BEFORE THE HORSE RACING BOARD

STATE OF CALIFORNIA

In the Matter of the Complaint against: **Alfred Vuocolo Jr.** **Trainer, CHRB License #294132** **Respondent**	Case No. 24LA0122

DECISION

The attached Proposed Decision is adopted as modified by the California Horse Racing Board in the above-entitled matter. The proposed penalty of a 30-day suspension and assessment of two (2) medication violation points is modified as provided by Government Code section 11517(c)(2)(B) to a 15-day suspension and assessment of one (1) medication violation point.

This Decision is hereby remanded to the Board of Stewards to issue a ruling and order for setting the dates of suspension and assessment of the medication violation point.

IT IS SO ORDERED ON November 22, 2024.

Gregory L. Ferraro, DVM

Digitally signed by Gregory L. Ferraro, DVM
Date: 2024.11.22 16:08:17 -08'00'

Gregory L. Ferraro, DVM, Chairman
California Horse Racing Board

C. Scott Chaney

Digitally signed by C. Scott Chaney
Date: 2024.11.22 11:55:48 -08'00'

Scott Chaney, Executive Director
California Horse Racing Board

State of California

CALIFORNIA HORSE RACING BOARD

PROPOSED DECISION
of the
BOARD OF STEWARDS

Los Alamitos Race Course

October 3, 2024

In the Matter of the Complaint Against:

Alfred Vuocolo,Jr. Respondent
Case# 24LA0122

INTRODUCTION

This matter was heard before the Board of Stewards, Tom Ward, Ron Church, and James Dreyer, in the Los Alamitos Stewards' Office September 26, 2024.

Present at the hearing were the Respondent, Alfred Vuocolo, Jr., Investigator Vito Racowschi, Stewards Tom Ward, Ron Church, and James Dreyer. Court Reporter Michelle Derieg transcribed the proceedings.

PROCEDURAL BACKGROUND

Owner/Trainer Alfred Vuocolo, Jr., was the owner/trainer of record for the horse "Mylittlerunaway," who started in the first race at Los Alamitos Race Course on June 8, 2024. On June 28, 2024, Sacramento Headquarters emailed information to Supervising Investigator Kevin Kitashima at Los Alamitos Race Course that "Mylittlerunaway" (Urine Sample #PR02118) tested positive for the class III prohibited drug Minoxidil after finishing second in the first race on June 8, 2024. Trainer Alfred Vuocolo, Jr., was notified of the positive on June 29, 2024, and a barn inspection found no further violations. Owner/Trainer Alfred Vuocolo, Jr. declined to have a split sample tested.

LIST OF EXHIBITS

Complainant / State	California Horse Racing Board Complaint Exhibit A #24LA0122 Exhibit B Non Represented Hearing Questionnaire
Respondent / Defendant	No exhibits submitted

FINDINGS OF FACT

I.

At all times herein mentioned, Respondent was licensed by the California Horse Racing Board in the license category of "owner/trainer."

II.

Respondent was the owner/trainer of record for the horse "Mylittlerunaway" when it raced in the first race on June 8, 2024, at Los Alamitos Race Course. "Mylittlerunaway" finished second in the forementioned race.

III.

A post-race urine sample (labeled sample #PR02118) was taken from "Mylittlerunaway" following the running of the race in accordance with California Horse Racing Board Rule #1858 (Test Sample Required) and was sent to Kenneth L. Maddy Equine Analytical Chemistry Lab at the University of California, Davis. This is the official testing lab of the California Horse Racing Board.

IV.

At all times herein mentioned, the chain of custody of urine sample #PR02118 from "Mylittlerunaway" was uninterrupted.

V.

After analyzing the sample, Maddy Laboratory reported a finding of the prohibited drug, Minoxidil, in the sample, a Class III substance.

VI.

On June 29, 2024, Respondent was notified.

VII.

The respondent elected not to have a split sample tested.

VIII.

On June 28, 2024, Investigator Vito Racowschi received confirmation from Kenneth L. Maddy Equine Analytical Chemistry Laboratory, that blood sample #PR02118 contained Minoxidil.

IX.

At all times herein mentioned, "Mylittlerunaway" was owned by Alfred Vuocolo, Jr.

APPLICABLE RULES

CHRB rule violations alleged in the complaint

Rule 1887	Trainer or Owner to Insure Condition of Horse
Rule 1843	Medication, Drugs and Other Substances
Rule 1859.5	Disqualification Upon Positive Test Finding
Rule 1843.1	Prohibited Drug Substances
Rule 1843.4	Multiple Medication Violations (MMV)

DISCUSSION

The first action required by California Horse Racing Board Rule #1859.5 (Disqualification Upon Positive Test Finding) was applied to this case on September 28, 2024, by the Los Alamitos Stewards, which was the issuing of Ruling #139 for the disqualification and purse redistribution of Mylittlerunaway for detection of Minoxidil in the post-race sample. The trainer of record Alfred Vuocolo, Jr., did not request a split sample.

There was no dispute about the positive test finding by the trainer of record. Since the actual drug positive in this case was not disputed by trainer Vuocolo, Jr., the second portion of the equation, that of trainer responsibility (California Horse Racing Board Rule #1887)(Trainer or Owner to Ensure Condition of Horse), needs to be addressed as to whether there is any penalty that needs to be applied and to what extent, by determining if there are mitigating and/or aggravating circumstances in Mr. Vuocolo's culpability.

Trainer Vuocolo, Jr., was adamant he had done nothing wrong. He had no idea how Minoxidil could have gotten into Mylittlerunaway's system. Vuocolo, Jr., questioned why anyone would use Minoxidil if their intention was to cheat as Minoxidil is a hair growth stimulant. The Stewards questioned a fly spray found in Vuocolo's barn but that was eliminated from suspicion after the Stewards contacted the manufacturer and were told there was no Minoxidil in the product.

The inquiry now goes to the penalty phase as outlined in California Horse Racing Board Rule #1843.3 (Penalties for Medication Violations) which differentiates specific penalties for medication positives as well as mitigating factors that would allow for deviation from the penalties. This is a Class III violation that is a class B penalty category, which calls for a minimum of a thirty day suspension absent mitigating circumstances and/or a minimum fine of $500 absent mitigating circumstances for the first offense.

DISCUSSION

A review of the aggravating and mitigating factors is now required:

(1) *Past Medication Record of the Licensee*: Trainer Vuocolo, Jr., has one violation within the last Twelve Months. Mitigating.

(2) *The Potential of the Drug to Influence a Horse's Performance*: There is no Evidence that Minoxidil would influence a horse's performance. Mitigating.

(3) *The Legal Availability of the Drug*: Minoxidil is available over the counter. Neutral.

(4) *Whether There is Reason to Believe the Responsible Party Knew of the Administration of the Drug or Intentionally Administered the Drug*: Mr. Vuocolo, Jr., testified he had no idea how Minoxidil got into Mylittlerunaway's system and was adamant he had done nothing wrong. Aggravating.

(5) *Steps Taken by the Trainer to Safeguard the Horse*: Trainer Vuocolo, Jr., has a very small stable and it does not appear he utilized any extra measure to secure his barn. Aggravating.

(6) *Steps Taken by the Owner to Safeguard Against Subsequent Medication Violations, Including but not Limited to, the Transfer of the Horse(s) to an Unaffiliated Trainer*: There was no evidence on this factor and is therefore neutral.

(7) *Probability of Environmental Contamination or Inadvertent Exposure Due to Human Drug Use or Other Factors*: This is a neutral factor as there is no evidence contamination was involved.

(8) *Purse of the Race*: The purse was $19,000.00 which is not excessive and therefore neutral.

(9) *Whether the Drug Found to Be Present in the Official Sample was one for which the Horse was Receiving Treatment as Determined through the Process Described in Rule #1842 (Veterinarian Report)*: Veterinary reports do not indicate the horse having been prescribed Minoxidil. Aggravating.

(10) *Whether there was any Suspicious Wagering Pattern on the Race***:** Mitigating as there was no evidence of any unusual wagering pattern.

(11) *Whether the Licensed trainer was acting under the Advice of a Licensed Veterinarian*: There is no evidence of any veterinarian's advice for approval of Minoxidil to be administered to "Mylittlerunaway". Aggravating.

A review of the factors reveals that there are more aggravating (4), than mitigating (3) and neutral ones (4).

CONCLUSION

Following a formal hearing, this Board of Stewards concludes the class III prohibited drug substance Minoxidil was found in urine sample #PR02118 taken from the horse "Mylittlerunaway," the second place finisher in the first race at Los Alamitos Race Course on June 8, 2024. This finding requires the disqualification of "Mylittlerunaway" in accordance with California Horse Racing Board Rule #1859.5.

This Board of Stewards took judicial notice of the penalty guidelines as defined in California Horse Racing Board Rule #1843.3 (Penalties for Medication Violations). Minoxidil is a class III drug that falls in the class "B" penalty.

PROPOSED DECISION

Given all of the foregoing, this Board of Stewards makes the following recommendation in this matter:

State of California
CALIFORNIA HORSE RACING BOARD

* * *

PURSUANT TO CALIFORNIA HORSE RACING BOARD RULE #1887 (a) (TRAINER OR OWNER TO INSURE CONDITION OF HORSE) OWNER/TRAINER ALFRED VUOCOLO, JR., WHO STARTED THE HORSE "MYLITTLERUNAWAY", THE SECOND PLACE FINISHER IN THE FIRST RACE AT LOS ALAMITOS RACE COURSE ON JUNE 8, 2024, IS SUSPENDED FOR THIRTY DAYS, AND ASSESSED 2 POINTS IN ACCORDANCE WITH CALIFORNIA HORSE RACING BOARD RULE #1843.4 (MULTIPLE MEDICATION VIOLATIONS) FOR VIOLATION OF CALIFORNIA HORSE RACING BOARD RULES #1843 (a, b & d) (MEDICATION, DRUGS AND OTHER SUBSTANCES), AND #1843.1(a) (PROHIBITED DRUG SUBSTANCES – MINOXIDIL – CLASS III).

DURING THE TERM OF SUSPENSION ALL LICENSES AND LICENSE PRIVILEGES OF ALFRED VUOCOLO, JR. ARE SUSPENDED AND PURSUANT TO CALIFORNIA HORSE RACING BOARD RULE #1528 (JURISDICTION OF STEWARDS TO SUSPEND OR FINE) ALFRED VUOCOLO, JR., IS DENIED ACCESS TO ALL PREMISES IN THIS JURISDICTION.

LIC # 294132-08/2025
D.O.B. 08/11/1942
Case # 24LA0122

Dated _October 3, 2024 by this Board of Stewards:

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Steward James Dreyer

_____
Steward Tom Ward

_____
Steward Ron Church