

TECH NOTE

Animal Care

United States
Department of
Agriculture

Animal and
Plant Health
Inspection
Service

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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 the Federal agency responsible for administration of 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 that has the responsibility 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.
- Provide APHIS representatives with a suitable area for observing and inspecting horses.
- 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 without interference.
- Provide a convenient source of electric power.
- Refrain from influencing or interfering with the 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.
- Designate a person to keep records and provide that 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.
- Disqualify any horse the DQP finds in violation of the HPA.
- Wait until the show or sale is over to dismiss a DQP if management is unhappy with his or her work and notify USDA and the DQP's licensing organization of the reasons for its dissatisfaction.

If management decides **to not 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 first after showing in any Tennessee Walking Horse or racking horse class to determine if they are in compliance with the HPA.
- For each horse excused or disqualified, report the information, listed below, to APHIS within 5 days of the end of the show. If no horses are excused or disqualified, then management must submit a report stating that.

Maintaining Records

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

- Dates and location of show or sale.
- Name and address of the sponsoring organization, show or sale management, DQP(s) and the DQP-certifying organization, and each horse show judge.
- A copy of the show or sale program.
- 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
 - c. Address of home farm or stable
 2. Class number and exhibitor number (for shows)
 3. Lot number and sale number (for sales)
 4. Name and address of horse owner and person paying entry fee and entering each horse.

Additional Information

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

USDA, APHIS, Animal Care
4700 River Road, Unit 84
Riverdale, MD 20737
Telephone: (301) 734-7833
Fax: (301) 734-4978
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You may also find information at the Animal Care Web site on www.aphis.usda.gov/ac.

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