

28 August 2024

DECISION

GREYHOUND RACING VICTORIA

and

ROBERT WHITFORD

Date of hearing: 14 August 2024

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Panel: Judge Kathryn Kings (Deputy Chairperson) and Dr Andrew Gould.

Appearances: Mr Anthony Pearce appeared on behalf of the Stewards.
Mr Robert Whitford represented herself.

Charge: Greyhounds Australasia Rule ("GAR") 141(1) states:

Greyhound to be free of prohibited substances

(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:

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 "Miss Haylee".

3. “Miss Haylee” was nominated to compete in Race 5, SHIMA SHINE AT STUD (275+RANK), Grade 5, conducted by the Warragul Greyhound Racing Club at Warragul on 2 November 2023 (**the Event**).

4. On 2 November 2023, you presented “Miss Haylee” at the Event not free of any prohibited substance, given that:

- (a) A post-race sample of urine was taken from “Miss Haylee” at the Event (**the Sample**);
- (b) Arsenic was detected at a mass concentration of greater than 800 nanograms per millilitre in the Sample.

Plea: Guilty

DECISION

Mr Robert Whitford is the registered trainer of the greyhound Miss Haylee. Miss Haylee was nominated to compete in Race 5 at Warragul on 2 November 2023. Miss Haylee won the race, but a post-race sample of urine taken from the greyhound showed the presence of arsenic at a mass concentration of greater than 800 nanograms per millilitre.

The Stewards of Greyhound Racing Victoria charged Mr Whitford with breaching GAR 141(1) by presenting a greyhound for an event while not free of a prohibited substance. Mr Whitford pleaded guilty to the charge.

Dr Karamatic, the GRV veterinarian, provided a report dated 29 January 2024 and confirmed that he had been given the results of the post-race testing conducted on Miss Haylee. Dr Karamatic reported that arsenic is a prohibited substance as defined by the Greyhounds Australasia Rules. Arsenic is placed in the category of stimulants, depressants and other prohibited substances. A kennel inspection was conducted by GRV which found a product, Vetsense Seaweed Meal, that would be expected to contain arsenic in sufficient amounts to cause a breach of the threshold, noting that one tablespoon was fed with each evening meal to the greyhound. GRV has previously warned the industry that some seaweed based nutritional supplements have been tested by controlling bodies and found to have high concentrates of arsenic and should not be fed close to racing.

Mr Whitford said Miss Haley had been chewing wood in her kennel and was moved two weeks prior to the kennel inspection. Dr Karamatic said that licking and chewing of CCA treated

timber is a likely cause for an arsenic urine threshold breach. A change in kennels made no difference to her urinary arsenic concentration levels. After reviewing the kennel inspection report, Dr Karamatic requested Ms Scarlett to advise Mr Whitford of the risks in feeding seaweed supplements. Further samples were taken after the cessation of feeding seaweed supplements. A urine sample was taken which had a lower level of arsenic than the original inspection. However, the arsenic concentration was still abnormal. Either the seaweed supplement was not withdrawn at least 3 days prior to the reported sample or there is another contributing source of arsenic, such as the timber chewing, or an unknown source.

Dr Karamatic said that arsenic is a general tissue poison and in sufficient doses can cause highly fatal gastroenteritis or nervous signs such as convulsions. The industry has been notified on numerous occasions of the issues related to greyhounds exposed to arsenic.

Mr Whitford is aged 87 and has been training for many years. Currently he has 4 greyhounds in training.

In setting a penalty, we take into account his age, his cooperation with the Stewards, and his guilty plea. Mr Whitford has a record relating to positive swabs. In April 2018 a greyhound trained by him tested positive to caffeine. His licence was suspended for 3 months. In October 2016, a greyhound trained by him tested positive to Atenolol, which was thought to be attributed to his personal medication.

In assessing penalty, we take into account general and specific deterrence and the importance of maintaining a level playing field by maintaining a drug free industry. We take into account penalties in like recent cases and Mr Whitford's record concerning prohibited substances. We also take into account his age and GRV's submissions on penalty.

In all the circumstances, we impose a penalty of six months suspension.

In addition, Miss Haylee is disqualified from Race 5 at Warragul on 2 November 2023 and the finishing order is amended accordingly.

Mark Howard
Registrar, Victorian Racing Tribunal