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USDA Announces Proposal to Strengthen Enforcement of the Horse Protection Act

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WASHINGTON, August 17, 2023 – The United States Department of Agriculture’s (USDA) Animal and Plant Health Inspection Service (APHIS) is seeking public input on a proposed rule to strengthen Horse Protection Act (HPA) requirements. These proposed changes aim to eliminate horse soring, a cruel and inhumane practice that gives horse owners and trainers an unfair advantage in walking horse competitions.

Walking horses are known for possessing a naturally high gait, but to be more successful in competitions some owners and trainers use improper training methods to exaggerate a horse’s gait. These inhumane methods may cause the horse to suffer from physical pain, distress, inflammation, or lameness while walking and moving.

"Soring has no place in walking horse shows. This unnecessary abuse harms horses and makes it harder for those who properly care for their horses to compete," said Jenny Lester-Moffitt, Under Secretary for USDA Marking and Regulatory Programs. "By strengthening the HPA regulations, we can all work to eliminate soring, which will improve the welfare of horses competing in these shows and level the

competitive playing field for everyone in the industry, which should only help it thrive."

The proposed changes include:

- relieving horse industry organizations and associations of all of their regulatory responsibilities, which will eliminate potential conflicts of interest and ensure impartiality of inspections;
- establishing qualifying criteria for people applying to be inspectors, as well as processes for denying applications;
- allowing event management to appoint an APHIS representative to conduct inspections;
- prohibiting any device, method, practice, or substance that could mask evidence of soring, as well as all action devices and non-therapeutic pads and wedges, and substances applied above the hoof;
- clarifying the "scar rule" by modifying the description of visible changes that indicate soring, and;
- amending recordkeeping and reporting requirements for management at horse shows, exhibitions, sales, and auctions to increase oversight and prevent those that have been previously disqualified from participating in events.

Together, these changes will allow APHIS to screen, train and authorize qualified persons to conduct inspections at horse shows, horse exhibitions, horse sales, and horse auctions to ensure compliance with the HPA.

In 2017, APHIS withdrew its initial HPA final rule from public inspection in accordance with a memorandum that was issued by the Executive Office of the President. Following a lawsuit based on that action, on June 1, 2023, the U.S. District Court for the District of Columbia issued an order that would give the 2017 rule automatic effect if the agency does not take appropriate remedial action within 180 days to either promulgate an updated version of the rule, or otherwise remedy the deficiency in the withdrawal of the 2017 rule by conducting notice and comment rulemaking on the withdrawal. The agency published a [proposed rule to withdraw the 2017 rule](#) on July 20, 2023 which is available for public comment through August 21, 2023. Today, the agency is submitting the revised proposed rule that aims to strengthen regulations and modernize APHIS' approach to this issue.

The HPA is a federal law that prohibits sore horses from participating in shows, exhibitions, sales or auctions. The HPA also prohibits the transportation of sore horses to or from any of these events.

This proposed rule may be viewed in [today's Federal Register](#). Beginning Monday, interested stakeholders may submit comments on the proposed rule at www.regulations.gov. APHIS will consider all comments received on or before October 20, 2023.

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APHIS protects the health of U.S. agriculture and natural resources against invasive pests and diseases, regulates genetically engineered crops, administers the Animal Welfare Act, and helps people and wildlife coexist. We also certify the health of U.S. agricultural exports and resolve phytosanitary and sanitary issues to open, expand, and maintain markets for U.S. plant and animal products.

USDA touches the lives of all Americans each day in so many positive ways. In the Biden-Harris Administration, USDA is transforming America's food system with a greater focus on more resilient local and regional food production, fairer markets for all producers, ensuring access to safe, healthy and nutritious food in all communities, building new markets and streams of income for farmers and producers using climate smart food and forestry practices, making historic investments in infrastructure and clean energy capabilities in rural America, and committing to equity across the Department by removing systemic barriers and building a workforce more representative of America. To learn more, visit www.usda.gov.