



STATUTORY INSTRUMENTS.

S.I. No. 212 of 2023

GREYHOUND RACING (PROHIBITED SUBSTANCES) REGULATIONS
2023

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Rásáiocht Con Éireann, in exercise of the powers conferred on it by section 27 of the Greyhound Racing Act 2019 (No. 15 of 2019), after consultation with the Minister for Agriculture, Food and the Marine, hereby makes the following regulations:

Citation, collective citation and commencement

1. These Regulations may be cited as the Greyhound Racing (Prohibited Substances) Regulations 2023.
2. The following provisions of the Greyhound Industry (Racing) Regulations 2007 (S. I. No. 302 of 2007) are revoked, namely:
 - (a) sub-article (1A) (inserted by (S. I. No. 440 of 2016) of article 3;
 - (b) in article 4(1), paragraphs (g), (h), (i), (j), (l) and (m) (inserted by (S. I. No. 440 of 2016)); and
 - (c) Article 29.
3. The Greyhound Industry (Racing) (Amendment no.2) Regulations 2015 (S. I. No. 396 of 2015) are revoked.
4. The following provisions of the Greyhound Industry (Racing) Regulations 2016 (S. I. No. 440 of 2016) are revoked, namely:
 - (a) Article 4
 - (b) In article 5 (2), paragraph (g), (h), (i), (j), (l) and (m)
5. These Regulations come into operation on the 7th day of May of 2023.

Definitions

2. In these Regulations:

"the Act of 2019" means the Greyhound Racing Act 2019 (No. 15 of 2019).

"adverse analytical finding" means a finding of a prohibited substance following the analysis of a sample taken in accordance with Regulation 4 and analysed by an approved laboratory;

"approved laboratory" means a laboratory approved by the Board under Regulation 4(6);

"control steward" means a person appointed under permit granted by the Board to fulfil the duties of an authorised officer under the Act of 2019 and the duties assigned to a control steward under these Regulations and the Greyhound

Industry (Racing) Regulations 2007 to 2021 or any subsequent amendment thereto.

"faultless exposure" means exposure of the greyhound to the prohibited substance from environmental sources, dietary contamination or similar means.

"meeting" means a greyhound race meeting held at a greyhound race track
"principal act" means the Greyhound Industry Act (No 12 of 1958).

"prohibited substance" means a substance or class of substance listed in Part 1, or a substance or class of substance listed in Part 2, of the Schedule and prohibited to be administered to a greyhound under Regulation 3. A finding of a prohibited substance means a finding of the substance itself, a metabolite of the substance, an isomer of the substance, or an isomer of a metabolite of the substance.

"race" in relation to a meeting, means a competition on a greyhound race track in which an object propelled by mechanical means is pursued by the greyhounds engaged in the competition and on the result of which a prize in money or money's worth is awarded to the winning or placed greyhounds;

"race track executive" in relation a greyhound race track, means the licensee under the greyhound race track licence"

"stewards of the meeting" means the control steward and the stewards appointed by a race track executive, with the approval of the Board, to carry out such duties as may be assigned to them.

"trial" means a test run on a greyhound race track in which an object propelled by mechanical means is pursued by the greyhounds taking part in the test;

"veterinary medicinal product" means a veterinary medicinal product within the meaning of Regulation (EU) 2019/6 of the European Parliament and of the Council of 11 December 2018¹.

Prohibited substances

3. (1) Subject to paragraph (2) the administration of a class of substance listed in Part 1, or a substance listed in column (1), at the level specified opposite in column (2), of Part 2, of the Schedule, to a greyhound is prohibited.

(2) In respect only of samples taken at the premises of the owner, trainer or person in charge of a greyhound which has been sampled, a laboratory result shall not be regarded as an adverse analytical finding in respect of any substance (other than an anabolic steroid) which has been lawfully administered to a greyhound for *bona-fide* therapeutic purposes, proof of which shall lie on the owner, trainer or person in charge of such greyhound, and the result of any test on any such sample as regards any such substance shall not be subject to paragraph (1).

(3) For the purposes of paragraph (2) a substance which is a veterinary medicinal product shall be regarded as having been lawfully administered to a greyhound only if it has been administered in compliance with Regulation

¹ OJ No. L4,7.1.2019, p.43

(EU) 2019/6 of the European Parliament and of the Council of 11 December 2018.

(4) Subject to paragraph (5), no residue of any prohibited substance or any metabolite or isomer of such a substance is permitted in any sample taken under these Regulations from a greyhound while in training, participating in racing or in trials, or entered in sales, or in greyhounds intended for such purposes, and for that purpose the residue screening limit that may be found for that substance or its metabolite in any sample is set at zero.

(5) A greyhound is positive for a prohibited substance if it exceeds the residue screening limit referred to in paragraph (4) for that substance or its metabolite.

(6) This Regulation constitutes a racing sanction provision, a breach of which constitutes a breach of the Racing code and in respect of such breach a racing sanction may be imposed by the Control Committee under section 46 of the Act of 2019 or the Appeal Committee under section 49 of the Act of 2019.

Sampling for prohibited substances

4. (1) In this Regulation “designated person” means—

- (a) the control steward of a meeting or another authorised officer present at the meeting, or
- (b) an authorised officer present at trials or greyhound sales [or a premises or place where a greyhound is kept for the purposes of racing or being trained].

(2) A designated person may require—

- (a) the owner, trainer or other person in charge of a greyhound to allow and facilitate the testing of the greyhound for the presence of performing affecting substances, and
- (b) that a sample of urine, blood, hair, or a sample by vomition or any other means, to be taken, whether randomly or on suspicion or by any other reasonable method of selection, from the greyhound for analysis.

(3) A sample of blood for the purposes of paragraph (2)(b) may only be taken by a veterinary practitioner nominated by a designated person present at the meeting;

(4) Where a veterinary practitioner or designated person has taken a sample under this Regulation from a greyhound, then he or she shall, if so requested by the owner, trainer or other person in charge of the greyhound, and in the presence of the owner, trainer or other person in charge of the greyhound from which the sample was taken, divide the sample into two parts, place each part in a container which he or she shall immediately seal. The veterinary practitioner or designated person shall only split samples in accordance with this paragraph where sufficient volumes are present to facilitate complete analysis of both split samples. For the purposes of this paragraph (4), sufficient volumes shall mean volumes of at least 20 millilitres.

(5) Where an owner, trainer or other person in charge of a greyhound from whom a sample has been taken under this Regulation does not so request that the sample be divided into two parts, then the veterinary practitioner or designated person who has taken the sample shall place the single sample into a container which he or she shall immediately seal.

(6) As soon as practicable after paragraph (4), or, in circumstances where paragraph (5) applies, paragraph (5) has been complied with, the veterinary practitioner, the designated person or another person authorised by him or her shall cause to be forwarded to a laboratory (“approved laboratory”) approved by the Board as being suitable for the analysis of the sample taken pursuant to these Regulations, both sealed containers referred to in paragraph (4) or, where paragraph (5) applies, the sealed container referred to in paragraph (5).

(7) Where the registered owner or licenced trainer so requires and following compliance with the requirements of paragraph (4), the Board shall arrange for the analysis of one part sample in the stored container by a laboratory approved by the Board and nominated by the said owner or trainer, the costs of such analysis to be borne by the owner or trainer who so required.

(8) As soon as practicable after an approved laboratory has received the sample(s) forwarded to it under paragraph (6), the approved laboratory shall analyse one part sample or, in the event that an owner or licensed trainer opts to exercise his or her rights pursuant to paragraph (7), the remaining one part sample, and determine the concentration of a prohibited substance, if any, in the one part or remaining one part sample.

(9) It shall be sufficient compliance with paragraph (8) for the laboratory to make an analysis of and determination in relation to one of the two samples forwarded to it in accordance with paragraph (6).

(10) As soon as practicable after compliance with paragraph (8), the approved laboratory shall forward the result of the analysis to an officer of the Board authorised by the Board to receive it. As soon as practicable after receiving it, the officer shall make the result available to the owner, trainer or other person in charge of the greyhound from which the sample was taken. Where the result is an adverse analytical finding, the officer shall inform the Control Committee of the finding in compliance with the provisions of section 42(2) of the Act of 2019.

(11) An officer of the Board referred to in paragraph (10) shall, where there is an adverse analytical finding in relation to a sample, publish on the Board’s website the following information, that is to say —

- (a) that there has been an adverse analytical finding,
- (b) the name of the prohibited substance,
- (c) the name and earmark of the greyhound concerned,
- (d) the names of the registered owner and the licenced trainer of the greyhound at the time of the taking of such sample, and
- (e) the date upon which and the place at which the said sample was taken.

(12) Any subsequent test referred to in section 27(3)(i) of the Act of 2019 shall be in compliance with this Regulation.

(13) This Regulation constitutes a racing sanction provision, a breach of which constitutes a breach of the Racing code and in respect of such breach a racing sanction may be imposed by the Control Committee under section 46 of the Act of 2019 or the Appeal Committee under section 49 of the Act of 2019.

Records

5. (1) A person who keeps a greyhound eligible for a race or trial shall—

- (a) maintain a record (in this Regulation referred to as a “record”) of all veterinary medicinal products administered to the greyhound, or treatment provided by a veterinary practitioner to the greyhound, such record to be made within 24 hours of the administration or treatment and to be maintained thereafter for a period of not less than one year, and
- (b) on the request of an authorised officer, the record shall be made available by the owner or trainer or person in charge of the greyhound within 7 days of receipt of the request, to the authorised officer.

(2) A record shall contain at least the following information:

- (a) the name, greyhound tattoo and microchip identification code of the greyhound as contained in the Identity Card of the Irish Greyhound Studbook,
- (b) the name of the veterinary medicinal product or nature of the treatment provided by a veterinary practitioner where no veterinary medicinal product was administered,
- (c) the date of treatment provided by a veterinary practitioner or the administration of a veterinary medicinal product,
- (d) the route and dosage per day quantity of the administration of the veterinary medicinal product,
- (e) the name of the person administering the treatment or veterinary medicinal product, and
- (f) where appropriate, the name and registration details of the person authorising or prescribing the veterinary medicinal product or treatment provided by a veterinary practitioner.

(3) On the request of an authorised officer, the absence of a record shall be confirmed in writing by the owner or trainer or person in charge of a greyhound to the authorised officer within 7 days of receipt of any such a request from the officer.

(4) This Regulation constitutes a racing sanction provision, a breach of which constitutes a breach of the racing code and in respect of such breach a racing sanction may be imposed by the Control Committee under section 46 of the Act or the Appeal Committee under section 49 of the Act

Announcement of testing of greyhounds at meetings

6. The names of greyhounds selected for testing at a race meeting or trial may be publicly announced.

Schedule
Prohibited Substances
Part I - Classes of substances

<i>Anabolic Steroids;</i> <i>Beta-blockers;</i> <i>Beta-agonists, unless specified in the Second Schedule;</i> <i>Benzodiazepines</i> <i>Antidepressants</i> <i>Central Nervous System Stimulants</i> <i>Phosphodiesterase (PDE5) inhibitors;</i> <i>Noradrenaline agonists including but not limited to substances such as Amphetamines, unless specified in the Second Schedule.</i>	
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Part 2 - Substances

Name of substance (1)	Level of substance accepted as faultless exposure (if any). Where zero level is set out then no faultless exposure is accepted for that substance (2)
Amphetamine	zero
Azaperone	zero
Benzoylecgonine (in the presence of other diagnostic metabolites of cocaine)	20.0 ng/ml in urine
Benzylpiperazine	zero
Bromantane and Hydroxybromantane	zero

Boldenone and metabolites Boldenone 1,4-androstadien-3,17-dione (Androstadiendione/Boldione) 5β -androst-1-en-17 β -ol-3-one	zero
Cinchopen	zero
Chlorpromazine	zero
Clenbuterol	zero
Cocaine	zero
Cyclizine	zero
Danazol & its Metabolites Danazol (4-androsten-[2,3,d]-isoxazole-17 α -ethynyl-17 β -ol); Ethisterone (4-androsten-17 α -ethynyl-17 β -ol-3-one)	zero
Diclofenac	zero
Diflunisal	zero
Ephedrine	zero
Erythropoietin (EPO)	zero
Ethylestranol & Metabolites Ethylestranol (4-estren-17 α -ethyl-	zero

17 β -ol)	
Fenoprofen	zero
Flufenamic acid	zero
Flunixin	50 ng/ml in urine
Ibuprofen	zero
Ketoprofen	65 ng/ml in urine
Levorphanol	zero
Meclofenamic acid	zero
Mefenamic acid	zero
Mesterolone & Metabolites Mesterolone (5 α -androstane-1 α -methyl-17 β -ol-3-one); 1 α -methyl-5 α -androstan-3 β ,17 β -diol	zero
Mephentermine	zero
Methamphetamine	zero
Methylphenidate	zero
Methyltestosterone& Metabolites	zero

17 α -Methyltestosterone; 5 α -androstan-17 α -methyl-3 β ,17 β -diol (Methylandrostanediol);	
Morphine	1 μ g/ml in urine
Naftidrofuryl	zero
Nandrolone & Metabolites Nandrolone (19- nortestosterone) 19-norandrosterone 19-norepiandrosterone 19-noretiocholanolone 5 α -estradiol-3 β ,17 β -diol 5 β -estradiol-3 α ,17 β -diol 5 α -estradiol-3 β ,17 α -diol	zero
Naproxen	zero
Nikethamide	zero
Nimesulide	zero
Norethandrolone & Metabolites Norethandrolone (4-estren-17 α -ethyl-17 β -ol-3-one); 19-nor-5 α ,17 α -pregnane-3 β ,17 β -diol	zero
Phentermine	zero
Piroxicam	zero

Propanolol	zero
Sildenafil	zero
Stanozolol (6 a-hydroxystanozolol)	zero
Timolol	zero
Vardenafil	zero



Given under the Seal of Rásáiocht Con Éireann
27th day of April 2023

FRANK NYHAN,
Chairman of the Board

JOHN TUOHEY
Chief Executive of the Board
An officer authorised by the Board to authenticate the Seal of the
Board.

EXPLANATORY NOTE

(This note is not part of the Instrument and does not purport to be a legal interpretation)

These Regulations set out the procedures under which greyhound racing sampling and subsequent analysis will be conducted on samples procured at greyhound race tracks and at such places used for the public sale of greyhounds, the training or breeding of greyhounds, or at any premises where greyhounds are maintained.

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