

STATE OF FLORIDA
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION
DIVISION OF PARI-MUTUEL WAGERING

DEPARTMENT OF BUSINESS AND
PROFESSIONAL REGULATION,
DIVISION OF PARI-MUTUEL WAGERING,

Petitioner,

DBPR Case No.: 2018-043616

v.

JAMES E. BLANCHARD,

Respondent.

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ADMINISTRATIVE COMPLAINT

The Department of Business and Professional Regulation, Division of Pari-Mutuel Wagering (“Petitioner”), files this Administrative Complaint against James E. Blanchard (“Respondent”), and alleges:

1. Petitioner is the state agency charged with regulating pari-mutuel wagering pursuant to chapter 550, Florida Statutes.
2. At all times material hereto, Respondent held a PMW Individual Occupational license, number 7074539-1021, issued by the Petitioner.
3. At all times material hereto, Respondent was the greyhound trainer for the Blanchard Kennel, located at The Florida Kennel Compound (“FKC”).
4. Rule 61D-6.002(1), *Florida Administrative Code*, provides, in pertinent part, “[t]he trainer of record shall be responsible for and be the absolute insurer of the condition of the horses or racing greyhounds, he/ she enters to race. Trainers, kennel owners and operators are presumed to know the rules of the Division.”

5. On May 5, 2017, during an inspection by Petitioner's investigators at FKC of the Blanchard Kennel, three or more greyhounds were found to have expired vaccinations.

6. On May 5, 2017, during an inspection by Petitioner's investigators at FKC of the Blanchard Kennel, forty-three or more greyhounds were found to have no paperwork or proof of vaccinations.

COUNT I

7. Petitioner realleges and adopts paragraphs numbered one through six as if set forth fully herein.

8. Rule 61D-6.009(8)(a), *Florida Administrative Code*, provides, in pertinent part, “[a]ll racing animals shall be inoculated for infectious, contagious, and epizootic diseases including the following, and given boosters as recommended by veterinarians: 1. Canine: Each of the following, once per year: Distemper, Adenovirus (Hepatitis), Leptospirosis, Para-Influenza, Parvo, Bordetella bronchiseptica and Rabies.”

9. Based on the foregoing, Respondent violated rule 61D-6.009(8)(a), *Florida Administrative Code*, by having at least three greyhounds with expired vaccinations at the Blanchard Kennel.

COUNT II

10. Petitioner realleges and adopts paragraphs numbered one through four and six as if set forth fully herein

11. Rule 61D-6.009(8)(b), *Florida Administrative Code*, provides, in pertinent part, “[p]roof of vaccination for each active or inactive racing greyhound must be kept on file by the kennel owner/operator, trainer of record and be subject to inspection by the Division[.]”

12. Based on the foregoing, Respondent is in violation of rule 61D-6.009(8)(b), *Florida Administrative Code*, by failing to have paperwork or proof of vaccination for at least forty-three or more greyhounds at the Blanchard Kennel.

WHEREFORE, Petitioner respectfully requests the Division Director enter an Order imposing against Respondent one or more of the penalties specified in section 550.2415(3)(a), Florida Statutes, and/or any other relief that the Division is authorized to impose pursuant to chapter 550, Florida Statutes, and/or the rules promulgated thereunder.

This Administrative Complaint in Case Number 2018-043616 is signed this 25th day of January, 2019.

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NOTICE OF RIGHTS TO REQUEST A HEARING

Pursuant to section 120.569 and 120.57, Florida Statutes, you have the right to request a hearing to challenge the charges contained in this Administrative Complaint. If you choose to request a hearing, you will have the right to be represented by counsel, or other qualified representative, to present evidence and argument, to call and cross-examine witnesses, and to have subpoenas and subpoenas duces tecum issued on your behalf.

Any request for an administrative proceeding to challenge or contest the charges contained in this Administrative Complaint must conform to rule 28-106.2015, *Florida Administrative Code*. Pursuant to rule 28-106.111, *Florida Administrative Code*, you must request a hearing within 21 days from receipt of this Notice, or you will waive your right to request a hearing.