

## **CALENDAR NOTICE (to be published 19 December 2014)**

### **Disciplinary Committee Inquiries**

The Disciplinary Committee of the GBGB were in attendance at a meeting held on 11 December 2014:-

Mr H Starte (in the chair)

Mr R Woodworth CBE

Mr A Hunt

#### **1. Poole Stadium – WHIZZING TIGER – Greyhound Trainer Mrs J Harvey**

Greyhound Trainer Mrs June Harvey was found in breach of Rules 152(i) & (ii), 174(i)(a) and 217 of the GBGB Rules of Racing in that a urine sample taken from the greyhound WHIZZING TIGER at Poole Stadium on 22 July 2014 was found on analysis by LGC Health Sciences to contain the non-steroidal anti-inflammatory (NSAID) meloxicam.

Mrs Harvey was in attendance, accompanied by greyhound owner Mr Craig Binge. Also in attendance were area stipendiary steward, Colin Betteridge, and independent scientific adviser, Professor Tim Morris. Ian Sillence, racing manager of Poole Stadium, apologised for his non-attendance.

The Committee received evidence from Professor Morris that meloxicam is a UK licensed veterinary medicine available from a number of companies and widely used to reduce pain, fever and inflammation but which can induce adverse reactions, some potentially life-threatening, including gastrointestinal ulceration. It can have an indirect effect on a greyhound's performance by alleviating symptoms and mitigating adverse effects of pain and inflammation. Accordingly, meloxicam is a substance which by its nature could affect the performance of a greyhound or prejudice the wellbeing of a greyhound.

Mrs Harvey told the Committee that she fed only Category 3 meat to her dogs, that is, meat fit for human consumption. Professor Morris's evidence was that it was unlikely that the source of the meloxicam was Category 3 meat from farm animals or horses treated with meloxicam, as these animals would only be slaughtered as fit for human consumption after the meloxicam had passed through and left the animal. LGC Health Sciences had found the "not trivial" amount of 15 ng/ml of the NSAID in the greyhound's urine and had confirmed that their analysis of the urine could detect meloxicam for a period of about 5 to 7 days after the greyhound had been exposed to it. Professor Morris was of the opinion that it was unlikely that Category 3 meat would have been contaminated with meloxicam and highly unlikely that contaminated Category 3 meat would have resulted in the levels of meloxicam found in the greyhound's urine.

Mrs Harvey withdrew her suggestion that the meloxicam had come from contaminated meat. However she insisted that she had not administered the NSAID to the greyhound. She did not know how it had been administered or believe that it had been administered by anyone at her kennel.

The Committee did not find that Mrs Harvey had herself administered meloxicam to the greyhound, but that she had caused or allowed it to be administered. Accordingly she was found in breach of

Rules 174(i)(a), 217 and 152(i) and, in that she had acted in a manner prejudicial to the proper conduct and good reputation of greyhound racing, 152 (ii).

The Disciplinary Committee took into account that Mrs Harvey had attended the hearing, her previously unblemished record and her commendation by Stipendiary Steward Mr Betteridge. In all the circumstances of the case the Disciplinary Committee ordered that Mrs Harvey be reprimanded and fined £500.

**2. TORNAROY TIPTOP, DARAS CONFIRMED, TORNAROY TASK, DRUMNA TWILIGHT, SOPHIES CHARM- Professional Trainer Mr P Miller & Irish Breeder and Vendor Mr S McGarry**

Professional Trainer Paul Miller was found in breach of rules 152(i), 174(i)(b) and 217 of the GBGB Rules of Racing for each case (5 in total) in which random urine samples taken between 13 June 2014 and 23 October 2014 from the greyhounds TORNAROY TIPTOP, DARAS CONFIRMED, TORNAROY TASK, DRUMNA TWILIGHT and SOPHIES CHARM were each analysed by LGC Health Sciences as containing 6a-hydroxystanozolol, a metabolite of the anabolic steroid stanozolol.

Mr Miller was also found in breach of Rule 152(ii) in respect of the positive analysis of the urine samples taken from the greyhounds TORNAROY TASK, DRUMNA TWILIGHT and SOPHIES CHARM. All 5 greyhounds had been bought by Mr Miller from Irish breeder and vendor, Seamus McGarry. Mr McGarry was made a warned off person under rule 160(vi)(d) after he had admitted in a written note to Mr Miller the administration of an injection to greyhounds provided to Miller which were later subject to positive analyses of urine samples for 6a-hydroxystanozolol, a metabolite of stanozolol.

Mr Miller was in attendance. Mr McGarry did not attend. Professor Tim Morris, independent scientific adviser and Andrew Mascarenhas, racing manager of Kinsley Stadium, were also in attendance. Eric Vose, stipendiary Steward, Michael Patterson, racing manager of Sunderland Stadium and David Gray, racing manager of Pelaw Grange Stadium apologised for their non-attendance.

The Committee heard that Mr Miller bought TORNAROY TIPTOP from Mr McGarry on about 12 February 2014. The positive sample was taken from TORNAROY TIPTOP on 13 June 2014 at Sunderland Stadium. Mr Miller bought DARAS CONFIRMED on about 30 June 2014. The sample from DARAS CONFIRMED was taken at Kinsley Stadium on 11 July 2014. Mr Miller bought TORNAROY TASK on about 1 August 2014. The sample from TORNAROY TASK was taken at Sunderland Stadium on 13 September 2014. Mr Miller bought DRUMNA TWILIGHT on about 9 April 2014. The sample from DRUMNA TWILIGHT was taken at Pelaw Grange on 28 September 2014. Mr Miller bought SOPHIES CHARM on about 4 July 2014. The sample from SOPHIES CHARM was taken at Sunderland Stadium on 23 October 2014.

Professor Tim Morris gave evidence that stanozolol is an anabolic steroid which cannot legally be imported into the EU for veterinary use and is a Class C Controlled Drug in the UK. It would necessarily have been illegally imported into the UK. As a result it could also be of poor quality or contaminated with other substances. As an anabolic steroid, stanozolol affects dogs as it does other animals and humans, including building muscle. It also has many serious side effects. It is therefore

by its nature a substance which could affect the performance of a greyhound or could prejudice the wellbeing of a greyhound.

The Point of Registration samples for all 5 greyhounds were analysed. The evidence was that the samples of DARAS CONFIRMED, TORNAROY TASK, DRUMNA TWILIGHT and SOPHIES CHARM had contained one metabolite of stanozolol. The POR sample from TORNAROY TIPTOP had contained two metabolites of stanozolol. Professor Morris advised the Committee that finding two metabolites indicated the greyhound had been exposed to stanozolol more recently than where one metabolite had been found: the anabolic steroid was more likely to have been administered within days or weeks. Work performed by the LGC Health Sciences laboratories showed that metabolites of stanozolol could be detected in dogs six months or longer after the stanozolol had been administered.

Mr Miller told the Committee he had bought greyhounds from Mr McGarry for 12 or 13 years and had bought as many as 200 dogs. He said he had asked Mr McGarry whether the dogs had received any treatments and had been told they had not. When random samples had been taken from dogs bought from Mr McGarry, none had ever tested positive. Mr Miller said that when he had learned of the positive test on TORNAROY TIPTOP on 28 July 2014 he had spoken to Mr McGarry by telephone. Mr McGarry had told him that he did inject puppies that he reared with stanozolol. Mr Miller said that after he learned of the test result on DARAS CONFIRMED on 14 August 2014 he contacted Mr McGarry again and that Mr McGarry told him he administered stanozolol to bitches to suppress their coming into season. The Committee was also shown an undated letter apparently signed by Mr McGarry that stated that TORNAROY TIPTOP and DARAS CONFIRMED had been given an injection to stop them coming into season and that this had been done at the local schooling track when he sent them to be schooled.

The committee noted that the letter apparently signed by Mr McGarry did not state that Mr McGarry had given the injection or that the injection was of stanozolol. Nevertheless, the Committee found that the source of the stanozolol in all 5 dogs was administration by or at the behest of Mr McGarry without Mr Miller's knowledge before the greyhounds came into his charge. After the Committee had heard the evidence, the GRB accepted that this was the case and withdrew the case that Mr Miller had breached Rule 174 (i)(a).

The Committee found that from the point at which Mr Miller knew of the test result on TORNAROY TIPTOP and had been told by Mr McGarry that he administered stanozolol to greyhound puppies apparently as a matter of routine, Mr Miller was on notice that he had been misled over the years by Mr McGarry and that any greyhound from him could have had stanozolol or similar administered to it. Despite this, Mr Miller had persisted in buying three more greyhounds from Mr McGarry, including TORNAROY TASK. Certainly after the positive test on DARAS CONFIRMED that Mr Miller learned of on 14 August 2014 and Mr McGarry's admission of administering stanozolol to suppress bitches from coming into season, Mr Miller knew he had been taking a chance in trialling or racing any greyhound obtained from Mr McGarry. He had raced the bitches TORNAROY TASK and SOPHIES CHARM and the dog DRUMNA TWILIGHT.

In these circumstances the Committee found Mr Miller in breach of Rules 174 (i)(b), 217 and Rule 152(i) in respect of all five greyhounds. The Committee found Mr Miller in breach of Rule 152(ii) in the cases of TORNAROY TASK, DRUMNA TWILIGHT and SOPHIES CHARM, in that by his conduct in

racing these greyhounds after the positive test results on TORNAROY TIPTOP and DARAS CONFIRMED and Mr McGarry's statements about administering stanozolol, he acted in a manner prejudicial to the integrity, proper conduct and good reputation of greyhound racing.

The Committee acknowledged Mr Miller's attendance at the hearing and his previous unblemished record as a trainer. The Committee strongly advised Mr Miller to have elective urine tests done on any greyhound purchased from Mr McGarry after 1 July 2014. It ordered that Mr Miller be severely reprimanded and fined £1,000.

The Committee was shown evidence that Stipendiary Steward Eric Vose wrote to Mr McGarry by recorded delivery on 14 October 2014 to an address confirmed by the Irish Coursing Club informing Mr McGarry that Mr Miller had stated that he had given TORNAROY TIPTOP and DARAS CONFIRMED stanozolol prior to their despatch to his kennel in England and asking him to confirm or deny this allegation. Mr McGarry had apparently signed for delivery of the letter. On 24 October Mr Vose wrote again to Mr McGarry informing him that TORNAROY TASK had tested positive for stanozolol, that Mr Miller had stated that Mr McGarry had said he had administered it to the greyhound and asking him to confirm or deny this allegation. On 13 November 2014 the Director of Regulation wrote to Mr McGarry confirming receipt of the signed but undated letter and informing him that the Disciplinary Committee would be considering warning him off under the provisions of Rule 160 (vi) (d) with the effect set out in Rules 177 and 178, attaching copies of these rules. Mr McGarry was invited to make representations. The Committee heard that no response had been received from Mr McGarry to any of these communications.

In the circumstances the Committee was satisfied that Mr McGarry had administered or caused stanozolol, a banned substance and, in the UK, a Class C Controlled Drug, to be administered to greyhounds sold to Mr Miller. The Committee warns Mr McGarry off pursuant to Rule 160 (vi)(d), excluding him from any premises licensed by the GBGB and with the effects set out in Rule 178.