



## *Sore No More Ranch*

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Hello, my name is Heather Lomax and I am president and founder of Sore No More Ranch. A 501(3)(c), Non-profit Tennessee Walking Horse Rescue. Our mission is to educate the horse and animal loving public of the illegal and inhuman techniques used to get the exaggerated “walk” of many show ring TWH’s. We take in previously sores, abandoned or otherwise neglected TWH’s – rehabilitate them and place them in loving homes or use them in our community outreach program. I have been a trainer and breeder of this wonderful breed for 10 years prior to forming our rescue. I also have the honor of participating with NPWHA as a board member. NPWHA hosts sound shows and events to promote the natural, talented and sound TWH. I am not here to just to speak about the horror stories, of the pain and suffering that many TWH’s go thru in their show careers, but to defend by opinion with facts that, I believe are difficult to dispute.

**Q: Congress passed the Horse Protection Act in 1970 to eliminate the cruel and inhumane practice of soring horses. How close are we to achieving the goal?**

A: No not close at all. The industry has found new ways to hide their chemical and mechanical soring. The recent release of the USDA’s GC/MS 2010 and 2011, “sniffer” test results show the public that the industry is still using whatever chemicals they find to create pain to force the show ring gait. The arrests of Barney Davis, et. al. and Jackie McConnell, et. al. are proof that pressure shoeing and chemical and mechanical soring are still alive and well. Any observer at a warm of ring of any WHOA, WTA, etc. show can easily witness green or other colored substance dripping down the legs of the show horses – both pre and post DQP inspection – that is unless the USDA shows up.

**Q: Can the industry achieve a consensus on how to carry out a self-regulatory program to enforce the Horse Protection Act in a consistent way?**

A: NO. The simple reason is that HIO’s are self regulated. When an industry is given the opportunity to self regulate, then they industry will bend or ignore the laws designed to protect these horses. For a living I work in a compliance related industry, self regulation does not work unless the industry knows and believes the regulatory agency will inspect according to the laws. The HIOs are designed to work in the best interest of those who sore horses, not for the welfare of the horse. I ask, why else would more than half the horses planned to be exhibited during any given show, end up loading up and leaving the grounds when the USDA arrives.

Overall the HIOs are the self-regulatory program that is already in place. However, nine of the 12 are clearly a case of the fox guarding the hen house. Soring has not stopped in the 40-plus years since the HPA was enacted, and it certainly hasn’t stopped since the HIOs were formed. Therefore they are absolutely unable to enforce the HPA on their own.

**Q: What responsibilities should USDA-certified Horse Industry Organizations (HIOs) have within the industry?**



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A: The majority of HIO's have too much responsibility to enforce the horse protection act—without oversight from the USDA, then HIO's are free to exercise the duty continue to allow horses to be sore. As industry on both sides of the debate has heard, Barney Davis said: horses “have got to be sore to walk.” HIOs won't take on the responsibility of working to stop soring.

Show participants are required to pay a fee to the DQP to offset the cost. If the USDA enlisted more enforcement either thru USDA officials or a stringent private contractor hired by the USDA, a more strict level of compliance with the Horse Protection Act could be achieved. Once again, this theory of compliance is supported by the reaction of exhibitors when the USDA shows up at a show.

Q: How can the industry reconcile its inherent competition aspect with ensuring compliance with the Horse Protection Act?

A: Stop soring, action devices, pads, extreme weighted shoes and bands that hold them in place. In addition create or enforce repercussions for judges that participate in placing or judging classes in which sore horses participate. Because we all know if it wasn't for the judges, soring would not be so prevalent.

Q: What can USDA do now (and in the future) to ensure compliance?

A from The USDA has been given an extra \$200,000-plus for 2012 to enforce the HPA. Therefore, I suggest going to every single show you hear about, whether publicly advertised or not. Spend your money wisely—stay in cheap hotels, and rent cheap cars if you have to. Do not rely on the HIOs to perform the inspections while the USDA is there; have the VMOs do the inspections instead of the HIOs. Film and time all inspections—do not spend more time on one horse than another so you cannot be accused of spending 20 minutes on one horse or digging your nail into a horse's pastern to elicit a response. Start using hoof testers on every single horse that is flat shod. Require horses to have their shoes pulled in front of the DQP immediately after their last class of the day and test the hooves with hoof testers. I understand that the mandated penalties are going to become a requirement. I hope that this means that the USDA will follow up with every single violation recorded by the HIOs and make sure they are followed to the letter. It should also be required that the violators serve their suspensions during show season and not during the off season. As compiled by FOSH, 90% of all HPA violations in 2008, 2009 and 2010 were found on stacked horses. This means the industry has and is continuing to abuse the privilege of using stacks in the show ring. Since the industry seems unable to stop using pads, then limit the size of the pads to the same size that is used in the American Saddlebred industry. Put a 5-inch limit on the toe from the corset band to the ground (including the shoe). Put a weight limit on the shoes. Remove chains and anything around the pasterns from the show ring.

Q: What responsibilities should USDA have within the industry with respect to enforcement and what hinders oversight of the HIOs and/or industry?



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A: Your responsibilities are already set: to enforce the HPA by any means necessary. From the Horse Protection Act:

*§1827. Utilization of personnel of Department of Agriculture and officers and employees of consenting States; technical and other nonfinancial assistance to State*

*(a) Assistance from Department of Agriculture and States*

*The Secretary, in carrying out the provisions of this chapter, shall utilize, to the maximum extent practicable, the existing personnel and facilities of the Department of Agriculture. The Secretary is further authorized to utilize the officers and employees of any State, with its consent, and with or without reimbursement, to assist him in carrying out the provisions of this chapter.*

*(b) Assistance to States*

*The Secretary may, upon request, provide technical and other nonfinancial assistance (including the lending of equipment on such terms and conditions as the Secretary determines is appropriate) to any State to assist it in administering and enforcing any law of such State designed to prohibit conduct described in section 1824 of this title.*

Lack of enforcement of the HPA is what is hindering the effectiveness of the USDA. Use available funds and set inspection requirements for each show association. For example schedule to visit at least 2 shows a year for each association. I realize that many of us feel this is not enough, but the USDA has to start enforcing somehow in a manner that can be achieved. I wish each and every show could be visited by the USDA but that is not likely to be possible. In addition, enforcing the Act and issuing penalties is one way to show congress and the public that the USDA is doing its job.

Q: Should there be a prohibition of all action devices?

Q: Should there be a prohibition of pads, action devices and weight limit on shoes?

A: Yes, Yes, and Yes. I would like to combine my answer for the last three questions because my reasons are the same.

The industry clearly still uses chemical soring to achieve the desired gait. Actions devices are used to enhance the effect that sore has on a horse by increasing the amount of pain and discomfort from the applied chemicals. Without action devices the soring could be less effective. In addition pads and bands should be banned as I have witnessed the damage that allowed heavy shoeing techniques can cause. I have seen horses hoof sheared off at the band because of excessive toe length and heavy shoes.

Quick internet search will show that 90% of HPA violation occur at performance /padded shows. This would indicate that this is the heart of the problem. In addition, horses that are uncompromised by lameness carry 60% of their weight on the front legs- soring and stacking cause a significant weight shift to eh hind legs. This results in premature damage the rear joints of the TWH. The use of pads increase the risk of hoof shearing, stumbling and increases the risk to the rider as well. The addition of pads alone creates an inhumane treatment of the horse.



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In addition to the abuse of horses that this industry had created, I would like to take a moment to bring to light risk to human safety that this industry has created.

- Clearly the USDA officers feel threatened by the industry- as they feel the need to have police presence at any horse show that they inspect.
- Sound horse exhibitors are assaulted or threatened of assault for attempting to view the horses of a performance horse trainer – at a public facility such as a fair ground or other show ground.
- Unmarked guards are placed at performance horse trainers barn location within a public facility- this is not to protect the horses it is to prevent bystanders from viewing the horses.

Clearly this industry has fostered and environment of animal cruelty public safety.