

28 August 2024

DECISION

GREYHOUND RACING VICTORIA

and

TONY TUFO

- Date of hearing:** 8 February 2024
- Date of decision:** 8 February 2024
- Panel:** Judge Kathryn Kings (Deputy Chairperson) and Mr Des Gleeson.
- Appearances:** Mr Timothy Brook appeared on behalf of the Stewards.
Mr Andrew Paraskevas represented Mr Tony Tufo.
- 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:**
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 “Darkened Spirits”.
 3. Darkened Spirits was nominated to compete in Race 4, SPORTSBET PINK DIAMOND PRINCESS FINAL, Group Listed, conducted by the Warragul Greyhound Racing Club at Warragul on 16 June 2023 (the Event).

4. On 16 June 2023, you presented Darkened Spirits at the Event not free of any prohibited substance, given that:

(a) A post-race sample of blood was taken from Darkened Spirits at the Event (the Sample);

(b) Meloxicam was detected in the Sample.

Plea: Guilty

DECISION

Mr Tony Tufo is a trainer licensed by Greyhound Racing Victoria ("GRV") and bound by the Greyhound Australasia Rules ("GAR"). He has been licensed for 36 years. He is the trainer of the greyhound, "Darkened Spirits".

Darkened Spirits was nominated to compete in Race 4 at Warragul on 16 June 2023. A post-race sample of blood was taken from the greyhound. The prohibited substance, meloxicam, was detected. Thus, Mr Tufo was charged with a presentation offence pursuant to GAR 141(1). Mr Tufo has pleaded guilty to the Charge.

Dr Steven Karamatic, Chief Veterinarian at GRV, provided a report dated 3 September 2023. He confirmed that meloxicam was detected and is a prohibited substance. He said that meloxicam is capable of affecting the condition or performance of a greyhound and any effect is more likely to be positive, such as by producing an artificially pain free state. Dr Karamatic said that no products were found during the kennel inspection. Dr Karamatic said that during the kennel inspection no products that contain meloxicam were found.

The evidence is that Mr Tufo feeds knackery meat to his greyhounds and does not alter his feeding regime in the days before a race or on race day. He said others had advised him to feed human consumption meat before racing, but he had not done so as he had not experienced any issues previously. Unfit for human consumption meat is the most likely source of the positive swab. Industry Notices have been sent to participants in 2016 and published in 2020 in the Greyhound Monthly Review in which participants were warned of the use of knackery meat. Since this Charge, Mr Tufo no longer feeds race dogs knackery meat. He now feeds race dogs kangaroo meat and pork fat.

In imposing a penalty, we have taken into account his guilty plea, his cooperation with the Stewards and the importance of maintaining a level playing field by having a drug free

industry. We take into account penalties in like matters. This is Mr Tufo's first offence of this kind. Given Mr Tufo's history over many years, this is an excellent record.

Mr Paraskevas, on behalf of Mr Tufo, submitted that the forfeiting of the prize money would be penalty enough. As stated in previous decisions of this Tribunal, the loss of prize money is not a mitigating factor when determining penalty.

In all the circumstances, we impose a penalty of a \$1,500 fine of which \$1,000 is suspended for 24 months pending no further relevant offences during this time.

In addition, Darkened Spirits is disqualified from Race 4 at Warragul on 16 June 2023 and the finishing order is amended accordingly.

Kathleen Scully
Assistant Registrar, Victorian Racing Tribunal