



GREYHOUND WELFARE & INTEGRITY COMMISSION
DISCIPLINARY ACTION DECISION

Date of decision: 13 December 2019

Decision-maker: Chief Executive Officer, Judith Lind

Name of relevant person: Mr Simon Zarb

Track: Potts Park

Date: 15 June 2019

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

Charge(s): (1) Mr Zarb presented the greyhound 'Gal Oaks' ("**Greyhound**") for the purposes of competing in race 1 at the Potts Park meeting on 15 June 2019 in circumstances where the Greyhound was not free of any prohibited substance.

Prohibited substance(s): Caffeine and its metabolites theophylline, paraxanthine and theobromine

Disciplinary action taken: 16-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, 'Gal Oaks' ("**Greyhound**") at the Potts Park meeting on 15 June 2019.

Further analysis of the sample was conducted by the Australian Racing Forensic Laboratory, confirming the presence of caffeine and its metabolites theophylline, paraxanthine and theobromine.

After considering the evidence, the Commission charged Mr Zarb with a breach of Rule 83(2)(a) of the Commission's Greyhound Racing Rules ("**Rules**") given that the pre-race urine sample taken from the Greyhound confirmed the presence of prohibited substance, caffeine and its metabolites theophylline, paraxanthine and theobromine.

Mr Zarb admitted the charge at the earliest opportunity.

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

DECISION:

1. Mr Zarb is a registered greyhound trainer and the trainer of the Greyhound. The Greyhound competed in race 1 at the Potts Park meeting on 15 June 2019 (“**Event**”) and a pre-Event urine sample was taken from the Greyhound.
2. The pre-Event swab revealed the presence of caffeine and its metabolites theophylline, paraxanthine and theobromine. Caffeine and its metabolites theophylline, paraxanthine and theobromine are prohibited substances under Rule 1 of the Rules and category 4 prohibited substances under the NSW greyhound racing penalty guidelines.
3. The Commission charged Mr Zarb under Rule 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 Zarb admitted the charge at the earliest opportunity, provided 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 Zarb:

To suspend his trainer registration for a period of 16 weeks.
6. In taking this disciplinary action, the Commission considered all evidence, including:
 - Mr Zarb has been a registered trainer for approximately 8 years;
 - Mr Zarb has a history of one prior prohibited substance matter in 2016;
 - NSW greyhound racing penalty guidelines and precedents;
 - Mr Zarb’s admission at the earliest opportunity;
 - Mr Zarb’s submissions in relation to the charge and his personal circumstances.
7. In addition, the Greyhound was disqualified from race 1 at the Potts Park meeting on 15 June 2019 pursuant to Rule 83(4).

.....End.....