3 February 2025

**DECISION**

**GREYHOUND RACING VICTORIA**

**and**

**GRANT HAMMERSTEIN**

**Date of hearing:** 15 January 2025

**Date of Decision:** 15 January 2025

**Panel:** Judge Kathryn Kings (Deputy Chairperson), Ms Danielle Hikri and Mr Des Gleeson.

**Appearances:** Ms Sophie Wilson, instructed by Ms Yana Podolsakaya, appeared on behalf of the Stewards.

Mr Grant Hammerstein represented himself.

**Charges:** Greyhounds Australasia Rule (“GAR”) 141(1) states:

 (1) The owner, trainer or other person in charge of a greyhound:

(a) nominated to compete in an Event;

(b) presented for a satisfactory trial or such other trial as provided for by the Rules; or

(c) presented for any test or examination for the purpose of a stand-down period being varied or revoked,

 must present the greyhound free of any prohibited substance.

 GAR 151(1) states:

 (1) The person in charge of a greyhound must keep and retain written records detailing all vaccinations, antiparasitics and treatments administered to the greyhound:

(a) from the time the greyhound enters their care until the greyhound leaves their care; and

(b) for a minimum of two years

**Particulars of charges: Charge 1: GAR 141(1)**

 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 “Crackerjack Jet”.

3. Crackerjack Jet was nominated to compete in Race 8, CROYDON HOMING PIGEON CLUB, Grade 5 T3, conducted by the Healesville Greyhound Racing Association at Healesville on 31 May 2024 (the Event).

4. On 31 May 2024, you presented Crackerjack Jet at the Event not free of any prohibited substance, given that:

(a) A post-race sample of urine was taken from Crackerjack Jet at the Event (the Sample);

(b) Atenolol was detected in the Sample.

**Charge 2: GAR 151(1)**

1. You are, and were at all relevant times, a trainer licensed by Greyhound Racing Victoria and a person bound by the Greyhound Racing Victoria Rules of Racing.

2. On 5 July 2024, you failed to produce treatment records for inspection, upon request from GRV Steward Max Hayden-Evans, a person authorised by the Controlling Body, for the greyhound “Crackerjack Jet”, for which you were the responsible person at the relevant time.

**Pleas:** Guilty to Charge 1

 Not Guilty to Charge 2

**DECISION**

Mr Grant Hammerstein is a trainer licensed by Greyhound Racing Victoria (“GRV”) and bound by the Greyhounds Australasia Rules (“GAR”). He has been licensed for approximately 27 years.

Mr Hammerstein has been charged with two offences under the GAR. The first charge relates to breaching GAR 141(1), a presentation charge. The second charge relates to a breach of GAR 151(1), the failure to produce treatment records.

Mr Hammerstein is the trainer of the greyhound, “Crackerjack Jet”. Crackerjack Jet was nominated to compete in Race 8 at Healesville on 31 May 2024. The greyhound was presented at the event not free of a prohibited substance. A post-race sample of urine was taken and detected the prohibited substance, atenolol. Consequently, Mr Hammerstein was charged with a presentation offence. Mr Hammerstein has pleaded guilty to this charge.

The GRV Chief Veterinarian, Dr Steven Karamatic, provided a report dated 20 August 2024. Dr Karamatic confirmed that atenolol is a prohibited substance as defined by the GAR. He said that it is placed in the category of stimulants, depressants and other prohibited substances. He reported that there are currently no Australian Pesticides and Veterinarian Medicines Authority registered products that contain atenolol. He said that there are 65 Therapeutic Goods Administration (Human) registered products that contain atenolol. All are prescription only medications. During the kennel inspection Mr Hammerstein produced personal medication APX Atenolol 50 mg tablets X 30, I/2 a tablet twice per day, recently prescribed by his doctor.

Dr Karamatic said that the medication is the likely source of the positive sample. Further, the possible effects in a greyhound include weakened contractions of the heart, low blood pressure, fatigue, dizziness, vomiting and diarrhoea. Dr Karamatic reported that GRV’s Feeding, Medication and Supplement Guidelines published in August 2016 alerted participants to the potential risks of inadvertent positive swabs from the use of personal medications and gave guidance as to how to minimise those risks. Further, in July 2020 the Greyhound Monthly Victoria was emailed to participants and published online. The article “What’s in your greyhound’s food bowl” informed participants that over the counter and prescribed medications can produce positive swabs due to cross contamination. Specific warnings were given as to the importance of good hygiene and the need to wear gloves when preparing food and handling dogs so as to minimise any licking of sweat or drug residues. Dr Karamatic concluded that atenolol can affect the conduct or performance of a greyhound, with any affect more likely to be negative, such as a reduction in cardiac output.

Mr Hammerstein is responsible for feeding the greyhounds. He now takes his medication after he feeds the greyhounds. He said that he was aware of the industry notices relating to medications.

In imposing a penalty on this charge, we take into account Mr Hammerstein’s guilty plea, his cooperation with the Stewards and the importance of general and specific deterrence. We also acknowledge the importance of maintaining a level playing field by having a drug free industry. We take into account penalties in like matters. We note that this is Mr Hammerstein’s first offence.

In all the circumstances, we impose a penalty of two months suspension, wholly suspended for 24 months pending if there are no further relevant offences during that time and a fine of $500.

In addition, Crackerjack Jet is disqualified from Race 8 at Healesville on 31 May 2024 and the finishing order is amended accordingly.

Charge 2 is pursuant to GAR 151(1). Mr Hammerstein, as the person in charge of Crackerjack Jet, was charged with failing to produce treatment records for inspection upon the request from GRV Steward, Mr Max Hayden-Evans, a person authorised by GRV. Mr Hammerstein pleaded not guilty to the charge. Mr Hammerstein said that he kept records, but was unable to locate the book relating to the records he maintained for Crackerjack Jet at the time that they were requested.

GAR 151(1) states that the person in control of a greyhound must keep and retain records detailing all vaccinations and treatments administered to the greyhound from the time the greyhound enters that person’s care until the time that the greyhound leaves such care and retain the records for a minimum of two years. The person in charge must produce the records when requested to do so.

We accept that Mr Hammerstein breached GAR 151(1) as he could not produce the records relating to Crackerjack Jet in accordance with the Rule. At the time of this hearing, Mr Hammerstein had still not produced the treatment records for Crackerjack Jet to the Stewards. We are comfortably satisfied that Charge 2 has been made out and find it proven.

On Charge 2, we impose a fine of $300, with $150 suspended for 12 months pending no further relevant offences during that time.

The overall effective penalty imposed for Charges 1 and 2 is a two month suspension, wholly suspended for 24 months pending no further relevant offences during that time, and a fine of

$800, with $150 suspended for 12 months pending no further relevant offences during that time.

Kathleen Scully

Acting Registrar, Victorian Racing Tribunal