

**Testimony of**  
**People for the Ethical Treatment of Animals**  
**Presented by**  
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**June 19, 2008**  
**Before the U.S. House of Representatives**  
**Subcommittee on Commerce, Trade, and Consumer Protection Hearing on**  
**Breeding, Drugs, and Breakdowns: The State of Thoroughbred Horseracing and**  
**the Welfare of the Thoroughbred Racehorse**

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**Introduction**

My name is Kathy Guillermo. I am the director of research for People for the Ethical Treatment of Animals (PETA). Thank you for the opportunity to address you today through this written testimony.

On behalf of PETA's more than 2 million members and supporters throughout the United States and around the world, I urge you to take immediate action to implement reforms, through federal legislation, in the thoroughbred racing industry. Our recommendations are based on interviews with dozens of trainers, grooms, veterinary technicians, owners, and others involved in the racing industry as well as our research and observations.

**Background**

The catastrophic injury and subsequent euthanasia of thoroughbred Eight Belles following the running of the Kentucky Derby on May 3, 2008, served to ignite a public firestorm of outrage. In fact, Eight Belles' death was not an isolated incident in the horseracing industry. In the weeks between the Kentucky Derby and the Belmont Stakes,

which are the first and last races of the Triple Crown, at least 17 horses died. The National Thoroughbred Racing Association reports that an estimated 750 horses break down and either die or are destroyed on U.S. race tracks every year. A recent investigative report by the Associated Press found that tracks underreported breakdown statistics and that the number of horses dying on tracks was even higher: 5,000 horses have died since 2003, and an average of three horses died every day during the last year. These statistics don't include horses who are injured and destroyed during training.

The following recommendations should drastically reduce the number of breakdowns and deaths on race tracks and eliminate much of the suffering endured by racehorses in this country.

### **Enact a Zero-Tolerance Drug Policy for Illegal Substances and Improperly Used Legal Substances**

Racing industry insiders tell us that drug use is an open secret. The highest levels of the thoroughbred racing industry know that horses are routinely drugged and are complicit in allowing this practice to continue. High-profile trainers Todd Pletcher, Steve Asmussen, Patrick Biancone, Bob Baffert, and D. Wayne Lukas have all been suspended for drugging horses. Richard Dutrow, the trainer of Kentucky Derby and Preakness winner Big Brown, has been suspended multiple times for illegal doping of horses. These trainers are minimally fined or suspended, and then they're back on the track.

Furthermore, the use of substances that are difficult or impossible to detect—or that horses are not tested for—is routine. These substances include cobra venom, which deadens horses' nerves; "milkshakes," a combination of sodium bicarbonate, sugar, and water that is pumped into horses' stomachs; alcohol; and many other substances. These illegal substances are meant to enhance performance or mask pain.

The use of legal drugs in the week leading up to a race is widespread and problematic. Horse trainers tell us that in the five days before a race, strong anti-inflammatory drugs, painkillers, and muscle relaxants are legally injected into injured, sore horses in order to make them run when they should be recovering. Horses may have two dozen or more injections of legal drugs in the five days preceding a race. Steroids, too, are legal in most racing jurisdictions, and they lead to lifelong health issues for horses.

Let us be clear: The use of illegal drugs and the misuse of legal therapeutic drugs lead to injuries and breakdowns because they enable a horse who is sore or injured to run in spite of the pain and injury. To eliminate these abuses, owners, trainers, veterinarians, and others who use illegal substances—or who misuse drugs to a horse's detriment—should be permanently banned from participating in racing in any way.

We further recommend detention barns at every track, where horses could be monitored in the 24 hours before a race.

### **Ban Whipping**

A thoroughbred who experiences pain during a race may be forced to run in spite of it because the jockey repeatedly whips the horse in the home stretch. This can lead to a breakdown.

In the United Kingdom—where the use of the whip is already strictly limited and where softer, gentler whips are mandatory—a group of jockeys has proposed a complete

ban on whips, arguing that it is both cruel and counterproductive. Norway banned whips in 1982 under its Cruelty to Animals Act.

In no other endeavor involving animals is whipping or beating allowed. It is correctly viewed as archaic and cruel. The public spectacle of seeing a jockey furiously strike a horse is counter to all that was intended by the enactment of animal protection laws and regulations in the last 100 years.

### **Eliminate Dirt Racing Surfaces**

The American preference for dirt racing surfaces is indisputably responsible for many leg injuries. A dirt track is hard and thus promotes speed, which is desired by some racing fans. But that hard surface is disastrous to the slender, often immature legs of thoroughbreds. Studies show that turf (grass) tracks greatly decrease the chances of catastrophic injury. We urge the elimination of dirt tracks in favor of turf tracks.

Most tracks in the U.S. already have turf tracks, which are usually located inside the dirt tracks. Race day schedules often feature at least one turf race, in addition to nine or 10 dirt races. A switch to all-turf races could be made immediately.

We are told that the newer synthetic track surfaces, while not as clearly beneficial as turf, have decreased breakdowns leading to euthanasia. These track surfaces are now in use at California tracks, Kentucky's Keeneland, and Woodbine in Canada, among other places. While turf is preferable, at a minimum, synthetic surfaces should replace all dirt tracks.

### **Prohibit Competitive Racing for Horses Younger Than 3 Years**

According to equine veterinarians, horses are not physically mature until the age of 5 years, and they are particularly vulnerable to strains and other injuries before the age of 3. Yet thoroughbreds begin racing in their second year. This problem is compounded by the fact that all thoroughbreds are said to be born on January 1—even though they are usually born in April or May. The 3-year-olds who are forced to compete in the grueling races of the Triple Crown are running on legs whose bones aren't fully hardened.

We are calling for a prohibition on racing thoroughbreds before their third year. While all young horses need to run in order to develop normally, this exercise should not include the rigors of competitive racing.

### **Limit the Number of Races per Season**

While a horse who competes in the Triple Crown and the races leading up to it may be raced infrequently, many other thoroughbreds are raced to the point of exhaustion and breakdown. This is because most horses will not provide their owners with an income from breeding or stud fees; they are profitable only when they are racing and winning purses. On smaller tracks in the U.S., there are thousands of such horses. When they stop winning, they are discarded by the racing industry, and because they often suffer from chronic physical ailments, they are likely to end up sold at auction and shipped to Canada or Mexico for slaughter.

Horses should not be forced to run themselves to death. And they should not be "rewarded" for their servitude by being cast off, killed, and sold piece by piece.

We are calling for a reasonable limit to the number of races that horses can be forced to run in a season.

## **Conclusion**

The thoroughbred racing industry is currently under intense scrutiny. A public that has, in recent years, increasingly turned away from race tracks is now questioning whether or not horseracing can be morally justified. As with any enterprise involving animals, this is a valid concern. But if horseracing is to be accepted by the public and thus remain viable, the reforms we have proposed must be implemented. They are sweeping, but they are also feasible.

We urge the subcommittee and members of Congress to take steps now to mandate these changes. It is likely that other testimony on topics such as shoeing will also form the basis of additional reforms. We suggest that a single federal racing authority may be necessary in order for improvements to be implemented and enforced in all racing jurisdictions.

The thousands of horses born each year to lives of racing cannot make their case to the subcommittee. They are dependent for their very survival on humans who too often have put winning ahead of ethical behavior. We ask that you act in the best interests of these animals.

Thank you for your consideration.

Kathy Guillermo is the director of research for People for the Ethical Treatment of Animals (PETA). She is a 1981 graduate of the University of the California at Berkeley, a 19-year veteran of PETA, and the author of the book *Monkey Business: The Disturbing Case That Launched the Animal Rights Movement*.