

# NO CONFIDENCE

## Drugs in the American Greyhound Racing Industry

December 2017



Kiowa Amage Me tested positive for a cocaine metabolite in 2015

### An Overview of Drugs in the US Greyhound Industry, 2007 - 2017

- 847 greyhound drug positives, including 71 cocaine positives
- Spike in Class 1 drug positives in 2017
- 83 drug-related rulings, including the confiscation of syringes and injectable vials
- Rampant industry use of anabolic steroids in female greyhounds
- Underfunded drug testing, with fewer drug tests than total races in Alabama, Arkansas and Florida
- Repeated attempts by Florida racing industry to undermine state drug testing program via legal challenges
- Lack of transparency in greyhound drug testing programs in Alabama, Texas and West Virginia

- Insufficient and uneven penalties for drug positives, including a \$50 fine for a cocaine positive
- Unprecedented reduction in drug testing in Texas at private racetrack's request

### Executive Summary

Since the 1930s, American dog racing regulators have performed drug tests on racing greyhounds. They do so to combat a culture of drug doping and to promote integrity in the enterprise. Despite these efforts, drugging is endemic to the racing industry and violations are not sufficiently punished.

This analysis covers drug positive reports in the United States from July 2007 through August 2017. It encompasses 847 drug positives and 83 drug-related violations, including the discovery of unauthorized syringes, injectable vials and other offenses.

Notably, there have been 71 greyhound cocaine positives and 22 human drug positive reports. In terms of anabolic steroids, use of these drugs is widespread in the United States although it has been outlawed entirely in other international jurisdictions. Other obstacles to stopping drug use in the racing industry are caused by significant variations in testing levels and differing public disclosure requirements across the states.

Finally, it is important to note that industry participants found in violation of drugging rules have begun using litigation to avoid punishment.

## Introduction

Every commercial greyhound racing jurisdiction performs drug testing on its greyhounds. Each agency contracts with an independent drug laboratory which analyzes urine samples for prohibited substances. This oversight is intended to create a perception that races are conducted fairly.<sup>1</sup> But are they?

This report offers a comprehensive look at the role drugs and drug testing play in the commercial dog racing industry. It draws upon state reports, drug rulings, articles and drug research.

## A Historical Overview

Each of the racing states – Alabama, Arkansas, Florida, Iowa, Texas and West Virginia – has its own legacy of drugs and drug testing. As these jurisdictions legalized commercial greyhound racing, they each had to confront the problem of drug use in the industry, both canine and human.

Florida, which first legalized pari-mutuel racing in 1931, began drug testing horses in its industry's third year of operation and greyhounds in

its sixth.<sup>2</sup> The Florida State Racing Commission's 1933-1934 annual report documents these efforts, stating:

*"During the past season the Commission inaugurated and waged a campaign to eliminate the practice of doping or stimulating race horses. Having no precedent by which to go, the Commission approached the problem from the angle of prevention, providing a method of detection."*<sup>3</sup>

The agency was forced to create an entire system to confront its drug problems, creating a "corps of investigators" and a "saliva test" to identify possible positives.<sup>4</sup> The report continued, "We believe the distance traveled since the inauguration of this campaign and the results obtained have fully justified the necessary increased expenditures by the Commission. Rules against doping, providing for adequate supervision, have since been passed by every racing commission throughout the country."<sup>5</sup> These early statements in the history of drug regulation reveal two basic facts: that there was an industry-wide drug problem and it was going to cost a lot of money to prevent the fixing of races.

## The Roots of ARCI

At the same time the American racing industry was contending with its drug problems, regulators began to see the benefit of sharing ideas and solutions across state lines. In 1934, the Florida State Racing Commission hosted a conference and invited regulators from all the racing states, ten of which accepted.<sup>6</sup> At this event, the group of regulators formed the National Association of State Racing Commissioners, the predecessor to today's Association of Racing Commissioners International.<sup>7</sup>

The ARCI (also RCI) is the sole umbrella organization of government regulators for horse and greyhound racing in North America and parts

of the Caribbean.<sup>8</sup> According to its website, ARCI “sets standards for racing regulation, medication policy, drug testing laboratories, totalizator systems, racetrack operation and security, as well as off-track wagering entities.”<sup>9</sup> ARCI has no regulatory authority itself, but claims that its members “operate the most aggressive drug testing program of any professional sport – testing for more substances at deeper levels.”<sup>10</sup>

## Drug Testing Today

The drug testing component of the commercial greyhound industry has made several notable changes since it was first created in the 1930s. One major change is the outsourcing of the actual testing. Though testing was originally developed internally, as in Florida’s industry,<sup>11</sup> every greyhound racing jurisdiction today uses an independent drug testing laboratory as a matter of course. Another change was prompted by the uneven terrain in terms of drug enforcement across racing jurisdictions. In an effort to strengthen the industry’s integrity and credibility, ARCI produced model rules, laboratory standards, and a uniform classification of all prohibited drugs.<sup>12</sup> Drugs were placed in a hierarchy of potential influence, from drugs with the least potential to influence race results to drugs with the most.<sup>13</sup> Racing



Anabolic steroids for suppressing estrus in female greyhounds at Tucson Greyhound Park in Arizona (Pima County Animal Services)

jurisdictions were then encouraged to refer to these standards.

## Drug Classification

ARCI’s prohibited drug list is titled “Uniform Classification Guidelines for Foreign Substances and Recommended Penalties Model Rule.” Drug categories range from Class 1 (the most powerful) to Class 5 (the least).<sup>14</sup>

**Class 1** – Stimulant and depressant drugs with the highest potential to influence the racing animal. These include amphetamines, opiates, opium derivatives, psychoactive drugs and synthetic opioids.

**Class 2** – Drugs that have a high potential to affect performance, but less than the drugs in Class 1. These include psychotropic drugs, certain nervous system and cardiovascular system stimulants, depressants and neuromuscular blocking agents.

**Class 3** – Drugs that may or may not have generally accepted medical use, but still has potential to affect performance, albeit less than Class 2. These include bronchodilators, anabolic steroids, drugs with primary effects on the nervous system, procaine and some antihistamines with sedative properties.

**Class 4** – Drugs which include therapeutic medications expected to influence performance less than Class 3. These include some diuretics, corticosteroids, antihistamines, muscle relaxants without CNS effects, topical anesthetics, antidiarrheals and analgesics.

**Class 5** – Drugs which have therapeutic effects in very localized areas only. These include anti-allergy, anti-coagulant and anti-ulcer drugs.<sup>15</sup>

# Drug Positives in the American Greyhound Racing Industry 2007 - 2017

Drug (Class)	Alabama	Arizona	Arkansas	Colorado	Florida	Iowa	New Hampshire	Texas	West Virginia	Wisconsin	Total
Acetaminophen (4)	.	.	.	.	1	.	.	.	.	.	1
Acetylsalicylic acid (Aspirin) (4)	.	.	.	.	.	.	.	5	.	.	5
Aminorex (1), Levamisole (2), Levamisole metabolite (2)	.	.	.	.	1	.	.	.	.	.	1
Anico Black Ointment (which contains Class 4 drugs)	.	.	.	.	.	.	.	.	1	.	1
Benzoyllecgonine (metabolite of Cocaine) (1)	2	.	1	.	56	.	.	.	.	.	59
Benzoyllecgonine (1), Cocaine (1)	.	.	.	.	4	.	.	.	.	.	4
Benzoyllecgonine (1), Cocaine (1), Ecgonine Methyl Ester (1)	.	.	.	.	8	.	.	.	.	.	8
Caffeine (2)	.	16	.	.	3	.	.	6	.	.	25
Caffeine (2), Theophylline (3)	.	.	.	1	.	9	.	6	.	.	16
Caffeine (2), Theobromine (4), Theophylline (3)	.	.	.	.	45	.	.	.	3	.	48
Carprofen (4)	13	.	.	.	5	8	.	.	20	.	46
Clenbuterol (3)	.	.	.	.	1	.	.	.	.	.	1
Deracoxib (3)	.	.	.	.	.	2	.	.	.	.	2
Dexamethasone (4)	.	1	1	.	2	.	.	.	.	.	4
Dimethyl Sulfone (removed from classification; used to be Class 5)	.	.	.	.	.	.	.	.	15	.	15
Dimethyl Sulfoxide (DMSO) (5)	.	.	.	1	53	.	6	.	9	.	69
Dimethyl Sulfoxide (5), Dimethyl Sulfone (removed from classification; used to be Class 5)	.	.	.	.	.	.	.	.	8	.	8
Flunixin (4)	1	.	1	.	40	4	2	1	12	1	62
Flunixin (4) / 5-Hydroxy Flunixin (metabolite)	.	.	.	.	.	2	.	.	.	.	2
Gamma-Hydroxyphenylbutazone (not listed)	.	.	.	.	9	.	.	.	.	.	9
Gamma-Hydroxyphenylbutazone (not listed), Phenylbutazone (4), Oxyphenbutazone (4)	.	.	.	.	3	.	.	.	.	.	3
Isoflupredone (4)	.	2	.	.	.	.	.	.	.	.	2
Ketoprofen (4)	.	.	.	.	1	.	.	.	.	.	1
Lidocaine (2)	.	2	1	.	1	.	.	.	.	.	4
Lidocaine (2)/ 3&4-Hydroxylidocaine (metabolite)/Monoethyl-glycinesylidine (not listed)	.	.	.	.	3	.	.	.	.	.	3
Lidocaine (2)/ 3-Hydroxy-lidocaine (metabolite)	.	.	.	.	.	2	.	1	.	.	3
Lidocaine (2), MEGX (3)	.	.	.	.	2	.	.	.	.	.	2
Lidocaine (2), MEGX (3), 3-Hydroxy lidocaine (metabolite)	.	.	.	.	1	.	.	.	.	.	1
Lidocaine (2), MEGX (3), 3-Hydroxy lidocaine (metabolite), 4-Hydroxy lidocaine (metabolite)	.	.	.	.	3	.	.	.	.	.	3
Metandienone (Methandrostenolone) (3)	.	4	.	.	.	.	.	.	.	.	4
Methocarbamol (4)	3	1	26	2	1	17	.	2	34	.	86
Methocarbamol (4), Guaifenesin (4)	.	.	.	.	1	5	.	.	.	.	6
Monoethylglycinexylidine (2)	.	.	.	.	3	.	.	.	.	.	3
Monoethylglycinexylidine (2)/ 3 and 4 Hydroxy-lidocaine (metabolite of lidocaine)	.	.	.	.	1	.	.	.	.	.	1
Naproxen (4)	.	2	.	.	.	.	.	.	.	.	2
Oxycodone (1), Oxymorphone (1)	.	.	.	.	5	.	.	.	.	.	5
Oxymorphone (1)	.	.	.	.	1	.	.	.	.	.	1
Oxyphenbutazone (4)	.	.	.	.	1	.	.	.	.	.	1
Phenylbutazone (4)/Oxyphenbutazone (4)	.	.	.	.	26	2	.	.	.	.	28
Phenylpropanolamine (3)	.	1	.	.	.	.	.	.	.	.	1
Polyethyleneglycol (5)	.	.	.	.	.	.	.	17	.	.	17
Procaine (3)	.	.	2	.	91	.	1	17	.	.	111
Ractopamine (2)	.	.	1	.	.	99	.	.	.	.	100
Robaxin (not listed)	.	.	1	.	.	.	.	.	.	.	1
Salicylic Acid (Aspirin) (4)	.	.	.	.	.	.	2	.	.	.	2
Sulfadimethoxine (not listed)	.	.	.	.	.	.	.	7	.	.	7
Sulfamethazine (not listed)	.	.	.	.	.	.	.	6	.	.	6
Theobromine (4)	.	1	.	.	33	.	.	1	.	.	35
Theobromine (4), Theophylline (3)	.	.	.	.	13	.	.	.	.	.	13
Theophylline (3)	.	.	.	.	1	2	.	5	.	.	8
Unknown	.	.	.	.	.	.	.	.	1	.	1
<b>TOTAL DRUG POSITIVES</b>	<b>19</b>	<b>30</b>	<b>34</b>	<b>4</b>	<b>419</b>	<b>152</b>	<b>11</b>	<b>74</b>	<b>103</b>	<b>1</b>	<b>847</b>

Data sourced from public information requests to state and county regulators and racing commission annual reports



## The Collection of Samples

ARCI outlines the general procedure for collecting test samples in its Model Rules.<sup>16</sup> Depending on the jurisdiction, urine may be collected before or after a race. Under the direct supervision of a track veterinarian, test technicians collect the urine in a track's lockout kennel, also known as a ginny pit, or another secure location approved by the regulating authority. Using a urine collection device, technicians attempt to collect the laboratory-mandated amount of urine from each greyhound. If it is possible to fill a second "split sample" and maintain the minimum urine threshold for each one, this is also done at this time. The samples are sealed, labeled, and turned over to the Commission veterinarian or other appropriate state employee (in Florida, an authorized representative of the Division of Pari-Mutuel Wagering). The owner, trainer or kennel owner of the dog is entitled to witness the process and sign the urine specimen, but failure to do so constitutes a waiver of the right. The Commission veterinarian or state employee then places the samples inside a secure shipping container, which is then frozen in a secure sample room. These samples are shipped to the designated laboratory in a timely manner for review.

This procedure establishes a chain of custody for samples taken at a racetrack. When samples arrive at a testing laboratory, this chain of custody is maintained.<sup>17</sup> Furthermore, as exemplified by some state rulings, samples do not contain the identity of the dog or the trainer and are anonymized with a sample number.<sup>18</sup>

## The Drug Testing Laboratories

The following laboratories are currently in use by the greyhound industry:

**Alabama (Birmingham County),**  
The Center for TOX Services, Inc.<sup>19</sup>

**Alabama (Mobile County),**  
The Center for TOX Services, Inc.<sup>20</sup>

**Arkansas,**  
Truesdail Laboratories, Inc.<sup>21</sup>

**Florida,**  
University of Florida's Racing Laboratory<sup>22</sup>

**Iowa,**  
Iowa State University Veterinary Diagnostic Laboratory<sup>23</sup>

**Texas,**  
Texas A&M Veterinary Medical Diagnostic Laboratory<sup>24</sup>

**West Virginia,**  
The Center for TOX Services, Inc.<sup>25</sup>



RJ's Pelee tested positive for ractopamine at Iowa Greyhound Park in 2015 (Greyhound-Data)

Each has ISO/IEC 17025 accreditation, an international standard used by testing and calibration laboratories.<sup>26</sup> The two American organizations which accredit the labs with proficiency in this standard are the American Association for Laboratory Accreditation and the ANSI-ASQ National Accreditation Board.

## Laboratory Testing Methods

Laboratories are proficient in a variety of methods for drug detection. These include Thin Layer Chromatography (TLC), Enzyme-Linked Immunosorbent Assay (ELISA), Gas Chromatography/Mass Spectrometry (GC/MS), and Liquid Chromatography/Mass Spectrometry (LC/MS).<sup>27</sup>

Each technique has its advantages and disadvantages. TLC is quick and cost efficient, but is also “relatively insensitive,” as it might only be able to detect illicit substances within a short period of time.<sup>28</sup> ELISA is a more expensive and sensitive option. Its strength is that it can test dozens of samples at the same time; however, each test is limited to finding between one and three related drugs and, importantly, there aren’t available tests for all known substances.<sup>29</sup> LCMS/GCMS is sensitive, efficient and currently the most expensive option. It can analyze a sample for a variety of drugs in a single test.<sup>30</sup>

## The Handling of Samples

The handling of urine samples is documented at every step. Once the samples have been collected by the test technicians and labeled by the Commission veterinarian or state employee, they are stored at a secure location at the track until being shipped to a drug testing laboratory.<sup>31</sup>

The laboratories must employ a strict chain of custody with urine samples to meet accreditation standards.<sup>32</sup> Upon arrival, the transport container is inspected and any irregularities

06-08-17:01:17PM; PMW Operat: DATE 5-22-17 150438

**UF UNIVERSITY of FLORIDA**  
College of Medicine  
Department of Pathology, Immunology and Laboratory Medicine  
Racing Laboratory

June 08, 2017

Mr. Anthony J. Glover, Director  
Division of Pari-Mutuel Wagering  
Department of Business and Professional Regulation  
2601 Blair Stone Road  
Tallahassee, FL 32399-1037

RE: Report of Positive Result

Sample 150438 has been analyzed by liquid chromatography-tandem mass spectrometry (LC-MS/MS) and found to contain the following:

**benzoylcegonine found in urine**  
benzoylcegonine is a metabolite of cocaine (cocaine is a local anesthetic and class 1 drug); the concentration of benzoylcegonine is 16 ng/mL.

C278284-FDU	Dog Urine	54.2 g	INTACT
Laboratory Number	Specimen	Final Weight	Seal
<u>Orange Park Kennel Club</u>		05/22/2017	05/25/2017
Collected From	Date Collected		Date Received

Pursuant to Chapter 550.2415 (1), F.S., the public disclosure of the information contained in this Report of Positive Result is authorized on or after 06/17/2017, or upon commencement of administrative action, whichever occurs first.

Margaret H. Wilding  
Margaret H. Wilding, FAORC  
Associate Director

David M. Tiffany  
David M. Tiffany, FAORC  
Chemist IV

University of Florida Racing Lab  
ISO/IEC 17025:2005  
Certificate # AT-1642

ANAB

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The Foundation for The Gator Nation  
An Equal Opportunity Institution

A lab report documents a cocaine-positive test from 3 year-old racing greyhound “Principal” (Florida Division of Pari-Mutuel Wagering)

recorded. The laboratory technician receives the samples, noting the date and time. Subsequent handling, opening, analyzing, and storing of samples only takes place in a secure, designated area of the laboratory.<sup>33</sup>

Tested samples fall under three basic categories – positive, negative and suspicious. Samples which test positive trigger a notification, and the laboratory generally alerts the regulating authority within ten to fifteen days. In the case of an ARCI Class 1 or Class 2 positive, which signifies stimulants and depressants that have the greatest chance of influencing the outcome

of a race, the regulating authority may be called immediately. Samples which test negative for prohibited substances do not trigger notification to the regulating authority. Samples which are suspicious are ones that may contain illegal substances. In these cases, extensions may be requested by the laboratory for more time to test the samples, a process which must be approved by the regulating authority.<sup>34</sup>

In the case of a drug positive, participants have the option of requesting a “split sample.”<sup>35</sup> A split sample is an identically prepared yet still untested sample from the Commission veterinarian or state employee. If the racing participant objects to a laboratory’s findings, he or she can request the split sample to be tested elsewhere. The primary drug laboratory then sends the split sample to a secondary laboratory, essentially offering the participant a second opinion.

#### **CASE STUDY: TEXAS RACING COMMISSION REFUSES TO DISCLOSE DRUG TESTING DATA**

Until FY2011, the Texas Racing Commission published aggregate greyhound drug positive statistics in its annual reports.<sup>36</sup> In FY2012 and FY2013, a graph combining horse and greyhound drug positives, as well as human positives, replaced the specific, detailed drug information which had been reported over two decades.<sup>37</sup> By FY2014, even this aggregate information had been dropped from the annual report.<sup>38</sup>

In Texas Racing Commission documents obtained by GREY2K USA Worldwide, Public Information Officer Robert Elrod admitted in a memo that:

*“The [Texas Racing Commission] also substantially reduced [Gulf Greyhound Park]’s drug testing costs after GGP requested a*

*reevaluation of the drug testing program in 2011. In response, TRC reduced the required number of tests per race by 30%.”<sup>39</sup>*

Within three years, the regulator acted to obscure this move by removing drug reporting data from its annual reports altogether.<sup>40</sup>

As a result, GREY2K USA Worldwide made public information requests to both the Texas Racing Commission and the Texas A&M Veterinary Medical Diagnostic Laboratory regarding aggregate drug positives. Both entities requested legal opinions from the Office of the Attorney General of Texas regarding the requests and ultimately were given the authority to refuse disclosure.<sup>41</sup>

#### **How Budget Plays a Role in Drug Testing**

Each jurisdiction assigns a budget for drug testing for the year. This imposes constraints on both the number of testable drugs and the types of tests which may be employed.

**Alabama (Birmingham County)** – unknown

**Alabama (Mobile County)** - \$23,562 for FY2016<sup>42</sup>

**Arkansas** – \$80,854.30 for FY2016<sup>43</sup>

**Florida** – \$1,580,000 for FY2016 (estimate)<sup>44</sup>

**Iowa** – \$54,000 for FY2016 (estimate)<sup>45</sup>

**Texas** – \$18,631.01 for 11/2016 - 02/2017<sup>46</sup>

**West Virginia** – \$270,000 - \$300,000 for FY2016 (estimate)<sup>47</sup>

In Alabama, which regulates greyhound racing at the county level, there were two tracks with two

regulating authorities: The Birmingham Racing Commission which regulates a track in Birmingham and the Mobile County Racing Commission which regulated a track in Theodore (this track no longer offers live racing). The Birmingham Racing Commission did not reply to requests for information, so it is unknown how much was spent on drug testing in that county. In 2016, the Mobile County Racing Commission spent \$23,562 on drug testing.<sup>48</sup> The drug contract with the Center for TOX Services fixed the price of greyhound urine testing at \$21 per test.<sup>49</sup> The Commission submitted approximately 1,122 urine samples for testing, from which no positives were found.<sup>50</sup> There were 2,948 races held,<sup>51</sup> meaning that at least 62% of winning dogs went untested for prohibited substances.

### ABOUT DIMETHYL SULFOXIDE

Dimethyl sulfoxide or DMSO is a controversial drug and industrial solvent which has been used to treat pain and injuries, as well as high blood pressure and bladder infections.<sup>52</sup> Concerns have been raised about its ability to enhance performance, possibly in combination with other drugs.<sup>53</sup> DMSO is a Class 4 drug and since FY2008 has tested positive in greyhounds 77 times.<sup>54</sup>

In Arkansas, the Arkansas Racing Commission spent \$80,854.30 on drug testing during FY2016.<sup>55</sup> The Commission spent \$17.90 per greyhound urine sample which equates to approximately 4,517 tests, not including any supplemental drug testing.<sup>56</sup> During FY2016, there were 6,592 races held at Southland Park,<sup>57</sup> meaning that at least 31.5% of its winners were not subject to drug testing.

In Florida for FY2016, the Department of Business and Professional Regulation budgeted

\$2,266,000 for all drug testing, including greyhound, horse and the miscellaneous testing of confiscated drug samples including “tablets, pills, ointment, and syringes.”<sup>58</sup> This budget included a total of 80,100 projected drug tests, of which 56,000 were to be greyhound, 24,000 horse and 100 other.<sup>59</sup> By year’s end, the laboratory had tested 39,031 greyhound urine samples, which accounts for nearly 69.7% of all animal testing.<sup>60</sup> Additionally, the Department of Business and Professional Regulation estimates it spent \$1,580,000 on greyhound urine testing by year’s end.<sup>61</sup> During FY2016, there were 44,364 races held across Florida, meaning that at least 12% of all winners were not subject to drug testing.<sup>62</sup> Even though an additional 16,969 greyhound drug tests were budgeted during this fiscal year, 19,654 urine samples had insufficient amounts for testing, approximately one-third of all submissions.<sup>63</sup>

In Iowa, the Iowa Gaming and Racing Commission spent approximately \$54,000 on drug testing during FY2016. The Commission spent approximately \$37.50 per greyhound urine sample (price based on FY2017 contract).<sup>64</sup> There were 1,440 races held in Iowa,<sup>65</sup> and 1,440 greyhound urine samples were submitted for testing.<sup>66</sup>

In Texas, the Texas Racing Commission spent \$18,631.01 on drug testing during its short 2016-2017 season.<sup>67</sup> The Commission pledged to spend a maximum of \$45 per greyhound urine sample.<sup>68</sup> During this time, 36 performances were conducted with 390 races held.<sup>69</sup> In its Memorandum of Understanding with the Texas A&M Diagnostic Laboratory, the Texas Racing Commission agreed to test “324 canine urine samples by August 31, 2017.” The Commission also agreed to test “0.9 canine samples per greyhound race.”<sup>70</sup> That is, the regulator promised ahead of time to test less than one greyhound per race. During the season, however,



the number of races increased, and the testing appeared to be commensurate. At \$45 per test, the laboratory tested at least 414 samples.

In FY2016, the West Virginia Racing Commission incurred approximately \$270,000 - \$300,000 on drug testing.<sup>71</sup> The Commission agreed to pay \$24 per greyhound urine sample and \$50 to \$300 per sample for special testing.<sup>72</sup> Between 11,250 and 12,500 urine samples may have been tested at a maximum. How many urine samples were ultimately tested is unknown.

### Drug Positive Statistics

From July 2007 to August 2017, GREY2K USA Worldwide has documented 847 drug positives, including cocaine, ractopamine, and DMSO.<sup>73</sup>

During this time, the most common drug positives in the USA were:

### ABOUT COCAINE

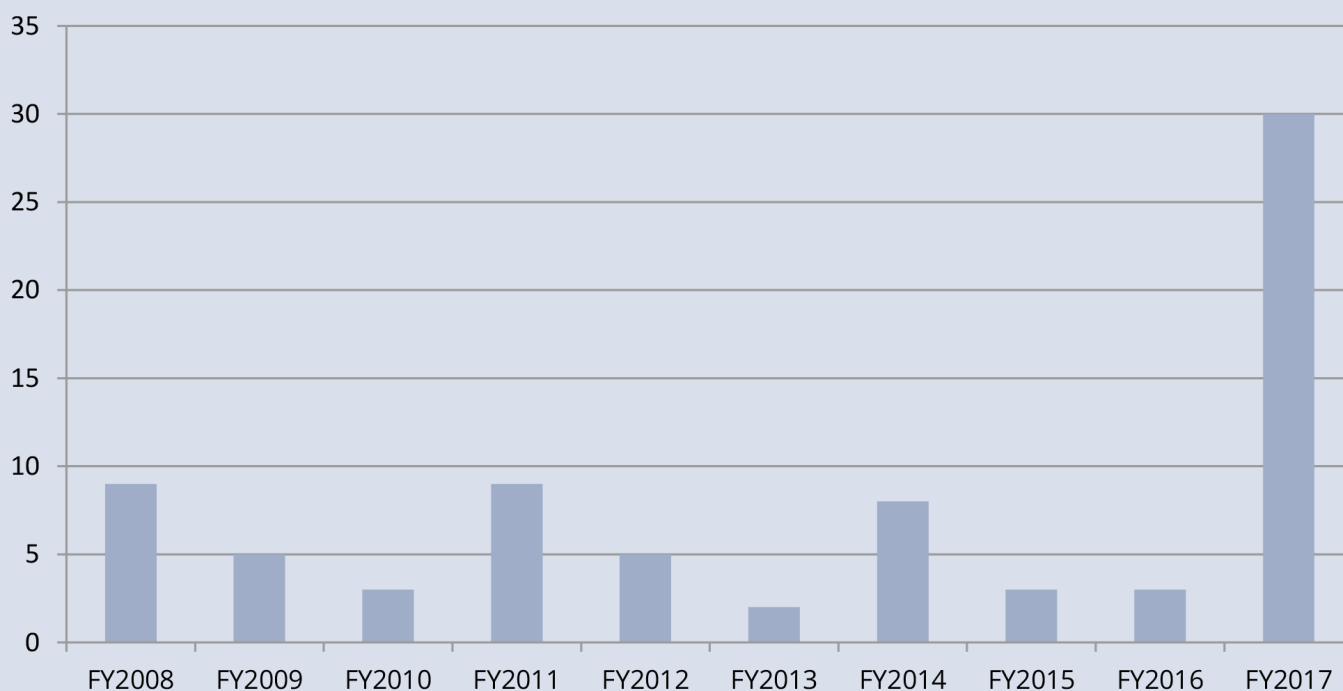
Cocaine is a highly addictive stimulant and street drug with “no generally accepted medical use” in racing animals.<sup>74</sup> Metabolites of cocaine like benzoylecgonine and ecgonine methyl ester have also been found in racing greyhounds and are indicative of exposure to cocaine.<sup>75</sup> Cocaine and its metabolites are Class 1 drugs and since FY2008 have been found in greyhounds 71 times.<sup>76</sup>

**Procaine** – 111 positives – Class 3 local anesthetic, commonly referred to as novocaine

**Ractopamine** – 100 positives – Class 2 cattle industry feed additive

**Methocarbamol** – 92 positives – Class 4 muscle relaxant

## American Greyhound Racing Class 1 Drug Positives



Includes Aminorex, Benzoylecgonine, Cocaine and Ecgonine Methyl Ester positives from Alabama, Arkansas and Florida

**Caffeine** – 89 positives – Class 2 stimulant

**Dimethyl sulfoxide (DMSO)** – 77 positives – Class 4 industrial solvent and anti-inflammatory

**Cocaine, Benzoyllecgonine and Ecgonine Methyl Ester** – 71 positives – Class 1 stimulant

**Flunixin** – 64 positives – Class 4 anti-inflammatory and fever-reducer

By racing jurisdiction during the same time frame, the most common drug positives were:

**Alabama** – Carprofen, 13 counts, Class 4 anti-inflammatory

**Arkansas** – Methocarbamol, 26 counts, Class 4 anti-inflammatory

**Florida** – Procaine, 91 counts, Class 3 local anesthetic, common name is novocaine

**Iowa** – Ractopamine, 99 counts, Class 2 cattle industry feed additive

**Texas** – Polyethyleneglycol, 17 counts, Class 5 osmotic laxative; Procaine, 17 counts, Class 3 local anesthetic, common name is novocaine

**West Virginia** – Methocarbamol, 34 counts, Class 4 muscle relaxant

## ABOUT RACTOPAMINE

Ractopamine is a growth hormone and feed additive used by the livestock industry to bulk up swine before slaughter.<sup>77</sup> It “mimics the effects of steroids by building muscle mass” and has been banned in 160 countries.<sup>78</sup> Ractopamine is a Class 2 drug and since FY2008 has been found in greyhounds 100 times.<sup>79</sup>

**“The volume of medications suggests on-going self-medicating practice by REID and the owners of the kennel.”**

– Investigator Bryan Wall in a 2010 kennel inspection of trainer Frank W. Reid

## CASE STUDY: FLORIDA’S KENNEL INSPECTIONS

The Division of Pari-Mutuel Wagering which oversees the Florida greyhound industry performs routine kennel inspections of greyhound kennels. Since FY2008, twenty-nine inspections have uncovered syringes or injectable vials.<sup>80</sup>

These discoveries span the state. Since FY2008, syringes and injectable vials have been found at ten of the twelve Florida dog tracks.<sup>81</sup> In 2010, Investigator Bryan Wall investigated trainer Frank W. Reid and noted, “The volume of medications suggests on-going self-medicating practice by REID and the owners of the kennel.”<sup>82</sup>

## Miscellaneous Drug-Related Rulings

From FY2008 to FY2017, 83 drug-related rulings and 22 human drug positive rulings have been documented across the USA.<sup>83</sup> Drug-related rulings refer to confiscated drug paraphernalia such as hypodermic needles, unauthorized drugs or the mishandling of veterinary drugs.<sup>84</sup> Rulings include greyhound trainers who themselves tested positive for cocaine and marijuana, as well as participants who refused drug testing, generally treated by the regulator as a violation of the license.<sup>85</sup>



Between January 1, 2017 and May 12, 2017, WW's Flicka, shown here in the lead, tested positive for metabolites of cocaine seven times while racing at Orange Park Kennel Club. In two of these races, WW's Flicka won the race, achieving the fastest times of her career. (bestbet Jacksonville)

These drug-related rulings provide a small window into the culture of the greyhound industry. Greyhound trainers are generally prohibited from administering drugs. For example, injecting drugs with a needle is specifically prohibited,<sup>86</sup> yet numerous kennel inspections have uncovered unauthorized hypodermic needles, some with unnamed substances still in them.<sup>87</sup>

## Penalties

Penalties for drug violations vary widely among the racing jurisdictions, as well as within a jurisdiction. Even the most common drug positives are not fined uniformly.

Procaine, a Class 3 drug which was found 111 times since FY2008,<sup>88</sup> triggered a \$25 fine for trainer Kenneth Deacon in 2014 at Derby Lane in Florida<sup>89</sup> and a \$250 fine for trainer Richard Alves in 2012 at Daytona Beach Kennel Club in Florida.<sup>90</sup> In 2013, trainer Rex Suggs was fined \$50 for

possession of two injectable vials of procaine.<sup>91</sup>

Ractopamine, a Class 2 drug which was detected 100 times since FY2008,<sup>92</sup> triggered two different Commission rulings when over eight dozen positive violations were discovered in 2015.<sup>93</sup> Four trainers were held responsible: Alicia Bushey (35 positives), Jessica Hughes (34 positives), John Shaver (21 positives), and Jason Hess (9 positives).<sup>94</sup> Trainers Alicia Bushey, Jessica Hughes and John Shaver at the Iowa Greyhound Park were suspended for a number of days equal to their number of positives.<sup>95</sup> Jason Hess at Bluffs Run Greyhound Park was fined \$900, one hundred dollars per positive, and permitted to continue working without interruption.<sup>96</sup>

Methocarbamol, a Class 4 muscle relaxant which was found 92 times since FY2008,<sup>97</sup> earned a \$0 fine for trainer Peter Lomax in 2012 at the Birmingham Race Course in Alabama,<sup>98</sup>

**“I had four different helpers in this time frame, ‘One’ of these undesirables had to have either dropped or administered the ‘cocaine.’ My only plead is that it was not me.”**

– Malcolm McAllister in a 2017 statement



Malcolm McAllister (Derby Lane)

### **CASE STUDY: DERBY LANE COCAINE POSITIVES**

In January 2017, Derby Lane greyhound trainer Malcolm McAllister was found liable for six cocaine positive violations.<sup>99</sup> In a ten day period, five different dogs tested positive six times, one with cocaine itself and all with metabolites of cocaine, including benzoylecgonine and ecgonine methyl ester.<sup>100</sup>

In response, the Division of Pari-Mutuel Wagering revoked McAllister’s license on April 24, 2017.<sup>101</sup> McAllister waived his right to a hearing, though he did submit written testimony asserting his innocence. He wrote to the Division, “I had four different helpers in this time frame, ‘One’ of these undesirables had to have either dropped or administered the ‘cocaine.’ My only plead is that it was not me.”<sup>102</sup>

McAllister’s case kicked off a record season of cocaine positives in Florida. In the months to come, twenty-four more Florida cocaine positives would come to the public’s attention, bringing the total to thirty<sup>103</sup> which is as many positives as Florida’s previous eight years combined.<sup>104</sup>

\$50 for trainer Louise Strong in 2016 at Wheeling Island in West Virginia,<sup>105</sup> \$100 for trainer Kenneth Slovic in 2017 at Valley Race Park in Texas,<sup>106</sup> and \$150 for trainer Scott Purdy in 2017 at Southland Park in Arkansas.<sup>107</sup> Multiple infractions can cause the fine to scale up, as in the 2016 ruling of Victor Hall, who was fined \$1,000 in Arkansas for three methocarbamol positives.<sup>108</sup> In 2009 at the Palm Beach Kennel Club, trainer Robert G. Dawson was fined \$250 after 480 methocarbamol tablets were found in his kennel without a veterinarian’s prescription.<sup>109</sup>

Caffeine, a Class 2 stimulant which was detected 89 times since FY2008,<sup>110</sup> garnered a \$300 total fine for trainer Brett Entas in June 2016 at the Iowa Greyhound Park for three counts,<sup>111</sup> a \$2,000 fine for owner-trainer Ursula O’Donnell in 2017 at Valley Race Park in Texas for five counts with a 60-day suspension (Caffeine is also classified as a Class 4 drug according to the Texas Racing Commission Rules),<sup>112</sup> a \$3,000



fine for trainer Robert G. Dawson at the Palm Beach Kennel Club in Florida for six counts and related drug charges with a 6-month suspension,<sup>113</sup> and one revoked license in March 2017 for trainer Yoanly Savon of Palm Beach Kennel Club for 21 positives and related drug charges.<sup>114</sup> In 2017, trainer Bryan M. Fulginiti openly admitted to feeding his dog coffee grounds, and his license was revoked.<sup>115</sup>

Dimethyl sulfoxide, a Class 4 anti-inflammatory and industrial solvent which was detected 77 times since FY2008,<sup>116</sup> garnered an \$800 fine for trainer Roger Salem in 2010 at Wheeling Island in West Virginia after eight dogs tested positive for DMSO and Dimethyl Sulfone<sup>117</sup> and a \$750 fine for trainer Dennis Smith in 2015 at the Palm Beach Kennel Club in Florida for two positives.<sup>118</sup>

Cocaine and its metabolites, all Class 1 stimulants which were found 71 times since FY2008,<sup>119</sup> triggered a \$50 fine for trainer Harold Williams in 2009 at Mobile Greyhound Park in Alabama,<sup>120</sup> a \$1,000 fine for trainer Tracy McMillin in 2016 at Southland Park in Arkansas,<sup>121</sup> and a license revocation in 2017 at Derby Lane in Florida for trainer Malcolm McAllister.<sup>122</sup> In 2009, the Division of Pari-Mutuel Wagering dismissed Florida trainer Craig Alan Edwards' two cocaine positive counts after he could not be reached.<sup>123</sup> A third count related to confiscated drug paraphernalia including hypodermic needles, testosterone, flunixin, and other drugs was also dismissed, but Edwards paid a fine in 2016 related to this third count, a few weeks after renewing his racing license earlier in the year.<sup>124</sup>

Flunixin, a Class 4 anti-inflammatory and fever-reducer which was found 64 times since FY2008,<sup>125</sup> garnered a warning for trainer Monte Hoopes in 2014 at Bluffs Run Greyhound Track in Iowa,<sup>126</sup> a \$250 total fine for trainer David Vetter in 2014 at Wheeling Island in West

Virginia after five dogs tested positive,<sup>127</sup> and \$600 for trainer Miguel Valenzuela in 2016 at Derby Lane in Florida for a single positive once regulators took the trainer's past drug positive history into account.<sup>128</sup>

## **Drug Rulings and Reported Drug Positives**

The results of drug tests are not adequately disclosed to the public. Greyhound regulators issue drug rulings during the year, and some jurisdictions publish aggregate positives in their annual reports. Both of these can be source material for understanding how many drug positives are reported industry-wide. However, without more information, it is impossible to know how many positives laboratories may be finding as compared to how many rulings are issued for such positives.

The list below indicates which jurisdictions publish aggregate drug positive data:

**Alabama (Birmingham)** – No. No drug data in annual reports.

**Alabama (Mobile County)** – Yes. However, Mobile ran its last live race in 2017; one more annual report with aggregate figures is due in the future.

**Arkansas** – No. The Arkansas Racing Commission does not produce annual reports.

**Florida** – Yes.

**Iowa** – Yes and no. After FY1992, Iowa combined its previously separated horse and greyhound drug positives.

**Texas** – No. Discontinued drug reporting after FY2011.

**West Virginia** – No. No drug data in annual reports.

## CASE STUDY: MATCHING DRUG POSITIVES TO DRUG RULINGS IN IOWA AND FLORIDA

The Iowa Racing and Gaming Commission publishes all its drug positives in its annual reports. Until FY1992, greyhound positives were listed separately from horse positives.<sup>129</sup> After 1992, however, all racing animal drug positives were combined.<sup>130</sup>

GREY2K USA Worldwide submitted a public information request for the annual aggregate greyhound positives for FY2008 to FY2016. The Commission's public records officer produced a list of 152 greyhound drug positives.<sup>131</sup> Cross-referencing GREY2K USA's database of rulings, eighteen drug positives appeared to have no rulings.<sup>132</sup> GREY2K USA requested rulings for these eighteen drug positives, receiving just three.<sup>133</sup> As per the last fifteen drug positives, the Commission's officer reported that "IRGC does not have any additional records, beyond these decisions and the decisions you already referenced, regarding drug positives for the dates identified."<sup>134</sup>

The biggest known discrepancy between reported drug positives and drug rulings occurs in Florida. The Division of Pari-Mutuel Wagering's annual reports from FY2008 to FY2016 cite 349 drug positives.<sup>135</sup> During this time, GREY2K USA Worldwide submitted monthly requests for information, but only received documentation for 124 drug positives.<sup>136</sup> This may be a result of laws preventing disclosure of information contained in open investigations. Therefore, barring repeated public information requests, the withheld documents never enter the public domain because regulators have no duty to inform requesters if or when a case is closed.



Racing greyhound Last Two Tales tested positive for an anabolic steroid in 2015 (Arizona Adopt a Greyhound, Inc.)

## The Use of Steroids

The US greyhound industry uses the anabolic steroid methyltestosterone as a means of suppressing estrus, a female greyhound's natural heat cycle.<sup>137</sup> This is done to increase race days and overall profitability.

The Association of Racing Commissioners International lists methyltestosterone and testosterone derivatives on its prohibited drugs list.<sup>138</sup> According to ARCI, methyltestosterone is a Class 3 drug, a level consistent with "drugs that affect the cardiovascular, pulmonary and autonomic nervous systems."<sup>139</sup> In spite of the guidance that ARCI provides to states via its prohibited drugs list, the use of anabolic steroids in greyhounds has continued.

This practice stands in opposition to humane veterinary standards. According to the Merck Veterinary Manual on the Manipulation of the Estrus Cycle in Small Animals:

*"Longterm suppression of estrus by using androgens is not advised, because it is not documented to be safe in breeding bitches... The safety and efficacy of injectable testosterone, as*

*practiced commonly in racing Greyhounds, has not been supported by controlled studies and is not advised.”<sup>140</sup>*

The permitted use of anabolic steroids here also differs from the prohibitions found in other racing jurisdictions. In Great Britain, the Greyhound Board of Great Britain’s “A Trainers Guide to Medication Control in Greyhounds” states that all estrus suppression drugs are prohibited with the exception of four estrogen-based drugs: Delvosterone, Promone-E, Ovarid and Norethisterone.<sup>141</sup> The Guide specifically lists Methyltestosterone as a prohibited substance.<sup>142</sup> In its Guidance for Veterinary Surgeons, the Greyhound Board of Great Britain also raised integrity concerns about Testosterone and wrote that “Testosterone, as an androgenic anabolic steroid, is considered inappropriate for this purpose on welfare, efficacy and integrity grounds.”<sup>143</sup> In Australia and New Zealand, Greyhound Australasia introduced a permanent ban on anabolic androgenic steroids, including Testosterone and Methyltestosterone.<sup>144</sup> The prohibition clearly states that participants must never “possess, acquire, attempt to acquire, administer or allow to be administered to any greyhound from birth until retirement, any anabolic androgenic steroid,” excluding ethyloestrenol.<sup>145</sup> New Zealand’s industry went a step farther and banned all steroids outright.<sup>146</sup>

**“The Division finds it much more likely that a prohibited substance is provided to a racing animal purposely by the animal’s trainer.”**

– Florida Department of Business and Professional Regulation, Division of Pari-Mutuel Wagering, November 1, 2017

A Florida bill which would have prohibited steroid use in racing greyhounds passed the House of Representatives in 2017 but was held by a Senate committee.<sup>147</sup>

## **CASE STUDY: LITIGATING DRUG POSITIVES**

All drug positives do not necessarily result in penalties. Recent proceedings in Florida document the use of litigation to avoid punishment for the use of drugs in racing greyhounds.

In 2012 and 2014, greyhound trainer Robert G. Dawson received two greyhound drug positive notifications from two different dogs in two different races. The first positive was Benzoyllecgonine, a metabolite of cocaine, in a February 25, 2012 race.<sup>148</sup> The second was Procaine, a local anesthetic, from a January 2, 2014 race.<sup>149</sup> The University of Florida’s Racing Laboratory reviewed the urine samples, determined the specific positives, and sent its analyses back to the Division of Pari-Mutuel Wagering. The Division ordered two investigations, and ultimately filed two administrative complaints against Dawson.<sup>150</sup>

Dawson then filed a lawsuit against the Division before Florida’s Division of Administrative Hearings.<sup>151</sup> He claimed procedural errors in the urine collection process and won.<sup>152</sup> His attorney successfully argued that Section 3 of the Greyhound Veterinary Assistant Procedures Manual which allowed for urine collection before a race (as opposed to after a race) was invalid.<sup>153</sup>

On January 29, 2015, Administrative Law Judge F. Scott Boyd submitted his final order, ordering the Division to “immediately discontinue all reliance upon Section 3.”<sup>154</sup> As a result, the Division filed an Order of Dismissal for Dawson’s case which nullified

the agency's ability to rely on "drug positive samples [which] were collected from the greyhounds at issue prior to their race performances."<sup>155</sup> Dawson's benzoylecgonine (cocaine) and procaine positives went unpunished, and he continued working as a greyhound trainer.

The decision had far-reaching effects. All positives from samples collected in this manner were immediately dismissed, including eight additional cocaine positives.

Currently, greyhound trainers Charles McClellan and Natasha Nemeth are suing the Division, claiming procedural issues and possible environmental contamination related to their own drug positive violations.<sup>156</sup> The lawsuit has forced the Division to elaborate upon its position, stating, "The Division finds it much more likely that a prohibited substance is provided to a racing animal purposely by the animal's trainer."<sup>157</sup> Unlike Robert Dawson's single cocaine positive and single procaine positive, McClellan and Nemeth have been cited with a combined twenty-four cocaine positives.<sup>158</sup>



Any Road tested positive for a cocaine metabolite in 2017 while racing in Florida under the control of trainer Charles McClellan (Greyhound-Data)

## RECOMMENDATIONS

American greyhound drug testing presents an especially troubled and flawed side of this notorious industry. Though laboratory testing methods have become increasingly sensitive and precise, regulators and participants have found ways to exercise control over the process, effectively finding the results they want.

### To address these issues, policy makers should consider the following reforms:

- **VIOLATIONS**  
Prevent dogs that test positive for Class 1 violations from competing for 90 days
- **PROHIBITION**  
Completely prohibit the use of anabolic steroids in racing dogs
- **FUNDING**  
Significantly increase funding for greyhound drug testing
- **BEST PRACTICES**  
Mandate the exclusive use of best practice drug testing methodologies
- **CONSISTENT TESTING**  
Require multiple drug tests for every greyhound race
- **DISCLOSURE**  
Necessitate the yearly disclosure of aggregate greyhound drug positives in every racing jurisdiction
- **STANDARDIZATION**  
Standardize drug penalties across the industry



## Primary Author

S.Matt Read, Director of Research  
GREY2K USA Worldwide

## Report Design

Maria Moyser, Director of Communications  
GREY2K USA Worldwide

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GREY2K USA Worldwide  
781.488.3526  
[info@grey2kusa.org](mailto:info@grey2kusa.org)  
[grey2kusa.org](http://grey2kusa.org)