

# Additional Stewards Report



Stewards: - J. Petzer (Chairman), P. Ryan & E. Scott

Friday, 24 March 2023

## TEQUILA SUNSET – Mr. Bill Bogarts

Stewards concluded an inquiry on Friday, 24 March 2023 into the analysis of a post-race urine sample taken on Wednesday, 26 October 2022 from the racehorse **Tequila Sunset**, which was presented to race in and won *Race 2 the Winegrapes Australia – Black dog Institute F & M Maiden Plate run over 1200m* at the Strathalbyn Racecourse. Analysis of the sample disclosed the presence of *Arsenic*, at a level in excess of the threshold set for *Arsenic* under the rules of racing, being 0.30 mg/L (0.3 milligrams per Litre).

Evidence was taken from Mr. Bill Bogarts, the Trainer of **Tequila Sunset**, Racing SA Chief Veterinary Surgeon, Dr. Toby Koenig and Racing Analytical Services Limited Laboratory Scientific Manager, Dr. Adam Cawley.

Stewards also considered the findings of a study conducted in Australia. Stewards noted, having regard for this study, that in certain circumstances, where there is evidence of a horse being exposed to ingestion of Chromated Copper Arsenate (CCA) treated wood fencing, it is possible for such horse to disclose elevated levels of Arsenic. Notwithstanding these findings, after considering the evidence, Stewards charged Mr. Bill Bogarts under AR240(2) (a strict liability rule).

### **Charge: - The particulars of the charge being:**

That as a licensed trainer and the trainer of the racehorse **Tequila Sunset** at all relevant times leading up to and including Wednesday, 26 October 2022, he did bring the said racehorse to the Strathalbyn Racecourse where it competed in and won *Race 2 the Winegrapes Australia – Black dog Institute F & M Maiden Plate run over 1200m*, after which a urine sample taken from the horse disclosed upon analysis the substance *Arsenic* at a level of 0.51 mg/L in urine which is above the threshold declared under the rules of racing of 0.30 mg/L in urine (a prohibited substance under the rules of racing). **Mr. Bogarts pleaded guilty to the charge.**

### **Penalty:**

In determining penalty Stewards had regard for the circumstances in this case, including the likely exposure of **Tequila Sunset** to, and ingestion by the mare of CCA treated wood fencing. Consequently, Stewards imposed no penalty. **The effect of this determination means that Stewards recorded a conviction without penalty.**

Further, acting under AR240(1), **Tequila Sunset**, which finished in first place (1<sup>st</sup>), was disqualified from this event. The new result of the race is:

1 <sup>st</sup>	CURRENCY KAMAR
2 <sup>nd</sup>	DIVINE JOURNEY
3 <sup>rd</sup>	HUMEA
4 <sup>th</sup>	ROUGE RENARDE
5 <sup>th</sup>	JURA MAC

Mr. Bogarts was informed of his right of appeal.

**J. Petzer**  
General Manager Integrity