Finding the phenylbutazone: battle over a Derby winner

Expert witnesses clash in urine test hearings that cost Dancer's Image \$122,600



Photos: UPI

Smith: no doubt in my mind

by Christopher Weathersbee

Dancer's Image was the first horse to cross the finish line of the Kentucky Derby May 4. But whether he is entitled to the \$122,600 purse is still up in the air and the subject of a continuing scientific squabble.

Shortly after the race a chemist employed by the State of Kentucky made a shocking report. He said that a sample of the horse's urine taken after the race contained phenylbutazone, an analgesic and anti-inflammatory drug used to treat gout, arthritis and bursitis.

Kentucky law forbids the presence of any amount of this drug, no matter how small, in a horse's system during a race. The theory is that a horse that has performed poorly in the past because of sore legs can be treated with phenylbutazone before a race and made to run well. Bettors judging past performance would be misled, while those in the know could clean up. In addition, running a horse with leg ailments can result in damage to the animal.

To check for phenylbutazone and other forbidden drugs the state routinely runs urinalyses on all horses that show in a race. The chemist, Kenneth W. Smith, has run over 20,000 such post-race analyses; the check of Dancer's Image was the first case in which he had detected phenylbutazone.

Owner Peter Fuller and his trainers

denied any knowledge of how the drug might have been given, though they said the horse had been under treatment for a sore ankle with a much less potent, legal drug called Azium. Nevertheless the trainers were barred from Kentucky racing for 30 days by the State Racing Commission, and Churchill Downs racetrack withheld the winner's purse.

Now, after a stormy hearing, the State Racing Commission rather ambiguously has ruled that while Dancer's Image is the winner of record, the finding of phenylbutazone disqualifies him from participating in the purse distribution. Fuller, saying he is not surprised that the commissioners did not "repudiate their own employe," indicates he will appeal the ruling to the courts.

The major part of the attack on the state's case by Fuller's attorneys is directed at Smith, and the expert witnesses brought in by Fuller are not at all kind to the state chemist.

Dr. Gerald R. Umbreit of Chadds Ford, Pa., calls the series of six tests used by Smith "woefully inadequate" and says that Smith's testing lab "clearly does not understand" the procedures it uses in such analyses. What ends up being challenged most, however, is the implication, drawn by Smith and his colleagues, that racing chem-



Umbreit: woefully inadequate

istry is a science unto itself and that when a scientist presents evidence in legal proceedings he can rely on what the defense calls "the honor system."

Expert witnesses brought in by the state in Smith's behalf argue that racing chemistry is indeed a special science, that detection of drugs that have been through a horse and are mixed with their metabolites in horse urine is qualitatively different than is detecting the drug after it has been experimentally added to urine.

Further, they maintain, a scientist's affidavit that he obtained such-andsuch a result should be sufficient for the case. They point out that in some of the tests used by Smith, evidence of a positive result is transitory and photographs would be difficult to obtain.

Smith has used the six-test series he employed May 4 to detect phenylbutazone in a number of experimentally dosed animals. The first step is to extract drug and metabolites from the urine. This is done by acidifying the sample, then shaking it with chloro-form. The chloroform dissolves out phenylbutazone, a known metabolite called oxyphenylbutazone, possibly other as-yet-unknown metabolites, and others of the many substances chloroform is capable of dissolving.

Next sodium hydroxide solution is

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Winning on guts or phenylbutazone?

used to dissolve phenylbutazone and other substances out of the chloroform. This solution is used in tests.

The first test, called Vitali's color test, is performed on a spot plate with four drops of the extract. If there is a nitrogenous organic compound present the sample turns black.

While the Vitali's test is highly sensitive, it is unspecific, since there is a host of nitrogenous organic compounds.

Next comes spectrophotometric analysis to determine the extract's ultraviolet absorption. In the pure state phenylbutazone shows peak ultraviolet absorption at a wavelength of 265 millimicrons. Smith says that mixed with its metabolites and extracted from horse urine the peak comes between 259 and 261 millimicrons. Two versions of the spectrophotometer analysis, he says, were positive for the sample.

Then another color test is run, Mandelin's test. This also tests for the presence of nitrogenous material. If positive, an orange ring appears around the sample on the spot plate. In seconds this ring turns green, then brown.

In the final two tests, cupric chloride ethylenediamine and palladous chloride ethylenediamine are crystallized out in the presence of the sample. Smith says phenylbutazone alters the crystal structure of the two compounds in a characteristic way. He says these

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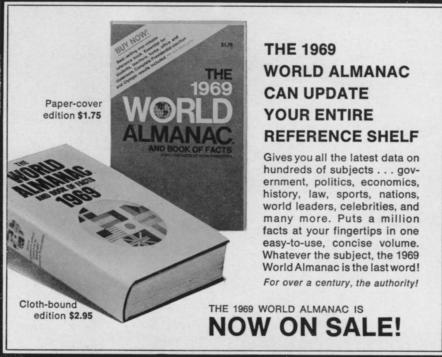
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. . . Derby battle

rosette-like crystals formed from the Dancer's Image sample.

His science, however, is under heavy attack by the defense.

Dr. Umbreit says photographs of the crystals Smith submitted with his evidence "don't even bear a faint resemblance" to the crystals formed with phenylbutazone. Smith maintains that if the photographs don't show characteristic crystals, then the photographs are at fault, because he saw these crystals when he made the test.

Of the color tests used, another expert witness, Dr. C. Henry Jarboe of the University of Louisville, says they are "19th century methods" that are so non-specific as to be useful only for screening purposes.

"Using these methods (the series of six tests)," Dr. Jarboe says, "no man could say that a drug specified by name is present. It is incredible to me that scientists should not apply easily and economically available techniques to be sure in such analyses, especially when there is a great deal at stake."

The most important step to add to the procedure, Dr. Jarboe says, is preparative thin layer chromatography (TLC). He says this procedure allows the extract to be separated into each of its constitutents, with great accuracy.

Another necessary step, Dr. Jarboe says, is infrared spectroscopy. Phenylbutazone also absorbs light in the infrared spectrum. A peak there combined with a peak in the ultraviolet would provide a spectroscopic cross reference that could pinpoint phenylbutazone.

Dr. Jarboe agrees with scientists working with phenylbutazone at the National Institutes of Health in Bethesda, Md. They say that heptane, another organic solvent, is a better extractive agent than chloroform because it dissolves from the urine fewer substances that interfere with the test.

Two expert witnesses in Smith's behalf were Dr. Francis Ozog of Denver, Colo., and Dr. George Jaggard of Philadelphia. Both are members of the International Association of Racing Chemists, as is Smith. Both say Smith's techniques are adequate to the task of finding phenylbutazone and that if the state chemist says he saw characteristic crystals, he should be believed.

Dr. Jaggard, however, says his laboratory does use preparative TLC and infrared spectroscopy in such analyses.

Despite the challenges, Smith is sticking by his guns. He says there is "no doubt in my mind" that phenylbutazone was present, and adds that as far as procedural error goes he performed the various tests two, three or four times. "If I had to hang a man on this evidence, he'd be hanging now, he says.



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