

# NEW YORK TIMES

November 5, 2009

## *Barred for Drugs, Horse Trainers Return to Track*

By JOE DRAPE

ARCADIA, Calif. — In 2007, Kentucky racing officials found cobra venom, a powerful painkiller, in the barn of Patrick Biancone, a horse trainer with prestigious victories from Hong Kong to France. He was barred from the sport for a year. Steve Asmussen, the nation's leading trainer, served a six-month suspension in 2006 after one of his horses failed a drug test in Louisiana, and is appealing another six-month suspension handed down in Texas for another medication violation.

Both, however, will saddle horses in the Breeders' Cup, which begins Friday here at Santa Anita Park and will bring together horses from around the globe to compete in 14 races worth more than \$25.5 million in purse money.

Biancone and Asmussen are not alone: more than a half-dozen other trainers with multiple and serious drug violations will have contenders in the starting gate of one of thoroughbred racing's greatest events.

In fact, of the top 10 American-based trainers in purse winnings this year, only one, Christophe Clement, has never been cited for a medication violation, according to industry records.

"Ten years ago, you were embarrassed to get a medication suspension," said Clement, whose Gio Ponti will compete in the \$5 million Classic. "Now trainers get suspended and go away, and when they come back they get more horses and more owners than they had before they left."

It is part of an evolving culture in horse racing that ultimately rewards those who seek any means, legal and otherwise, to get an edge. When illegal drug use goes undetected, trainers walk away with the winnings and an enhanced reputation. But when they are caught, they are all too often handed punishments that are in name only. Their horses still run and their stables still operate, usually under the name of a trusted assistant.

"It seems like we're handing out speeding tickets instead of arresting people for dealing drugs," said Tom Ludt, a member of the Kentucky Horse Racing Commission, which regulates the sport in the commonwealth and handed down Biancone's suspension.

In 2006, for example, when Asmussen was suspended by Louisiana authorities when a filly he trained tested 750 times over the legal limit for the local anesthetic mepivacaine, which can deaden pain in a horse's legs, he turned his horses over to Scott Blasi, his longtime assistant. Blasi won 198 races in 2006 as the Asmussen stable finished the year with more than \$14 million in earnings.

Soon after his return, Asmussen was given Curlin, who went on to win the Preakness Stakes in 2007 and then became a two-time Horse of the Year for Jess Jackson, the founder of Kendall Jackson Wines.

Asmussen and Jackson are very likely to win a Horse of the Year title for a third time this year with the filly Rachel Alexandra. She is skipping the Breeders' Cup after going eight for eight this year, including victories against 3-year-old colts in the Preakness and the Haskell as well as older male horses in the Woodward Stakes.

In July, shortly after Texas announced its suspension of Asmussen, Ludt, who also is general manager of Vinery Stable, took 21 horses away from him. But his decision lasted only so long. He has returned six horses to Asmussen — including the multiple stakes winner Kodiak Kowboy, who was supposed to compete in the \$2 million Breeders' Cup Sprint on Saturday but was scratched this week because of illness.

Ludt acknowledges that his words and actions are often in conflict over the subject of drugs in horse racing. He said he returned to Asmussen because “it’s a tough, brutal sport, and you want to win.”

Ludt says he has grown so frustrated by his sport’s drug problem that last week at a Kentucky Horse Racing Commission meeting he said, “Why do we even waste the money drug-testing horses?” Ludt is also a board member of the Breeders’ Cup, which is among a few organizations that have taken unilateral steps in trying to stem the flow of drugs. In 2007, the Breeders’ Cup implemented stiff penalties for drug cheats, and has been aggressive in aligning the championships with the regulations in place in Europe and most of the rest of the world, where performance-enhancing drugs are vigilantly policed. Biancone, for one, has been barred from tracks in Hong Kong.

“I’ve been down the road of thinking that everyone cheats, and I’ve been down the road of thinking that no one cheats,” he said. “Until we come up with universal rules that everyone wants to enforce, it’s going to be complicated.”

Asmussen, who trains hundreds of horses stabled from Kentucky to Canada, denied wrongdoing in both the Louisiana and Texas cases. There is little doubt he is a skilled trainer: he grew up on a ranch in Laredo, Tex., the son of a horseman, and is far and away the nation’s leading trainer with his sprawling stable.

Some of his numerous medication violations have been minor — a product of what Asmussen and other trainers with multiple strings of horses say are attributable to the differing rules from state to state and the fact that they cannot be everywhere and must rely on staff.

Last year, Jackson testified before a Congressional subcommittee that criticized the horse racing industry for putting thoroughbred horses in peril with lax drug policies, faulty breeding practices and an emphasis on greed rather than transparency. Lawmakers urged racing’s leaders to form a central governing body for the sport, and warned that Congress could reopen the Interstate Horse Racing Act of 1978 — the legal window that led to the explosion in simulcast wagering around the country.

At that same hearing, the Hall of Fame trainer Jack Van Berg told Congress that modern thoroughbred racing had become “chemical warfare.”

Still, Jackson has stood behind Asmussen, who acknowledged giving anabolic steroids to Curlin in 2007 when they were legal. Last spring, Jackson bought Rachel Alexandra for millions of dollars. His first move was to transfer his prize purchase from the barn of Hal Wiggins to Asmussen.

Jackson does not deny that the sport has a significant problem, but says the trainers bear too much responsibility for it.

“I think the vet’s the problem and the industry attitude and enforcements are the problem,” Jackson said.

A few state regulators have successfully put teeth behind their penalties. Indiana, for example, was the first state to prohibit the horses of a suspended trainer from being transferred to the care of a family member or an employee. Instead, they must go to an independent trainer usually based at a state track where they can be monitored.

It prevents outlawed trainers from circumventing the rules. While Biancone is licensed in California, where he is now based, it did not go unnoticed at the just completed Keeneland meet in Lexington, Ky., that his daughter, Marie, ran a couple of horses for some of the same owners who employ her father. She is licensed to train in Kentucky; he has yet to reapply for a license.

It is this perception of lawlessness — at a time when casual and hard-core fans are questioning whether horse racing is both on the square and has the best interests of its horses at heart. It also is part of the reason the New York Racing Association recently barred the trainer Jeff Mullins for

six months for medicating one of his horses in the Aqueduct monitoring barn hours before a race in April and repeatedly lying about it.

While the New York State Racing and Wagering Board suspended Mullins for seven days and fined him \$2,500, the New York Racing Association, which owns the state's three major tracks, decided it needed to send a more aggressive message.

No other racing jurisdiction has agreed to honor that penalty, which is not the case when punishment is meted out by state regulators. But Mullins was supposed to be the trainer for In the Slips, who has been entered to run in the Juvenile Turf Filly race on Friday. Instead, the filly's owner, Michael House, gave the horse to another trainer based in California, James Lloyd.

"Everyone knows we have a problem where the punishments do not fit the crimes," said C. Steven Duncker, the racing association's chairman. "We wanted to go farther than that. We all need to go farther."