



Thoroughbred Official Ruling

Ruling Number 1124705

Licence No.: HP101283

Date: March 12, 2021

Woodbine Racetrack

**IN THE MATTER OF THE HORSE RACING LICENCE ACT, 2015;
S.O. 2015, c.38, Sched. 9;
AND IN THE MATTER OF DARWIN BANACH, LICENCE NO. HP101283**

On August 28, 2020, the thoroughbred horse "DEVIL MAGIC" (tattoo #R24881) finished third (3rd) in race 3 at Woodbine Racetrack. DEVIL MAGIC is trained by DARWIN BANACH "BANACH";

On August 30, 2020, Racing Forensics Inc. reported that the blood sample Test Tag number 732024103, contained TC02 with a value measured >40.0 mmol/L;

TAKE NOTICE that based on the above, BANACH is found to have violated 15.06.03 (c) and (d) of the Rules of Thoroughbred Racing "Rules". Accordingly, pursuant to 15.04.02.2, 15.05.01, 16.13 (c), (d), 24.01(c) and (d) and 24.04 of the Rules and Policy Directive No. 1-2018 and Policy Directive 3-2008, BANACH is hereby fully suspended for FORTY-FIVE (45) days (April 17, 2021 to May 31, 2021) and issued a monetary penalty of two thousand, five hundred dollars (\$2,500) dollars, payable upon completion of the suspension;

AND TAKE NOTICE that all purse monies shall be returned for redistribution, any horse owned or controlled in whole or in part by BANACH shall not be eligible to be entered to, or start in any race, and if BANACH transfers his interest in a horse during such period of ineligibility, he must seek the approval of the Stewards, in accordance with Rules 6.11.01.1 and 6.11.01.2 and Policy Directive No. 2- 2008;

In accordance with Rule 15.04.03, DEVIL MAGIC is hereby declared unplaced for every purpose except pari-mutuel wagering. The revised order of finish for race 3 at Woodbine Racetrack on August 28, 2020 is as follows:

1 st	#1	Stolen Identity
2 nd	#2	Raven's Cry
3 rd	#4	Jurojin

4th #6 Hardy Candy
5th #3 Thats It Imleaving

Devil Magic - unplaced

BANACH is required to complete the AGCO Equine Medication Use and Awareness Program before reinstatement and the following conditions were placed on BANACH's licence, pursuant to 15.04.02.2 (iii) of the Rules and Policy Directive No. 3-2008 for a two-year probation period (June 1, 2021 to May 31, 2023), following the completion of the suspension:

1. The Licensee shall keep the peace and be of good behaviour;
2. The Licensee shall allow Commission inspectors access to his stabling area at any time to conduct unannounced random searches for illegal or non-therapeutic medications or drugs;
3. The Licensee shall allow Commission inspectors to seize any illegal or non-therapeutic medications or drugs found at his stabling area;
4. The Licensee shall be subjected to the Commission's Out of Competition Program; and
5. The Licensee may be subject to a Notice of Proposed Order in addition to any penalty imposed by the Commission Stewards for any breach of the terms of their license.

BY ORDER OF



Brent McCurdy
Deputy Registrar