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Horse Protection Act Disqualification List

Last Modified:

The purpose of the Horse Protection Act (HPA) is to prevent the cruel practice of soring horses. Congress amended the HPA in 1976 to enhance the Secretary of Agriculture's (Secretary) ability to end soring of horses. Among the most notable devices to accomplish this end is the authorization for disqualification, which Congress specifically added to provide a strong deterrent to violations of the HPA.

The HPA specifically provides that disqualification is in addition to any civil penalty assessed. Although disqualification is discretionary, the Judicial Officer, who issues final decisions and orders on behalf of the Secretary, has held that disqualification, in addition to the assessment of a civil penalty, is appropriate in almost every HPA case, including those cases involving first-time violators of the HPA. The HPA authorizes the Secretary to disqualify violators of the HPA from showing or exhibiting any horse and from judging or managing any horse show, horse exhibition, horse sale, or horse auction for a period of not less than 1 year for the first violation of the HPA and for a period of not less than 5 years for any subsequent violation of the HPA.

Any person who knowingly fails to obey an order of disqualification under 15 USC § 1825(c) is subject to a civil penalty of not more than $3,000 for each violation, adjusted for inflation as mandated by the Federal Civil Penalties Inflation Adjustment

Act Improvements Act of 2015, as amended.

Any horse show, horse exhibition, or horse sale or auction, or the management thereof, collectively and severally, which knowingly allows any person who is under a disqualification order to show or exhibit any horse, to enter for the purpose of showing or exhibiting any horse, to take part in the managing or judging, or otherwise participate in any horse show, horse exhibition, or horse sale or auction in violation of a disqualification order is subject to a civil penalty of not more than $3,000 for each violation, adjusted for inflation as mandated by the Federal Civil Penalties Inflation Adjustment Act Improvements Act of 2015, as amended.

As of May 10, 2023, failure to obey an HPA disqualification may result in a civil penalty of no more than $13,252.

USDA Horse Protection Act Disqualification and Civil Penalty List (116.52 KB)

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