




United States
Department of
Agriculture

Animal and Plant
Health Inspection
Service

4700 River Road
Riverdale, MD
20737

To: Horse Industry Organizations

From:  Chester Gipson
Deputy Administrator
Animal Care

 3-30-09

Subject: 2009 Horse Inspection Procedures

APHIS has received several letters from constituents expressing their concerns about the 2009 horse show inspection process. The requirement to remove tack (saddle, harness, tail brace, etc.) for inspection has drawn questions about the safety of this procedure for entrants who do not have additional ring assistants and also the time delays it may cause for entrants, especially when entered in multiple classes.

USDA is charged with enforcement of the Horse Protection Act (HPA). This law is in place to end the cruel practice of soring and to prohibit horses that have been sored from participating in exhibitions, sales, shows, or auctions. The requirement to remove tack stems from the illegal practice of placing painful or irritating objects under the saddle in an attempt to prevent the horse from reacting to the pain felt when it is checked for signs of soreness during the inspection process.

The following areas of the Horse Protection Act (HPA) and Horse Protection Regulations (Regulations) support our current approach:

Regulations Sec. 11.1 Definitions.

“Inspection means the examination of any horse and any records pertaining to any horse by use of whatever means are deemed appropriate and necessary for the purpose of determining compliance with the Act and regulations. Such inspection may include, but is not limited to, visual examination of a horse and records, actual physical examination of a horse including touching, rubbing, palpating and observation of vital signs, and the use of any diagnostic device or instrument, and may require the removal of any shoe, pad, action device, or any other equipment, substance or paraphernalia from the horse when deemed necessary by the person conducting such inspection.”

HPA Sec. 1823(e). Horse shows and exhibitions

(e) Inspection by Secretary or duly appointed representative

“For purposes of enforcement of this chapter (including any regulation promulgated under this chapter) the Secretary, or any representative of the Secretary duly designated by the Secretary, may inspect any horse show, horse exhibition, or horse sale or auction or any horse at any such show,



Safeguarding American Agriculture

APHIS is an agency of USDA's Marketing and Regulatory Programs
An Equal Opportunity Provider and Employer

Federal Relay Service
(Voice/TTY/ASCII/Spanish)
1-800-877-8339

exhibition, sale, or auction. Such an inspection may only be made upon presenting appropriate credentials. Each such inspection shall be commenced and completed with reasonable promptness and shall be conducted within reasonable limits and in a reasonable manner. An inspection under this subsection shall extend to all things (including records) bearing on whether the requirements of this chapter have been complied with.”

HPA Sec. 1824(9). Unlawful acts

The following conduct is prohibited: “(9) The failure or refusal to permit access to or copying of records, or the failure or refusal to permit entry or inspection, as required by section 1823 of this title.”

We have been carefully monitoring the impact of this requirement on the shows that have occurred in the 2009 show season. As of yet, this added procedure does not appear to interfere substantially with the overall show. We understand that this procedure adds some burden to showing, but we believe that entrants share our concern for ending the abusive practice of soring, and are showing their support through the acceptance of this step in the inspection process.

Questions have been raised by the industry concerning inspections of certain breeds and versatility classes. Under the HPA and Regulations, the focus is on breeds and activities that are indicative of being sored to have their gait accentuated, Tennessee Walking Horses and racking horses.

The following areas of the HPA and Regulations support this:

Regulations Sec. 11.1 Definitions.

“*Horse exhibition* means a public display of any horses, singly or in groups, but not in competition, except events where speed is the prime factor, rodeo events, parades, or trail rides.”

“*Horse sale or horse auction* means any event, public or private, at which horses are sold or auctioned, regardless of whether or not said horses are exhibited prior to or during the sale or auction.”

Regulations Sec. 11.20(b)(2) Responsibilities and liabilities of management.

“The DQP shall physically inspect: (i) All Tennessee Walking Horses and racking horses entered for sale or auction, (ii) all Tennessee Walking Horses and racking horses entered in any animated gait class (whether under saddle, horse to cart, or otherwise), (iii) all Tennessee Walking Horses and racking horses entered for exhibition before they are admitted to be shown, exhibited, sold, or auctioned, and (iv) all Tennessee Walking Horses and

racking horses tyed first in their class or event at any horse show, horse exhibition, horse sale, or horse auction....

HPA Sec 1822(2) Congressional statement of findings

“horses shown or exhibited which are sore, where such soreness improves the performance of such horse, compete unfairly with horses which are not sore;”

If problems begin to arise in the other breeds or an activity that we suspect soring is occurring, we will begin to look at those areas, as well. Therefore, breeds such as, Paso Fino, Peruvian Paso, and Icelandic horses, as well as, horses entered in certain versatility classes (speed/gymkhana events, trail classes, etc.) are not currently the inspection priorities of the Department at this time.

Keep in mind, USDA certified horse industry organizations and show managements may authorize that all breeds and classes be inspected or make rules more stringent through their rulebook than what is set forth in the HPA and Regulations.

Nevertheless, we will continue to evaluate your comments on the inspection process. We continue to examine our inspection procedures to find a good balance between efficiency and safety and the need to ensure that sored horses are not allowed to show. We appreciate your feedback and recommendations, and look forward to a successful year for your horse show industry while enforcing the HPA.