12 January 2021

**DECISION**

**GREYHOUND RACING VICTORIA**

**and**

**THOMAS BOEHMKE**

**Date of hearing:** 12 January 2021

**Panel:** Magistrate John Doherty (Deputy Chairperson) and Mr Josh Bornstein.

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

Mr Thomas Boehmke 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 “Piper’s Unicorn”.

3. “Piper’s Unicorn” was nominated to compete in, Race 9, BOTTLE-O (1-2 WINS), Tier 3–Restricted Win, conducted by the Ballarat Greyhound Racing Club at Ballarat on 1 June 2020 (**the Event**).

4. On 1 June 2020, you presented “Piper’s Unicorn” at the Event not free of any prohibited substance, given that:

1. A pre-race sample of urine was taken from “Piper’s Unicorn” at the Event (**the Sample**);
2. Procaine was detected in the Sample.

**Plea:** Guilty

**DECISION**

Mr Thomas Boehmke has pleaded guilty to one charge of breaching Greyhounds Australasia Rule (“GAR”) 83(2). He was the trainer of the greyhound “Piper’s Unicorn” who was nominated to compete in an event when the greyhound was not free of a prohibited substance.

The event was Race 9, BOTTLE-O (1-2 WINS), Tier 3–Restricted Win, conducted by the Ballarat Greyhound Racing Club at Ballarat on 1 June 2020.

A pre-race sample of urine taken from Piper’s Unicorn returned a positive result for Procaine in the reserve sample. Piper’s Unicorn completed the race in fifth place.

According to Dr Steven Karamatic, Chief Veterinarian at Greyhound Racing Victoria (“GRV”), Procaine is a short acting local anaesthetic, more often added to penicillin preparation. It provides pain relief. A notice was published by GRV in 2016 to industry participants that the feeding of meat unfit for human consumption poses a risk that Procaine may be inadvertently administered. In summary, Dr Karamatic’s advice is that Procaine is capable of affecting the condition or performance of a greyhound.

On 3 July 2020, at his property, Mr Boehmke advised Stewards that he did not know what Procaine was and had not administered the drug to Piper’s Unicorn. He did say that he fed non-human grade meat to his racing greyhounds.

On 27 July 2020, Mr Boehmke participated in a telephone interview with Mr Ron Matthews (GRV Stewards Department). Mr Boehmke told Mr Matthews that he had been a trainer for 4.5 years and, at the time, trained three greyhounds. Mr Boehmke confirmed that the puppy mince and racing mince, which he feeds his greyhounds, had been sourced from Whitey's meat supply in Ballarat for the past 4.5 years. It is most probable that it is this meat that has contained Procaine.

In addition, Mr Boehmke was aware of GRV’s warnings in relation to the feeding of knackery meat to racing greyhounds. However, since the positive swab sample, he has stopped using puppy mince and now uses chicken mince in order to minimise the prospect of having another positive swab. Importantly, GRV suggests only meat fit for humans should be given to racing greyhounds.

In setting a penalty in this matter, we take into account general deterrence and the importance of maintaining a level playing field by keeping a drug free industry. We are also informed of recent penalties. We also take into account Mr Boehmke’s early guilty plea, cooperation with GRV and his good record and character. We also take into account his two page submission and that he has changed his storage, handling and feeding regime. Finally, we note his current financial state.

In all the circumstances, we impose a $1,500 fine, with $750 suspended for 12 months given no further breach of GAR 83(2).

Finally, Piper’s Unicorn is disqualified from Race 9 at Ballarat on 1 June 2020.

Kathleen Scully
Acting Registrar, Victorian Racing Tribunal