



29 August 2024

STEWARDS REPORT

Inquiry into two analyst's findings relative to a blood sample obtained from Shafty prior to the gelding competing at Acton (Canberra) on 14 June 2024.

Inquiry conducted SERA/CRC Offices

Stewards Panel: J D Walshe (Chairman) & G E V Hargraves

Stewards today inquired into two analyst's findings relative to a blood sample obtained from Shafty prior to that gelding's fifth placing in the Verv Property Handicap over 1750m at Acton (Canberra) on 14 June 2024.

Evidence was taken from licenced trainer Mr D Blundell and evidence was obtained via teleconference from licenced stablehand Mrs L Blundell, Mr J Keledjian - General Manager of the Australian Racing Forensic Laboratory, Dr R Bensley – Official Veterinarian and Welfare Officer Racing NSW and Dr K Blay – Gundagai Veterinary Clinic.

Mr D Blundell pleaded guilty to a breach of AR240(2) of presenting Shafty for the purpose of engaging in the Verv Property Handicap over 1750m at Acton (Canberra) on 14 June 2024 when a prohibited substance, namely flunixin, was detected in the blood sample taken from the gelding prior to the event.

On the evidence, Stewards could not determine with confidence how flunixin came to be present in the system of Shafty when it raced at Acton (Canberra) on 14 June 2024.

Penalty

Stewards gave consideration to the following matters when determining penalty:

- 1) Guilty plea
- 2) Mr Blundell having held a trainer's licence for at least 30 years.
- 3) Mr Blundell's disciplinary record.
- 4) Mr Blundell's personal circumstances.
- 4) The principles of specific and general deterrence and what message is sent to the industry in respect to such conduct.
- 5) Warnings provided in the RNSW Magazine concerning the possibility of contamination with the administration of therapeutic substances.

6) That whilst the level of flunixin detected was not a low level, contamination could nevertheless not be ruled out as a possible explanation for the analyst's findings.

Stewards determined that the appropriate base penalty was a fine in the sum of \$6000. However, having given consideration to Mr Blundell's guilty plea and his personal circumstances, Stewards determined that that the appropriate penalty be that Mr D Blundell be fined the sum of \$4000.

Stewards acting under the powers of AR240(1), disqualified Shafty from its fifth placing and amended the placings to:

- 1st Bringbackthebears
- 2nd Threw
- 3rd Oneforian
- 4th Tip Top Timing
- 5th Howling Victory
- 6th Dubai Showgirl
- 7th Fil

Mr Blundell was also fined the sum of \$500 under AR104(1) for failing to record in his stable treatment records, an administration of flunixin he said he provided to Adasiti on the evening of 5 June 2024.

Mr Blundell was also fined the sum of \$400 under AR296(2)(d)(ii) for failing to lodge an amendment to the stable return of Adasiti to reflect that on 5 June 2024 the gelding was in his care at his racing stables rather than spelling remotely.

Mr Blundell was therefore fined the sum of \$4900 in total.

Mr Blundell was advised of his rights of appeal against the penalties imposed under AR240(2), AR104(1) and AR296(2)(d)(ii) and with authority from the registered owners to represent their interests at the inquiry, in respect to the Stewards ruling to disqualify Shafty from its fifth placing under the provisions of AR240(1).

JD Walshe
Chief Steward
South East Region – Racing NSW

Relevant Rules

AR 240(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.*

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.*

AR 104(1) *A trainer must record any medication or treatment administered to any horse in the trainer's care by midnight on the day on which the administration was given.*

AR 296(2) *A trainer must:*

(d) lodge an amendment to a Stable Return immediately if:

(ii) a horse leaves or joins the trainer's stable, or moves to another of the trainer's premises (where the trainer's stable is comprised of more than one premises), with the amendment to disclose the precise location of the horse.