

GREYHOUND WELFARE & INTEGRITY COMMISSION

DISCIPLINARY ACTION DECISION

Date of decision: 1 February 2019

Decision-maker: A/Chief Steward, Gail Thorsby

Name of relevant person: Mr. James Vassallo

Track: Bathurst

Date: 15 October 2018

Rule no.: GAR 83(2)(a)

Charge(s): (1) Mr. Vassallo presented the greyhound 'Bad Boy Goodsey' ("Greyhound") for the purposes of competing in race 4 at the Bathurst meeting on 15 October 2018 in circumstances where the Greyhound was not free of any prohibited substance.

Prohibited substance(s): Cobalt

Disciplinary action taken: 9-week suspension

REPORT:

Following receipt of a certificate of analysis from the Racing Analytical Services Laboratory, the Commission conducted an investigation into the results of a pre-race urine sample taken from the greyhound, 'Bad Boy Goodsey' ("Greyhound") at the Bathurst meeting on 15 October 2018.

Further analysis of the sample was conducted by the Queensland Racing Integrity Commission Racing Science Centre, confirming the presence of cobalt at a mass concentration greater than 200 nanograms per millilitre.

After considering the evidence, the Commission charged Mr. Vassallo with a breach of Greyhounds Australasia Rule ("GAR") 83(2)(a) given that the pre-race urine sample taken from the Greyhound confirmed the presence of prohibited substance cobalt above the threshold imposed by GAR 83(10) of 100 nanograms per millilitre.

Mr. Vassallo admitted the charge at the earliest opportunity.

The disciplinary action was conducted in writing in accordance with the participant's election.

DECISION:

1. Mr. Vassallo is a registered greyhound trainer and the trainer of the Greyhound. The Greyhound was presented for race 4 at the Bathurst meeting on 15 October 2018 (“Event”) and a pre-Event urine sample was taken from the Greyhound.
2. The pre-Event swab revealed the presence of cobalt at a mass concentration above 200 nanograms per millilitre. Cobalt, at a mass concentration greater than 100 nanograms per millilitre is a prohibited substance under GAR 83(10) of the GWIC Greyhound Racing Rules. Cobalt is a category 4 prohibited substance under the NSW greyhound racing penalty guidelines.
3. The Commission charged Mr. Vassallo under GAR 83(2)(a), which reads:
 - (2) The owner, trainer or person in charge of a greyhound-
 - (a) nominated to compete in an Event;
 - (b) presented for a satisfactory, weight or whelping trial or such other trial as provided for pursuant to these Rules; or
 - (c) presented for any test or examination for the purpose of a period of incapacitation or prohibition being varied or revokedshall present the greyhound free of any prohibited substance.
4. Mr. Vassallo admitted the charge at the earliest opportunity, provided written submissions and elected to have the disciplinary proceeding conducted in writing.
5. The Commission found the charge proven and took the following disciplinary action against Mr. Vassallo:

To suspend his trainer registration for a period of 9 weeks.
6. In taking this disciplinary action, the Commission considered all evidence, including:
 - Mr. Vassallo has been a registered trainer for over 40 years;
 - Mr. Vassallo has no history of any prohibited substance matters;
 - NSW greyhound racing penalty guidelines and precedents;
 - The high level of cobalt in the samples;
 - Mr. Vassallo’s admission at the earliest opportunity;
 - Mr. Vassallo’s character references and written submissions in mitigation of penalty, including his remorse and undertaking to review his animal husbandry practices in relation to feeding.
7. In addition, the Greyhound was disqualified from race 4 at the Bathurst meeting on 15 October 2018 pursuant to GAR 83(4), which reads:

(4) A greyhound presented for an Event pursuant to sub-rules (1) or (2) shall be disqualified from the Event or any benefit derived from a trial or test.

.....End.....