

The Horse Protection Act: Responsibilities of Horse Show Management

The U.S. Department of Agriculture's (USDA) Animal and Plant Health Inspection Service (APHIS) is responsible for administering the Horse Protection Act (HPA). The HPA places primary responsibility on horse show management to prevent the showing or sale of sore horses, which would be in violation of the Act.

Management may protect itself from legal liability by hiring a designated qualified person (DQP) licensed to inspect horses for compliance with the HPA. Management assumes legal responsibility for any horse that is sore or in violation of the Act if it does not hire a licensed DQP.

Management and other entities are defined in the HPA as follows:

Management: anyone who directs, organizes, administers or exercises control over any horse show or sale. This specifically includes the sponsoring organization and show manager.

Sponsoring Organization: the legal entity responsible for conducting a horse show or sale.

Show Manager: the person who has the primary authority for managing a horse show or sale.

Management Duties:

At *all* shows and sales, management must:

- Allow APHIS representatives access to all show or sale facilities and records and allow them to examine and copy any records pertaining to any horse;
- Provide suitable facilities for examining records, as well as a suitable area for physical, thermographic, or other inspection on horses. The area is to include convenient and sufficient space, and facilities must protect inspectors from the elements of nature (i.e. rain, snow, sleet, hail, etc.);
- Provide appropriate areas for horses awaiting inspection and for detained horses;
- Provide shelter and lighting in the inspection area when APHIS representatives request it;
- Have the means to control onlookers so that APHIS representatives can work safely and without interference;

- Ensure that only the exhibitor, trainer, groomer, and custodian involved with the horse are present in the inspection area with the DQPs or APHIS employees;
- Provide a convenient source of electricity;
- Refrain from influencing or interfering with APHIS representatives;
- Provide approved lubricants (petrolatum, mineral oil or glycerine, or mixtures of these only) for use on exhibited horses;
- Limit the workouts, classes, and performances of horses eligible to be shown in a 2-year-old class to no more than two 10-minute workout sessions, with a minimum 5-minute rest period between sessions;
- Disqualify any horse APHIS finds not in compliance with the HPA; and
- Designate a person to keep records and provide this person's name and address when requested by any APHIS representative.

If management decides to use a DQP, it must:

- Use two DQPs when more than 150 horses are entered in an event;
- Allow DQPs access to all show or sale facilities and records;
- Provide DQPs with a suitable area for observing and inspecting horses;
- Allow DQPs to inspect all Tennessee Walking Horses and racking horses;
- Refrain from influencing or interfering with a DQP;
- Ensure that the DQP does not inspect a horse more than three classes prior to the time it is to be shown, except in shows with fewer than 150 horses, in which case the DQP shall not inspect a horse more than two classes prior to the time it is to be shown;
- Ensure that DQPs do not inspect horses at any horse show, horse exhibition, or horse auction in which a horse or horses owned by a member of the DQPs immediate family or the DQP's employer are competing or are being offered for sale;
- Disqualify any horse that the DQP finds in violation of the HPA; and
- Wait until the show or sale is over to dismiss a DQP if management is unhappy with his/her work and notify the USDA and the DQPs licensing organization of the reasons for dissatisfaction.

If management decides not to use a DQP, it must:

- Identify and disqualify from participating or competing in the horse show or sale any horse not in compliance with the HPA;
- Inspect all horses tied for first place after showing in any Tennessee Walking Horse or racking horse class to determine if they are in compliance with the HPA; and
- For each horse excused or disqualified, report the information listed under the subheading

Maintaining Records [below] to APHIS within 5 days of the end of the show. If no horses are excused or disqualified, management must submit a report stating such.

Maintaining Records:

Management must keep the following records for at least 90 days (or longer if requested by APHIS) after the event:

- Date and location of show or sale;
- Name and address of the sponsoring organization and each horse show judge;
- A copy of the show or sale program; and
- A copy of each class or sale sheet listing:
 1. identification of each entered horse, including a) horse's name, b) name and address of owner, trainer, and rider or exhibitor, and c) address of home farm or stable;
 2. class number and exhibitor number (for shows);
 3. lot number and sale number (for sales); and
 4. name and address of horse owner and person paying for entry fee and entering each horse.

Failure or refusal to comply with any of the above requirements puts management in violation of the HPA.

Additional Information:

For more information about horse show management responsibilities, or the HPA, contact:

USDA, APHIS, Animal Care

4700 River Road, Unit 84

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Fax: (301) 734-4978

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You may also find information at the Animal Care Horse Protection Web site:

www.aphis.usda.gov/animal_welfare/hp

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