



Revocation of Designated Qualified Persons (DQP) Certification Program of Horse Industry Organizations or Associations

9 C.F.R. 11.7(g) provides for the revocation of a horse industry organization or association's (HIO's) DQP program certification. Specifically, this section states that:

“Any horse industry organization or association having a Department certified DQP program that has not received Department approval of the inspection procedures provided for in paragraph (b)(6) of this section, or that otherwise fails to comply with the requirements contained in this part, may have such certification of its DQP program revoked, unless, upon written notification from the Department of such failure to comply with the requirements in this section, such organization or association takes immediate action to rectify such failure and takes appropriate steps to prevent a recurrence of such noncompliance within the time period specified in the Department notification, or otherwise adequately explains such failure to comply to the satisfaction of the Department. Any horse industry organization or association whose DQP program certification has been revoked may appeal such revocation to the Administrator⁶ in writing within 30 days after the date of such revocation and, if requested, shall be afforded an opportunity for a hearing.⁷ All DQP licenses issued by a horse industry organization or association whose DQP program certification has been revoked shall expire 30 days after the date of such revocation, or 15 days after the date the revocation becomes final after appeal, unless they are transferred to a horse industry organization or association having a program currently certified by the Department.”

This document summarizes and maps the process for revocation of an HIO's DQP program certification pursuant to the requirements specified in 9 C.F.R. 11.7(g).



Glossary

Notice of Noncompliance: A Notice of Noncompliance provides written notification to the HIO of its failure to comply with the horse protection regulations and the opportunity for the HIO to take immediate action to rectify that failure and appropriate steps to prevent a recurrence of such noncompliance within the time period specified in the notice, or otherwise adequately explain that failure to the satisfaction of the Department.

Initial Decertification Notice: An Initial Decertification notice provides written notification to the HIO that:

- Its DQP program certification is going to be revoked;
- It may appeal such revocation to the Administrator in writing within 30 days after the date of such revocation and request a hearing, which would be held in accordance with the applicable rules of practice; and
- All the DQP licenses it has issued will expire 30 days after the date of such revocation, or 15 days after the date the revocation becomes final after appeal, unless they are transferred to an HIO having a program currently certified by the Department.

Final Decertification Notice: A Final Decertification Notice provides written notification to the HIO that:

- It failed to file a timely or successful appeal;
- Its DQP program certification is revoked; and
- All the DQP licenses the HIO has issued will expire 30 days after the date of revocation, unless they were transferred to an HIO having a program currently certified by the Department.



Chart 1 – Overview of process for revocation of a DQP program certification of an HIO.

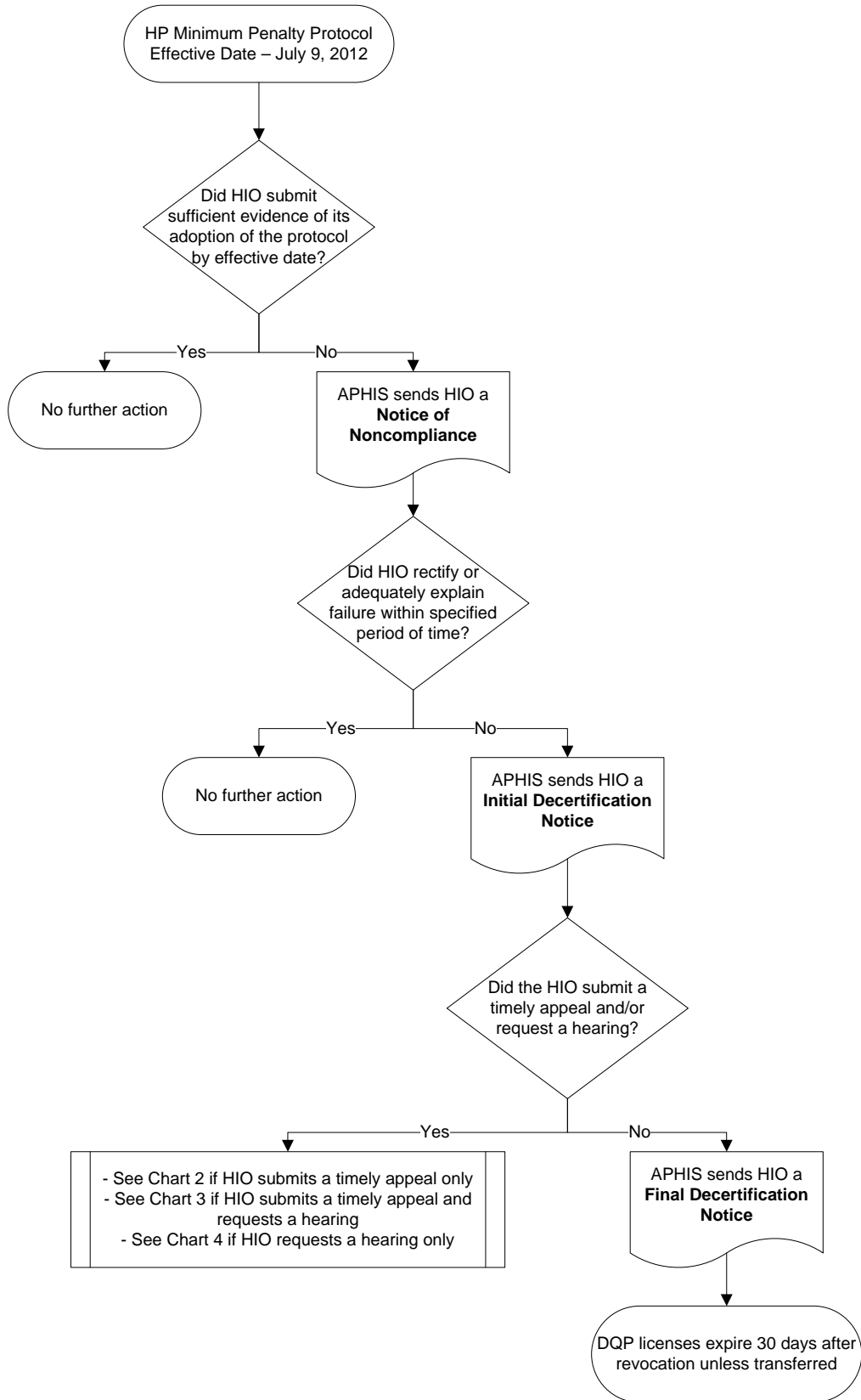




Chart 2 – HIO submits a timely appeal only.

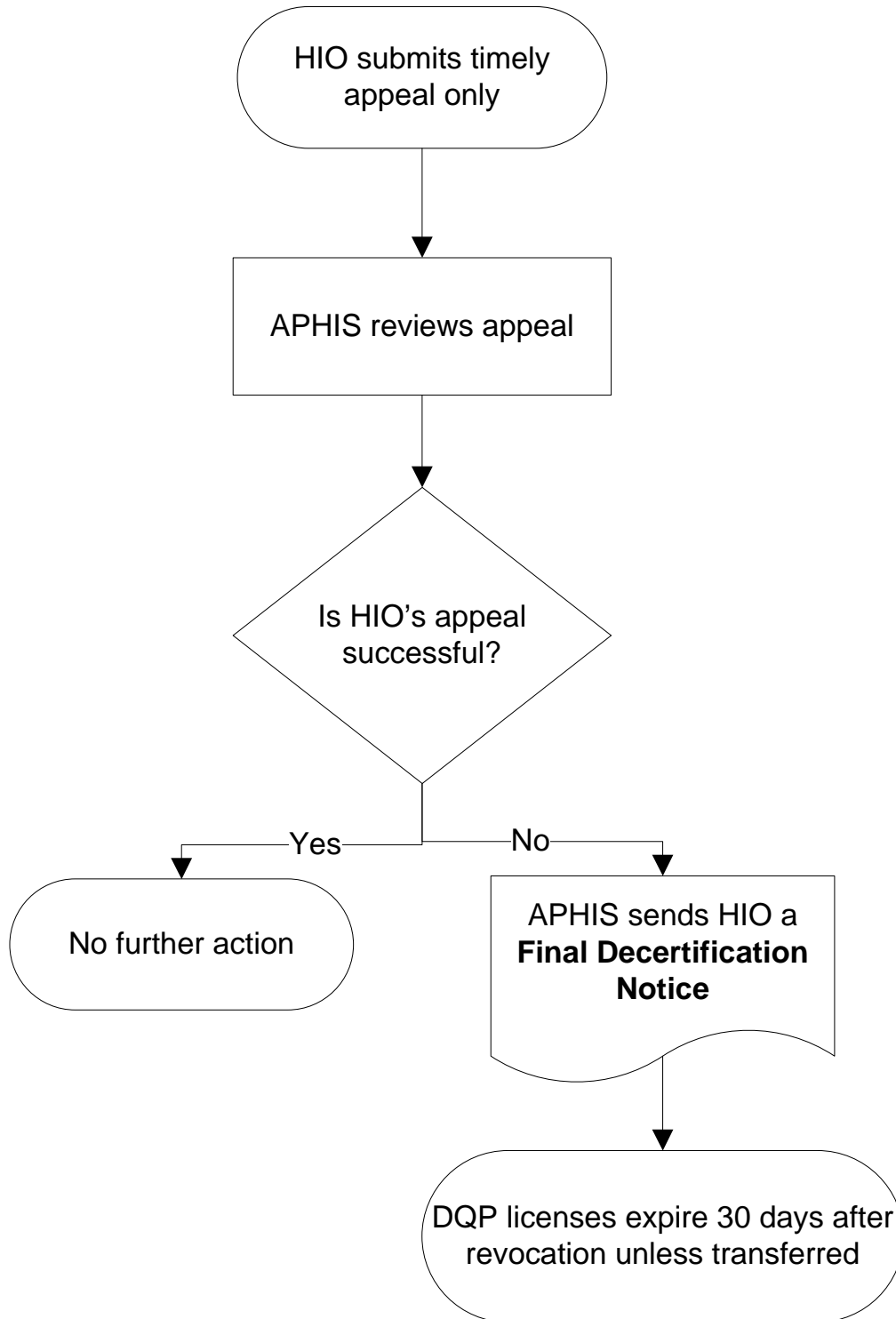




Chart 3 – HIO submits a timely appeal and requests a hearing.

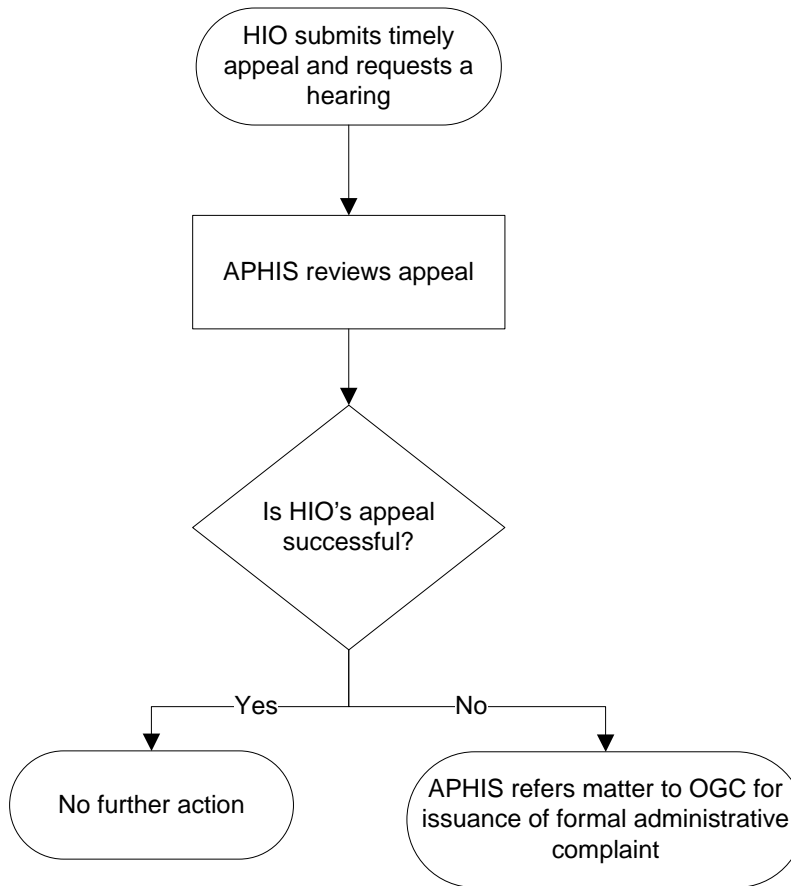


Chart 4 – HIO requests a hearing only.

