

USDA

**Horse Protection Act Review
of
Friends of Sound Horses
Springfield, Missouri**

September 24, 2008



U.S. Department of Agriculture, Animal and Plant Health Inspection Service

Marketing & Regulatory Programs - Business Services

Financial Management Division, Review and Analysis Branch

APHIS — Protecting American Agriculture

An Equal Opportunity Employer

TABLE OF CONTENTS

EXECUTIVE SUMMARY	1
BACKGROUND	1
PURPOSE	2
METHODOLOGY	2
AREAS OF REVIEW	
FOSH Rule Book	2
FOSH Committee Structure	2
DQP Reports	2
Conflict Resolutions	2
FOSH Show Records	3
DQP Qualifications	3
DQP Records	3
DQP Personnel Files	3
Violations	3
Suspension List	3

Executive Summary

On September 24, 2008, a representative from the Animal and Plant Health Inspection Service (APHIS), Review and Analysis Branch (RAB) conducted a review of the 2007 show records of Friends of Sound Horses (FOSH) in Springfield, Missouri. The review covered the FOSH rule book, the FOSH committee structure, Designated Qualified Person (DQP) reports, conflict resolution, FOSH show records, DQP qualifications, DQP records, DQP personnel files, violations and suspension list. FOSH is a signatory Horse Industry Organization (HIO) and has agreed to voluntarily adhere to and enforce the Horse Protection Operating Plan (HPOP) which is in effect 2007-2009.

Year	Total Shows	Number of Shows when USDA Present	% of Shows when USDA Present	Total Violations Reported by FOSH	Number of Violations when USDA Present	% of Violations when USDA Present
2005	11	0	0%	2	0	0%
2006	10	0	0%	0	0	0%
2007	13	0	0%	0	0	0%

Based on the chart above FOSH appears to be in compliance with its agreement to implement and enforce the Horse Protection Act (HPA) of 1970 as amended.

FOSH conducted thirteen affiliated shows in 2007. FOSH accumulated no violations during the entire 2007 show season and USDA attended no shows.

Based upon the review, it was determined that there were no significant issues to be addressed for the 2007 show season. In addition, there were no prior year findings. FOSH records were found to be complete and in compliance with the HPA and its Regulations and the APHIS Operating Plan (2007-2009).

Background

The Horse Protection Act (HPA) (Pub. L. 91-540) was enacted by Congress in 1970 in response to public concerns about soring of horses¹. As a Federal law (15 U.S.C. §1821 et seq.), the HPA prohibits sored horses from participating in exhibitions, sales, shows, or auctions. The HPA also prohibits persons from transporting sored horses to compete in a show. APHIS is responsible for enforcing the HPA. RAB is responsible for evaluating APHIS programs and activities for overall effectiveness and efficiency in meeting their objectives. RAB conducts regular reviews of all nine HIOs.

The mission of FOSH is to promote "sound", naturally gaited horses, with a specific emphasis on Tennessee Walking Horses. ("Sound" means "not sored").

¹ USDA, Horse Protection Act (1970), (Pub. L. 91-540), Horse Protection Regulations, Horse Protection Operating Plan (2007-2009)

Purpose

The objective of this review is to ensure all FOSH policies and procedures for the 2007 show season are in compliance with the Horse Protection Act of 1970 (Pub. L. 91-540), as amended by the Horse Protection Act Amendments of 1976 (Pub. L. 94-360), 15 U.S.C. §1821 et seq., and any legislation amendatory thereof. In addition, the review covered all activities involved in FOSH fulfilling its HIO responsibilities to the Horse Protection Regulations and Horse Protection Operating Plan for 2007-2009.

Methodology

RAB met with the FOSH records coordinator (Bob Blackwell) in Springfield, MO to analyze the FOSH show documents for January 2007 through December 2007. The documents analyzed included, the FOSH rule book, the FOSH committee structure, Designated Qualified Person (DQP) reports, conflict resolution, FOSH show records, DQP qualifications, DQP records, DQP personnel files, violations and suspension list. RAB conducted an exit conference which ended the review.

Areas of Review

FOSH Rule Book

FOSH provided an up-to-date copy of their rule book. FOSH explained the rule book is identical to the Horse Protection Act. The rule book had previously been approved by APHIS, Animal Care in accordance with the established Horse Protection Act and Horse Protection Regulations. FOSH has voluntarily agreed to also adhere to the Horse Protection Operating Plan which is in affect from 2007 – 2009.

FOSH Committee Structure

There were no changes to the FOSH Board of Directors. The Board of Directors' directory lists the board members, their titles, and contact information all of which are located in their website.

DQP Reports

FOSH had nine licensed DQPs who inspected horse shows as assigned by the HIO. RAB reviewed all DQP reports submitted to APHIS and concluded that FOSH reports were complete and in accordance with the Regulations established by the HPA and HPOP.

Conflict Resolutions

There were no conflict resolutions in 2007. FOSH has removed this option from their rule book. Each DQP is held to the final decision of the APHIS Veterinary Medical Officer (VMO).

FOSH Show Records

RAB reviewed all FOSH show records which were deemed adequate and were received by APHIS in a timely manner. Show records included the calendar of events, class sheets, and qualifying events. RAB concluded that FOSH has complied with the HPOP.

DQP Qualifications

In order for a DQP to be designated as qualified, he/she must fulfill their training requirements. FOSH stated all DQPs completed the required training held during the FOSH Annual Meeting on March 10, 2007. FOSH went further in presenting a sign-in sheet which detailed the names of each DQP present.

DQP Records

FOSH DQP records contained adequate documentation of DQP performance standards. Each record was complete with show manager name, exhibitor name, owner and trainer name, and detailed each horse examined.

DQP Personnel Files

FOSH maintains individual files for each DQP. All DQPs have an initial application in their file along with a yearly renewal form. The FOSH board members are responsible for evaluating each DQP on a yearly basis. FOSH board members are present at 98% of all shows. In addition FOSH documented evaluations on the performance and conduct of each DQP. In 2007, FOSH did not have any new applicants. FOSH explained, all DQPs in 2007 had been licensed and were not apprentices. FOSH went on to say all DQPs received the FOSH rule book and Code of Conduct during their annual training session.

Violations

FOSH reported no violations for the 2007 show season. FOSH has created an adequate violation reporting system. Each violation is numbered making referencing and reconciliation simple.

Suspension List

When FOSH has a violation to report, it prepares a current suspension list, which is distributed to both the National Horse Show Commission (NHSC) for consolidation and to all other HIOs. The suspension list is prepared on a weekly basis, as necessary. Once FOSH receives the consolidated suspension list from NHSC, FOSH distributes it to each of its DQPs to use at current events. Due to the necessity of receiving timely information, the requirement exists for a “real-time” violation reporting system and instant access to the most up-to-date information.