

## TRNT Stewards Report – Friday 30<sup>th</sup> August, 2024

Panel: D Hensler, R Hamilton, R Shiers (observer)

Venue: Darwin Stewards Room

TRNT Stewards today conducted an inquiry into the analyst's findings from the race day urine sample collected from INFLUENTIAL JACK after competing and winning at the Darwin Turf Club meeting on 11 May, 2024 and the pre race blood sample collected from ALPHA FLIGHT after competing at the same venue on 15 June, 2024.

The Australian Racing Forensic Laboratory (ARFL) issued the first certificate for each sample and the confirmation analysis was performed, and the second certificate confirming the results was issued by Racing Analytical Services Limited (RASL). Trainer Gary Clarke attended the inquiry in person and evidence was also considered from ARFL General Manager Mr J Keledjian, RWWA Veterinarian Dr J Medd and Darwin Veterinarian Dr J Farebrother.

Subsequently Mr Clarke pleaded guilty to the following charges under AR240(2).

The specifics of charge 1 being:

- He is a thoroughbred trainer licensed by TRNT
- At the relevant time he was the licensed trainer of INFLUENTIAL JACK
- On 11 May, 2024 the gelding was brought to the Darwin Turf Club race meeting held at Fannie Bay racecourse for the purpose of participating in race 1 , the Sportsbet NT Newcomers Bonus Handicap over 1300m.
- Upon analysis a prohibited substance was detected in the post race urine sample collected from INFLUENTIAL JACK, that substance being 3'-hydroxy lignocaine
- This is a prohibited List B substance under the Australian Rules of Racing

The specifics of charge 2 being:

- He is a thoroughbred trainer licensed by TRNT
- At the relevant time he was the licensed trainer of ALPHA FLIGHT
- On 15 June, 2024 the gelding was brought to the Darwin Turf Club race meeting held at Fannie Bay racecourse for the purpose of participating in race 2 , the Darwin Cup We're Turning It On Handicap over 1200m.
- Upon analysis a prohibited substance was detected in the pre race blood sample collected from ALPHA FLIGHT, that substance being triamcinolone acetonide
- This is a prohibited List B substance under the Australian Rules of Racing

Acting under the provisions of AR240(1), INFLUENTIAL JACK was disqualified from first placing in race 1 on 11 May and ALPHA FLIGHT was disqualified from fourth placing in race 2 on 15 June and the results will be amended accordingly with commensurate implications to stake money.

In determining a penalty for charge 1, Stewards took into account the following:

- The seriousness of the charge
- The therapeutic nature of the prohibited substance
- The low detected level was likely caused as a result of the administration of a topical compounded product containing the prescription animal remedy lignocaine.
- Evidence concluded that the product had not been administered in accordance with the veterinary withholding period recommended on the label
- Co-operation and acknowledgement of the offence by pleading guilty
- Long involvement in the industry and personal circumstances
- Previous disciplinary history
- Previous penalty precedents for the detection of Prohibited List B substances

A fine of \$4000 was imposed.

In determining a penalty for charge 2, Stewards took into account the following:

- The seriousness of the charge
- The therapeutic nature of the prohibited substance
- Veterinary opinion that the circumstances of an intra-articular administration performed by the stable veterinarian was the likely cause of the detected level
- Accurate treatment records supporting the veterinary opinion
- Co-operation and acknowledgement of the offence by pleading guilty
- Long involvement in the industry and personal circumstances
- Previous disciplinary history
- Previous penalty precedents for the detection of Prohibited List B substances

A fine of \$3000 was imposed.

Mr Clarke was advised of his rights of appeal to the TRNT Appeal Committee and that the fines must be paid within 6 months.

Australian Rules of Racing referred to in this report:

### ***Division 2 – Prohibited substance in a sample taken from a horse***

#### ***AR 240 Prohibited substance in sample taken from horse at race meeting***

*(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.*

*(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.*