

## **CALENDAR NOTICE (to be published 29 January 2016)**

### **Disciplinary Committee Inquiries**

The Disciplinary Committee of the GBGB were in attendance at a meeting held on 12 January 2016:

Mr H Starte (in the chair)

Mr R Coughlan

Mr K Salmon

#### **1. Henlow Stadium - FOOLS FANCY – Greyhound Trainer Mr J McDonald**

Greyhound Trainer James McDonald 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 FOOLS FANCY at Henlow Stadium on 30 August 2015 was analysed by LGC Health Sciences as containing the presence of diclofenac.

Mr McDonald was in attendance. Racing Manager of Henlow Stadium Paul Mellor apologised for his non-attendance. Area stipendiary steward Lorraine Sams and Professor Tim Morris, independent scientific adviser, were in attendance.

On 30 August 2015 FOOLS FANCY, a greyhound trained by Mr McDonald, was subject to a post-trial urine sample which, on analysis, tested positive for the presence of diclofenac.

The evidence of Professor Morris to the Committee was that diclofenac is a non-steroidal anti-inflammatory drug (NSAID) not available as a veterinary medicine in the UK but widely used as a human medical drug to relieve pain, reduce fever and reduce inflammation. When used in dogs, it had been shown to lead to gastrointestinal ulceration and bleeding. It could indirectly effect a greyhound's performance by mitigating adverse effects of pain or inflammation. It was a substance which by its nature could affect the performance of a greyhound or prejudice its wellbeing.

Mr McDonald admitted breaches of the rules of racing. He told the local inquiry and confirmed to the Committee that for a couple of years he had been using Voltarol, a topical painkilling gel, to treat pain from arthritis in his hands and knees. He said that he had always washed his hands after applying it but could only think that he had not washed his hands thoroughly enough in this case, so that some of the painkiller had been transferred to the greyhound.

Professor Morris confirmed that Voltarol was a gel preparation of diclofenac. In the scenario described by Mr McDonald, there could well be cross-contamination to FOOLS FANCY, either by the greyhound ingesting diclofenac that had been transferred into its feed or by the greyhound licking Mr McDonald's hands or by being absorbed through the skin when Mr McDonald handled the greyhound. Professor Morris noted the relatively high concentration of diclofenac in Voltarol topical gel. He also noted that the GBGB had specifically warned in advice issued on 28 March 2014 and reported in the Calendar that many human NSAIDs are extremely toxic to dogs and that painkiller gels for human use are very potent preparations of NSAIDs which are rapidly absorbed through a greyhound's skin.

Professor Morris stressed how concentrated NSAIDs are in topical painkilling gels like Voltarol. The risk of transference to a greyhound was particularly great when they were being used to treat pain in the hands, when the user would want to leave the gel on the hands rather than wash it off before the painkiller had been absorbed. His advice was that to prevent any contamination, anyone using these gels should wear clean, new disposable gloves before handling greyhounds or their feed. They should take care to minimise the risk of transferring the painkiller to the outside of the gloves when putting them on.

Mr McDonald admitted he had been aware of the GBGB's advice about the risk of NSAIDs being transferred from painkilling gels. He said that since FOOLS FANCY's positive test he had been more careful to wash his hands before handling greyhounds or their feed. He said he accepted Professor Morris's advice and would wear disposable gloves in future when he had been using a topical painkilling gel.

Stipendiary Steward Lorraine Sams told the Committee that Mr McDonald had always been a cooperative and conscientious trainer, who was prepared to listen to and act on advice when it had been given.

The Director of Regulation, Mr Mark Bird, said the Board accepted Mr McDonald's explanation for what had happened and how diclofenac had come to be in the greyhound FOOLS FANCY and that this was a case of an honest mistake by the trainer.

The Committee found that Mr McDonald was in breach of Rules 152 (i), 174 (i) (b) and 217. There had been breaches of these rules by his having in his charge a greyhound, FOOLS FANCY, that showed the presence in its tissues, body fluids, hair or excreta a quantity of a substance which by its nature could affect its performance or prejudice its wellbeing and by FOOLS FANCY not when trialling being free of any substance that could affect its performance or wellbeing.

The Committee accepted Mr McDonald's explanation and that this was a case of an honest mistake by him. However, it noted that the GBGB had publicised express warnings about the risk of potentially harmful NSAIDs being transferred from the hands of people using painkilling gels when working with greyhounds and that Mr McDonald admitted that he had been aware of this warning.

The Committee noted Professor Morris's warning of just how potent Voltarol-type topical preparations are and the high risk of prohibited NSAIDs being transferred to a greyhound either through its feed or directly from a handler's hands, whether through its skin from being handled or from licking the handler's hands. The GBGB should urge trainers to follow Professor Morris's advice that, to prevent contamination, anyone using Voltarol-type painkillers, particularly if using them to treat pain in the hands, should use disposable gloves when handling greyhounds or their feed.

The Committee noted Stipendiary Steward Lorraine Sams's commendation of Mr McDonald. It was confident that Mr McDonald would take on board the advice given. It also recognised Mr McDonald's attendance and co-operation in the inquiry.

In the circumstances, it was a sufficient and appropriate penalty that Mr McDonald receive a caution.

## **2. Newcastle Stadium – STRASBURGE KING - Professional Trainer Mr D Spraggon**

Professional Trainer David Spraggon was found in breach of rules 152 (i), 174 (i) (b), 214 and 217 of the GBGB Rules of Racing in that a urine sample taken from the greyhound STRASBURE KING at Newcastle Stadium on 18 June 2015 was analysed by LGC Health Sciences as containing the presence of ketoprofen.

Mr Spraggon was in attendance. Racing Manager of Newcastle Stadium Paul Twinn apologised for his non-attendance. Senior stipendiary steward Paul Illingworth and Professor Tim Morris, independent scientific adviser, were in attendance.

On 18 June 2015, in the course of a time finding inquiry, a urine sample was taken from STRASBURGE KING, a greyhound trained by Mr Spraggon. On analysis the sample tested positive for ketoprofen.

The evidence of Professor Morris was that ketoprofen is a non-steroidal anti-inflammatory drug (NSAID) commonly used in animals and man to relieve pain, reduce fever and reduce inflammation. Like all NSAIDs, it had the potential to induce adverse reactions, including life-threatening ones. In dogs, vomiting was the most common adverse reaction. Gastrointestinal ulceration is the most common life-threatening reaction. It could have an indirect effect on a greyhound's performance by mitigating adverse effects of any pain or inflammation. In Professor Morris's opinion ketoprofen was a substance which by its nature could affect the performance of a greyhound or prejudice its wellbeing.

Mr Spraggon told the local inquiry he had no idea how ketoprofen had come to be found in STRASBURGE KING. He said he did not feed breakfast to his greyhounds. They had Redmills biscuit and one pound of raw meat on non-race days. On race days, they were fed half a pound of raw meat at about 1pm. The meat was bought from a butcher who supplied it as meat fit for human consumption. He had bought it from the same butcher for the past 12 years.

In his written report to the Committee, Professor Morris gave evidence that LGC Health Sciences had estimated the level of ketoprofen in the urine at 1.4ug/ml. There was also evidence of hydroxyl metabolites in the urine. Professor Morris explained there were essentially two routes for ketoprofen to metabolise in different animal species: the first was to produce hydroxy metabolites; the second was glucuronide conjugation. In dogs the latter, with excretion of ketoprofen itself, was the main metabolic route leading to substances found in the urine. The presence of hydroxy metabolites in this case could indicate the source of the ketoprofen was ketoprofen metabolites in meat (horse, pig or cattle) fed to the greyhound. But the greyhound being fed human grade meat, as Mr Spraggon said was the case, would indicate that the ketoprofen had not come from its feed.

Before the Committee, Professor Morris's view was that, on the level of ketoprofen found in the urine and on the scenario that STRASBURGE KING was fed half a pound of raw meat within 8 hours of the sample being taken, it was as likely that contaminated meat from an animal treated with ketoprofen before slaughter was the source of the substance in the greyhound as that it came from the substance being given directly to the greyhound.

Mr Spraggon told the Committee that the substance had not been given to STRASBURGE KING. He had 33 or 34 racing greyhounds in his kennel. He had no need or reason to medicate a dog to race it. He would just take that greyhound off and put another one on to race.

Mr Spraggon explained that he had bought as much as 60 pounds of meat a day from his butcher, who ran one small shop. He understood the butcher obtained the meat, mostly consisting of hearts, from a large butchers business that slaughtered its own meat, selling from its own large premises and also delivering to customers, as well as supplying retailers like his butcher. His butcher received the meat and minced it for him. He had never had a greyhound test positive like this in the years he had fed the meat supplied by his butcher.

Mr Spraggon told the Committee that he had never asked for or received a receipt of any kind from his butcher. He had always paid in cash. At the time of the positive sample he was paying 50 pence per pound for the meat. He had changed supplier since the positive test on STRASBURGE KING. He did not get any kind of receipt from his new supplier.

The Committee accepted Mr Spraggon's evidence about how he obtained and fed meat to his greyhounds and that he believed he was getting meat fit for human consumption. Professor Morris's evidence had been that the presence of hydroxyl metabolites in the greyhound's urine suggested contaminated meat as the source of the ketoprofen and that feeding half a pound of contaminated meat to STRASBURGE KING less than 8 hours before the sample was taken was equally likely to produce the level of ketoprofen found as the greyhound receiving a therapeutic dose of the painkiller. It was remarkable that there had been no previous positive test over the 12 years Mr Spraggon had been feeding meat obtained in the way he described.

There were realistically only two possibilities: either the ketoprofen came from feeding contaminated meat or someone had administered a therapeutic dose of the painkiller to STRASBURGE KING. The Committee could not find on the balance of probabilities that there had been a therapeutic administration. It found that it was more likely that the source of the ketoprofen was contaminated meat.

Accordingly, the Committee found that Mr Spraggon was in breach of Rules 152 (i), 174 (i) (b), 214 and 217, in that: he had in his charge a greyhound which showed the presence of a substance, ketoprofen, that could affect its performance or prejudice its wellbeing; he had failed to ensure the greyhound's feed was free from such a substance; and he had raced a greyhound that was not free from such a substance.

The Committee heard there had been two previous breaches of the Rules by Mr Spraggon, both arising from positive tests showing the presence of the anabolic steroid stanozolol in the urine of a greyhound, NIGHTIME BOXER. At Committee hearings in June and October 2013 it had been accepted that, as the greyhound's Point of Registration sample showed, both positive results were due to stanozolol being administered to the greyhound before it came into Mr Spraggon's charge.

The Committee also heard this was the second time Mr Spraggon had travelled to attend this hearing by the Committee. On the first occasion, the hearing had had to be adjourned at the last minute through no fault of Mr Spraggon's. He had been reimbursed some costs incurred in attending on that first occasion.

Regarding the appropriate penalty, the Committee accepted Mr Spraggon had believed he was being supplied meat fit for human consumption. However, he should have been more scrupulous to check that this was the case and to hold his supplier to account, getting a receipt that recorded that he was buying meat fit for human consumption. The Committee noted that Mr Spraggon had been inconvenienced and put to expense by having to attend the Committee on two days and recognised that, although he had been reimbursed expenses from his first attendance, this probably did not extend to every expense incurred.

Taking all this into account and the circumstances of Mr Spraggon's only relevant previous breaches of the Rules, the Committee ordered that he be reprimanded and fined £200.

### **3. Newcastle Stadium – CHUGGINGTON – Professional Trainer Mr G Carmichael**

Professional Trainer Gary Carmichael was found in breach of rules Rule 152 (i) and (ii), 174 (i) (b) 214 and 217 in that a urine sample taken from the greyhound CHUGGINGTON at Newcastle Stadium on 13 May 2015 was analysed by LGC Health Sciences as containing the presence of ampyrone and 4-methylaminoantipyrine.

Mr Carmichael was not in attendance. Racing Manager of Newcastle Stadium Paul Twinn apologised for his non-attendance. Senior stipendiary steward Paul Illingworth and Professor Tim Morris, independent scientific adviser, were in attendance.

On 13 May 2015 CHUGGINGTON, a greyhound trained by Mr Carmichael, was subject to a pre-race sample which tested positive for the presence of ampyrone and 4-methylaminoantipyrine.

The evidence of Professor Morris to the Disciplinary Committee was that ampyrone and 4-methylaminoantipyrine were not available as veterinary or human medicines in the UK. Tests of these substances on dogs have not been reported. However, tests on other species had shown ampyrone had painkilling properties and carried a risk of causing blood disorders and had shown 4-methylaminoantipyrine as pharmacologically active and having anti-inflammatory properties. In Professor Morris's opinion, both were substances which by their nature could affect the performance of a greyhound or prejudice its wellbeing.

Professor Morris observed that ampyrone was a metabolite of dipyrone, while 4-methylaminoantipyrine was reported also to be a metabolite of dipyrone. Dipyrone was a constituent of a commonly used veterinary medicine, Buscopan Compositum<sup>®</sup>. Also known as metamizole, dipyrone was a Non-Steroidal Anti-Inflammatory Drug (NSAID) with painkilling and anti-inflammatory properties. Professor Morris said Buscopan Compositum<sup>®</sup> was licensed for use in cattle, horses and dogs and that he had been informed by Simon Gower of the GBGB that it was commonly used to relieve urethral spasms in greyhounds after racing.

The Committee heard that Mr Carmichael had told the local inquiry he had no idea how ampyrone and 4-methylaminoantipyrine had come to be detected in CHUGGINGTON. The only treatment the dog had had was removal of a testicle in June 2014. He told the local inquiry the dog was fed dinner at midday of raw beef and vegetables. He also used a Vitamin E supplement and the supplement Feramo and occasionally fed a chicken carcass. When the sample was taken, CHUGGINGTON had last been fed at midday the day before. As to the source or quality of the beef, he said only that it came

from an abattoir in Cumbernauld. In a written statement made on 6 August 2015 he said the only other explanation he could offer for the positive test result was that he regularly used massage liniments, notably Trainers Choice, Bone Radial and Green Rub.

Professor Morris's evidence to the Committee was that the supplements and rubs identified by Mr Carmichael would not have been the source of the substances found. The probable source was exposure to Buscopan Compositum<sup>®</sup>. That medication could have been administered to the greyhound or the substances could have been ingested in meat from animals that had been treated with it.

The Committee noted that the likely source of the substances detected was Buscopan Compositum<sup>®</sup> and that there were only two ways they could have got into the greyhound: by Buscopan Compositum<sup>®</sup> being administered or by the greyhound being fed contaminated meat from an animal treated with that medication. Mr Carmichael was emphatic there had been no administration, but he had made no serious attempt to account for these substances being found in his greyhound. He had apparently told the local inquiry that he would not attend before the Disciplinary Committee and he had not. The Committee was disappointed that he had chosen not to attend. It would have been very helpful to be able to ask Mr Carmichael questions, especially concerning his feeding regime. In his absence, the Committee had been forced to do the best it could with the evidence before it and had had to draw inferences which might have been different had Mr Carmichael attended.

All Mr Carmichael had told the inquiry about his feeding regime was that he fed raw beef from an abattoir in Cumbernauld. He offered no receipts or other record of those purchases showing what he bought. He had not said whether it was Animal By Product meat ("ABP"). He had not said whether, if it was ABP meat, it was Grade 2 or Grade 3 meat. The Board had repeatedly advised that Grade 2 meat should not be fed because of the risk that it was contaminated and that only Grade 3, fit for human consumption ABP meat should be fed.

The Committee was forced to conclude that the likely explanation for these substances being detected in CHUGGINGTON was that Mr Carmichael fed his greyhounds Grade 2 ABP meat.

Accordingly, the Committee found Mr Carmichael breached Rule 152 (i) and (ii) by failing to act as required by the Rules of Racing and acting in a manner prejudicial to the proper conduct of Greyhound racing, Rule 174 (i) (b) by having in his charge a greyhound which showed the presence in its tissues, body fluids, hair or excreta of a quantity of a substance which by its nature could affect its performance or prejudice its wellbeing, Rule 214 by failing to ensure the greyhound CHUGGINGTON's feed was free from a substance that may have affected its performance or prejudiced its welfare, and Rule 217 in that CHUGGINGTON had not when racing been free of any substance that could affect its performance or wellbeing.

The Director of Regulation informed the Committee that no previous breaches of the Rules were recorded against Mr Carmichael.

The Committee ordered that Mr Carmichael be reprimanded and pay a fine of £600.