



NEWS RELEASE

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USDA Publishes Final Rule to Provide Greater Protection for Horses

Action Will Require Horse Industry Organizations to Assess Minimum Penalties for Violations

WASHINGTON, June 5, 2012— The U.S. Department of Agriculture has amended regulations to require horse industry organizations that license certain people to assess minimum penalties for violations of the Horse Protection Act. The move by USDA's Animal and Plant Health Inspection Service (APHIS), which administers the Horse Protection Act, is meant to help eliminate the inhumane practice of horse soring—a practice primarily used in the training of Tennessee Walking Horses, racking horses and related breeds to accentuate the horse's gait. Horse soring may be accomplished by irritating or blistering a horse's forelegs through the application of chemicals or the use of mechanical devices.

“Requiring minimum penalty protocols will ensure that these organizations and their designees remain consistent in their inspection efforts,” said Deputy Under Secretary for Marketing and Regulatory Programs Rebecca Blue. “USDA inspectors cannot be present at every horse show and sale, so we work with industry organizations and their designees to ensure the wellbeing of these animals. Our goal, together, is to make horse soring a thing of the past.”

The regulations currently provide that such penalties will be set either by the horse industry organizations or by APHIS. This final rule does not change the penalties set forth in the Horse Protection Act, or HPA. Rather, it requires all APHIS-certified horse industry organizations, which have already been administering penalties as part of their role in enforcing the HPA, to make their penalties equal or exceed minimum levels. The penalties in this final rule increase in severity for repeat offenders to provide an additional deterrent effect for people who have already shown a willingness to violate the HPA.

The final rule will also help ensure a level playing field for competitors at all horse shows. Previously, as some horse industry organizations have declined to issue sufficiently serious penalties to deter soring, those shows have attracted more competitors than shows where horse organizations have used APHIS' minimum penalty protocols. With this final rule, competitors now know that inspections and enforcement will take place consistently at all shows they and their horses attend.

Designated qualified persons are trained and licensed by their horse industry organizations to inspect horses for evidence of soring or other noncompliance with the HPA at horse shows,

exhibitions and sales. USDA certifies and monitors these inspection programs. For over 30 years, USDA has encouraged self-regulation in the industry by allowing individual organizations to assess penalties for soiling violations. But a September 2010 Office of Inspector General audit found that APHIS' program for allowing the industry's self-regulation has not been adequate to ensure that these animals are not being abused. One of the recommendations in the audit report was for APHIS to develop and implement protocols to more consistently issue penalties with individuals who are found to be in violation of the HPA.

This final rule requires that suspensions for violating the HPA be issued to any individuals who are responsible for: showing a sore horse; exhibiting a sore horse; entering or allowing the entry of that horse in a show or exhibition; selling, auctioning or offering the horse for sale or auction; shipping, moving, delivering or receiving a sore horse with reason to believe that such horse was to be shown, exhibited, sold, auctioned or offered for sale. This includes the manager, trainer, rider, custodian, seller or owner of the horse, as applicable.

An individual who is suspended will not be permitted to show or exhibit any horse or judge or manage any horse show, horse exhibition or horse sale/auction for the duration of the suspension.

Walking horses are known for possessing a naturally high gait, but in order to be successful in competition their natural gait is often exaggerated. The exaggerated gait can be achieved with proper training and considerable time; however, some horse exhibitors, owners, and trainers have chosen to use improper training methods to achieve their desired ends.

In September 2010, USDA's Office of Inspector General (OIG) found deficiencies in APHIS' horse protection program. One of OIG's recommendations was that APHIS develop and implement protocols to more consistently penalize individuals who have violated the Horse Protection Act. APHIS developed a minimum penalty protocol and, in a proposed rule published in the *Federal Register* on May 27, 2011, proposed requirements to ensure all horse industry organizations follow it.

With Agriculture Secretary Vilsack's leadership, APHIS works tirelessly to create and sustain opportunities for America's farmers, ranchers and producers. Each day, APHIS promotes U.S. agricultural health, regulates genetically engineered organisms, administers the Animal Welfare Act, and carries out wildlife damage management activities, all to safeguard the nation's agriculture, fishing and forestry industries. In the event that a pest or disease of concern is detected, APHIS implements emergency protocols and partners with affected states and other countries to quickly manage or eradicate the outbreak. To promote the health of U.S. agriculture in the international trade arena, APHIS develops and advances science-based standards with trading partners to ensure America's agricultural exports, valued at more than \$137 billion annually, are protected from unjustified restrictions.

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