



New Mexico Racing Commission  
4900 Alameda NE  
Albuquerque, NM 87113

Ruling #: **2022-SUN-90**  
Track: Sunland Park  
Ruling Date: 12/31/2022

Licensee: **BRITO-ARENIVAS, JR BENITO**

License Type: **2021 3 Year Trainer**      Applicant Id: **35464**  
License Number: **301468**

Ruling # **2022-SUN-90**

Action Type: **Final Outcome**

Ruling:

RE: 2022-SUN-90 - Ruling Final Outcome

Trainer: Benito Brito-Arenivas Jr., currently under a summary suspension, since December 22, 2022, having been duly notified he appeared telephonically before the Sunland Park Board of Stewards (Sunland Park Racetrack 1200 Futurity Drive Sunland Park, New Mexico 88063) to hear the facts relating to his medication violation and summary suspension on January 18, 2023, at 8:30 a.m. Mr. Brito-Arenivas Jr., appeared telephonically for the hearing in regards Clenbuterol found in the urine test sample E562921 taken from the Quarter Horse "TRUE FRESHMAN", who finished 1st place in the 3rd race (Quarter Horse Claiming Race) on December 10, 2022, at Zia Park Racetrack.

Trainer: Benito Brito-Arenivas Jr. also represented the owner Benito Arenivas.

Split sample rights as provided in 15.2.6.10 (D) NMAC, were afforded to Mr. Benito Brito-Arenivas, Jr. Having been notified of his right to a Split Sample for: E562921 that right was exercised. On January 11, 2023, the Split Sample E562921 was received by TVMDL. On January 17, 2023, TVMDL reported the Split Sample E562921 confirmed the presence of Clenbuterol, a Class 3 A drug.

**Aggravating Factor: Clenbuterol is a Class 3 A Medication violation and there is no permissible concentration of Clenbuterol allowed to appear in any official sample.**

**Aggravating Factor: Mr. Benito Brito-Arenivas Jr. 's has only been licensed as a trainer in New Mexico since 6/12/2021.**

**For this Violation Mr. Benito Brito-Arenivas Jr. is here by:**

- 1. Fined \$10,000. (ten thousand dollars)**
- 2. Suspended for 1 year with the Suspension Start date of December 22, 2022 thru December 21, 2023.**
- 3. Reinstatement is contingent upon paying the \$10,000 fine and passing all areas of a new trainer's test after December 21, 2023 in New Mexico.**

In accordance with **15.2.1.9 (C)(21)**, Mr. Benito Arenivas Jr., is hereby excluded from all areas of the grounds under the jurisdiction of the NMRC. Additionally, all horses owned, trained, or under the care of Benito Brito-Arenivas Jr. are ineligible to be entered or start in any race in this jurisdiction, per **15.2.1.9 (C)(21)(c)**. All transfers and sales of horses trained, owned, or in the care and custody of Mr. Benito Brito-Arenivas Jr., must be done in accordance with **15.2.6.9a(12)(A)(B)** Medication and Prohibited Substances

**15.2.1.9(B)(8)(B)** Due Process and Disciplinary Action.

Licensee is found in violation of, and this ruling is written in accordance with: **15.2.6 NMAC**  
Attachment #1 ARCI Uniform Classification of Substances-Version 14.4- December 2020.

**15.2.6.9(B)(2)** Penalty Recommendations **16.47.1.8 (U)(1)(2)** PROTECTION OF HORSES  
**16.47.1.10(B)(1)(2)** Absolute Insurer **16.47.1.8 (L)(1)(I)** Grounds For Disciplinary Measures For A



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License Type: 2021 3 Year Trainer      Applicant Id: 35464  
License Number: 301468

Licensee, And Refusal, Denial, Suspension, Or Revocation Of A License **15.2.1.9(B)(3)(A)**  
Proceedings Before The Stewards: Summary Suspension **15.2.1.9(B)(3)(B)** Proceedings Before The  
Stewards **15.2.1.8(B)(1)** COMMISSION GENERAL AUTHORITY **15.2.3.8 B (3)(A)(F)** Stewards  
Disciplinary Action **15.2.3.8 B (1) (A)(C)(D)** Stewards General Authority **16.47.1.8 (T)** Knowledge Of  
Rules **16.47.1.3** Statutory Authority **16.47.1.8 (A)(1)(2)** License Required **16.47.1.8(N)** Changes In  
Application Information **16.47.1.8(L)(1)(E)** Grounds For Disciplinary Measures.

Last Day to Appeal: March 7th, 2023

15.2.6.9(D)(1) NMAC:

Which states in pertinent part that "a finding by the Commission approved laboratory of a prohibited drug, chemical or other substance in a test specimen of a horse is prima facie evidence that the prohibited drug, chemical or other substance was administered to the horse and, in case of a post-race test, was present in the horse's body while it was participating in a race."

15.2.5.13(E)(4)(d) NMAC:

Which states in pertinent part that "The Stewards may determine that a horse shall be unplaced for purpose of the purse distribution and trial qualification."

15.2.3.8(B)(3)(k) NMAC:

Which states in pertinent part that "Purses, prizes, awards and trophies shall be redistributed if the Stewards or Commission order a change in the official order of finish."

By Order of The Sunland Park Stewards