



Congressional Testimony of Kenneth McPeek – April 30, 2012
House Subcommittee on Health of Energy & Commerce Committee

“A Review of Efforts to Protect the Health of Jockeys and Horses”

Mr. Chairman, Distinguished Members of the Subcommittee. Thank you for inviting me to testify on the important topic being discussed today.

I am Kenny McPeek. I have been a horse trainer for 27 years and have run thousands of horses all over the country and have saddled many graded stakes winners. I understand that I am here on my own and there will be those that agree and disagree in my personal opinion. However, someone needs to represent a trainer’s point of view, or else these decisions are going to be made without our input. I am here to help in the decision making process of bringing our sport together in positive ways. My hope is that this leads to a better version of the industry. An industry that is hard to define sometimes as Sport, Gambling , Agriculture, or otherwise. Horse Racing needs structure in many areas, whether it is Licensing, Medication, or Standardized Rules. I am here to help find a balance between all of these issues.

I do not believe that any major decisions about horse racing should be without involvement from professionals like myself and I am here as long as you need me and

will return as many times possible to help solve problems. There are other trainers that need to be heard and they should eventually be given an opportunity to contribute to this conversation.

My reasons for supporting a Horse Racing Improvement Act would include standardized rules, licensing, medications and most importantly the welfare of the horses. I am not here to simply remove Lasix from the sport, there are many issues that are larger that need to be addressed. I have concerns that the focus of the Interstate Horseracing Improvement Act is too narrow in its agenda. There are currently solid testing practices and penalties are enforced by state racing commissions, but they are inconsistent. Doping seems to be the focus here, and it is important to address these acts, but they are rare. The current testing system measures medication overages in nano-grams and pico-grams. Currently state jurisdictions testing are the most controlled of any sport in the world. Most of the so-called overages are minimal due to these extreme measurements and I believe in many cases are due to poor stable management, not necessarily cheating and doping.

As a trainer, it is sometimes confusing due to individual state medication policies. The rules are different in each state and are not always clearly communicated by each racing commission. Enforcement of medication rules is very important and it would be wonderful to have uniform rules nationally, but how can we get 38 different states to agree on one set of rules?

I realize we are here specifically to ban (performance enhancing drugs). Having spent twenty-seven years as a trainer I know firsthand of all the issues we deal with as horseman. I believe if changes are made in medication rules they should be gradual and should include trainers and veterinarians in the decision making process.

My personal opinion is that we should make Graded Races medication free, including Lasix. The Graded Stakes races are important because these horses are a significant part of breeding programs and their genetic influence is vital to strengthening the Thoroughbred. However, in many cases, the average allowance and claiming horses need a certain amount of therapeutic medications. We should be very careful to deny these horses a certain amount of medication whether it is Butazolidin or Lasix. These horses don't affect the gene pool, but they work hard and race hard. To completely deny them therapeutic medication would be a mistake. My position is one that could possibly find balance in this conversation. A middle of the road approach to this would be smart. The Graded Stakes committee should continue to move forward in this area as they have already done in the issue of steroids. Congress should look at the overall picture on the industry and hope it can help bring them together.

Concerning breakdowns, medication overuse is not the sole cause of breakdowns, there are so many factors including track surfaces and bad luck. You will never completely eliminate the problem as injuries are unavoidable in all sports, not just horse racing.

I also completely endorse the recent rule changes in California and New York that void claims if a horse doesn't finish the race, but of course there are still 36 other states that have yet to implement this.

The topic of Performance Enhancing Drugs is very complicated. The only current race-day drug allowed is Lasix. From my experience there are currently horses that need this therapeutically. This committee needs to move slowly in this area. Do NOT tear down the current system, but we need to start somewhere.

Once again, my personal opinion is that for the formal elimination of race day medication in graded stakes races in the short run. Long term, the goal should be a National Uniform Medication Policy that benefits the horses. Congress needs to look at more issues than Performance Enhancing Drugs, it needs to consider bringing 38 different state racing commissions together into one set of standardized rules.

Thank you for the opportunity to testify today and I am more than happy to answer any questions you might have

Sincerely,

Kenneth McPeek