

2010 Horse Protection Penalty Protocol

USDA has established the following recommended penalty structure for implementation by the HIO for enforcement of the HPA and HPR. The HIO may apply more stringent penalties but not less than minimum requirements set forth in the penalty structure.

- If an HIO imposes and enforces a penalty that USDA believes effectuates the purpose of the Act and the regulations, USDA will not initiate a Federal case against the violator.
- USDA may initiate a federal case against any persons who participated in the entry, showing and, if appropriate, transportation of a sore horse (including, for example, the owner, custodian, trainer, rider, and/or transporter), if it is determined that the HIO has not enforced a penalty that effectuates the purpose of the Act and the regulations.
- PLEASE NOTE:** USDA retains primary jurisdiction to pursue cases when it deems appropriate.

SUSPENSIONS	1ST OFFENSE	2ND OFFENSE	3RD OFFENSE
Bilateral sore	1 year	2 years	4 years
Unilateral sore	60 days	120 days	1 year
Scar Rule	2 weeks	60 days	1 year

Foreign substance (Pre Show) – Horse dismissed from horse show, exhibition, sale or auction

Foreign substance (Post Show) – Two weeks suspension and horse dismissed from rest of horse show, exhibition, sale or auction

Equipment violation (Pre Show) – Horse dismiss from horse show, exhibition, sale or auction

Equipment violation (Post Show) – Two weeks suspension and horse dismissed from rest of horse show, exhibition, sale or auction

Shoeing violation – Horse dismissed from horse show, exhibition, sale or auction

Heel-Toe Ratio – Horse dismissed from horse show, exhibition, sale or auction

Unruly/fractious horse – Horse dismissed from individual class

Suspension violation – Six (6) months for each occurrence

Repeated Violations

Multiple or subsequent violations that incur suspension penalties must be served consecutively. For example, if the violator received a bilateral sore violation and a scar rule violation at the same show or a separate show, the violator will have a one year suspension followed by a 2 week suspension.

Appeals

Violators will have the right to appeal a HIO ticket.

- USDA will closely monitor the HIO appeal process.
 - By March 1 of the 2010 show season, HIOs must submit a description of their appeal process.
 - HIOs must submit to USDA their decisions for ticket appeals within 30 days of the appeal decision completion.
- Violators will need to have the appeal process completed or begin serving the imposed penalty within 60 days of the date of the violation.