

## **CALENDAR NOTICE (to be published 23 October 2015)**

### **Disciplinary Committee Inquiries**

The Disciplinary Committee of the GBGB were in attendance at a meeting held on 13 October 2015:-

Mr J Akerman (in the Chair)

Dr AJ Higgins

Mr R Woodworth CBE

#### **1. Towcester Stadium – MAYS STARDUST – Professional Trainer Mrs PJ Dolby**

Professional Trainer Pamela Dolby was found in breach of rules 152(i), 174(i)(b) and 217 of the GBGB Rules of Racing in that a urine sample taken from the greyhound MAYS STARDUST at Towcester Stadium on 16 May 2015 was analysed by LGC Health Sciences as containing the presence of glaucine, a substance that could affect the performance and/or wellbeing of the greyhound.

Mrs Dolby did not attend the Inquiry but was represented by her husband and kennelhand Colin Dolby. Also present were Lorraine Sams, area stipendiary steward, Chris Page, racing manager at Towcester Stadium, and Professor Tim Morris, independent scientific adviser.

The Committee took evidence from Professor Morris that glaucine is not available as a veterinary medicine. In the past it was used as an anti-cough medicine in humans but is no longer available in Western Europe. It can originate from plants and can also be produced by chemical synthesis, and has been used as a 'herbal high'. In dogs and humans, glaucine acts like codeine to suppress coughing. It has been reported to cause weakness, sleepiness, nausea, visual hallucinations and lowered blood pressure. It has a broad range of effects and is therefore a substance which, by its nature, could affect the performance or prejudice the wellbeing of a greyhound.

In evidence to the Committee Professor Morris referred to advice by LGC Health Sciences that the urine sample at screening showed indications of metabolites as found in other animals following the administration of glaucine, this being an indication that glaucine had passed through MAYS STARDUST and that the positive test had not arisen from a contaminated sample.

Mr Dolby had represented his wife at the Local Inquiry and on behalf of Mrs Dolby accepted responsibility for the positive sample. Mr Dolby told the Local Inquiry and confirmed to the Committee that he was happy with the security at Mrs Dolby's kennels. Mr and Mrs Dolby also trusted their long serving kennelhand who helped them at the racetrack and handled MAYS STARDUST at Towcester Stadium on the day of the trial.

Mr Dolby was at a loss to explain the positive sample but stated in his evidence that some of the greyhounds in Mrs Dolby's kennels may have had access to seed from bird feeders which he offered as a possible explanation. He also referred to supplements purchased from the internet, namely 'Flowers of Sulphur' and 'Brewer's Yeast'. Mr Dolby also stated that various wild plants existed on their property but did not produce any evidence that might demonstrate that these could have been the source of glaucine. In oral evidence Mr Dolby referred to the use of a 'Chinese rub' on his racing greyhounds but produced no evidence to suggest that this might be the source of the glaucine. He had also found through his own research that some anti-ageing products contain the substance but had not produced any evidence to link anybody's use of such products to the positive sample.

Professor Morris stated in his written and oral evidence that the bird seeds used were not those from plants reported as containing glaucine and were therefore an unlikely source of the drug. Professor Morris advised that none of the prescription medicines used by Mr and Mrs Dolby contained glaucine.

He had also reviewed the information in the Trainer's Greyhound Treatment Book records and the statements provided in respect of feed and supplements fed, and could see no treatments, feed or supplements that might explain the positive sample.

After hearing the evidence the Committee concluded that that it was not possible to determine the source of the glaucine. However, the GBGB rules of racing impose strict liability on the trainer and Mrs Dolby was found in breach of rule 174(i)(b) in that she had in her charge a greyhound, MAYS STARDUST, which showed the presence of a banned substance which, by its nature, could affect the greyhound's performance or wellbeing. Mrs Dolby was also found in breach of rule 152(i) in that she was responsible for a failure to take action to ensure that MAYS STARDUST was free from a banned substance.

Mrs Dolby was also found in breach of rule 217 in that MAYS STARDUST was not free at the time of racing or trialling of a substance that could affect its performance or welfare, the origin of which could not be traced to normal feeding.

The Disciplinary Committee determined on the balance of probabilities that this was not a deliberate administration of glaucine. However, the Committee could not ignore the presence of a drug not licensed for use in dogs with the potential to have serious side effects.

The Committee acknowledged the Director of Regulation's recommendations concerning the rule breaches. In all the circumstances of the case the Committee ordered that Mrs Dolby be reprimanded and fined £400. The penalty took into account that Mr Dolby had attended the Inquiry, his apology on Mrs Dolby's behalf and her previously unblemished disciplinary record.

The Committee noted from the evidence of the Local Inquiry that Mrs Dolby gave her racing greyhounds supplements purchased from the internet. The Committee received no evidence to suggest that any of the products identified were a likely source of the positive sample but reminded Mr Dolby of his wife's responsibilities under the rules of racing to ensure that all food, vitamins and additives fed to greyhounds in her charge are free from any substances that may falsely affect their performance or well-being.

## **2. Hall Green Stadium – NIPPY CHICK – Professional Trainer Mr S M Buckland**

Professional Trainer Stuart Buckland was found in breach of rules 49(iv), 152(i) and (ii), 174(i)(a) and 217 of the GBGB Rules of Racing in that a blood sample taken from the greyhound NIPPY CHICK at Hall Green Stadium on 27 March 2015 was analysed by LGC Health Sciences as containing the presence of the non-steroidal anti-inflammatory meloxicam; and that he allowed a substance to be administered that could affect the performance and/or wellbeing of the greyhound.

Mr Buckland was in attendance. Paul Illingworth, senior stipendiary steward and Professor Tim Morris, independent scientific adviser were also present. Rob Coulthard, racing manager of Hall Green Stadium apologised for his non-attendance.

The Committee heard that urine and blood samples were taken from NIPPY CHICK as part of a preliminary investigation into time finding after the greyhound won a 480m A5 race at Hall Green Stadium on 27 March 2015 in a time of 28.85 on normal going, finding 0.64secs on its best recent time. The greyhound's starting price was 8/11 fav having opened at 5/4 fav.

The Committee took evidence from Professor Morris that meloxicam is available as a UK licensed veterinary medicine. It is in the class of drugs described as non-steroidal anti-inflammatory drugs (NSAIDs), used to relieve pain, reduce fever and reduce inflammation. It is available from a number of

companies in tablet and liquid form for oral administration and in injectable forms. Meloxicam is a Prescription Only Medicine.

Professor Morris stated that all NSAIDs have the potential to induce adverse reactions including vomiting and gastrointestinal ulceration, some of which can be life threatening. Professor Morris knew of no studies showing meloxicam would directly affect a greyhound's performance although it could have an indirect effect by alleviating symptoms and so mitigating adverse effects of pain or inflammation. In Professor Morris's opinion meloxicam was a substance which by its nature could affect the performance or prejudice the wellbeing of a greyhound.

The Committee received evidence that a urine sample taken from NIPPY CHICK on 27 March 2015 was reported negative by LGC Health Sciences in a Certificate of Analysis dated 15 May 2015. A Certificate of Analysis of the same date reported a blood sample taken from the same Greyhound on 27 March 2015 as testing positive for meloxicam. A subsequent Certificate of Analysis from LGC Health Sciences dated 29 May 2015 reported that meloxicam was indicated from the screen in the urine sample but at a very low level that would not be identified routinely and insufficient to be able to perform any confirmatory analysis. LGC noted that the sampling steward had been unable to obtain a satisfactory amount of urine to allow for the necessary testing required by LGC, which led to the blood sample being taken by the Hall Green Stadium Veterinary Surgeon on the same evening. The Committee reviewed the witness statements of the Paddock Steward and the Veterinary Surgeon which confirmed that the blood sample was taken on 27 March 2015 due to the low level of urine produced by NIPPY CHICK.

Having considered the expert evidence the Committee were satisfied that the urine sample collected from NIPPY CHIC was insufficient to confirm the finding indicated from the screening analysis and this did not conflict with the positive test result arising from analysis of the blood sample.

In evidence to the Committee, Professor Morris stated that the levels of meloxicam estimated in the blood sample from NIPPY CHICK (10ng/ml) would be compatible with low levels, around the limit of detection, of meloxicam also being present in urine. Earlier studies by HFL (now LGC) indicated that meloxicam can be detected in the urine of dogs for up to seven days after its administration. In Professor Morris's opinion the levels of meloxicam present in the urine and blood samples for NIPPY CHICK on 27 March 2105 were consistent with the exposure of the greyhound to a clinical dose of meloxicam around 2-4 days beforehand or earlier, from an injected or oral administration. It was equally possible that a smaller quantity of meloxicam could have been administered nearer to the time the sample was taken.

Professor Morris noted that, according to Mr Buckland, meat was fed to NIPPY CHICK on the day of the race. The source of the meat was described as "butcher". Professor Morris noted that there was no indication that this was Category 2 meat which would be a potential source of meloxicam.

Mr Buckland told the Local Inquiry and confirmed to the Committee that he uses meloxicam on cattle at his farm but on a site several miles from his kennels. In his evidence he offered a number of possible explanations for the positive sample, including contamination of meat fed to his greyhounds or intervention by the sales agent or the greyhound's owners who were new to his kennels. He did not produce any evidence to support these explanations. In any event the Committee noted that the 'Point of Registration' sample was negative which appeared to exonerate the sales agent.

After considering the evidence the Committee concluded that there were only two probable causes for the positive blood sample; (1) the feeding of meat contaminated with meloxicam, or (2) meloxicam had been administered to the greyhound. In the absence of an innocent explanation the Committee concluded, on the balance of probabilities, that this was more likely to have been a deliberate

administration of meloxicam than accidental feed contamination. The Committee found there was insufficient evidence to enable them to determine who had administered meloxicam.

The Committee accordingly found Mr Buckland in breach of rule 174(i)(a) in that he had administered or allowed or caused to be administered a banned substance to NIPPY CHICK which, by its nature, could affect the performance of the greyhound or prejudice its wellbeing. Mr Buckland was in breach of rule 217 in that NIPPY CHICK was not free at the time of racing of a substance that could affect its performance or welfare. Mr Buckland was also in breach of rule 152(i) and (ii) by his actions, which were prejudicial to the integrity, proper conduct and good reputation of Greyhound racing.

Regarding the time finding investigation, the Committee heard that, at the Preliminary Investigation, the racing manager, Mr Coulthard, had accepted Mr Buckland's explanation for the improved performance of NIPPY CHICK on 27 March 2015, before the results of the sample analysis were known. In evidence to the Local Inquiry Mr Coulthard stated that the greyhound had been bumped in its previous race on 21 March and in his opinion would otherwise have returned a faster time and gone close to winning. In this event the amount of time found in the subsequent race on 27 March would have been reduced. Mr Coulthard added that NIPPY CHICK was an improving puppy and had been graded by the assistant racing manager to have a good chance to win on 27 March. In his evidence to the Local Inquiry Mr Buckland also referred to the trouble in running suffered by NIPPY CHICK in its previous race which he said had exaggerated the amount of time found. He considered that the race on 27 March represented normal improvement for a young dog gaining in experience and fitness.

The Disciplinary Committee considered the outcome of the Preliminary Investigation in the light of the positive blood sample analysis which was not available to the racing manager, and the evidence of Professor Morris that meloxicam was a substance which by its nature could affect the performance of a greyhound. Having concluded, on the balance of probabilities, that this was more likely to have been a deliberate administration of meloxicam the Committee found Mr Buckland in breach of rule 49(iv) in that he had administered meloxicam or allowed or caused meloxicam to be administered in the knowledge that this action could influence the performance of the greyhound.

The Disciplinary Committee acknowledged the Director of Regulation's recommendations concerning the rule breaches. In all the circumstances of the case involving a banned substance with the potential to have serious side effects, the Disciplinary Committee ordered that Mr Buckland be severely reprimanded and fined £750. In imposing the penalty the Committee took into account that Mr Buckland had attended the Inquiry and the comments by Mr Coulthard in support of Mr Buckland. However the Committee noted a previous breach of the rules of racing by Mr Buckland in November 2013, also involving an NSAID and on that occasion assumed to have been caused by contaminated meat

Mr Buckland was warned that he had breached the rules of racing on two occasions in a relatively short period and that any further rule breaches would lead to more severe penalties.

### **3. Pelaw Grange Stadium – FREEDOM VANTAGE – Registered Sales Agent Mr J Kennedy**

Registered Sales Agent John Kennedy 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 FREEDOM VANTAGE at Pelaw Grange Stadium on 23 March 2015 was analysed by LGC Health Sciences as containing the presence of the non-steroidal anti-inflammatory meloxicam; and that he allowed a substance to be administered that could affect the performance and/or wellbeing of the greyhound.

Mr Kennedy did not attend the Inquiry and gave reasons in advance. David Gray, racing manager of Pelaw Grange Stadium apologised for his non-attendance. Professor Tim Morris, independent scientific adviser was present.

The Committee took evidence from Professor Morris that meloxicam is available as a UK licensed veterinary medicine. It is in the class of drugs described as non-steroidal anti-inflammatory drugs (NSAIDs), used to relieve pain, reduce fever and reduce inflammation. It is available from a number of companies in tablet and liquid form for oral administration and in injectable forms. Meloxicam is a Prescription Only Medicine.

Professor Morris stated that all NSAIDs have the potential to induce adverse reactions including vomiting and gastrointestinal ulceration, some of which can be life threatening. Professor Morris knew of no studies showing meloxicam would directly affect a greyhound's performance but it could have an indirect effect by alleviating symptoms and so mitigating adverse effects of pain or inflammation. In Professor Morris's opinion it was a substance which by its nature could affect the performance or prejudice the wellbeing of a greyhound.

In evidence to the Committee Professor Morris referred to a study by HFL (now LGC) in 2004 which indicated that meloxicam could be confirmed in the urine of greyhounds for 5-7 days after its administration. Professor Morris noted that the Point of Registration sample for FREEDOM VANTAGE on 28 March 2015, five days after the trials sample was taken, also tested positive for meloxicam. Given the excretion rate found in the HFL study, Professor Morris concluded that the test results could indicate a single administration of meloxicam at least in the two days prior to the sales trial on 23 March 2015.

Professor Morris also stated in evidence that, in addition to the confirmed finding of meloxicam, the screening analysis from the sample taken on 23 March indicated the presence of traces of scopolamine and flunixin. He expressed the opinion that the presence of scopolamine could be an indication of exposure to a pain killer/NSAID combination or to scopolamine only. The presence of flunixin suggested exposure to another NSAID. In oral evidence Professor Morris said that the administration of a combination of three medications with the associated toxicity was unlikely and suggested that contaminated meat was likely to have been at least a contributory factor in the presence of three substances.

The Disciplinary Committee noted evidence from the local Inquiry that Mr Kennedy fed 'knackery meat' to his greyhounds. He stated that FREEDOM VANTAGE had not been treated by a veterinary surgeon for any injuries, had no medical problems and had not received any treatments. He took possession of the greyhound two months before the sales and was not aware of any substances being administered by other persons. Mr Kennedy stated that he did not administer meloxicam and apologised for the positive sample.

The Committee found it unhelpful that Mr Kennedy had not attended the Inquiry as this had denied them the opportunity to test the credibility of his evidence in the context of the substances found to be present in the urine sample for FREEDOM VANTAGE. Mr Kennedy had indicated that he would be available by telephone but the Committee felt that this would be an unsatisfactory means of conducting their enquiries and that his written evidence had stated his position clearly.

After considering the evidence the Committee concluded that there were only two probable causes for the urine sample testing positive for the presence of meloxicam: (1) the feeding of meat contaminated with meloxicam, or (2) meloxicam had been administered to the greyhound. Having considered the evidence, in particular the scientific evidence, the Committee were not satisfied that contaminated meat was the source of the meloxicam in this case. In reaching this decision the

Committee took into account the confirmed presence of meloxicam in the sample and LGC's further evidence that traces of two other substances, flunixin and scopolamine, were also seen in the sample. The Committee formed the view, on the balance of probabilities, that meloxicam had been administered to the greyhound and the other two substances not under investigation may have arisen from the feeding of contaminated meat in Ireland.

Accordingly the Committee found Mr Kennedy in breach of rule 174(i)(a) in that he had administered or allowed or caused to be administered a banned substance, meloxicam, in order to affect the performance of the greyhound FREEDOM VANTAGE at the sales trial on 23 March 2015. Mr Kennedy was also in breach of rule 217 in that the greyhound was not free at the time of racing or trialling of a substance that could affect its performance or wellbeing. Mr Kennedy was in breach of rule 152(i) and (ii) by his actions, which were prejudicial to the integrity, proper conduct and good reputation of Greyhound racing.

The Disciplinary Committee acknowledged the Director of Regulation's recommendations concerning the rule breaches. In all the circumstances of the case involving a banned substance with the potential to have serious side effects, the Disciplinary Committee ordered that Mr Kennedy be severely reprimanded and fined £1,000. The Committee also ordered that Mr Kennedy be issued with an advisory notice, warning him that a further breach of the rules could lead to more severe penalties, including the withdrawal of his licence.

In imposing the penalty the Committee took into account Mr Kennedy's apology and recognition of the seriousness of the rule breaches, but noted that he had a previous breach of the GBGB rules of racing recorded against him in February 2012 for the presence of procaine (a prescription only local anaesthetic injection for use in minor surgical procedures or to block pain), for which he was severely reprimanded and fined £600.