

# *New England Horsemen's Benevolent and Protective Association, Inc.*

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*A National Organization*

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December 16, 2009

Walter J. Sullivan, Jr., Chairman  
Massachusetts Racing Commission  
One Ashburton Place  
Boston, MA 02018

Re: 2009 Toe Grab Rule

We are writing to request that the Massachusetts Racing Commission consider a revision of the current rule that limits the use of toe grabs on the front shoes of Thoroughbreds to 2 mm, by adopting the Jockey Club Thoroughbred Safety Committee's July 22, 2009 modification to their recommended rule.

The Jockey Club Thoroughbred Safety Committee met with industry participants and reviewed all available scientific research before concluding that local circumstances such as dirt track composition and/or weather conditions may justify allowing horsemen the discretion to use short toe grabs no greater than 4 mm on the front shoes of thoroughbreds racing on dirt surfaces.

Midway through the 2009 Suffolk Downs race meet, several of our trainers began expressing concern for the safety of their horses under both training and racing conditions, particularly, on turns and when exiting the starting gate. We alerted the Association Veterinarians and the Racing Commission Veterinarian to the trainers' concerns, all of whom said that they would focus their observations on the situation during the remaining race schedule. Racing Commission Veterinarian, Alex Lightbown, went the extra step and took responsibility to contact and work closely with the Stewards to observe footing events during races.

As the race meet progressed, trainers continued to convey their concerns to us. Prior to the end of the race meet, our Acting Executive Director and two representative trainers met with the Stewards to inquire about their observations concerning the new "toe grab rule". The Stewards unanimously stated that they had been monitoring the types of injuries that may have been reduced by the new "toe grab rule" and that they increased their scrutiny after Dr. Lightbown contacted them. The Stewards further stated that they observed no significant difference in injuries as a result of the new "toe grab rule" and that their collective opinion was that each trainer should decide whether to use the 2 mm or 4 mm toe grab on each horse under their care.

As you are aware, the Delaware Racing Commission has revoked their 2 mm limit (returning to a 4 mm limit) on the use of toe grabs, citing concerns for rider and horse safety. Monmouth Park (New Jersey), using "house rules" returned to a 4 mm toe grab limit from a 2 mm limit. It is our understanding that other states are considering similar revocation actions.

We sincerely appreciate your consideration of this issue prior to the start of the 2010 Suffolk Downs race meet.

Sincerely,

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Albert Balestra, President  
New England H.B.P. A.

CC: Susan Walsh, Chief Commission Steward  
Alex Lightbown, D.V.M., Commission Veterinarian  
Chip Tuttle, Chief Operating Officer  
Sam Elliott, Vice President of Racing  
Robert McKinney, D.V.M., Chief Association Veterinarian  
Kevin O'Gorman, D.V.M., Association Veterinarian