31 May 2021

**DECISION**

**GREYHOUND RACING VICTORIA**

**and**

**RONALD WINTER**

**Date of hearing:** 13 May 2021

**Panel:** Justice Shane Marshall (Deputy Chairperson) and Judge Julie Nicholson.

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

Mr Ronald Winter 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 “Destini Trucker”.

3. “Destini Trucker” was nominated to compete in, Race 11, GCV #13 Strong (275+RANK), Grade 5 No Penalty, conducted by the Cranbourne Greyhound Racing Club at Cranbourne on 6 September 2020 (**the Event**).

4. On 6 September 2020, you presented “Destini Trucker” at the Event not free of any prohibited substance, given that:

1. A pre-race sample of urine was taken from “Destini Trucker” at the Event (**the Sample**);
2. Piroxicam was detected in the Sample.

**Plea:** Guilty

**DECISION**

1. Mr Ronald Winter is a registered greyhound trainer and the trainer of the greyhound “Destini Trucker”. Destini Trucker competed in Race 11 at Cranbourne on 6 September 2020. A swab taken from the greyhound showed the presence of Piroxicam.
2. Piroxicam is a prohibited substance under the Greyhounds Australasia Rules (“GARs”). It is a therapeutic substance and a non-steroidal, anti-inflammatory drug. It has a pain relief effect. It is capable of effecting the condition and performance of a greyhound and any effect is more likely to be positive.
3. Stewards of Greyhound Racing Victoria (“GRV”) have charged Mr Winter under GAR 83(2) with presenting a greyhound for an event while not free of a prohibited substance. Mr Winter pleaded guilty at the earliest opportunity. At the time of the event, Mr Winter did not wear gloves when feeding his greyhounds. He does so now.
4. Mr Winter suffers from pain caused by a prolapsed disc. To relieve the pain, he has been taking a product called Feldene or Mobilis D20. It contains Piroxicam. It seems that the most likely cause of the positive swab was cross contamination by Mr Winter after handling Piroxicam.
5. Mr Winter was aware of the warnings from GRV to the industry about the risk of cross contamination from personal medication. He failed to take adequate precautions on this occasion, but is remorseful and will learn from this experience. He is a trainer of long experience and has a good record regarding prohibited substances. He is of good character.
6. In setting a penalty, we take into account general and specific deterrence and the importance of keeping a level playing field by maintaining a drug free industry. We also take into account a recent penalty in a like matter, as well as the early guilty plea.
7. In all the circumstances, we impose a penalty of a $1,500 fine, with $500 suspended pending no further breach of GAR 83 in the next 24 months.
8. In addition, Destini Trucker is disqualified from Race 11 at Cranbourne on 6 September 2020.

Kathleen Scully
Assistant Registrar, Victorian Racing Tribunal