11 March 2020

**DECISION**

**GREYHOUND RACING VICTORIA**

**and**

**MR FRED VASSALLO**

**Date of hearing:** 5 March 2020

**Panel:** Judge John Bowman (Chairperson) and Dr Andrew Gould.

**Appearances:** Mr Andrew Cusumano appeared on behalf of the Stewards.

Mr Fred Vassallo represented himself.

**Charge:** GAR 83(2) states:

The owner, trainer or person in charge of a greyhound-

1. nominated to compete in an Event;
2. presented for a satisfactory, weight or whelping trial or such other trial as provided for pursuant to these Rules; or
3. presented for any test or examination for the purpose of a period of incapacitation or prohibition being varied or revoked

shall present the greyhound free of any prohibited substance.

**Particulars of charge:**

1. You are, and were at all relevant times, a trainer licensed by Greyhound Racing Victoria and a person bound by the Greyhound Australasia Rules (GAR).
2. You were, at all relevant times, the trainer of the greyhound *“Where’s Lola”.*
3. *“Where’s Lola”* was nominated to compete in Event 6, PARNASSUS STEAKHOUSE, Mixed 4/5, conducted by the Warragul Greyhound Racing Club at Warragul on 14 May 2019 (**the Event**).
4. On 14 May 2019, you presented *“Where’s Lola”* at the Event not free of any prohibited substance, given that:

(a)A pre-race sample of urine was taken from *“Where’s Lola”* at the Event (the Sample);

(b) Sotalol was detected in the Sample.

**Plea:** Guilty

**DECISION**

Mr Fred Vassallo, you have pleaded ‘Guilty’ to a breach of Rule 83(2). The circumstances are that your dog ‘Where’s Lola’ competed in Race 6 at Warragul on 14 May 2019. The dog returned a urine sample that was positive for Sotalol, which is a prohibited substance. It is frequently found in medication which is taken by humans for heart complaints. You were taking such prescribed medication for your heart condition on a daily basis. The substance itself can have the effect of reducing the performance of greyhounds. However, there is no suggestion that it was so administered and you are not charged with that. The Stewards do not challenge the proposition that, whatever the immediate cause, the dog received the substance accidently. We accept that.

You are aged 80 years. You are a hobby trainer and say that you have held a trainer’s licence for in excess of fifty years. Your principle occupation was that of a truck driver. You currently are the hobby trainer of three dogs for a relative.

You do have a prior conviction for a prohibited substance offence, but that was in excess of 18 years ago and the Stewards place no great reliance on it.

Accidental administration to greyhounds of human medication is a more common occurrence than it should be. It is not good for the image of the sport and trainers should be particularly careful in this regard. We note that, in the matter of Mr Peter Terry, which involved this substance, the period of suspension imposed was 3 months. However, he had a prior conviction for a similar offence involving the same substance.

In all the circumstances, we are of the view that the appropriate penalty is a suspension for 3 months with 1 month suspended for 12 months. ‘Where’s Lola’ is disqualified from Race 6 at Warragul on 14 May 2019 and the finishing order is amended accordingly.

Mark Howard
Registrar, Victorian Racing Tribunal