

22 January 2023

DECISION

GREYHOUND RACING VICTORIA

and

JEFF GORGIOSKI

- Date of hearing:** 11 January 2024
- Panel:** Justice Shane Marshall (Deputy Chairperson) and Mr Robert Abrahams.
- Appearances:** Mr Anthony Pearce appeared on behalf of the Stewards.
Mr Jeff Gorgioski represented himself.
- Charge:** 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.
- Particulars:** **Charge 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 “Avianna”.
 3. Avianna was nominated to compete in Race 6, WOOD MOTORCYCLE & MOWER, Grade 5, conducted by the

Warrnambool Greyhound Racing Club at Warrnambool on 23 March 2023 (the Event).

4. On 23 March 2023, you presented Avianna at the Event not free of any prohibited substance, given that:
 - (a) A post-race sample of urine was taken from Avianna at the Event (the Sample);
 - (b) Procaine was detected in the Sample.

Charge 2

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 “Elusive Beau”.
3. Elusive Beau was nominated to compete in Race 9, PARKER PUMPS, Tier 3 – Maiden, conducted by the Geelong Greyhound Racing Club at Geelong on 16 May 2023 (the Event).
4. On 16 May 2023, you presented Elusive Beau at the Event not free of any prohibited substance, given that:
 - (a) A post-race sample of blood was taken from Elusive Beau at the Event (the Sample);
 - (b) Meloxicam was detected in the Sample.

Pleas: Guilty

DECISION

1. Mr Jeff Gorgioski is a registered greyhound trainer and the trainer of the greyhounds “Avianna” and “Elusive Beau”.
2. Avianna competed in Race 6 at Warrnambool on 23 March 2023. A post-race swab showed the presence of procaine. Procaine is a prohibited substance under the Greyhounds Australasia Rules (“GARs”).
3. Up until the notification of the positive swab, Mr Gorgioski fed knackery meat to his racing greyhounds as a result of supply problems during COVID. Procaine is a drug which is often given to sick cattle and horses prior to their being slaughtered at meatworks. It can produce a pain free state in a greyhound, thereby having a positive effect on performance.
4. Stewards of Greyhound Racing Victoria (“GRV”) have charged Mr Gorgioski with an offence under GAR 141(1) for presenting a greyhound for an event while not free of a prohibited substance. Mr Gorgioski pleaded guilty to that offence.
5. In setting a penalty for that offence we take into account the guilty plea. We also take into account Mr Gorgioski’s good record.
6. We also take into account the importance of general and specific deterrence and the need for a drug free industry. We further take into account recent penalties in like matters involving procaine. We will set out the penalty after dealing with the second charge.
7. Charge 2 concerns a positive swab recorded on 16 May 2023 at Geelong after Race 9 by Elusive Beau. Elusive Beau won the race and was subsequently swabbed. The testing of the greyhound’s blood showed a positive to the prohibited substance, meloxicam. Meloxicam is an anti-inflammatory drug commonly used in dogs for post operative relief. It is also transmitted from knackery meat. The most likely cause of the positive swab was feeding of knackery meat, albeit more than three days before the event.
8. In setting a penalty we take into account the guilty pleas, Mr Gorgioski’s record and his cooperation with the Stewards.
9. We note that after the positive swab for Avianna, Mr Gorgioski was told by the Stewards not to feed knackery meat inside three days before a race to a racing greyhound. That advice was outdated. Stewards have for some time warned trainers about not using knackery meat at all.

10. On the first charge, we impose a penalty of a fine of \$2,000 with \$1,000 suspended for 24 months, pending no further breach of the Rules concerning prohibited substances.
 11. On the second charge, we impose the same penalty as on the first charge, but make it wholly concurrent with the penalty on the first charge. We do so on account of the second matter arising out of incorrect advice given to Mr Gorgioski by a Steward.
 12. In addition, Avianna is disqualified from Race 6 at Warrnambool on 23 March 2023 and Elusive Beau is disqualified from Race 9 at Geelong on 16 May 2023 and the finishing orders are amended accordingly.
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Kathleen Scully
Acting Registrar, Victorian Racing Tribunal