

December 19, 2024

What the Revised Horse Protection Act Will Mean for Horse Show Communities

As the February 1, 2025 implementation date for the revised Horse Protection Act (HPA) looms over the horse industry, many people who are involved with horses find themselves wondering exactly how they will be affected. Simply put, the revised version of the HPA would make unnecessary, heavy-handed government overreach the norm, devastate all levels of horse show communities, and effectively cripple much of the equine industry in the United States.

New Rules to Follow

For example, as of February 1, 2025, horse event managers must:

- Notify APHIS no less than 30 days in advance of the event, also specifying whether or not they are hiring/requesting an inspector.
- Notify APHIS of any event updates 15 days prior to the event
- Police warm-up areas
- Allow free and uninhibited access by HPAs to records, barns, horse trailers, stables, stalls, arenas, and all other show or exhibition grounds.
- Verify identity of each horse entered at a show, exhibition, sale, or auction
- Maintain all horse show and exhibition records for 90 days and make available to inspectors
- Report any violations of the Horse Protection Act to the APHIS regional director within five days after conclusion of the event

For horse owners, the rule revisions mean many things. If you show or exhibit horses in any way and/or offer horses through sales, here is a partial list of rules you will be forced to follow if the revised HPA is implemented:

- Anything that could make a horse sore, lame, or irritated are prohibited. Sore muscles from a focused training session or a small rub from an incorrectly fitted bell boot could be equated to intentional soring
- Any substance that could make a horse sore or have an inflammatory reaction is prohibited, including therapeutic liniment
- No substances may be used on the limbs of a horse, including skin and hair conditioners or fly spray
- Horse owners are not the only ones liable. Any participant with horses is subject to liability, including agents, haulers, trainers, vendors, supporters, and sponsors.
- Mandatory rest periods must be observed during shows, exhibitions, sales, and auctions.
- Any information requested must be provided to inspectors on demand.

- Horses' legs must be blemish-free, including dermatologic conditions such as irritation, moisture, edema, swelling, redness, epidermal thickening, loss of hair, or other evidence of inflammation.
- Horse inspections may include, but are not limited to, "visual inspection of a horse and review of records, 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 or any other equipment, substance, or paraphernalia from the horse when deemed necessary by the professional conducting such inspection.
- Horses can be detained by HPIs for 24 hours.
- Therapeutic treatments, including massage, chiropractic treatments, and PMF must be administered or overseen by qualified veterinarians
- Complete veterinary records must be kept and maintained for horses receiving therapeutic treatment of any kind
- Requirements for shipping and transporting horses.
- Any horse winning first place in a class is required to be re-inspected.
- Horses that receive a rub or blemish while competing are subject to HPA violations, even if the horse passed inspection prior to entering the ring

Again, please note that this is not a complete list, and we encourage you to read the official full 129-page HPA document to understand the true weight of what is currently intended.

What This Means for the Horse Industry

The Tennessee Walking Horse Breeders and Exhibitors Association website states that there have been 541,322 TWHs registered since the association's founding in 1935. Just for comparison, the American Quarter Horse Association has registered over 6 million horses since its founding in 1940. With several other major breed associations, numerous competition organizations, and hundreds of horse sales in the nation, there are thousands and thousands of horses competing or selling that would require inspection by the new HPA.

The inspection process for TWHs is notoriously long and laborious; it is not unheard of for competitors to stand in line for literally hours to have their horses inspected. The largest TWH show is the annual 10-day Celebration where approximately 2,000 horses compete. Historically, the USDA has inspected around 50 TWH events annually. What happens when inspections are required at *every* show across the country, from 4-H playdays to large international events, especially when there is a shortage of qualified inspectors? It is common for TWH exhibitors to have to wait in line for several hours to have their horses inspected; what happens at a show like the NCHA futurity, with over 600 horses in the three-year old class alone?

Several Western Justice team members attended a recent webinar hosted by the USDA regarding the HPA. During the question/answer period, our questions went unanswered. Uncomfortable questions, USDA left the call a half hour early.

Background

The HPA was made law in 1970 to regulate the Tennessee Walking Horse (TWH) industry, prohibiting the showing, sale, auction, exhibition, or transport of sored horses.

The USDA defines soring as “the application of any chemical (e.g., mustard oil or diesel fuel), mechanical agent (e.g., overweight chains), or practice (e.g., trimming a hoof to expose the sensitive tissue) inflicted upon any limb of a horse, that can cause or be expected to cause the horse to suffer physical pain or distress when moving.” Soring was sometimes utilized by unscrupulous trainers to artificially create a highly animated gait in TWHs and other gaited breeds.

Since 1976, rigorous inspections of show horses, both before and after a class, have been required at all TWH events. Any evidence of soring of any kind results in instant disqualification from the class and fines. In the years since the HPA was enacted, compliance of the law has been consistently over 90%. In 2023, the compliance rate was 98%.

Nevertheless, animal extremists have not only persisted in their attacks of the TWH industry, but also in seeking to expand the definition of “soring” to encompass as much of the horse industry as possible. The recent revisions to the law are the result. The lead USDA veterinarian, Dr. Aaron Rhyner, even went so far as to say that he could see how just riding a horse could be considered to be a type of soring.

The revised rule states: “Soring has been used almost exclusively in the training of certain Tennessee Walking Horses and racking horses to induce pain, resulting in an exaggerated gait that is valued in the show ring. ***However, the HPA’s prohibition against sored horses participating in shows, exhibitions, sales, and auctions extends to events involving all horse breeds.***”

It has been estimated that there are usually no more than 50 TWH shows in any given year, which stands to reason as the TWH sector is a relatively small portion of the overall United States horse industry. The new requirements would extend to ALL shows, from local 4-H playdays to annual international competitions, easily totaling hundreds of shows. Currently, speed-based events are exempt.

If an event manager chooses not to request or hire a USDA inspector, they are then liable for any HPA violations found at their event.

While the USDA has exponentially and arbitrarily expanded the scope of the HPA, they have at the same time drastically reduced the number of possible inspectors by eliminating the use of third-part designated qualified persons (DQPs) that have historically been utilized. This has very effectively and even deliberately created a shortage of qualified inspectors.



The USDA's APHIS is now solely responsible for training and employing Horse Protection Inspectors (HPIs), who must be licensed veterinarians or veterinary technicians.

The new rule can be read in its entirety here:

<https://www.federalregister.gov/documents/2024/05/08/2024-09469/horse-protection-amendments>

<https://www.govinfo.gov/content/pkg/FR-2024-05-08/pdf/2024-09469.pdf>



Western Justice Legislative Fund is a non-profit, 501(c)(4) corporation

Internal Revenue Code: EIN# 85-1738984, Registered in Wyoming.

P.O. Box 454 Hermiston, OR 97838

Disclaimer: Contributions to WJLF are not deductible as charitable contributions for federal income tax purposes. They may be deductible as trade or business expenses, if ordinary and necessary in the conduct of the taxpayer's business. Please consult with your tax adviser.