

## CONTROL APPEAL COMMITTEE PUBLICATION

TRAINER	Mr. Owen McKenna
ADDRESS	Premier Kennels, Masterstown, New Inn, Cashel, Co. Tipperary
MATTER	<p>Appeal of Control Committee decisions dated 24<sup>th</sup> of February 2017</p> <p><u>Control Committee Decisions:</u></p> <ul style="list-style-type: none"> <li>- Fine of €200 imposed on Mr. McKenna in respect of Farloe Rumble – Positive Sample for the prohibited substance Hydrochlorothiazide - Shelbourne Park 5<sup>th</sup> September 2015</li> <li>- Fine of €200 imposed on Mr. McKenna in respect of the greyhound Offshore Bound – Positive Sample for the prohibited substance Hydrochlorothiazide - Shelbourne Park 5<sup>th</sup> September 2015</li> <li>- Fine of €200 imposed on Mr. McKenna in respect of Farloe Blitz – Positive Sample for the prohibited substance Hydrochlorothiazide - Shelbourne Park 5<sup>th</sup> September 2015</li> <li>- Fine of €200 imposed on Mr. McKenna in respect of Farloe Blitz – Positive Sample for the prohibited substance Hydrochlorothiazide - Shelbourne Park 12<sup>th</sup> September 2015</li> <li>- Fine of €200 imposed on Mr. McKenna in respect of the greyhound Farloe Rumble – Positive Sample for the prohibited substance Hydrochlorothiazide - Shelbourne Park 12<sup>th</sup> September 2015</li> </ul> <p>The Control Committee also decided that prize money won by the greyhounds in the events in question is forfeited</p>
PRELIMINARY ISSUE	The Control Appeal Committee decided to accept the one Notice of Appeal against all of the above decisions of the Control Committee and dealt with the Appeal accordingly.
FINDINGS	<p>The Control Appeal Committee, having considered all of the matters raised before it and the submissions and arguments made before the Control Appeal Committee, finds as follows:</p> <ul style="list-style-type: none"> <li>- Hydrochlorothiazide is a prohibited substance within the meaning of the 2007 Racing Regulations and that it could affect the performance of a greyhound;</li> <li>- As there were no threshold levels for Hydrochlorothiazide any finding of the same was in breach of the regulations;</li> <li>- The feeding regime of the Appellant could not be considered normal and ordinary feeding;</li> <li>- They were satisfied that the testing, maintenance and control of the sample whilst in the UK Laboratory was in order and were happy to rely on the Certificate issuing from the same;</li> <li>- The Appellant was engaged in a reckless feeding regime and must accept the consequences of the same;</li> <li>- The Control Appeal Committee are strictly bound by the provisions contained in the 2007/2008 Regulations.</li> </ul> <p>In those circumstances, the Appeal against the findings of the Control Committee is dismissed and the fine of €200.00 on each of the five charges is appropriate and affirmed. The decision that the prize money won by the greyhounds be forfeited is also affirmed.</p> <p>Pursuant to the Greyhound Industry (Control Committee and Control Appeal Committee) (Amendment) Regulations 2015 this decision will be published</p>