

MR BRIAN PORTELLI - INQUIRY CONDUCTED

DECEMBER 11, 2024

Harness Racing New South Wales (HRNSW) Stewards conducted an Inquiry today into a report received from the Australian Racing Forensic Laboratory (ARFL) that Metformin was detected in the post-race urine sample taken from the horse FOXY DADA following its win in race 4, the MOTHERS DAY HIGH TEA @ CLUB PACEWAY MAY 12TH PACE (1720 metres) conducted at Penrith on Thursday 2 May 2024.

The reserve portion and control solution were confirmed by Racing Analytical Services Limited (RASL) in Victoria.

Licensed Trainer Mr Brian Portelli, together with Licensed Trainer and stable employee Mr Joe Attard, appeared at the Inquiry and presented evidence in relation to the horse FOXY DADA and the registered training establishment.

A number of documents were entered into evidence at the Inquiry including the Certificates of Analysis in relation to the post-race urine sample, together with results of analytical tests conducted upon a soil/water samples obtained by HRNSW Investigator, Mr Jason Robbs from Mr Portelli's registered training establishment.

HRNSW Assistant Regulatory Veterinarian, Dr Annie Knox, was also present and provided evidence to the Inquiry.

Mr Portelli pleaded guilty to a charge issued against him pursuant to Australian Harness Racing Rules AHRR 190 (1), (2) & (4) as follows:

AHRR 190. (1) A horse shall be presented for a race free of prohibited substances.

(2) If a horse is presented for a race otherwise than in accordance with sub-rule (1) the trainer of the horse is guilty of an offence.

(3) If a person is left in charge of a horse and the horse is presented for a race otherwise than in accordance with sub-rule (1), the trainer of the horse and the person left in charge is each guilty of an offence.

(4) An offence under sub-rule (2) or sub-rule (3) is committed regardless of the circumstances in which the prohibited substance came to be present in or on the horse.

In respect of that charge, pursuant to AHRR 256(6) Stewards determined that a conviction would be recorded, however, Stewards did not impose a penalty on Mr Portelli as they were satisfied to the requisite standard that the detection of metformin had resulted from environmental contamination within the stable environment beyond the control of Mr Portelli, relating to the septic sewer system on the property.

In consideration of an appropriate penalty, HRNSW Stewards were mindful of the following:

- The circumstances of this matter including the evidence of Dr Knox;
- Mr Portelli's licence history and offence record;
- Mr Portelli's training and driving record during the 16 year period he has been licensed in the harness racing industry;
- Mr Portelli's personal subjective facts;
- Mr Portelli's first prohibited substance matter;
- Mr Portelli's guilty plea.

Pursuant to AHRR 195, HRNSW Stewards disqualified FOXY DADA from the abovementioned race.

Mr Portelli was cautioned that he must take all steps to ensure in future that horses trained by him were presented in accordance with the Rules

For further information on this matter contact:
HRNSW Integrity Department
(02) 9722 6655