVERING 38 TRACKS



5 different Banned Substances found during barn searches, resulting in 11 Possession cases

Cross-Organizational Collaboration

The work of HIWU's Investigations Unit goes hand in hand with the Operations and Science teams. Intelligence gathered from investigations is forwarded for consideration for targeted testing, while test results may support a pending investigation or trigger a new one.

Similarly, investigators may consult the Science team in response to substances found during a barn search. The Science team then serves as a liaison with the Program's laboratories to assign relevant testing protocols.

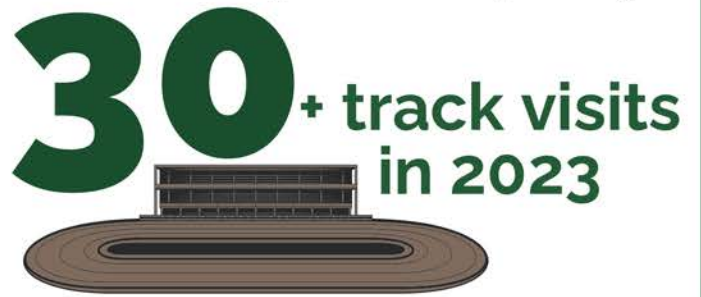


214 total investigative inquiries encompassing the ADMC and Racetrack Safety Programs

INVESTIGATIONS

In 2023, HIWU's Science team focused on educating the industry about HISA's ADMC Program, including medication rules, laboratory harmonization goals, and working with HIWU's other staff to enhance the effectiveness of testing operations and investigations.

Communicating with Industry Stakeholders



HIWU recognized that the ADMC Program rules represented a significant change to previous industry regulation, and the Science team committed to a widespread educational effort designed to reach as many horsemen and veterinarians as possible.

In-Person: The Science team made on-site visits to 30 racetracks, where they presented to local horsemen about the ADMC Program rules. Besides racetrack visits, they attended major industry events such as the Global Symposium on Racing, the American Association of Equine Practitioners' Annual Convention, and the Racing Medication & Testing Consortium's (RMTTC) Regulatory Veterinarian Continuing Education conference.

Virtual: Weekly Zoom meetings were held with regulatory veterinarians to review various facets of the ADMC Program rules. This series began in the fall of 2022. Presentations were also delivered via Zoom to local horsemen's groups, and a pre-recorded version was made available on the HIWU website.

HIWU App: The Science team played a significant role in the development of the HIWU app, which features a detailed substance search tool of all Prohibited Substances.

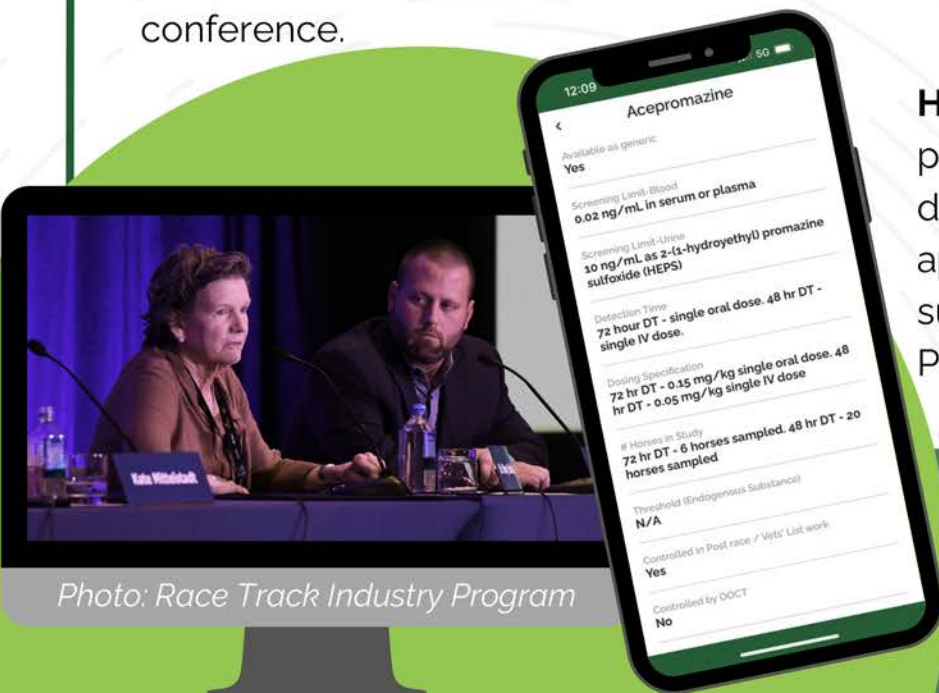


Photo: Race Track Industry Program

Laboratory Selection and Accreditation

The ADMC Program rules require that the laboratories utilized by the Program achieve HISA Equine Analytical Laboratory (HEAL) accreditation status. However, to allow time for the development of HEAL accreditation standards, HIWU is permitted to work with laboratories that have been accredited by the RMTC until HEAL accreditation takes effect. In 2023, HIWU partnered with six RMTC-accredited laboratories.



Analytical Toxicology Laboratory at the Ohio Department of Agriculture

Animal Forensic Toxicology Laboratory at the University of Illinois-Chicago

Industrial Laboratories

Kenneth L. Maddy Equine Analytical Chemistry Laboratory at the University of California-Davis

Pennsylvania Equine Toxicology and Research Laboratory at the University of Pennsylvania

University of Kentucky Equine Analytical Chemistry Laboratory

Laboratory Collaboration and Harmonization

The ADMC Program establishes a level of laboratory coordination not previously seen in Thoroughbred racing. Under HIWU's oversight, significant strides were made in the harmonization of the laboratories selected by HISA and HIWU to analyze samples.

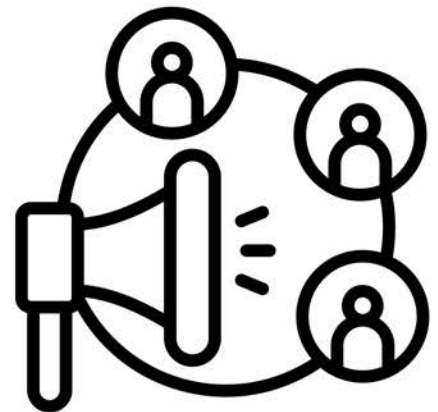


SCIENCE



Communication and Outreach

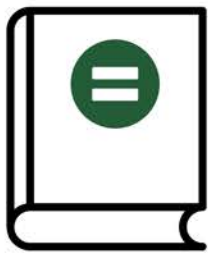
- Site visits were made to all Program laboratories.
- Weekly meetings were held with laboratory directors and support staff to discuss sample shipping, processing, testing, and reporting, as well as other relevant issues that arose.
- The team frequently liaised with the RMTTC as part of the transitional phase to HEAL accreditation; as a result, the RMTTC's External Quality Assurance Program was expanded to include double-blind testing and a passed sample exchange.
- The team reviewed results and other laboratory documentation to ensure compliance with Program requirements.



Harmonization Successes in 2023 and Continuing Priorities



Establishment of a core set of **more than 300 analytes** (Banned Substances and Controlled Medication Substances) with harmonized testing specifications for all Program laboratories



Institution of uniformity in the HIWU Laboratory Documentation Package, which details the analysis conducted on samples by the applicable laboratory, across all laboratories



Evaluation of the sample collection materials provided to all test barns, with efforts to standardize supplies and sourcing ongoing



Expansion of harmonized testing specifications beyond the original core analytes as substances are identified



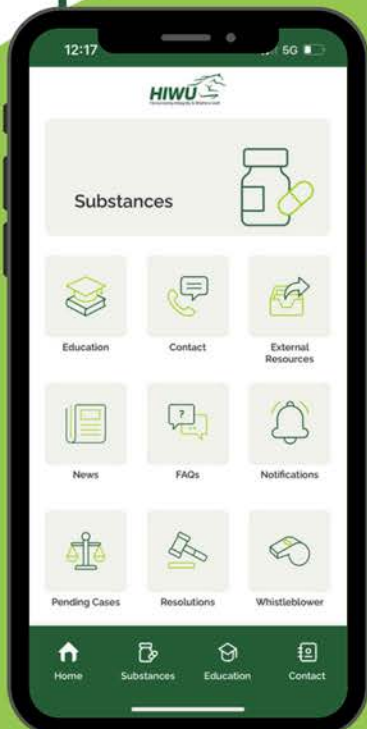
Development of plans for the implementation of HEAL accreditation, with a target effective date of January 1, 2025

Education on HISA's ADMC Program was a year-long endeavor that required the commitment of the entire HIWU team. The educational strategy was founded on the principles of meeting stakeholders where they perform their jobs, run their businesses, and conduct meetings, e.g., racetracks and conferences, while supplementing the face-to-face interactions with virtual support, an expansive website and app containing educational materials, and on-call assistance.

Education and outreach are constant priorities for HIWU, both for the purpose of providing additional details and context, as well as for alerting stakeholders to changes in rules, procedures, and protocols.

40+ educational materials, including videos, in English and Spanish

THE APP



- Free to download
- Push notifications to alert users to time-sensitive matters
- Ability to search for substances using the licensed and colloquial names (e.g., acepromazine, PromAce, or ace)
- Convenient access to whistleblower platforms
- Includes access to all educational materials on the HIWU website

2,000+ downloads in 19 countries



In-Person

- 11 HIWU employees attended and/or presented at more than 20 industry conferences or meetings.



37
on-site presentations delivered at racetracks, training centers, and conferences



Media

- Participation in media briefings in advance of the Belmont Stakes and Breeders' Cup
- Coverage in media via interviews in print, podcasts, and television

1,300+

substances from the Prohibited List



Website

- Hard copies of educational materials from the HIWU website were sent to 31 racetracks.

EDUCATION & OUTREACH

ADMC Program: HISA's Anti-Doping and Medication Control Program.

Adverse Analytical Finding (AAF): a result from a laboratory reporting the detection of the presence of a Prohibited Substance or its Metabolites or Markers (or evidence of the use of a Prohibited Method), i.e., a "positive test;" an Adverse Analytical Finding may be pursued as a Presence violation under the ADMC Program rules.

Anti-Doping Rule Violation: violations of the ADMC Program that involve Banned Substances or Banned Methods, as well as other defined violations of the Protocol.

Arbitral Body (AB): an individual or individuals independently selected by JAMS (the Program's Arbitral Body administrator) to hear and decide Anti-Doping Rule Violation cases.

A Sample: initial portion of a sample analyzed for the presence of Prohibited Substances or evidence of the use of a Prohibited Method.

Atypical Finding: a result from a laboratory reporting the detection of the presence of a Prohibited Substance that is an endogenous substance; one of the substances on a list of "Specified Substances," which pose a higher risk of being in a horse's sample due to contamination (as defined in the ADMC Program); or a novel substance not on the Prohibited List; Atypical Findings trigger an investigation by HIWU.

Banned Substances/Methods: substances or methods prohibited at all times to be administered to Covered Horses, possessed, or trafficked.

B Sample: the split portion of a sample analyzed to confirm the presence of a Prohibited Substance; testing is not conducted on the B Sample unless requested and paid for by a Covered Person.

Clearance Testing: testing for a horse at the request of a Covered Person to determine if specific Controlled Medication Substances have cleared the horse's system.



Controlled Medication Rule Violation: violations of the ADMC Program that involve Controlled Medication Substances or Methods.

Controlled Medication Substances: substances with therapeutic uses for horses but that, with certain exceptions, may not be present in a Post-Race, Vets' List, or Post-Work Sample; they may be present in Out-of-Competition Samples.

Covered Horse: a Thoroughbred that is subject to the rules of the ADMC Program; a Thoroughbred becomes a Covered Horse upon completion of its first Timed and Reported Workout (breeze) or the date of a horse's entry or nomination to a Covered Horserace (a Thoroughbred race in a state in which HISA is in effect).

Covered Person: those who are engaged in the care, treatment, training, or racing of Covered Horses; includes, but is not limited to, trainers and their staff, veterinarians, owners, and jockeys.

Equine Anti-Doping Charge (EAD)/Equine Controlled Medication Charge (ECM): a Charge is served by HIWU when HIWU has made the determination that it is moving forward with a case against a Responsible Person; it is not served until after HIWU has received and reviewed the explanation and any other information submitted by the Responsible Person (if they have done so).

EAD Notice/ECM Notice: a Notice served by HIWU that is the first communication with the Responsible Person; it sets forth the facts with respect to a possible violation of the ADMC Program and requests an explanation from the Responsible Person.

HISA Equine Analytical Laboratory (HEAL) Accreditation: laboratory accreditation standards set forth by HISA and to be implemented by HIWU, as required by the rules; implementation of the HEAL accreditation program has a target effective date of January 1, 2025.

InCompass: InCompass Solutions Inc., a wholly owned subsidiary of The Jockey Club Holdings Inc., is a technology solutions company that helps North American racetracks manage their mission-critical information. Examples of its wide array of services are the Track Manager™ system, which streamlines operations in racing offices and horsemen's bookkeeper offices, and the Interactive Racing Office, which enables trainers to manage their horse inventory.

Internal Adjudication Panel (IAP): impartial member(s) selected by HISA and HIWU to hear and decide cases of alleged Controlled Medication Rule Violations; IAP members, which may include state stewards, are selected for their equine regulatory experience.

Out-of-Competition (OOC) Sample/Testing: sample collected at any time other than for Post-Race, Vets' List, TCO₂, or Post-Work Testing; only Banned Substances are regulated in Out-of-Competition Testing.

Possession Violation: when a Covered Person maintains physical or constructive possession of a Prohibited Substance or Method in violation of the ADMC Program rules.

Post-Race Sample/Testing: sample collected following a race; no Banned Substances or Controlled Medication Substances (with the exception of furosemide in non-stakes races for horses that are age three or older) may be present in a Post-Race Sample.

Presence Violation: a violation of the ADMC Program resulting from an Adverse Analytical Finding, i.e., a "positive test."

Prohibited Substances/Prohibited List: all Banned Substances or Controlled Medication Substances as defined by HISA.

Provisional Suspension: an initial period of ineligibility for a Covered Person or Covered Horse while a case is pending; Provisionally Suspended individuals cannot participate in Timed and Reported Workouts or Covered Horseraces; Covered Persons may request a Provisional Hearing to try to lift their Provisional Suspension.



Responsible Person: usually a horse's trainer; may be the horse's owner if the horse does not have a trainer.

Sample Collection Personnel (SCP): individuals certified and trained by HIWU to conduct collection of blood, urine, or hair samples; includes, but is not limited to, test barn staff and veterinarians.

TCO₂ Sample/Testing: blood sample collected on race day to test for the use or administration of an alkalinizing agent, i.e., "milkshaking."

Test Distribution Plan: HIWU's intelligence-based strategy for selecting horses for testing.

Vets' List Sample/Testing: sample collected following a Vets' List Workout in order for the horse to be released from the Vets' List; Vets' List Testing is subject to the same regulations as Post-Race Testing, except for furosemide (furosemide is always permitted in a Vets' List Sample).

Voluntary Implementation Agreement: a contract with a state racing commission or racing organization to use its sample collection personnel and/or investigators in administering the ADMC Program.

****The above definitions and descriptions are not exhaustive. For more information, please consult the HISA ADMC Program rules that were approved by the FTC.****



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