

USDA

**Horse Protection Act Review
of**

**Western International
Walking Horse Association
Spokane, WA**

July 30, 2008



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

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APHIS — Protecting American Agriculture

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Executive Summary

The Review and Analysis Branch (RAB) performed a review of the 2007 show records of the Western International Walking Horse Association (WIWHA) in Spokane, WA on July 30, 2008. The review covered the WIWHA rule book, the WIWHA committee structure, Designated Qualified Person (DQP) reports, conflict resolution, WIWHA show records, DQP qualifications, DQP records, DQP personnel files, violations and suspension list. WIWHA 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 affect 2007-2009.

Based upon the review, it was determined that there were some practices that could be implemented in a more effective manner.

Significant Issues:

- WIWHA could not provide a copy of their HIO rule book
- WIWHA could not provide adequate proof of DQP yearly training
- WIWHA did not submit required DQP reports to APHIS on a timely basis
- WIWHAs violation numbering system is inadequate

There were no prior review findings to be addressed.

Background

The Horse Protection Act (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 shows. 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. WIWHA has been a member of HIO since 1995.

Purpose

The objective of this review is to ensure all WIWHA 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 WIWHA fulfilling its HIO responsibilities to the Horse Protection Operating Plan for 2007-2009.

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

Methodology

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

FINDINGS AND RECOMMENDATIONS

WIWHA Rule Book

WIWHA could not provide an up-to-date copy of their rule book. WIWHA explained the number of rule books printed was reduced due to cost cutting measures. WIWHA is working to resolve this issue. The rule book had previously been approved by APHIS, Animal Care.

Recommendation

WIWHA should make its rule book assessable to participants and DQPs. A website accommodation would be ideal but is not required. Therefore WIWHA should prepare a rule book in accordance with the HPOP section (VI) (A) which states: Each HIO shall prepare a rule book.....

WIWHA Committee Structure

While there were no changes to the WIWHA Board of Directors. WIWHA could not provide a copy their Board of Directors' directory which the secretary said listed the board members, their titles, and contact information. A comprehensive committee structure would provide APHIS stakeholders with a current account of the active role each member contributes to the WIWHA HPA mission;

Recommendation

WIWHA should develop a committee structure which details the duties of each board member in accordance with the HPOP section VII (A3), which reads: Establish an organizational structure.....

DQP Reports

WIWHA had nine licensed DQPs who inspected horse shows as assigned. RAB reviewed the DQP reports submitted to APHIS. The reports were complete; however, the reports were not submitted on a timely basis in accordance with the HPA section 1823 (d), Recordkeeping and reporting requirements.

Recommendation

WIWHA should provide all required deliverables to APHIS, Animal Care, by their designated due date. If any deliverable has the potential of becoming late, a notification letter must be sent to the APHIS, HPA Coordinator. A copy of this letter should be maintained by the HIO which is accordance with HPOP (VI) (E), which states: HIOs are required to document and report

Conflict Resolutions

There were no conflict resolutions in 2007.

Show Records

RAB reviewed all WIWHA show records, which were deemed adequate; however, the records were not received by APHIS in a timely manner. Show records included the calendar of events, class sheets, and qualifying events. WIWHA explained the delay was due to the records secretary being unavailable. RAB determined WIWHA does not have an adequate process for meeting APHIS deadlines.

Recommendation

WIWHA should create a standardized operating plan (SOP) for the submission of records to APHIS, Animal Care. In the event the records secretary is unavailable, the SOP can be used to avoid missing HPA Regulation deadlines according to HPA Regulation part 11.24, reporting by management.

DQP Qualifications

WIWHA stated all DQPs completed the required training held during the WIWHA Annual Meeting on March 10, 2007. WIWHA was unable to provide adequate documentation of DQP training.

Recommendation

WIWHA should create a signature roster for its DQP yearly training. This signature sheet could then be used as proof of DQP training, according to the HPA Regulations part 11.7 (B7) which states: a copy of formal training....methods of monitoring and appraising performance.

DQP Records

WIWHA DQP records did not contain adequate documentation of DQP performance standards.

Recommendation

WIWHA should create a performance standard for all DQP as stated in the HPA Regulations part 11.7 (B5) the criteria and schedule for a continuing education program... methods of monitoring and appraising performance.

DQP Files

WIWHA maintains individual files for each DQP. All DQPs have an initial application in their file along with a yearly renewal form. The WIWHA board members are responsible for evaluating each DQP on a yearly basis. WIWHA board members are present at 98% of all shows but had no documented evaluations on the performance and conduct of their DQPs. In 2007, WIWHA did not have any new applicants. WIWHA explained, all DQPs in 2007 had been licensed and were not apprentices. The secretary went on to say all DQPs received the WIWHA rule book and Code of Conduct during their annual training session.

Recommendation

WIWHA should develop a system that will provide proof that their DQPs are adhering to the standards established by the code conduct as stated in the HPOP. A hardcopy of such proof should be added to each DQP file in accordance with the HPOP (VI) section (E) which state: HIOs are required to document and report

WIWHA must maintain documentation of all training sessions including an agenda detailing each speaker and subject matter taught during its yearly DQP training as stated in HPA Regulations section 11.7 (2i) which states: which states: a copy of formal training....subject matter of training program.

Violations

RAB analyzed each ticket for accuracy, appropriate penalty issuance, and proper notification. Tickets are not numbered making referencing difficult.

Year	Total Shows	Number of Shows USDA Present	% of Shows USDA Present	Total Violations Reported by WIWHA	Number of Violation USDA Present	% of Violations when USDA Present
2005	9	0	0%	2	0	0%
2006	9	0	0%	10	0	0%

2007	9	0	0%	2	0	0%
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Although violations matched the database maintained by APHIS, Animal Care it was difficult to reconcile the tickets. The tickets were missing reference numbers.

Recommendation

WIWHA should create a tracking system for each violation written. This system should include sequentially numbered tickets divided by DQP for easy identification in accordance with the HPOP (VI) section (E) which states: HIOs are required to document and report

Suspension List

The APHIS Veterinary Medical Officer Horse Protection Show Report indicates there were two suspensions served during the 2007 show season. The appropriate fine was issued to the Exhibitor/Trainer/Owner and the horses were prohibited from participating in their registered events.

Name	Type of Violation	DQP Name	Appeals	Hearings	Suspension Period
Phyllis Heppenstall	Equipment Violation – Heavy Chain	Joe Nelson	0	0	October 2 – 15, 2007
Ronnie/Michelle Clark	Equipment Violation – Low Chain	Ross Fox	0	0	May 28 – June 10, 2007

WIWHA reported two violations that were served through suspension. The notices were issued in accordance with the HPOP however; the suspension list was not submitted to APHIS on a timely basis.

Recommendation

WIWHA must provide their suspension list to APHIS, Animal Care, in accordance with the HPOP (VI) section (E), which states: HIOs are required to document and report