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# **USDA Withdraws 2017 Horse Protection Act Final Rule; Is Committed to Strengthened Regulations**

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Contact:

[APHISpress@usda.gov](mailto:APHISpress@usda.gov)

WASHINGTON, October 30, 2023 – The United States Department of Agriculture’s (USDA) Animal and Plant Health Inspection Service (APHIS) is withdrawing a 2017 final rule on the Horse Protection Act (HPA) regulations. The Agency remains committed to strengthening its ability to protect horses and issued a new proposed rule August 2023.

On July 21, 2023, APHIS published a proposal to withdraw the 2017 final rule in the Federal Register and requested public comment. On August 21, 2023, APHIS issued a new [HPA proposed rule](#). Based on the comments received on the proposal to withdraw, as well as the issuance of a new and stronger HPA proposed rule, APHIS decided to move forward with the final rule to withdraw the 2017 rule.

APHIS has for several years been working to update and strengthen our regulatory framework under the Horse Protection Act (HPA). Following several regulatory and legal developments, this withdrawal is a necessary step that will allow the Agency to

move forward in strengthening the HPA regulations with transparency and appropriate public input. With this withdrawal, the agency can now fully focus on the new proposed rule. The new proposed rule would strengthen HPA requirements, incorporating data and the latest science gathered since 2016, including the 2021 National Academies of Science, "[Review of Methods for Detecting Soreness in Horses](#)."

APHIS initially withdrew the 2017 HPA final rule from public inspection in 2018. However, following a lawsuit, the Circuit Court of Appeals for the District of Columbia found this withdrawal to be unlawful. The D.C. Circuit Court indicated that one appropriate remedial action is a proposed withdrawal, published in the Federal Register with an opportunity for public comment.

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. APHIS is absolutely committed to protecting the welfare of horses under the HPA.

This withdrawal rule is [on display in today's Federal Register](#).

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