

*"The substance found did not have any effect on the performance of the horse.
The WATA veterinarian confirmed this at the Stewards' Inquiry."*

No credible argument is presented on behalf of the appellants. The relevant facts are not disputed. MANHATTAN STAR was presented to race. Indeed it did run and actually won. Diclofenac was found to be present in a urine sample taken from the horse. Diclofenac is an anti-inflammatory drug, usually used on humans. There is no dispute it is a prohibited substance under the Rules of Harness Racing.

Rule 195 is very clear in its language. It is couched in mandatory terms. There is no discretion. It is irrelevant that there may not have been any affect on the horse's performance. The Stewards had no alternative but to apply the Rule and disqualify the horse.

For these reasons the appeal was dismissed.



DAN MOSSENSON, CHAIRPERSON

