31 March 2021

**DECISION**

**GREYHOUND RACING VICTORIA**

**and**

**MARIO BRIGANTI**

**Date of hearing:** 23 March 2021

**Panel:** Magistrate John Doherty (Deputy Chairperson) and Mr Greg Childs.

**Appearances:** Mr Marwan El-Asmar appeared on behalf of the Stewards.

Mr Mario Briganti represented himself.

**Charge:** Greyhounds Australasia Rule (“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 Greyhounds Australasia Rules.

2. You were, at all relevant times, the trainer of the greyhound “Rockstar Ruby”.

3. “Rockstar Ruby” was nominated to compete in, Race 1, STAY SAFE!, Mixed 6/7, conducted by the Sandown Greyhound Racing Club at Sandown on 16 July 2020 (the Event).

4. On 16 July 2020, you presented “Rockstar Ruby” at the Event not free of any prohibited substance, given that:

(a) A post-race sample of urine was taken from “Rockstar Ruby” at the Event (the Sample);

(b) Meloxicam was detected in the Sample.

**Plea:** Guilty

**DECISION**

Mr Mario Briganti has pleaded guilty to one charge in relation to GAR 83(2). That is, as a trainer, he failed to present the greyhound “Rockstar Ruby” free of a prohibited substance.

The charge arises as a consequence of a post-race urine sample taken from “Rockstar Ruby”, which Mr Briganti trained when it won race 1 at Sandown on 16 July 2020. The post-race sample proved positive for the prohibited substance meloxicam, an anti-inflammatory preparation which provides pain relief.

By the way of explanation for the presence of meloxicam, Mr Briganti told Greyhound Racing Victoria Stewards that he purchased knackery meat to feed his greyhounds, whilst acknowledging that such meat could be contaminated and aware of the notice to the industry to be vigilant in the feeding of greyhounds to ensure that they are free of prohibited substances. Mr Briganti’s primary motivation for using knackery meat was based on its reduced cost, as opposed to meat fit for human consumption.

Mr Briganti has been involved in the greyhound racing industry for many years. He has been registered as a public trainer and breeder since 1995. He currently has 10 greyhound in work. He has been quick to acknowledge his mistake and that is reflected in his plea of guilty. He no longer feeds knackery meat to his greyhounds. However, this is Mr Briganti’s second breach of this Rule, the last being in December 2016.

It is of concern that the message from Greyhound Racing Victoria may not be getting through to industry participants. People associated with the industry, the betting public and the wider community are entitled to believe that the industry is conducted drug free and that the consequence for breaching the Rules would be reflected in the penalty. It should serve as a strong general deterrent and in this case a specific deterrent for Mr Briganti.

In our opinion, the submissions by Mr El-Asmar for the Stewards on penalty are appropriate. Mr Briganti’s licence to train is now suspended for 3 months, with 1 month of that period wholly suspended for 24 months provided that there is no further breach of GAR83(2) in that period. The suspension shall commence immediately. In addition, Mr Briganti is also fined $2,000 with $500 of that amount also suspended for 24 months provided that there is no further breach of GAR83(2) in that 24 month period.

Finally, “Rockstar Ruby” is disqualified from race 1 at Sandown on 16 July 2020, and any prize money is forfeited to Greyhound Racing Victoria.

Mark Howard
Registrar, Victorian Racing Tribunal