9 September 2025

**DECISION**

**GREYHOUND RACING VICTORIA**

**and**

**BERNIE ENDER**

**Date of hearing:** 4 September 2025

**Date of decision:** 4 September 2025

**Panel:** Judge Kathryn Kings (Deputy Chairperson), Ms Amanda Dickens and Dr Andrew Gould.

**Appearances:** Mr Jordan Vassis appeared on behalf of the Stewards.

Mr Bernie Ender represented himself.

**Charge:** Greyhounds Australasian 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.

**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 *“Zippi Mustang”.*

3. *“Zippi Mustang”* was nominated to compete in Race 8, RSN GREY AREAS – WEDNESDAY & FRIDAY, Grade 5 T3, conducted by the Healesville Greyhound Racing Association at Healesville on 25 October 2024 (**the Event**).

4. On 25 October 2024, you presented *“Zippi Mustang”* at the Event not free of any prohibited substance, given that:

1. A post-race sample of urine was taken from *“Zippi Mustang”* at the Event (**the Sample**);
2. Metformin was detected in the Sample.

**Plea:** Guilty

**DECISION**

1. Mr Bernie Ender is a trainer licensed by Greyhound Racing Victoria (“GRV”) and bound by the Greyhounds Australasia Rules (“GAR”). He has been licensed since 1989 as a public trainer but advised the Tribunal that he had been training dogs since 1972. He has been in the industry for many years.
2. Mr Ender has been charged with breaching GAR 141(1), a presentation offence. Mr Ender is the trainer of the greyhound “Zippi Mustang” who was nominated to compete in Race 8 at Healesville on 25 October 2024. Zippi Mustang was presented at the event not free of a prohibited substance given that a post-race sample of urine detected the prohibited substance, metformin.
3. GAR 141(1) is a Rule of strict liability.
4. Mr Ender has pleaded guilty to the charge.
5. In a report dated 8 January 2025, GRV Chief Veterinarian, Dr Steven Karamatic, confirmed that metformin is a prohibited substance as defined by the GARs and is capable, at any time, of affecting the endocrine system. He said that there were currently no Australian Pesticides or Veterinary Medicines Authority registered products that contain metformin. There are human therapeutic goods that contain metformin. All are prescription only medications.
6. Dr Karamatic said that metformin is capable of affecting the condition and performance of a greyhound, with any effect more likely to be negative, such as by reducing energy (glucose). Although, increasing the amount of glucose stored in in muscle cells could have a positive effect on performance. Dr Karamatic noted that the warnings have been provided to the industry by GRV’s Food and Supplements Guidelines published in August 2016, which alerted participants to the potential risks of inadvertent swabs from the use of medications and gives some guidance to minimise the risks. Similar warnings were provided in the July 2020 edition of the Greyhound Monthly Review.
7. During the kennel inspection, Mr Ender produced personal medication, APO Metformin XR 1000, which contains metformin as the active ingredient with 1000mg per tablet. His doctor prescribed the medication, two tablets daily. Mr Ender said he took one tablet in the morning and one tablet in the evening.
8. Dr Karamatic said that the most likely source of the positive sample was contamination from Mr Ender’s personal medication.
9. Mr Ender informed the Tribunal that as a result of the positive finding, he has ceased taking his medication. He has reported this to his medical practitioner.
10. In imposing a penalty, we take into account Mr Ender’s co-operation with the Stewards, and the importance of general 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 as a guide. We accept the submissions of the Stewards in relation to penalty. We take into account that Mr Ender has been in the industry in excess of 50 years and that this is his first offence. He has an excellent record.
11. In all the circumstances, we impose a penalty of a $250 fine, which is wholly suspended for 12 months pending not further relevant offences during that time.
12. In addition, Zippi Mustang is disqualified from Race 8 at Healesville on 25 October 2024 and the finishing order is amended accordingly.

Mark Howard

Registrar, Victorian Racing Tribunal