



INQUIRY INTO THE DETECTION OF TRENDIONE IN A URINE SAMPLE PROVIDED BY BELLA BOSS  
AFTER RACING AT LISMORE ON 7 MARCH 2020

**Ballina Racecourse**

**12 August 2020**

**Stewards:**    **M F Van Gestel (Chairman)**  
                  **M Holloway**  
                  **R Loughlin**

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Racing NSW Stewards today conducted an inquiry into the analysts finding of trendione in a urine sample taken from Bella Boss prior to running at the Lismore race meeting on 7 March 2020. Evidence today was taken from Mrs Sharon Pepper, trainer of Bella Boss, Foreman Mr Mark Pepper, Australian Racing Forensic Laboratory (ARFL) Science Manager Dr Adam Cawley and Racing NSW Chief Veterinary Officer Dr Toby Koenig.

## **General**

Stewards gave careful consideration to which of the prohibited substance Rules of Racing should be applied and considered that, given the circumstances of the matter and having regard to the veterinary and scientific evidence, AR240 was the Rule of Racing that most appropriately reflected the relevant conduct.

The evidence established the following.

1. In June 2018 Racing NSW provided notification to the racing industry that injectable altrenogest products should not be administered to thoroughbreds following trendione, epitrenbolone and trenbolone being found at low levels due to impurities being present in altrenogest products. In conjunction with the introduction of NSW LR44A, Racing NSW advised that oral altrenogest products could be used but not within one clear day of racing. Several notifications subsequent to this advice in June 2018 were released by Racing NSW reminding participants of this notification.
2. During a stable inspection conducted by Stewards on 6 April 2020, Stewards took possession of two bottles of Readyserve Altrenogest Injection for Horses supplied by two separate veterinarians in January 2018 and before Bella Boss entered Mrs Pepper's stable. Analysis of those products found trendione to be present at between approximately 2 to 5 times greater than in the oral altrenogest products when analysed by the ARFL.
3. During the stable inspection it was identified that Mrs Pepper had not kept treatment records since April 2018.
4. The advice of Mrs Pepper was that her husband and foreman Mr Mark Pepper had administered Readyserve Altrenogest Injection for Horses on 4 March 2020, however this was unable to be verified by any written records.
5. Both Mr and Mrs Pepper advised they were not aware of the notification provided by Racing NSW in respect to the use of injectable altrenogest products.

6. The Stewards did not consider it appropriate to exercise the discretion under NSW LR44A in respect of this charge as the analysis by the ARFL confirmed the presence of trendione in the urine sample provided by Bella Boss to be above 1ug/l set by NSW LR44A and, as set out above, the substance was not administered in accordance with the advice published by Racing NSW (such advice being that injectable altrenogest products should not be administered to thoroughbreds).

### **Charge**

#### **Mrs Sharon Pepper**

Mrs Pepper was charged with the following offence.

**AR240(2)** – Presented Bella Boss to race at the Lismore racecourse on 7 March 2020 and a post-race urine sample was found to contain the prohibited substance trendione.

#### **Plea: Guilty**

**AR104** – Failing to keep treatment records for the period 29 April 2018 to 6 April 2020, including the administration of Readyserve Altrenogest Injection for Horses to Bella Boss on 4 March 2020.

#### **Plea: Guilty**

#### **Mr Mark Pepper**

Mr Pepper was charged with the following offence.

**AR227(a)** – Conduct that led to Mrs Pepper breaching AR240(2), in that he administered Readyserve Altrenogest Injection for Horses to Bella Boss on 4 August 2020 which resulted in Trendione being detected in a sample taken from Bella Boss after Racing at Lismore 7 March 2020.

#### **Plea: Guilty**

### **Penalty**

Stewards considered the following matters in respect to penalty for both Mr and Mrs Pepper.

1. Notifications issued by Racing NSW in respect to the use of altrenogest products.
2. The administration of Readyserve Altrenogest Injection for Horses 3 days before racing.
3. The nature of the substance, being listed on prohibited substance List A.
4. Guilty plea.
5. Lack of treatment records being kept.
6. Personal and professional circumstances.
7. Good records of approximately 20 years as licensed persons.
8. Principles applied by Stewards when issuing penalties.

Mrs Pepper - Stewards determined the starting point for the offence under AR240(2) was a period of 12 months disqualification, with the penalty being reduced to 9 months

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having regard to a 25% reduction for her guilty plea, commencing 12 August 2020 and to expire on 12 May 2021. Under the provisions of AR283(7) Mrs Pepper was allowed 7 days to continue to care for her horses however she is not permitted to start a horse in a race during this period.

Mrs Pepper was fined the sum of \$800 for her failure to keep proper treatment records under AR104.

Mr Pepper - Stewards determined the starting point for the offence under AR227(a) was a period of 6 months disqualification, with the penalty being reduced to 4.5 months having regard to a 25% reduction for his guilty plea, commencing 12 August 2020 and to expire on 26 December 2020.

### **Bella Boss**

Under the provisions of AR240(1) Stewards disqualified Bella Boss from it's 1st placing in Race 4 – Benchmark 66 Handicap conducted at Lismore racecourse on 7 March 2020 and amended the placings to read;

1 <sup>st</sup>	Jakuta
2 <sup>nd</sup>	Column (GB)
3 <sup>rd</sup>	Banjo's Voice
4 <sup>th</sup>	Julianne's Wish
5 <sup>th</sup>	Creative Moss
6 <sup>th</sup>	Water Boy (NZ)
7 <sup>th</sup>	Spirit of Husson

### **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.*

#### **AR 227 Breaches of the Rules**

*Without limiting any other powers, a PRA or the Stewards may penalise any person who:*

- (a) *commits any breach of the Rules, or engages in conduct or negligence which has led or could have led to a breach of the Rules;*

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