

Written by Maury Brown
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Major League Baseball will announce the suspension of players allegedly involved in the Biogenesis PED scandal before the players have had their grievances heard on the matter based on a provision in the current joint drug agreement between the MLB Players Association and MLB. The story was first reported via T.J. Quinn of ESPN late Tuesday evening via Twitter, and confirmed today. While the suspensions for the likes of Alex Rodriguez, Ryan Braun, Nelson Cruz and others that could total as many as 20 players could happen at any time, all indications are that it will happen shortly after the All-Star Game which takes place on this coming Tuesday, July 16th. From Wednesday to Thursday of next week there are no games played and it is possible that the league could use the break in play to make the announcement then. While suspensions will be announced, no suspension will be served until the grievance process is completed.

While confidentiality around suspensions is a key section of the latest joint drug agreement ([see it here](#)), the league is given the ability to announce the suspensions under the Appeals provision, Section 8, D. Appeals of Discipline Issued Pursuant to Section 7.G.2. (see pg 31):

The Commissioner's Office may publicly announce the discipline of a Player if the allegations relating to a Player's violation of the Program previously had been made public through a source other than the Commissioner's Office or a Club (or their representative employees or agents).

The *Miami New Times* first reported the Biogenesis PED story and since the *New York Times* and ESPN have done investigative reporting stories regarding Biogenesis, and the players allegedly named within it. The league has spoken with Tony Bosch, the head of Biogenesis, and

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is in the midst of interviewing the players allegedly involved. Ryan Braun has already been interviewed, and Rodriguez is slated to meet with the league on Friday.

The league can publicly identify the players involved but the suspensions would be held for those declared first-time offenders of the drug policy. It has been reported that the league may look to impose 100-game suspensions for Braun and Rodriguez based on prior incidents. Braun had his 50-game suspension for elevated levels of testosterone overturned based on chain of custody being broken under the prior drug agreement. The latest drug agreement would not have allowed the suspension to be overturned. In that, Braun never contested the positive test, rather the handling of his test sample. Rodriguez admitted in 2009 to using PEDs for a 3-year period beginning in 2001, but was never suspended for it as the drug policy was not yet in place. While neither player has been suspended prior, the league could look to suspend the two 100-games claiming the details out of the Biogenesis case constitutes a second offense and that lying as part of prior interviews with the league constitutes the first offense. In that, the former NL MVP and baseball's highest-paid player could be named in the suspensions, as could Melky Cabrera, Bartolo Colon, and Yasmani Grandal as they have been suspended prior for positive PED tests.

The MLB Players Association is aware of the pending announcement but sees the league's actions as potentially not meeting the intent and spirit of the provision within the drug agreement.

LIST OF PLAYERS INPLICATED IN THE BIOGENESIS SCANDAL

Ryan Braun (Brewers), Everth Cabrera (Padres), Melky Cabrera (Blue Jays), Francisco Cervelli (Yankees), Bartolo Colon (Athletics), Nelson Cruz (Rangers), Fautino de los Santos (Free agent), Yasmani Grandal (Padres), Fernando Martinez (Astros), Jesus Montero (Mariners), Jordan Norberto (Free agent), Jhonny Peralta (Tigers), Cesar Puello (Mets), Alex Rodriguez (Yankees)

NOTE: While Gio Gonzalez of the Nationals was listed as a client of Biogenesis it was found that he did not obtain banned substances.
