

## Animal Care Stakeholder Update

May 2, 2008

I would like to take this opportunity to provide a stakeholder update from Animal Care (AC), a program within the U.S. Department of Agriculture's Animal and Plant Health Inspection Service (APHIS). Similar to previous updates, we want to notify you about new information that is posted to our Web site at [http://www.aphis.usda.gov/animal\\_welfare/hp/index.shtml](http://www.aphis.usda.gov/animal_welfare/hp/index.shtml).

After receiving and responding to comments on the draft foreign substance penalty protocols AC provided to the Horse Industry Organizations, we finalized the protocols on May 1st, and posted them to our Web site. The Horse Industry Organizations and other relevant stakeholders will receive a copy of this update along with a copy of the finalized protocols.

The Horse Protection Act (HPA) aims to eliminate soring, a cruel and inhumane practice used to accentuate a horse's gait. Among other things, the Act prohibits the use of foreign substances, except for certain lubricants, on the extremities above the hoof while horses are being shown, exhibited, or referred for sale at any horse show, horse exhibition, sale, or auction. Over the past 3 years, USDA has screened for the use of prohibited irritants, masking, and numbing agents by taking samples from inspected horses and testing them using gas chromatography/mass spectrometry (GC/MS). GC/MS is a technique that can separate and identify chemicals individually, and is widely regarded as the gold standard for forensic substance identification. USDA found evidence of the use of prohibited chemicals and the penalty protocols are aimed at addressing these findings.

It is important for us to point out that the protocols do not conflict with the operating plans—the voluntary agreements entered into by USDA and the Horse Industry Organizations. The protocols will involve only Federal penalties, and not those deemed the responsibility of the Horse Industry Organizations. We understand that there may be some concern in the stakeholder community regarding this action; however, we believe that we have designed these penalty protocols in a way that maintains the cooperative spirit envisioned by the establishment of the Designated Qualified Persons program and the use of the operating plans, while still allowing USDA to exercise its ability to vigorously enforce the law. The protocol will give industry participants a fair opportunity to adjust their practices before they incur significant penalties.

We also want to take this opportunity to affirm that we take very seriously our responsibility to enforce the HPA, its regulations and standards. It is our intention to work with all interested parties, both in the industry and others, to reach the goal we all share: ending soring and ensuring that only sound and healthy horses are sold and participate in shows. And we appreciate your interest in, and support of, the AC program and our HPA enforcement efforts.

Sincerely,



Chester Gipson, DVM  
Deputy Administrator