



1 July 2022

INQUIRY – MAGIC OWENS – Globe Derby Park 23 April 2022 –

Race 7 Hygain Trotters Handicap

Harness Racing SA Stewards have concluded an Inquiry into a report received from Racing Analytical Services Ltd (RASL) that Arsenic was detected above the allowable threshold in the post-race urine samples taken from MAGIC OWENS. The presence in the sample of Arsenic above the threshold was confirmed by Chem Centre in Perth.

Under Rule HR 188A(2)(b) Arsenic is a prohibited substance when present above the threshold of 0.30 micrograms per millilitre in urine.

Trainer Mr Borg was charged under Rules HR 190(1), (2) and (4). The particulars of the charge were; As a Trainer licensed by HRSA on 23 April 2022 he presented the registered horse MAGIC OWENS for Race 7 – Hygain Trotters Handicap at Globe Derby Park when not free of a prohibited substance, namely Arsenic as detected in the post-race urine sample in excess of the threshold prescribed (0.30 micrograms per millilitre in urine) by HR 188A(2)(b).

Mr Borg pleaded guilty to the charge.

The Trainer acknowledged two previous offences involving Arsenic in July 2019 and submitted written evidence of soil and water testing conducted on the registered stable property together with details of substantial alterations made to fencing subsequent to those findings.

Stewards fined Mr Borg \$2,000.

In determining penalty Stewards acknowledged the following aspects,

- The Trainers plea;
- His previous offence record;
- The absence of evidence to lead Stewards away from an explanation for the result as other than environmental contamination;
- There were no products on Mr Borgs' training establishment containing Arsenic;
- Previous remediation and prevention measures undertaken by the Trainer subsequent to the 2019 offences;
- Certain aggravating factors;
- Other penalties issued for offences similar in nature in South Australia and other States.
- The seriousness of the offence and the potential for such matters to tarnish the image and reputation of racing.

Mr Borg was given Notice that, considering his overriding obligation to comply with the Rules and the purpose of the Rules dealing with prohibited substances, any future offences relating to the substance Arsenic might result in a sanction involving the loss of licence.

Acting under HR 310, Stewards ordered Mr Borg pay the amount of \$250 for the issue of Certificates of Analysis in this matter.

Acting under HR 195, Stewards ordered MAGIC OWENS be disqualified as the winner of the Race 7 – Hygain Trotters Handicap at Globe derby Park on 23 April 2022.

The amended placings are:

FIRST	—	2	KABAYO KING
SECOND	-	1	ORLANDOS GIFT
THIRD	-	4	GHENT
FOURTH	-	5	REGAL ASSASSIN NZ
FIFTH	-	6	MUSCLETONIAN

GM Loch
Acting Chief Steward HRSA