

April 6, 2016

NYSGC bans six harness trainers for cobalt overages, continues investigation into equine drug abuse in Standardbred racing

The New York State Gaming Commission today took unprecedented action against six Standardbred trainers who administered potentially dangerous and performance-enhancing doses of cobalt to race horses in violation of Commission racing rules.

Harness trainers Tyler J. Nostadt, Joseph Carrubba, Dennis M. Washington, Sean M. Campbell, Megan M. Gilmour and Dawn M. DeVaux have been suspended immediately by the Commission and face significant additional sanctions. Horses trained by Nostadt, Carrubba and Washington were found to contain cobalt at egregious enough levels to warrant minimum 10-year bans from the sport for those trainers. The six trainers' violations occurred at Monticello Casino and Raceway, Saratoga Casino and Raceway and Yonkers Raceway in March 2016.

The Commission will refer these matters to appropriate law enforcement for contemplation of animal cruelty charges.

"The Commission has found multiple harness horse trainers exhibiting reckless disregard for horse health and safety in the name of trying to gain unfair advantages," said Commission Executive Director Robert Williams. "They are being held accountable for their actions."

According to New York State Equine Medical Director Scott E. Palmer, VMD, low levels of cobalt, a naturally-occurring element with properties similar to those of iron and nickel, are present in all horses and are not considered to be harmful. It can be found in many horse feeds and vitamin supplements. However, according to Dr. Palmer, there is no therapeutic reason to administer large doses of cobalt to horses. Administration of high doses of cobalt salts to horses has the potential to enhance athletic performance in a manner similar to blood doping agents and can cause detrimental effects on a number of body systems, including tachycardia, hypertension and cardiac arrhythmias.

The Commission's rules mandate that any Standardbred trainer whose horse is found to have cobalt levels at more than 50 ng/ml in plasma is considered to be in violation and subject to applicable penalties (rule 4120.3(a)(4)). The Commission rules further mandate that any trainer whose horse is found to have cobalt levels at more than 300 ng/ml is to receive a 10-year suspension, plus whatever other penalties are appropriate (rules 4120.3(c) and 4120.17(d)(2)).

Tyler J. Nostadt raced five horses at Yonkers and Monticello in violation of the Commission's rule in regard to cobalt:

- Monticello, March 15; "JJ Romero;" cobalt blood concentration of 374 ng/ml on race day
- Monticello, March 15; "Omaha Survivor;" cobalt blood concentration of 376 ng/ml on race day
- Yonkers, March 24; "Knocking Around;" cobalt blood concentration of 361 ng/ml on race day
- Yonkers, March 24; "Firstclassflight;" cobalt blood concentration of 819 ng/ml on race day

- Yonkers, March 24; “Magic Manny;” cobalt blood concentration of 661 ng/ml on race day Nostadt is summarily suspended, effective immediately. Per Commission rules, he faces a 10-year license suspension or revocation and a \$25,000 fine per incident.

Joseph Carrubba raced one horse at Saratoga Casino and Raceway and subsequently attempted to race it and another horse in violation of the Commission’s rule in regard to cobalt:

- March 4; “Our Angel Hayleigh;” cobalt blood concentration of 497 ng/ml on race day
- March 22; “Our Angel Hayleigh;” cobalt blood concentration of 1179 ng/ml (out-of-competition test); horse was scratched
- March 22; “Post Time Terror;” cobalt blood level 604 ng/ml (out-of-competition test); horse was scratched

Carrubba is summarily suspended, effective immediately. Per Commission rules, he faces a 10-year license suspension or revocation and a \$25,000 fine for the race day violation and additional suspension, revocation and fines for the out-of-competition violations.

Dennis M. Washington raced “Baltimor AS” at Monticello on March 16 with a cobalt blood level of 1195 ng/ml on race day in violation of the Commission’s rule in regard to cobalt. Washington is summarily suspended, effective immediately. Per Commission rules, he faces a 10-year license suspension or revocation and a \$25,000 fine for the violation.

Sean M. Campbell raced five horses at Monticello and Yonkers in violation of the Commission’s rule in regard to cobalt:

- March 14, Monticello; “H.D. Maibach;” cobalt blood level 162 ng/ml on race day
- March 15, Monticello; “HD’s Dream Boy;” cobalt blood level 95 ng/ml on race day
- March 21, Yonkers; “HD’s Dream Boy;” cobalt blood level 185 ng/ml on race day
- March 22, Monticello; “Fly By Ry;” cobalt blood level 126 ng/ml on race day
- March 23, Monticello; “HD Lucas;” cobalt blood level 85 ng/ml on race day

Campbell is summarily suspended, effective immediately. Per Commission rules, he faces further suspension or revocation and \$25,000 fines for each violation.

Megan M. Gilmour raced “Slam Dunk Hanover” at Monticello on March 17 with a cobalt blood level of 169 ng/ml on race day in violation of the Commission’s rule in regard to cobalt. Further investigation revealed other evidence that horses she was training and racing had been administered excessive amounts of cobalt. Gilmour is summarily suspended, effective immediately. Per Commission rules, she faces further suspension or revocation and a \$25,000 fine for the violation.

Dawn M. DeVaux raced “Southwind Ike” at Monticello on March 22 with a cobalt blood level of 289 ng/ml on race day in violation of the Commission’s rule in regard to cobalt. DeVaux is summarily suspended, effective immediately. Per Commission rules, she faces further suspension or revocation and a \$25,000 fine for the violation.

Additionally, the Commission continues to investigate the circumstances of more than 30 post-race samples with elevated levels of the alkaloid glaucine in Standardbred racehorses. This investigation includes researching claims of environmental contamination. Should the New York State Equine Drug Testing Laboratory’s research determine that glaucine was administered intentionally to harness horses, the Commission will take significant action against those involved.

As with all cases where equine drug violations occur:

- All affected horses have been disqualified and must test “clean” before racing again.

- The Commission has ordered the owners of these horses to return any purses won in these races.

“The Commission’s mission to preserve the integrity of New York’s horse racing continues unabated,” said Williams. “We will continue to use all tools necessary, including state-of-the-art race day and out-of-competition testing, surveillance and intelligence-gathering to rid our sport of those who cheat and jeopardize the welfare of horses.”

Each trainer will be provided with a prompt hearing and opportunity to present a defense to the charges. Hearings are conducted *de novo* and final agency action will be based on the evidence presented at each hearing.

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