

# RACING NSW – STEWARDS REPORT



*INQUIRY INTO THE ANALYSTS FINDING OF COBALT IN THE URINE SAMPLE TAKEN FROM STORY OF TONG SAI FOLLOWING THE GELDING BEING PLACED FIRST IN RACE 7 – BENCHMARK 64 HANDICAP CONDUCTED AT HAWKESBURY ON 20 SEPTEMBER 2018.*

**RNSW Offices**  
**Druitt Street, Sydney**

**24 December 2018**

**Stewards:**    **M F Van Gestel (Chairman)**  
                  **T P Moxon**  
                  **S T Matthews**

The Stewards today concluded an inquiry opened on 26 November 2018 into the Analysts' findings of cobalt at a concentration above the level excepted in AR178C(1) in a post-race urine sample taken from Story Of Tong Sai following the gelding being placed first in Race 7 – Benchmark 64 Handicap conducted at Hawkesbury racecourse on 20 September 2018. Cobalt was certified at the following levels

National Measurement Institute	29/10/2018	300 ug/L
Racing Analytical Services Limited	14/11/2018	>200 ug/L

On 26 November 2018, evidence was today taken from trainer of Story Of Tong Sai Mr Tommy Wong, who was assisted by solicitor Mr P O'Sullivan, Mr R Lau representing the interest of part owner Mr T Tam, Racing NSW Official Veterinarian Dr James Mizzi, RASL Scientific Manager Mr Paul Zahra and ARFL Science Manager Dr Adam Cawley.

## **Charge under AR178**

Mr Wong was issued with a charge under AR178 of having brought Story Of Tong Sai to the Hawkesbury racecourse for the purposes of the gelding engaging in a race when a prohibited substance was detected in a post-race sample. Upon application from Mr Wong, the hearing of the charge was adjourned to a date to be fixed to allow Mr Wong to consider his plea having regard to the evidence and in particular a report from Racing Analytical Services Limited (RASL) that the reserve portion of the urine sample had been found to have leaked slightly upon arrival at RASL. On 10 December 2018 Mr Wong pleaded guilty to the charge under AR178.

## **Penalty**

Having received submissions in respect to penalty on 21 December 2018 Racing NSW Stewards have considered the following matters in respect to penalty;

1. Mr Wong's clean record in respect to prohibited substances and in general;
2. His guilty plea and cooperation with the Stewards;
3. Personal subjective factors including Mr Wong's licensing history 17 years training and 27 years as a licensed person;
4. Precedent penalties.

In all the circumstances the Stewards have determined a period of 10 months' disqualification against Mr Wong is the appropriate penalty. Acting under the provisions of AR196(6) the Stewards rule that the commencement of such penalty be deferred for 7 days, subject to the following conditions, to commence on 31 December 2018 and to expire on 31 October 2019 on which day Mr Wong may re-apply for his licence. During the next seven days Mr Wong will be permitted to care for and exercise horses currently in his care, but must not nominate or start a horse in any race or barrier trial.

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### **Disqualification of Story Of Tong Sai**

Acting under the provisions of AR177, Story Of Tong Sai was disqualified from its first placing in Race 7 – Benchmark 64 Handicap conducted at Hawkesbury on 20 September 2018 and the placings amended to

- 1st. Knight Star
- 2nd. Mohican
- 3rd. Grey Eminence
- 4th. Excited Prince
- 5th. Miss Mumazara
- 6th. Rock Prodigy

### **Relevant Rules**

**AR 177.** *Subject to AR 177C, any horse that has been brought to a racecourse and a prohibited substance is detected in any sample taken from it prior to or following its running in any race must be disqualified from any race in which it started on that day.*

**AR178 -** *Subject to AR 178G, when any horse that has been brought to a racecourse for the purpose of engaging in a race and a prohibited substance is detected in any sample taken from it prior to or following its running in any race, the trainer and any other person who was in charge of such horse at any relevant time may be penalised.*

**AR 178C.** *(1) The following prohibited substances when present at or below the concentrations respectively set out are excepted from the provisions of AR 178B and AR 178H:-*

- (l) Cobalt at a mass concentration of 100 micrograms per litre in urine or 25 micrograms per litre in plasma.*

**M F Van Gestel**  
**Chairman of Stewards**