



INQUIRY INTO THE ANALYSTS FINDING OF INDOMETHACIN IN A URINE SAMPLE TAKEN FROM BUTLERS BEACH PRIOR TO IT BEING PLACED FIFTH IN THE MAIDEN PLATE 1410M CONDUCTED AT GRAFTON RACECOURSE ON 22 APRIL 2021.

Grafton Racecourse

Wednesday 25 August 2021

**Stewards: M A Holloway (Chairman)
R W Loughlin**

The Stewards today conducted an inquiry into two Analysts' findings of Indomethacin and O-desmethyldomethacin in a pre-race urine sample taken from *Butlers Beach* prior to that gelding placing 5th in Race 3 Maiden Plate 1410m at Grafton racecourse on the Thursday 22 April 2021.

Evidence was taken from trainer of *Butlers Beach*, Mr Aiden St Vincent, Racing NSW Senior Official Veterinarian Dr Toby Koenig and ARFL Science Manager Dr Adam Cawley.

Stewards also inquired into Mr St Vincent's use of a veterinarian, without a RacingNSW permit, to source veterinary products.

Charge 1

AR240(2) – Presented *Butlers Beach* to race at Grafton racecourse on Thursday 22 April 2021 and a pre race urine sample taken from the gelding was found to contain the prohibited substances Indomethacin and O-desmethyldomethacin.

Plea: Guilty

Charge 2

LR82C(1)(b) – On Tuesday 4 May 2021 had on registered stable premises four medications that were prescribed and dispensed by veterinarian who has not been issued a permit by RacingNSW.

Plea: Guilty

Stewards considered the following matters in respect to penalty for each charge –

1. Plea.
2. Disciplinary and license history.
3. Personal and professional circumstances.
4. The nature and circumstances of the offence.
5. Precedent penalties.
6. Principles applied by stewards when issuing penalties.

Penalty

Charge 1: Stewards believe the appropriate penalty be a fine of \$7,000. Allowing for guilty plea and mitigating factors a \$5,000 fine was issued.

Charge 2: \$1,000 fine.

Acting under the requirements of AR240(1), *Butlers Beach* was disqualified from its 5th placing in Race 3 Maiden Plate 1410m conducted at Grafton racecourse on the 20 February 2021 and the placing's were amended as follows:

1st *Flying Euros*
2nd *Scatman*
3rd *Frida's Time*
4th *Diana Rocks*
5th *Dalbergia*

Relevant Rules

AR 240 (2) - Subject to subrule (3), if a horse is brought to a racecourse for the purpose of participating in a race and a prohibited substance on Prohibited List A and/or Prohibited List B is detected in a sample taken from the horse prior to or following its running in any race, the trainer and any other person who was in charge of the horse at any relevant time breaches these Australian Rules.

AR240(1) – Subject to subrule (3), if a horse is brought to a racecourse and a prohibited substance on Prohibited List A and / or Prohibited List B is detected in a sample taken from the horse prior to or following its running in any race, the horse must be disqualified from any race in which it started on that day.

LR82C(1)(b) – A trainer shall not allow a horse under his care or control in New South Wales to receive veterinary services from any person other than a veterinarian who is registered with the Veterinary Practitioners Board of NSW or equivalent interstate body and has been issued a permit by Racing NSW.

M A Holloway
Chief Steward NRRRA