

21 June 2023

## DECISION

### GREYHOUND RACING VICTORIA

and

### MARIO BRIGANTI

- Date of hearing:** 20 June 2023
- Panel:** Judge Kathryn Kings (Acting Deputy Chairperson) and Mr Josh Bornstein.
- Appearances:** Mr Anthony Pearce appeared on behalf of the Stewards.  
Mr Mario Briganti represented himself.
- Charges:** Greyhounds Australasia Rule ("GAR") 141(1) states:  
(1) The owner, trainer or other person in charge of a greyhound:  
(a) nominated to compete in an Event;  
(b) presented for a satisfactory trial or such other trial as provided for by the Rules; or  
(c) presented for any test or examination for the purpose of a stand-down period being varied or revoked  
must present the greyhound free of any prohibited substance.
- GAR 151(1) states:  
(1) The person in charge of a greyhound must keep and retain written records detailing all vaccinations, antiparasitics and treatments administered to the greyhound:  
(a) from the time the greyhound enters their care until the greyhound leaves their care; and  
(b) for a minimum of two years
- Particulars of charges:** **Charge 1: GAR 141(1)**
1. You are, and were at all relevant times, a trainer licensed by Greyhound Racing Victoria and a person bound by the Greyhounds Australasia Rules.

2. You were, at all relevant times, the trainer of the greyhound "Kinrock Star".

3. "Kinrock Star" was nominated to compete in Race 2, VICTORIAN NATIONAL SPRINT HT1, S/E Heat, conducted by the Sandown Greyhound Racing Club at Sandown Park on 4 August 2022 (the Event).

4. On 4 August 2022, you presented "Kinrock Star" at the Event not free of any prohibited substance, given that:

(a) A post-race sample of urine was taken from "Kinrock Star" at the Event (the Sample);

(b) Dexamethasone was detected in the Sample.

**Charge 2: GAR 151(1)**

1. You are, and were at all relevant times, a trainer licensed by Greyhound Racing Victoria and a person bound by the Greyhounds Australasia Rules.

2. You were at all relevant times the Trainer of the greyhound "Keen".

3. On 2 August 2022, Dr Barry Haywood administered a treatment, namely the injectable substance "Dexafort" to "Keen" (the Treatment).

4. The Treatment was not recorded in your treatment records when you produced them to GRV Stewards upon their request.

5. The Treatment is required to be recorded in your treatment records.

**Pleas:** Guilty to both charges

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**DECISION**

Mr Mario Briganti, you are a registered greyhound trainer with Greyhound Racing Victoria ("GRV") and at all material times, the trainer of the greyhound "Kinrock Star". Kinrock Star was nominated to compete in Race 2 at Sandown Greyhound Racing Club meeting on 4 August 2022.

A post-race sample revealed the presence of dexamethasone in the urine of the greyhound. Dexamethasone is capable of affecting the condition behaviour or performance of a greyhound and the effect on performance is more likely to be performance enhancing.

You have pleaded guilty to breaching GAR 141(1) on account of you presenting Kinrock Star for an event while not free of a prohibited substance.

Dr Steven Karamatic, Chief Veterinarian at GRV provided a report dated 28 September 2022, and confirmed that dexamethasone is a prohibited substance as defined by the GARs. He reported that dexamethasone is capable of affecting the condition, behaviour or performance of a greyhound such that any effect on performance is more likely to be positive such as by producing an artificial pain free state.

Further, he reported that there were no products found during the kennel inspection to contain dexamethasone. Treating records did not detail the administration of dexamethasone to this greyhound which would be required if used. Further, that unfit for human consumption meat is a likely explanation for detection of dexamethasone, however he opined that you do not feed your greyhound's knackery meet.

Dr Karamatic reviewed what you said about an employee taking Prednisolone tablets and stated that they are a different corticosteroid and did not contain dexamethasone. The prednisolone tablets would not be a source of contamination.

You said that you put your greyhounds out in the empty yards in pairs. Kinrock Star did go out in the yards with "Keen" who was injected with, what you thought might have been cortisone, for a sore wrist upon arrival at your kennels on about 22 July 2022.

The evidence is that on 2 August 2022, Dr Barry Heywood, your regular veterinarian, treated the greyhound Keen by injecting 0.5ml Dextafort (Dexamethasone). A possible cause of the positive swab is cross contamination from Keen who was treated with dexamethasone by Dr Heywood.

You have held a trainer's licence since 1995. You have informed us that your sole source of income is derived from greyhound racing and that you appreciate the importance of maintaining accurate treating records.

In imposing a penalty, we take into account your guilty plea, your cooperation with this investigation and the importance of specific and general deterrence. We also take into account the importance of keeping a level playing field by having a drug free industry. We further take into consideration recent penalties in like matters and your record, having three prior convictions in 2006, 2016 and 2021.

On 23 March 2021, you pleaded guilty to a breach of GAR 83(2), a presentation charge for Meloxicam. The Tribunal imposed the following penalties: -

A suspension of three months, with one month of that period wholly suspended for 24 months, provided that there was no further breach of GAR 83(2) in that period. In addition, a fine of \$2,000 with \$500 of that amount was suspended for 24 months, provided that there was no further breach of GAR 83(2) in that 24 month period. We are of the view that the breach of GAR 141(1), the presentation charge for today's hearing, triggers the operation and implementation of the suspended period of suspension and the fine that was imposed on 23 March 2021. The suspension shall commence immediately and the \$500 fine is payable to GRV.

In all the circumstances, in relation to breaching GAR 141(1) on account of presenting Kinrock Star for an event while not free of a prohibited substance, we impose a penalty of six months suspension, with two months suspended for 24 months pending no further breach of the Rules of greyhound racing related to prohibited substances in that time. The suspension shall commence immediately. We also impose a fine of \$2,000.

Additionally, Kinrock Star is disqualified from Race 2 at Sandown Greyhound Racing Club meeting on 4 August 2022 and is also disqualified from the final of the event which was Race 8 at Sandown on 11 August 2023. The finishing order from both events is amended accordingly.

In relation to Charge 2 concerning a breach of GAR 151(1), by not maintaining accurate treatment records, we fine you \$300.

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Mark Howard  
Registrar, Victorian Racing Tribunal