12 August 2020

**DECISION**

**GREYHOUND RACING VICTORIA**

**and**

**MR NATHAN HUNT**

**Date of hearing:** 22 April 2020

**Panel:** Judge John Bowman (Chairperson) and Ms Heidi Keighran.

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

Mr Paul Haines appeared on behalf of Mr Hunt.

**Charges:**  Greyhound Australasia Rule (GAR) 83(1A) states:

A person who –

1. administers, attempts to administer or causes to be administered a prohibited substance to a greyhound;

1. aids, abets counsels or procures any person to administer a prohibited substance to a greyhound; or
2. has prior knowledge of a prohibited substance being administered to a greyhound

which is detected in any sample taken from such greyhound that has been presented for an Event or when subject to any other contingency provided for pursuant to these Rules, shall be guilty of an offence.

Greyhound 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 charges:**

**Charge 1**

1. You are, and were at all relevant times, a trainer licensed by Greyhound Racing Victoria and a person bound by the GAR.
2. You were at all relevant times the trainer of the greyhound *“Adori”*
3. *“Adori”* was nominated to compete in, Race 6, Jim’s Mowing-Geelong (200+Rank), Grade 5 conducted by the Geelong Greyhound Racing Club at Geelong on 6 November 2019 (**the Event**).
4. You administered, or caused to be administered, to *“Adori”* a prohibited substance being Theobromine, which was detected in a sample taken from *“Adori”* in that:
	1. On 4 November 2019, you administered, or caused to be administered to “*Adori*” a worming product containing theobromine, namely *Purina Total Care Chocolate Worming Treatment*;

* 1. A pre-race sample of urine was taken from *“Adori”* at the Event (**the Sample**); and
	2. Theobromine 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 GAR.

1. You were at all relevant times the trainer of the greyhound *“Adori”*

1. “Adori” was nominated to compete in, Race 6, Jim’s Mowing-Geelong(200+Rank), Grade 5 conducted by the Geelong Greyhound Racing Club at Geelong on 6 November 2019 (**the Event**).
2. On 6 November 2018, you presented *“Adori”* at the Event not free of any prohibited substance, given that:
	1. A pre-race sample of urine was taken from *“Adori”* at the Event (**the Sample**);
	2. Theobromine was detected in the Sample.

**Plea:** Guilty

**DECISION**

Mr Nathan Hunt has pleaded ‘guilty’ to breaches of GAR83(1A) and GAR83(2). He was the trainer of ‘Adori’, which ran in Race 6 at Geelong on 6 November 2019.

A pre-race urine sample was taken and proved positive to the prohibited substance, theobromine. It would seem that this resulted from anti-worming treatment administered on 4 November 2019. Also, it is a substance that can be found in chocolate and there have been a number of cases in relation to this. Mr Hunt was aware of this, but the use of the anti-worming product, which happened only once, did not ‘ring a bell’.

The Tribunal, as did the Stewards, accepts this explanation. Mr Hunt, who has been an owner-trainer since 2018, has a very good record. What occurred was ‘one off’ situation and there is no likelihood of it occurring again.

We propose to impose a penalty on the administration charge and impose no additional penalty on the presentation charge which arises out of the same substratum of facts.

The Tribunal is of the view that a 3 month suspension (fully suspended for 12 months) should be imposed. In addition, Adori is disqualified from Race 6 at Geelong on 6 November 2019 and the placings amended accordingly.

Mark Howard
Registrar, Victorian Racing Tribunal