

RACING NSW – STEWARDS REPORT



*INQUIRY INTO THE DETECTION OF PHENYLBUTAZONE AND OXYPHENBUTAZONE IN A PRE RACE
BLOOD SAMPLE TAKEN FROM EXPAT PRIOR TO RACING AT RANDWICK ON 17 JULY 2021.*

**Racing NSW Offices
Druitt Street
Sydney
(by Video Conference)**

14 September 2021

**Stewards: M F Van Gestel (Chairman)
S G Railton
J J Earl**

Racing NSW Stewards today conducted an inquiry into the analysts finding of phenylbutazone and oxyphenbutazone in a pre-race blood sample taken from Expat prior to running at the Randwick race meeting on 17 July 2021. Evidence today was taken from Mr Mark Newnham, trainer of Expat, Australian Racing Forensic Laboratory (ARFL) Science Manager Dr Adam Cawley and Racing NSW General Manager – Veterinary Services Dr Toby Koenig.

The evidence was unable to conclusively establish how of phenylbutazone and oxyphenbutazone was found to be present in the sample. However, it was determined the most likely cause was contamination from a horse stabled adjacent to Expat in the lead up to 17 July 2021, that had been treated with phenylbutazone.

Charge

Mr Newnham was charged with the following offence.

AR240(2) – Presented Expat to race at the Randwick race meeting on 17 July 2021 and a pre-race blood sample was found to contain the prohibited substances phenylbutazone and oxyphenbutazone.

Plea: Guilty

Penalty

Stewards issued the following penalty having considered the following relevant matters;

1. Guilty Plea
2. Personal and professional circumstances.
3. This was Mr Newnham's first breach of the Rules of Racing in over 5 years of training.
4. Principles applied by Stewards when issuing penalties.
5. Relevant circumstances of this case.

Mr Newnham was fined the sum of \$5000.

Expat

Under the provisions of AR240(1) Stewards disqualified Expat from its 8th placing in Race 9 – Tax Today Handicap conducted at Randwick on 17 July 2021 and amended the placings to read.

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02. Vitesse	1st
07. Think Free	2nd
04. Monegal	3rd
11. Daphne Jean	4th
10. Exotic Ruby	5th
13. Eight Diamonds	6th
09. Steel Diamond	7th
06. Helga	8th
14. Fortune Seeker	9th

Relevant Rules

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.

**M F VAN GESTEL
CHAIRMAN OF STEWARDS
GENERAL MANAGER - INTEGRITY**