

## **CALENDAR NOTICE (to be published 17 July 2015)**

### **Disciplinary Committee Inquiries**

The Disciplinary Committee of the GBGB were in attendance at a meeting held on 7 July 2015:-

Mr J Akerman (in the chair)

Mr R Coughlan

Mr R Woodworth CBE

### **POSITIVE SAMPLES FOR 5-HYDROXYTRYPTOPHAN (5-HTP)**

The Disciplinary Committee received reports of four positive samples for 5-hydroxytryptophan (5-HTP) taken on the following dates:

ROTHWEILER LILLY - Sunderland Stadium 26 March 2013 - Professional Trainer Mr R Paterson

BALLYLOOBY BART - Sunderland Stadium 23 January 2013 - Professional Trainer Mr G Lynas

DILLY CELT - Sunderland Stadium 15 February 2013 - Professional Trainer Mr G Lynas

DARBYSTOWN ANGEL - Sunderland Stadium 26 March 2013 - Professional Trainer Mr G Lynas

The two Trainers concerned had attended Local Inquiries which considered each of the positive tests. The Disciplinary Committee had the opportunity to review the written transcripts of those Inquiries.

The Committee heard evidence from Professor Tim Morris that 5-HTP is not a natural constituent of food but the essential amino acid tryptophan is found in many foods. 5-HTP is a metabolite of tryptophan and is also found as a natural source in the seeds of the West African plant *Griffonia simplicifolia*. 5-HTP is not available as a veterinary medicine but is available as a nutritional supplement for people and is also used in animals. In dogs and in people 5-HTP increases serotonin concentrations, which within the nervous system affects sleep, cognition, behaviour and motor activity amongst other things. Side effects are not uncommon and can include seizures, diarrhoea, abdominal pain and transient blindness. It is therefore a substance which, by its nature, could affect the performance of a greyhound or prejudice the welfare of a greyhound.

In his evidence Professor Morris referred to administration studies of doses of 50-100mg of 5-HTP to dogs which showed resultant urine levels of over 1µg/ml and up to 22µg/ml. By way of comparison small amounts of 5-HTP would be expected to be found naturally in the urine of greyhounds from normal feeding, at a level below 0.06µg/ml. As a result of these studies GBGB has established a robust statistically defined laboratory reporting level, where findings of 1µg/ml will be reported as positive.

The Committee received in Professor Morris's evidence a study into the toxicology of 5-HTP in dogs following accidental ingestion over a ten year period 1989 and 1999. In that study, 19 out of 21 dogs showed symptoms of toxicity and 3 died as a result of eating the substance. The minimum toxic dose reported was 23.6 mg/kg, although the authors stated that the minimum toxic dose for some dogs could be lower. The minimum lethal dose was 128mg/kg. On the basis of the doses calculated in the report, the authors stated that a 500 mg capsule could potentially cause clinical signs in a 20 kg dog and could be potentially fatal to a 4kg dog. The conclusion reached by the authors was that 5-HTP ingestion can result in a potentially lethal condition resembling serotonin syndrome in humans and requiring prompt and aggressive care.

The Committee heard evidence from Paul Illingworth that all licensed greyhound and professional trainers are in receipt of a copy of the GBGB Rules of Racing and additionally receive a copy of the GBGB Calendar which is published on a fortnightly basis. The Calendar includes various sections giving updated advice and guidance to trainers.

Mr Illingworth referred to a number of documents that have been included in the Calendar in recent years, relevant to the cases under consideration. In December 2011 trainers were strongly advised, in the context of Rules 214 and 217, only to use herbal remedies and “natural supplements” on the recommendation of a veterinary surgeon. Specifically this advice notice pointed out that 5-HTP could be fatal if used in greyhounds. The advice to seek veterinary advice before administering such products to racing greyhounds was reiterated in the publication “A Trainer’s Guide to Medication Control in Greyhounds” which appeared in the Calendar dated 7 October 2011. In that document trainers were advised that many supplements, herbal preparations and “natural” remedies contain banned substances.

Mr Illingworth’s evidence also drew the Committee’s attention to advice to trainers, available on the GBGB website, highlighting the importance of completing the trainer’s treatment book as a means of maintaining an accurate record of each greyhound’s medical history including the exact dates and dosages of legitimate treatments.

The Disciplinary Committee considered the alleged breaches of the rules of racing by each trainer.

**1. Sunderland Stadium - ROTHWEILER LILLY - Professional Trainer Mr R Paterson / Kennelhand Mr T Moss**

**Mr R Paterson**

Professional Trainer Ronald Paterson was found in breach of rules 152(i) and (ii), 174(i)(a), 214 and 217 and kennelhand Terence Moss (aka Williams) was found in breach of rules 152(i) and (ii), 174(i)(a) and 217 of the GBGB Rules of Racing in that a urine sample taken from the greyhound ROTHWEILER LILLY at Sunderland Stadium on 26 March 2013 was analysed by LGC Health Sciences as containing the presence of 5-hydroxytryptophan (5-HTP).

Mr Paterson was in attendance. Joe O’Donnell, authorised representative of Sunderland Stadium, Michael Patterson, racing manager, Paul Illingworth, senior stipendiary steward, Clive Carr, investigating officer and Professor Tim Morris, independent scientific adviser were also present. Terence Moss was unable to attend for personal reasons.

Professor Tim Morris’s evidence to the Committee was that 5-hydroxytryptophan (5-HTP) should not be present over the laboratory reporting limit [1µg/ml]. In this case Professor Morris noted that the level was specifically quantified and determined to be 37.7µg/ml for ROTHWEILER LILLY.

Professor Morris expressed the opinion that 5-HTP was found in the urine of ROTHWEILER LILLY in excess of the quantities expected after normal feeding and that the finding in this case is consistent with the use of at least two 50mg 5-HTP tablets on the day of the race. In oral evidence Professor Morris expressed the view that the elevated level of 5-HTP found in this case with adverse effects identified (loose stools) indicated a narrow safety margin with a risk of mild or severe side effects.

The Committee heard that at the Local Inquiry Mr Paterson admitted that 5-HTP was administered in his kennels as a wormer and flea treatment. He stated that his kennelhand Terence Moss had heard about the substance when in Ireland and that 5-HTP had been used in his kennel as an alternative to normal worming products. The Local Inquiry noted that Mr Moss administered two 5-HTP tablets to each greyhound one kennel block at a time as a regular part of the worming regime. The dosage of each tablet was assumed to be 50mg. The Committee heard that Mr Paterson did not intend 5-HTP to be given to a greyhound the day before a race, however the system employed to ensure this was the case was not clear. The treatments were recorded in the treatment book but the book for 2013 had been stolen from Mr Paterson's van and was unavailable for inspection.

Mr Paterson said that he had not consulted a veterinary surgeon before using this product because he did not think it necessary as the substance was from a "herbal shop". Mr Paterson also said that he had not seen or read the relevant notices in the GBGB Calendar, advising trainers of the risks involved in administering herbal remedies and "natural" substances to greyhounds. In oral evidence Mr Paterson was adamant that he would not have administered or allowed the administration of 5-HTP to the greyhounds in his care had he known about the risks.

The Committee found that Mr Paterson had failed to follow the rules (including the Trainer's Guide to Medication Control in Greyhounds and other Calendar guidance) by administering or allowing or causing the administration of a banned substance to ROTHWEILER LILLY which is not licensed in the UK for use in dogs. He was ultimately responsible for the care of this greyhound and was found in breach of rule 152(i) and (ii) in that he was found responsible for taking action expressly forbidden by the Rules and so acted in a manner prejudicial to the proper conduct of greyhound racing as regulated by GBGB.

Mr Paterson was in breach of rule 174(i)(a) in that he had administered or allowed or caused the administration of a banned substance to ROTHWEILER LILLY which, by its nature, could affect the performance of the greyhound or prejudice its well-being.

Mr Paterson was in breach of rule 214 in that he did not ensure that a supplement given to ROTHWEILER LILLY was free from any substance that might falsely affect performance or prejudice welfare and of rule 217 in that ROTHWEILER LILLY was not free of any substance that could affect its performance or well-being when taking part in a race.

The Disciplinary Committee received no evidence to indicate that Mr Paterson had administered or allowed or caused the administration of 5-HTP to ROTHWEILER LILLY to deliberately affect the performance of the greyhound. However by his actions Mr Paterson had at the very least raised this suspicion in the Committee's minds. The scientific evidence was clear that a clinically significant dose of 5-HTP had been administered to ROTHWEILER LILLY on the day of the race and that Mr Paterson was unable to provide an explanation as to how the drug came to be present in the greyhound's system other than from using 5-HTP as a regular wormer and flea treatment.

The Disciplinary Committee considered the explanations provided and acknowledged the Director of Regulation's recommendations concerning the breaches. The Committee considered that these were serious breaches given the effect of 5-HTP on performance and the risk to animal health. Mr Paterson had used the substance without undertaking any checks as to the possible adverse side effects that could

jeopardise the welfare of greyhounds. He had also shown a disregard for his responsibility to take notice of important advice and guidance issued via the GBGB Calendar, particularly in regard to the use of herbal and “natural” substances.

The Committee expressed the view that it was unacceptable for any greyhound to be running with a banned substance in its system both in terms of the impact on the greyhound’s welfare and the integrity of greyhound racing. The Committee took into account Mr Paterson’s attendance at the Inquiry, his admission of the rule breaches and his previous good record involving one previous breach related to the supervision of his kennels. Mr Paterson assured the Committee that he will not give supplements or additives to his greyhounds in the future without seeking veterinary advice. In all the circumstances of the case the Committee ordered that Mr Paterson be severely reprimanded and fined £750.

### **Mr T Moss (aka Williams)**

Terence Moss did not attend either the Local Inquiry or this Inquiry for personal reasons of which the Committee were aware. In a written statement to the Local Inquiry Mr Moss said that he had given the greyhounds the treatment of 5-HTP for their health and well-being following the advice of the person he had spoken to in Ireland. He apologised for the trouble he had caused to Mr Paterson.

The Disciplinary Committee received no evidence to indicate that Mr Moss had administered 5-HTP to ROTHWEILER LILLY to deliberately affect the performance of the greyhound. However by his actions Mr Moss had at the very least raised this suspicion in the Committee’s minds. The Committee found that Mr Moss had been culpable in the matter having been directly involved in the administration of 5-HTP without undertaking any checks as to the possible adverse side effects that could jeopardise the welfare of greyhounds.

The Committee found Mr Moss in breach of rule 174(i)(a) in that he admitted to administering 5-HTP to greyhounds in his care. He was also in breach of rule 217 in that ROTHWEILER LILLY was not free of any substance that could affect its performance or well-being when taking part in a race. The Committee found Mr Moss in breach of rule 152(i) and (ii) in that he was found responsible for taking action expressly forbidden by the Rules and so acted in a manner prejudicial to the proper conduct of greyhound racing as regulated by GBGB.

The Committee took into account Mr Moss’s admission, his apology and the fact he had no previous breaches of the Rules of Racing but considered that these were serious breaches given the effects of 5-HTP on performance and the risk to animal health. In all the circumstances of the case the Committee ordered that Mr Moss be severely reprimanded and fined £500.

## **2. Sunderland Stadium - Professional Trainer Mr G Lynas - BALLYLOOBY BART, DILLY CELT and DARBYSTOWN ANGEL**

Professional Trainer Glen Lynas was found in breach of rules 152(i) and (ii), 174(i)(a), 214, 216 and 217 of the GBGB Rules of Racing in that urine samples taken from the greyhounds BALLYLOOBY BART at Sunderland Stadium on 23 January 2013, DILLY CELT at Sunderland Stadium on 15 February 2013 and DARBYSTOWN ANGEL at Sunderland Stadium on 26 March 2013 were analysed by LGC Health Sciences as containing the presence of 5-hydroxytryptophan (5-HTP).

Mr Lynas did not attend the Inquiry due to family commitments. He had declined an invitation from the Director of Regulation to seek an adjournment. Mr Lynas stated in writing that he was content for the Inquiry to go ahead in his absence.

In attendance at the Inquiry were Joe O'Donnell, authorised representative of Sunderland Stadium, Michael Patterson, racing manager, Paul Illingworth, senior stipendiary steward, Clive Carr, investigating officer and Professor Tim Morris, independent scientific adviser.

Professor Tim Morris's evidence to the Committee was that 5-hydroxytryptophan (5-HTP) should not be present over the laboratory reporting limit [ $1\mu\text{g/ml}$ ]. In these cases Professor Morris noted that the levels were specifically quantified and determined to be  $2.2\mu\text{g/ml}$  for BALLYLOOBY BART,  $8.4\mu\text{g/ml}$  for DILLY CELT and  $5.8\mu\text{g/ml}$  for DARBYSTOWN ANGEL.

Professor Morris expressed the opinion that 5-HTP was found in the urine of BALLYLOOBY BART, DILLY CELT and DARBYSTOWN ANGEL in excess of the quantities expected after normal feeding and that the findings in this case are consistent with the use of one 50mg 5-HTP tablet on the respective race days. In oral evidence Professor Morris expressed the view that the levels of 5-HTP found in these cases would be more likely to have an effect on the performance of a greyhound than an adverse effect on welfare.

The Committee heard that at the Local Inquiry Mr Lynas admitted to administering 5-HTP on race days, assumed to be one 50mg tablet, to calm the greyhounds in his care that were nervous, bad travellers or bad kennellers. The Local Inquiry heard that Mr Lynas heard about 5-HTP in Ireland. Mr Lynas referred to BALLYLOOBY BART as a dog that barked in the van and would not settle in the kennels. He saw some improvement in the dog from the treatment and would administer one tablet before he left his kennels on race days. The greyhounds DILLY CELT and DARBYSTOWN ANGEL were administered 5-HTP on race days because of their nervous disposition.

At the Local Inquiry Mr Lynas stated that he thought the substance had a calming effect on nervous greyhounds. Mr Lynas was asked at that Inquiry if he thought that a dog that was calmed down would perform to its best endeavours, or whether the product would slow them down. Mr Lynas responded by saying that he did not consider the performance of the greyhounds to be affected and that they "ran their races" as far as he could tell.

The Committee noted that BALLYLOOBY BART was subjected to two further drug tests later in 2013 when negative results were returned. At the Local Inquiry Mr Lynas could offer no explanation why this would be the case when, according to his evidence, the greyhound would have been on the same 5-HTP regime as when it tested positive in January 2013.

Mr Lynas said that he did not consult a veterinary surgeon before using this product. He did not record the use of 5-HTP in his greyhound Treatment Book because he did not think it necessary as the substance was a "herbal remedy". Mr Lynas also said that he had not seen or read the relevant notices in the GBGB Calendar, advising Trainers of the risks involved in administering herbal remedies and "natural" substances to greyhounds.

The Committee reviewed the 'PA Sport' form lines for each of the greyhounds and received oral evidence from Paul Illingworth in which he expressed the view that the form of the greyhounds was inconclusive in

relation to indications of manipulation of performance. However the Committee considered the form of each of the greyhounds at different times and concluded, on the balance of probabilities and in the context of Mr Lynas's admitted use of 5-HTP, that there were patterns in the form lines to indicate that Mr Lynas had administered 5-HTP deliberately to affect the performance of BALLYLOOBY BART, DILLY CELT and DARBYSTOWN ANGEL and not as a calming agent.

The Committee found that Mr Lynas had failed to follow the rules (including the Trainer's Guide to Medication Control in Greyhounds and other Calendar guidance) by administering to the greyhounds BALLYLOOBY BART, DILLY CELT and DARBYSTOWN ANGEL a banned substance which is not licensed in the UK for use in dogs. Mr Lynas was found in breach of rule 152(i) and (ii) in that he was found responsible for taking action expressly forbidden by the Rules and so acted in a manner prejudicial to the proper conduct of greyhound racing as regulated by GBGB.

Mr Lynas was in breach of rule 174(i)(a) in that he had administered a banned substance to BALLYLOOBY BART, DILLY CELT and DARBYSTOWN ANGEL which, by its nature, could affect the performance of the greyhounds or prejudice their well-being.

Mr Lynas was in breach of rule 214 in that he did not ensure that a supplement given to BALLYLOOBY BART, DILLY CELT and DARBYSTOWN ANGEL was free from any substance that might falsely affect performance or prejudice welfare and of rule 217 in that the greyhounds were not free of any substance that could affect their performance or well-being when taking part in a race.

Mr Lynas had failed to record the use of 5-HTP in his greyhound Treatment Book, contrary to the advice given to Trainers regarding their completion. The Committee was therefore unable to confirm the exact dates and dosages of the 5-HTP given to BALLYLOOBY BART, DILLY CELT and DARBYSTOWN ANGEL which would have assisted the Inquiry. The Committee accordingly found Mr Lynas in breach of rule 216.

The scientific evidence was clear that clinically significant doses of 5-HTP had been administered to BALLYLOOBY BART, DILLY CELT and DARBYSTOWN ANGEL on the day of their respective races. The Committee considered that these were serious breaches given the effect of 5-HTP on performance and the risk to animal health. Mr Lynas had administered the substance without undertaking any checks as to the possible adverse side effects that could jeopardise the welfare of greyhounds. He had also shown a disregard for his responsibility to take notice of important advice and guidance issued via the GBGB Calendar, particularly in regard to the use of herbal and "natural" substances.

The Committee expressed the view that it was unacceptable for any greyhound to be running with a banned substance in its system both in terms of the impact on the greyhound's welfare and the integrity of greyhound racing. The Committee found it extremely unhelpful that Mr Lynas had not attended the Inquiry to put his case and answer the Committee's questions. He had declined an invitation to seek an adjournment and had therefore waived the opportunity to provide an alternative explanation. The Committee did however give Mr Lynas credit for accepting responsibility for the rule breaches.

The Disciplinary Committee considered the explanations provided and acknowledged the Director of Regulation's recommendations concerning the breaches. Having concluded on the balance of probabilities that Mr Lynas had deliberately administered 5-HTP to affect performance, the Committee could not ignore the fact that Mr Lynas had four local inquiries between 2012 and 2013 for improved

performance, all involving a breach of rule 49(iv). In all the circumstances of the case the Committee ordered that Mr Lynas be severely reprimanded and fined £2,000.