Exhibit 1
RESTATED BYLAWS - AUGUST 29, 2016

BYLAWS OF UNITED STATES EQUESTRIAN FEDERATION, INC.

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PART I – GENERAL PROVISIONS

Bylaw 101 – Name and Seal

Section 1. NAME. The name of this corporation shall be the United States Equestrian Federation, Inc. (hereinafter referred to as the “Federation”).

Section 2. SEAL. The Seal of the Federation shall be in the form of a circle and shall bear the name United States Equestrian Federation, Inc., the name of the State in which it was incorporated, the year of its incorporation and the words “Corporate Seal.”

Bylaw 102 – Objectives

Section 1. NGB COMPLIANCE. As the NGB and in accordance with the Ted Stevens Olympic and Amateur Sports Act and the United States Olympic Committee (“USOC”), the Federation shall:

a. Serve as the NGB for equestrian sport in the United States and member of the USOC. The Federation as NGB shall comply with all applicable laws and USOC requirements, including, without limiting the generality of the foregoing, compliance with the Ted Stevens Olympic and Amateur Sports Act, as amended, and with the USOC Bylaws.

b. Serve as the National Federation (NF) for equestrian sport in the United States and member of the Federation Equestre Internationale (FEI). Work together with the FEI in its mission to protect competition horses from any form of abuse, extend the universality of equestrian sport, and promote its visibility to the public.

c. Protect and support the welfare of horses by inspecting, monitoring and testing to deter use of forbidden substances and other cruel, unsafe and/or unsportsmanlike practices and by adopting and enforcing rules to prohibit such practices.

d. Promote and encourage physical fitness, promote sportsmanship and public participation in equestrian events and activities in the United States, and educate members and the public with respect thereto; assist organizations and individuals concerned with the development of programs for athletes in equestrian events; and provide services for members’ common benefit.

e. Assure the right of an equestrian athlete to compete in any international equestrian athletic competition conducted under the Federation’s auspices or that of any other equestrian sports organization or person, unless the Federation establishes that its denial was based on evidence that the organization or person conducting the competition did not meet the requirements stated in Section 220522 of The Ted Stevens Olympic and Amateur Sports Act and Section 2 of the USOC Bylaws; and protect the right of any athlete, coach, trainer, manager, administrator, or official to participate in athletic competition in equestrian events; and provide an equal opportunity to amateurs, coaches, trainers, managers, administrators, and officials to participate in amateur athletic competition without discrimination on the basis of race, color, religion, age, sex, or national origin and with fair notice and opportunity for a hearing to any amateur athlete, coach, trainer, manager, administrator, or official before declaring such individual ineligible to participate.

f. Provide the strongest possible U.S. representation internationally in each of the FEI disciplines, including providing a selection process for each major event.

g. Disseminate and distribute, or otherwise make readily available to equestrian athletes, coaches, trainers, managers, administrators, and officials, in a timely manner the applicable rules and any changes to such rules of the Federation, the USOC, the Federation Equestre Internationale (“FEI”), the International Olympic Committee, the International Paralympic Committee, and the Pan American Sport Organization; and provide for the swift and equitable resolution of conflicts and disputes involving its members.

h. Provide a body of rules with which to govern equestrian sport at the national level, along with an effective
means of enforcing them, and a judicial process that is fair to competitors while providing for optimum integrity within the sport.

i. Encourage and support amateur athletic sports programs for individuals with a disability and the participation of individuals with a disability in amateur athletic activity, including, where feasible, the expansion of opportunities for meaningful participation by individuals with a disability in programs of athletic competition for able-bodied individuals.

j. Provide effective and timely communication to every level of athlete, official, and organizer within the sport.

k. Develop interest and participation in equestrian sport throughout the United States and work with Recognized Affiliate Associations, breed and discipline organizations, and other organizations to encourage participation.

l. Serve as the coordinating body for equestrian activity in the United States; exercise jurisdiction over international equestrian activities, and sanction international equestrian competition held in the United States; promote the sponsorship of international equestrian competition held inside and outside the United States.

m. Coordinate the calendar of competitions to ensure FEI level competitive opportunities domestically; enhance the level of national competition in all FEI disciplines; and provide for varying levels of regional and national competition in a wide variety of disciplines to increase the breadth and depth of the sport throughout the country.

n. Train and license officials.

o. Assign recognized status to those equestrian competitions whose operations have been certified by the Federation to further the interests of equestrian sports in the United States in order to serve and promote the best interests of recognized equestrian competitions and expand and enhance the image of equestrian sports.

p. Encourage and support research in the areas of sports medicine and sports safety for both the human and the equine athlete and disseminate information that is developed.

q. Establish national goals and encourage attainment of those goals.

r. Aid the USOC in its mission to help U.S. athletes achieve sustained competitive excellence while inspiring all Americans and preserving the Olympic ideal.

s. Select and recommend to the USOC individuals and teams to represent the United States in the equestrian disciplines in the Olympic, Pan American and Paralympic Games.

t. Select and designate individuals and teams to represent the United States in equestrian international athletic competition (other than the Olympic, Pan American and Paralympic Games) and certify, in accordance with the applicable international rules, the eligibility of such individuals and teams.

u. Foster the development of the athletic facilities for use by equestrian athletes training for equestrian competitions and assist in making such facilities available to such athletes.

v. Provide equitable support and encouragement for participation by women and minorities.

w. Provide and coordinate technical information on physical training, equipment, its design, coaching and performance analysis.

x. Promptly review every request for sanction to hold an international competition in the U.S. or to sponsor U.S. amateur athletes to compete in international competition outside the U.S. and determine whether to grant such sanction in accordance with the USOC Bylaws, Section 8.

Section 3. PRINCIPLES. The following governing principles shall apply to the Federation:

1. The Board of Directors, Officers, and Committees of the Federation shall be selected without regard to race, color, religion, national origin or sex.

2. The Federation shall provide for reasonable direct representation on its Board of Directors for any amateur equestrian organization ("ASO") which conducts, on a level of proficiency appropriate for the selection of amateur athletes to represent the United States in international amateur athletic competition, a national program or regular national amateur athletic competition, and ensures that such representation reflects the nature, scope, quality, and strength of the programs and competitions of such amateur equestrian organization in
relation to all other such programs and competitions in equestrian sport in the United States.

3. The Federation shall not have eligibility criteria relating to amateur status or to participation in the Olympic Games, the Pan American Games or the Paralympic Games which are more restrictive than those of the FEI.

4. The Federation shall not become a member of any other international sports federation which governs a sport included in the program of the Olympic or Pan American Games.

5. The Federation shall be autonomous in the governance of equestrian sport, shall independently determine and control all matters central to such governance, shall not delegate such determination and control and shall be free from outside restraint.

6. Neither the Federation nor any member of the Federation may deny or threaten to deny any equestrian athlete the opportunity to compete in the Olympic Games, the Paralympic Games, the Pan American Games, a World Championship competition or other such “protected competition” as that term is defined in the USOC Bylaws from time to time; nor may the Federation nor any such member of the Federation, subsequent to such competition, censure or otherwise penalize any such athlete who participates in any such protected competitions. Any equestrian athlete who alleges that he or she has been denied, or has been threatened to be denied, any such opportunity to compete shall immediately inform the President of the Federation, the USOC Athlete Ombudsman and the USOC’s AAC representative for equestrian, who shall cause an investigation to be made and steps to be taken to settle the controversy without delay. Notwithstanding any efforts taken to settle the controversy, the athlete may (a) refer the matter promptly to the Chief Executive Officer of the USOC and pursue such remedies as may be appropriate under Section 9 of the USOC Bylaws, and/or (b) file a grievance with the Federation’s Hearing Committee pursuant to these bylaws. Any grievance filed with the Federation shall be heard and determined in accordance with the Federation’s Rules governing the Hearing Committee’s Grievance and Hearing Procedures. See also Section 9, USOC Bylaws (“Right of Opportunity to Participate in Certain International Amateur Athletic Competitions”) attached as Appendix C, which is incorporated herein by reference, and made a part hereof.

Bylaw 103 – Miscellaneous Provisions
Section 1. FISCAL YEAR. The fiscal year of the Federation shall be as established by the Board of Directors.

Section 2. DESIGNATED CONTRIBUTIONS. The Federation may accept any contribution, gift, grant, bequest or devise that is designated, restricted or conditioned by the donor, provided that the designation, restriction or condition is consistent with the Federation’s general tax-exempt purposes. Donor-designated contributions will be accepted for special funds, purposes or uses, and such designations generally will be honored. However, the Federation shall reserve all right, title and interest in and to and control over such contributions, and shall have authority to determine the ultimate expenditure or distribution thereof in connection with any such special fund, purpose or use. Further, the Federation shall acquire and retain sufficient control over all donated funds (including designated contributions) to assure that such funds will be used exclusively to carry out the tax-exempt purposes.

Section 3. REFERENCES TO INTERNAL REVENUE CODE. All references in these bylaws to provisions of the Internal Revenue Code are to the provisions of the Internal Revenue Code of 1986, as amended, and to the corresponding provisions of any subsequent federal tax laws.

Section 4. PRINCIPLES OF CONSTRUCTION.

a. These bylaws are the primary governing document of the Federation. The Rules of the Federation are published separately. In the event of a conflict between a provision of these bylaws and the Rules, the provisions of these bylaws shall prevail.

b. Words in any gender shall be deemed to include the other gender; the singular shall be deemed to include the plural and vice versa; the words “pay” and “distribute” shall also mean assign, convey and deliver; and the table of contents, headings and underlined paragraph titles are for guidance only and shall have no
significance in the interpretation of these bylaws.

Section 5. **SEVERABILITY.** The invalidity of any provision of these bylaws shall not affect the other provisions hereof, and in such event these bylaws shall be construed in all respects as if such invalid provision were omitted.

Section 6. **SAVINGS CLAUSE.** Failure of literal or complete compliance with provisions of these bylaws with respect to dates and times of notice, or the sending or receipt of the same, or errors in phraseology of notice of proposals, which in the judgment of a majority of the members present at the meetings held do not cause substantial injury to the rights of members, shall not invalidate the actions or proceedings of the Board of Directors, committees, councils or task forces.

Section 7. **ROBERT’S RULES OF ORDER.** The Annual Meeting and other meetings of the Board of Directors shall be conducted in accordance with the latest authorized edition of Robert’s Rules of Order. In the event of any inconsistency between the specific Robert’s Rule and the New York state law, the laws of New York shall govern.

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**Part II — MEMBERSHIPS AND AFFILIATIONS**

**Subpart A – General**

**Bylaw 201 – Eligibility**

Membership in the Federation is open to any individual who is an athlete, rider, driver, handler, vaulter, longeur, horse owner or breeder, coach, trainer, manager, administrator, official active in equestrian sport, or any other individual having an interest in equestrian sport, and to any organization that conducts equestrian competitions or other programs or events in the sport on a national, regional, or local level.

**Bylaw 202 – Voting Constituency**

Section 1. **VOTING MEMBERS.** Voting Members consist of those Senior Active Members from time to time qualified to vote as members of the Board of Directors.

Section 2. **VOTING ATHLETES.** Notwithstanding the foregoing, or anything to the contrary elsewhere in these bylaws, Eligible Athletes shall be entitled to directly vote for Athlete representatives to the Board of Directors and Designated Committees or other governing boards as are from time to time required by the USOC Bylaws or by USOC Board Resolution.

Section 3. **BALLOTING PROCEDURES.** Unless otherwise provided herein, whenever elections are required by these bylaws, the election process shall follow the procedures for the election of Athlete Directors as set forth in Bylaw 303.1 and 413 herein.

**Bylaw 203 – Competition Eligibility**

To be eligible to participate as a rider, driver, handler, vaulter, longeur, owner, lessee, agent or trainer, riding coach or driving coach, at Federation Regular Competitions, Eventing Competitions at the Preliminary Level or above, Dressage Competitions, Combined Driving Competitions at the Advanced Level, Vaulting Competitions, or International Competitions, Classes or Programs, persons must be Senior Active Members or Junior Active Members of the Federation as provided in Bylaw 212, or if non-members must pay a registration fee as provided in the Rules. Lessees are considered owners in connection with this requirement. In the event of an entry under multiple ownership, only one owner need be a Senior Active Member or pay a registration fee. Participants in the following classes are exempted from the requirements of this rule: (1) leadline; (2) exhibitions; (3) games and races; (4) classes for 4H members; (5) Walk trot and Academy classes (Academy Classes are classes limited to horses regularly used in a lesson program); (6) USDF Introductory Level tests, Pas de Deux and Quadrille classes; (7) Assistant Handlers in Dressage Sport Horse Breeding Classes; and (8) citizens of other nations who have proof, in English, of current membership in good standing in their own National Federation.
Bylaw 204 – Dues and Fees
Each Member and Affiliated Entity shall pay to the Federation annual fees and/or dues in the amount determined by the Board of Directors and published in the Federation’s Rules. The Board of Directors shall establish deadlines for the payment of fees.

Bylaw 205 – Suspensions, Fines and Terminations
Section 1. A Voting Member or Affiliated Entity failing to pay any dues and/or fees due the Federation shall be provided notice of delinquency. If those fees are not paid within 30 days after the date specified in the notice of delinquency, the delinquent Member or Affiliated Entity shall be suspended from membership in the Federation. Unless otherwise provided by the Board of Directors, the membership or affiliation of a Member or Affiliated Entity shall be terminated automatically if the Member or Affiliated Entity has failed to pay those fees for a period of 90 days after the date specified in the notice of delinquency. The CEO shall notify the Member or Affiliated Entity of suspension and the date upon which membership or affiliation will be terminated if fees remain unpaid.

Section 2. The Board of Directors, upon a two-thirds vote of those members present at a duly called meeting, may suspend, fine, or terminate (or any combination thereof) the membership of any Member, the affiliation of any Affiliated Entity, or any member of the Board of Directors of the Federation if the Hearing Committee of the Federation (in accordance with applicable Federation Rules) determines that (1) the conduct of the Member or Affiliated Entity is adverse to the best interests of equestrian or the Federation, or (2) the Member or Affiliated Entity has not complied with the requirements of membership in the Federation. The Board may only act after a hearing, reasonable notice to the Member or Affiliated Entity of the time and place of the hearing, and providing the Member or Affiliated Entity with a reasonable opportunity to present evidence in support of the Member’s or Affiliated Entities position. It shall take a majority vote of those members present at any duly called meeting of the Board to initiate a disciplinary action under this bylaw.

Section 3. A suspension or other disciplinary action imposed by the Federation in accordance with these bylaws shall be recognized by all Members and Affiliated Entities of the Federation upon notification by the Federation. Suspensions and other disciplinary actions taken by Affiliated Entities of the Federation may be recognized by the Federation and all other Federation Members upon proper notification to the Federation and determination by the Federation’s Hearing Committee that the party subject to the action received hearing and procedural rights substantially similar to those set forth in these bylaws and the Federation’s Rules. However, should the Hearing Committee find that such procedural rights were not substantially similar, then the Committee may in its own discretion conduct a hearing after proper notice to the affected party and only after such hearing may the Hearing Committee recognize the suspension or other disciplinary action imposed by the Affiliated Entity of the Federation.

Subpart B – INDIVIDUAL MEMBERS

Bylaw 211 – Designation
Members consist of those persons who have joined the Federation in one or more of the membership categories as provided in the Rules. All members in good standing, except Non-Competing Members, and Individual Group Members, shall be eligible to participate in all classes and levels at Federation Regular Competitions, Eventing Competitions at the Preliminary Level or above, Dressage Competitions, Combined Driving Competitions at the Advanced Level and Vaulting Competitions as provided in Bylaw 203. Each Federation member will be required upon joining or renewing to designate a primary Breed/Discipline affiliation within the Federation (and may designate one or more secondary Breed/Discipline affiliations for informational purposes only). The record date for designations shall be November 30, with the primary designations of all Senior Active Members made since December 1 of the preceding year to be counted. A Senior Active Member who has renewed his or her membership for more than one year will be deemed to continue his or her primary and secondary affiliation designations unless prior to the record date such Senior Active Member notifies the Federation in writing of a change.
Bylaw 212 – Member Categories

Section 1. COMPETING MEMBERSHIP. Competing Members are those individuals who desire to participate in Federation Licensed Competitions. The Competing Membership categories are:

(1) Life Members. Those persons who have made a single lifetime payment of dues.

(2) Senior Active Members. Those persons who have reached their eighteenth birthday (in accordance with the applicable Federation Rules) and who have paid the requisite dues. Hereinafter, the use of the phrase “Senior Active Member” shall refer to any person who has reached his or her eighteenth birthday who is a Senior Active Member or Life Member in good standing.

(3) Junior Active Members. Those persons who have not reached their eighteenth birthday (in accordance with the applicable Federation Rules), who have paid the requisite dues. Life members who have not reached their eighteenth birthday are also Junior Active Members.

Section 2. NON-COMPETING MEMBERSHIP. Non-competing members are those individuals who do not desire to participate in Federation Licensed Competitions. The non-competing membership options are described in the Federation Rules.

Subpart C – AFFILIATED ENTITIES

Bylaw 221 – Affiliated Entities

Horse show committees and agricultural or other organizations shall be eligible for recognition as provided in the Federation’s Rules. Where more than one competition is held in a given year by the same management under the same name, each competition shall be considered a separate entity. Competitions in foreign countries must be approved by their National Federation before receiving recognition. Any such recognized organization of the Federation in good standing may maintain full benefits and privileges and except as may be otherwise provided in these bylaws, operate under the complete rules on the payment of all required fees and/or dues.

Bylaw 222 – Recognized Affiliate Associations

Section 1. RECOGNIZED AFFILIATE ASSOCIATIONS. Recognized Affiliate Associations consist of corporations, organizations, and associations in good standing that have been approved by the Board of Directors of the Federation. Recognized Affiliate Associations shall comply with and be bound by these bylaws and the Rules of the Federation and decisions of the Federation including those of the Hearing Committee, and must pay annual fees and/or dues as determined by the Federation. Recognized Affiliate categories shall include:

1. International Discipline Associations where the discipline is recognized through the Federation to the FEI or the USOC. The Federation may only recognize one International Discipline Association for each discipline recognized by the FEI. International Discipline Associations are sometimes referred to in these Bylaws as the “FEI Affiliates”; or

2. National Associations where the national breed or discipline has competition rules which have been approved by the Board of Directors of the Federation for inclusion in the Federation’s Rule Book. The Federation may only recognize one national breed/discipline association for each breed or discipline with competition rules in the Rule Book. If a Recognized National Affiliate Association ceases to affiliate with the Federation, the Board of Directors may in its discretion replace the organization that has seceded or been removed for cause with another association involving the same breed or discipline or the Board of Directors may replace the organization with an appropriate Federation Breed or Discipline Committee. Such Committee shall be deemed a Recognized National Affiliate Association for purposes of Bylaw 303. Recognized National Affiliate Association requirements are established by the Board of Directors from time to time. Appeals involving the recognition of any association or committee must be made in writing to the National Office within 30 days of the announcement. Appeals will be heard by the Hearing Committee in the same manner as date disputes. The decision of the Hearing Committee
shall be final and shall be deemed to have the force and effect of a ruling in arbitration. Recognized National Affiliate Associations are sometimes referred to in these Bylaws as “National Affiliates.”

Section 2. **GROUP MEMBERS.** A Recognized Affiliated Association may petition the Board of Directors to enlist members of such Recognized Affiliate Association in certain Federation programs designed to serve special needs of competitions, or divisions, and/or levels thereof, endorsed by such Affiliate Association that are not recognized by the Federation. Competitions, divisions, and/or levels thereof approved within such petition shall be designated as the Federation Endorsed competitions, divisions or levels.

Section 3. **INDIVIDUAL GROUP MEMBERS.** Those persons who are members of a Recognized Affiliated Association of the Federation that has applied for and been approved to offer a Federation Group Program to its membership. Individual Group Members shall be eligible to compete in the Federation Endorsed competitions, divisions or levels, as provided in the Rules.

**Bylaw 223 – Affiliated Competitions**

Section 1. **DRESSAGE COMPETITIONS.** Dressage Competitions consist of those competitions under the management of organizations, associations, corporations and others holding a Dressage Competition independently of a Regular or Local Competition.

Section 2. **DRIVING COMPETITIONS.** Driving Competitions consist of those competitions under the management of organizations, associations, corporations and others holding a Driving Competition independently of a Regular or Local Competition.

Section 3. **ENDURANCE COMPETITIONS.** Endurance Competitions consist of those organizations, associations, corporations and others holding an Endurance Competition independently of a Regular or Local Competition.

Section 4. **EVENTING COMPETITIONS.** Eventing Competitions consist of those competitions under the management of organizations, associations, corporations and others holding an Eventing Competition independently of a Regular or Local Competition.

Section 5. **HONORARY COMPETITIONS.** Honorary Competitions, which shall pay no dues, consisting of those competitions outside the United States which are duly elected to honorary status by the Board of Directors.

Section 6. **INTERNATIONAL COMPETITIONS, CLASSES OR PROGRAMS.** International Competitions, Classes or Programs consist of those competitions, classes or programs involving disciplines recognized by the FEI.

Section 7. **LOCAL COMPETITIONS.** Local Competitions consist of those competitions under the management of organizations, associations, corporations and others holding competitions which are limited by restrictions as indicated in the Rules.

Section 8. **REGULAR COMPETITIONS.** Regular Competitions consist of those competitions under the management of organizations, associations, corporations and others holding horse shows and agricultural and other fairs, meets and events which have applied for and received recognition.

Section 9. **REINING COMPETITIONS.** Reining Competitions consist of those competitions under the management of organizations, associations, corporations and others holding a Reining Competition independently of a Regular or Local Competition.

Section 10. **VAULTING COMPETITIONS.** Vaulting Competitions consist of those competitions under the management of organizations, associations, corporations and others holding a Vaulting Competition independently of a Regular or Local Competition.

**Bylaw 224 – Sustaining Affiliates**

Sustaining Affiliates are charitable organizations that have been formed for and continue to have the primary purpose of providing funding directly to the Federation and shall be entitled to representation on the Board of Directors of the Federation so long as the Sustaining Affiliate provides a voting seat on its Board of Directors for a Federation
representative appointed by the Federation President. The Federation shall have one sustaining member, the United States Equestrian Team Foundation.

PART III – GOVERNANCE

Subpart A – BOARD OF DIRECTORS

Bylaw 301 – General Authority and Responsibilities

Section 1. The Federation shall have a Board of Directors that has knowledge of and experience in equestrian sport, including competencies that enhance the mission of the Federation. The Board of Directors shall be responsible for the development of the strategic direction of the Federation and shall set policy and delegate the responsibility for implementation to the Chief Executive Officer and staff. Except as otherwise provided by these bylaws, the Board of Directors shall have all governance, supervising, and administrative authority of the Federation. The authority and responsibilities of the Board of Directors shall include:

1. development of policy and strategic direction for the Federation;
2. assistance and review, through the President, of the Chief Executive Officer’s implementation of the plans and initiatives to determine whether the Federation is achieving the desired outcome of the policies and strategic direction of the Federation;
3. approval of the Federation annual budget and audit;
4. participation in an active manner in fund raising for the Federation;
5. The Board may make contracts in its name and behalf or authorize such contracts to be made by the Officers of the Federation;
6. promulgation and approval of the rules governing Licensed Competitions and Individual Members and all other persons, corporations, associations or other organizations bound by the Rules. The Board shall adopt in its discretion rules recommended by its Councils;
7. after a hearing conducted in accordance with the provisions of Bylaw 701, to censure, suspend or expel any officer or member of any committee of the Federation or any other person whose conduct shall be found to be adverse to the best interests of the sport or the Federation or in violation of its Bylaws or Rules;
8. after a hearing conducted in accordance with the provisions of Bylaw 701, to censure or fine a Licensed Competition for cause or suspend or terminate the license of any Competition for cause;
9. shall keep a record of its proceedings and shall report at the Annual Meeting of the Federation, or at any special meeting of the Board;
10. alter or amend the dues structure, including all fees, at any time as it deems warranted;
11. notwithstanding the above, the Hearing Committee shall have exclusive jurisdiction within the Federation to hear and determine grievances respecting “protected competitions” as provided in Bylaw 703; and,
12. upon a majority vote of those members present at a duly called meeting of the Board, increase the number of directors on the Board of Directors as it considers appropriate to provide (a) that at least 20 percent of the Board are Athletes, and (b) that there is adequate representation and to ensure reasonable direct representation for any amateur sports organization that either

(i) conducts equestrian programs on a level of proficiency appropriate for selection of athletes to represent the United States in international competition or on a national basis, or (ii) conducts a regular national equestrian competition in the Olympic and Paralympic disciplines. For purposes of this section, “reasonable direct representation” means representation that reflects the nature, scope, quality, and strength of the equestrian programs and competitions of that amateur sports organization in relation to all other equestrian programs and competitions in the United States.
Section 2. No member of the Board of Directors or Officer of the Federation may serve as an officer of any other amateur sports organization that is recognized as a national governing body by the USOC.

**Bylaw 302 – Composition**

Section 1. The Board of Directors consists of the following 19 Directors (or such greater number as increased pursuant to Bylaw 301(12), each of whom must be a Federation Senior Active Member, with each Director having one vote:

- Three Officers, including a President, Vice-President, and Secretary/Treasurer, elected as provided in Bylaw 331.
- Four Eligible Athletes (or such greater number as needed to provide at least 20% Athlete representation on the Board), elected as provided by Bylaw 303, Bylaw 411 and Bylaw 421, one of whom must be the USOC AAC member. No more than two elected Eligible Athletes can come from the same primary discipline.
- Four International Disciplines Council members, one from each of the three Olympic disciplines (Dressage, Eventing, Show Jumping) and one from any of the other five International disciplines, elected as provided in Bylaw 303.
- Four National Breeds & Disciplines Council members, one from each of the four largest National Affiliates, elected as provided in Bylaw 303.
- One Administration & Finance Council member, elected as provided in Bylaw 303.
- Two Independent members, as defined and elected as provided in Bylaw 303.
- One representative from each Sustaining Member elected as provided in Bylaw 303.

Section 2. The term of a member elected to fill a position referred to in Section 1 of this Bylaw at the Annual Meeting of the Board of Directors, who is elected for a full term and not to fill a vacancy, begins that term immediately after the adjournment of the meeting at which the individual was elected. An individual elected or appointed to fill a vacancy takes office immediately upon the election or appointment.

Section 3. **TERM LIMITS.** Any member of the Board of Directors may serve a maximum of two consecutive four-year terms, or eleven years in total if the Director has been elected to fill a partial term, and may not be reelected to the Board of the Federation for 350 days following the expiration of the second term, except that any Director may be elected to an Officer position for a maximum of two additional consecutive four-year terms regardless of prior continuous service as a Director. A change of Officer position shall operate to extend the maximum term of such person, except however, after serving as President, an individual may not be elected either Vice-President or Secretary/Treasurer or to the Board of Directors of the Federation for 350 days following the expiration of that individual’s term as President.

**Bylaw 303 – Election of Directors**

Section 1. **ATHLETE DIRECTORS.** The Athlete Directors shall be elected by Eligible Athletes as provided in Bylaw 413. The Eligible Athletes shall elect four Athletes from the FEI disciplines to serve as a Director of the Federation, one who shall also serve as the Federation’s USOC AAC member. In 2014, one Eligible Athlete shall be elected to serve an initial one (1) year term and beginning in 2015 and every fourth year thereafter to serve a four (4) year term. In 2014 one Eligible Athlete shall be elected to serve an initial two (2) year term and beginning in 2016 and every fourth year thereafter to serve a four (4) year term. In 2014, one Eligible Athlete shall be elected to serve an initial three (3) year term and beginning in 2017 and every fourth year thereafter to serve a four (4) year term. In 2014, one Eligible Athlete shall be elected to serve a four (4) year term and every fourth year thereafter to serve a four (4) year term. At least one half of the Athlete Directors must be Athletes from the three Olympic Disciplines. No more than two elected Eligible Athletes can come from the same primary discipline.

Section 2. **COUNCIL DIRECTORS.** Beginning in 2014 each of the three Councils (Administration & Finance, International Disciplines, and National Breeds & Disciplines shall elect individual from their respective Council to serve as a
Director of the Federation. See Bylaw 302.3 for Term Limits.

a. Administration and Finance Council. In 2014, one member shall be elected to serve on the Board of Directors for an initial term of two (2) years. Thereafter the term shall be a four (4) year term.

b. International Disciplines Council. In 2014, one member shall be elected to serve on the Board of Directors for an initial term of one (1) year and beginning in 2015 and every fourth year thereafter to serve a four (4) year term. In 2014, two members shall be elected to serve on the Board of Directors for an initial term of two (2) years and beginning in 2016 and every fourth year thereafter to serve a four (4) year term. In 2014, one member shall be elected to serve on the Board of Directors for a term of four (4) years and every fourth year thereafter to serve a four (4) year term. Of the four seats above, one seat is a non-Olympic discipline seat, which shall be elected by the five (5) non-Olympic and ParaEquestrian council members only.

c. National Breeds & Disciplines Council. In 2014, one member shall be elected to serve on the Board of Directors for an initial one (1) year term and beginning in 2015 and every fourth year thereafter to serve a four (4) year term. In 2014, one member shall be elected to serve on the Board of Directors for an initial two (2) year term and beginning in 2016 and every fourth year thereafter to serve a four (4) year term. In 2014, one member shall be elected to serve on the Board of Directors for an initial three (3) year term and beginning in 2017 and every fourth year thereafter to serve a four (4) year term. In 2014, one member shall be elected to serve on the Board of Directors for a four (4) year term and every fourth year thereafter to serve a four (4) year term.

Section 3. INDEPENDENT DIRECTORS. In 2014, the Board of Directors shall elect two individuals, who meet the criteria below, to serve an initial term of three (3) years. Beginning in 2017 and every fourth year thereafter, one elected individual will serve a four (4) year term. The other elected individual will serve a two (2) year term and beginning in 2019 and every fourth year thereafter, the individual will serve a four (4) year term. An Independent Director is an individual Director who:

a. is not, and has not been within the last three years, an employee of the Federation or an affiliate of the Federation, and does not have a relative who is, or has been within the last three years, a key employee of the Federation or an affiliate of the Federation;
b. has not received, and does not have a relative who has received, in any of the last three fiscal years, more than $10,000 in direct compensation from the Federation or an affiliate of the Federation (other than reimbursement for expenses reasonably incurred as a director or reasonable compensation for service as a director as permitted by law); and

c. is not a current employee of or does not have a substantial financial interest in, and does not have a relative who is a current officer of or has a substantial financial interest in, any entity that has made payments to, or received payments from, the Federation or an affiliate of the Federation for property or services in an amount which, in any of the last three fiscal years, exceeds the lesser of $25,000 or 2 percent of the Federation’s consolidated gross revenues. For purposes of this subparagraph, “payments” do not include charitable contributions; and
d. has not served as a consultant, supplier, competition licensee, service provider, or Officer of the Federation; and none of the individual’s relatives has served in any of the foregoing positions.
e. the terms relative, affiliate, and key employee are expressly defined terms under New York law.
f. for purposes of this Bylaw, any grant or reimbursement through sport programs from the Federation is not considered direct compensation.

Section 4. SUSTAINING AFFILIATE DIRECTORS. Beginning in 2006 and every fourth year thereafter, each Sustaining Affiliate shall elect an individual to serve a four-year term.

Bylaw 304 – Meetings

Section 1. MEETINGS. The Board of Directors shall meet at least six times per year, including in person at the
Annual Meeting of the Federation and at the Mid-Year Meeting. Except for Special Meetings addressed in Section 2 below, the Secretary/Treasurer must give at least three weeks’ notice of such meetings to all members of the Board of Directors. Meetings other than the Annual Meeting and Mid-Year Meeting are permitted to be conducted by telephonic or other electronic means and date to be fixed by the Board or by the Officers. Notice of a meeting or special meeting (or waiver of notice) may be given by fax or by electronic communication, such as e-mail provided there is reasonable certainty that the destination is correct. Fax/electronic notification is invalid if undeliverable or if two consecutive notices are not delivered to the recorded number or address.

a. Proposals to change any mileage rules must be published to the Federation’s membership on or by April 1. Any such amendments will have an effective date of December 1 of the following calendar year.

Section 2. SPECIAL MEETINGS. The President shall have the power to call a special meeting of the Board of Directors at any time and must call a meeting when requested in writing to do so by one-third or more of the members of the Board. The Secretary/Treasurer shall provide notice of such meetings to each Director at least ten days prior to the meeting.

Section 3. QUORUM. At all meetings of the Board of Directors one-third of its members shall constitute a quorum. In the event that a quorum shall not be present at an Annual Meeting such meeting shall be adjourned by the chair to a future date, notice of which shall be given to all Board members by the Secretary/Treasurer.

Section 4. OPEN MEETINGS. The Officers may exclude from the Annual Meeting, or any regular or special meeting, any persons who are not Directors or Officers of the Federation.

Section 5. PROXIES. Proxies at meetings of the Board of Directors and committees are not permitted.

Section 6. EXTRAORDINARY CIRCUMSTANCES PARTICIPATION. Under extraordinary circumstances, as determined in their absolute discretion by the unanimous agreement of the three Officers, members of the Board of Directors may participate in the Annual Meeting or Mid-Year Meeting of the Board by means of a conference telephone or similar electronic communications equipment which allows all persons participating in the meeting to hear each other at the same time. Any member of the Board may participate in a special meeting of the Board by conference telephone or similar electronic communications equipment which allows all persons participating in the meeting to hear each other at the same time. Participation by such means shall constitute presence in person at a meeting.

Section 7. AGENDA. Not less than seven (7) days prior to any meeting of the Board of Directors the Secretary/Treasurer shall cause to be mailed, faxed, or sent by electronic communication such as e-mail, to the Directors an agenda of matters proposed to be considered at such meeting. In order for the Board of Directors to take action on a specific matter at a particular meeting, the agenda for such meeting must describe the matter with sufficient particularity and be accompanied by sufficient supporting materials (to the extent then available) as to afford the Directors reasonable notice that it will be offered for consideration. Notwithstanding the foregoing, a specific matter not referred to in the agenda for the meeting of the Board of Directors may be considered and acted upon by the Board if (a) a supplement to the agenda, describing such matter in the same terms as provided above, has been sent by mailgram, facsimile transmission or email to the members thereof, not less than seventy-two (72) hours prior to the meeting in question; and (b) two-thirds (2/3) of the members present and voting at the meeting, vote to consider the matter. When not covered by the Agenda or the Agenda Supplement, New Business at a Board of Directors Meeting shall require the consent of eighty (80%) percent of the members present and voting at the meeting to consider the matter.

Section 8. ELECTION OF OFFICERS, AND INDEPENDENT DIRECTORS. The election of Officers and Independent Directors, which are to be elected by the Board, shall be conducted after the Nominating Committee’s nominations for those positions have been received and accepted by the Board and after any other nominations for those positions, if any, have been made by members from the floor. At the close of all nominations for all positions that are to be elected at that particular meeting, the election of those particular positions shall then occur.

In the event of more than one person being nominated for a particular Officer, or an Independent Director position which is elected by the Board, then the election for that multi-candidate position shall be by secret ballot in which each
board member would be entitled to cast one vote for one of the nominees for each multi-candidate position. A candidate must receive a majority of the votes cast in order to be elected. (A majority would be more than 50% of the total votes cast in that election.) In the event no candidate receives a majority of the votes cast, and there are more than two candidates, the candidate receiving the fewest votes will be removed from the nominations and the remaining candidates will be voted on again by secret ballot. This process shall continue until there are no fewer than two candidates and until one of those candidates ultimately obtains a majority of the votes cast to be elected.

In the event there is only one person nominated for a particular position, then the candidate nominated by the Nominating Committee shall be voted upon by voice vote. In the event that the Nominating Committee’s nominee is voted on and does not receive a majority of the votes, then the floor would be opened for additional nominees for that position.

**Bylaw 305 – Mid-Year and Annual Meetings**

Section 1. **MID-YEAR MEETING.** The Mid-Year Meeting of the Federation’s Board of Directors shall be in each year on such day or days and at such time and place as the Board of Directors or the Officers may designate. The Secretary/Treasurer must give at least three weeks notice of such meeting to all Board of Directors. The order of proceedings shall provide for receiving the nomination(s) of the Nominating Committee for the office of President as previously disclosed by the Nominating Committee in accordance with Bylaw 503. Additional nominations, if any, shall be received from members of the Board. Following the election of the President at this meeting, the individual elected shall be designated President-Elect until convening the second meeting of the Board at the Annual Meeting at which time the President-Elect shall assume the office of President. The President-Elect shall attend meetings of the Federation but shall have no vote as President-Elect, except as he or she is otherwise entitled to vote as a member of the Board.

Section 2. **ANNUAL MEETING.** The Annual Meeting of the Federation’s Board of Directors shall be in each year on such day or days and at such time and place as the Board of Directors or the Officers may designate. The Secretary/Treasurer must give at least three weeks’ notice of such meeting to all members of the Board of Directors.

Section 3. **ORDER OF PROCEEDINGS AT ANNUAL MEETINGS.** The order of proceedings at Annual Meetings shall be as follows:

a. The first meeting shall be a meeting of the Board of Directors of the Federation (being the “Seated” Board of Directors) for closing out its business and for receiving the nominations of the Nominating Committee as previously disclosed by the Nominating Committee in accordance with Bylaw 503 and the election of the Vice-President and Secretary/Treasurer, if applicable, and for the election of Independent Directors, if any. Following this meeting, the second meeting shall be called and shall be the first meeting of the newly elected Board.

b. Upon convening of the second meeting, the Board of Directors shall consider rule changes and receipt of Committee reports. At the Annual Meetings, the Board of Directors shall entertain such additional business as may properly come before it.

**Bylaw 306 – Vacancies and Removal**

Section 1. **VACANCIES.** A Board vacancy may be caused by the death, incapacity, resignation or removal for cause of a director. If a vacancy occurs an individual shall be elected or appointed to serve the remainder of the term of such director position in the manner specified for that position under Bylaw 303.

Section 2. **REMOVAL.** Any director, whose removal for cause is sought shall first be afforded an opportunity for a hearing conducted in accordance with the provisions of Bylaw 701. Removal for failure to pay dues shall not be deemed removal for “cause” and shall occur as provided in Bylaw 205. If a Director misses both the Annual Meeting and the Mid-Year Meeting in the same year for any reason, the Director and the President shall be so advised in writing by the Recording Secretary of the Board. If an Athlete Director misses both the Annual Meeting and the Mid-Year Meeting in the same year for any reason, the Athlete Director and the Chairman of the AAC shall be so advised in writing by the Recording Secretary of the Board, and the AAC Chairman in turn shall notify in writing
the Secretary/Treasurer of the Corporation that said Athlete Director’s seat shall be deemed vacant. The Chair-
man of the AAC shall also inform in writing the Eligible Athlete who continues to meet USOC Requirements in the
discipline where the vacancy occurs who received the next highest vote total in that Athlete Director’s election and
who accepts such position that he or she shall complete the remainder of the term of such Athlete Director position
and until his or her successor is elected. Any Director other than an Athlete Director who misses both the Annual
Meeting and the Mid-Year Meeting in the same year without being excused in advance by the President may be
removed by the Board of Directors. For the purposes of the foregoing the meetings held during the Annual Meeting
shall be counted as one meeting and shall be considered missed only if all are missed.

Subpart B – COUNCILS

Bylaw 311 – Councils

Section 1. To operate efficiently and to maximize the expertise of the various volunteers, the Board shall have three
councils: Administration and Finance; International Disciplines; and National Breeds & Disciplines. The Federation’s
President, Vice-President, and Secretary/Treasurer shall be ex officio, non-voting members of each council. A council
member may participate in the discussions of each council but may only vote in the council of which he or she is a
member.

Section 2. Administration and Finance Council (11 members) shall be composed of the following voting members who
shall oversee the administrative portion of the Federation’s operations:

a. Two elected Eligible Athlete members;

b. Three members elected directly from the International Disciplines Council;

c. Three members elected directly from National Breeds & Disciplines Council; Two Presidential Appointees; and
d. Federation Secretary/Treasurer.

Section 3. International Disciplines Council (27 members) shall be composed of the following voting members who
shall oversee the national and international sport programs for the FEI disciplines, all of whom shall have both interna-
tional experience, as defined by Bylaw 331.2, and an understanding of the dynamics and diversity of the sport nation-
ally;

a. Eight FEI Sport Committee Members, one from each sport;

b. Two representatives from each of the three International Discipline Associations for the Olympic Disciplines
   (Dressage, Eventing, and Show Jumping);

c. One representative from each of the remaining five International Discipline Associations; and

d. One elected Eligible Athlete member from each of the eight FEI disciplines.

e. Each International Discipline Affiliate shall designate its representative(s) no later than sixty days prior to the
   Annual Meeting. It shall also publish to its membership, via its website, its procedures for the designation of its
   representative(s) to the International Disciplines Council of the Federation, and provide the Federation with a link
to those procedures.

f. If an International Discipline Affiliate fails to submit its designation by the time prescribed by the Federation, the
   seat will remain vacant through the next Board meeting at which time the seat(s) will be filled with a Presidential
   appointee(s).

Section 4. National Breeds & Disciplines Council (19 members) shall be composed of 16 representatives from the
Recognized National Affiliate Association, plus twenty percent (20%) Active Athletes recommended by the National
Breeds & Disciplines Council but appointed by the President, all of whom are voting members and shall oversee all
breed sport programs and non-FEI discipline sport programs, including the Hunter discipline.

a. 15 National Breeds & Disciplines Council seats shall be apportioned in order to ensure proportionate representa-
tion amongst the National Affiliate Associations. As such, the seats on the National Breeds & Disciplines Council
shall be apportioned annually as follows, all of whom shall have an appreciation of the dynamics and diversity of
the sport nationally;

b. One National Breeds & Disciplines Council seat shall be populated by a representative of the National Breeds & Disciplines Council Advisory Group (Advisory Group). The Advisory Group shall elect this representative. The Advisory Group is made up of one representative from each National Breed/Discipline Recognized Affiliate Association who has not met the criteria in Subsection 1 to occupy a voting seat on the National Breeds & Disciplines Council. Additional representatives to the Advisory Group will come from any National Breed/Discipline in the Federation Rule Book not represented by a Recognized Affiliate Association.

1. The four largest National Affiliate Associations with Competing members of the Federation who have designated as of the preceding record date a primary affiliation with such breed or discipline shall be entitled to elect at least one representative to serve as a Member of the National Breeds & Disciplines Council of the Federation. The record date shall be the last day of the competition year preceding the Annual Meeting. The primary affiliation designations of new Competing Members, renewing Competing Members and Competing Members who have renewed his or her membership for more than one year as of the record date shall form the basis for the number of National Breeds & Disciplines Council Members that can be elected by each such National Affiliate Association to serve on the Federation’s National Breeds & Disciplines Council. The National Breeds & Disciplines Council members representing National Affiliate Associations are to be allocated among the applicable breeds/disciplines in proportion to the primary affiliation designations of Federation competing members.

2. Each year at the Annual Meeting, the Nominating Committee shall issue a report of the number of National Breeds & Disciplines Council seats per breed/discipline that will be allocated that year (to be seated the following year) in order to maintain the above described proportional representation as computed each year from the primary affiliation designations of the Federation competing membership as of the record date. Appeals involving the allocation of any seat by the process must be made in writing to the office of the Federation within 30 days of the announcement. Appeals will be heard by the Hearing Committee. The decision of the Hearing Committee shall be final and shall be deemed to have the force and effect of a ruling in arbitration.

3. Each National Affiliate Association shall designate its representative(s) no later than sixty days prior to the Annual Meeting. It shall also publish to its membership, via its website, its procedures for the designation of its representative(s) to the National Breeds & Disciplines Council of the Federation, and provide the Federation with a link to those procedures.

4. If a National Affiliate Association fails to submit its designation by the time prescribed by the Federation, the seat will remain vacant through the next Board meeting at which time the seat(s) will be filled with a Presidential appointee(s).

5. A member designated to an allocated position on the Council must have designated such Breed/Discipline as his or her primary affiliation and shall be deemed to continue to hold such Breed/Discipline position for the balance of his or her term, even if such Council Member changes his or her primary affiliation during such term.

a. One National Breeds & Disciplines Council seat shall be elected by the National Breeds & Disciplines Council Advisory Group. Any National Affiliate not meeting the criteria set above in subsection 1 to occupy a voting seat on the National Breeds & Disciplines Council shall be considered a member of the Advisory Group of the National Breeds & Disciplines Council. The Advisory Group shall elect one member to serve as the voting member for the Advisory Group on the National Breeds & Disciplines Council. Each Advisory Group Member is eligible to nominate a candidate and vote for a voting member to serve the Advisory Group seat on the National Breeds & Disciplines Council.

b. The Chair of the National Breeds & Disciplines Council shall be elected by the Council. Only Council members that represent the four largest National Affiliates are eligible to serve as Chair of the National Breeds & Disciplines Council.

Section 5. Notwithstanding any provision in these Bylaws to the contrary, if any organization having proportional or
Section 6. COUNCIL CHAIRS. Each year immediately after the Councils have been constituted, each Council shall meet to elect a Chairman who shall act as chairman of the Council.

a. Each Council Chairman shall facilitate program development for his Council, including long-term planning within each breed/discipline in his Council. The Chairman shall be responsible for his Council budget and shall facilitate internal program review.

Section 7. COUNCIL MEETINGS. The Councils shall meet at least quarterly.

Section 8. PARTICIPATION. Each Council member who attends less than 50% of the meetings in any calendar year may be removed from the respective Council and replaced subject to the appointment or election procedures that were used in the initial seating of that position.

Section 9. COUNCIL RESPONSIBILITIES. Each Council shall create its own budget in conjunction with and at the direction of the Budget & Finance Committee. The International Disciplines Council and the National Breeds & Disciplines Council each shall elect four members who shall serve on the Federation Board of Directors. The Administration & Finance Council shall elect one member who shall serve on the Federation Board of Directors.

Section 10. TERM. The term of each Council member shall be two years. There is no limit as to the number of terms that any Council member is eligible to serve. In 2014, the Eligible Athletes elected to the International Disciplines Council shall serve an initial term of one year and beginning in 2015 and every second year thereafter serve a two (2) year term, except the AAC representative whose initial term is three (3) years and then four (4) years thereafter.

Bylaw 312 – General Duties and Responsibilities

The President shall assign each Council specific matters within their respective expertise to consider and make a recommendation to the Board of Directors. Each Council shall be responsible for proposing an annual budget for the activities within its respective area of expertise as set forth in Bylaw 611. The Councils may further consider any policies or programs within their respective areas of expertise and make such recommendations to the Board as the Council finds appropriate. The Board then shall consider the Council’s recommendations and take whatever action the Board considers appropriate.

Subpart C – OFFICERS

Bylaw 331 – Officers

Section 1. The Officers of the Federation shall be a President, Vice-President and a Secretary/ Treasurer. All Officers shall be elected as set forth in section 2 below. All Officers shall hold office until their successors are duly chosen. No person at any time may hold more than one office of the Federation, unless otherwise provided herein.

Section 2.

a. The Board of Directors shall elect the President, Vice-President and a Secretary/ Treasurer as set forth below. To be eligible to serve as any of these Officers, the individual must have served on the Federation Board of Directors within the last six years preceding the election of the applicable seat.

b. To be eligible to serve as President an individual must have both international experience and an appreciation of the dynamics and diversity of the sport nationally. For purposes of these bylaws, “international experience” means an individual who demonstrates an understanding of and embraces the critical importance of the Federation’s role in international sport.

c. If an elected Officer holds a position as an existing Director, he or she shall vacate his or her existing Director position and shall commence the term of the officer position to which he or she was elected. The Director position...
vacated by that individual then shall be filled in accordance with the standard procedures for selecting that director position for the remainder of the unexpired term for that director position.

Section 3. The terms of officers are as follows:

1. The President: 4-year terms, beginning in 2005. [NOTE: The President is elected at the Mid-Year Meeting prior to taking office at the Annual Meeting.]
2. The Vice-President: a 2-year term being elected in 2005 and 4-year terms beginning in 2007. [NOTE: the Vice-President is elected at the Annual Meeting.]
3. The Secretary/Treasurer: a 2-year term being elected in 2005 and 4-year terms beginning in 2007. 2015 and 2-year terms thereafter. [NOTE: The Secretary/Treasurer is elected at the Annual Meeting.]

Bylaw 332 – Responsibilities of Officers

Section 1. PRESIDENT.

a. The President shall be the chairman and preside at all meetings of the Board of Directors and shall be an ex officio member of each Council and all committees and task forces, except the Ethics Committee, the Nominating Committee, the Athlete Nominating Committee, and the Athletes’ Advisory Committee. The President shall not appoint himself nor be elected nor serve as chairman of any committee except the Board of Directors. During the term of office, the President shall not be an employee of the Federation. The President may at any time call a meeting of the Board of Directors or Councils and shall do so at the request of the appropriate number of Directors as set forth in these bylaws. The President shall appoint a recording Secretary.

b. The President shall oversee the reporting system, checks and balances from the Councils to ensure that the Board approved plans are followed and implemented.

c. The President shall guide the strategic growth and direction of the Federation that has been approved by the Board of Directors. He shall see that it is implemented by the CEO.

d. The President shall preside over the volunteer leadership structure to provide inspiration and encouragement to Board of Directors, committee members, and volunteers to serve and contribute their time and talents.

e. The President shall recommend a Chief Executive Officer to the Board for its approval. The President shall negotiate the terms and conditions of employment for the CEO and recommend such terms to the Compensation and Human Resources Committee and the Board of Directors for its approval. The President shall be the liaison between the Board of Directors and the CEO and responsible for the CEO’s implementation of the Board of Director’s policies and directives and the CEO’s overall management of the organization. The President shall report at least once annually to the Board of Directors on the performance of the Federation’s CEO. The President shall submit any recommendations for change in the terms and conditions of the employment of the CEO to the Federation’s Compensation and Human Resources Committee for its review and recommendation to the Board of Directors.

f. The President, or the Vice-President if the President is unavailable, or the Secretary/Treasurer if they both are unavailable, may make modification in the application of the Rules under special circumstances and shall report any such modification granted to the Board of Directors at its next meeting.

g. Subject to USOC Athlete Representation Requirements, including when applicable, requirements for the direct election of athlete representatives, the President shall appoint all ad hoc committee members, task forces, and such standing and special committee members as are specified in these bylaws. The President shall appoint those athletes as athlete representatives pursuant to USOC Requirements to committees other than Designated Committees that the Athletes’ Advisory Committee name to serve on such Committees. Except as otherwise provided herein, a committee vacancy shall be filled by Presidential appointment in accordance with the same procedures applicable to the initial appointment to such committee where the vacancy occurs. The President shall nominate Eligible Athletes to stand for election to the athlete representative positions on the Hearing Committee,
but such nominees shall be subject to the approval of the Athlete Nominating Committee. (See Bylaw 431.)

Section 2. VICE-PRESIDENT. The Vice-President shall perform the duties of the President or other duties when requested by the President or in the event of the President’s resignation, incapacity, removal, or death. The Vice-President shall preside over all meetings of the Board at which the President is not present. The Vice-President shall serve as an ex officio, non-voting member of each of the three Councils.

Section 3. SECRETARY/TREASURER. The Secretary/Treasurer shall give notice of all meetings of the Board of Directors. The Secretary/Treasurer shall be custodian of the seal of the Federation and shall perform such other duties as may be from time to time assigned to the Secretary/Treasurer by the Board or are assigned to the Secretary/Treasurer in the Bylaws and Rules. The Secretary/Treasurer shall oversee all funds and accounts of the Federation maintained under the direction of the CEO. The Secretary/Treasurer shall oversee the keeping of proper books of account, showing the disposition of all funds of the Federation, and shall make a full report in writing covering the financial condition of the Federation at each Annual Meeting of the Federation and at such other times as requested by the Board of Directors. The Secretary/Treasurer, with the approval of the Audit Committee, may cause independent auditors to investigate any financial matters of the Federation. The Secretary/Treasurer shall be an ex officio member of each Council.

Bylaw 333 – Vacancies and Removal
Section 1. An officer vacancy may be caused by the death, incapacity, resignation or removal for cause of an officer. If a vacancy of the presidency occurs, then as soon as practicable after the occurrence of that vacancy, the Nominating Committee shall nominate a Director as a replacement for the President for election by a majority vote of the members present at the next meeting of Board of Directors, or at a special meeting of the Board if the next meeting is not within 60 days. At the meeting, additional nominations for President, if any, shall be accepted from members of the Board. The Vice-President shall serve as Acting President until a new president is elected.

Section 2. If an Officer vacancy, other than the presidency, occurs, then as soon as practicable after the vacancy occurs, the Nominating Committee shall nominate a replacement for election by a majority vote of the members present in person at the next meeting of the Board of Directors. At the meeting, additional nominations for the Officer vacancy, if any, shall be accepted from members of the Board. A director elected to fill an Officer position shall hold office for the remainder of the term for that Officer position and the remainder of the term of that director’s position shall be filled in the same manner that the director elected to the Officer position had been selected.

Subpart D – GENERAL PROVISIONS APPLICABLE TO OFFICERS AND DIRECTORS

Bylaw 341 – Indemnification of Officers and Directors
If any Officer or Director of the Federation is made a party to any civil or criminal action, suit or proceeding in any matter arising from the performance of his or her duties for or on behalf of the Federation, then, to the fullest extent permitted by law including applicable provisions of the New York Not-For-Profit Corporation Law as in effect from time to time, the Federation shall indemnify the Officer or Director for all amounts paid by him or her in connection with the action, suit, or proceeding, including any judgments, fines, amounts paid in settlement and reasonable expenses, including attorney’s fees, or in connection with any appeals. This provision shall apply to both derivative and non-derivative actions to the extent permissible by law, and shall include an action by or in the right of any other corporation of any type or kind, domestic or foreign, or any partnership, joint venture, trust, employee benefit plan or other enterprise, which any Officer or Director of the Federation served in any capacity at the request of the Federation, by reason of the fact that he or she, his or her testator or intestate, was an Officer or Director of the Federation, or served such other corporation, partnership, joint venture, trust, employee benefit plan or other enterprise in any capacity. If any provision of the New York Not-For-Profit Corporation Law or these bylaws dealing with indemnification shall
be invalidated by any court on any ground, then the Federation shall nevertheless indemnify each party otherwise entitled to indemnification hereunder to the fullest extent permitted by law or any applicable provision of the New York Not-For-Profit Corporation Law or these bylaws that shall not have been invalidated. Notwithstanding any other provision of these bylaws, the Federation shall neither indemnify any person nor purchase any insurance in any manner or to any extent that would jeopardize or be inconsistent with the qualification of the Federation as an organization described in section 501(c)(3) of the Internal Revenue Code, or that would result in the imposition of any liability under either section 4941 or section 4958 of the Internal Revenue Code.

Bylaw 342 – General Standards of Conduct for Directors and Officers
Section 1. DISCHARGE OF DUTIES. Each Director shall discharge the Director’s duties as a Director, including the Director’s duties as a member of a committee of the Board, and each officer with discretionary authority shall discharge the officer’s duties under that authority (i) in good faith; (ii) with the care an ordinarily prudent person in a like position would exercise under similar circumstances; and (iii) in a manner the Director or officer reasonably believes to be in the best interests of the Federation.

Section 2. RELIANCE ON INFORMATION, REPORTS, ETC. In discharging duties, a Director or officer is entitled to rely on information, opinions, reports or statements, including financial statements and other financial data, if prepared or presented by: (i) one or more officers or employees of the Federation whom the Director or officer reasonably believes to be reliable and competent in the matters presented; (ii) legal counsel, a public accountant or another person as to matters the Director or officer reasonably believes are within such person’s professional or expert competence; or (iii) in the case of a Director, a committee of the Board of Directors of which the Director is not a member if the Director reasonably believes the committee merits confidence. A Director or officer is not acting in good faith if the Director or officer has a knowledge concerning the matter in question that makes reliance otherwise permitted by this Bylaw 342 unwarranted.

Section 3. LIABILITY TO FEDERATION OR ITS MEMBERS. A Director or officer shall not be liable as such to the Federation or its members for any action taken or omitted to be taken as a Director or officer, as the case may be, if, in connection with such action or omission, the Director or officer performed the duties of the position in compliance with this Bylaw 342.

Bylaw 343 – Conflict and Duality of Interest
Section 1. GENERALLY. If any officer, Director or member of any other committee has a conflict of interest as defined in the Federation’s Conflict of Interest Policy with regard to any financial or other transaction involving the Federation, such individual may not:

a. be present at or participate in Board or committee deliberations or voting on any matter giving rise to such conflict; or
b. attempt to influence Board or committee deliberations with respect to the transaction.

However such a person may present information concerning such the transaction at a Board or committee meeting prior to the commencement of deliberations or voting relating thereto. But he or she shall be counted in determining the quorum for the meeting relating to the matter. In the absence of any conflict of interest, after full disclosure pursuant to the requirements of the Federation’s Conflict of Interest Policy, if such disclosure is made, the contracts or transaction shall not be voidable if the officers, Directors, or committee members in good faith authorized the contracts or transaction by the affirmative vote of the majority of the disinterested officers, Directors, or committee members and the contract or transaction is fair to the Federation at the time it is authorized.

Section 2. DISCLOSURE OF DIRECTORS’ CONFLICTS OF INTEREST. Prior to the initial election of any Director, and annually thereafter, each Director shall complete, sign and submit to the Secretary of the Board a statement identifying, to the best of the Director’s knowledge, any entity of which such Director is an officer, director, trustee, member, owner (either as a sole proprietor or a partner), or employee and with which the Federation has a relationship,
and any transaction in which the Federation is a participant in which the Director might have a conflicting interest. The Secretary shall provide a copy of all completed statements to the chair of the Audit Committee.

Section 3. CONFLICT OF INTEREST POLICY. The Board of Directors shall adopt a written Conflict of Interest Policy including minimizing conflict of interest situations regarding the Directors, Officers, and key employees, and including selection of athletes, horses, coaches, trainers, managers, administrators, veterinarians, officials and others for competitions. The Board, in conjunction with the Audit Committee, shall oversee the adoption and implementation of, and compliance with, the Conflict of Interest Policy. At a minimum, the Conflict of Interest Policy shall include (1) a definition of circumstances that constitute a conflict of interest, (2) procedures for disclosing a conflict of interest to the Audit Committee, (3) a requirement that the person with a conflict of interest not be present at or participate in board or committee deliberations or voting on the matter giving rise to such conflict, (4) a prohibition against any attempt by the person with the conflict to influence improperly the deliberation or voting on the matter giving rise to such conflict, (5) a requirement that the existence and resolution of the conflict be documented in Federation records, including in the minutes of any meeting at which the conflict was discussed or voted upon, (6) procedures for disclosing, addressing and documenting related-party transactions, and (7) a requirement that Directors complete, sign, and submit annual conflict of interest disclosure statements to the Federation.

Section 4. RELATED PARTY TRANSACTIONS. The Federation is prohibited from entering into any Related Party Transaction unless the transaction is determined by the Board of Directors to be fair, reasonable and in the Federation’s best interest at the time of such determination. Any Director, Officer, or Key Employee who has an interest in a related party transaction shall disclose in good faith to the Board, or an authorized committee thereof, and/or the Audit Committee, the material facts concerning such interest. The Board may delegate the review and approval of Related Party Transactions to the Audit Committee, in which case all references to the Board in this Section 4 shall be deemed to refer to the Audit Committee.

Before engaging in a related party transaction, the Board of Directors shall:

a. consider alternative transactions to the extent available;

b. approve the transaction by not less than a majority vote of the Directors present at the meeting; and

c. contemporaneously document in writing the basis for the decision, including its consideration of any alternative transactions.

Bylaw 344 – Liability of Directors for Unlawful Distributions

Section 1. LIABILITY OF CORPORATION. A Director who votes for or assents to a distribution made in violation of the New York Not-for-Profit Corporation Law (NPCL) or the articles of incorporation of the Federation shall be personally liable to the Federation for the amount of the distribution that exceeds what could have been distributed without violating the NPCL or the articles of incorporation if it is established that the Director did not perform the Director’s duties in compliance with the general standards of conduct for Directors set forth in Bylaw 342 of this Subpart.

Section 2. CONTRIBUTION. A Director who is liable under this Bylaw 344 for an unlawful distribution is entitled to contribution: (i) from every other Director who could be liable under this Bylaw 344 for the unlawful distribution; and (ii) from each person who accepted the distribution knowing the distribution was made in violation of the NPCL or the articles of incorporation, to the extent the distribution to that person exceeds what could have been distributed to that person without violating the NPCL or the articles of incorporation.

Bylaw 345 – Loans to or from Directors and Officers Prohibited

No loans shall be made by the Federation to any of its Directors or to the Federation from any one or more of its Directors. Any Director or officer who assents to or participates in the making of any such loan shall be liable to the Federation for the amount of such loan until the repayment thereof.
Bylaw 346 - Compensation of Directors and Officers
No Director or Officer may participate or be present at any Board or committee deliberation or vote concerning that person’s compensation, except that the Board or committee may request that such person present information as background or answer questions at a Board or committee meeting prior to the commencement of deliberations or voting.

Bylaw 347 - Whistleblower Policy
The Board, through the Audit Committee, shall adopt a whistleblower policy to protect from retaliation persons who report suspected improper conduct. Such policy shall provide that no Director, officer, employee or volunteer who in good faith reports any action or suspected action taken by or within the Federation that is illegal, fraudulent or in violation of any adopted policy of the Federation shall suffer intimidation, harassment, discrimination or other retaliation or, in the case of employees, adverse employment consequence. The whistleblower policy shall include (1) procedures for the reporting of violations or suspected violations of laws or corporate policies, including procedures for preserving the confidentiality of reported information; (2) a requirement that an officer, Director or employee be designated to administer the whistleblower policy and to report to the Audit Committee; and (3) a requirement that a copy of the policy be distributed to all officers, Directors, employees and volunteers who provide substantial services to the Federation.

PART IV – Athletes

Subpart A – ATHLETE MEMBERS AND ELIGIBLE ATHLETES

Bylaw 401 – Athlete Members and Eligible Athletes
For purposes of seating athletes on Federation Committees set forth in the Bylaws, athletes must meet one of the definitions set forth as follows:

1. In order to be an Olympic discipline athlete who is eligible to serve on the committees outlined in Federation Bylaws 411, 421, 431, 432, and 503, or any committee outlined in a Committee Charter, said athlete must be a Federation Senior Active Member and must meet all requirements outlined in USOC Bylaw Section 8.8.

2. In order to be an athlete who is eligible to serve on the non-FEI Breed/Discipline Committees, as outlined in the Committee Charter, said athlete must be a Federation Senior Active Member and have competed at the top of his/her breed or discipline within the preceding ten (10) years.

3. In order to be an athlete from the FEI disciplines that are not on the program of the Olympic Games or the Paralympic Games and be eligible to serve on the committees outlined in Federation Bylaws 411, 421, 431, 432, and 503, or any committee outlined in a Committee Charter, said athlete must be a Federation Active Senior Member and with the ten (10) years preceding the election or appointment must have represented the United States in a World Championship recognized by the FEI for which a competitive selection process was administered by the Federation or within the two (2) years preceding the election or appointment has demonstrated that he/she is actively engaged in athletic competition by finishing in the top half of the Federation-sanctioned National Championship or team selection competition for the World Championship recognized by the FEI.

4. In order to be a Paralympic discipline athlete and be eligible to serve on committees outlined in Federation Bylaws 411, 421, 431, 432, and 503, or any committee outlined in a Committee Charter, said athlete must be a Federation Senior Active Member and within the ten (10) years preceding the election or appointment has represented the United States in the Paralympic Games or a World Championship in events on the Paralympic Games program.
Subpart B – ATHLETE REPRESENTATION ON THE BOARD OF DIRECTORS AND COMMITTEES

Bylaw 411 – Athlete Representation on the Board of Directors and Designated Committees
Section 1. There shall be at least 20% Athlete Member representation on the Federation’s Board of Directors, Councils, and on any committees which are “Designated Committees” as defined in Section 8.8.1 of the United States Olympic Committee Bylaws. Those Athlete Members serving on the Federation’s Board of Directors and Designated Committees shall meet the standards detailed in Section 8.8.2 of the United States Olympic Committee Bylaws.
Section 2. VACANCIES. If an Athlete Director vacancy occurs before the end of his or her term, the Eligible Athlete who continues to meet USOC Requirements in the discipline where the vacancy occurs who received the next highest vote total and who was not elected in the last election shall complete the remainder of the term of such Athlete Director position and until his or her successor is elected.
Section 3. ATTENDANCE. If an Athlete Director misses both the Annual Meeting and the Mid-Year Meeting in the same year for any reason, the Athlete Director and the Chairman of the AAC shall be so advised in writing by the Recording Secretary of the Board, and the AAC Chairman in turn shall notify in writing the Secretary of the Corporation that said Athlete Director’s seat shall be deemed to have been vacated and the provisions of Section 2 of this Bylaw shall apply. For the purposes of the foregoing, the meetings held during the Annual Meeting shall be counted as one meeting and shall be considered missed only if all are missed.

Bylaw 412 — Athlete Representation on Other Committees
There shall be at least 20% Athlete member representation on the Federation’s committees, and Athlete members serving on said committees shall meet the definitions set forth in Federation Bylaw 401.

Bylaw 413 — Athlete Elections and Appointments
Section 1. All elections regarding, and appointments to, Designated Committees and other Committees shall at all times and in all respects be conducted in accordance with applicable USOC Requirements. As to appointments to other Committees which are not Designated Committees, the President shall appoint those athletes in accordance with Federation Bylaw 501.2.
Section 2. The procedures for electing Athletes shall be determined by the Athletes’ Advisory Committee of the Federation, in accordance with USOC Guidelines, as approved by the Board of Directors.

Subpart C – ATHLETE REPRESENTATION ON USOC ATHLETES’ ADVISORY COUNCIL

Bylaw 421 – Athlete Representation on USOC Athletes’ Advisory Council
Section 1. Following the conclusion of the summer Olympic Games, an athlete representative and alternate shall be elected to represent equestrian sport on the USOC’s Athletes’ Advisory Council for the next Quadrennial period. The Athlete selected as the USOC AAC representative also shall serve on the Federation’s Board of Directors and shall be a member of the International Disciplines Council.
Section 2. The following procedures shall be followed to elect the equestrian representative and alternate to the USOC’s Athletes’ Advisory Council:
   a. The Federation will contact all of the Federation’s Eligible Athlete Members pursuant to Section 14 of the USOC Bylaws, for membership in the USOC’s Athletes’ Advisory Council, by letter signed by the President requesting their participation in the election of the equestrian representative to the USOC’s Athletes’ Advisory Council.
   b. The names of all such Eligible Athlete Members who have indicated a willingness to serve as the equestrian representative to the USOC’s Athletes’ Advisory Council will be placed on a ballot. The Federation will circulate this ballot to all of the Eligible Athlete Members and request that they vote for one individual to represent them
on the USOC’s Athletes’ Advisory Council and to serve on the Federation’s Board of Directors.

c. The individual who receives the most votes will become the equestrian representative to the USOC’s Athletes’ Advisory Council. The individual of the gender opposite of the individual elected as the equestrian representative to the Council who receives the most votes will become the alternate equestrian representative to the USOC’s Athletes’ Advisory Council. This individual shall also serve as an alternate to the Federation’s Athlete Directors in accordance with Section 703 of New York Not-for-Profit Corporation Law, if not otherwise a Director.

d. In the event of a tie for the position of the equestrian representative to the USOC’s Athletes’ Advisory Council, the Federation will circulate the names of the individuals involved in the tie to the Eligible Athlete Members and ask them to vote for one individual. This process will be repeated until the tie is broken.

e. The Federation’s President will send a letter to the president of the USOC informing him/her of the outcome of the election. The Federation’s President will also send a letter to all athletes as hereinabove defined informing them of the outcome of the election.

Subpart D – ATHLETE COMMITTEES

Bylaw 431 – Athlete Nominating Committee

The Athlete Directors of the Federation shall annually comprise the Athlete Nominating Committee ("ANC"). The greater of three or one-third of the Athlete Nominating Committee shall constitute a quorum. It shall be the duty of this committee:

1. to nominate Eligible Athletes for election to the Athlete Director vacancies in the positions of the respective disciplines that are on the equestrian programs of the FEI;
2. to nominate Eligible Athletes for election to the Athlete positions on the Budget and Finance Committee, and the Audit Committee; (for election of Athletes to the Nominating Committee, see Bylaw 503).
3. to nominate Athlete Directors for election to the Athlete positions on the Councils of the Federation;
4. to nominate Athletes for any other position within the Federation that requires direct election by Athletes pursuant to USOC Requirements. In each case the ANC must nominate Eligible Athletes nominated via the Athlete response forms as provided in Bylaw 413. It shall also be the duty of this committee to approve or reject the President’s nominees to stand for election to the athlete representative positions on the Hearing Committee until a complete slate is approved.

Bylaw 432 - Athletes’ Advisory Committee

There shall be an Athletes’ Advisory Committee (“AAC”) including a Chairman and Vice Chairman of up to eighteen (18) Athletes composed annually as follows: the Committee shall consist of two (2) Eligible Athletes from each of the FEI Sport Committees, plus the USOC Athletes’ Advisory Council representative and alternate serving ex officio. A Chairman and Vice-Chairman of the Athletes’ Advisory Committee shall be elected for the calendar year from its membership. The Vice Chairman shall serve in the place and stead of the Chairman when the Chairman is unavailable and shall otherwise assist the Chairman in the work of the Committee. The Committee will convene as needed to discuss matters of interest to equestrian athletes and to make recommendations to the Board of Directors for improvements in any phase of equestrian sport. The Athletes’ Advisory Committee shall select and name eligible athletes pursuant to Bylaw 501.2. One-third of the Athletes’ Advisory Committee shall constitute a quorum.

Subpart E – ATHLETE DRUG TESTING

Bylaw 441 – Athlete Drug Testing

Section 1. The Federation is committed to the eradication of illegal doping in sport and shall comply with the procedures pertaining to drug testing and adjudication of related doping offenses of the independent anti-doping
organization designated by the USOC to conduct drug testing.

Section 2. In accordance with the rules of the FEI and the World Anti-Doping Agency (WADA), Federation members shall comply with in-competition, no advance notice (NAN), and other out-of-competition drug testing conducted by the FEI, WADA, U.S. Anti-Doping Agency (USADA) or by a WADA-authorized or USADA-authorized organization at anytime without advanced notice. Failure to cooperate with such in-competition, NAN or other out-of-competition testing shall be a violation of Federation rules.

Section 3. To help facilitate NAN testing and other out-of-competition testing, the Federation shall submit the names, current addresses, telephone numbers, training times and training and competition locations for individuals and teams as requested by the FEI, WADA, or USADA to enable FEI, WADA, or USADA to conduct NAN or other out-of-competition drug testing. Notwithstanding the foregoing, compliance with anti-doping regulations rests with the individual subject to testing.

**PART V – COMMITTEES OF THE BOARD AND CORPORATION**

**Bylaw 501 – General**

Section 1. **COMPOSITION.** Committees of the Board are comprised solely of Directors. Committees of the Corporation are comprised of Federation Senior Active Members, which may include Directors. All Committees of the Board and Committees of the Corporation are subject to approval by the Board annually, unless otherwise stated below.

Section 2. **ELIGIBLE ATHLETES.** Eligible Athletes shall be selected by direct election by Eligible Athletes or by appointment by the President. As to appointments to committees which are defined in Federation Bylaw 401.1, 401.3 and 401.4, the President shall appoint those Eligible Athletes that the Athletes’ Advisory Committee (“AAC”) names to serve on those Committees. As to appointments to committees which are defined in Federation Bylaw 401.2, those athletes will be appointed by the President after taking into consideration recommendations from the outgoing committee.

Section 3. **QUORUM.** Unless otherwise provided, a quorum shall be three or one-third of a committee, subcommittee, or task force, whichever is greater.

Section 4. **PARTICIPATION.** Any member of a committee or task force may participate in a meeting of the same by conference telephone call or similar communications equipment allowing all members participating in the meeting to hear each other at the same time, except that the Hearing Committee shall not conduct evidentiary hearings by telephone conference call unless the parties consent, but may conduct all other matters by telephone conference call. Participation by such means shall be deemed presence in person at the meeting.

Committee members who attend less than 50% of the meetings in any calendar year may be removed from the committee and replaced by a senior active member subject to the appointment or the election procedures that were used in the initial seating of that position. Proportional representation of athletes must be maintained.

Section 5. **VACANCY.** Except as otherwise provided herein, a committee vacancy shall be filled by Presidential appointment in accordance with the same procedures applicable to the initial appointment to such committee where the vacancy occurs.

Section 6. The Board of Directors may establish committees that serve in an advisory capacity. Each established committee must have a Charter describing its purpose, number of committee members, and the term of service. Subject to the approval of the Board of Directors of the Federation, the President may appoint task forces as the President deems necessary to address a particular issue. Each task force must have a specific objective, a specific deliverable and a term certain.

**Bylaw 502 - Committees of the Board.**

Section 1. **AUDIT COMMITTEE.** There shall be an Audit Committee, which shall consist of no less than three but no more than five members of the Board who meet the definition of Independent Director in Bylaw 303.3. The Chairman
shall be elected by the committee. The Audit Committee in conjunction with the Board shall oversee the accounting and financial reporting processes of the Federation and the audit of the Federation’s financial statements, annually retain or renew the retention of an independent auditor to conduct the audit and, upon completion thereof, review the results of the audit and any related management letter with the independent auditor. In addition to such duties, the Audit Committee shall:

a. review with the independent auditor the scope and planning of the audit prior to the audit’s commencement;
b. upon completion of the audit, review and discuss with the independent auditor:
   1. any material risks and weaknesses in internal controls identified by the auditor;
   2. any restrictions on the scope of the auditor’s activities or access to requested information;
   3. any significant disagreements between the auditor and management; and
   4. the adequacy of the Federation’s accounting and financial reporting processes.
c. consider the performance and independence of the independent auditor and report on the committee’s activities to the Board. Only Independent Directors may participate in any Board or committee deliberations or voting relating to matters relating to the audit.
d. investigate all matters of fiscal controls including but not limited to Budget Control, Risk Management, Legal Compliance, Conflict of Interest, Ethics/Code of Conduct and Whistleblower Policy. Following the investigation of any such matters, the Committee shall promptly report its findings to the Board and make recommendations as needed.
e. recommend the establishment of policies and controls that encompass any activity that may impact on the financial well-being of the Federation.
f. submit recommendations regarding requirements of confidentiality within the Federation, requirements of openness, and is charged with the development of a standard of openness required to do business properly.
g. perform such other duties as directed by the Board of Directors or the President.

Bylaw 503 - Committees of the Corporation
Section 1. COMPENSATION AND HUMAN RESOURCES COMMITTEE. A Compensation and Human Resources Committee shall consist of five (5) or more Senior Active Members of the Federation appointed by the President who shall also appoint a Chairman from the Committee subject to approval by the Board. When making appointments the President shall consult with each of the Council Chairs to ensure that International Disciplines, National Breeds and Disciplines, and Administration and Finance are represented on the committee. The committee shall meet as necessary for the purpose of reviewing issues related to staff compensation, benefits package, and employee policies and procedures. The Committee shall make recommendations to the President, Chief Executive Officer and the Board of Directors. The greater of two or one-third of the members of the Compensation and Human Resources Committee shall constitute a quorum.

Section 2. ETHICS COMMITTEE. There shall be appointed by the President, and subject to approval by the Board, an Ethics Committee to consist of five (5) or more Senior Active Members, two of whom must be members of the Board. The President shall appoint a Chairman from the Committee. The Ethics Committee shall draft a Code of Ethics for volunteers and staff (“the Code”) establishing minimum standards for the volunteers (including members of the Board of Directors, Committees and task forces) and staff, for adoption by the Board of Directors. The committee shall also provide continuing attention to the Code and its enforcement, make recommendations to the Board with respect to ethical conduct, recommend to the Board amendments to the Code, and review and investigate such matters, referred to it, relating to ethical practice as it may deem appropriate. The greater of three or one-third of the members shall constitute a quorum.

Section 3. HEARING COMMITTEE.
   a. There shall be a committee on protests, charges, grievances and hearings, hereinafter referred to as the
Hearing Committee. This committee shall consist of not less than eleven (11) members who shall serve as Panel members during the hearings. Subject to approval by the Board, the President shall appoint two (2) or more Co-Chairs of the Committee who shall be responsible for chairing the Committee, and deciding pre-hearing matters. At least 20% of the Hearing Committee shall be composed of Eligible Athletes. These appointments should, insofar as practicable, assure an equitable representation of interests on the Board by striving for geographic balance and fair representation of all Federation members, affiliates, breeds and disciplines. The Committee shall hold at least four sets of hearings each year (provided the caseload permits) and Committee members must commit to serve during at least two (2) sets of hearings. Three members of the Committee shall constitute a quorum, except as provided below. It shall be the duty of the Hearing Committee to hear protests and charges in connection with alleged violations of the rules in accord with the powers and duties as provided in these bylaws and the Federation Rule Book. The term of this Committee is two years.

b. The Hearing Committee shall provide fair notice and an opportunity to expeditiously hear grievances regarding the opportunity of any amateur athlete, rider, driver, handler, vaulter, longeur, owner, lessee, agent or trainer, riding coach or driving coach, coach, trainer, manager, administrator or official to participate in, or to attempt to qualify for selection to participate in, the Pan American Games, the Olympic Games, the Paralympic Games, World Championship competitions or any other “protected competitions” as that term is defined in Article I, Section 2 (g) of the USOC Bylaws whether such grievances be against a competition, athlete, coach, trainer, manager, administrator or official of the Federation, another organization which is an affiliate member of the Federation, a committee of the Federation, or a committee of an affiliate association or a committee of the Federation. Five members of the Hearing Committee shall be appointed by the co-chairs of the Hearing Committee, after consultation with the President, to constitute the hearing panel, of whom at least two shall be Athlete members of the Committee, who are not competing in the discipline which is involved in the dispute. The Hearing Committee shall promptly issue its findings in accordance with these bylaws and Chapter 6, which findings shall be final, except where otherwise provided in the Constitution and Bylaws of the USOC. For the rules and procedures which govern hearings of grievances by athletes and others, see Part VII of these bylaws and Chapter 6 of the Federation’s Rules.

Section 4. NOMINATING COMMITTEE.

a. Composition. The Nominating Committee shall consist of eight (8) Senior Active Members of the Federation two elected by each of the three Councils of the Board and two (2) elected Eligible Athletes. One of the individuals elected from each group shall be an individual who is currently serving on the Board of Directors and the second individual shall be a Senior Active Member who is not currently serving as a member of the Board of Directors. Eligible Athlete Directors shall annually in January elect two (2) Athletes to serve. No individual may serve more than four consecutive years on the Nominating Committee. The Committee shall elect a chairman.

b. Quorum. Six (6) members of the Nominating Committee shall constitute a quorum.

c. Vacancy. Should a non-athlete vacancy occur on the Nominating Committee the pertinent Council shall select a Senior Active Member to serve the remainder of the term of the seat vacated in the manner specified for that position, i.e. Board or non-Board. If a vacancy occurs in an Athlete position, the next highest vote-getter from the Athlete election shall fill the vacancy.

d. Duties. Thirty days prior to the first meeting of the Annual Meeting of the Federation, the Nominating Committee shall submit, in writing to the Board, its nominations for Independent Board Members and for Officers to be elected that year. Thirty days prior to the Mid-Year Meeting at which meeting the President is to be elected in accordance by Bylaw 305, the Nominating Committee shall submit in writing to the Board its nomination for President. At the meeting, additional nominations for Officers shall be accepted from members of the Board.

e. Suggestions for nominations for Independent Board Members and Officers shall be addressed to the Chairman of the Nominating Committee and must be received by the National Office sixty (60) days prior to the Annual
Meeting. Nothing contained herein shall preclude nomination(s) from the floor at the Annual Meeting. Suggestions for nominations of President shall be addressed to the Chairman of the Nominating Committee and must be received by the National Office sixty (60) days prior to the Mid-Year Meeting at which time the President will be elected. Nothing contained herein precludes nominations from the floor at the Mid-Year Meeting.

PART VI – Administration

Subpart A – CHIEF EXECUTIVE OFFICER AND STAFF

Bylaw 601 – Chief Executive Officer
Section 1. The Federation shall have a Chief Executive Officer (CEO). The CEO shall be recommended by the President and approved by the Board of Directors. A CEO’s employment once retained may be terminated upon a two-thirds vote of the Directors present at a duly called meeting of the Board of Directors.

Section 2. The CEO shall:

a. Report to the President, and keep the Board of Directors and Officers fully informed of the conditions and operations of the Federation and all material concerns. The CEO shall not be directed by individual members of the Board of Directors. The President shall report on the performance of the CEO to the Board of Directors as set forth in Bylaw 332;

b. Attend all meetings of the Board of Directors and serve on all committees as an ex officio, non-voting member. The CEO may participate in these meetings, and provide adequate staff support, in order to effectively interact, communicate and implement the directives and policies of the Federation;

c. Remain neutral with respect to all Federation elections;

d. Recommend to the Board of Directors plans, policies and programs that will further the objectives of the Federation and promote interest and active participation in the sport of equestrian. The CEO shall have available the full resources of the Federation to support the implementation the Federation’s goals and objectives;

e. Assist in the preparation of the Federation’s budget, operate the Federation within its budget, and maintain proper books and accounts for the Federation, including sufficient financial controls and all applicable reporting requirements;

f. Supervise, develop and maintain a professional staff capable of successfully implementing and supporting the operational needs of the organization;

g. Direct all employees, consultants, independent contractors and others providing services for the Federation, except the Federation’s independent auditors who shall report directly to the Audit Committee;

h. Execute such contracts and commitments in accordance with the Federation’s budget or as authorized by the Board of Directors, the Bylaws or Rules;

i. Maintain effective communications and relations with the USOC, the USEF Foundation and the USA Equestrian Trust and such other organizations, public and private;

j. Serve, or appoint a designee to serve, as the Secretary General and Chief Staff liaison to the FEI and the USOC. Any designee appointed by the CEO must have international experience as defined in Bylaw 332.

Bylaw 602 – Records of the Federation
Section 1. MINUTES, ETC. The Federation shall keep as permanent records minutes of all meetings of the Board of Directors and a record of all waivers of notices of meetings of the Board of Directors.

Section 2. ACCOUNTING RECORDS. The Federation shall maintain appropriate accounting records.

Section 3. MEMBERSHIP LIST. The Federation, or its agent, shall maintain a record of the members in a form that permits preparation of a list of the names and addresses of the members in alphabetical order, by class.

Section 4. RECORDS IN WRITTEN FORM. The Federation shall maintain its records in written form or in another
form capable of conversion into written form within a reasonable time.

Section 5. RECORDS MAINTAINED AT NATIONAL OFFICE. The Federation shall keep a copy of each of the following records at its principal office:

a. The Certificate of Incorporation;
b. The Bylaws;
c. The Rules;
d. Resolutions adopted by the Board of Directors relating to the characteristics, qualifications, rights, limitations and obligations of the members or any class of the members;
e. The minutes of all meetings of the members, and records of all action taken by the members without a meeting, for the past four years;
f. All written communications within the past four years to the members generally as the members;
g. A list of the names and business or home addresses of the current Directors and officers;
h. A copy of the most recent corporate report delivered to the New York secretary of state;
i. All financial statements prepared for periods ending during the last four years that a member of the Federation could have requested under Sec. 6 of this bylaw;

j. The Federation’s application for recognition of exemption and the tax-exemption determination letter issued by the Internal Revenue Service; and
k. All other documents or records required to be maintained by the Federation at its principal office under applicable law or regulation.

Section 6. INSPECTION OF RECORDS MAINTAINED AT NATIONAL OFFICE BY MEMBERS.

A voting member shall be entitled to inspect, during regular business hours at the Federation’s main office, any of the records of the Federation described in section 5 above, provided that the voting member gives the Federation written demand at least five business days before the date on which the voting member wishes to inspect such records. Upon written request listing specific documents and payment of a reasonable fee, in the discretion of the Officers copies may be provided in due course. In the discretion of the Officers, non-voting members may be permitted to inspect during regular business hours at the Federation’s main office such records as the Officers deem appropriate, provided the non-voting member gives the Federation at least five business days prior written notice of his or her request. The Officers in their discretion may permit copying in accordance with the procedures established by the Officers for voting members.

Subpart B – FINANCES

Bylaw 611 – Yearly Budget

Section 1. Each year the Federation shall develop a proposed budget for the next fiscal year. This budget will be developed in accordance with a timeline approved by the Board in the first quarter of the calendar year.

Bylaw 612 – Conveyances and Encumbrances

Section 1. Property of the Federation may be assigned, conveyed or encumbered by such officers of the Federation as may be authorized to do so by the Board of Directors, and such authorized persons shall have power to execute and deliver any and all instruments of assignment, conveyance and encumbrance; however, the sale, exchange, lease or other disposition of all or substantially all of the property and assets of the Federation shall be authorized only in the manner prescribed by applicable statute.

Section 2. Only the Board of Directors at a duly called meeting of the Board has the authority to, make or execute contracts or agreements of any nature if said contract or agreement causes or may cause this Federation to be obligated to pay unbudgeted expenditures or other obligations the sum of which exceeds $100,000 for any fiscal year, or if the obligation has a term or establishes a term extending beyond one year, then the sum of which exceeds
$150,000 over the life of the obligation.

**Bylaw 613 – Audit**
Each year the Federation shall have an annual audit of its books and accounts prepared by an independent certified public accountant as recommended by the Audit Committee. (See Bylaw 502). The Audit Committee shall provide the auditors report to the Board of Directors upon completion.

**PART VII – HEARINGS, GRIEVANCES AND DISPUTES**

**Bylaw 701 – Hearing Procedures**
Section 1. In all hearings conducted under these bylaws, the parties shall be accorded:

1. notice of the specific charges or alleged violations in writing and possible consequences if the charges are found to be true;
2. reasonable time between receipt of the notice of charges and the hearing within which to prepare a defense;
3. the right to have the hearing conducted at a time so as to make it practicable for the person charged to attend;
4. a hearing before a disinterested and impartial body of fact finders;
5. the right to be assisted in the presentation of one’s case at the hearing;
6. the right to call witnesses and present oral and written evidence and argument;
7. the right to confront witnesses, including the right to be provided the identity of the witnesses in advance of the hearing;
8. the right to have a record made of the hearing if desired; and,
9. a written decision, with reasons for the decision, based solely on the evidence of record, issued in a timely fashion.

Section 2. Rules and procedures governing protests, charges, administrative penalties, plea agreements, and hearings are set forth in Federation Rules, Chapter 6.

**Bylaw 702 – Opportunity to Participate**
Section 1. Fair notice and an opportunity for a hearing shall be accorded to any amateur athlete, rider, driver, handler, vaulter, longeur, owner, lessee, agent or trainer, riding coach or driving coach, coach, trainer, manager, administrator or official before the Federation may declare such individual ineligible to participate in any amateur athletic competition. Any hearing conducted hereunder shall be conducted in accordance with the provisions of Bylaw 701 and Federation Rules, Chapter 6.

Section 2. Neither the Federation nor any member of the Federation may deny or threaten to deny any member athlete, rider, driver, handler, vaulter, longeur, owner, lessee, agent or trainer, riding coach or driving coach, coach, trainer, manager, administrator or official the opportunity to compete in the Olympic, Paralympic, or Pan American Games, World Championship competitions or such other “protected competition” as defined in the USOC Bylaws; nor may the Federation, or any member of the Federation, subsequent to such competition, censure or otherwise penalize any such athlete who participates in any such competition.

Section 3. Any individual identified in Section 2 above who alleges that he or she has been denied by the Federation or a member of the Federation a right established by Section 2 of this Article shall immediately inform the President of the Federation and the Federation’s USOC AAC representative who shall cause an investigation to be made and steps to be taken to settle the controversy. Notwithstanding any efforts taken by the Federation to settle the controversy informally or through the Federation’s grievance procedures set forth in Bylaw 703 and the Federation’s Rules, the individual may refer the matter to the CEO of the USOC for action, as appropriate, under Section 9 of the USOC.
Bylaws, a copy of which is attached as an Appendix to these bylaws.

Section 4. The construction and application of Federation’s bylaws and rules are governed by the laws of the State of New York. The Federation Hearing Committee shall hear athlete and other grievances in accordance with these Bylaws and Federation Rules, Chapter 6.

Bylaw 703 – Grievances Related to Opportunities to Participate

Section 1. Any athlete, rider, driver, handler, vaulter, longeur, owner, lessee, agent or trainer, riding coach or driving coach, coach, trainer, manager, administrator or official or any member of the Federation may file a grievance against the Federation, another organization which is an Affiliated Entity of the Federation, a committee of the Federation, a committee of an Affiliated Entity of the Federation, or any athlete, rider, driver, handler, vaulter, longeur, owner, lessee, agent or trainer, riding coach or driving coach, coach, trainer, manager, administrator or official or any member of the Federation pertaining to any matter within the cognizance of the Federation and alleging a violation of any provision of the Federation’s Bylaws or Rules, the Ted Stevens Olympic and Amateur Sports Act, or the USOC’s Bylaws. A grievance may be filed by any amateur athlete, rider, driver, handler, vaulter, longeur, owner, lessee, agent or trainer, riding coach or driving coach, coach, trainer, manager, administrator or official regarding his/her opportunity to participate in, or to attempt to qualify for selection to participate in any equestrian event of the Pan American Games, the Olympic Games, Paralympic Games, World Championship competitions or any other protected competitions as that term is defined in Section 1.3 (w), including any domestic amateur athletic competition or event organized and conducted as part of the selection procedure directly qualifying each successful competitor therein as an athlete representing the U.S. in such equestrian international competitions. Any grievance must be made in writing over the signatures of the person or persons presenting the same, and must state the full name(s) and address(es) of the athlete, coach, trainer, manager, administrator, official, the Federation, another organization which is an Affiliate Entity of the Federation, a committee of the Federation or a committee of an Affiliate Member of the Federation against whom the grievance is made, and must include with specificity a complete statement of the acts which constitute such grievance, including the requested relief sought. The maker(s) must be prepared to substantiate the grievance at a hearing by a preponderance of the evidence, including by personal testimony of a witness or witnesses with personal knowledge subject to cross-examination and by sworn statements, other witnesses and by other competent evidence. The requirement of personal testimony may be excused by the Hearing Committee if the parties to the grievance stipulate to the relevant facts.

Section 2. The grievance should be addressed to the Hearing Committee and should be transmitted to the attention of the Federation’s CEO at the Federation’s main office by hand delivery or by certified mail or by facsimile as soon as practicable following the events which are the subject of the grievance. Upon receipt of a grievance by an athlete, the CEO shall instruct the athlete on how to contact the USOC Athlete Ombudsman.

Section 3. As soon as practicable after the receipt of such grievance, the CEO shall promptly communicate informally with the parties and the President of the Federation and the Federation’s USOC AAC representative, or, in the event there is a conflict of interest, the AAC alternate representative and they shall make every effort to resolve the grievance to their and the parties’ mutual satisfaction, and if unsuccessful, the CEO shall, without prejudice to the right of the complainant to pursue remedies available pursuant to the Ted Stevens Olympic and Amateur Sports Act and the USOC Bylaws, arrange for a prompt hearing of the grievance by the Hearing Committee.

Section 4. Any person, committee, association or organization, including the Federation or any affiliate, member or member organization, against whom a grievance has been filed pursuant to these bylaws or the Federation’s Rules is entitled to a hearing in accordance with the provisions of Bylaw 701.

Section 5. The Hearing Committee shall review the record of any grievance hearing and promptly issue its written findings and determination based on the evidence in record in accordance with these Bylaws and Federation Rules, Chapter 6, which shall be final and binding upon the parties, except where otherwise provided in the Bylaws of the
USOC.

Section 6. The hearing shall take place no earlier than 20 days after receipt of notice by the person charged and not later than 60 days from such receipt so as to ensure that the person charged has sufficient time to prepare a defense. Upon the request of an Athlete or other party that it is necessary to expedite such hearing in order to resolve a matter relating to a competition which is so scheduled that compliance with regular procedures would not be likely to produce a sufficiently early decision to do justice to the affected parties, the hearing shall be so expedited to be concluded prior to the competition.

Bylaw 704 – Disputes and Grievances By and Among Members
Section 1. The Federation shall hear any complaint by one member or Affiliated Entity against another member or Affiliated Entity or any complaint by an individual, member or Affiliated Entity which alleges that (a) a member or Affiliated Entity has failed to comply with its membership or affiliation requirements in the Federation, or (b) the Federation has failed to comply with its membership requirements in the USOC. Any such complaint shall be in writing and signed under oath by the individual, or chief executive of the organization if an organization is making the complaint. The complaint shall be filed with the Federation’s CEO by hand delivery, certified mail, facsimile, or guaranteed overnight delivery with a copy served on the other parties by the same method of delivery at the same time. The complaint shall set forth the factual allegations in numbered paragraphs with each paragraph containing a single factual allegation. The complaint shall also contain, at a minimum –

1. the names and addresses of the parties;
2. the alleged grounds of noncompliance;
3. supporting evidence of documentation forming the basis of the complaint; and,
4. the relief sought.

Section 2. The complaint shall be heard by Hearing Committee in accordance with the procedures set forth in Bylaws 701 and 703 and Chapter 6. Upon the request of an Athlete or other party that it is necessary to expedite such hearing in order to resolve a matter relating to a competition which is so scheduled that compliance with regular procedures would not be likely to produce a sufficiently early decision to do justice to the affected parties, the hearing shall be so expedited to be concluded prior to the competition.

Bylaw 705 – Arbitration
The Federation agrees to submit to binding arbitration in any controversy involving (i) its recognition as a national governing body, as provided for in Section 10 of the USOC Bylaws, upon demand of the USOC or (ii) the opportunity of any amateur athlete, rider, driver, handler, vaulter, longeur, owner, lessee, agent or trainer, riding coach or driving coach to participate in amateur athletic competition, as provided for in Section 9 of the USOC Bylaws, upon demand of the USOC or any aggrieved amateur athlete, rider, driver, handler, vaulter, longeur, owner, lessee, agent or trainer, riding coach or driving coach, coach, trainer, manager, administrator or official conducted in accordance with the Commercial Rules of the American Arbitration Association, as modified in accordance with Section 220522 (a)(4)(B) of the Ted Stevens Olympic and Amateur Sports Act.

Bylaw 706 – Litigation
No member, affiliate, or participant in the Federation and its programs may invoke the aid of the courts of the United States or a State without first exhausting all available remedies within the appropriate equestrian organization, and as provided within the Federation, including any rights to bring claims to the United States Olympic Committee. This Bylaw does not apply to the commencement of an arbitration proceeding under these Bylaws or the USOC Bylaws or the enforcement of a decision rendered in such a USOC proceeding.
PART VIII – AMENDMENTS

Bylaw 801 – Amendments
These bylaws, and any resolution adopted by the founding directors prior to the adoption of these bylaws, may be added to or amended at any meeting of the Board of Directors or the Voting Members at which a quorum is present upon a two-thirds vote of those Directors or Voting Members present at the meeting. Amendments to these bylaws may be proposed by any member of the Board of Directors. All proposed amendments shall be submitted to the CEO in writing at least 30 days prior to a Board meeting. The CEO shall then provide notice of the proposed amendment to the Board at least seven days prior to the meeting.
CHAPTER 2205—UNITED STATES OLYMPIC COMMITTEE

SUBCHAPTER I—CORPORATION

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SUBCHAPTER I—CORPORATION

§220501. Title and Definitions

(a) TITLE.—This chapter may be cited as the “Ted Stevens Olympic and Amateur Sports Act”.

(b) DEFINITIONS.—For purposes of this chapter—

(1) “amateur athlete” means an athlete who meets the eligibility standards established by the national governing body or paralympic sports organization for the sport in which the athlete competes.
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(2) “amateur athletic competition” means a contest, game, meet, match, tournament, regatta, or other event in which amateur athletes compete.

(3) “amateur sports organization” means a not-for-profit corporation, association, or other group organized in the United States that sponsors or arranges an amateur athletic competition.

(4) “corporation” means the United States Olympic Committee.

(5) “international amateur athletic competition” means an amateur athletic competition between one or more athletes representing the United States, individually or as a team, and one or more athletes representing a foreign country.

(6) “national governing body” means an amateur sports organization that is recognized by the corporation under section 220521 of this title.

(7) “paralympic sports organization” means an amateur sports organization which is recognized by the corporation under section 220521 of this title.

(8) “sanction” means a certificate of approval issued by a national governing body.

§220502. Organization

(a) Federal charter.—The corporation is a federally chartered corporation.

(b) Perpetual existence.—Except as otherwise provided, the corporation has perpetual existence.

(c) References to United States Olympic Association.—Any reference to the United States Olympic Association is deemed to refer to the United States Olympic Committee.

§220503. Purposes

The purposes of the corporation are—

(1) to establish national goals for amateur athletic activities and encourage the attainment of those goals;

(2) to coordinate and develop amateur athletic activity in the United States, directly related to international amateur athletic competition, to foster productive working relationships among sports-related organizations;
(3) to exercise exclusive jurisdiction, directly or through constituent members or committees, over—

(A) all matters pertaining to United States participation in the Olympic Games, the Paralympic Games, and the Pan-American Games, including representation of the United States in the games; and

(B) the organization of the Olympic Games, the Paralympic Games, and the Pan-American Games when held in the United States;

(4) to obtain for the United States, directly or by delegation to the appropriate national governing body, the most competent amateur representation possible in each event of the Olympic Games, the Paralympic Games, and Pan-American Games;

(5) to promote and support amateur athletic activities involving the United States and foreign nations;

(6) to promote and encourage physical fitness and public participation in amateur athletic activities;

(7) to assist organizations and persons concerned with sports in the development of amateur athletic programs for amateur athletes;

(8) to provide swift resolution of conflicts and disputes involving amateur athletes, national governing bodies, and amateur sports organizations, and protect the opportunity of any amateur athlete, coach, trainer, manager, administrator, or official to participate in amateur athletic competition;

(9) to foster the development of amateur athletic facilities for use by amateur athletes and assist in making existing amateur athletic facilities available for use by amateur athletes;

(10) to provide and coordinate technical information on physical training, equipment design, coaching, and performance analysis;

(11) to encourage and support research, development, and dissemination of information in the areas of sports medicine and sports safety;

(12) to encourage and provide assistance to amateur athletic activities for women;
(13) to encourage and provide assistance to amateur athletic programs and competition for amateur athletes with disabilities, including, where feasible, the expansion of opportunities for meaningful participation by such amateur athletes in programs of athletic competition for able-bodied amateur athletes; and

(14) to encourage and provide assistance to amateur athletes of racial and ethnic minorities for the purpose of eliciting the participation of those minorities in amateur athletic activities in which they are underrepresented.

§220504. Membership

(a) Eligibility.—Eligibility for membership in the corporation is as provided in the constitution and bylaws of the corporation.

(b) Required Provisions for Representation.—In its constitution and bylaws, the corporation shall establish and maintain provisions with respect to its governance and the conduct of its affairs for reasonable representation of—

(1) amateur sports organizations recognized as national governing bodies and paralympic sports organizations in accordance with section 220521 of this title, including through provisions which establish and maintain a National Governing Bodies’ Council composed of representatives of the national governing bodies and any paralympic sports organizations and selected by their boards of directors or such other governing boards to ensure effective communication between the corporation and such national governing bodies and paralympic sports organizations;

(2) amateur athletes who are actively engaged in amateur athletic competition or who have represented the United States in international amateur athletic competition within the preceding 10 years, including through provisions which—

(A) establish and maintain an Athletes’ Advisory Council composed of, and elected by, such amateur athletes to ensure communication between the corporation and such amateur athletes; and

(B) ensure that the membership and voting power held by such amateur athletes is not less than 20 percent of the membership and voting power held in the board of directors of the corporation and in the committees and entities of the corporation;

(3) amateur sports organizations that conduct a national program or regular national amateur athletic competition in 2 or more sports that are included on the program of the Olympic Games, the Paralympic Games, or the Pan-American Games on a level of proficiency appropriate for the selection of amateur athletes to represent the United States in international amateur athletic competition; and
§220504. Powers

(a) Constitution and Bylaws.—The corporation shall adopt a constitution and bylaws. The corporation may amend its constitution only if the corporation—

(1) publishes, in its principal publication, a notice of the proposed amendment, including—

(A) the substantive terms of the amendment;

(B) the time and place of the corporation's regular meeting at which adoption of the amendment is to be decided; and

(C) a provision informing interested persons that they may submit materials as authorized in clause (2) of this subsection; and

(2) gives all interested persons an opportunity to submit written comments and information for at least 60 days after publication of notice of the proposed amendment and before adoption of the amendment.

(b) General Corporate Powers.—The corporation may—

(1) adopt and alter a corporate seal;

(2) establish and maintain offices to conduct the affairs of the corporation;

(3) make contracts;

(4) accept gifts, legacies, and devises in furtherance of its corporate purposes;

(5) acquire, own, lease, encumber, and transfer property as necessary to carry out the purposes of the corporation;

(6) borrow money, issue instruments of indebtedness, and secure its obligations by granting security interests in its property;

(7) publish a magazine, newspaper, and other publications consistent with its corporate purposes;
(8) approve and revoke membership in the corporation;

(9) sue and be sued, except that any civil action brought in a State court against the corporation and solely relating to the corporation’s responsibilities under this Act shall be removed, at the request of the corporation, to the district court of the United States in the district in which the action was brought, and such district court shall have original jurisdiction over the action without regard to the amount in controversy or citizenship of the parties involved, and except that neither this paragraph nor any other provision of this chapter shall create a private right of action under this chapter; and

(10) do any other act necessary and proper to carry out the purposes of the corporation.

(c) Powers Related to Amateur Athletics and the Olympic Games.—The corporation may—

(1) serve as the coordinating body for amateur athletic activity in the United States directly related to international amateur athletic competition;

(2) represent the United States as its national Olympic committee in relations with the International Olympic Committee and the Pan-American Sports Organization and as its national Paralympic committee in relations with the International Paralympic Committee;

(3) organize, finance, and control the representation of the United States in the competitions and events of the Olympic Games, the Paralympic Games, and the Pan-American Games, and obtain, directly or by delegation to the appropriate national governing body, amateur representation for those games;

(4) recognize eligible amateur sports organizations as national governing bodies for any sport that is included on the program of the Olympic Games or the Pan-American Games, or as paralympic sports organizations for any sport that is included on the program of the Paralympic Games;

(5) facilitate, through orderly and effective administrative procedures, the resolution of conflicts or disputes that involve any of its members and any amateur athlete, coach, trainer, manager, administrator, official, national governing body, or amateur sports organization and that arise in connection with their eligibility for and participation in the Olympic Games, the Paralympic Games, the Pan-American Games, world championship competition, the Pan-American world championship competition, or other protected competition as defined in the constitution and bylaws of the corporation; and

(6) provide financial assistance to any organization or association, except a corporation organized for profit, in furtherance of the purposes of the corporation.
§220506. Exclusive right to name, seals, emblems, and badges

(a) EXCLUSIVE RIGHT OF CORPORATION.—Except as provided in subsection (d) of this section, the corporation has the exclusive right to use—

(1) the name “United States Olympic Committee”;

(2) the symbol of the International Olympic Committee, consisting of 5 interlocking rings, the symbol of the International Paralympic Committee, consisting of 3 TaiGeuks, or the symbol of the Pan-American Sports Organization, consisting of a torch surrounded by concentric rings;

(3) the emblem of the corporation, consisting of an escutcheon having a blue chief and vertically extending red and white bars on the base with 5 interlocking rings displayed on the chief; and

(4) the words “Olympic”, “Olympiad”, “Citius Altius Fortius”, “Paralympic”, “Paralympiad”, “Pan-American”, “America Espirito Sport Fraternite”, or any combination of those words.

(b) CONTRIBUTORS AND SUPPLIERS.—The corporation may authorize contributors and suppliers of goods or services to use the trade name of the corporation or any trademark, symbol, insignia, or emblem of the International Olympic Committee, International Paralympic Committee, the Pan-American Sports Organization, or of the corporation to advertise that the contributions, goods, or services were donated or supplied to, or approved, selected, or used by, the corporation, the United States Olympic team, the Paralympic team, the Pan-American team, or team members.

(c) CIVIL ACTION FOR UNAUTHORIZED USE.—Except as provided in subsection (d) of this section, the corporation may file a civil action against a person for the remedies provided in the Act of July 5, 1946 (15 U.S.C. 1051 et seq.) (popularly known as the Trademark Act of 1946) if the person, without the consent of the corporation, uses for the purpose of trade, to induce the sale of any goods or services, or to promote any theatrical exhibition, athletic performance, or competition—

(1) the symbol described in subsection (a)(2) of this section;

(2) the emblem described in subsection (a)(3) of this section;

(3) the words described in subsection (a)(4) of this section, or any combination or simulation of those words tending to cause confusion or mistake, to deceive, or to falsely suggest a connection with the corporation or any Olympic, Paralympic, or Pan-American Games activity; or
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(4) any trademark, trade name, sign, symbol, or insignia falsely representing association with, or authorization by, the International Olympic Committee, the International Paralympic Committee, the Pan-American Sports Organization, or the corporation.

(d) Pre-Existing and Geographic Reference Rights.—

(1) A person who actually used the emblem described in subsection (a)(3) of this section, or the words or any combination of the words described in subsection (a)(4) of this section, for any lawful purpose before September 21, 1950, is not prohibited by this section from continuing the lawful use for the same purpose and for the same goods or services.

(2) A person who actually used, or whose assignor actually used, the words or any combination of the words described in subsection (a)(4) of this section, or a trademark, trade name, sign, symbol, or insignia described in subsection (c)(4) of this section, for any lawful purpose before September 21, 1950, is not prohibited by this section from continuing the lawful use for the same purpose and for the same goods or services.

(3) Use of the word “Olympic” to identify a business or goods or services is permitted by this section where—

(A) such use is not combined with any of the intellectual properties referenced in subsections (a) or (c) of this section;

(B) it is evident from the circumstances that such use of the word “Olympic” refers to the naturally occurring mountains or geographical region of the same name that were named prior to February 6, 1998, and not to the corporation or any Olympic activity; and

(C) such business, goods, or services are operated, sold, and marketed in the State of Washington west of the Cascade Mountain range and operations, sales, and marketing outside of this area are not substantial.

§220507. Restrictions

(a) Profit and Stock.—The corporation may not engage in business for profit or issue stock.

(b) Political Activities.—The corporation shall be nonpolitical and may not promote the candidacy of an individual seeking public office.
§220508. Headquarters, principal office, and meetings

The corporation shall maintain its principal office and national headquarters in a place in the United States decided by the corporation. The corporation may hold its annual and special meetings in the places decided by the corporation.

§220509. Resolution of disputes

(a) General.—The corporation shall establish and maintain provisions in its constitution and bylaws for the swift and equitable resolution of disputes involving any of its members and relating to the opportunity of an amateur athlete, coach, trainer, manager, administrator, or official to participate in the Olympic Games, the Paralympic Games, the Pan-American Games, world championship competition, or other protected competition as defined in the constitution and bylaws of the corporation. In any lawsuit relating to the resolution of a dispute involving the opportunity of an amateur athlete to participate in the Olympic Games, the Paralympic Games, or the Pan-American Games, a court shall not grant injunctive relief against the corporation within 21 days before the beginning of such games if the corporation, after consultation with the chair of the Athletes’ Advisory Council, has provided a sworn statement in writing executed by an officer of the corporation to such court that its constitution and bylaws cannot provide for the resolution of such dispute prior to the beginning of such games.

(b) Ombudsman.—

(1) The corporation shall hire and provide salary, benefits, and administrative expenses for an ombudsman for athletes, who shall—

(A) provide independent advice to athletes at no cost about the applicable provisions of this chapter and the constitution and bylaws of the corporation, national governing bodies, a paralympic sports organizations, international sports federations, the International Olympic Committee, the International Paralympic Committee, and the Pan-American Sports Organization, and with respect to the resolution of any dispute involving the opportunity of an amateur athlete to participate in the Olympic Games, the Paralympic Games, the Pan-American Games, world championship competition or other protected competition as defined in the constitution and bylaws of the corporation;

(B) assist in mediating any such disputes; and

(C) report to the Athletes’ Advisory Council on a regular basis.

(2)(A) The procedure for hiring the ombudsman for athletes shall be as follows:

(i) The Athletes’ Advisory Council shall provide the corporation’s executive director with the name of one qualified person to serve as ombudsman for athletes.
(ii) The corporation’s executive director shall immediately transmit the name of such person to the corporation’s executive committee.

(iii) The corporation’s executive committee shall hire or not hire such person after fully considering the advice and counsel of the Athletes’ Advisory Council.

If there is a vacancy in the position of the ombudsman for athletes, the nomination and hiring procedure set forth in this paragraph shall be followed in a timely manner.

(B) The corporation may terminate the employment of an individual serving as ombudsman for athletes only if—

(i) the termination is carried out in accordance with the applicable policies and procedures of the corporation;

(ii) the termination is initially recommended to the corporation’s executive committee by either the corporation’s executive director or by the Athletes’ Advisory Council; and

(iii) the corporation’s executive committee fully considers the advice and counsel of the Athletes’ Advisory Council prior to deciding whether or not to terminate the employment of such individual.

§220510. Service of process

As a condition to the exercise of any power or privilege granted by this chapter, the corporation shall have a designated agent in the State of Colorado to receive service of process for the corporation. Notice to or service on the agent, or mailed to the business address of the agent, is notice to or service on the corporation.

§220511. Report

(a) Submission to President and Congress. The corporation shall, on or before the first day of June, 2001, and every fourth year thereafter, transmit simultaneously to the President and to each House of Congress a detailed report of its operations for the preceding 4 years, including—

The following additional reporting requirement is set forth in section 142.(q) of the Omnibus Appropriations Act of 1998 enacted on October 21, 1998. “Special Report to Congress.—Five years from the date of the enactment of this Act, the United States Olympic Committee shall submit a special report to the Congress on the effectiveness of the provisions of chapter 2205 of title 36, United States Code, as amended by this Act, together with any additional proposed changes to that chapter the United States Olympic Committee determines are appropriate.”
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(1) a complete statement of its receipts and expenditures;

(2) a comprehensive description of the activities and accomplishments of the corporation during such 4-year period;

(3) data concerning the participation of women, disabled individuals, and racial and ethnic minorities in the amateur athletic activities and administration of the corporation and national governing bodies; and

(4) a description of the steps taken to encourage the participation of women, disabled individuals, and racial minorities in amateur athletic activities.

(b) AVAILABILITY TO PUBLIC.—The corporation shall make copies of the report available to interested persons at a reasonable cost.

§220512 Complete teams

In obtaining representation for the United States in each competition and event of the Olympic Games, Paralympic Games, and Pan-American Games, the corporation, either directly or by delegation to the appropriate national governing body or paralympic sports organization, may select, but is not obligated to select (even if not selecting will result in an incomplete team for an event), athletes who have not met the eligibility standard of the national governing body and the Corporation, when the number of athletes who have met the eligibility standards of such entities is insufficient to fill the roster for an event.

SUBCHAPTER II—NATIONAL GOVERNING BODIES

§220521. Recognition of amateur sports organizations as national governing bodies

(a) GENERAL AUTHORITY.—For any sport which is included on the program of the Olympic Games, the Paralympic Games, or the Pan-American Games, the corporation is authorized to recognize as a national governing body (in the case of a sport on the program of the Olympic Games or Pan American Games) or as a paralympic sports organization (in the case of a sport on the program of the Paralympic Games for which a national governing body has not been designated under section 220522(b)) an amateur sports organization which files an application and is eligible for such recognition in accordance with the provisions of subsections (a) or (b) of section 220522. The corporation may recognize only one national governing body for each sport for which an application is made and approved, except as provided in section 220522(b) with respect to a paralympic sports organization.
(b) PUBLIC HEARING.—Before recognizing an organization as a national governing body, the corporation shall hold at least 2 public hearings on the application. The corporation shall publish notice of the time, place, and nature of the hearings. Publication shall be made in a regular issue of the corporation's principal publication at least 30 days, but not more than 60 days, before the date of the hearings. The corporation shall send written notice, which shall include a copy of the application, at least 30 days prior to the date of any such public hearing to all amateur sports organizations known to the corporation in that sport.

(c) RECOMMENDATION TO INTERNATIONAL SPORTS FEDERATION.—Within 61 days after recognizing an organization as a national governing body, the corporation shall recommend and support in any appropriate manner the national governing body to the appropriate international sports federation as the representative of the United States for that sport.

(d) REVIEW OF RECOGNITION.—The corporation may review all matters related to the continued recognition of an organization as a national governing body and may take action it considers appropriate, including placing conditions on the continued recognition.

§220522. Eligibility requirements

(a) GENERAL.—An amateur sports organization is eligible to be recognized, or to continue to be recognized, as a national governing body only if it—

(1) is incorporated under the laws of a State of the United States or the District of Columbia as a not-for-profit corporation having as its purpose the advancement of amateur athletic competition;

(2) has the managerial and financial capability to plan and execute its obligations;

(3) submits—

(A) an application, in the form required by the corporation, for recognition as a national governing body;

(B) a copy of its corporate charter and bylaws; and

(C) any additional information considered necessary or appropriate by the corporation;
(4) agrees to submit to binding arbitration in any controversy involving—

(A) its recognition as a national governing body, as provided for in section 220529 of this title, upon demand of the corporation; and

(B) the opportunity of any amateur athlete, coach, trainer, manager, administrator or official to participate in amateur athletic competition, upon demand of the corporation or any aggrieved amateur athlete, coach, trainer, manager, administrator or official,

conducted in accordance with the Commercial Rules of the American Arbitration Association, as modified and provided for in the corporation’s constitution and bylaws, except that if the Athletes’ Advisory Council and National Governing Bodies’ Council do not concur on any modifications to such Rules, and if the corporation’s executive committee is not able to facilitate such concurrence, the Commercial Rules of Arbitration shall apply unless at least two-thirds of the corporation’s board of directors approves modifications to such Rules;

(5) demonstrates that it is autonomous in the governance of its sport, in that it—

(A) independently decides and controls all matters central to governance;

(B) does not delegate decision-making and control of matters central to governance;

and

(C) is free from outside restraint;

(6) demonstrates that it is a member of no more than one international sports federation that governs a sport included on the program of the Olympic Games or the Pan-American Games;

(7) demonstrates that its membership is open to any individual who is an amateur athlete, coach, trainer, manager, administrator, or official active in the sport for which recognition is sought, or any amateur sports organization that conducts programs in the sport for which recognition is sought, or both;

(8) provides an equal opportunity to amateur athletes, coaches, trainers, managers, administrators, and officials to participate in amateur athletic competition, without discrimination on the basis of race, color, religion, sex, age, or national origin, and with fair notice and opportunity for a hearing to any amateur athlete, coach, trainer, manager, administrator, or official before declaring the individual ineligible to participate;

(9) is governed by a board of directors or other governing board whose members are selected without regard to race, color, religion, national origin, or sex, except that, in sports where there are separate male and female programs, it provides for reasonable
representation of both males and females on the board of directors or other governing board;

(10) demonstrates, based on guidelines approved by the corporation, the Athletes’ Advisory Council, and the National Governing Bodies’ Council, that its board of directors and other such governing boards have established criteria and election procedures for and maintain among their voting members individuals who are actively engaged in amateur athletic competition in the sport for which recognition is sought or who have represented the United States in international amateur athletic competition within the preceding 10 years, that any exceptions to such guidelines by such organization have been approved by the corporation, and that the voting power held by such individuals is not less than 20 percent of the voting power held in its board of directors and other such governing boards;

(11) provides for reasonable direct representation on its board of directors or other governing board for any amateur sports organization that—

(A) conducts a national program or regular national amateur athletic competition in the applicable sport on a level of proficiency appropriate for the selection of amateur athletes to represent the United States in international amateur athletic competition; and

(B) ensures that the representation reflects the nature, scope, quality, and strength of the programs and competitions of the amateur sports organization in relation to all other programs and competitions in the sport in the United States;

(12) demonstrates that none of its officers are also officers of any other amateur sports organization recognized as a national governing body;

(13) provides procedures for the prompt and equitable resolution of grievances of its members;

(14) does not have eligibility criteria related to amateur status or to participation in the Olympic Games, the Paralympic Games, or the Pan-American Games that are more restrictive than those of the appropriate international sports federation; and

(15) demonstrates, if the organization is seeking to be recognized as a national governing body, that it is prepared to meet the obligations imposed on a national governing body under sections 220524 and 220525 of this title.

(b) RECOGNITION OF PARALYMPIC SPORTS ORGANIZATIONS.—For any sport which is included on the program of the Paralympic Games, the corporation is authorized to designate, where feasible and when such designation would serve the best interest of the sport, and with the approval of the affected national governing body, a national governing body recognized
under subsection (a) to govern such sport. Where such designation is not feasible or would not
serve the best interest of the sport, the corporation is authorized to recognize another amateur
sports organization as a paralympic sports organization to govern such sport, except that,
notwithstanding the other requirements of this chapter, any such paralympic sports
organization—

(1) shall comply only with those requirements, perform those duties, and have those
powers that the corporation, in its sole discretion, determines are appropriate to meet the
objects and purposes of this chapter; and

(2) may, with the approval of the corporation, govern more than one sport included on
the program of the Paralympic Games.

§220523. Authority of national governing bodies

(a) AUTHORITY.—For the sport that it governs, a national governing body may—

(1) represent the United States in the appropriate international sports federation;

(2) establish national goals and encourage the attainment of those goals;

(3) serve as the coordinating body for amateur athletic activity in the United States;

(4) exercise jurisdiction over international amateur athletic activities and sanction
international amateur athletic competition held in the United States and sanction the
sponsorship of international amateur athletic competition held outside the United States;

(5) conduct amateur athletic competition, including national championships, and
international amateur athletic competition in the United States, and establish procedures for
determining eligibility standards for participation in competition, except for amateur
athletic competition specified in section 220526 of this title;

(6) recommend to the corporation individuals and teams to represent the United States
in the Olympic Games, the Paralympic Games, and the Pan-American Games, and

(7) designate individuals and teams to represent the United States in international
amateur athletic competition (other than the Olympic Games, the Paralympic Games, and
the Pan-American Games) and certify, in accordance with applicable international rules, the
amateur eligibility of those individuals and teams.

(b) REPLACEMENT OF NATIONAL GOVERNING BODY PURSUANT TO ARBITRATION.—A
national governing body may not exercise any authority under subsection (a) of this section for
a particular sport after another amateur sports organization has been declared (in accordance
§220523

with binding arbitration proceedings prescribed by the organic documents of the corporation
entitled to replace that national governing body as the member of the corporation for that sport.

§220524  General duties of national governing bodies

For the sport that it governs, a national governing body shall—

(1) develop interest and participation throughout the United States and be responsible
to the persons and amateur sports organizations it represents;

(2) minimize, through coordination with other amateur sports organizations, conflicts in
the scheduling of all practices and competitions;

(3) keep amateur athletes informed of policy matters and reasonably reflect the views
of the athletes in its policy decisions;

(4) disseminate and distribute to amateur athletes, coaches, trainers, managers,
administrators, and officials in a timely manner the applicable rules and any changes to
such rules of the national governing body, the corporation, the appropriate international
sports federation, the International Olympic Committee, the International Paralympic
Committee, and the Pan-American Sports Organization;

(5) allow an amateur athlete to compete in any international amateur athletic
competition conducted by any amateur sports organization or person, unless the national
governing body establishes that its denial is based on evidence that the organization or
person conducting the competition does not meet the requirements stated in section 220525
of this title;

(6) provide equitable support and encouragement for participation by women where
separate programs for male and female athletes are conducted on a national basis;

(7) encourage and support amateur athletic sports programs for individuals with
disabilities and the participation of individuals with disabilities in amateur athletic activity,
including, where feasible, the expansion of opportunities for meaningful participation by
individuals with disabilities in programs of athletic competition for able-bodied individuals;

(8) provide and coordinate technical information on physical training, equipment
design, coaching, and performance analysis; and

(9) encourage and support research, development, and dissemination of information in
the areas of sports medicine and sports safety.
§220525. Granting sanctions for amateur athletic competitions

(a) PROMPT REVIEW AND DECISION.—For the sport that it governs, a national governing body promptly shall—

(1) review a request by an amateur sports organization or person for a sanction to hold an international amateur athletic competition in the United States or to sponsor United States amateur athletes to compete in international amateur athletic competition outside the United States; and

(2) grant the sanction if—

(A) the national governing body does not decide by clear and convincing evidence that holding or sponsoring an international amateur athletic competition would be detrimental to the best interest of the sport; and

(B) the requirements of subsection (b) of this section are met.

(b) REQUIREMENTS.—An amateur sports organization or person may be granted a sanction under this section only if the organization or person meets the following requirements—

(1) The organization or person must pay the national governing body any required sanctioning fee, if the fee is reasonable and nondiscriminatory.

(2) For a sanction to hold an international amateur athletic competition in the United States, the organization or person must—

(A) submit to the national governing body an audited or notarized financial report of similar events, if any, conducted by the organization or person; and

(B) demonstrate that the requirements of paragraph (4) of this subsection have been met.

(3) For a sanction to sponsor United States amateur athletes to compete in international amateur athletic competition outside the United States, the organization or person must—

(A) submit a report of the most recent trip to a foreign country, if any, that the organization or person sponsored for the purpose of having United States amateur athletes compete in international amateur athletic competition; and

(B) submit a letter from the appropriate entity that will hold the international amateur athletic competition certifying that the requirements of paragraph (4) of this subsection have been met.
(4) The requirements referred to in paragraphs (2) and (3) of this subsection are that—

(A) appropriate measures have been taken to protect the amateur status of athletes who will take part in the competition and to protect their eligibility to compete in amateur athletic competition;

(B) appropriate provision has been made for validation of any records established during the competition;

(C) due regard has been given to any international amateur athletic requirements specifically applicable to the competition;

(D) the competition will be conducted by qualified officials;

(E) proper medical supervision will be provided for athletes who will participate in the competition; and

(F) proper safety precautions have been taken to protect the personal welfare of the athletics and spectators at the competition.

§220526. Restricted amateur athletic competitions

(a) EXCLUSIVE JURISDICTION.—An amateur sports organization that conducts amateur athletic competition shall have exclusive jurisdiction over that competition if participation is restricted to a specific class of amateur athletes, such as high school students, college students, members of the Armed Forces, or similar groups or categories.

(b) SANCTIONS FOR INTERNATIONAL COMPETITION.—An amateur sports organization under subsection (a) of this section shall obtain a sanction from the appropriate national governing body if the organization wishes to—

(1) conduct international amateur athletic competition in the United States; or

(2) sponsor international amateur athletic competition to be held outside the United States.

§220527. Complaints against national governing bodies

(a) GENERAL.—

(1) An amateur sports organization or person that belongs to or is eligible to belong to a national governing body may seek to compel the national governing body to comply with
sections 220522, 220524, and 220525 of this title by filing a written complaint with the
corporation. A copy of the complaint shall be served on the national governing body.

(2) The corporation shall establish procedures for the filing and disposition of
complaints under this section.

(b) Exhaustion of Remedies.—

(1) An organization or person may file a complaint under subsection (a) of this section
only after exhausting all available remedies within the national governing body for
correcting deficiencies, unless it can be shown by clear and convincing evidence
that those remedies would have resulted in unnecessary delay.

(2) Within 30 days after a complaint is filed, the corporation shall decide whether the
organization or person has exhausted all available remedies as required by paragraph (1) of
this subsection. If the corporation determines that the remedies have not been exhausted, it
may direct that the remedies be pursued before the corporation considers the complaint
further.

(c) Hearings.—If the corporation decides that all available remedies have been exhausted as
required by subsection (b)(1) of this section, it shall hold a hearing, within 90 days after the
complaint is filed, to receive testimony to decide whether the national governing body is
complying with sections 220522, 220524, and 220525 of this title.

(d) Disposition of Complaint.—

(1) If the corporation decides, as a result of the hearing, that the national governing
body is complying with sections 220522, 220524, and 220525 of this title, it shall so notify
the complainant and the national governing body.

(2) If the corporation decides, as a result of the hearing, that the national governing
body is not complying with sections 220522, 220524, and 220525 of this title, it shall—

(A) place the national governing body on probation for a specified period of time,
not to exceed 180 days, which the corporation considers necessary to enable the national
governing body to comply with those sections; or

(B) revoke the recognition of the national governing body.

(3) If the corporation places a national governing body on probation under paragraph
(2) of this subsection, it may extend the probationary period if the national governing body
has proven by clear and convincing evidence that, through no fault of its own, it needs
additional time to comply with sections 220522, 220524, and 220525 of this title. If, at the
end of the period allowed by the corporation, the national governing body has not complied
with those sections, the corporation shall revoke the recognition of the national governing
body.

§220528. Applications to replace an incumbent national governing body

(a) General.—An amateur sports organization may seek to replace an incumbent as the
national governing body for a particular sport by filing a written application for recognition
with the corporation.

(b) Establishment of Procedures.—The corporation shall establish procedures for the
filing and disposition of applications under this section. If 2 or more organizations file
applications for the same sport, the applications shall be considered in a single proceeding.

(c) Filing Procedures.—

(1) An application under this section must be filed within one year after the final day

(A) any Olympic Games, for a sport in which competition is held in the Olympic
Games or the Paralympic Games, or in both the Olympic and Pan-American Games; or

(B) any Pan-American Games, for a sport in which competition is held in the Pan-
American Games but not in the Olympic Games.

(2) The application shall be filed with the corporation by certified mail, and a copy of
the application shall be served on the national governing body and with any other
organization that has filed an application. The corporation shall inform the applicant that
its application has been received.

(d) Hearings.—Within 180 days after receipt of an application filed under this section, the
corporation shall conduct a formal hearing open to the public to determine the merits of the
application. The corporation shall publish notice of the time and place of the hearing in a
regular issue of its principal publication at least 30 days, but not more than 60 days, before the
date of the hearing. The corporation also shall send written notice, including a copy of the
application, at least 30 days prior to the date of the hearing to all amateur sports organizations
known to the corporation in that sport. In the hearing, the applicant and the national governing
body shall be given a reasonable opportunity to present evidence supporting their positions.

(e) Standards for Granting Applications.—In the hearing, the applicant must establish
by a preponderance of the evidence that—
(1) it meets the criteria for recognition as a national governing body under section 220522 of this title; and

(2)(A) the national governing body does not meet the criteria of section 220522, 220524, or 220525 of this title; or

(B) the applicant more adequately meets the criteria of section 220522 of this title, is capable of more adequately meeting the criteria of sections 220524 and 220525 of this title, and provides or is capable of providing a more effective national program of competition than the national governing body in the sport for which it seeks recognition.

(f) DISPOSITIONS OF APPLICATIONS.—Within 30 days after the close of the hearing required by this section, the corporation shall—

(1) uphold the right of the national governing body to continue as the national governing body for its sport;

(2) revoke the recognition of the national governing body and declare a vacancy in the national governing body for that sport;

(3) revoke the recognition of the national governing body and recognize the applicant as the national governing body; or

(4) place the national governing body on probation for a period not exceeding 180 days, pending the compliance of the national governing body, if the national governing body would have retained recognition except for a minor deficiency in one of the requirements of section 220522, 220524, or 220525 of this title and notify such national governing body of such probation and of the actions needed to comply with such requirements.

(g) REVOCATION OF RECOGNITION AFTER PROBATION.—If the national governing body does not comply with sections 220522, 220524, and 220525 of this title within the probationary period prescribed under subsection (f)(4) of this section, the corporation shall revoke the recognition of the national governing body and either—

(1) recognize the applicant as the national governing body; or

(2) declare a vacancy in the national governing body for that sport.

§220529. Arbitration of corporation determinations

(a) RIGHT TO REVIEW.—A party aggrieved by a determination of the corporation under section 220527 or 220528 of this title may obtain review by any regional office of the American Arbitration Association.
(b) **PROCEDURE.**—

1. A demand for arbitration must be submitted within 30 days after the determination of the corporation.

2. On receipt of a demand for arbitration, the Association shall serve notice on the parties to the arbitration and on the corporation, and shall immediately proceed with arbitration according to the commercial rules of the Association in effect at the time the demand is filed, except that—

   - A the arbitration panel shall consist of at least 3 arbitrators, unless the parties to the proceeding agree to a lesser number;
   - B the arbitration hearing shall take place at a site selected by the Association, unless the parties to the proceeding agree to the use of another site; and
   - C the arbitration hearing shall be open to the public.

3. A decision by the arbitrators shall be by majority vote unless the concurrence of all arbitrators is expressly required by the contesting parties.

4. Each party may be represented by counsel or by any other authorized representative at the arbitration proceeding.

5. The parties may offer any evidence they desire and shall produce any additional evidence the arbitrators believe is necessary to an understanding and determination of the dispute. The arbitrators shall be the sole judges of the relevancy and materiality of the evidence offered. Conformity to legal rules of evidence is not necessary.

(c) **SETTLEMENT.**—The arbitrators may settle a dispute arising under this chapter before making a final award, if agreed to by the parties and achieved in a manner not inconsistent with the constitution and bylaws of the corporation.

(d) **BINDING NATURE OF DECISION.**—Final decision of the arbitrators is binding on the parties if the award is not inconsistent with the constitution and bylaws of the corporation.

(e) **REOPENING HEARINGS.**—

1. At any time before a final decision is made, the hearings may be reopened by the arbitrators on their own motion or on the motion of a party.

2. If the reopening is based on the motion of a party, and if the reopening would result in the arbitrators' decision being delayed beyond the specific period agreed to at the
beginning of the arbitration proceedings, all parties to the decision must agree to reopen the hearings.
Exhibit 3
2016 UNITED STATES EQUESTRIAN FEDERATION RULEBOOK

The current Federation Rulebook can be found at:

Exhibit 4
News Release

USDA Proposes Changes to End the Inhumane Practice of Soring

Contact:
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WASHINGTON, July 25, 2016--The U.S. Department of Agriculture’s (USDA) Animal and Plant Health Inspection Service (APHIS) today announced proposed changes to strengthen enforcement of the Horse Protection Act (HPA) and end inhumane practices known as soring, which cause horses to suffer physical pain, distress, inflammation, or lameness while walking and moving.

APHIS enforces the HPA, a Federal law that prohibits horses subjected to soring from participating in shows, sales, exhibitions, or auctions. The HPA also prohibits drivers from transporting sored horses to or from any of these events. APHIS works actively with the horse industry to protect against such abuse and to ensure that only sound and healthy horses participate in shows.

“As tasked by Congress, the HPA’s ultimate goal is to completely end the inhumane practice of soring,” said APHIS Administrator Kevin Shea. “The recommended changes will ultimately help us end soring altogether by giving USDA direct control over the inspection process, and banning the use of certain equipment and training devices is allowed under existing regulations. We believe an independent pool of APHIS-trained inspectors, combined with a ban on inhumane training methods, will be a more effective deterrent to the cruel and inhumane practice of horse soring.”

The proposed rule makes two significant changes:

- APHIS would assume responsibility for training, screening and licensing horse inspectors. The new cadre of inspectors would be veterinarians and veterinary technicians who would be required to follow APHIS rules and standards of conduct.
- APHIS would ban the use of all action devices, pads, and foreign substances at horse shows, exhibitions, sales, and auctions. This would align the HPA regulations with existing equestrian standards set forth by the U.S. Equestrian Federation.

The proposed rule will publish in the Federal Register July 26, 2016, and will be available for public comment at http://www.regulations.gov/#!docketDetail:D=APHIS-2011-0009. It can be viewed online today at https://www.federalregister.gov/public-inspection. Consideration will be given to comments received on or before September 26.

Additionally, APHIS is announcing five public meetings to seek additional comments and feedback from the public. Those meetings are scheduled for:

- Tuesday, Aug. 9 in Murfreesboro, Tenn.
- Wednesday, Aug. 10 in Lexington, Ky.
- Tuesday, Aug. 16 in Sacramento, Calif.
- Tuesday, Sept. 6, in Riverdale, Md.
- Wednesday, Sept. 15, a call-in virtual public meeting.

More information about those meetings – including how to participate – can be found on the Animal Care website at: https://www.aphis.usda.gov/aphis/ourfocus/animalwelfare/horse-protection-amendments

Comments may also be submitted either by visiting the Federal eRulemaking Portal at http://www.regulations.gov/#!docketDetail;D=APHIS-2011-0009 or by postal mail/commercial delivery to: Docket No. APHIS-2011-0009, Regulatory Analysis and Development PPD APHIS, Station 3A-03.8, 4700 River Road Unit 118, Riverdale, MD, 20737-1238. Comments are posted on the Regulations.gov website and may also be reviewed at USDA, Room 1141, South Building, 14th Street and Independence Ave., SW, Washington, D.C., between 8 a.m. and 4:30 p.m., Monday through Friday, excluding holidays. To facilitate entry into the comment reading room, please call (202) 799-7039.

--- Questions and Answers

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USDA is an equal opportunity provider, employer, and lender.
Exhibit 5
UNITED STATES EQUESTRIAN FEDERATION

VISION STATEMENT

To bring the joy of horse sports to as many people as possible.

MISSION STATEMENT

To provide access to and increase participation in Equestrian Sports at all levels by ensuring fairness, safety and enjoyment.
Exhibit 6
U.S. Wins Team Silver in Show Jumping at Rio Olympic Games

RELEASE: August 17, 2016
AUTHOR/ADMINISTRATOR: Classic Communications/USEF Communications Department

Rio de Janeiro, Brazil – The U.S. Olympic Show Jumping Team won the Silver medal in a down-to-the-wire competition at the Rio 2016 Olympic Games Wednesday. The team of Lucy Davis and Barron, Kent Farrington and Voyeur, Beezie Madden and Cortes 'C', and McLain Ward and Azur finished the two-round competition with five faults. France won the Gold with three faults, while Germany and Canada tied for third on eight. Ultimately, Germany captured Bronze following a jump-off with Canada for the medal.

A total of 44 athlete-and-horse combinations representing 19 countries, eight of which remained in the hunt for team medals, competed at the Deodoro Olympic Equestrian Center in the final round of the team competition, which also served as the third and final qualifier for Friday’s individual final.

The U.S. started the day with only three riders, as Madden and Cortes ‘C’, a 14-year-old Belgium Warmblood gelding owned by Abigail Wexner, withdrew from Wednesday’s competition after sustaining a tendon injury on Tuesday. That added pressure for each of the U.S.’s three remaining riders, as the team would not have the luxury of a drop score as each team’s three best scores counted.

Guilherme Jorge designed a course worthy of an Olympic final; it demanded expert riding, power, and speed. Riders faced a 1.60m wall as an introduction to the 13-jump course that had a time-allowed of 82 seconds. Jorge’s impressive course quickly separated the teams with only 15 riders able to finish within the time and only five going clear.
“The course was tremendous, a real Olympic championship course,” said U.S. Chef d’Equipe Robert Ridland. “We knew that when we walked it, all the riders did. We were pretty sure that it wasn’t going to be won on zero [faults]. All our scores had to count today, we knew that. It didn’t affect any of them. They were all unbelievable. Unbelievably focused, they knew what their job was and they got it done. It was tremendous.”

Setting the tone for the U.S. once again was Farrington (Wellington, Fla.) and Amalaya Investments’ 14-year-old KWPN gelding, Voyeur. For the third straight round this week, they dominated the course, clearing each jump with ease. Although the duo succeeded in leaving all the rails in the cups, they exceeded the time allowed, adding one fault to their overall score, their only fault to date in their Olympic debut.

“My horse jumped fantastic today,” said Farrington after his round. “I saw a lot of horses struggling to jump the triple combination clear so I really set him up for that. Every rail was going to matter today, so I wanted to secure that before I took a bigger risk on the time. The course was a lot bigger than the other day and a lot more difficult. We’re going in one round at a time and trying our best to jump clear.”

The second U.S. rider to enter the ring was Davis (Los Angeles, Calif.) with Old Oaks Farm’s Barron, a 12-year-old Belgian Warmblood gelding. Davis and Barron showed brilliance in the first half of the course, clearing each jump and making good time around the large arena. The triple combination came late on course at fence 11,
where Davis and Barron tapped the top rail out of the cups at 11b, resulting in four faults.

“I was pleased with the round, although not thrilled because I would have liked to have gone clear, but he jumped amazing all three days,” said Davis. “I wasn’t really expecting that rail because he was jumping so confident and smooth. I came around the turn and saw my distance, and I don’t know if he saw something or what. I am just happy that we could get through it and stay within the time. That was really key because I thought it was going to be really close, so hopefully I helped the team in that way.”

McLain Ward and Azur (Shannon Brinkman Photo)

Just before Ward (Brewster, N.Y.) entered the ring with Double H Farm and Francois Mathy's Azur, a 10-year-old Belgian Warmblood mare, Roger Yves Bost clinched the Gold for France. With Germany and Brazil both in a position to keep the U.S. off the podium, Ward knew that he needed a fault-free round to keep the team’s medal hopes alive. The two-time Olympic Team Gold medalist attacked the course in true Olympic fashion – calm, confident, and with speed. Azur was sure not to touch a single rail and the duo came home clean and within the time, putting the U.S. in position for the Silver medal, the third team medal for the U.S. in the past four Olympic Games.

“It takes the wind out of your sail a little bit when you are focused on winning,” said Ward of France securing the Gold prior to his ride. “But you have to gather yourself. We’ve had a rough 24 hours losing Cortes. Beezie has been our anchor for the better part of a decade. Her record of coming through in the clutch is second-to-none. It’s a little unsettling when you lose her, but it was great team performance. I thought Kent was brilliant and Lucy, just like at the World Equestrian Games, was the utmost professional and she really delivered a great round. They allowed me to be in a position where I could do the job I was supposed to do.”

“The horse felt like she was jumping incredibly. I think I am sitting on a bit of a better horse than everybody else, so that makes my life a little easier. I really thought she jumped as good as ever, if not better than the rest of the week. It was a round I’m proud of and I’m proud of this team.”

Summing things up for the U.S. team, Farrington said, “Just to be on this team, to be in my first Olympics and win a medal is a fantastic feeling. There’s no greater honor than representing your country, and to walk away with a Silver medal is a great finish.”
Action concludes Friday with the two-round individual final where the top 45 riders from the three qualifying rounds will start fresh on zero faults. The U.S. will be represented by Farrington, Davis, and Ward.

**Team results**

**TV Coverage Schedule**

**NBCOlympics.com Live Stream**

Keep up-to-date on equestrian competition at the Rio Olympic Games on [USEFNetwork.com](http://www.usefnetwork.com), [Facebook](http://www.facebook.com), [Twitter](http://www.twitter.com), [Instagram](http://www.instagram.com), and [Snapchat](http://www.snapchat.com), and sign up for the [USEF Olympic Newsletter](http://www.usef.org). Coverage includes links to live streams and TV coverage, athlete bios, behind-the-scenes photos, and more.

The USEF International High Performance Programs are generously supported by the USET Foundation, USOC, and USEF Sponsors and Members. Without the support of these organizations and individuals, it would not be possible to support our athletes. The USEF is especially grateful to individuals who give generously of their time and money to support the equestrian teams.
U.S. Dressage Team Wins Bronze Medal at Rio 2016 Olympic Games

RELEASE: August 12, 2016
AUTHOR/ADMINISTRATOR: Classic Communications/USEF Communications Department

Rio de Janeiro, Brazil – The U.S. Dressage Team won the Bronze medal at the Rio 2016 Olympic Games on Friday following the conclusion of the second half of team competition, the Grand Prix Special. Led by Chef d’Equipe Robert Dover, the team, comprised of, Allison Brock and Rosevelt, Laura Graves and Verdades, Kasey Perry-Glass and Dublet, and Steffen Peters and Legolas 92 won the Bronze medal on a final score of 76.667%. Germany won the Team Gold on 81.936%, while Great Britain claimed the Team Silver with a score of 78.595%.

The third day of dressage team competition featured the top six teams and eight individual combinations from the first two days’ Grand Prix at the Deodoro Olympic Equestrian Center. Each team’s top three scores from both the Grand Prix and Grand Prix Special were averaged together to determine the team medals.
Laura Graves and Verdades (Shannon Brinkman)

It took a personal best score of 80.644% from anchor rider Graves (Geneva, Fla.) and her own Verdades, a 14-year-old KWPN gelding, to claim the Team Bronze medal as The Netherlands moved slightly ahead of the U.S. before her ride. The pair held fifth place individually going into the Grand Prix Special and their performance was truly spectacular. The duo scored mostly 8s or above throughout the test and earned six 9s for their left canter pirouette down centerline and for their flying changes in canter.

“We’ve captured the elusive 80% - it does exist!” said a thrilled Graves, who was one of only five riders to score above 80%. “I knew the test was going well, but you just always hope that your reflections match up with the judges. I had no idea going into the ring what I needed for a score and to see my teammates so happy and then to achieve my personal best score - and a score I’ve been reaching for - was just icing on our cake today.”

Peters (San Diego, Calif.), competing in his fourth Olympic Games, rode Legolas 92, a 14-year-old Westphalian gelding owned by Four Winds Farm. The pair held sixth place individually going into the Grand Prix Special and produced a superb test with one mistake coming at the beginning of the test in the left trot half-pass. The duo quickly recovered to produce a score of 74.622%.

“I’m super happy with Legolas. We delivered for the team, that was my goal and that’s what we did,” said a delighted Peters. “We had a couple of little fumbles – he lost his balance in the left half-pass which is uncharacteristic of him and we had a little delayed reaction into the first piaffe, but then he did it beautifully.”
“The rest of the test was very clean,” he continued. “He did his changes very nicely, but I knew that after the half-pass ‘fumble’ that if we had one more mistake in the flying changes then we’d be below the required average score to stay ahead of The Netherlands. I knew going into the ring exactly what score I had to get and I’m super happy that it worked out - but it was close!”

Olympic first-timers Brock (Loxahatchee, Fla.) and Rosevelt, a 14-year-old Hanoverian gelding owned by Claudine and Fritz Kundrun, were the trailblazers as the first U.S. pair to perform its test. The duo executed a solid and confident test, earning a score of 73.824% from the seven judges with many good highlights throughout, earning high marks their first extended trot, flying changes, and extended canter.

“I was really happy with him,” remarked Brock. “He was really good. He was better than in the Grand Prix and did a clean test. That’s what we needed to do to set the stage for my teammates and we did it, so I’m really happy with him. I laughed a little at the end of my test because I said thank you [to Rosevelt] for doing this for me because it got hot in the ring and I just had to give him a lot of credit. He tried really hard. Bless him.”
Second up for the U.S. was Perry-Glass (Orangevale, Calif.) and Diane Perry’s 13-year-old Dutch Warmblood gelding, Dublet. The pair produced a fluid test in the Grand Prix Special with especially beautiful passage work. Unfortunately, the pair had a mistake from the passage into the extended trot, but quickly regrouped and completed with a respectable 73.235% in their first Olympic Games.

“It wasn’t our best, but you know I have to give it to Dublet as he’s really trying to stay with me,” said Perry-Glass. “We have a couple kinks to work out, but it’s our first year and we moved up very fast, so I have to give him credit on that for staying patient and really trusting me in the ring. My plan was just to give him a good experience and also I was thinking about the team. I really wanted to do this for the team, but sometimes it’s just not your day.”

Reflecting on the Bronze medal win, Peters said, “First of all, a big thank you to Robert Dover [U.S. Dressage Chef d’Equipe], who was also on the team in 2004 [the last time the U.S. Dressage Team won a Team Olympic medal]. Today we knew it had to be above 75 percent and all four riders and horses are capable of delivering 76-77 percent, so we knew we had a chance, but when it actually happened it was amazing! If you wanted to see a 52-year-old guy acting like a 10-year-old boy, you should’ve seen me in the stands when Laura was coming down centerline – I was crying my eyes out and it was just one of those absolutely amazing experiences. There’s a lot of people who are certainly a big part of this medal.”

Final Team Standings

The top 18 competitors from the Grand Prix Special will now go on to compete in the Individual final, the Grand Prix Freestyle, on Monday. Only three athletes from each nation are eligible compete in the Freestyle, which ultimately decides the Olympic Champion. Graves, Peters, and Brock all qualified.

Keep up-to-date on equestrian competition at the Rio Olympic Games on USEFNetwork.com, Facebook, Twitter, Instagram, and Snapchat, and sign up for the USEF Olympic Newsletter. Coverage includes links to live streams and TV coverage, athlete bios, behind-the-scenes photos, and more.
The USEF International High Performance Programs are generously supported by the USET Foundation, USOC, and USEF Sponsors and Members. Without the support of these organizations and individuals, it would not be possible to support our athletes. The USEF is especially grateful to individuals who give generously of their time and money to support the equestrian teams.
Phillip Dutton Wins Eventing Individual Bronze Medal at Rio Olympic Games

RELEASE: August 9, 2016
AUTHOR/ADMINISTRATOR: Classic Communications/USEF Communications Department

Rio de Janeiro, Brazil – U.S. Olympic Eventing Team member Phillip Dutton capped off three days of brilliant riding by winning the Individual Bronze medal at the Rio Olympic Games. Dutton finished on a score of 51.80. Michael Jung of Germany won the Individual Gold medal for the second consecutive time and Nicolas Astier of France took home the Silver medal.

The energy and excitement for the final day of the eventing competition washed over the Olympic Equestrian Center at Deodoro on Tuesday. There were 45 athlete-and-horse combinations that contested Guilherme Jorge’s show jumping course that determined the team medals and the 25 individuals who would advance to the individual finals. Dutton and Boyd Martin, who sat in fifth and sixth respectively following cross-country, rode well in the first round, both qualifying for the finals. Dutton was in strong medal position, moving up to fourth entering the final.

Jorge’s first show jumping course was open and inviting, although a combination fence at the beginning and a triple towards the end of the course caused many unnerving moments as rails danced out of the jump cups. Costly rails and time faults shifted the team standings and final positions on the podium. When all was done, France took home the team Gold medal with a final score of 169.00, Germany secured the Silver with a score of 172.80, and Australia won the Bronze with a score of 175.30. With only two riders completing the cross-country phase, the U.S. team finished in 12th place overall.
In the first round, Dutton (West Grove, Pa.) and HND Group’s Mighty Nice took advantage of the turns and gave a professional performance, adding only one time fault and no jumping penalties. This secured his advancement into the finals and put him in medal contention in fourth place with a score of 47.80.

“He jumped great,” said Dutton after that first round. “He bumped his stifle and was not quite loose as he usually is. My curb chain let go as I was coming to the first fence, not an ideal way to start, but he jumped beautifully.”

With the team medals decided, the final individual round began with a course consisting of nine fences. Dutton’s final round with Mighty Nice was strong, but had a rail down at fence 4c to give him a final score of 51.80 and meant that he would need help to make it to the medal podium. That help came when the next rider, Australia’s Christopher Burton on Santano II, the leader following cross-country, dropped rails at the final two fences to boost Dutton onto the podium with the Bronze medal to go along with the two team Gold medals he won for his native Australia in 1996 and 2000.

“It's been a great weekend for the horse. It's a great achievement for him. The guy who owned him, Bruce Duchossois, would be proud of him,” said Dutton. “I was happy with fourth but ecstatic with third! It was a grand achievement although a disappointing day for the team yesterday. So we just had to get up and do our best today. So pleased with the horse, I don’t think I’ve had a horse with a bigger heart. He genuinely loves the sport.”
Martin (Cochranville, Pa.) and Blackfoot Mystery Syndicate LLC’s Blackfoot Mystery also rode well in the individual qualifying round and were able to secure a spot in the individual finals. Dropping rails at fences 6 and 7, they finished with a three-phase score of 58.90 and entered the individual finals in seventh place overall.

The final round proved troublesome for Martin and Blackfoot Mystery as they had rails down at fences 4b, 5, and the wall at the final fence, number 9. The three rails down dropped Martin to 16th place with a final score of 70.90.

“Obviously I wanted to jump a bit better,” Martin said. “He was a little bit tired yesterday and, to be quite honest, I think I overrode the first rail (in round one) and tried too hard to make him jump it clear and shut his jump down a little bit. The last pole he had he just felt a little bit tired and weary. He really gave 110% yesterday, so he’s not quite as fresh as he usually is, but he still did gut it out in there today.”

“It’s disappointing but I have to say this horse tried so hard all weekend. He just had nothing left in the last round. He’ll get stronger and I think it’s still an impressive result. I am very pleased for Phillip. That was huge effort. What a legend!”

In winning his second consecutive Individual Gold medal, Michael Jung of Germany, riding Sam FBW, ended on his dressage score of 40.90, the only rider to do so. Astier Nicolas of France, riding Piaf De B’Neville, took Silver with a score of 48.0.

TV Coverage Schedule

NBCOlympics.com Live Stream

Keep up-to-date on equestrian competition at the Rio Olympic Games on the USEFNetwork.com. Coverage includes links to live streams and TV coverage, athlete bios, behind-the-scenes photos, and more.

The USEF International High Performance Programs are generously supported by the USET Foundation, USOC, and USEF Sponsors and Members. Without the support of these organizations and individuals, it would not be possible to support our athletes. The USEF is especially grateful to individuals who give generously of their time and money to support the equestrian teams.
Exhibit 7
The HSUS Commends United States Equestrian Federation for New Rule Protecting Walking Horses

No horses wearing stacks, action devices to be exhibited at USEF Shows

The Humane Society of the United States applauds the United States Equine Federation for passing a new rule prohibiting participants in its licensed competitions from using certain devices that have long been associated with the abusive practice of “soring” show horses to make them perform the artificially high-stepping gait known as the “Big Lick.”

The rule bans the use of action devices and stacks for use on any member of the Tennessee walking horse, spotted saddle horse or racking horse breeds, in all classes at any USEF-licensed competitions. Under the rule, only humanely trained flat-shod horses in these breeds will be allowed to compete in non-recognized divisions at USEF competitions.

“Soring” involves the application of painful chemicals to horses’ front legs and the use of chains and heavy stacks instead of regular horse shoes. The Tennessee walking horse breed was formerly included as a recognized horse show division by USEF’s predecessor, the American Horse Shows Association, but was removed from its rule book in the 1980s in the wake of persistent abuses of walking show horses. However, Big Lick horses have continued to be exhibited at USEF-licensed shows in non-recognized divisions. The Big Lick has been popular in the South but is falling out of favor after investigations and law enforcement actions have revealed the abuses these beautiful, gentle horses endure. Undercover video footage released by The HSUS in 2012 showed a nationally known Tennessee horse trainer and his accomplices chemically soring show horses and brutally beating or “stewarding” them to teach them not to react to pain during inspection—practices that have been illegal for decades under the federal Horse Protection Act and Tennessee state law.

“The Humane Society of the United States is continually impressed by the United States Equestrian Federation’s commitment to the promotion of humane horsemanship,” said Keith Dane, director of equine protection for The HSUS. “Spectators at USEF shows will be able to experience the natural grace and beauty of sound, flat-shod walking horses without supporting or being exposed to any of the abusive practices long-associated with the Big Lick.”

The HSUS encourages other horse show venues to take similar steps in support of humane, responsible horsemanship and not provide a showcase for a horse show discipline commonly associated with these abusive, illegal training methods.

Facts:

The HSUS undercover investigation led to a 52-count indictment of Jackie McConnell, who pleaded guilty to one count of felony conspiracy to violate the Horse Protection Act, and three of his associates. In September, a federal court sentenced him to three years of probation and a $75,000 fine. McConnell also faces prosecution for violations of the Tennessee animal cruelty statute.

USDA’s Animal and Plant Health Inspection Service has for years conducted random testing at various Tennessee walking horse competitions, and the results indicate that a shocking 97.6 percent of the samples tested positive for prohibited foreign substances in 2011. In 2010, 86 percent of samples tested positive. These prohibited substances included numbing agents and drugs that mask evidence of abuse.

The HSUS filed a legal petition asking USDA to treat the use of illegal numbing or masking chemicals on horses’ legs as a felony under the Horse Protection Act.
In the last session of Congress, Reps. Ed Whitfield, R-Ky., and Steve Cohen, D-Tenn., introduced the Horse Protection Act Amendments of 2012, which would end the failed system of industry self-policing, ban the use of certain devices associated with soring, strengthen penalties, and hold accountable all those involved in this cruel practice. The HSUS expects the bill to be reintroduced with broad support in the coming weeks.

**Media Contact:** Stephanie Twining. 301-258-1491. stwining@humanesociety.org
Exhibit 8
Horse Protection; Licensing of Designated Qualified Persons and Other Amendments; Proposed Rule
DEPARTMENT OF AGRICULTURE

Animal and Plant Health Inspection Service

9 CFR Part 11

[Docket No. APHIS–2011–0009]

RIN 0579–AE19

Horse Protection; Licensing of Designated Qualified Persons and Other Amendments

AGENCY: Animal and Plant Health Inspection Service, USDA.

ACTION: Proposed rule.

SUMMARY: We are proposing to amend the horse protection regulations to provide that the Animal and Plant Health Inspection Service (APHIS) will train and license Designated Qualified Persons (DQPs) to inspect horses at horse shows, exhibitions, sales, and auctions for compliance with the Horse Protection Act. DQPs are currently trained and licensed through programs certified by APHIS and initiated and maintained by horse industry organizations (HIOs). Under this proposal, APHIS will train and license DQPs on an individual basis. The proposed changes to the regulations would relieve HIOs of all regulatory burdens and requirements. We would also establish a process by which APHIS could revoke the license of a DQP for professional misconduct or failure to conduct inspections in accordance with the regulations. We would establish requirements to minimize conflicts of interest between DQPs and others within the horse industry that enable the practice of soring. We are also proposing several changes to the responsibilities of management of horse shows, exhibitions, sales, and auctions, as well as changes to the list of devices, equipment, substances, and practices that can cause soring or are otherwise prohibited under the Horse Protection Act and regulations. Additionally, we are proposing to amend the inspection procedures that DQPs are required to perform. These actions would strengthen existing requirements intended to protect horses from the unnecessary and cruel practice of soring and eliminate unfair competition.

DATES: We will consider all comments that we receive on or before September 26, 2016. We will also consider comments made at public hearings to be held in Murfreesboro, TN, on Tuesday, August 9, 2016; Lexington, KY, on Wednesday, August 10, 2016; Sacramento, CA, on Tuesday, August 16, 2016; Riverdale, MD, on Tuesday, September 6, 2016; and during a virtual public hearing on Wednesday, September 15, 2016.

ADDRESSES: You may submit comments by either of the following methods:


• Postal Mail/commercial Delivery: Send your comment to Docket No. APHIS–2011–0009, Regulatory Analysis and Development, PPD, APHIS, Station 3A–03.8, 4700 River Road Unit 118, Riverdale, MD 20737–1238.

Supporting documents and any comments we receive on this docket may be viewed at http://www.regulations.gov/#docketDetail;D=APHIS–2011–0009 or in our reading room, which is located in room 1141 of the USDA South Building, 14th Street and Independence Avenue SW., Washington, DC. Normal reading room hours are 8 a.m. to 4:30 p.m., Monday through Friday, except holidays. To be sure someone is there to help you, please call (202) 799–7039 before coming.

Public Hearings: Public hearings regarding this rule will be held at the following locations:

1. Murfreesboro, TN: Embassy Suites, 1200 Conference Center Boulevard, Murfreesboro, TN.

2. Lexington, KY: Clarion Hotel Lexington, 1950 Newtown Pike, Lexington, KY.


4. Riverdale, MD: USDA Center at Riverside, 4700 River Road, Riverdale, MD.

5. A virtual public hearing will also be held. Persons wishing to participate in the virtual hearing are required to register at http://ems7.intellor.com/do=register&et=1&ep=706174. Upon registering, persons will receive an email containing dial-in numbers and a personalized access code.

FOR FURTHER INFORMATION CONTACT: Dr. Kay Carter-Corker, Assistant Deputy Administrator, Animal Care, APHIS, 4700 River Road Unit 84, Riverdale, MD 20737; (301) 851–3751.

SUPPLEMENTARY INFORMATION:

Public Hearings

We are advising the public that we are hosting five public hearings on this proposed rule. The first public hearing will be held in Murfreesboro, TN, on Tuesday, August 9, 2016, beginning at 9 a.m. local time. The second public hearing will be held in Lexington, KY, on Wednesday, August 10, 2016, beginning at 9 a.m. local time. The third public hearing will be held in Sacramento, CA, on Tuesday, August 16, 2016, beginning at 9 a.m. local time. The fourth public hearing will be held in Riverdale, MD, on Tuesday, September 6, 2016, beginning at 9 a.m. local time. The fifth public hearing, which will be conducted as virtual hearing, will be held on Wednesday, September 15, 2016, beginning at 5 p.m. EDT. Each hearing will begin at the appointed time and may continue for up to 4 hours depending on the number of persons desiring to speak. Each hearing may be terminated at any time (i.e., prior to the expiration of the 4 hour time period) if all persons desiring to speak and who are present in the hearing room or participating in the virtual hearing have been heard.

A representative of the Animal and Plant Health Inspection Service (APHIS) will preside at each of the public hearings. Any interested person may appear and be heard in person, by attorney, or by other representative. For the virtual hearing, any person may call in to be heard. Information about the hearings can be viewed online at https://www.aphis.usda.gov/aphis/ourfocus/animalwelfare/horse-protection-amendments. Written statements may be submitted and will be made part of the hearing record. A transcript of the public hearings will be placed in the rulemaking record and will be available for public inspection.

Registration is required to speak at one or more of the public hearings. Registration for the face-to-face hearings may also be accomplished by registering with the presiding officer 30 minutes prior to the scheduled start of each hearing (i.e., 8:30 a.m. local time). Persons who wish to speak at a hearing will be asked to sign in with their name and organization to establish a record for the hearing. We ask that anyone who reads a statement provide two copies to the presiding officer at the hearing. The presiding officer may limit the time for each presentation so that all interested persons appearing at the face-to-face hearings, or calling into the virtual hearing, have an opportunity to participate.

The purpose of the hearings is to give interested persons an opportunity for presentation of data, views, and arguments. Questions about the content of the proposed rule may be part of the commenters’ oral presentations. However, neither the presiding officer nor any other representative of APHIS will respond to comments at the hearings, except to clarify or explain provisions of the proposed rule. Information on the public hearings can be found on the Internet at https://
INFORMATION CONTACT

management of a horse show, U.S.C. 1823), requires the Secretary of
and negatively impacts horse sales. The spectating public and horse buyers,
commerce adversely affects and burdens interstate and foreign commerce because
sale of sore horses in intrastate
commodity adversely affects and burdens interstate and foreign commerce because it creates unfair competition, deceives the spectating public and horse buyers, and negatively impacts horse sales.

Section 4 of the Act, as amended (15 U.S.C. 1823), requires the Secretary of
prescribe by regulation requirements for the appointment by the management of a horse show,
and reporting, and granting of access, space, and facilities for inspections, are intended to consolidate or clarify existing provisions of the HPA. These proposed changes are procedural and should not impose additional costs for the show management.

Of these proposed amendments to the horse protection regulations, only the amendments requiring a farrier to be present for all shows and a minimum of 2 inspectors for shows with 150 or fewer horses and more than 2 inspectors for shows with more than 150 horses may result in additional costs for the shows or their participants.2 Based on APHIS estimates, the costs of services provided by veterinarians, farriers, and inspectors range from a few hundred to several thousand dollars. Many if not most of the entities that may be affected by this proposed rule are small.

While the proposed rule would result in better oversight of inspectors and enforcement of the HPA, implementation of the proposed changes would result in additional administrative and technological tasks associated with training and licensing inspectors. These tasks include designing, coordinating, and delivering training and providing program guidance and oversight. With program allocated funds, APHIS personnel would support these additional training needs while continuing to attend a percentage of horse events in order to ensure consistency among inspectors, address performance concerns, and inspect horses for compliance with the Act.

Background

In 1970, Congress passed the Horse Protection Act (15 U.S.C. 1821–1831), referred to below as the Act, or HPA, to eliminate the practice of soring by prohibiting the showing or selling of sored horses. The regulations in part 11, referred to below as the regulations, implement the Act.

In the Act, Congress found and declared that the sorings of horses is cruel and inhumane. The Act states that the term “sore” when used to describe a horse means that:

• Any burn, cut, or laceration has been inflicted by a person on any limb of a horse;
• Any tack, nail, screw, or chemical agent has been injected by a person into or used by a person on any limb of a horse; or
• Any other substance or device has been used by a person on any limb of a horse or a person has engaged in a practice involving a horse and, as a result of such application, infliction, injection, use, or practice, such horse suffers, or can reasonably be expected to suffer, physical pain or distress, inflammation, or lameness when walking, trotting, or otherwise moving.

Soring has been primarily used in the training of Tennessee Walking Horses, Racking Horses, and related breeds to produce an exaggerated gait for competition. However, the Act is intended to enforce prohibitions against sorings in all horse breeds. Congress found that horses shown or exhibited that are sore compete unfairly with horses that are not sore. Congress further found that the movement, showing, exhibition, or sale of sore horses in intrastate commerce adversely affects and burdens interstate and foreign commerce.

Section 4 of the Act, as amended (15 U.S.C. 1823), requires the Secretary of Agriculture to enjoin by regulation requirements for the appointment by the management of a horse show, exhibition, sale, or auction (referred to below as “show management”) of persons qualified to detect and diagnose a horse which is sore or to otherwise inspect horses for the purpose of enforcing the Act. Although show management is not required to appoint these so-called “designated qualified persons” (DQPs) to inspect horses, if management chooses not to do so, it may be liable for violating the HPA if it fails to disqualify a sore horse. If, alternatively, show management appoints DQPs, it may be held liable only for failing to disqualify a sore horse after being notified by a DQP or by the Secretary of Agriculture, or his designee, that a horse is sore.

To implement that amendment, the Animal and Plant Health Inspection Service (APHIS) established the DQP program in 1979. Horse industry organizations with a DQP program certified by APHIS (referred to as HIOs, below), are responsible for training and certifying DQPs to inspect horses at shows, exhibitions, sales, or auctions. Under this program, DQPs are trained and licensed by the HIO to inspect horses and determine compliance with the Act and regulations. In order to be certified by APHIS, HIO programs must meet the requirements in §11.7 of the current regulations for licensing, training, recordkeeping and reporting, and DQP standards of conduct.

Under the current regulations, show management may forego appointing and retaining a DQP and assume responsibility for ensuring that sored horses are not participating in their event. In most cases, however, shows appoint and retain DQPs licensed by certified HIOs. The HIO provides the show with DQPs to conduct inspections to determine compliance with the Act and regulations and may impose industry-established penalties for violations identified in an HIO’s rulebook. HIOs are currently required to provide at least 2 DQPs when more than 150 horses are entered in an event and can pay the DQPs from fees paid to them by show management. Any horses discovered by the DQP to be in noncompliance with the Act or regulations must be reported to show management. Show management must then prohibit those horses from being shown, exhibited, sold, or auctioned, and, if show management fails to do so, it will constitute noncompliance with the Act and regulations.

With passage of the Horse Protection Act in 1970, APHIS’ annual budget for the Horse Protection Program was set by Congress at $500,000 yearly and has changed little since that time. Under this budget, APHIS sends officials to a small number of horse shows to observe DQPs and conduct inspections.4 DQPs trained and licensed by USDA-certified HIOs and appointed and retained by show management are the primary parties responsible for inspecting horses to determine compliance with the Act.5

Office of the Inspector General Audit

In response to public concerns about the ability of the Horse Protection Program to detect and prevent sorings, USDA’s OIG conducted an evaluation of the program. The OIG examined whether inspections conducted by HIO-trained and licensed DQPs to detect sorings were effective and whether they were being conducted in a timely manner. The OIG also reviewed the program’s administrative processes to determine whether the program could be made more efficient.

3 In 2014 and 2015, the budget allocation for the program was $697,000 for each year, amounting to a $197,000 annual increase over the budget set in 1970.

4 Shows attended by USDA can be found on the APHIS Horse Protection Act Inspection and Enforcement Web page: https://www.aphis.usda.gov/aphis/ourfocus/animalwelfare/sa_hpa/activity-and-show-reports.

soring were adequate and whether occasional, unannounced inspections by APHIS officials provided sufficient oversight of DQPs. OIG auditors gathered evidence for the audit from several sources, including visits to horse shows and interviews with APHIS Horse Protection Program management and staff. In September 2010, OIG issued a report on APHIS’ administration of the Horse Protection Program and the Slaughter Horse Transport Program.

In the report, the OIG auditors identified multiple conflicts of interest among DQPs, the HIOs that train, license, and employ them, horse exhibitors, and management of shows and exhibitions that affiliate with HIOs for inspection services. OIG auditors concluded that these conflicts of interest have contributed to sored horses being allowed to compete while sore. OIG auditors found that DQPs are reluctant to dismiss sored horses discovered during inspections because doing so inconveniences show management and makes it less likely the DQP will be hired for other shows. Moreover, some DQPs own and exhibit their own horses, so a DQP inspecting an exhibitor’s horse at one show may be facing that exhibitor inspecting horses at another show. In such an environment, the OIG noted that DQPs frequently fail to visually and physically inspect horses in accordance with the Act and regulations.

The OIG auditors found that DQPs avoid documenting instances of soring in several ways. DQPs often provide warnings to exhibitors when they detect soring in a horse, when under the regulations they are required to recommend to show management that the horse be prohibited from performing. The report also concluded that DQPs fail to sufficiently inspect and weigh chains, boots, and other action devices as currently required in the regulations.

The report noted that when DQPs document noncompliance with the Act, they often identify a stable hand or a relative of the exhibitor as the alleged violator of the Act, so that the person actually responsible for the alleged violation can avoid responsibility. Furthermore, the report stated that there are no reliable controls in place to prevent an exhibitor who is serving an industry-issued suspension for a violation of an HIO’s rulebook from competing in another show.

APHIS veterinary medical officers conduct unannounced inspections at selected horse events to evaluate DQPs and to visually and physically inspect horses for indications of soring and determine compliance with the Act and regulations. However, as noted above, APHIS officials can only attend a small number of shows, sales, exhibitions and auctions each year. OIG noted that DQPs were much more likely to document noncompliance with the Act when APHIS was also present at a horse show. From the shows OIG reviewed, it found that DQPs issued 49 percent of their total violations at the 6 percent of shows at which APHIS officials also attended.

Given the above, the OIG report concluded that the DQP program for inspecting gaited horses is inadequate to ensure that horses are not being sored for the purposes of enhanced performance. OIG recommended that APHIS eliminate the DQP inspection program in its current form and assume a direct involvement in the licensing and monitoring of inspectors and the conditions and procedures of the horse inspection process.

APHIS agrees with OIG’s conclusion that the current program of HIOs training and licensing DQPs is not adequately detecting instances of soring. Our observations of inadequacies within the DQP program are consistent with those described by OIG auditors. Therefore, to achieve the Act’s purpose of ending the soring of horses, additional changes to the regulations are necessary.

Proposed Changes to the Regulations

In this rule, we are proposing to revise the Horse Protection regulations in 9 CFR part 11 to improve our enforcement of the Act and regulations. The proposed changes would include a reorganization of part 11 so that the requirements are clearer and better organized. The revised and new sections we propose would appear in the regulations as listed below:

§ 11.1 Definitions.
§ 11.2 Prohibited actions, practices, devices, and substances.
§ 11.3 Scar rule.
§ 11.4 Providing required information.
§ 11.5 Inspection and detention of horses; responsible parties.
§ 11.6 Training and licensing of Horse Protection Inspectors (HPIs).
§ 11.7 [Reserved]
§ 11.8 [Reserved]
§ 11.9 Management responsibilities; access, space, and facilities.

§ 11.10 Management responsibilities; operation of horse shows, horse exhibitions, and horse sales and auctions.
§ 11.11 Management responsibilities; records and reporting.
§ 11.12 Inspection procedures for HPIs.
§ 11.13 Requirements concerning persons involved in transportation of certain horses.

Changes we propose to make include the following:

• Changing the term “Designated Qualified Person” throughout the Horse Protection regulations to “Horse Protection Inspector” to more accurately describe the tasks performed by these persons.

We are also proposing to revise the definition of this term in § 11.1 to reflect our proposal to have APHIS assume the regulatory responsibility for training and licensing of DQPs.

• Retitling § 11.2 as “Prohibited actions, practices, devices, and substances” and prohibiting all action devices, pads, and substances applied to a horse’s limbs. Also prohibited is any practice involving a horse, and, as a result of such practice, such horse suffers, or can reasonably be expected to suffer, physical pain or distress, inflammation, or lameness when walking, trotting, or otherwise moving.

• Moving the inspection and detention requirements in current § 11.4 to a revised § 11.5. We would move the prohibition against providing false information from current § 11.2(e) to § 11.4 and retitle revised § 11.4 as “Providing required information.”

• Revising § 11.5 so that it consolidates horse inspection and detention requirements that must be observed by custodians of horses and retilting it “Inspection and detention of horses; responsible parties.” Access to premises and records pertaining to exhibitors would remain in revised § 11.5 and access pertaining to management would be moved to a new § 11.9.

• Revising § 11.6 to indicate that APHIS would undertake the training and licensing of horse inspectors and adding new requirements for license eligibility. We would retitle § 11.6 as “Training and licensing of Horse Protection Inspectors.” Inspection space and facility requirements currently in § 11.6 would be moved to revised § 11.5.

• Revising § 11.7 by moving all inspector training and licensing

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8 In this document, we use the term “Designated Qualified Person” or “DQP” when referring to the current regulations. We use the term “Horse Protection Inspector,” or “HPI,” when referring to our proposed changes to the regulations.
requirements to revised §11.6 so that all such inspector requirements are consolidated in one section. We would also remove from §11.7 all regulatory requirements pertaining to HIOs in this and all other sections of 9 CFR part 11, as HIOs would no longer have any regulatory responsibilities. Section 11.7 and a new §11.8 would be reserved.

- Adding a new §11.9, titled “Management responsibilities; access, space, and facilities,” that draws together access, space, and facility requirements from current §11.5 and other sections pertaining to management of horse shows, exhibitions, sales, and auctions. This section also includes proposed requirements that limit the number of persons allowed in designated horse inspection and warm-up areas and that prohibit show management from influencing attendees to interfere with the duties of authorized inspectors and APHIS representatives.

- Adding a new §11.10, titled “Management responsibilities; operation of horse shows, horse exhibitions, and horse sales and auctions,” that draws together operating requirements from other sections. This section also includes proposed requirements intended to prevent prohibited persons from participating in shows, exhibitions, sales, or auctions.

- Adding a new §11.11, titled “Management responsibilities; records and reporting,” that draws together management recordkeeping and reporting requirements from other sections. Included in this section is a provision that would provide additional time for management to provide APHIS with information for each horse prohibited by management or its representatives from being shown, exhibited, sold or auctioned.

- Adding a new §11.12, “Inspection procedures for HPIs,” that draws together inspection procedures for inspectors from §11.21 and other sections. In this section we also propose additional requirements to ensure that an inspector can conduct an effective inspection of the horse to determine compliance with the Act or regulations.

- Adding a new §11.13, titled “Requirements concerning persons involved in transportation of certain horses,” that draws together horse transportation requirements from §11.40 and other sections.

- Removing §§11.20, 11.21, 11.22, 11.23, 11.24, 11.25, 11.40, and 11.41 from the regulations. As noted above, some material from these sections would be moved to the proposed new and remaining sections of part 11. All regulatory responsibilities specifically pertaining to HIOs in these sections would be removed from the regulations.

We now describe each section in our proposed revision of the Horse Protection regulations.

Definitions

We would make changes to several terms and definitions in §11.1 that reflect our proposed changes to the Horse Protection program. We would remove the definition for APHIS Show Veterinarian. We would continue to have APHIS veterinary staff attend shows and monitor inspections, but we would no longer formally use this title to refer to such staff.

We would add a definition for the term custodian, which describes any person who is responsible for directing, controlling, and supervising the horse during inspection at any horse show, exhibition, sale, or auction. The definition includes any person who shows or exhibits, or enters for the purpose of showing or exhibiting in any horse show or horse exhibition any horse, as well as any person who sells, auctions, or offers for sale in any horse sale or auction any horse. The definition also includes any person who owns a horse and allows the horse to be shown, exhibited, or entered in a show or exhibition; sold, auctioned, or entered in a sale or auction; or transported for any of these purposes, as well as any person who transports a horse for any of these purposes. In addition, the custodian must be able to provide required information about the horse. We are proposing adding this term in order to more clearly identify the custodian.

We are also proposing to change the current term Designated Qualified Person to Horse Protection Inspector in this section and throughout the regulations because it more accurately describes the duty performed by such persons. We would also amend the definition of this term to reflect our proposal to transfer to APHIS the regulatory responsibility to train and license inspectors. These Horse Protection Inspectors, or HPIs, would not be APHIS officials or employees, and APHIS would not pay them for performing their duties. We would indicate in our proposed definition that the management of a horse show, exhibition, sale, or auction can appoint and retain an APHIS-trained and licensed HPI to inspect horses and records pertaining to such horses for compliance with the HPA.

A horse industry organization (HIO) is currently defined as “an organized group of people, having a formal structure, who are engaged in the promotion of horses through the showing, exhibiting, sale, auction, registry, or any activity which contributes to the advancement of the horse.” We propose to remove this definition from the definition section of the regulations. Under the changes we propose, the regulations in part 11 would remove all regulatory burdens and requirements pertaining to HIOs, including the requirements for certification of DQP programs, and recordkeeping, and other requirements specific to HIOs.

The current regulations define inspection to mean “the examination of any horse and any records pertaining to any horse by use of whatever means are deemed appropriate and necessary for the purpose of determining compliance with the Act and regulations.” To clarify that this determination is made by APHIS, we would amend the definition of inspection to indicate any visual, physical, and diagnostic means approved by APHIS to determine compliance with the Act and regulations. The proposed definition would go on to explain that such inspection may include, but is not limited to, visual inspection of a horse and review of records, physical inspection of a horse, including touching, rubbing, palpating, and observation of vital signs, and the use of any diagnostic device or instrument, and may require the removal of any shoe or any other equipment, substance, or paraphernalia from the horse when deemed necessary by the person conducting such inspection.

We would remove the definition for lubricant. Such substances are frequently used to reduce friction caused by action devices on the limbs of Tennessee Walking Horses, Racking Horses, and related horse breeds. However, as we propose to prohibit all action devices, lubricants would no longer be necessary.

We also propose removing the term Regional Director from the definitions in §11.1. APHIS representatives performing Horse Protection Program duties are no longer supervised by a regional director.

Finally, we would add a definition for the term substance. This term would be defined as any agent applied to a horse’s limbs while a horse is shown, exhibited, or offered for sale, or otherwise present on the grounds at any horse show, exhibition, sale, or auction. This definition would also include agents applied to a horse’s limbs before and after a horse is shown, exhibited, or offered for sale, or otherwise present on the grounds at any horse show, exhibition, sale, or auction. We propose
to prohibit the presence of all substances on the limbs of any Tennessee Walking Horse, Racking Horse, or related breed while the horse is present on the grounds at any horse show, exhibition, sale, or auction.

Prohibited Actions, Practices, Devices, and Substances

We propose to revise current § 11.2, “Prohibitions concerning exhibitors.” We would amend this section by renaming it “Prohibited actions, practices, devices, and substances,” as our proposed revision of this section focuses on prohibiting actions, practices, devices, and substances that can be used to sore horses.

Paragraph (a) of § 11.2 currently prohibits any chain, boot, roller, collar, action device, and any other device, method, practice, or substance used with respect to any horse at any horse show, horse exhibition, or horse sale or auction if such use causes or can reasonably be expected to cause such horse to be sore. We would remove current paragraph (a), as the prohibitions it includes would be covered under paragraph (b), “Specific prohibitions,” and redesignate paragraph (b) as paragraph (a).

In a 1979 rulemaking, APHIS amended several provisions of the Horse Protection regulations to prevent the showing, exhibiting, selling, or auctioning of sore horses. Among the provisions were those restricting the equipment, devices, and substances allowed to be present on horses. APHIS has observed from its experience in enforcing the Act and regulations that a relationship exists between the use of such items and soring in horses. APHIS stated in the rule that “if the horse industry makes no effort to establish a workable self-regulatory program for the elimination of sore horses, or if such program is established but does not succeed in eliminating the sore horse within a reasonable length of time, the Department will give serious consideration to the prohibition of all action devices and pads.”

As we indicated we would do in the 1979 rule cited above, we have given serious consideration to prohibiting all action devices and pads, as the current industry inspection program has failed to adequately address instances of soring. The Department believes that 38 years has been more than enough time for the gaited horse industry to reform its training practices to comply with the Act. Therefore, to successfully and significantly reduce the number of sored horses shown, exhibited, sold, and auctioned, we are proposing to prohibit the use of pads, action devices, and substances on the limbs of any Tennessee Walking Horse, Racking Horse, or related breed.

Our experience indicates that the majority of horse shows contain numerous classes, and that large numbers of horses participating in those shows are flat-shod horses (those that do not use the pads and action devices this proposed rule would seek to prohibit). Some shows are entirely flat-shod and already prohibit pads and action devices. To our knowledge, the proposed rule would not have any impact on those horses. Additionally, although action devices and pads would be prohibited, the horse itself would still be eligible to compete, albeit in classes that do not use action devices or pads. We welcome public comments as to how many flat-shod horses there are versus how many are entered into performance classes at HPA-covered events.

Our proposal to prohibit the use of all such items that can induce soring, combined with a corps of third-party inspectors working independently of the horse industry, will place the Department in a stronger position to achieve the remedial purpose of the HPA, which is to eliminate the abusive practice of soring.

We would add a new paragraph (a)(1) to § 11.2 that prohibits any action device and a new paragraph (a)(2) that prohibits hoof bands, wedges, and pads at any horse show, exhibition, sale, or auction. We would also remove current paragraphs (b)(1) through (b)(8). These paragraphs provide for restrictions regarding action devices and pads.

Current paragraph (b)(9) of § 11.2 prohibits the use of any weight on yearling horses, excepting a keg or similar horseshoe, and also prohibits horseshoes weighing more than 16 ounces on yearling horses. We would redesignate paragraph (b)(9) as (a)(3) and replace the term “yearling horses” with “horses up to 2 years old.” This change would clarify that horses younger than 1 year old are not yearlings but should be covered under the prohibitions in those paragraphs.

Paragraphs (b)(10) and (11) of § 11.2 currently include requirements for heel/toe ratios. Paragraph (b)(10) prohibits artificial toe lengthening, whether accomplished with pads, acrylics, or any other material, or combinations of these, that exceeds 50 percent of the natural hoof length, as measured from the coronet band, at the center of the anterior pastern along the front of the hoof wall, to the distal portion of the hoof wall at the tip of the toe. The artificial extension must be measured from the distal portion of the hoof wall at the tip of the toe at a 90 degree angle to the proximal hoof surface of the shoe.

We would redesignate paragraph (b)(10) as paragraph (a)(4) and amend it by prohibiting all artificial toe lengthening. Artificial toe lengthening involves the use of pads or foreign substances attached to the hoof, both of which we propose to prohibit.

We would not include the provisions of paragraph (b)(11) of § 11.2 concerning artificial toe length measurements, as artificial toe lengthening would be prohibited under proposed § 11.2(a)(4).

We would remove current paragraph (b)(12) of § 11.2, which contains prohibitions for hoof pads. Such pads would be prohibited under proposed § 11.2(b)(2).

Paragraph (b)(13) of § 11.2 prohibits the practice of inserting between the horse’s hoof and a pad any object or material other than acceptable hoof packing. We would redesignate this paragraph as paragraph (a)(5) and amend it to remove the reference to pads. Acceptable packing would continue to include pine tar, oakum, live rubber, sponge rubber, silicone, commercial hoof packing, or other material that does not create any pain on the frog, sole or any areas underneath the hoof. We also propose to prohibit acrylic and similar materials as hoof packing, as they can harden and cause pressure sorening.

Paragraph (b)(14) of § 11.2 prohibits rocker-bars on the bottom surface of horseshoes which would cause, or could reasonably be expected to cause, an unsteadiness of stance in the horse with resulting muscle and tendon strain due to the horse’s weight and balance being focused upon a small fulcrum point. We would retain the prohibitions in this paragraph, as well as the footnote allowing certain corrective devices for the purpose of correcting a lameness or pathological condition of the foot. We would redesignate paragraph (b)(14) as paragraph (a)(6).

We would remove paragraphs (b)(15) through (17) of § 11.2, which provide conditions for the use of hoof bands and action devices. Under the proposed regulations, all hoof bands and action devices would be prohibited at any horse show, horse exhibition, or horse sale or auction. Hoof bands are known to cause pressure on the wall of the hoof and overtightening of the bands has been difficult to monitor and detect.

Paragraph (b)(18) of § 11.2 currently prohibits any manner of shoeing or trimming a horse’s hoof that will cause

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suffering, pain or distress, inflammation, or lameness when the animal is walking, trotting, or otherwise moving.

We propose to redesignate paragraph (b)(18) as (a)(7) and amend it by adding prohibitions on paring out the frog and intentional bruising of the hoof, and adding that horses showing any other indications of pressure shoeing are considered sore and subject to all the prohibitions in the Act. These practices can cause soring but are not specifically covered in the current regulations.

Paragraph (b)(19) of § 11.2 currently prohibits lead or other weights to be attached to the outside of the hoof wall, the outside surface of the horseshoe, or any portion of the pad except the bottom surface within the horseshoe. It also states that pads may not be hollowed out for the purpose of inserting or affixing weights, and weights may not extend below the bearing surface of the shoe. Paragraph (b)(19) also prohibits hollow shoes or artificial extensions filled with mercury or similar substances.

We propose to redesignate paragraph (b)(19) of § 11.2 as paragraph (a)(8) and remove references to pads in this paragraph. As we explain above, their use would be prohibited under the proposed regulations at any horse show, horse exhibition, or horse sale or auction. We would also remove the exception that allows the practice of adding weights to the bottom surface within the horseshoe because we have determined that such weights can be used in ways that can cause soring.

Paragraph (c) of § 11.2 currently prohibits application of substances to the extremities above the hoof of any Tennessee Walking Horse, Racking Horse, or related breed while being shown, exhibited, or offered for sale at any horse show, horse exhibition, or horse sale or auction. We would also remove the prohibition that horses showing any other indications of pressure shoeing are considered sore and subject to all the prohibitions in the Act. These practices can cause soring but are not specifically covered in the current regulations.

Paragraph (c)(1) through (3). These paragraphs address provisions for lubricants, which are typically used to reduce the friction of action devices. However, as we propose to prohibit all action devices there is no longer a need for such lubricants.

Paragraph (d) of § 11.2 provides specific requirements for rest periods during horse show and horse exhibition workouts or performances for 2-year-old Tennessee Walking Horses, Racking Horses, and related breeds and working exhibitions for 2-year-old Tennessee Walking Horses, Racking Horses, and related breeds at horse sales or horse auctions. We would retain these requirements in a revised paragraph (c).

Paragraph (e) of § 11.2 prohibits persons from failing to provide information or providing false or misleading information when such information is required by the Act or regulations or requested by APHIS representatives. This provision applies to any custodian of any horse shown, exhibited, sold, or auctioned at any horse show, exhibition, sale, or auction.

Providing Required Information

Section 11.4. “Inspection and detention of horses,” lists the inspection and detention requirements that custodians of a horse must meet upon request by an APHIS representative. We would revise § 11.4 by moving the inspection and detention requirements to a revised § 11.5 and amending those requirements to reflect changes made to other sections. We would also change the section heading of revised § 11.4 to “Providing required information” and add to that section the provision regarding failure to provide information or providing false information currently in § 11.2(e). This provision prohibits an individual from refusing to provide information or providing false or misleading information when such information is required by the Act or regulations or requested by inspectors or APHIS representatives. It applies to any custodian of any horse shown, exhibited, sold, or auctioned at any horse show, exhibition, sale, or auction.

Inspection and Detention of Horses: Responsible Parties

Section 11.5 currently includes the requirement that show management and custodians of horses at any horse show, exhibition, auction, or sale must provide access for APHIS representatives and DQPs to visually and physically inspect horses and records. We would move the access requirements for show management in current § 11.5(a) to proposed § 11.9 so that all such requirements for show management are together in one section. We would also move horse inspection and detention requirements for custodians of horses from current § 11.4 into revised § 11.5 and retain the access requirements pertaining to custodians of horses currently in § 11.5 so that all such requirements for these persons relating to access, inspection, and detention are located in one section. Revised § 11.5 would be retitled “Inspection and detention of horses; responsible parties.”

We would combine the first sentence of current § 11.5(b)(1) and the second through last sentences of current § 11.4(a) to create paragraph (a) of revised § 11.5. These sentences contain
inspection requirements for custodians of horses at horse shows, exhibitions, sales, and auctions.

Paragraph (b) of revised § 11.5 would be drawn from current § 11.5(b)(2), which requires that the custodian of a horse promptly present it for inspection upon notification by any APHIS representative or authorized inspector to determine compliance with the Act and regulations.

Paragraph (c) of revised § 11.5 would state that no objects or tack other than a halter is to be placed on a horse during inspection. We would add this requirement because other objects can be used to train a sored horse to show no visible reaction to pain when its hooves and limbs are palpated during inspection. 10

With minor changes, the content we would include in paragraphs (d) through (k) of revised § 11.5 would be drawn from the content in current § 11.4(b) through § 11.4(i), which list horse inspection and detention requirements pertaining to custodians of horses subject to inspection.

Paragraph (l) of current § 11.4 states that it is APHIS’ policy to inform the owner, trainer, exhibitor, or other custodian of any horse alleged to be in violation of the Act or the regulations of the alleged violation before the horse is released by an APHIS representative. We would add language to indicate that the APHIS representative would inform the custodian of a horse of the alleged violation and move the content to paragraph (h) of revised § 11.5.

We would move the contents of paragraphs (e)(2) and (h)(1) and (2) of current § 11.4 to new paragraphs (g)(2) and (j)(1) and (2) of revised § 11.5, respectively, in order to draw together similar inspection and detention requirements. We would also replace the term “APHIS Show Veterinarian” with “APHIS representative” wherever it occurs in those paragraphs for the reasons explained above under “Definitions.”

Consolidation of Inspection Space and Facility Requirements

Section 11.6 currently contains horse inspection space and facility requirements for management of a horse show, exhibition, sale, or auction. Under the current requirements, management must provide sufficient space and facilities for inspectors and APHIS representatives to perform their duties under the Act and regulations. These requirements include ensuring that inspectors and APHIS representatives who inspect horses are provided with a safe area (for example, a well-defined inspection area where inspectors are free from potential harm) to conduct inspections and protection from the elements, and that there are separate waiting areas for horses awaiting inspection and horses that the inspector determines should be detained.

In order to consolidate management-specific inspection space and facility requirements, we propose moving these requirements from current § 11.6 to proposed § 11.9, “Management responsibilities; access, space, and facilities.”

Training and Licensing of DQPs 11

DQPs conduct inspections of horses at shows, sales, auctions, and exhibitions under procedures set out in § 11.21 of the regulations. That section provides instructions on how to visually and physically detect and diagnose soring in horses, requires the inspecting DQP to ensure that no devices and methods used on the horse are prohibited under § 11.2, and sets out the conditions under which horses must be inspected. Under the current DQP program, DQPs are certified, hired, paid, and, if necessary, disciplined by HIOs. APHIS certifies HIOs subject to their meeting the requirements under § 11.7 of the regulations for licensing and training, recordkeeping and reporting, and standards of conduct, and monitors them for compliance with these requirements.

As we have noted, the OIG report cited conflicts of interest between DQPs, the HIOs that maintain training and licensing programs, and management of horse shows and exhibitions that affiliate with the HIOs. The report’s findings and our own experience with the DQP program indicate that the current program facilitates conflicts of interest between HIOs and DQPs that contribute to the persistence of soring in the gaited horse industry. DQPs under HIO supervision have a long history of allowing horses to pass inspection despite indicators of soring. The report recommended that APHIS undertake training and licensing of horse inspectors in order to ensure that inspection techniques are correctly and consistently applied by inspectors working independently of the horse industry.

Inspection data compiled by APHIS suggests that inadequate inspections by DQP at HPA-covered events has resulted in underreporting of sored horses when APHIS inspectors are not in attendance. This is consistent with the findings of the 2010 OIG report on the horse protection program, which noted that, on average, DQPs issued 49 percent of their total violations at the small number of shows at which APHIS was also present. 12 In the data set OIG reviewed, OIG found APHIS attended 108 shows out of 1,607 shows where DQPs provided inspection services. With respect to inspection findings, OIG found that DQPs reported 1,409 alleged HPA violations at the 108 shows where APHIS was also present, compared to 1,620 alleged HPA violations at the 1,499 shows where APHIS was not present.

Table 1 shows inspection data compiled by APHIS from fiscal years (FY) 2010 to 2015. During this period, APHIS attended about 18 percent of all HPA-covered events featuring Tennessee Walking Horses, Racking Horses, or related breeds at which horse industry DQPs conducted inspections. The data indicates that while APHIS attended only a fraction of the events at which DQPs were retained to inspect horses, APHIS consistently reported higher rates of noncompliance based on Veterinary Medical Officer inspection findings. In FY 2015, for example, APHIS detected 509 instances of noncompliance with the HPA at the 62 shows APHIS attended. Of the 278 shows DQPs attended during the same time frame, DQPs detected just 228 instances of noncompliance with the HPA. From FY 2010 through FY 2015, the statistics show DQPs identify noncompliance at a lower rate compared to APHIS Veterinary Medical Officers. While the trend in the number of noncompliance detected by DQPs has

10 As noted in the OIG report (see footnote 6), such distractions are part of the practice of studdering, in which sored horses are forced to stand still for inspection even if they are in pain. Techniques generally involve a stable employee palpating the horse’s sored front limbs; if the horse flinches from the pain of soring, another employee injures the horse by hitting it in the head, using a cigarette to burn its tongue, or other painful methods. By associating certain objects with infliction of these methods, the horse eventually learns to stand still for the lesser pain of inspection. To cite one instance of studdering, Chris Zahnd was the owner and operator of Swingin’ Gate Stables, located in Trinity, Alabama, and trained, boarded, and showed Tennessee Walking Horses. On July 4, 2009, at the Woodbury Lions Club Horse Show, a horse owned and stabled by Zahnd was discovered to be wearing a nerve cord—in this case, a plastic zip tie that distractingly stimulated the horse’s gait—in its mouth and was determined to be bilaterally sore by an inspector. At a plea hearing, Zahnd admitted to soring violations prohibited by the Horse Protection Act: http://www.justice.gov/archive/usao/tmn/pressReleases/2011/12-9-11.html.

11 As noted in footnote 1, Designated Qualified Person (DQP) would be changed to Horse Protection Inspector (HPI) under the proposed regulations.

12 See footnote 6. OIG’s data review and table is found on page 11 of the audit report.
While we propose to eliminate the existing DQP program and replace it with a program of independent, APHIS-licensed and trained inspectors (see section below titled “Training and Licensing of DQPs”), we also propose to reduce instances of soring by addressing the means by which horses are sored.

The regulations currently allow the use of a chain or other action device on each limb of a horse if the device weighs 6 ounces or less. In prior rulemakings, APHIS has received a range of comments from members of the gaited horse industry, veterinary professional organizations, animal advocates, and the general public regarding the purposes and effects of such devices, and whether there are minimum weights below which such devices will not cause lesions that constitute soring. We have observed, however, from our direct experience in enforcing the Act and regulations over many years that chains, rollers, and similar devices placed on a horse’s feet, when used in combination with prohibited foreign substances applied to the patterns of a horse, can create lesions and inflammation that constitute soring. When such substances are used, we have diagnosed soring in horses that have worn chains under 6 ounces and other devices allowed in the current regulations. Although our experience enforcing the HPA indicates that soring occurs when action devices are used alone or in combination with prohibited foreign substances, we welcome public comment, supported with scientific data or other information, on whether action devices used alone or in combination with other training methods may result in soring.

In table 1 above, the right column shows the number of horses tested by APHIS for prohibited foreign substances and the number of horses shown to be positive for such substances from FY 2010 through 2015. In FY 2015, for example, 500 horses were positive out of 768 tested, and over the 5 year period the average rate of positives was 69 percent. All of the horses testing positive for foreign substances wore action devices while being shown or exhibited. Prohibited foreign substances applied to these horses include masking and numbing agents that temporarily block the pain of soring so inspectors cannot detect pain upon inspection. A study conducted at the Auburn University School of Veterinary Medicine from 1978 to 1982 (“the Auburn study”) suggests a strong relationship between soring and the combined use of action devices and substances. Moreover, our observations from over three decades of administering and enforcing the Act indicate that soring does occur with the use of irrigating foreign substances and 6 ounce action devices.

As noted above, the foreign substances data in table 1, averaged over a 6 year period, indicate that 71 percent of substance samples taken from the limbs of horses tested positive for prohibited substances. These substances include mustard oil and detergents, both of which, as demonstrated in the Auburn study, resulted in soring. Prohibited substances also included local anesthetic agents such as benzocaine and lidocaine to deter detection of soring upon evaluation, as well as dyes and paints to cover lesions that would indicate noncompliance with the scar rule.

Of the alleged show violations found from FY 2010 through 2015 with APHIS representatives present, many of these violations involved the failure to comply with the scar rule. The high number of horses found noncompliant with the scar rule that also tested positive for foreign substances suggests that the use of 6 ounce action devices currently allowed under the regulations are resulting in soring and that horses continue to endure this abusive and cruel practice.

Our experience at horse shows and exhibitions also indicates that soring has continued to occur through the use of hoof pads (also referred to as performance packages). Research undertaken in the Auburn study indicated that raising a horse’s heels through the use of pads alone resulted in swollen flexor tendons and signs of inflammation. About 90 percent of the alleged violations documented at shows from FY 2010 through 2015 involved horses wearing pads. Pads used in performance packages can conceal objects that produce pain or be designed to cause the horse’s hoof to strike the ground at an abnormal angle in order to produce pain on stepping, resulting in an exaggerated gait.

Therefore, because the existing regulatory structure, which requires HIOs to hire and train inspectors to identify sore horses at industry-sponsored events, has not been effective in eliminating the practice of soring, we propose to revise the regulations so that APHIS assumes all regulatory responsibility for training and licensing processes in horses in response to various chemical and physical factors: Summary of the research from September 1978 to December 1982. Submitted to the U.S. Department of Agriculture by Dr. Ram C. Purohit, Associate Professor, Department of Large Animal Surgery and Medicine, School of Veterinary Medicine, Auburn University.

On April 26, 2011, a Federal grand jury in Chattanooga, TN returned a 34-count indictment against Barney Davis, charging him with violations of the Horse Protection Act and related financial crimes because he screwed bolts and other hard objects against the soles of horse’s hooves to produce pain to alter the gait of a horse. As part of his sentencing, Davis was ordered to help produce an educational video (https://youtu.be/vZ7ThwaibOE) showing soring methods and demonstrating how inspectors can better detect sored horses. In the video, Davis described mechanical devices and chemical irritants used to sore horses and showed examples of chains, bolts, and eight-pound tungsten shoes used to cause a gaited horse to adopt an exaggerated gait for the show ring. Davis stressed the pervasiveness of soring in the gaited horse industry and testified that horses “have got to be forced to walk,” referring to the exaggerated gait displayed in the show ring. See http://www.justice.gov/archive/usao/tne/news/2011/ November/110811%20Horse%20Soring%20Guilty%20Plea.html.

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The average rate of positives was 69 percent of 768 tested, and over the 5 year period the number of horses tested by APHIS shows the number of horses tested by DQPs. The number of horses testing positive for such substances from FY 2010 through FY 2015, APHIS’ detection of noncompliance has remained relatively stable. This further suggests some of the potential deficiencies of the existing DQP program.

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<tr>
<th>FY</th>
<th>Shows attended by APHIS</th>
<th>Shows attended by DQPs</th>
<th>Foreign substance testing (positive finding/number tested)</th>
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Thermography in diagnosis of inflammatory processes in horses in response to various chemical and physical factors: Summary of the research from September 1978 to December 1982. Submitted to the U.S. Department of Agriculture by Dr. Ram C. Purohit, Associate Professor, Department of Large Animal Surgery and Medicine, School of Veterinary Medicine, Auburn University.
of third-party inspectors. We would include these regulations in a revised § 11.6, which we propose to title as “Training and Licensing of Horse Protection Inspectors (HPIs).” As HIOs would no longer be responsible for training and licensing inspectors and enforcing penalties, we would relieve HIOs of all regulatory burdens and requirements assigned to them in the regulations.

We would add an introductory paragraph to revised § 11.6. That paragraph would state that APHIS will train and license HPIs and reiterate the current policy in § 11.7(a) that allows the management of any horse show, horse exhibition, horse sale, or horse auction to engage inspectors holding a valid, current license under section 4 of the Act, and to appoint and delegate authority to inspectors to detect or diagnose horses that are sore or to otherwise inspect horses and records for the purposes of determining compliance with the Act. While HPIs would be bound by APHIS requirements regarding his or her duties and responsibilities, HPIs would not be employed or reimbursed by APHIS for their inspections but would contract directly with show management. The introductory paragraph would state that show management may engage one or more HPIs from the list of APHIS trained and licensed HPIs by contacting them directly. A list of licensed HPIs would be made available on the APHIS Horse Protection Program Web site.

We would remove the statement in paragraph § 11.7(a)(1)(iii) that accredited Doctors of Veterinary Medicine who meet these qualifications “may be licensed as DQPs by a horse industry organization or association whose DQP program has been certified by the Department under this part without undergoing the formal training requirements set forth in this section.” APHIS would be the entity licensing qualified veterinarians and veterinary technicians as inspectors under the revised regulations.

We would also remove the provision in current § 11.7(a)(2) that farriers, horse trainers, and other knowledgeable horsemen can be qualified as DQPs if their past experience and training qualifies them for positions as horse industry organization or association stewards or judges (or their equivalent) and if they have been formally trained and licensed as DQPs by a horse industry organization or association. Instead, we would state in paragraph (a) of revised § 11.6 that only veterinarians and veterinary technicians may be licensed as HPIs. We are making this change to ensure that inspectors have the professional education, working knowledge, technical and practical experience, and training necessary to inspect horses properly under the Act and regulations.

In the case of veterinarians, paragraph (a)(1) would state that they would need to have extensive knowledge and experience of equine husbandry and science defined as understanding the anatomy, selection, breeding, care, and maintenance of horses, and applicable principles of equine science, welfare, care, and veterinary health and be eligible to be licensed as HPIs under paragraph (b) of § 11.6. They would also have to be accredited in any State by the United States Department of Agriculture under 9 CFR part 161 and be: Members of the American Association of Equine Practitioners, or large animal practitioners with substantial equine experience, or knowledgeable in the area of equine soring and soring practices (for example, Doctors of Veterinary Medicine with a small animal practice with sufficient knowledge of horses, or Doctors of Veterinary Medicine who teach equine-related subjects in an accredited college or school of veterinary medicine). Paragraph (a)(2) would state that veterinary technicians with degrees awarded by educational programs accredited by the American Veterinary Medical Association Committee on Veterinary Technician Education and Activities could also be licensed as HPIs if they possess knowledge and experience of equine husbandry and science and are eligible to be licensed as HPIs under the requirements in paragraph (b) of § 11.6.

Paragraph (b) of current § 11.7 provides certification requirements for DQP programs maintained by horse industry organizations or associations. As the task of training and licensing inspectors in such programs would shift to APHIS under the proposed regulations, these program requirements would be removed.

Paragraph (c)(4) of current § 11.7 states that each horse industry organization or association receiving Department certification for the training and licensing of DQPs under the Act shall not license any person as a DQP if such person has been found in violation of the Act or regulations occurring after July 13, 1976, (the date of enactment of the last major statutory change to the HPA) or paid any fine or civil penalty in settlement of any proceeding regarding a violation of the Act or regulations occurring after that date, for a period of at least 2 years following the first violation and at least 5 years following any subsequent violation.

We would include a similar provision in paragraph (b)(1) of revised § 11.6 stating that APHIS will not license any person as a HPI if that person has been convicted or found to have violated any provision of the Act or the regulations in 9 CFR part 11 occurring after July 13, 1976, or has been assessed any fine or civil penalty, or has been the subject of a disqualification order in any proceeding involving an alleged violation of the Act or regulations occurring after July 13, 1976. However, in order to ensure that any person who has been found in violation of the Act or has been the subject of an order assessing a fine or civil penalty or imposing a disqualification period to resolve alleged violations of the Act is not granted a license to inspect horses, we would not include the current 2- and 5-year limitations for violators. In other words, a person who has been found in violation of the Act or subject to an order assessing a fine or civil penalty or imposing a disqualification period would not be allowed to be a HPI.

We would include in paragraph (b)(2) of revised § 11.6 a restriction against licensing any person as a HPI if that person, any members of that person’s immediate family, or that person’s employer participates in the showing of horses or acts as a judge, a farrier, or as show management involving any Tennessee Walking Horses, Racking Horses, or related breeds, or as determined by the Administrator of APHIS.

Proposed paragraph (b)(3) would state that APHIS will not license any person as a HPI if that person has been disqualified by the Secretary of Agriculture from making detection, diagnosis, or inspection for the purpose of enforcing the Act. This restriction is adapted from current paragraph (c)(6) of § 11.7.

Paragraph (b)(4) of revised § 11.6 would contain the restriction that APHIS will not license any person as a HPI if the professional integrity, reputation, honesty, practices, and reliability of the person do not support a conclusion that the applicant is fit to carry out the duties of a HPI. The information that APHIS would consider in reaching a conclusion would include: Criminal conviction records; official records of the person’s actions while participating in Federal, State, or local veterinary programs; judicial determinations in any type of litigation, and any other evidence that reflects on the integrity, reputation, honesty, practices, and reliability of the person.
Paragraph (c) of current § 11.7 lists requirements that must be met by each HIO that receives APHIS certification for training and licensing DQPs. We would remove these requirements from the regulations, as HIOs will no longer train and license inspectors or be certified by APHIS.

Under paragraph (c)(1) of revised § 11.6, persons wishing to become a HPI would have to submit an application to APHIS and show that they satisfy the requirements we propose in paragraphs (a) and (b) of revised § 11.6. If accepted, HPI candidates would have to complete a formal training program administered by APHIS that includes instruction on: The anatomy and physiology of the limbs of a horse; the Act and the regulations; the history of soring and procedures necessary to detect soring; practical instruction using live horses; HPI standards of conduct, and recordkeeping requirements and procedures. Training would be delivered regionally and utilize distance learning whenever possible to minimize expenses for attendees and APHIS.

Once the HPI candidate successfully completes the formal training program required in proposed paragraph (c)(1) and passes a written examination, proposed paragraph (c)(2) provides that he or she would be granted a license for 1 year. Licenses would terminate after 1 year and all HPIs would be required to reapply if they wish to be licensed another year.

Paragraph (d) of § 11.7 currently provides requirements to be met by DQPs and HIOs. We would remove these requirements from the regulations and propose inspector requirements in a revised paragraph § 11.6(d), titled “Requirements to be met by HPIs.” A description of the inspector requirements we propose in § 11.6(d) follows our summary of current § 11.7(d).

Paragraph (d)(1) of § 11.7 currently requires that DQPs keep and maintain information and records concerning any horse which the DQP recommends be excused for any reason from being shown, exhibited, sold or auctioned, in a uniform format required by the horse industry organization or association that has licensed the DQP. This information includes: The name and address of the horse owner, exhibitor, and trainer; the horse’s exhibit, sale, or auction tag number; the date and time the horse was inspected; a detailed description of all of the DQP’s findings and the nature of the alleged violation, or other reason for prohibiting the horse; name, age, sex, color, and markings of the horse, and the name of the show manager or other management representative notified by the DQP that such horse should be excused, and whether such manager or management representative excused such horse.

Paragraph (d)(2) of current § 11.7 requires that the DQP inform the custodian of each horse alleged to be in violation of the Act or its regulations, or excused for any other reason, of such action and the specific reasons for the action.

In paragraph (d)(3) of current § 11.7, each horse industry organization or association having a Department certified DQP program is currently required to submit a report to the Department that includes information about the identity of all horse shows, horse exhibitions, horse sales, or horse auctions that have retained the services of DQPs licensed by the organization or association during the month covered by the report.

In paragraph (d)(4) of current § 11.7, each horse industry organization or association having a Department certified DQP program has to provide to the trainer and owner of each horse allegedly in violation of the Act, or otherwise excused for any reason, the name and date of the show, exhibition, sale, or auction, as well as the name of the horse and the reason why the horse was excused or alleged to be in violation of the Act or its regulations.

In paragraph (d)(5) of current § 11.7 states that each horse industry organization or association having a Department certified DQP program has to provide its licensed DQPs with a current list of all persons that have been disqualified by order of the Secretary from showing or exhibiting any horse, or judging or managing any horse show, exhibition, sale, or auction.

Under our proposed changes, APHIS would make this list of disqualified persons available to HPIs and show management of any horse show, sale, exhibition, and auction.

Paragraph (d)(6) of current § 11.7 states that each horse industry organization or association having a Department certified DQP program must develop and provide a continuing education program with not less than 4 hours of instruction per year to each licensed DQP.

As we propose that APHIS would develop and provide an education program for HPIs, we would remove this particular requirement from the proposed regulations.

In paragraph (d)(7) of current § 11.7, each HIO having a Department certified DQP program must promulgate standards of conduct for its DQPs and provide administrative procedures for initiating, maintaining, and enforcing such standards, including the causes for and methods to be utilized for canceling the license of any DQP.

We are removing these and all other HIO-related requirements from the regulations because HIOs would no longer be training or licensing inspectors. As indicated in proposed § 11.6(c)(1), APHIS would provide instruction on standards of conduct for HPIs.

In proposed paragraph (d)(1) of revised § 11.6, drawn from current § 11.7(d)(1), we would require that any licensed HPI appointed and retained by the management of a horse show, exhibition, sale, or auction to inspect horses for the purpose of determining compliance with the Act and regulations must collect and maintain the following information and records concerning any horse which the HPI recommends be prohibited for any reason from such horse show, exhibition, sale or auction, from being shown, exhibited, sold, or auctioned: Name, address and address of home street address or post office box number and ZIP Code, of the show and show manager, horse owner, trainer, farrier, exhibitor; exhibitor number and class number, or the sale or auction tag number of the horse; date and time of inspection; detailed description of all of the HPI’s findings and the nature of the alleged violation, or other reason from prohibiting the horse, including the HPI’s statement regarding the evidence or facts upon which the HPI recommended that show management disqualify a horse; name, registration number (if the horse is registered), age, sex, color, and markings of the horse; and the name or names of the show manager or other management representative notified by the HPI that such horse should be prohibited from participating and whether or not such show management prohibited such horse.

In proposed paragraph (d)(2) of revised § 11.6, drawn from current § 11.7(d)(2), we would require that copies of records be submitted by the HPI to show management and to APHIS within 72 hours of conclusion of the horse show, exhibition, sale, or auction.

Paragraph (d)(3) of revised § 11.6 would require that the HPI, after completing the inspection, inform the custodian of each horse found noncompliant with the Act or its regulations, or prohibited for any other reason, of such action and the specific reasons for such action. The HPI would collect the information related to the alleged violation from the custodian.

Paragraph (d)(4) of proposed § 11.6 would require that the HPI immediately
inform show management of each case regarding the custodian of any horse that is found to be noncompliant with the Act or its regulations.

Paragraph (e) of current § 11.7 states that the management of any horse show, horse exhibition, horse sale, or horse auction must not appoint any person to detect and diagnose horses which are sore or to otherwise inspect horses for the purpose of enforcing the Act, if that person: Does not hold a valid, current DQP license issued by a horse industry organization or association having a DQP program certified by the Department; has had his DQP license canceled by the licensing organization or association; is disqualified by the Secretary from performing diagnosis, detection, and inspection under the Act, after notice and opportunity for a hearing, when the Secretary finds that such person is unfit to perform such diagnosis, detection, or inspection because he has failed to perform his duties in accordance with the Act or regulations; or because he has been convicted of a violation of any provision of the Act or regulations occurring after July 13, 1976, or has paid any fine or civil penalty in settlement of any proceeding regarding a violation of the Act or regulations occurring after July 13, 1976. In accordance with proposed § 11.10(c)(1), persons appointed by management to inspect horses to detect or diagnose indications of soring would be required to hold a valid, current license issued by APHIS for that purpose.

In current paragraph (f) of § 11.7, each HIO or association having a DQP program certified by the Department must issue a written warning to any DQP whom it has licensed who violates the rules, regulations, by-laws, or standards of conduct promulgated by such HIO or association under § 11.7, who fails to follow the procedures in § 11.21, or who otherwise carries out his duties and responsibilities in a less than satisfactory manner. The HIO must also cancel the license of any DQP after a second violation. In addition, each HIO or association having a Department certified DQP program must cancel the license of any DQP licensed under its program if that person has been convicted of a violation of the Act or the regulations in 9 CFR part 11 occurring after July 13, 1976, or paid any fine or civil penalty in any proceeding in which a violation of the Act or regulations was found in a final unappealable decision occurring after July 13, 1976.

As HIOs would no longer administer inspector training and licensing under our proposal, we would remove the provisions in § 11.7(f) from the regulations. Instead, we would replace them with provisions for APHIS to issue warnings to HPIs and deny or revoke HPI licenses.

Under paragraph (e) of proposed § 11.6, APHIS may deny or revoke a license for any of the reasons outlined in § 11.6(b), and will revoke the license of any HPI who fails to follow the inspection procedures set forth in § 11.12, or who otherwise carries out his or her duties and responsibilities in a less than satisfactory manner. Upon denial or revocation of a license, the applicant or HPI may appeal the revocation to the Administrator within 30 days from the date of such decision, and the Administrator would make a final determination in the matter. If the Administrator upholds the denial or revocation of the license, the applicant or HPI would be given notice and opportunity for a hearing. Hearings will be in accordance with the Uniform Rules of Practice for the Department of Agriculture in 7 CFR 1.130 et seq. The license denial shall remain in effect until the final legal decision has been rendered.

Paragraph (g) of current § 11.7 states that any HIO or association having a Department certified DQP program that has not received Department certification of the inspection procedures provided for in § 11.7(b)(6), or that otherwise fails to comply with the requirements contained in part 11, may have certification of its DQP program revoked, unless upon written notification from the Department of failure to comply with the requirements in this section, the organization or association takes immediate action to rectify such failure and takes appropriate steps to prevent a recurrence of such noncompliance within the time period specified in the Department notification, or otherwise adequately explains such failure to comply to the satisfaction of the Department.

We would remove the requirements in § 11.7(g), as HIOs would no longer be administering inspector training and licensing programs. We would add provisions in paragraph (f) of revised § 11.6 for the status of persons who have been licensed as inspectors prior to the effective date of this rule. Inspectors licensed as DQPs prior to the effective date of this rulemaking would no longer be allowed to perform inspection duties under that license after the effective date. DQPs seeking to become inspectors after the effective date of this rule would need to apply for a license and fulfill all HPI eligibility requirements included in § 11.6.

HIO Certification and Responsibilities

Current §§ 11.7, 11.23, and 11.41 contain requirements for HIOs interested in applying for Department certification of a DQP training program and maintaining the program in good standing. As stated above, we propose to remove from the regulations all regulatory requirements for HIOs. HIOs would no longer be subject to any of the regulations pertaining to them in part 11, nor would they have the regulatory responsibility to train or license HPIs or enforce penalties. Under the proposed changes, HIOs could still affiliate with shows, auctions, and other horse-centered events, train judges, maintain registries, and engage in other activities that promote the horse industry.

Management Responsibilities

Access, Space, and Facilities

In proposed § 11.9, we would consolidate and revise the show management responsibilities pertaining to inspector access, space, and facilities currently in §§ 11.5, 11.6, and 11.20. Paragraph (a) of proposed § 11.9 would include requirements regarding access to premises for inspection of horses and records. In proposed § 11.9(a)(1), we would include the requirement from current § 11.5(a)(1) that the management of any horse show, horse exhibition, or sale or auction must, without fee, charge, assessment, or other compensation, provide authorized HPIs and APHIS representatives with unlimited and unrestricted access to the grandstands, sale ring, barns, stables, grounds, offices, and all other areas of any horse show, exhibition, sale, or auction. This requirement includes any adjacent areas under their direction, control, or supervision for the purpose of inspecting any horses, or any records required to be kept by regulation or otherwise maintained.

In paragraph (a)(2) of proposed § 11.9, drawn from current § 11.5(a)(2), we would require that the management of any horse show, exhibition, or sale or auction must, without fee, charge, assessment, or other compensation, provide authorized HPIs and APHIS representatives with an adequate, sufficient, safe, and accessible area for the visual inspection and observation of horses while such horses are competitively or otherwise performing at any horse show or exhibition. This requirement also applies while such horses are being sold or auctioned, or offered for sale or auction.

In paragraph (b) of proposed § 11.9, we would include space and facility requirements drawn from current § 11.6.
for the management of any horse show, exhibition, sale, or auction. Management would be required to provide, without fee, charge, assessment, or other compensation, adequate, sufficient, safe and accessible space and facilities for authorized HPIs and APHIS representatives to carry out such duties under the Act and regulations whether or not management has received prior notification or otherwise knows that the show may be inspected by APHIS.

In paragraph (b)(1) of proposed § 11.9, drawn from paragraph (a) of current § 11.6, we would require sufficient space in a convenient location to the horse show, exhibition, sale, or auction arena, acceptable to authorized HPIs or APHIS representatives, in which horses may be physically, thermographically, or otherwise inspected for soring.

In paragraph (b)(2) of proposed § 11.9, drawn from current § 11.6(b), we would require that management provide protection from the elements of nature, such as rain, snow, sleet, hail, and wind for the inspection space. While current § 11.6(b) requires such protection only if requested by an inspector or an APHIS representative, we would require it at every event as it may not be possible to perform accurate inspections under exposure to the elements, as well as to permit last minute or unannounced inspections.

In paragraph (b)(3) of proposed § 11.9, drawn from paragraph (c) of current § 11.6, we would require that management maintain control of crowds or onlookers in order that authorized HPIs and APHIS representatives may carry out their duties safely and without interference. We are seeking public comment on instances in which it would it be necessary to hire security personnel to protect HPIs.

Paragraph (b)(3)(i) of proposed § 11.9 would require that management ensure that each horse in the designated inspection and warm-up areas be accompanied by no more than three individuals, including the trainer, rider, and the custodian. Official guests of show management, such as elected officials, legislators, and technical advisers would be allowed access to the designated inspection and warm-up areas for limited periods of time at the discretion of show management and only with the concurrence of an authorized HPI or APHIS representative. Our experience has shown that people congregating in designated inspection and warm-up areas can impede the ability of HPIs and APHIS representatives to perform their duties, and could be used to attempt to intimidate the inspectors and/or APHIS representatives.

Paragraph (b)(3)(ii) of proposed § 11.9 would require that management must not in any way influence show attendees to assault, resist, oppose, impede, intimidate, or interfere with authorized HPIs or APHIS representatives. If management influences attendees in such a manner, HPIs and APHIS representatives would immediately stop conducting inspections at the event and document the events, which may result in a potential investigation or enforcement action against management.

In proposed paragraph (b)(4), we would require that management provide an accessible, reliable, and convenient 110-volt electrical power source for the inspection space if requested by an authorized HPI or APHIS representative. Paragraph (d) of § 11.6 currently stipulates that this is a requirement only if electrical service is available. We would retain this requirement in the regulations. If electrical service is not available, management would be required to provide a portable electric generator as requested by the inspector of APHIS representatives.

In proposed paragraph (b)(5), we would adopt the requirement from current § 11.6(e) that management provide appropriate areas adjacent to the inspection area for designated horses to wait before and after inspection and an area to be used for detention of horses.

Operation of Horse Shows, Exhibitions, Sales, and Auctions

We also propose to add a new § 11.10 that contains management operating requirements for horse shows, exhibitions, sales, and auctions. Our experience, which is corroborated by the OIG report, is that current operating requirements are insufficient to enforce prohibitions on persons who have been disqualified from participation in horse shows, exhibitions, sales, and auctions. In proposing these management operating requirements, we intend to make it easier to identify persons who are disqualified from participating in regulated horse shows, exhibitions, sales, and auctions.

In paragraph (a)(1) of proposed § 11.10, we would require that the management of any horse show, horse exhibition, or horse sale or auction involving Tennessee Walking Horses, Racking Horses, and related breeds notify the Administrator of the event at least 30 days before it begins. We would stipulate that notification may be made by mail, fax, or electronic means such as email, but that notification through electronic means is strongly preferred. Notification must include: The name and location of the show, exhibition, sale, or auction; the name and address of the manager; a phone number and email address (if available); the date or dates of the show, exhibition, sale, or auction; and a copy of the official horse show, horse exhibition, horse sale, or horse auction program, if any such program has been prepared. Notification would also have to include the names of the APHIS-licensed HPIs scheduled to perform inspections at the horse show, exhibition, sale, or auction.

In paragraph (a)(2) of proposed § 11.10, we would require management to ensure that no action devices or substances prohibited under § 11.2 are present in the warm-up area.

We would require in paragraph (a)(3) of proposed § 11.10 that management post the list of people who have been disqualified by USDA in a prominent place at the event. We would require in paragraph (a)(4) of proposed § 11.10 that management check the people entering horses in the horse show, exhibition, sale, or auction against the list of people noted in paragraph (a)(3) who have been disqualified and prevent them from entering their horses if they are on the list.

Finally, in paragraph (a)(5) of proposed § 11.10, we would require that management ensure that all horses entered in the horse show, exhibition, sale, or auction be properly identified by one of the following methods: A description sufficient to identify the individual equine, as determined by APHIS, to include name, age, breed, color, gender, distinctive markings, and unique and permanent forms of identification when present (e.g., brands, tattoos, scars, cowlicks, or blemishes); electronic identification that complies with ISO 11784/11785; an equine passport issued by a State government and accepted in the government of the State in which the horse show, exhibition, sale, or auction will occur; or digital photographs sufficient to identify the individual equine, as determined by an authorized HPI or an APHIS representative. Additionally, if any such horses belong to a registry, the registry number and registry records would have to be provided to an authorized HPI and/or APHIS representative upon request. In addition, APHIS may add at its...

15 Email notification may be sent to hp@aphis.usda.gov.

16 An international standard regulating the radio frequency identification (RFID) of animals.
discretion additional forms of identification.

As indicated in current §11.20, the management of a horse show, exhibition, sale or auction is not required to designate and appoint inspectors to conduct inspections. However, under the requirements in paragraph (b) of proposed §11.10, which are similar to those currently in §11.20, management not using an inspector from the list of APHIS-trained and licensed inspectors would themselves be responsible for identifying and prohibiting any horses which are sore from participating or competing in any horse show, exhibition, sale, or auction. In the event that show management either does not hire inspectors or hires inspectors that are not licensed by APHIS, show management can be held liable for the failure to disqualify a sore horse from participating in an HPA-covered event. If they do choose to use APHIS-licensed inspectors, show management can only be found liable if they fail to disqualify a horse that an APHIS-licensed inspector or APHIS identifies as a sore horse and notifies show management. Horses entered in a sale or auction would have to be identified as sore prior to the sale or auction and prohibited from entering the ring. Sore horses that have been entered in a show or exhibition for the purpose of showing or exhibition would have to be identified and disqualified by management. Any horses found to be sore during participation in the show or exhibition would have to be prohibited from further participation prior to the tying of the class or the completion of the show or exhibition. Show management’s failure to prohibit a horse from participating in any of these situations would result in an alleged violation of the Act and regulations.

Under proposed §11.10(b)(2), copies of the records required under proposed §11.6(d)(1) would have to be collected and submitted by management to APHIS within 72 hours after the horse show, exhibition, sale, or auction is over. Proposed §11.10(b)(3) would contain the requirement that after completing inspection, management would notify the custodian of each horse that is noncompliant with the Act or regulations that the horse is disqualified from participating in any show, exhibition, sale or auction, or involved with any other action under the Act or its regulations along with the reasons for such action. Management would have to collect the information relating to the alleged violation from the custodian. In current §11.6, there is a list first in each Tennessee Walking Horse, Racking Horse, or related breed class or event at any show or exhibition that has to be inspected after being shown or exhibited to determine if such horse is in compliance with the Act or regulations. We would add this inspection requirement to proposed §11.10(b) and amend it to state that any horse placing first, second, or third, and any other horses indicated by a HPI or APHIS representative in each Tennessee Walking Horse, Racking Horse, or related breed class or event at any horse show or exhibition, will have to be inspected after being shown or exhibited to determine if such horses are compliant with the Act or regulations. We are proposing this change to improve compliance with the Horse Protection regulations.

At horse shows, exhibitions, sales, and auctions, we would require in proposed §11.10(c)(1) that management designate and appoint a minimum of two HPIs holding valid, current licenses issued by APHIS. This requirement is drawn from §11.20(c), which requires that management appoint and designate at least two inspectors when more than 150 horses are entered. However, we would amend this requirement to require that management appoint two HPIs when 150 or fewer horses are entered in an event and more than two HPIs when more than 150 horses are entered. In addition, we would add in proposed §11.10(c)(1) the requirement that management make a farrier available to assist with inspections at every horse show, exhibition, sale, and auction.

Under proposed §11.10(c)(2), management would have to accord HPIs access to all records and areas of the grounds of a show, exhibition, sale, or auction and accord the same right to inspect horses and records as is accorded to any APHIS representative under the regulations. Further, management would be prohibited from taking any action which would interfere with or influence a HPI while carrying out his or her duties.17 Under proposed §11.10(c)(3), we would require that after an authorized HPI has completed inspection of a horse, management must prevent tampering with any part of a horse’s limbs or hooves in such a way that could cause a horse to be sore. Under proposed §11.10(c)(4), we would require that management not dismiss or otherwise interfere with a HPI during the HPI’s appointed tour of duty, which is the duration of the show, exhibition, or sale or auction. This includes situations in which management is dissatisfied with the performance of a particular HPI, including disagreement with a HPI’s decision that the custodian of a horse is in alleged violation of the Act or regulations. However, if management has reason to believe that a horse is sore but it is not identified as sore by the HPI, management would be required to prohibit that horse from participating. We would state that management should immediately notify the Administrator, in writing, as to why the performance of a HPI was inadequate or otherwise unsatisfactory. Management would have to immediately prohibit from being shown, exhibited, sold, or auctioned any horse alleged by the HPI to be sore or otherwise known by management to be sore in violation of the Act or regulations. Should management fail to prohibit from being shown, exhibited, sold, or auctioned any such horse, management would have to assume full responsibility for and liabilities arising from the showing, exhibition, sale, or auction of such horses.

Finally, under proposed §11.10(c)(5), we would require that if an authorized HPI or APHIS representative finds any horse to be sore at a show, exhibition, sale, or auction featuring Tennessee Walking Horses, Racking Horses, or related breeds, the management would have to prohibit the horse from competing in that show or exhibition.

Records and Reporting

To improve organization of the regulations, we are proposing to move the records and reporting requirements for management in current §§11.22, 11.23, and 11.24 to proposed §11.11 and amend them.

In proposed §11.11(a)(1), we would include record requirements for show management adapted from current §11.22. However, we would require that management maintain all records for a period of at least 6 years, instead of the current 90 days, following the closing date of the show, exhibition, or sale or auction. We are proposing this change to ensure that records remain available for verifying compliance with the Act and regulations. Investigations of suspected cases of soring often take greater than 90 days, so requiring show managers to hold onto records for additional lengths of time would greatly aid these investigations with minimal burden on show managers. We have proposed 6 years, which accounts for the statute of limitations plus an

17 A document with side-by-side comparisons of the current duties of inspectors, HIOs, and show management with those proposed in this rulemaking can be viewed at http://www.regulations.gov/#!docketDetail D=APHIS-2011-0009.
additional year. Investigations and case development on cases involving the HPA can be difficult and the extra time we would require these records to be held would greatly assist our ability to properly enforce the Act. Although the field investigative process may conclude in roughly a year, the administrative (or civil or criminal) enforcement based on the investigation takes many years. Often times, when attorneys review investigative files, they request additional information related to the alleged violation(s) that may have not been collected as part of the initial investigation. We want to ensure the records are preserved so long as the investigation remains open and active, which is the case until APHIS receives a final legal decision on the matter. These records would have to contain the following information:

- The dates and place of the horse show, exhibition, sale, or auction;
- The name and address (including street address or post office box number, and ZIP Code) of the sponsoring organization;
- The name and address of the horse show, exhibition, sale, or auction management;
- The name and address (including street address or post office box number, and ZIP Code) of the HPI(s), if any, employed to conduct inspections and, if applicable, the name of the HIO with which the HPIs are affiliated;
- The name and address (including street address or post office box number, and ZIP Code) of each show judge;
- A copy of each class or sale sheet containing the names of horses, the names and addresses (including street address or post office box number, and ZIP Code) of horse owners, the exhibitor number and class number, or sale number assigned to each horse, the show class or sale lot number, and the name and address (including street address or post office box number, and ZIP Code) of the person paying the entry fee and entering the horse in a horse show, horse exhibition, or horse sale or auction;
- A copy of the official horse show, exhibition, sale, or auction program, if any such program has been prepared;
- The name and identification of each horse as required in proposed § 11.10(a)(5), as well as the name and address (including street address or post office box number, and ZIP Code) of the owner, the trainer, the custodian, and the location (including street address and ZIP Code) of the home barn or other facility where the horse is stabled.

We would include in proposed § 11.11(a)(2) the requirement from current § 11.22(b), which requires that management designate a person to maintain the required records. In proposed § 11.11(a)(3), we would include the requirement from current § 11.22(c) that management furnish to any APHIS representative, upon request, the name and address (including street address or post office box number, and ZIP Code) of the person designated by the sponsoring organization or manager to maintain the records required throughout proposed § 11.11. We would add the requirement that management provide the information requested within 30 days of the request.

We would include provisions for the inspection of records in current § 11.23 in proposed § 11.11(b) and remove § 11.23 from the regulations. Under these provisions, the management of any horse show, exhibition, sale, or auction must permit any APHIS representative, upon request, to examine and make copies of records pertaining to any horse, either required in any part of the regulations or otherwise maintained, during ordinary business hours or other times as may be mutually agreed upon. A room, table, or other facilities necessary for proper examination and copying of such records would need to be made available to the APHIS representative.

We also propose to move provisions for reporting in current § 11.24 to proposed § 11.11(c) and remove § 11.24 from the regulations. We would add that the reports required in proposed § 11.11 may be submitted by mail, fax, or electronic means such as email and note that we prefer that reports be submitted via electronic means.

In proposed § 11.11(c)(1), we would include from current § 11.24(a) the requirement that following the conclusion of any horse show, exhibition, sale, or auction featuring Tennessee Walking Horses, Racking Horses, or related breeds, the management of such show, exhibition, sale or auction would have to submit to the Administrator the information required by proposed § 11.11(a)(1) for each horse disqualified from being shown, exhibited, sold or auctioned, and the reasons for such action. However, instead of requiring that this information be submitted to the Administrator within 5 days, we would allow it to be submitted within 30 days following the conclusion of the show or other event. This change gives management more time to compile the necessary information. If no horses are disqualified, the management would still have to submit a report stating this fact.

Similarly, in proposed § 11.11(c)(2), we would include from § 11.24(b) the requirement that following the conclusion of any horse show, exhibition, or sale or auction that does not include Tennessee Walking Horses, Racking Horses, or related breeds, the management would have to inform the Administrator of any case where a horse was disqualified by management or its representatives from being shown, exhibited, sold or auctioned because it was found to be sore. We would allow that this information be submitted within 30 days following the conclusion of the show or other event.

Inspection Procedures for Horse Protection Inspectors

Horse inspection procedures are currently located throughout several sections of the regulations. We propose to add a new § 11.12 in which inspection procedures would be consolidated and amended to reflect proposed changes in other sections, as explained below.

Current § 11.20(b)(2) contains requirements for inspectors. We would remove this section and include a requirement in proposed § 11.12(a)(1) that the HPI physically inspect all Tennessee Walking Horses, Racking Horses, and related breeds for which soring is a concern that are:

- Entered for sale or auction;
- Entered in any animated gait class (whether under saddle, horse to cart, or otherwise), regardless of breed;
- Entered for exhibition before they are admitted to be shown, exhibited, sold, or auctioned, except as provided in proposed § 11.12(a)(2);
- Tied first in their class or event, and any other Tennessee Walking Horse, Racking Horse, or other breed in a class or event at any horse show or exhibition that, in the view of the HPI, raises a concern about soring. Such an inspection would be for the purpose of determining whether any such horses are in compliance with the Act or regulations. The inspection would be conducted in accordance with the inspection procedures provided for in proposed § 11.12.

In proposed § 11.12(a)(2), adapted in part from current § 11.20(b)(2), we would require that when a horse is presented for inspection, its custodian must present the HPI with a record or entry card that includes the horse’s required identifying information. The HPI would be required to observe horses in the designated warm-up area and during actual performances whenever possible and to inspect any horse in the barn area and show grounds as he or she deems necessary to determine whether the custodian of any such horse shown, exhibited, sold, or auctioned is in
compliance with the Act and regulations.

Current § 11.20(b)(3) states that an inspector must immediately report, to the management of any horse show, exhibition, sale, or auction, any horse which, in his opinion, is sore or otherwise in alleged violation of the Act or regulations. Paragraph (b)(3) further states that such report must be made, whenever possible, before the show class or exhibition involving the horse has begun or before the horse is offered for sale or auction.

We would include this reporting requirement in proposed § 11.12(a)(4) without the words “whenever possible,” to eliminate the possibility of sore horses competing or being sold before a report is made.

In proposed § 11.12(a)(5), we would include the requirement that horses prohibited from entering the show arena, whether by a judge, steward, or custodian of the horse, be taken directly to the inspection area for follow-up inspection by a HPI. Horses that suffer serious illness or injury while performing, and determined by an authorized HPI or APHIS representative to require immediate veterinary treatment, would not be required to return to the inspection area.

In proposed § 11.12(b), we would include procedures that must be followed by HPIS while conducting inspections. The intent of these procedures is to help ensure that a HPI can conduct an inspection of the horse to determine whether the custodian of the horse is in compliance with the Act or regulations.

Paragraph (b)(1) of proposed § 11.12 would require that a HPI ensure that all tack except for a halter and lead rope is removed from the horse during inspection.

Paragraph (b)(2) of proposed § 11.12 would require that during the preshow inspection, the HPI direct the custodian of the horse to lead, walk, and turn the horse in a figure-eight to allow the HPI to determine whether the horse exhibits a gait deficiency. A figure-eight pattern ensures that the HPI gets an impression of the horse adequate to determine whether the horse moves in a free and easy manner.

We would include specific requirements in proposed § 11.12(b)(3), taken in part from current § 11.21(a)(3), for proper manipulation of the hoof and limb of a horse during inspection. The digital palpation conducted throughout this process would require pressure against the hoof and limb sufficient to blanch, or whiten, the thumb of the inspecting HPI. The HPI would have to palpate the front limbs of the horse from knee to hoof, with particular emphasis on the fetlocks and pasterns. The HPI would also have to inspect the posterior surface of the pastern by picking up the hoof and examining the posterior (flexor) surface. In addition, the HPI would need to digitally palpate the pocket (sulcus), including the bulbs of the heel, and continue the palpation to the medial and lateral surfaces of the pastern. During palpation of the hoof and limb, the HPI is required to watch for responses to pain in the horse such as sudden movements. While continuing to hold the pastern, the HPI would have to extend the hoof and limb of the horse to inspect the front (extensor) surfaces, including the coronary band.

The HPI may also inspect the rear limbs of all horses inspected after showing, and before showing or on the show grounds whenever he or she considers it necessary. The HPI would be required to inspect the rear limbs of all horses exhibiting lesions or unusual movement of the rear limbs. While carrying out the procedures set forth in paragraph (b)(3) of proposed § 11.12, the HPI would also have to inspect the horse to determine whether it complies with the scar rule in § 11.3.

As part of the inspection, the HPI may also use an x-ray machine or other technologies to detect evidence of soring consistent with violations of the Act or regulations. Such soring practices can include intentional manipulation of a horse’s hooves or feet in such a way that can reasonably be expected to cause physical pain or distress, inflammation, or lameness when the animal is walking, trotting, or otherwise moving.

We would require in paragraph (b)(4) of proposed § 11.12, adapted in part from current § 11.21(a)(3), that a HPI observe and inspect all horses for compliance with the provisions set forth in proposed § 11.2, “Prohibited Actions, Practices, Devices, and Substances.”

In proposed § 11.12(b)(5), adapted from current § 11.21(a)(4), we would require that the HPI instruct the custodian of the horse to control it for inspection by holding the lead rope approximately 18 inches from the halter. The HPI will not inspect a horse if it is presented in a manner that might cause the horse not to react to a HPI’s inspection, or if whips, cigarette smoke, or other actions or paraphernalia are used to distract a horse during inspection.18 Horses that are not presented in a manner to allow their proper inspection, as well as unruly or fractious horses, would be prohibited from showing. The HPI would have to report all such incidents to show management and APHIS.

Paragraph (c) of proposed § 11.12, adapted in part from paragraph (b) of current § 11.21, would include inspection logistics for HPIS.

Paragraph (c)(1) of proposed § 11.12 would require that in shows with more than 150 horses entered, an authorized HPI may inspect horses 3 classes ahead of the time such horses are to be shown but only if another authorized HPI can provide continuous and uninterrupted supervision of the designated warm-up area for the inspected horses. This is intended to reduce crowding in the designated warm-up area and to lessen the risk that inspected horses could be tampered with while waiting to be shown. In shows with 150 horses or fewer entered, one HPI may inspect horses 2 classes ahead of the time the inspected horses are to be shown but only if another authorized HPI can provide continuous and uninterrupted supervision of the designated warm-up area for the inspected horses.

Paragraph (c)(2) of proposed § 11.12 would require that inspected horses be held in a designated area that is under observation by an authorized HPI or an APHIS representative. Horses would not be permitted to leave the designated area before showing. Only the horse, the custodian, the trainer, the HPI(s), and APHIS representatives would be allowed in the designated area. As noted in proposed § 11.9(b)(3)(i), official guests of show management, such as elected officials, legislators, and technical advisers would be allowed access to the designated inspection and warm-up areas for limited periods of time at the discretion of show management and only with the concurrence of authorized HPIS or APHIS representatives.

We would include in proposed § 11.12(d) requirements for additional inspection procedures that have been adapted from current § 11.21(d). We would allow the HPI to carry out additional inspection procedures on a horse as he or she deems necessary to determine whether the custodian of the horse is in compliance with the Act and regulations. The HPI would be permitted to remove and inspect plastic, cotton, or any materials wrapped around the limbs of any horse at a horse show, exhibition, sale, or auction to determine whether any prohibited foreign substances are present. The HPI may also require that horseshoes be removed by a farrier provided by management as part of the inspection. Finally, the HPI would be authorized to use hoof testers on all horses.

18 See footnote 10.
Transportation of Horses

We would move the prohibitions and requirements in current §11.40 concerning persons involved in transporting certain horses to proposed §11.13 and remove §11.40. Under the regulations, each person who ships, transports, or otherwise moves, or delivers or receives for movement, any horse with reason to believe such horse may be shown, exhibited, sold or auctioned at any horse show, exhibition, or sale or auction, would be required to allow inspection of such horse at any such show, exhibition, sale, or auction to determine compliance with the Act and regulations. Such a person would also be required to furnish to any APHIS representatives upon request the following information: Name and address (including street address or post office box number, and ZIP Code) of the horse owner and of the shipper, if different from the owner or trainer; name and address of the horse trainer; name and address of the carrier transporting the horse and the driver of the means of conveyance used; the origin and date of the shipment; and the destination of the shipment. We would also require the transporter to provide APHIS with the name and address (including street address or post office box number, and ZIP Code) of the horse’s farrier.

Alternatives Considered

Consistent with Executive Orders 12866 and 13563, which emphasize determining the least costly regulatory option, and with the President’s January 12, 2014, Memorandum on Small Business and Job Creation, APHIS has considered several alternatives to this proposed action. For the reasons discussed below, we believe the changes proposed in this document represented the best alternative option that would satisfactorily accomplish the stated objectives and minimize impacts on small entities. However, we welcome comments from the public on these and other alternative options. Specifically, we would seek feedback on the viability of alternative approaches that would continue to rely on the horse industry organization concept, and what the governance of such an organization should be like. Additionally, we would request comments on how any proposed alternative would minimize the conflicts of interest issues raised by the 2010 Office of the Inspector General report into the horse protection program, especially as compared to the changes proposed in this document.

Executive Orders 12866 and 13563 and Regulatory Flexibility Act

This proposed rule has been determined to be significant for the purposes of Executive Order 12866 and, therefore, has been reviewed by the Office of Management and Budget. We have prepared an economic analysis for this rule. The economic analysis provides a cost-benefit analysis, as required by Executive Orders 12866 and 13563, which direct agencies to assess all costs and benefits of available regulatory alternatives and, if regulation is necessary, to select regulatory approaches that maximize net benefits (including potential economic, environmental, public health and safety effects, and equity). Executive Order 13563 emphasizes the importance of quantifying both costs and benefits, of reducing costs, of harmonizing rules, and of promoting flexibility. The economic analysis also provides an initial regulatory flexibility analysis examining the potential economic effects of this rule on small entities, as required by the Regulatory Flexibility Act. The economic analysis is summarized below. Copies of the full analysis are available by contacting the person listed under FOR FURTHER INFORMATION CONTACT or on the Regulations.gov Web site (see ADDRESSES above for instructions for accessing Regulations.gov).

The prohibition of pads and action devices does not impose costs on shows or the shows’ participants. However, of these proposed amendments to the horse protection regulations, only the amendments requiring a farrier to be present for all shows, exhibitions, sales, and auctions and a minimum of 2 HPIs for shows with 150 or fewer horses and more than 2 HPIs for shows with more than 150 horses may result in additional costs for the shows or their participants. Based on the estimates of an expert elicitation commissioned by APHIS, the cost of services provided by veterinarians, farriers, and HPIs ranges from a few hundred to several thousand dollars. However, by prohibiting pads and action devices, inspections may be slightly more efficient and less time-consuming. Any additional cost burden to a show would depend on the show’s ability to pass these costs along to attendants or other entities involved with the shows. Many if not most of the entities that may be affected by this proposed rule are small.

While the proposed rule would result in better oversight of the HPIs and enforcement of the HPA, implementation of the proposed changes would result in additional administrative and computer-related costs associated with training, licensing, and certifying HPIs. Consequently, APHIS would need to allocate resources to design, coordinate, and deliver computer-based training of HPIs, and provide program guidance and oversight. In FY 2015, the USDA’s Horse Protection Program received $697,000 in appropriated funding. APHIS would be able to implement the proposed Horse Protection Program revisions and maintain this same level of funding through a reallocation among Program activities of approximately $300,000. For example, APHIS expects there to be a large reduction in Program travel expenditures because, with the HPIs trained and licensed by APHIS, they will require less direct Agency oversight. USDA personnel would continue to attend a percentage of horse events, to ensure consistency among inspectors, address performance concerns, and assist in meeting the program’s goals.

The benefits of the proposed rule are expected to justify the costs. The proposed changes to the horse protection regulations would promote the humane treatment of walking and racking horses by more effectively ensuring that those horses that participate in exhibitions, sales, shows, or auctions are not sored. This benefit is an unquantifiable animal welfare enhancement.

The proposed rule is not expected to adversely impact communities in which shows are held since walking and racking horse shows are expected to continue. Therefore, owners will still be able to participate in shows if they choose to participate. Better enforcement of the HPA is expected to also benefit participating HIOs and HIO-affiliated shows by improving the reputation of the walking and racking horse industry. Participation in HIO-affiliated events may increase if the proposed rule were to result in increased confidence by owners that individuals who intentionally sore horses to gain a competitive advantage are likely to be prevented from participating. The affected HIOs would also benefit from no longer having to bear the costs of training and licensing the HPIs. If promulgated, this rule will not have a significant economic impact on a substantial number of small entities.

Executive Order 13175

This proposed rule has been reviewed in accordance with the requirements of Executive Order 13175, “Consultation and Coordination with Indian Tribal Governments.” Executive Order 13175...
requires Federal agencies to consult and coordinate with tribes on a government-to-government basis on policies that have tribal implications, including regulations, legislative comments or proposed legislation, and other policy statements or actions that have substantial direct effects on one or more Indian tribes, on the relationship between the Federal Government and Indian tribes or on the distribution of power and responsibilities between the Federal Government and Indian tribes.

The Animal and Plant Health Inspection Service has assessed the impact of this proposed rule on Indian tribes and determined that this proposed rule does not, to our knowledge, have tribal implications that require tribal consultation under Executive Order 13175. If a Tribe requests consultation, the Animal and Plant Health Inspection Service will work with the Office of Tribal Relations to ensure meaningful consultation is provided where changes, additions and modifications identified herein are not expressly mandated by Congress.

Executive Order 12372
This program/activity is listed in the Catalog of Federal Domestic Assistance under No. 10.025 and is subject to Executive Order 12372, which requires intergovernmental consultation with State and local officials. (See 2 CFR chapter IV.)

Executive Order 12988
This proposed rule has been reviewed under Executive Order 12988, Civil Justice Reform. It is not intended to have retroactive effect. The Act does not provide administrative procedures which must be exhausted prior to a judicial challenge to the provisions of this rule.

Paperwork Reduction Act
In accordance with section 3507(d) of the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 et seq.), some of the information collection and recordkeeping requirements included in this proposed rule have been approved under 0579–0056. The new reporting and recordkeeping requirements proposed by this rule have been submitted as a new information collection package for approval to the Office of Management and Budget (OMB). Upon approval of this new information collection, it will be merged into the existing 0579–0056. Please send written comments to the Office of Information and Regulatory Affairs, OMB, Attention: Desk Officer for APHIS, Washington, DC 20503. Please state that your comments refer to Docket No. APHIS–2011–0009. Please send a copy of your comments to: (1) APHIS, using one of the methods described under ADDRESSES at the beginning of this document, and (2) Clearance Officer, OCIO, USDA, room 404–W, 14th Street and Independence Avenue SW., Washington, DC 20250.

The regulations in 9 CFR part 11 authorized by the HPA require actions including, but not limited to, ensuring that inspectors are trained and licensed; requiring the management of horse shows, auctions, sales, and/or exhibitions to notify APHIS in advance that events are going to occur and to provide for the inspection of horses for soring; requiring inspectors to notify the custodian if a horse is detained for inspection, testing, or taking of evidence with respect to soring; and providing a waiver process to waive certain classes of horses from being inspected for soring. We are soliciting comments from the public and others concerning our proposed information collection and recordkeeping requirements. These comments will help us:

(1) Evaluate whether the proposed information collection is necessary for the proper performance of our agency’s functions, including whether the information will have practical utility;
(2) Evaluate the accuracy of our estimate of the burden of the proposed information collection, including the validity of the methodology and assumptions used;
(3) Enhance the quality, utility, and clarity of the information to be collected; and
(4) Minimize the burden of the information collection on those who are to respond (such as through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology; e.g., permitting electronic submission of responses).

Estimate of burden: Public reporting burden for this collection of information is estimated to average 7 minutes per response.

Respondents: Management of horse shows, events, auctions, sales, and exhibitions; individuals seeking inspector certification; and certified inspectors.

Estimated annual number of respondents: 50.

Estimated annual number of responses per respondent: 8.72.

Estimated annual number of responses: 436.

Estimated total annual burden on respondents: 51 hours. (Due to averaging, the total annual burden hours may not equal the product of the annual number of responses multiplied by the reporting burden per response.)

Copies of this new information collection are located at http://www.regulations.gov/

"docketDetail;D=APHIS-2011-0009 and can be obtained from Kimberly Hardy, APHIS’ Information Collection Coordinator, at 301–851–2727.

USDA will respond to any information collection request-related comments in the final rule. All comments will also become a matter of public record.

E-Government Act Compliance
The Animal and Plant Health Inspection Service is committed to compliance with the E-Government Act to promote the use of the Internet and other information technologies, to provide increased opportunities for citizen access to Government information and services, and for other purposes. For information pertinent to E-Government Act compliance related to this proposed rule, please contact Ms. Kimberly Hardy, APHIS’ Information Collection Coordinator, at 301–851–2727.

List of Subjects in 9 CFR Part 11
Animal welfare, Horses, Reporting and recordkeeping requirements.

Accordingly, we propose to revise 9 CFR part 11 to read as follows:

PART 11—HORSE PROTECTION REGULATIONS

Sec.
11.1 Definitions.
11.2 Prohibited actions, practices, devices, and substances.
11.3 Scar rule.
11.4 Providing required information.
11.5 Inspection and detention of horses; responsible parties.
11.6 Training and licensing of Horse Protection Inspectors (HPIs).
11.7–11.8 [Reserved]
11.9 Management responsibilities; access, space, and facilities.
11.10 Management responsibilities; operation of horse shows, horse exhibitions, and horse sales and auctions.
11.11 Management responsibilities; records and reporting.
11.12 Inspection procedures for HPIs.
11.13 Requirements concerning persons involved in transportation of certain horses.


§ 11.1 Definitions.
For the purpose of this part, unless the context otherwise requires, the following terms shall have the meanings assigned to them in this section. The
singular form shall also impart the plural and the masculine form shall also impart the feminine. Words of art undefined in the following paragraphs shall have the meaning attributed to them by trade usage or general usage as reflected by definition in a standard dictionary, such as “Webster’s.”


Action device means any boot, collar, chain, beads, bangles, roller, or other device which encircles or is placed upon the lower extremity of the leg of a horse in such a manner that it can either rotate around the leg, or slide up and down the leg so as to cause friction, or which can strike the hoof, coronet band, or fetlock joint.

Administrator means the Administrator, Animal and Plant Health Inspection Service, or any person authorized to act for the Administrator. Mail for the Administrator should be sent to the Animal and Plant Inspection Service, Animal Care, 4700 River Road Unit 84, Riverdale, MD 20737–1254.

Animal and Plant Health Inspection Service (APHIS) means the Animal and Plant Health Inspection Service of the United States Department of Agriculture.

APHIS representative means any employee or official of APHIS.

Custodian means any person who is responsible for directing, controlling, and supervising the horse during the inspection at any horse show, exhibition, sale, or auction; or any person who shows or exhibits, or enters for the purpose of showing or exhibiting, in any horse show or horse exhibition, any horse; or any person who sells, auctions, or offers for sale, in any horse sale or auction, any horse. The term also means any person who owns a horse and allows the horse to be shown, exhibited, or entered in a show or exhibition, sold or auctioned, or entered in a sale or auction, or transported for any of these purposes, or any person who transports a horse for showing, exhibition, sale, or auction.

The custodian must also be able to provide required information about the horse.

Department means the United States Department of Agriculture.

Exhibitor means:
(1) Any custodian who directs or allows any horse under his direction, control, or supervision to be entered in any horse show or horse exhibition;
(2) Any custodian who shows or exhibits any horse, any custodian who allows his horses to be shown or exhibited, or any custodian who directs or allows any horse under his direction, control, or supervision to be shown or exhibited in any horse show or horse exhibition;
(3) Any custodian who enters or presents any horse for sale or auction, any custodian who allows his horse to be entered or presented for sale or auction, or any custodian who allows any horse under his direction, control, or supervision to be entered or presented for sale or auction in any horse sale or horse auction; or
(4) Any custodian who sells or auctions any horse, any custodian who allows his horse to be sold or auctioned, or any custodian who allows any horse under his direction, control, or supervision to be sold or auctioned.

Horse means any member of the species Equus caballus.

Horse exhibition means a public display of any horses, singly or in groups, but not in competition. The term does not include events where speed is the prime factor, rodeo events, parades, or trail rides.

Horse Protection Inspector (HPI) means a person meeting the requirements specified in § 11.6 whom the Administrator has licensed as a HPI (formerly termed a Designated Qualified Person, or DQP). A HPI may be appointed and delegated authority by the management of any horse show, horse exhibition, horse sale, or horse auction under section 4 of the Act to detect or diagnose horses which are sore or to otherwise inspect horses and any records pertaining to such horses for the purposes of enforcing the Act.

Horse show means an event, public or private, at which horses are sold or auctioned, regardless of whether or not the horses are exhibited prior to or during the sale or auction.

Horse show means a public display of any horses, in competition. The term does not include events where speed is the prime factor, rodeo events, parades, or trail rides.

Inspection means any visual, physical, and diagnostic means approved by APHIS to determine compliance with the Act and regulations. Such inspection may include, but is not limited to, visual inspection of a horse and records, physical inspection of a horse, including touching, rubbing, palpating, and observation of vital signs, and the use of any diagnostic device or instrument, and may require the removal of any shoe or any other equipment, substance, or paraphernalia from the horse when deemed necessary by the person conducting such inspection.

Management means any person who organizes, exercises control over, or administers or is responsible for organizing, directing, or administering any horse show, horse exhibition, horse sale or horse auction and specifically includes, but is not limited to, the sponsoring organization and show manager.

Person means any individual, corporation, company, association, firm, partnership, society, organization, joint stock company, State or local government agency, or other legal entity.

Secretary means the Secretary of Agriculture or anyone who has heretofore or may hereafter be delegated authority to act in his stead.

Show manager means the person who has been delegated primary authority by a sponsoring organization for managing a horse show, horse exhibition, horse sale, or horse auction.

Sore when used to describe a horse means:
(1) An irritating or blistering agent has been applied, internally or externally, to any limb of a horse;
(2) Any burn, cut, or laceration has been inflicted on any limb of a horse;
(3) Any tack, nail, screw, or chemical agent has been injected into or used on any limb of a horse; or
(4) Any other substance or device has been used on any limb of a horse, and as a result of such application, infliction, injection, use, or practice, such horse suffers, or can reasonably be expected to suffer, physical pain or distress, inflammation, or lameness when walking, trotting, or otherwise moving, except that such term does not include such an application, infliction, injection, use, or practice in connection with the therapeutic treatment of a horse by or under the supervision of a person licensed to practice veterinary medicine in the State in which such treatment was given.

Sponsoring organization means any person or entity under whose responsibility a horse show, horse exhibition, horse sale, or horse auction is conducted.

State means any of the several States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, or the Trust Territory of the Pacific Islands.

Substance means any agent applied to a horse’s limbs while a horse is shown, exhibited, or offered for sale, or otherwise present on the grounds at any horse show, horse exhibition, horse sale or auction and specifically includes, but is not limited to, the sponsoring organization and show manager.

Person means any individual, corporation, company, association, firm, partnership, society, organization, joint stock company, State or local government agency, or other legal entity.

Secretary means the Secretary of Agriculture or anyone who has heretofore or may hereafter be delegated authority to act in his stead.

Show manager means the person who has been delegated primary authority by a sponsoring organization for managing a horse show, horse exhibition, horse sale, or horse auction.

Sore when used to describe a horse means:
(1) An irritating or blistering agent has been applied, internally or externally, to any limb of a horse;
(2) Any burn, cut, or laceration has been inflicted on any limb of a horse;
(3) Any tack, nail, screw, or chemical agent has been injected into or used on any limb of a horse; or
(4) Any other substance or device has been used on any limb of a horse, and as a result of such application, infliction, injection, use, or practice, such horse suffers, or can reasonably be expected to suffer, physical pain or distress, inflammation, or lameness when walking, trotting, or otherwise moving, except that such term does not include such an application, infliction, injection, use, or practice in connection with the therapeutic treatment of a horse by or under the supervision of a person licensed to practice veterinary medicine in the State in which such treatment was given.

Sponsoring organization means any person or entity under whose responsibility a horse show, horse exhibition, horse sale, or horse auction is conducted.

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Person means any individual, corporation, company, association, firm, partnership, society, organization, joint stock company, State or local government agency, or other legal entity.

Secretary means the Secretary of Agriculture or anyone who has heretofore or may hereafter be delegated authority to act in his stead.

Show manager means the person who has been delegated primary authority by a sponsoring organization for managing a horse show, horse exhibition, horse sale, or horse auction.

Sore when used to describe a horse means:
(1) An irritating or blistering agent has been applied, internally or externally, to any limb of a horse;
(2) Any burn, cut, or laceration has been inflicted on any limb of a horse;
(3) Any tack, nail, screw, or chemical agent has been injected into or used on any limb of a horse; or
(4) Any other substance or device has been used on any limb of a horse, and as a result of such application, infliction, injection, use, or practice, such horse suffers, or can reasonably be expected to suffer, physical pain or distress, inflammation, or lameness when walking, trotting, or otherwise moving, except that such term does not include such an application, infliction, injection, use, or practice in connection with the therapeutic treatment of a horse by or under the supervision of a person licensed to practice veterinary medicine in the State in which such treatment was given.

Sponsoring organization means any person or entity under whose responsibility a horse show, horse exhibition, horse sale, or horse auction is conducted.

State means any of the several States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, or the Trust Territory of the Pacific Islands.

Substance means any agent applied to a horse’s limbs while a horse is shown, exhibited, or offered for sale, or otherwise present on the grounds at any horse show, horse exhibition, horse sale or auction and specifically includes, but is not limited to, the sponsoring organization and show manager.

Person means any individual, corporation, company, association, firm, partnership, society, organization, joint stock company, State or local government agency, or other legal entity.

Secretary means the Secretary of Agriculture or anyone who has heretofore or may hereafter be delegated authority to act in his stead.

Show manager means the person who has been delegated primary authority by a sponsoring organization for managing a horse show, horse exhibition, horse sale, or horse auction.

Sore when used to describe a horse means:
(1) An irritating or blistering agent has been applied, internally or externally, to any limb of a horse;
(2) Any burn, cut, or laceration has been inflicted on any limb of a horse;
(3) Any tack, nail, screw, or chemical agent has been injected into or used on any limb of a horse; or
(4) Any other substance or device has been used on any limb of a horse, and as a result of such application, infliction, injection, use, or practice, such horse suffers, or can reasonably be expected to suffer, physical pain or distress, inflammation, or lameness when walking, trotting, or otherwise moving, except that such term does not include such an application, infliction, injection, use, or practice in connection with the therapeutic treatment of a horse by or under the supervision of a person licensed to practice veterinary medicine in the State in which such treatment was given.
horse show, horse exhibition, or horse sale or auction.

§ 11.2 Prohibited actions, practices, devices, and substances.

(a) Specific prohibitions. No device, method, practice, or substance shall be used with respect to any horse at any horse show, horse exhibition, or horse sale or auction if such use causes or can reasonably be expected to cause such horse to be sore. The use of the following devices, equipment, or practices is specifically prohibited with respect to any Tennessee Walking Horse, Racking Horse, or related breed that performs with an accentuated gait that raises concerns about souring at any horse show, horse exhibition, horse sale, or horse auction:

(1) Any action device as defined in § 11.1 is prohibited.
(2) Any pad, wedge, or hoof band is prohibited.
(3) The use of any weight on horses up to 2 years old, except a keg or similar conventional horseshoe is prohibited, as is the use of a horseshoe on horses up to 2 years old that weighs more than 16 ounces.
(4) Artificial extension of the toe length is prohibited.
(5) Any object or material inserted into the hoof other than acceptable hoof packing, which includes pine tar, oakum, live rubber, sponge rubber, silicone, commercial hoof packing or other substances used to maintain adequate frog pressure or sole consistency, is prohibited. Acrylic and other hardening substances are prohibited as hoof packing.
(6) Single or double rocker-bars on the bottom surface of horseshoes which extend more than 1 1/2 inches back from the point of the toe, or any device which would cause, or could reasonably be expected to cause, an unsteadiness of stance in the horse with resulting muscle and tendon strain due to the horse’s weight and balance being focused upon a small fulcrum point, are prohibited.
(7) Shoewing a horse, or trimming a horse’s hoof in a manner that will cause such horse to suffer, or can reasonably be expected to cause such horse to suffer pain or distress, inflammation, or lameness when walking, trotting, or otherwise moving is prohibited, as is paring out of the frog. Bruising of the hoof or any other method of pressure shoeing is prohibited.
(8) Lead or other weights attached to the outside of the hoof wall or the outside surface of the horseshoe are prohibited. Hollow shoes or artificial extensions filled with mercury or similar substances are prohibited.

(b) Substances. Any substances are prohibited on the limbs of any Tennessee Walking Horse, Racking Horse, or related breed horse that performs with an accentuated gait while being shown, exhibited, or offered for sale, or otherwise present on the grounds at, any horse show, horse exhibition, or horse sale or auction.

(c) Restrictions on 2-year-old horses. With regard to 2-year-old Tennessee Walking Horses, Racking Horses, and related horse breeds that perform with an accentuated gait that raises concerns about souring (horses eligible to be shown or exhibited in 2-year-old classes), any performances, classes, workouts, or working exhibitions at horse shows, sales, or auctions must not exceed a total of 10 minutes continuous workout or performance without a minimum 5-minute rest period between the first such 10-minute period and the second such 10-minute period. More than two such 10-minute periods per performance, class, or workout are prohibited.

§ 11.3 Scar rule.

The scar rule applies to all horses born on or after October 1, 1975. Horses subject to this rule that do not meet the following scar rule criteria shall be considered to be “sore” and are subject to all prohibitions of section 5 of the Act. The scar rule criteria are as follows:

(a) The anterior and anterior-lateral surfaces of the fore pasterns (extensor surface) must be free of bilateral granulomas, other bilateral pathological evidence of inflammation, and other bilateral evidence of abuse indicative of souring including, but not limited to, excessive loss of hair.
(b) The posterior surfaces of the pasterns (flexor surface), including the sulcus or “pocket” may show bilateral areas of uniformly thickened epithelial tissue if such areas are free of proliferating granuloma tissue, irritation, moisture, edema, or other evidence of inflammation.

§ 11.4 Providing required information.

Failing to provide information, or providing any false or misleading information, by any custodian of any horse shown, exhibited, sold, or auctioned or entered for the purpose of being shown, exhibited, sold, or auctioned at any horse show, horse exhibition, or horse sale or auction, is prohibited. Such information shall include, but is not limited to: The name and identification of the horse; the name and address of the legal owner, trainer, custodian, or other legal entity bearing responsibility for the horse; the class in which the horse is entered or shown; the exhibitor identification number; and any other information reasonably related to the identification, ownership, control, direction, or supervision of any such horse.

§ 11.5 Inspection and detention of horses; responsible parties.

(a) Each custodian of any horse at any horse show, horse exhibition, or horse sale or auction shall, without fee, charge, assessment, or other compensation, admit any APHIS representative or authorized Horse Protection Inspector (HPI) appointed by management to all areas of barns, compounds, horse vans, horse trailers, stables, stalls, paddocks, or other show, exhibition, or sale or auction grounds or related areas at any horse show, horse exhibition, or horse sale or auction, for the purpose of inspecting any such horse at any and all reasonable times. Such inspections may be required of any horse which is stable, loaded on a trailer, being prepared for show, exhibition, or sale or auction, being exercised or otherwise on the grounds of, or present on the grounds at, any horse show, horse exhibition, or horse sale or auction, whether or not such horse has or has not been shown, exhibited, or sold or auctioned, or has or has not been entered for the purpose of being shown or exhibited or offered for sale or auction at any such horse show, horse exhibition, or horse sale or auction. HPIs and APHIS representatives will not generally or routinely delay or interrupt actual individual classes or performances at horse shows, horse exhibitions, or horse sales or auctions for the purpose of examining horses, but they may do so in extraordinary situations such as, but not limited to, lack of proper facilities for inspection, failure of management to cooperate with inspection efforts, reason to believe that failure to immediately perform inspections may result in the loss, removal, or masking of any evidence of a violation of the Act or the regulations, or a request by management that such inspections be performed by

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Footnotes:
1 This prohibition is not intended to disallow corrective devices, such as Memphis bars which consist of a metal bar(s) crossing from the ground surface of one side of the horseshoe to the ground surface of the other side of the horseshoe, and the purpose of which is to correct a lameness or pathological condition of the hoof. Provided, that such metal bar(s) do not act as a single fulcrum point so as to affect the balance of the horse.

2 Granuloma is defined as any one of a rather large group of fairly distinctive focal lesions that are formed as a result of inflammatory reactions caused by biological, chemical, or physical agents.
an authorized HPI or APHIS representative.

(b) Each custodian of any horse at any horse show, horse exhibition, or horse sale or auction shall promptly present his horse for inspection upon notification, orally or in writing, by any APHIS representative or an authorized HPI appointed by management, that the horse has been selected for inspection for the purpose of determining whether such horse is in compliance with the Act and regulations.

(c) No tack other than a halter and lead rope may be on the horse during inspection.

(d) When an authorized HPI or APHIS representative notifies the custodian of a horse at any horse show, horse exhibition, or horse sale or auction that he or she desires to inspect such horse, it shall not be moved from the horse show, horse exhibition, or horse sale or auction until such inspection has been completed and the horse has been released by an authorized HPI or APHIS representative.

(e) For the purpose of inspection, testing, or taking of evidence, authorized HPIs and APHIS representatives may detain for a period not to exceed 24 hours any horse, at any horse show, horse exhibition, or horse sale or auction, which is sore or which an authorized HPI or APHIS representative has probable cause to believe is sore. Such detained horse may be marked for identification and any such identifying markings shall not be removed by any person other than an authorized HPI or APHIS representative.

(f) Detained horses shall be kept under the supervision of an authorized HPI or APHIS representative in a horse stall, horse trailer, or other facility to which access shall be limited. It shall be the policy of APHIS to have at least one authorized HPI or APHIS representative present in the immediate detention area when a horse is being held in detention. A detained horse cannot be moved by any person other than an authorized HPI or an APHIS representative, unless:

(1) The life or well-being of the detained horse is immediately endangered by fire, flood, windstorm, or other dire circumstances that are beyond human control.

(2) The detained horse is in need of such immediate veterinary attention that its life may be in peril before an authorized HPI or APHIS representative can be located.

(3) The horse has been detained for a maximum 24-hour detention period, and an authorized HPI or APHIS representative is not available to release the horse.

(g) The custodian of any horse detained by an authorized HPI or APHIS for further examination, testing, or the taking of evidence shall be allowed to feed, water, and provide other normal custodial and maintenance care, such as walking, grooming, etc., for such detained horse:

Provided, That:

(1) Such feeding, watering, and other normal custodial and maintenance care of the detained horse is rendered under the direct supervision of an authorized HPI or APHIS representative.

(2) Any non-emergency veterinary care of the detained horse requiring the use, application, or injection of any drugs or other medication for therapeutic or other purposes is rendered by a Doctor of Veterinary Medicine in the presence of an authorized HPI or APHIS representative and, the identity and dosage of the drug or other medication used, applied, or injected and its purpose is furnished in writing to the authorized HPI or APHIS representative prior to such use, application, or injection by the Doctor of Veterinary Medicine attending the horse. The use, application, or injection of such drug or other medication must be certified by an authorized HPI or APHIS representative.

(i) The custodian of any horse or horses that an authorized HPI or APHIS representative determines shall be detained for inspection, testing, or taking of evidence pursuant to paragraph (e) of this section shall be required to inform such HPI or APHIS representative.

(j) The custodian of any horse allegedly found to be in violation of the Act or the regulations of such alleged violation or violations before the horse is released by an authorized HPI or APHIS representative.

(k) The custodian of any horse or horses that an authorized HPI or APHIS representative determines that sufficient cause for reinspection and testing exists;

(l) The horse is maintained under HPI or APHIS supervisory custody as prescribed in paragraph (f) of this section until such reinspection and testing has been completed.

(k) The custodian of any horse being inspected shall render such assistance as an authorized HPI or APHIS representative may request for purposes of such inspection.

§ 11.6 Training and licensing of Horse Protection Inspectors (HPIs).

APHIS will train and license HPIs. The management of any horse show, horse exhibition, horse sale or auction may engage HPIs holding a valid, current license under section 4 of the Act and appoint and delegate authority to HPIs to detect or diagnose horses that are sore or to otherwise inspect horses and any records pertaining to such horses for the purposes of enforcing the Act. A current list of licensed HPIs is available on the APHIS Horse Protection Program Web site.

(a) Basic qualifications of HPI applicants. Persons licensed as HPIs under this part shall be veterinarians or veterinary technicians. The required qualifications of each are as follows. (1) Veterinarians must have extensive knowledge and experience of equine husbandry and science defined as understanding the anatomy, selection, breeding, care, and maintenance of horses, and applicable principles of equine science, welfare, care, and veterinary health, and be eligible to be licensed as HPIs under paragraph (b) of this section. Veterinarians must also be accredited in any State by the United States Department of Agriculture under part 161 of this chapter and be:

(i) Members of the American Association of Equine Practitioners; or

(ii) Large animal practitioners with substantial equine experience; or

(iii) Knowledgeable in the area of equine soring and soring practices (such as Doctors of Veterinary Medicine with a small animal practice with sufficient knowledge of horses, or Doctors of Veterinary Medicine who teach equine-related subjects in an accredited college or school of veterinary medicine).

(2) Veterinary technicians who wish to be licensed as HPIs under this part must have a degree awarded by an educational program accredited by the American Veterinary Medical Association Commission on Veterinary Technician Education and Activities, possess adequate knowledge and
experience of equine husbandry and science, and be eligible to be licensed as HPIs under paragraph (b) of this section.

(b) Additional restrictions on HPI licensing. (1) APHIS will not license any person as a HPI if that person has been convicted or found to have violated any provision of the Act or the regulations in this part occurring after July 13, 1976, or has been assessed any fine or civil penalty, or has been the subject of a disqualification order in any proceeding involving an alleged violation of the Act or regulations occurring after July 13, 1976.

(2) APHIS will not license any person as a HPI if that person, any member of that person’s immediate family, or that person’s employer participates in the showing of horses or acts as a judge or farrier, or is an agent of show management involving any Tennessee Walking Horses, Racking Horses, or related breeds.

(3) APHIS will not license any person as a HPI if that person has been disqualified by the Secretary of Agriculture from making detection, diagnosis, or inspection for the purpose of enforcing the Act.

(4) APHIS will not license any person as a HPI if the honesty, professional integrity, reputation, practices, and reliability of the person do not support a conclusion that the applicant is fit to carry out the duties of a HPI. In making this conclusion, the Administrator shall review all available information about the applicant and shall consider:

(i) Criminal conviction records, if any, indicating that the person may lack the honesty, integrity, and reliability to appropriately and effectively perform HPI duties;

(ii) Official records of the person’s actions while participating in Federal, State, or local veterinary programs when those actions reflect on the honesty, reputation, integrity, and reliability of the person;

(iii) Judicial determinations in any type of litigation adversely reflecting on the honesty, reputation, integrity, and reliability of the person; and

(iv) Any other evidence reflecting on the honesty, reputation, professional integrity, reputation, practices, and reliability of the person.

(c) Licensing of HPIs. (1) All persons wishing to become HPIs must submit an application to the Administrator. Applicants will be required to show that they satisfy the requirements in paragraphs (a) and (b) of this section. HPI applicants selected as candidates will complete a formal training program administered by APHIS. This training program will include instruction on:

(i) The anatomy and physiology of the limbs of a horse;

(ii) The Act and the regulations in this part;

(iii) The history of soring, the physical inspection procedures necessary to detect soring, the detection and diagnosis of soring, and related subjects;

(iv) Practical instruction using live horses;

(v) HPI standards of conduct; and

(vi) Recordkeeping requirements and procedures.

(2) After a HPI candidate successfully completes the formal training program in paragraph (c)(1) of this section and passes a written examination, a license will be granted to that candidate for 1 year. Licenses terminate after 1 year and all HPIs must submit a new application each year if they wish to be considered for licensing for another year.

(d) Requirements to be met by HPIs. (1) Any licensed HPI appointed by the management of any horse show, horse exhibition, horse sale or auction to inspect horses for the purpose of detecting and determining or diagnosing horses which are sore and to otherwise inspect horses for the purpose of determining compliance with the Act and regulations shall collect and maintain the following information and records concerning any horse which he or she recommends be disqualified or prohibited for any reason from being shown, exhibited, sold or auctioned:

(i) The name and address, including street address or post office box number, and ZIP Code, of the show and the show manager;

(ii) The name and address, including street address or post office box number, and ZIP Code, of the horse owner;

(iii) The date and time of the inspection;

(iv) A detailed description of all of the HPI’s findings and the nature of the alleged violation, or other reason for prohibiting the horse, including the HPI’s statement regarding the evidence or facts upon which show management disqualified the horse from a show, exhibition, sale or auction;

(v) HPI’s findings and the nature of the alleged violation, or other reason for prohibiting the horse, including the HPI’s statement regarding the evidence or facts upon which show management disqualified the horse from a show, exhibition, sale or auction;

(vi) The name, registration number (if the horse is registered), age, sex, color, and markings of the horse; and

(x) The name or names of the show manager or other management representative notified by the HPI that such horse should be disqualified and whether or not such manager or management representative disqualified such horse.

(2) Copies of the records required by paragraph (d)(1) of this section shall be submitted by the HPI to APHIS and show management within 72 hours after the horse show, exhibition, sale, or auction is over.

(3) After completing inspection, the HPI shall inform the custodian of each horse that is noncompliant with the Act or regulations, notify the custodian, on behalf of show management, that the horse is disqualified from participating in any show, exhibition, sale or auction, or involved with any other action under the Act or its regulations along with the reasons for such action. The HPI shall collect the information relating to the alleged violation from the custodian.

(4) The HPI shall immediately inform management of each case regarding the custodian of any horse which, in his opinion, is found to be in noncompliance with the Act or regulations.

(e) Denial and revocation of HPI license. APHIS will deny or revoke a license for any of the reasons outlined in paragraph (b) of this section, and will revoke the license of any HPI who fails to follow the inspection procedures set forth in § 11.12, or who otherwise carries out his or her duties and responsibilities in a less than satisfactory manner. Upon denial or revocation of a license, the applicant or HPI may appeal the revocation to the Administrator within 30 days from the date of such decision, and the Administrator shall make a final determination in the matter. If the Administrator upholds the denial or revocation of the license, the applicant or HPI shall be given notice and an opportunity for a hearing. Hearings will be in accordance with the Uniform Rules of Practice for the Department of Agriculture in 7 CFR 1.130 through 1.151. The license denial shall remain in effect until the final legal decision has been rendered.

(f) Inspectors licensed prior to effective date of final rule. Inspectors licensed as Designated Qualified Persons (DQPs) prior to effective date of final rule may not perform inspection duties under that license after the effective date. DQPs seeking to become inspectors after effective date of final rule must apply for a license and fulfill all HPI eligibility requirements included in this section.
§ 11.9 Management responsibilities; access, space, and facilities.

(a) Access to premises and records. Requirements regarding access to premises for inspection of horses and records are as follows:

(1) The management of any horse show, horse exhibition, or horse sale or auction shall, without fee, charge, assessment, or other compensation, provide authorized HPIs and APHIS representatives with unlimited access to the grandstands, sale ring, barns, stables, grounds, offices, and all other areas of any horse show, horse exhibition, or horse sale or auction, including any adjacent areas under their direction, control, or supervision for the purpose of inspecting any horses, or any records required to be kept by regulation or otherwise maintained.

(2) The management of any horse show, horse exhibition, or horse sale or auction shall, without fee, charge, assessment, or other compensation, provide authorized HPIs and APHIS representatives with an adequate, safe, sufficient, and accessible area for the visual inspection and observation of horses while such horses are competitively or otherwise performing at any horse show or horse exhibition, or while such horses are being sold or auctioned or offered for sale or auction at any horse sale or horse auction.

(b) Inspection space and facility requirements. The management of every horse show, horse exhibition, horse sale or auction, including horse shows, horse exhibitions, horse sales or auctions which do not include Tennessee Walking Horses, Racking Horses, or related breeds of horses that perform with an accentuated gait that raises concerns about soring, shall provide, without fee, charge, assessment, or other compensation, sufficient space and facilities for authorized HPIs and APHIS representatives to carry out their duties under the Act and regulations when requested to do so by authorized HPIs or APHIS representatives, whether or not management has received prior notification or otherwise knows that such show may be inspected by APHIS. With respect to such space and facilities, it shall be the responsibility of management to provide at least the following:

(1) Sufficient space in a convenient location to the horse show, horse exhibition, or horse sale or auction arena, acceptable to authorized HPIs and APHIS representatives, in which horses may be physically, thermographically, or otherwise inspected.

(2) Protection from the elements of nature, such as rain, snow, sleet, hail, wind, etc.

(3) Control of crowds or onlookers in order that authorized HPIs and APHIS representatives may carry out their duties safely and without interference.

(i) Each horse in the designated inspection and warm-up areas may be accompanied by no more than three individuals, including the trainer, custodian, and rider. Official guests of show management, such as elected officials, legislators, and technical advisers may be allowed access to the designated inspection and warm-up areas for limited periods of time at the discretion of show management and only with the concurrence of an authorized HPI or APHIS representative.

(ii) Management must not in any way influence show attendees to assault, resist, oppose, impede, intimidate, or interfere with authorized HPIs or APHIS representatives. If management influences attendees in such a manner, inspections will not be provided and the management will be liable for any violations of the Act or the regulations in this part.

(4) An accessible, reliable, and convenient 110-volt electrical power source, if electrical service is requested by an APHIS representative or an authorized HPI to conduct inspections.

(5) Appropriate areas adjacent to the inspection area for designated horses to wait before and after inspection, and an area to be used for detention of horses.

§ 11.10 Management responsibilities; operation of horse shows, horse exhibitions, and horse sales and auctions.

(a) At horse shows, horse exhibitions, or horse sales or auctions involving Tennessee Walking Horses, Racking Horses, and related breeds that perform with an accentuated gait that raises concerns about soring, the management of any such horse show, exhibition, sale, or auction must:

(1) Notify the Administrator of the event at least 30 days before it begins. Notification must be received by that date and may be made by mail, fax, or electronic means such as email.2 The electronic means is strongly preferred. Notification must include:

(i) The name and location of the horse show, horse exhibition, or horse sale or auction;

(ii) The name, address, phone number (and email address, if available) of the manager;

(iii) The date or dates of the horse show, horse exhibition, or horse sale or auction;

(iv) A copy of the official horse show, exhibition, sale, or auction program, if any such program has been prepared; and

(v) The name or names of the APHIS-licensed HPIs or APHIS representatives scheduled to perform inspections at the horse show, exhibition, sale, or auction, should show management choose to engage APHIS-licensed HPIs.

(2) Ensure that no devices or substances prohibited under § 11.2 are present in the warm-up area.

(3) Post the list of persons who are subject to a USDA order disqualifying them from participating in horse shows, exhibitions, sales, and auctions in a prominent place.

(4) Check the drivers’ licenses or other official photo identification of the people entering horses in the horse show, horse exhibition, or horse sale or auction against the list noted in paragraph (a)(3) of this section, and prevent them from entering their horses if they are on the list; and

(5) Ensure that all horses entered in the horse show, horse exhibition, or horse sale or auction are identified. If any horse entered in the horse show, exhibition, sale, or auction belongs to a registry, the registry number and registry records must be provided to an authorized HPI or APHIS representative, upon request. Horses must also be identified by one of the following methods:

(i) A description sufficient to identify the individual equine, as determined by an authorized HPI or an APHIS representative, including, but not limited to, name, age, breed, color, gender, distinctive markings, and unique and permanent forms of identification when present (e.g., brands, tattoos, cowlicks, or blemishes); or

(ii) Electronic identification that complies with ISO 11784/11785; or

(iii) An equine passport issued by a State government and accepted in the government of the State in which the horse show, horse exhibition, or horse sale or auction will occur; or

(iv) Digital photographs sufficient to identify the individual equine, as determined by an authorized HPI or an APHIS representative.

(b) Horse shows, horse exhibitions, and horse sales and auctions at which the management does not designate and appoint HPIs. (1) At horse shows, horse exhibitions, or horse sales or auctions involving Tennessee Walking Horses, Racking Horses, and related breeds that perform with an accentuated gait that raises concerns about soring, the management shall be responsible for identifying all horses that are sore or
otherwise noncompliant with the Act or the regulations. Management shall prohibit the showing, exhibition, sale, offering for sale, or auction of any horse that is sore. In instances where a horse is found sore during actual participation in the horse show, horse exhibition, horse sale, or horse auction, management shall disqualify the horse prior to the tying of the class, or completion of the show, exhibition, sale, or auction. In each Tennessee Walking Horse, Racking Horse, or related breed class or event at any horse show or exhibition, management shall inspect all horses tied first, second, or third, and any other horses they may select for inspection, to determine if such horses are compliant with the Act or the regulations.

(2) Copies of the records required under §11.6(d)(1) shall be collected and submitted by management to APHIS within 72 hours after the horse show, exhibition, sale, or auction is over.

(3) After completing inspection, management shall notify the custodian of each horse that is noncompliant with the Act or regulations that the horse is disqualified from participating in any show, exhibition, sale or auction, or involved with any other action under the Act or its regulations along with the reasons for such action. Management shall collect the information relating to the alleged violation from the custodian.

(c) Horse shows, horse exhibitions, and horse sales and auctions at which the management designates and appoints HPIs. (1) The management of any horse show, horse exhibition, horse sale or auction that designates and appoints APHIS-licensed HPIs to inspect horses must designate and appoint a minimum of 2 HPIs if 150 horses or fewer are entered in the event. If more than 150 horses are entered in the horse show, horse exhibition, or horse sale or auction, the management must appoint more than 2 HPIs. The management must also make a further available to assist in inspections at every horse show, horse exhibition, or horse sale and auction.

(2) The management shall accord authorized HPIs access to all records and areas of the grounds of such show, exhibition, sale, or auction and the same right to inspect horses and records as is accorded to any APHIS representative under this section. Further, management shall not take any action which would interfere with or influence the HPIs in carrying out his or her duties.

(3) After an authorized HPI has completed inspection, management must communicate with any part of a horse’s limbs or hooves in such a way that could cause a horse to be sore.

§11.11 Management responsibilities; records and reporting.

(a) Records required and disposition thereof: (1) The management shall maintain for a period of at least 6 years following the closing date of the show, exhibition, sale or auction, all pertinent records containing:

(i) The dates and place of the horse show, horse exhibition, horse sale, or horse auction.

(ii) The name and address (including street address or post office box number, and ZIP Code) of the person paying the entry fee and entering the horse in a horse show, horse exhibition, horse sale or auction.

(4) If management is dissatisfied with the performance of a particular HPI, including disagreement with the HPI’s finding that a horse is sore, management shall not dismiss or otherwise interfere with the HPI during the HPI’s appointed tour of duty, which is the duration of the horse show, horse exhibition, or horse sale or auction. However, if management has reason to believe that a horse is sore but it is not determined to be sore by the HPI, management shall override the HPI’s decision and disqualify the horse from participating in the event. Management should immediately notify, in writing, the Administrator as to why management believes the performance of the HPI was inadequate or otherwise unsatisfactory. Management that designates and appoints HPIs shall disqualify from showing, exhibition, sale, offering for sale, or auction of any horse identified by the HPI or any horse otherwise known by management to be sore.

(5) If an authorized HPI or APHIS representative finds any horse to be sore or otherwise noncompliant with the Act or regulations at a show, exhibition, sale or auction, featuring Tennessee Walking Horses, Racking Horses, or related breeds, the management must disqualify the horse from competing, being exhibited, sold, or auctioned in that show, exhibition, sale or auction.

(b) Inspection of records. The management of any horse show, horse exhibition, or horse sale or auction shall designate a person to maintain the records required in this section.

(c) Reporting. The reports in this paragraph may be submitted by mail, fax, or electronic means such as email. The electronic means is strongly preferred.

(1) Within 30 days following the conclusion of any horse show, horse exhibition, or horse sale or auction containing Tennessee Walking Horses, Racking Horses, or related breeds that perform with an accentuated gait that raises concerns about soring, the management of such show, exhibition, sale or auction shall submit to the Administrator the information required by paragraph (a)(1) of this section for
each horse disqualified by management or its representatives from being shown, exhibited, sold or auctioned, and the reasons for such action. If no horses are disqualified, the management shall submit a report so stating.

(2) Within 30 days following the conclusion of any horse show, horse exhibition, or horse sale or auction which does not include Tennessee Walking Horses, Racking Horses, or related breeds that perform with an accentuated gait that raises concerns about soring, the management of such show, exhibition, sale or auction shall inform the Administrator of any case where a horse was prohibited by management or its representatives from being shown, exhibited, sold or auctioned because it was found to be sore.

§ 11.12 Inspection procedures for HPIs.

(a) Required inspections. (1) The HPI shall physically inspect:

(i) All horses that perform with an accentuated gait that raises concerns about soring entered for sale or auction;

(ii) All horses, regardless of breed, entered in any animated gait class (whether under saddle, horse to cart, or otherwise);

(iii) All horses that perform with an accentuated gait that raises concerns about soring entered for exhibition before they are admitted to be shown, exhibited, sold, or auctioned, except as provided in paragraph (a)(2) of this section;

(iv) All horses that perform with an accentuated gait that raises concerns about soring and that are tied first in their class or event; and

(v) Any other horse in a class or event at any horse show or exhibition that, in the view of the HPI, raises concerns about soring. Such inspection shall be for the purpose of determining whether any such horse is sore or the custodian of the horse is otherwise in noncompliance with the Act or regulations. (3) Horses that perform with an accentuated gait entered in classes in which the horses will not be judged on their gait may not need to be inspected if the management submits a class list to the Administrator for review and the Administrator waives inspection for the class. The waiver must be requested along with the required notification to the Administrator that the event will occur and must be granted prior to judging of the class, or the HPI will inspect the horses. (4) The HPI shall immediately report, to the management of any horse show, horse exhibition, or horse sale or auction, any horse which, in his or her opinion, is sore or otherwise in alleged violation of the Act or regulations. Such report shall be made before the show class or exhibition involving the horse has begun or before the horse is offered for sale or auction. (5) Horses dismissed from the show arena, whether by a judge, steward, or custodian of the horse, must be taken directly to the inspection area for follow-up inspection by an HPI or an APHIS representative. Horses that suffer serious illness or injury while performing and determined by an authorized HPI or APHIS representative to require immediate veterinary treatment are not required to return to the inspection area at that time.

(b) Inspection procedures. (1) The HPI must ensure that all tack except for a halter and lead rope is removed from the horse during inspection, as required in §11.5(c).

(2) During the preshow inspection, the HPI shall direct the custodian of the horse to lead, walk, and turn the horse in a figure-eight that allows the HPI to determine whether the horse exhibits a gait deficiency. The HPI shall determine whether the horse moves in a free and easy manner.

(3) The HPI shall digitally palpate the front limbs of the horse from knee to hoof, with particular emphasis on the fetlocks and pasterns. Digital palpation must be of a pressure sufficient to blunt, or whiten, the thumb of the inspecting HPI. The HPI shall inspect the posterior surface of the pastern by picking up the hoof and examining the posterior (flexor) surface. The HPI shall apply digital pressure to the pocket (sulcus), including the bulbs of the heel, and continue the palpation to the medial and lateral surfaces of the pastern, being careful to observe for responses to pain in the horse.

(4) The HPI shall observe and inspect all horses for compliance with the provisions set forth in §11.2.

(5) The HPI shall instruct the custodian of the horse to control it by holding the lead rope approximately 18 inches from the halter. The HPI shall not be required to inspect a horse if it is presented in a manner that might cause the horse not to react to a HPI’s inspection, or if whips, cigarette smoke, or other actions or paraphernalia are used to distract a horse during inspection. Horses that are not presented in a manner to allow their proper inspection, as well as unruly or fractious horses, will be prohibited from showing. The HPI shall report such incidents to show management and APHIS.

(c) Inspection logistics. (1) In shows with 150 horses or more are entered, an authorized HPI may inspect horses 3 classes ahead of the time such horses are to be shown but only if another authorized HPI can provide continuous and uninterrupted supervision of the designated warm-up area for the inspected horses. In shows with fewer than 150 horses are entered, the HPI may inspect horses 2 classes ahead of the time the inspected horses are to be shown.

(2) Inspected horses shall be held in a designated area that is under observation by an authorized HPI or APHIS representative. Horses shall not be permitted to leave the designated warm-up area before showing. Only the custodian, the trainer, the rider, authorized HPIs, and APHIS representatives shall be allowed in the designated area. Guests of management may be permitted in the designated area at the discretion of an authorized HPI or APHIS representative.

(d) Additional inspection procedures. The HPI may carry out additional
visual, physical, or diagnostic inspection procedures as he or she deems necessary to determine whether the horse is sore or the horse’s custodian is otherwise not in compliance with the Act or regulations. The HPI may inspect and remove plastic, cotton, or any materials wrapped around the limbs of any horse at a horse show, exhibition, sale, or auction to determine whether any prohibited foreign substance is present. The HPI may require that horseshoes be removed by a farrier as part of the inspection. The HPI may use hoof testers on all horses.

§ 11.13 Requirements concerning persons involved in transportation of certain horses.

Each person who ships, transports, or otherwise moves, or delivers or receives for movement, any horse with reason to believe such horse may be shown, exhibited, sold or auctioned at any horse show, horse exhibition, or horse sale or auction, shall allow the inspection of such horse at any such horse show, horse exhibition, horse sale, or horse auction to determine compliance with the Act and regulations and shall furnish to any authorized HPI or APHIS representative upon his or her request the following information:

(a) Name and address (including street address or post office box number, and ZIP Code) of the horse owner and of the shipper, if different from the owner or trainer;

(b) Name and address (including street address or post office box number, and ZIP Code) of the horse trainer;

(c) Name and address (including street address or post office box number, and ZIP Code) of the farrier;

(d) Name and address (including street address or post office box number, and ZIP Code) of the carrier transporting the horse, and of the driver of the means of conveyance used;

(e) Origin of the shipment and date thereof; and

(f) Destination of shipment.

Done in Washington, DC, this 21st day of July 2016.

Elvis S. Cordova,
Deputy Under Secretary for Marketing and Regulatory Programs.

[PR Doc. 2016–17648 Filed 7–25–16; 8:45 am]
Exhibit 9
ARTICLE 16  DOPING CONTROL FOR ANIMALS COMPETING IN SPORT

16.1 In any sport that includes animals in Competition, the International Federation for that sport shall establish and implement anti-doping rules for the animals included in that sport. The anti-doping rules shall include a list of Prohibited Substances, appropriate Testing procedures and a list of approved laboratories for Sample analysis.

16.2 With respect to determining anti-doping rule violations, results management, fair hearings, Consequences, and appeals for animals involved in sport, the International Federation for that sport shall establish and implement rules that are generally consistent with Articles 1, 2, 3, 9, 10, 11, 13 and 17 of the Code.

ARTICLE 17  STATUTE OF LIMITATIONS

No anti-doping rule violation proceeding may be commenced against an Athlete or other Person unless he or she has been notified of the anti-doping rule violation as provided in Article 7, or notification has been reasonably attempted, within ten years from the date the violation is asserted to have occurred.
Exhibit 10
GUIDE TO FEDERATION RULE ENFORCEMENT AND HEARING PROCESS
INTRODUCTION

This pamphlet has been drafted to provide general information and to help you understand the Federation Rule enforcement and administrative hearing process. It does not purport to be a substitute for legal advice. If you are charged with a Federation Rule violation, you are encouraged to consult with your representative regarding the best way forward in your particular case.

Please be advised that the information in this pamphlet is subject to change at any time and in the case of a discrepancy between this information and the Federation Rules, the Federation Rules take precedence and prevail over this information.

The Federation Rules can be found at www.usef.org

If you require clarifications on a topic that is not covered in this pamphlet, please direct your inquiry to useflegal@usef.org
GENERAL BACKGROUND

Q: What is the Hearing Committee and what does it do?
A: The Hearing Committee consists of a group of independent and autonomous Federation members who are approved by the Federation Board of Directors. The Committee is representative of a geographical balance of Federation members, affiliates, breeds, and disciplines. The Hearing Committee members are volunteers and therefore not paid by the Federation for their service. The Committee considers evidence presented to it in cases brought under the Federation Rules. The Hearing Committee makes decisions about whether a rule violation occurred and if so what the appropriate penalty is to impose. The Committee affords members fair, impartial, timely, and efficient hearings.

Q: How is the Hearing Committee Populated?
A: The Hearing Committee is made up of at least eleven Federation members who are appointed by the Federation President and approved by the Board of Directors. A panel is formed from the Hearing Committee for each session of hearings. Typically, five members serve on each Hearing Committee Panel; however, a minimum of three members is required for each Hearing Committee Panel.

Q: How often are hearings conducted?
A: At the beginning of each year, five hearing sessions are scheduled for the calendar year. Each session is scheduled for three days.

PRE-HEARING: NON-DRUGS AND MEDICATIONS ALLEGED RULE VIOLATIONS

Q: What happens when someone reports a rule violation to the Federation?
A: When the Federation receives a report of an alleged rule violation, an investigation is initiated by the Regulations Department. Initially, the Regulations Department will send an inquiry letter to the person who allegedly violated the rule to gather information and provide them with an opportunity to explain the circumstances surrounding the complaint.

Q: Is the process the same for allegations of Safe Sport violations?
A: Not always. When the Federation receives a report of sexualized misconduct in violation of the Safe Sport policies, the matter is referred to an investigator to conduct a thorough investigation of the allegations.

The U.S. National Center for Safe Sport (the “Center”) is scheduled to launch in mid-2016. It will have exclusive jurisdiction for all reports of sexualized misconduct and the Federation will report all allegations to the Center for investigation, adjudication, and imposition of penalties.
Q: What happens after a response to the inquiry letter is submitted?
A: The response and any other information collected about the alleged rule violation is reviewed by the Chief Executive Officer, or his designee, to determine what action should be taken. He may take no action; issue a Warning and close the file; offer an Administrative Penalty and after accepted and complied with, close the file; or issue a Charge.

Q: What happens once a Charge or Protest is issued against me?
A: The Federation will send you a written notice of the specific charges in writing.

Q: Are charges ever resolved without having a hearing?
A: Yes, in some circumstances an Administrative Penalty may be offered and accepted in lieu of a hearing. In other instances, a plea agreement may be reached between the parties. In either circumstance, the agreement is subject to approval by the Hearing Committee Co-Chairs.

Q: If a matter goes to hearing, when does the hearing occur?
A: The Federation provides a reasonable time between receipt of the notice of charge and the hearing within which to prepare a defense. A written Notice of Hearing will be issued identifying the date and time the hearing will occur. It will also identify the panel members appointed for the hearing.

Q: What if I believe that one of the Hearing Committee Panel members has a conflict of interest?
A: You will be afforded a hearing before an impartial panel of fact finders with the opportunity to object to anyone on the panel for good cause.

Q: Can I contact the Hearing Committee Panel members prior to my hearing to give them information that I think they need to know?
A: No, neither party can contact a panel member for the purpose of discussing the pending matter.

Q: What if I have an emergency or cannot prepare my defense for the scheduled hearing. Can I request a continuance?
A: Yes, you may request a continuance. The request must be made in writing to the Federation as soon as the need for a continuance is known. An explanation as to the reason for the request must be provided. Requests for continuances are granted at the discretion of the Hearing Committee if there is good cause shown. An emergency postponement may be granted by the Hearing Committee in the event that either party suffers emergency circumstances such as severe illness, natural catastrophe, or another emergency. See Federation General Rule 607.
PRE-HEARING: DRUGS AND MEDICATIONS
RULE VIOLATIONS

Q: How does the Federation select horses for testing?
A: The Federation uses two primary methods for the selection of horses for in-competition testing. One method, which is most commonly used, is random selection. Another method used is the selection of horses based on their placing in a class. For example, the top three placed horses may be selected. These methods are not exclusive.

Q: Who will collect the samples from my horse?
A: A licensed veterinarian is appointed by the Federation to collect samples at competitions. The testing vet collects the blood samples. The testing vet may appoint a technician to perform certain duties on their behalf, including the collection of urine samples for testing.

Q: Where do I go if my horse is selected for testing?
A: You, or someone you designate on your behalf, and your horse will either go to a designated testing area or head back to the horse’s stall with someone from the testing team.

Q: Can I accompany my horse while samples are drawn?
A: Yes, in fact the Federation encourages you or someone designated by you stay with the horse to witness the collection of samples and the sealing of the sample containers.

Q: Will blood or urine samples be taken from my horse?
A: The testing vet and technician will make every effort to collect both blood and urine samples from your horse.

Q: How are my samples labeled and identified?
A: The technician will complete a sample identification card with the necessary information. This sample identification card will contain a barcode number. You can enter this barcode number on the website to see if your horse’s samples cleared testing.

You can check online whether your sample has cleared at https://www.usef.org/barcodelookup/ by inputing your barcode number from the sample identification card.

Q: What happens after the samples have been collected from my horse?
A: After the samples are collected, the testing vet will send the samples directly to the Federation Equine Drug Testing and Research Laboratory to be tested.
Q: What happens once my samples reach the Federation Equine Drug Testing and Research Laboratory?

A: Once the samples reach the Federation Equine Drug Testing and Research Laboratory, the B sample is stored securely. Only the A sample is tested initially.

Q: Is the lab that runs the A Samples an accredited lab?


Q: How will I know if my sample has returned a positive?

A: If the sample has returned a positive finding, the Regulations Department will send an inquiry letter to the trainer and owner of the horse to gather information and provide them with an opportunity to explain the circumstances surrounding the positive finding.

Q: Can I have a B sample tested?

A: Yes, you have 15 days following the notice of charge to request that the B sample be tested.

Q: Can I have the B Sample tested at a lab other than the Federation lab?

A: The B sample testing must be performed by a drug testing laboratory that is mutually agreed upon by you and the Counsel of the Equine Drugs and Medications Committee.

Q: If my horse’s samples are negative, are they ever retested?

A: Yes. Samples may be frozen for three years from date of collection and maintained at the Federation Equine Drug Testing and Research Laboratory for possible future testing.
HEARING

Q: When and where does the hearing occur?
A: The hearing will occur within a reasonable amount of time after the charge is issued. You will be given reasonable notice and you will have sufficient time to prepare the presentation of your case.

The hearing will take place at the Federation’s Headquarters in Lexington, KY.

Q: Do I need a lawyer to represent me at the hearing?
A: You have the right to be represented in the presentation of your case at the hearing. If you retain a lawyer, it’s at your expense.

Q: Can I call witnesses to testify at the hearing?
A: Yes, you have the right to call witnesses and to present oral and written evidence and arguments. You also have the right to cross-examine adverse witnesses. All witnesses who testify do so under oath.

Q: Is the hearing open to the membership?
A: No. All hearings are closed to the membership. Only the parties to the matter and their representatives may attend the hearing. Others present include the Hearing Committee Panel, Secretary to the Hearing Committee, Legal Counsel to the Hearing Committee, Court Reporter, and witnesses for the parties.

Q: Is there a record made of the hearing?
A: Yes, a court reporter is present to make a record of the proceedings. A copy of the transcript is available for purchase by any party to the proceeding.

POST-HEARING

Q: How does the Hearing Committee Panel make a decision?
A: Following the hearing, the Hearing Committee Panel goes into a closed deliberation session. During this session, the Hearing Committee Panel members consider all of the evidence presented in the case. They first determine whether the Federation met its burden of proof that the alleged violation occurred. If the Hearing Committee Panel determines there was a violation, they then enter the penalty phase of the deliberations.

During the penalty phase, the Hearing Committee Panel considers: the facts and circumstances of the case, the Federation Drugs & Medications Penalty Guidelines, the penalties that have been imposed for similar violations, and whether the individual has any prior offenses that warrant a penalty enhancement.
Q: Will I know the Hearing Committee Panel’s decision the same day as the hearing?
A: No. A written decision, with reasons therefore, based solely on the evidence in the record is issued following the hearing. The typical time frame is within 60 days of the hearing.

Q: What if I believe that the Hearing Committee Panel’s decision is erroneous?
A: You have an opportunity to request a review of the Hearing Committee Panel’s decision. The decision to grant a review is exclusively in the discretion of the Hearing Committee. See Federation General Rule 612.

Q: What if I discover new evidence after the hearing that was not discoverable prior to the hearing?
A: If it is found that new facts, which were not discoverable at the time of the original hearing, have come to light, you may request a rehearing. The decision to grant a rehearing is exclusively in the discretion of the Hearing Committee. See Federation General Rule 613.

ADDITIONAL QUESTIONS?
If you have any questions about the hearing process that are not answered within, contact Emily Pratt, Director of Regulations at epratt@usef.org

The above is a brief informative summary of Federation Rules and procedures as of the date of this publication, which are subject to change. In all cases, the Rules and procedures in force take precedence and should be consulted. Rules changes can be found on the Federation website at www.usef.org
PROCESS FOR HANDLING FEDERATION AND DRUGS & MEDICATIONS RULE VIOLATIONS

Positive test reported to Federation

Notification Letter sent to Trainer and Owner requesting explanation

No Action Letter

Warning Letter

Administrative Penalty offer

Charge

Offer accepted and terms complied with

Offer rejected

Confirmatory analysis of B Sample requested

Hearing

30 days to request re-hearing

30 days to request review

Re-hearing granted

No re-hearing granted

No review granted

Review granted

Original ruling affirmed

Issue revised penalty

Matter Closed
PROCESS FOR HANDLING REPORTED FEDERATION RULE VIOLATIONS

Rule violation reported to Federation

Federation initiates investigation

Review information and materials obtained

No Action Letter

Warning Letter

Administrative Penalty offer

Charge

Offer accepted and terms complied with

Offer rejected

Hearing

30 days to request re-hearing

Re-hearing granted

No re-hearing granted

30 days to request review

No review granted

Review granted

Original ruling affirmed

Issue revised penalty

Matter Closed

USEF.ORG

USEF HEARINGS II 9
SUPREME COURT OF THE STATE OF NEW YORK – NEW YORK COUNTY

PRESENT:    DEBRA A. JAMES

Justice

BRIGID COLVIN,

Petitioner,

-v-

UNITED STATES EQUESTRIAN FEDERATION,

Respondent.

Index No.:    158964/15
Motion Date:    09/25/15
Motion Seq. No.:    001
Motion Cal. No.:    

The following papers, numbered 1 to 6 were read on this petition pursuant to Article 78.

Notice of Motion/Order to Show Cause - Affidavits - Exhibits
Answering Affidavits - Exhibits
Replying Affidavits - Exhibits

PAPERS NUMBERED
1-2
3-4
5-6

Cross-Motion:    □ Yes  ☒ No

This proceeding is resolved in accordance with attached Memorandum Decision and Order.

Dated:    September 25, 2015

ENTER:

[Signature]

J.S.C.

DEBRA A. JAMES

Check One:    ☒ FINAL DISPOSITION  □ NON-FINAL DISPOSITION
Check if appropriate:    □ DO NOT POST  □ REFERENCE
□ SETTLE/SUBMIT ORDER/JUDG.
SUPREME COURT OF THE STATE OF NEW YORK
NEW YORK COUNTY: PART 59

BRIGID COLVIN,

Plaintiff,

- against-

UNITED STATES EQUESTRIAN FEDERATION, INC.,

Defendant.

DEBRA A. JAMES, J.:

Petitioner commenced this proceeding seeking relief pursuant to Article 78 of the CPLR, arguing that the determination and affirming of such determination of respondent United States Equestrian Federation, Inc. (Federation) that suspended petitioner from participating in its equestrian events for seven months and assessed her a monetary fine were arbitrary and capricious, an abuse of discretion and unsupported by substantial evidence.

On August 31, 2015, this court issued a stay of such suspension pending the determination of the petition, commenced by show cause order.

Issue was joined and respondent filed additional papers opposing annulment of its determinations on September 11, 2015.

The parties presented oral argument at the hearing of the petition on September 17, 2015.1

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1This court has found no prior appellate authority that explicitly holds whether or not transfer to the appellate division for disposition of a proceeding that raises the substantial evidence issue pursuant to CPLR 7804(g) applies to a determination made as a result of a hearing held by a non-governmental agency. For example, Lindemann v the American Horse Show Association, Inc., 222 AD2d 248 (1995)
Petitioner is the mother of a junior equestrian competitor, who is her seventeen year old daughter. Her daughter has been described as an equestrian prodigy, who has competed nationally and internationally since the age of 14, and won many jumping competitions. This year, 2015, petitioner’s daughter will turn 18, and it will be her last year to compete as a junior league rider. During the circuit this fall, her daughter will be competing in horse shows nearly every week, beginning on September 2 and ending on November 1, 2015. Due to the demands of her daughter’s competition schedule, petitioner has not maintained any kind of regular, paid employment since her daughter was a young child. Petitioner has been her daughter’s “constant chaperone, cheerleader, team member, chauffeur” and coach throughout her daughter’s years of competition.

The Federation has adopted rules restricting or prohibiting the administration of certain medications and substances to competition horses.

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only implicitly affirms that no transfer is necessitated where the determination is made by private entity after a hearing, in that the Lindemann court reversed the annullment only on the grounds that trial court misapplied the standard for Article 78 review. Upon having sua sponte invited oral argument on the issue of transfer, this court concurs with the Federation’s counsel that its hearing was not held “pursuant to direction of law” as set forth CPLR § 7803(4), but pursuant to rules of the Federation, which is a private organization, not an administrative agency. Jes Properties, Inc. v United States Equestrian Federation, Inc., 458 F3d 1224, 1226 (11th Cir 2006) (“In June 2004, the United States Olympic Committee (“USOC”), pursuant to the Ted Stevens Olympic and Amateur Sports Act, 36 U.S.C. § 220501 et seq., (“ASA”) officially appointed the Federation as the sole national governing body for the sport of amateur equestrianism in the United States”, with the Federation adopting the same rules promulgated by its predecessor organization.) See also, Siegel, New York Practice § 568 (“The reason for the transfer is partly historical and partly a recognition that a ‘substantial evidence’ review of an administrative record is analogous to appellate review of a court-made record and for that reason merits quick deposit before the appellate tribunal.”)
Both sides agree that under Federation rules, a “Trainer” of a horse is the absolute insurer of its condition and is strictly liable for any violation of the medication rules. The Federation rules state:

**GR1 47 Trainer**

1. Any adult, or adults who has the responsibility for the care, training, custody or performance of a horse. 2. Said person must sign the entry blank of any licensed competition whether said person be an owner, rider, agent and/or coach as well as trainer. 3. Where a minor exhibitor has no trainer, a parent or guardian must sign and assume responsibility of trainer. 4. The name of the trainer must be designated as such on the entry blank.

For six years petitioner’s daughter worked with a team of two Trainers, Scott Stewart (Stewart) and Ken Berkely. In July 2014, Stewart and Berkley both quit as Trainer for petitioner’s daughter. After terminating his relationship, unbeknownst to petitioner, Stewart began making reports about petitioner to Dr. Betsee Parker, the main sponsor of petitioner’s daughter and the owner of the horse named Inclusive, which petitioner’s daughter rode in the horse show at issue here, and to Steven Riggetts (Riggetts), a salaried employee of Dr. Parker. Steward told them that petitioner had been heavily medicating the horses, and that petitioner should be kept away from the horses.

On August 15, 2014, the sample taken from Inclusive during a random drug test revealed the presence of a naturally-occurring substance, gamma-aminobutyric acid (“GABA”), above the level that is naturally produced by a horse’s body. The test established that the condition of Inclusive violated the Federation’s prohibition on the use of medication and other substances.
The Federation issued a Notice of Violation against Dr. Parker, Riggetts and petitioner. The Hearing Committee of the Federation conducted a hearing. As a result of the hearing, the Hearing Committee rendered Findings and Decision dated May 20, 2015 (Decision) that concluded that Riggetts, petitioner and Dr. Parker violated the Federation rules prohibiting medications. The Decision suspended Riggetts and petitioner’s membership, directed Riggetts and petitioner to pay a fine and Dr. Parker to make restitution of the prizes won by Inclusive in the competition.

Upon consideration of petitioner’s request for a review of the Decision, on August 3, 2015, the Federation, by its Director of Regulation, affirmed that Decision in its entirety.

At all times, both sides agree that the question of who was the Trainer or Trainers of Inclusive at the time of the competition is the gravamen of their dispute.

In the Article 78 proceeding at bar, petitioner argues that the Decision of the Federation was arbitrary and capricious and not supported by substantial evidence, as there was absolutely no evidence that petitioner met the definition of the Trainer of Inclusive under the Federation’s rules. Petitioner argues, inter alia, that the Federation’s own Charging Counsel, in his closing remarks, conceded that petitioner was not the trainer when he stated to the Hearing Committee “While I do not think that based on the testimony she fits the definition of trainer”.

ANALYSIS

In an article 78 proceeding, the court’s role is limited to ascertaining whether a determination made after a hearing is supported by substantial evidence. In reviewing the evidence, the court must defer to the fact-finder’s assessment of the evidence and the credibility of the witnesses. It is axiomatic that the court may not weigh evidence, choose between conflicting proof, or substitute its assessment of the evidence for that
of the administrative judge or panel. Moreover hearsay evidence can be the basis of the determination. 
(Lindemann, 222 AD2d at 250, [citations omitted]).

In addition, in reversing the annulment by the trial court of the defendant’s determination in Lindemann, the appellate court wrote that “the record clearly demonstrates that there was substantial evidence presented at the hearing to support the determination. The inferences drawn by the defendant Association were not arbitrary and capricious” 
(Lindemann, supra).

The Federation argues that the statement of its Charging Counsel that he did not “think that based on the testimony she fits the definition of trainer” is not a judicial admission or is at most an informal judicial admission, since the rules of evidence do not apply to a Federation hearing. This court determines that the cited portion of the Charging Counsel’s closing statement constitutes an informal judicial admission. “A factual assertion made by an attorney during an opening [or closing] statement is a judicial admission” (Tullett Prebon Financial Services v BGC Financial, LP, 111 AD3d 480 [1st Dept 2013]). Nonetheless, the court does not agree with petitioner that such statement disproves, as a matter of law, that petitioner was not the Trainer. “A judicial admission is not itself dispositive but merely evidence of the fact admitted” (Tullett, supra).

This court rules that the Decision finding that petitioner met the definition of “an adult who has the responsibility for the care, training, custody or performance of a horse” is supported by substantial evidence, notwithstanding the Charging Counsel’s judicial admission. Among the evidence is petitioner’s testimony that she instructed the technician to list her name
as the Trainer on his paperwork. There is no dispute that a horse may have more than one trainer, and though Riggetts and not petitioner’s name was on the entry blank, petitioner’s name listed on the drug tester’s paper work, is some evidence that both she and Riggetts were the Trainers. Adding further weight to the finding of petitioner’s intention to so act was her testimony that she told the drug tester to “put me down” even after he asked “Are you sure you want me to do that?”

The Hearing Committee’s concluded that petitioner’s testimony that she was unable to inject a horse with GABA because “her hands shake” rather than denying she would ever do so under any circumstances, was inconsistent with her admission that on one occasion she injected a horse with a drug called Benamine. It was reasonable for the Hearing Committee to so evaluate the testimony, and within its province, and not this court, to assess petitioner’s credibility. Nor does the court find to be irrational the Hearing Committee’s consideration of petitioner’s testimony that (1) she was absolutely certain that on one occasion she observed “four girls” inject one-half to 2 ccs of Carolina Gold, which contains GABA, to Inclusive when Inclusive was owned by Scott Stewart, and (2) she saw and recognized bottles of GABA and observed it being administered to other horses in Stewart’s barn, and (3) she was present at planning meetings on nights before other competitions at which the use of such medication was discussed. By relying in part upon such testimony, the Hearing Committee did not arbitrarily and capriciously penalize petitioner for a violation with which it never charged her and of which she had no notice. Such evidence had probative value since it tended to explain the acrimonious relationship between defendant and Stewart, who Dr. Parker and Riggetts
testified was the source of reports that petitioner had been heavily medicating the horses (see
People v O'Gara, 239 AD2d 215 [1st Dept 1997]), and also tended to undercut her credibility
about having no responsibility for the care, custody or performance of Inclusive. See also
People v Arafet, 13 NY3d 460 (2009).

Although this court agrees with petitioner that it would be completely irrational for her
to participate in illegally medicating Inclusive and then tell the drug tester that her name be
inserted as “Trainer”, her lapse in judgment under the circumstances does not refute
substantial evidence that she undertook the responsibility of the Trainer. In any event, it is the
rationality of the Decision of the Hearing Committee, not the rationality of the various actors,
which this court must assess. Moreover, petitioner’s motivation for instructing the drug tester
to insert her name as Trainer, i.e. to ensure that her daughter could continue to ride Dr.
Parker’s horses, however wrongheaded or regretful, implicates questions of credibility, the
judgment of which the Court must defer to the Hearing Committee. So too this court cannot
substitute its judgment for that of the Hearing Committee in finding the testimony of Riggetts
that petitioner had access to Inclusive more accurate than petitioner’s assertion that she stayed
away from Inclusive as instructed by Dr. Parker and Riggetts, which instructions Riggetts, the
groomers and others in Dr. Parker’s employ strove mightily to enforce.

Accordingly, it is hereby

ORDERED that the petition to annul the determination dated May 20, 2015 and the
affirmance dated August 3, 20015 of respondent United States Equestrian Federation, Inc. to
suspend petitioner from membership and to forbid her from the privilege of taking part
whatsoever in any Licensed Competition for seven months and to exclude her from all
Competition grounds for seven months and to direct her to pay a fine in the sum of $7,000 is
denied and the petition dismissed, with costs.

This is the decision and order of the court.

Dated: September 25, 2015

ENTER:

[Signature]

DEBRA A. JAMES

J.S.C.
SUPREME COURT OF THE STATE OF NEW YORK
APPELLATE DIVISION : FIRST DEPARTMENT

BRIGID COLVIN,

Petitioner-Appellant,

- against -

UNITED STATES EQUESTRIAN FEDERATION, INC.,

Respondent-Respondent.

------------------------------------------------x

M-4796
Index # 158964/15
New York County
Index No. 158964/15

------------------------------------------------x

NOTICE OF ENTRY

PLEASE TAKE NOTICE that an order, a copy of which is annexed, was duly entered in
the office of the Clerk of the Court on November 17, 2015.

Dated: New York, New York
November 17, 2015

LAW OFFICES OF IRA A. FINKELSTEIN P.C.

By: IRA A. FINKELSTEIN
A Member of the Firm

Attorneys for Respondent-Respondent
521 Fifth Avenue, 32nd Floor
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cc: Sam Silver, Esq.
Schnader Harrison Segal & Lewis LLP
ssilver@schnader.com
At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on November 17, 2015.

Present - Hon. John W. Sweeney, Jr., Justice Presiding,
Rolando T. Acosta
Rosalyn H. Richter
Sallie Manzanet-Daniels, Justices.

Brigid Colvin,

Petitioner-Appellant,

-against-

United States Equestrian Federation, Inc.,

Respondent-Respondent.

An appeal having been taken to this Court from the order of the Supreme Court, New York County, entered on or about September 25, 2015,

And petitioner-appellant having moved for a stay of the aforesaid order, pending hearing and determination of the appeal taken therefrom,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is denied, and the interim relief granted by the order of a Justice of this Court dated September 25, 2015, is vacated.

ENTER:

[Signature]
CLERK
At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on November 17, 2015.

Present - Hon. John W. Sweeney, Jr., Justice Presiding,
          Rolando T. Acosta
          Rosalyn H. Richter
          Sallie Manzanet-Daniels, Justices.

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Brigid Colvin,
Petitioner-Appellant,

-against-

United States Equestrian Federation, Inc.,
Respondent-Respondent.

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An appeal having been taken to this Court from the order of the Supreme Court, New York County, entered on or about September 25, 2015,

And petitioner-appellant having moved for a stay of the aforesaid order, pending hearing and determination of the appeal taken therefrom,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is denied, and the interim relief granted by the order of a Justice of this Court dated September 25, 2015, is vacated.

ENTER:

[Signature]
CLERK
SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

BRIGID COLVIN,

Petitioner,

-against-

UNITED STATES EQUESTRIAN FEDERATION, INC.,

Respondent.


Electronically Filed
Index No. 158964/2015
STIPULATION OF DISCONTINUANCE

To the Clerk of the above named Court:

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned, attorneys of record for the parties, and whereas no party to this stipulation hereto is an infant or incompetent person for whom a committee has been appointed and no person not a party has an interest in the subject matter of the action, the above-entitled action be, and the same hereby is discontinued with prejudice without costs to either party as against the other. This stipulation may be filed without further notice with the Clerk of the Court.

Dated: April 1, 2016
New York, New York

SCHNADER HARRISON SEGAL & LEWIS LLP

By: [Signature]
Courtney Devon Taylor, Esq.
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New York, NY 10005
(212) 973-8000

Samuel W. Silver, Esq.*
1600 Market Street
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(212) 751-2000

* Admitted pro hac vice
Attorneys for Petitioner

IRA A. FINCKELSTEIN, ESQ., P.C.

By: [Signature]
Ira A. Finkelstein, Esq.
521 Fifth Avenue, 32nd Floor
New York, NY 10175
(212) 931-5501

Attorney for Respondent
The following papers, numbered 1 to ____, were read on this motion to/for ______________

Notice of Motion/Order to Show Cause — Affidavits — Exhibits ______________
Answering Affidavits — Exhibits ______________
Replying Affidavits ______________

Upon the foregoing papers, it is ordered that this motion is

The case is DISCONTINUED.
SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

In the Matter of the Application of
THOMAS WRIGHT and
JOHN & STEPHANIE INGRAM, LLC,

Petitioners,

For a Judgment Pursuant to Article 78 of the CPLR

-against-

UNITED STATES EQUESTRIAN FEDERATION, INC.,

Respondent.

IT IS HEREBY STIPULATED AND AGREED, by and between the attorneys for all parties to this proceeding, that, whereas no party is an infant, incompetent person for whom a committee has been appointed or conservatee, and no person not a party has an interest in the subject matter of the action, the action is hereby discontinued with prejudice, and without costs or fees to any party. This Stipulation may be filed with the Clerk of the Court and an Order may be entered without further notice. Facsimile or electronic signatures shall be deemed valid as originals and may be filed as originals.

Dated: New York, New York
March __, 2016

LANE SASH & LARRABEE LLP

By: J. Mark Lane
106 Corporate Park Drive, Suite 207
White Plains, New York 10604
Telephone: (914) 251-0001
Facsimile: (914) 251-0969
Attorneys for Petitioners

IRA A FINKELSTEIN, P.C.

By: Ira A. Finkelstein
521 Fifth Avenue, 32nd Floor
New York, New York 10175
Telephone: (212) 931-5507
Facsimile: (866) 931-9154
Attorneys for Respondent
The following papers, numbered 1 to ______, were read on this motion to/for ______.

Notice of Motion/Order to Show Cause — Affidavits — Exhibits
Answering Affidavits — Exhibits
Replying Affidavits

Upon the foregoing papers, it is ordered that this motion is

Motions bearing sequence numbers 002 and 003 are consolidated for disposition.

This is an Article 78 proceeding by petitioners Archibald Cox III (Cox) and Meredith Mateo (Mateo) seeking to vacate a Final Order, issued against petitioners by respondent United States Equestrian Federation, Inc. (USEF), which found violations of USEF's anti-doping rules, imposed fines, and suspended Cox's membership and right to participate in, observe, or attend any USEF competitions.

In the petition (sequence 002), petitioners contend that the Final Order is not supported by substantial evidence within the meaning of CPLR 7803(4) and should therefore be vacated. In the alternative, petitioners seek a hearing to determine whether the scientific evidence upon which petitioners' violations were based has attained general acceptance in the relevant scientific community.

In motion sequence 003, USEF moves to strike certain evidence, which was submitted with the petition, on the grounds that such evidence was not considered in the underlying hearing and therefore is not appropriately considered by this court in reviewing the Final Order.

For the reasons stated below, the motion to strike evidence (sequence 003) is granted and the petition (sequence 002) is dismissed.

Parties

According to the petition, USEF is the national governing body of the equestrian sport, organized under the laws of the State of New York. Mateo is a resident of California, a member of USEF, and the owner of a horse named Cartaire. Cox is a resident of California, a member of USEF, and Cartaire's trainer.

Background

On January 30, 2015, USEF charged petitioners with violating USEF rules in connection with an event called the Blenheim Competition. Specifically, USEF alleged that Mr. Cox, as trainer and

Dated: 03/30/14

Joan M. Kenney, J.S.C.
Ms. Mateo, as owner, violated USEF rules governing equine drugs and medications by exhibiting Cartaire in the Blenheim Competition "after he had been administered and/or contained in its body gamma-aminobutyric acid ("GABA") in excess of normal physiological levels; and [GABA] in excess of normal physiological levels was detected in the blood sample [taken on August 14, 2014 at the Blenheim Competition]." Petition, ¶ 23.

It is undisputed that GABA is an amino acid which occurs naturally in horses, but which can be toxic in excessive amounts. USEF states that there is no legitimate reason to administer GABA to a horse, and its use is prohibited in both national and international competitions. Despite this, USEF states that competitors administer GABA to horses to calm them during competitions.

In response to the use of GABA, USEF developed a standard for acceptable amounts of GABA in horses in competitions. Based on studies done by Dr. George Maylin (Dr. Maylin), a veterinary toxicologist and consultant to USEF, it determined that a level of 190 ng/ml or more of GABA in a horse would be considered actionable, i.e., that such an amount or more would trigger disciplinary proceedings. Petitioners state, and respondent does not dispute, that USEF determined that a normal level of GABA in a horse's blood would be approximately 62 ng/ml.

USEF states that, after further study, and due to a concern that smaller doses of GABA were being administered to horses to avoid detection, it decided to lower the actionable level of GABA to 100 ng/ml and decided that it would not prosecute cases in which a horse had levels between 62 ng/ml and 100 ng/ml.

It is undisputed that the level of GABA in Cartaire's blood test was approximately 188 ng/ml, which triggered the instant proceeding. On June 24, 2015, a USEF Hearing Committee (Hearing Committee) held a hearing in connection with petitioners' alleged violations. According to the petition, the panel consisted of lay persons and USEF's own lawyer.

On August 20, 2015, the USEF Hearing Committee issued its Final Order, finding that, on August 14, 2014, petitioners violated USEF rules by exhibiting Cartaire with GABA levels in excess of USEF's "action level." Petition, ¶ 26.

As a penalty for the violations, the Hearing Committee found Cox to be not in good standing, fined him $5,000, and suspended his membership for five months. The Hearing Committee ordered Mateo to return all "trophies, prizes, ribbons, and monies" won by Cartaire at the Blenheim Competition, and to pay $300.

According to petitioners, the Final Order became final and effective as of August 20, 2015. Petitioners then requested a review and rehearing of the Hearing Committee's Final Order. In a letter decision dated December 23, 2015, the committee adhered to its original decision.

Discussion

Petitioners commenced this proceeding in December 2015, pursuant to CPLR 7803 (4), which requires the court to examine "whether a determination made as a result of a hearing held, and at which evidence was taken, pursuant to direction by law is, on the entire record, supported by substantial evidence." However, it is undisputed that the Final Order was not the result of a hearing held pursuant to direction by law.

As such, petitioners now request that the court deem this proceeding to have been brought pursuant to CPLR 7803 (3), which requires the court to examine "whether a determination was made
in violation of lawful procedure, was affected by an error of law or was arbitrary and capricious or an abuse of discretion, including abuse of discretion as to the measure or mode of penalty or discipline imposed."

Petitioners argue that the Hearing Committee's determination was not supported by substantial evidence and was arbitrary and capricious. The gravamen of the petition is that USEF's GABA protocol was unreliable and flawed because it was not peer-reviewed, is not generally accepted in the scientific community and essentially constitutes "novel science." Petitioners' Reply Memorandum of Law at 9. As such, they contend that the test results generated by USEF's GABA protocol did not constitute credible evidence upon which petitioners could be prosecuted by USEF.

In reviewing evidence in an Article 78 proceeding, "the court must defer to the fact-finder's assessment of the evidence and the credibility of the witnesses." Lindemann v American Horse Shows Assn, 222 AD2d 248, 250 (1st Dep 1995), citation omitted; see In re Application of Schaefer v Safir, 281 AD2d 163, 163 (1st Dept 2001). "It is axiomatic that the court may not weigh the evidence, choose between conflicting proof, or substitute its assessment of the evidence or the credibility of the witnesses for that of the Administrative Law Judge or hearing panel." Lindemann v American Horse Shows Assn, 222 AD2d at 250, citation omitted.

Here, the petition fails to demonstrate that the Hearing Committee's decision was not supported by substantial evidence.

First, it is undisputed that the parties litigated the issue of whether USEF's GABA protocol was scientifically reliable. In fact, petitioners themselves concede that the scientific reliability and acceptance of USEF's GABA protocol was "heavily contested" before the Hearing Committee. Petitioners' Reply Memorandum of Law at 8.

Moreover, it is undisputed that the Hearing Committee considered evidence and expert testimony from both sides in support of their respective positions on the merits of USEF's GABA rules. USEF's main witness was Dr. Maylin, who testified in person, and whose testimony was extensively scrutinized by the Hearing Committee in its decision.

In opposition, petitioners presented affidavits from two experts. However, the Hearing Committee noted that it "was not particularly impressed with either affidavit as each contained mostly conclusory statements with little or no evident scientific analysis." Final Order at 17. "Moreover, because neither affiant attended the hearing, the Hearing Committee had no meaningful opportunity to weigh their credibility or expertise, or to hear their arguments or explanations in support of their numbered paragraphs." Id.

A review of the Final Order demonstrates that USEF presented substantial evidence to support its arguments and such evidence was credited by the Hearing Committee. At the same time, the Hearing Committee was not persuaded by the evidence presented by petitioners. Such a determination was plainly within the Hearing Committee's purview. See In re Application of Schaefer v Safir, 281 AD2d at 164. Therefore, the court finds that the petition fails to demonstrate that the Final Order was not supported by substantial evidence.

Petitioners have also failed to demonstrate that the Hearing Committee's decision was arbitrary and capricious or that it was an abuse of discretion. The Hearing Committee considered all of petitioners' arguments, including their assertion that they did not give GABA to Cartaire and their conjecture that the ingestion of certain grass by Cartaire might have raised the GABA levels
in its blood. The Hearing Committee also considered petitioners' credentials and reputations in the equestrian community.

After considering all of these factors, the Hearing Committee reasonably concluded that the penalties imposed by USEF were appropriate. The Hearing Committee specifically noted that the rules concerning GABA levels were in place and known to petitioners at the time of the competition. It also noted that, even if petitioners did not personally inject Cartaire with GABA, they are still responsible, under USEF rules, for its condition at the time of a given competition.

In light of the foregoing, the court finds that the Hearing Committee's decision was supported by substantial evidence and was neither arbitrary nor capricious, nor an abuse of discretion. Therefore, the petition is dismissed.

Motion Sequence 003

In motion sequence 003, USEF moves to strike evidence annexed to the petition which was not submitted or considered in the underlying hearing which resulted in the Final Order at issue in this proceeding. Specifically, it seeks to exclude the expert testimony of Dr. Steven Barker, which petitioners submit in support of their argument that the Final Order was not based on substantial evidence. Respondent also seeks to exclude petitioners' submission of excerpts from a cross-examination of Dr. Lawrence Soma, who testified as a USEF expert in an unrelated proceeding against another USEF member.


Here, it is undisputed that the testimony of both Dr. Barker and Dr. Soma were not submitted to the Hearing Committee and were not considered by it. Therefore, such testimony constitutes new evidence which cannot be submitted in support of the petition.

Petitioners argue that the court should consider such evidence because it is consistent with their argument to the Hearing Committee that the science underlying USEF's regulations on the use of GABA is not reliable. However, as set forth above, such evidence was not part of the administrative record and is therefore not reviewable by this court. Therefore, the motion to strike is granted. Accordingly, it is

ORDERED that the motion by respondent United States Equestrian Federation, Inc. to strike evidence (sequence 003) is granted; and it is further

ADJUDGED that the petition is denied and the proceeding is dismissed, with costs and disbursements to respondent.

JOAN M. KENNEY
J.S.C.

William A. Tongrino
Clerk

* Bill of Costs taxed by the clerk on 8/18/2016
SUPREME COURT
COUNTY OF NEW YORK

Archibald Cox, III and Meridith Mateo,

against

United States Equestrian Federation, Inc.

**Costs**

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Referee's Report

Attendance of Witnesses CPLR §8001(a)(b)(c), 8301(a)(1)

**Total** $245.00

**I hereby certify that I have adjusted this bill of costs at** $245.00

**AUG 18, 2016**

**S. Tingling** CLERK
Order + Judgment
2016 GUIDELINES FOR
DRUGS AND
MEDICATIONS

800.633.2472
LAST REVISED NOVEMBER 2015
The USEF Equine Drugs and Medications Rules are driven by a mission to protect equine welfare and to maintain a balance of competition among USEF’s 29 unique breeds and disciplines, while simultaneously recognizing and accommodating the varied differentiations required of each. The common thread that binds all of equestrian sport is a dedication and commitment to the health, welfare and safety of the equine athlete, which must take precedence over all other aspects of training, competing and showing.

The USEF recognizes that horses under its jurisdictions might experience competition stressors which could result in situations where legitimate, therapeutic treatment is indicated near the time of competition. Provisions of the Equine Drugs and Medications Rules address these circumstances; however, the USEF and its members mutually acknowledge that these practices should never be a substitute for good horsemanship. Similarly, there are some medications that may be used responsibly for treatment of injury or illness in equine athletes outside of competition, but these same medications should never be found in a horse at the time of competition.
PROHIBITED PRACTICES

The Federation rules have, over time, been primarily focused upon detection of prohibited substances and have provided guidelines for the administra­tion of permitted therapeutic medications for competition horses. The concept of legislating prohibited practices was introduced in the 1970’s by the USDA in the Horse Protection Act and was focused primarily upon soring techniques which were (and continue to be) prevalent in certain segments of the Tennessee Walking Horse breed.

Today’s advances in medicine, cutting-edge therapies, and nutritional science afford practitioners and equestrians alike numerous opportunities to aid and assist the equine athlete in the competition environment. With a view to the landscape of these advancements coupled with analysis of the current equestrian competition environment, there is a need to closely examine these advancements for the purpose of providing guidelines for owners, trainers, and treating veterinarians regarding appropriate use with horses in competition.

“12-HOUR RULE:”

The United States Equestrian Federation recently reviewed relevant con­cerns to the welfare of our equine athletes that involve specific practices. Serving as a basis for this review was the white paper released by the American Association of Equine Practitioners (AAEP) in December 2011 entitled Clinical Guidelines for the Treatment of Non-Racing Performance Horses. “AAEP White Paper.” Review of “same day” medication protocol in the “AAEP White Paper” led to the conclusion that there is no basis upon which it is necessary for equine athletes to be injected within 12 hours of competing. The USEF Veterinary Committee has subsequently identified three specific scenarios where injection might be appropriate that have been written into the “12-Hour Rule.” In racing, no medications are permitted to be administered for 24-48 hours (depending upon the racing jurisdiction), prior to a race. The USEF Equine Drugs & Medications Program is underpinned by a belief that judicious use of certain therapeutic substances may be appropriate for equine athletes in competition, the new “12-Hour Rule” remains consistent with this philosophy which continues to guide the Program.

WITHDRAWAL FOLLOWING INTRA-ARTICULAR INJECTIONS

As referenced above, the AAEP produced a white paper for the “Clinical Guidelines for the Treatment of Non-Racing Performance Horses” in 2011. This document was intended to provide its members and the equine industry an understanding of appropriate care that should be considered when treating this subset of the equine population. It is recognized that there are differences between the various breeds and disciplines and their specific needs.

Regarding the use of intra-articular (IA) injections, this document includes the following statement: “AAEP recognizes that the judicious use of intra-articular medications with a valid veterinarian-patient relationship is appropriate treatment and can benefit a horse’s health and wellbeing. AAEP defines this relationship to be a clinical or lameness examination with appropriate diagnostic tests prior to initiation of a therapeutic plan. Clinicians treating performance horses in the competitive environment are
encouraged to develop treatment regimens, particularly with reference to the use of IA corticosteroids, which allow adequate evaluation of the horse’s response to treatment prior to competition.”

There is a growing concern in the field of equine practice that intra-articular injections are less frequently used to treat a specific diagnosis and are more commonly used as a type of “maintenance” therapy. Frequently, Medication Report Forms are received in the Equine Drugs and Medications Program office documenting intra-articular injections of yearlings within 24-48 hours of competing in the in-hand classes. These injections are not being performed as part of a specific treatment plan for a specific diagnosis. Additionally, the timing does not provide for a sufficient interval to allow evaluation of the response to treatment prior to returning to competition.

Intra-articular injections are intended to be therapeutic, but are not necessarily benign procedures. Not all substances being injected are considered to be protective of the articular cartilage and some corticosteroids are even thought to be damaging to articular cartilage. Due to these concerns, racing authorities around the world have begun to address the issue of intra-articular injections. In December of 2012, the Racing Medication and Testing Consortium (RMTC) approved a prohibition on intra-articular use of corticosteroids within seven days of race.

The USEF Veterinary Committee proposed in 2013 that a withdrawal time following intra-articular injections be implemented. The Federation’s Board approved the rule change with an effective date of 12/1/14.

WITHDRAWAL FROM SHOCKWAVE THERAPY
Currently, most racing jurisdictions prohibit the use of shockwave within the 5-7 days preceding competition. The FEI prohibits the use of shockwave within the FEI compound and within the 5 days preceding competition. While shockwave is a valuable tool to be used in the treatment of soft tissue injuries in horses, it can also be misused if solely used to provide analgesia close to competition and/or without a specific diagnosis.

Concerns in racing focus around the analgesic effect provided by extracorporeal shockwave therapy, and its potential to place a horse at risk for catastrophic failure and further injury or death. The USEF Veterinary Committee has recommended a 3 day withdrawal from competition following extracorporeal shockwave therapy. The deviation from a 5-7 day prohibition as implemented by other governing bodies is due to the acknowledgement by the USEF Veterinary Committee that horses competing at USEF competitions are at less risk for catastrophic failure. However, the Veterinary Committee agrees that no horse should be exposed to shockwave and then compete within 3 days based on current science and expert opinion.

Shockwave Therapy may be administered by a licensed veterinarian within the 3 day prohibited period, but no closer than 12 hours prior to competing, and is limited to application to the back and dorsal pelvis areas. No Shockwave Therapy is permitted within the 12 hours prior to competing.

GR 414 PROHIBITED PRACTICES
1. No injectable substances may be administered to any horse or pony within 12 hours prior to competing, with the following three exceptions subject to paragraph 2:
a. Therapeutic fluids, which amount must consist of a minimum of 10L of polyionic fluids; and which must be used in accordance with the manufacturer’s recommendations and guidelines. The fluids must not be supplemented with concentrated electrolytes, such as magnesium.

b. Antibiotics. Procaine penicillin G is prohibited under this exception.

c. Dexamethasone. This is permitted only for the treatment of acute urticaria (hives). The dose must not exceed 0.5 mg per 100lb (5.0 mg for 1000lb horse) if administered more than 6 hours and less than 12 hours prior to entering the competition ring, and must not exceed 1.0 mg per 100lb (10.0 mg for 1000lb horse) within any 24 hour period.

2. These three exceptions are permitted only when (i) the substance is administered by a licensed veterinarian and no less than six hours prior to competing; and (ii) the “Trainer” as defined under General Rule 404 properly files, or causes to be properly filed, an Equine Drugs and Medications Report Form with the Steward/Technical Delegate or competition office representative within one hour after the administration of the substance or one hour after the Steward/Technical Delegate or competition office representative returns to duty if the administration occurs at a time outside competition hours. The Steward/Technical Delegate or competition office representative shall sign and record the time of receipt on the Equine Drugs and Medications Report Form.

3. No horse may be injected with any substance, forbidden or permitted, into an intra-synovial space (joint, tendon sheath, or bursa) within the 4 days preceding competition. No horse less than two years of age may be treated with intrasynovial injections within the 30 days preceding competition.

4. Shockwave Therapy may only be administered by or on the order of a licensed veterinarian. If sedation is required for Shockwave Therapy, only sedation performed by a licensed veterinarian and administered at the same time as the Shockwave Therapy will be considered therapeutic and GR411 will apply. No sedation associated with Shockwave Therapy will be considered therapeutic if administered within 24 hours prior to competition. No horse may be treated with Shockwave Therapy within the 3 days preceding competition with the following exception:

a. Shockwave Therapy may be administered by a licensed veterinarian within the 3 day prohibited period, but no closer than 12 hours prior to competing, and is limited to application to the back and dorsal pelvis areas. No Shockwave Therapy is permitted within the 12 hours prior to competing. This exception is permitted only when the “Trainer” as defined under General Rule 404 properly files, or causes to be properly filed, an Equine Drugs and Medications Report Form with the Steward/Technical Delegate or competition office representative within one hour after the administration of Shockwave Therapy or one hour after the Steward/Technical Delegate or competition office representative returns to duty if the administration occurs at a time outside competition hours. The Steward/Technical Delegate or competition office representative shall sign and record the time of receipt on the Equine Drugs and Medications Report Form. (Effective 12/1/14)
ACCOUNTABILITY FOR USEF DRUGS & MEDICATIONS VIOLATIONS

The USEF Board of Directors recently approved a rule change which expands the range of responsible parties for violations of the USEF’s Equine Drugs and Medication rules. Beginning on December 1, 2015, the rule includes additional categories of individuals who are responsible and accountable parties which are defined as Persons Responsible and Support Personnel.

The Trainer will continue to be held accountable as a responsible party, however, in addition to the Trainer, Persons Responsible include the individual who rides, vaults or drives the horse and/or pony during competition and/or the Owner, and other Support Personnel. Support Personnel includes, but is not limited to: grooms, handlers, longeurs, and veterinarians if they are present at the competition or have made a relevant decision about the horse and/or pony.

Though under the new rule, a minor exhibitor might fall under the Persons Responsible; there must be substantial evidence to support holding a minor accountable.

Neither the Trainer nor any Persons Responsible, including Support Personnel, may be relieved from his responsibility under the USEF’s Equine Drug and Medication Rules due to a lack or insufficiency of stable of security. Therefore, the insufficiency of stable security or lack of security will not be an acceptable defense to any drug positive or medication overage in a horse.

The USEF is considering additional changes to GR404 due to feedback it has received since the rule was passed.
acepromazine  chlorbutanol  ethyl alcohol
acetophenazine  chlorothiazide  ethidocaine
acetylpromazine  chlorpheniramine  etodolac
albuterol  chlorpromazine  etomidate
alfentanil  chlorprothixene  etorphine
alprazolam  citizine  eugenol
aminophylline  clenbuterol  fenfluramine
amitriptyline  clozapine  fenspiride
amphetamines  cocaine  fentanyl
antihistamines  codeine  fentiazac
apomorphine  comfrey  flunisone
arsenic  cyclobenzaprine  fluoxetine
atropine  cyproheptadine  fluphenazine
azaperone  dantrolene  furosemide
barbiturates  demethylpyrilamine  GABA
belladonna  detomidine  gabapentin
benperidol  devil’s claw  glycerol guaiacolate
benzocaine  dextromethorphan  glycopyrrolate
benzodiazepines  dextromoramide  guaifenesin
beta blockers  dezocine  guanabenz acetate
bethanechol chloride  diazepam  haloperidol
boldenone  digoxin  homatropine
bromperidol  diphenhydramine  hops
bumetanide  dipremorphine  hydrochlorothiazide
bupivacaine  dipyrene  hydrocodone
buprenorphine  doxapram  hydromorphone
buspirone  doxepin  hydroxyzine
butorphanol  droperidol  imipramine
caffeine  dyphylline  ipratropium
camphor  ephedrine  kava kava
capsaicin  epinephrine  ketamine
carfentanil  epoetin alfa  ketorolac
carisoprodol  erythromycin  laurel
carprofen  etamiphylline  lavender
chamomile  ethacrynic acid  lemon balm
chloral hydrate  ethchlorvynol  levallorphan
levorphanol
leopard's bane
lidocaine
lithium
lorazepam
LSD
mabuterol
mazindol
meclizine
medetomidine
meperidine
mepenzolate bromide
mephenetermine
mepivacaine
meprylcaine
methadone
methamphetamine
methaqualone
methyldopa
methylphenidate
metomidate
milenperone
molindone
moperone
morphine
nalbuphine
nalmefene
naloxyne
nandrolone
nefopam
night shade
nikethamide
nitrazepam
nitroglycerin
opiates
orphenadrine citrate
oxybutynin
oxymetazoline
oxymorphone
paroxetine
passion flower
pentazocine
pentoxifylline
pergolide mesylate
phenacyclidine
phenibut
phenobarbital
phentermine
phenylephrine
phenylpropanolamine
phenytoin
piperacetazine
pirenperone
pramoxine
prazepam
prethcamide
prilocaine
procaine
procaine penicillin
procaterol
prochlorperazone
procyclidine
promazine
promethazine
propentofylline
propiomazine
propionylpromazine
propoxyphene
propranolol
pseudoephedrine
pyrilamine
ractopamine
rauwolfia
red poppy
reserpin
risperidone
romifidine
salmeterol
scopolamine
sertraline
skullcap
sodium cacodylate
spiperone
stanozolol
strychnine
sufentanil
sumatriptan
terbutaline sulfate
terfenadine
testosterone
tetraclaine
THC
theobromine
theophylline
tolmetin
tramadol
trazodone
trichlorehthiazide
trifluperidol
trihexyphenidyl
tripelenamine
tropicamide
valerian
vervain
xylazine
xylocaine
zilpaterol
zolpidem
**RESTRICTED MEDICATION DOSE AND TIME RECOMMENDATIONS**

<table>
<thead>
<tr>
<th>MEDICATION GENERIC NAME</th>
<th>MEDICATION TRADE NAME</th>
<th>MAX DOSAGE PER POUND OF BODY WEIGHT</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dexamethasone</td>
<td>Azium®</td>
<td>1.0 mg/100Lb (10 mg/1000Lb) or 0.5 mg/100Lb (5.0 mg/1000Lb)</td>
</tr>
<tr>
<td>Diclofenac</td>
<td>Surpass®</td>
<td>5 inch ribbon, ½ inch thick, one site</td>
</tr>
<tr>
<td>Firocoxib</td>
<td>Equioxx®</td>
<td>0.1 mg/kg (0.0455 mg/Lb) (45.5 mg/1000Lb)</td>
</tr>
<tr>
<td>Phenylbutazone (“bute”)</td>
<td>Butazolidin®</td>
<td>2.0 mg/Lb (2.0 grams/1000Lb) or 1.0 mg/Lb (1.0 grams/1000Lb)</td>
</tr>
<tr>
<td>Flunixin meglumine</td>
<td>Banamine®</td>
<td>0.5 mg/Lb (500 mg/1000Lb)</td>
</tr>
<tr>
<td>Ketoprofen</td>
<td>Ketofen®</td>
<td>1.0 mg/Lb (1.0 gram/1000Lb)</td>
</tr>
<tr>
<td>Meclofenamic acid</td>
<td>Arquel®</td>
<td>0.5 mg/Lb (500 mg/1000Lb)</td>
</tr>
<tr>
<td>Naproxen</td>
<td>Naprosyn®</td>
<td>4.0 mg/Lb (4.0 grams/1000Lb)</td>
</tr>
<tr>
<td>Methocarbamol</td>
<td>Robaxin®</td>
<td>5.0 mg/Lb (5.0 grams/1000Lb)</td>
</tr>
</tbody>
</table>

**PLEASE NOTE**

Beginning 12/1/2011, do not administer more than one permitted NSAID at a time. NSAID Disclosure forms are not accepted following this date.

Whenever two NSAIDs are administered, one must be discontinued at least three (3) days prior to competing.

Whenever any NSAID is administered that does not appear on the permitted list (GR 410.4), it must not have been administered during the seven days prior to competing.

The maximum treatment time for any of the above permitted medications is five days, with the exceptions of diclofenac and firocoxib.
can be administered for 10 successive days, and firocoxib can be administered for 14 successive days.

Caution is urged when using compounded medications with varying administration routes not specified above. Only the above administration routes with non-compounded medications have been evaluated for the dose and time recommendations.

This chart is for quick reference only and should not be used in place of the detailed guidelines on the following pages.
PRACTICAL ADVICE REGARDING THE 2016 EQUINE DRUGS AND MEDICATIONS RULE

INTRODUCTION
It is regrettable and true that many violations of the Equine Drugs and Medications Rule result from the failure of exhibitors, owners, trainers, and their veterinarians to familiarize themselves with all new and existing regulations required to be in compliance. This article is written to help you avoid inadvertent violations.

The text that follows includes advice about understanding the Equine Drugs and Medications Rule and applying it in practical situations. Its purpose is to help accommodate legitimate therapy in compliance with the requirements of the rules. This practical advice in no way takes precedence over the wording of the Equine Drugs and Medications Rule itself, which is printed in its entirety in the Federation’s Rule Book and posted on its website at www.usef.org, and which is REQUIRED READING for trainers, owners, exhibitors, and their veterinarians.

DIFFERENT RULES FOR DIFFERENT GROUPS
Most breeds and disciplines that compete under USEF Rules are subject to the Therapeutic Substance Provisions (GR410-412). The Endurance Discipline is subject to the Prohibited Substance Provisions (GR 409). Other breeds and disciplines may choose this option, if they wish.

GR409 has changed to the Prohibited Substances Provisions and applies to all FEI recognized disciplines. A review of approved rule changes to GR409 on page 12 of these guidelines and the applicable FEI Equine Anti-Doping Rules is suggested.

FEI recognized events are subject to the FEI Veterinary Regulations and the FEI Equine Anti-Doping and Controlled Medication Regulations. The FEI maintains a Prohibited Substance Rule, which includes reporting requirements for the treatment of illness and injury. Selection trials for FEI recognized international events and other events may be subject to a Prohibited Substance rule as specified in the Selection Procedures.

THE THERAPEUTIC SUBSTANCE PROVISIONS
TREATMENT OF ILLNESS OR INJURY WITH A FORBIDDEN SUBSTANCE
Any product is forbidden if it contains an ingredient that is a forbidden substance, or is a drug which might affect the performance of a horse and/or pony as a stimulant, depressant, tranquilizer, analgesic, local anesthetic, psychotropic (mood and/or behavior altering) substance, or might interfere with drug testing procedures.

TRAINERS, OWNERS, EXHIBITORS, AND THEIR VETERINARIANS ARE CAUTIONED AGAINST THE USE OF MEDICINAL PREPARATIONS, TONICS, PASTES, POWDERS AND PRODUCTS OF ANY KIND, INCLUDING THOSE USED TOPICALLY, THE INGREDIENTS AND QUANTITATIVE ANALYSIS OF WHICH ARE NOT SPECIFICALLY KNOWN, AS THEY MIGHT CONTAIN A FORBIDDEN SUBSTANCE. THIS IS ESPECIALLY TRUE OF THOSE CONTAINING PLANT INGREDIENTS.
After a horse or pony has been administered any product containing a forbidden substance, and before the animal is returned to competition, the following requirements must be met:

1. The product must be used for a legitimate therapeutic purpose only. The rule accommodates the use of a forbidden substance for the diagnosis or treatment of illness or injury only. If a forbidden substance is administered for any other purpose, e.g., clipping, shipping, training, the animal must be kept out of competition until the forbidden substance is no longer detectable in the animal’s blood or urine sample. This can be a long time (see HOW LONG DRUGS REMAIN DETECTABLE on page 16).

2. After a horse or pony has been administered for a therapeutic purpose any product containing a forbidden substance, the animal must be withdrawn from competition for at least 24 hours. This is a uniform requirement for all therapeutic forbidden substances and there are no exceptions.

3. A written medication report must be filed documenting the therapeutic use of a forbidden substance. A Medication Report Form should be obtained from the steward or technical delegate, filled out completely and turned in to the steward or technical delegate, or filed online within the time required. All this must be done within one hour after administration or one hour after the Steward/Technical Delegate or Designated Competition Office Representative returns to duty if administration is at a time other than during competition hours.

How long after treatment of any illness or injury is it necessary to file a Medication Report Form? It is necessary for as long as the drug might remain detectable in a horse’s or pony’s blood or urine (see HOW LONG DRUGS REMAIN DETECTABLE on page 17).

CAUTION AGAINST THE USE OF HERBAL/NATURAL PRODUCTS
Persons administering a so-called herbal or natural product to a horse or pony to affect its performance, having been comforted by claims that the plant origin of its ingredients cause it to be permitted by the rules as well as undetectable by drug tests, might have been misled.

The use of so-called herbal and natural products in a horse or pony might result in a positive drug test, i.e., a finding of a forbidden substance, contrary to claims by those who manufacture and/or market such products for profit. The plant origin of any ingredient does not preclude its containing a pharmacologically potent and readily detectable forbidden substance, e.g., cocaine, heroin and marijuana all come from plants.

Although the use of some of these products may not have resulted in positive drug tests in the past, this may change as the USEF Equine Drug Testing and Research Laboratory incorporates new methods into its battery of screening tests, a deliberate and ongoing process.

For the above reasons, the Federation cautions most strongly against the use of so-called herbal and natural products, the ingredients and properties of which are not known. In this regard trainers should be most skeptical about any claims by manufacturers or others that their preparation is “legal” or permissible for use at competitions recognized by the Federation or the FEI.
Trainers should be aware that ingredients labeling for such preparations is often not complete or accurate. Especially suspect are preparations that claim to calm or relax while at the same time claiming to contain no forbidden or prohibited substances. Just some of the hundreds and perhaps thousands of examples of herbal/natural or plant ingredients that would cause a product to be classified as forbidden are valerian, kava kava, passionflower, skullcap, chamomile, vervain, lemon balm, leopard’s bane, night shade, capsaicin, comfrey, devil’s claw, hops, laurel, lavender, red poppy and rawuolfia.

TRAINERS, OWNERS, EXHIBITORS, AND THEIR VETERINARIANS ARE CAUTIONED AGAINST THE USE OF MEDICINAL PREPARATIONS, TONICS, PASTES, POWDERS AND PRODUCTS OF ANY KIND, INCLUDING THOSE USED TOPICALLY, THE INGREDIENTS AND QUANTITATIVE ANALYSIS OF WHICH ARE NOT SPECIFICALLY KNOWN, AS THEY MIGHT CONTAIN A FORBIDDEN SUBSTANCE. THIS IS ESPECIALLY TRUE OF THOSE CONTAINING PLANT INGREDIENTS.

“APPROVED” OR “ENDORSED” PRODUCTS
It is a longstanding policy that USEF does not approve, endorse, or sanction herbal, natural or medicinal products of any kind. Trainers, owners and exhibitors are advised to disregard any such representations, statements or testimonials made by the manufacturer. Any individual who becomes aware of a product, the label of which contains a statement that it is “USEF Approved” or “USEF Endorsed,” etc., should forward a copy of the label to the office of the Equine Drugs and Medications Program.

GUIDELINES FOR THE THERAPEUTIC USE OF DEXAMETHASONE AND OTHER CORTICOSTEROIDS
USEF Rules provide for the use of corticosteroids such as dexamethasone in horses only for a therapeutic purpose, i.e., for the treatment of existing inflammatory conditions related to illness or injury. The rules do not permit the use of corticosteroids for a non-therapeutic purpose, i.e., to affect the mood or enhance the performance of the horse.

The rules establish a quantitative restriction for dexamethasone, i.e., a maximum permitted plasma concentration (fluid portion in blood). Recently, due to the adoption of the 12-Hour Rule prohibiting injections from being administered within the 12 hours prior to competing, a new plasma level of 0.5 nanograms, per milliliter at the time of competition has been determined. In order to help trainers, owners, and their veterinarians achieve compliance with this new rule in connection with the therapeutic use of dexamethasone, it should be administered in accordance with the guidelines below. Whenever dexamethasone is administered, the dose should be accurately calculated according the actual weight of the animal.

Alternative Number 1

(1.0 mg or less per 100 pounds IV or IM at 12 or MORE hours before competition)

Each 24 hours, not more than 1.0 milligrams of dexamethasone injectable solution per 100 pounds of body weight should be administered intravenously or intramuscularly. For a 1000 pound animal, the maximum daily intravenous or intramuscular dose of dexamethasone injectable solution is 10.0
milligrams, which equals 2.5 milliliters of the injectable solution (4.0 milligrams per milliliter). No part of this dose should be administered during the 12 hours prior to competing. Dexamethasone should not be administered for more than five successive days.

Alternative Number 2

(0.5 mg or less per 100 pounds IV at 6 or more hours before competition)

Each 24 hours, not more than 0.5 milligrams of dexamethasone injectable solution per 100 pounds of body weight should be administered intravenously, preferably less. For a 1000 pound animal, the maximum daily intravenous dose of dexamethasone injectable solution is 5.0 milligrams, which equals 1.25 milliliters of the injectable solution (4.0 milligrams per milliliter). No part of this dose should be administered during the 6 hours prior to competing. Dexamethasone should not be administered for more than five successive days. IMPORTANT: This alternative dose for dexamethasone can only be administered by a licensed veterinarian for the treatment of hives (urticarial). A Medication Report Form must be filed consistent with GR411. The filing of a Medication Report Form is required to document compliance with the new 12-Hour Rule prohibiting injections in the 12 hour period prior to competing.

Alternative Number 3

(1.0 mg or less per 100 pounds orally at 12 or more hours before competition)

Each 24 hours, not more than 1.0 milligrams of dexamethasone powder per 100 pounds of body weight should be administered orally, preferably less. For a 1000 pound animal, the maximum daily oral dose of dexamethasone powder is 10.0 milligrams, which equals one packet of dexamethasone powder (10.0 milligrams per packet.) No part of this dose should be administered during the 12 hours prior to competing. Any medicated feed should be either consumed or removed at least 12 hours prior to competing. Dexamethasone should not be administered for more than five successive days.

Corticosteroids other than dexamethasone, e.g., prednisone, prednisolone, Solu-Delta-Cortef®, and others, are classified as forbidden substances, and use of these drugs is subject to the requirements of GR411. This means these drugs are to be used only for a therapeutic purpose, i.e., for the treatment of existing inflammatory conditions related to illness or injury; they are to be administered at a time not closer than 24 hours prior to competing; and a Medication Report Form must be filed in a timely fashion in connection with any administration performed by any route during the seven days prior to competing.

Trainers, owners, and their veterinarians are cautioned against the use of dexamethasone isonicotinate injectable solution, because administration studies have shown it is not eliminated from the plasma as quickly as dexamethasone injectable solution. Therefore, the use of dexamethasone isonicotinate injectable might result in an inadvertent overage, i.e., a plasma concentration of dexamethasone in excess of the maximum permitted plasma concentration of 0.5 nanograms per milliliter at the time of competition.

Whenever dexamethasone injectable solution or dexamethasone oral powder is administered in a manner that might cause the plasma concentration to
exceed the maximum permitted by the rule, the trainer and owner should withdraw the animal from competition for a sufficient amount of time such that the plasma concentration of dexamethasone returns to acceptable limits prior to competition.

Products or preparations that contain dexamethasone or another corticosteroid as an active ingredient (e.g. a Naquasone® bolus contains 5.0 milligrams of dexamethasone), should be used in accordance with the guidelines listed, taking into account the actual weight of the animal. Some products or preparations containing dexamethasone may also contain a diuretic (e.g. hydrochlorothiazide or chlorothiazide) which is considered a forbidden substance; a Medication Report Form must be filed to document compliance with GR411 when using these products.

GUIDELINES FOR THE THERAPEUTIC USE OF A NONSTEROIDAL ANTI-INFLAMMATORY DRUG (NSAID) AND METHOCARBAMOL

Effective December 1, 2011, USEF GR410 permits the use in horses and ponies of not more than one nonsteroidal anti-inflammatory drug (NSAID) at a time (of those permitted to be used), imposes quantitative restrictions on those permitted, and forbids the use of any other NSAID. The information in this article will help owners, trainers, and their veterinarians stay in compliance with these rules, as they treat their horses and ponies with NSAIDs.

NSAIDs are to be administered to a horse or pony only for a therapeutic purpose. The following are permitted to be used (these are the generic names, not brand names): diclofenac liposomal cream, firocoxib, phenylbutazone, flunixin meglumine, ketoprofen, meclofenamic acid, and naproxen. When administered, the NSAIDs above should be administered in accordance with the guidelines below, and no other NSAIDs are to be administered.

1. Whenever diclofenac liposomal cream is administered, not more than 73 mg should be administered, to not more than one affected site, each 12 hours (i.e., not more that 146 mg per 24 hour period). This 73 mg dose equals a 5-inch ribbon of cream not greater than ½ inch in width, which should be rubbed thoroughly into the hair over the joint or affected site using gloved hands. Administration of diclofenac cream should be discontinued at least 12 hours prior to competing. Do not apply diclofenac cream in combination with any other topical preparations including DMSO, nitrofurazone, or liniments, and do not use on an open wound. Diclofenac cream should not be administered for more than 10 successive days.

2. Whenever firocoxib is administered, the dose should be accurately calculated according to the actual weight of the animal. Each 24 hours, not more than 0.0455 mg per pound of body weight should be administered. For a 1000 pound animal, the maximum daily dose is 45.5 mg, which equals four markings on the dosing syringe that contains the medication and is supplied by the manufacturer. No part of a dose should be administered during the 12 hours prior to competing. Any medicated feed must be consumed and/or removed at least 12 hours prior to competing. Firocoxib should not be administered for more than 14 consecutive days.

3. Whenever phenylbutazone is administered, the dose should be accurately calculated according to the actual weight of the animal. Each 24 hours,
not more than 2.0 milligrams per pound of body weight should be administered, preferably less. For a 1000 pound animal, the maximum daily dose is 2.0 grams, which equals two 1.0 gram tablets, or two 1.0 gram units of paste, or 10.0 cc of the injectable (200 milligrams per milliliter). Neither a total daily dose nor part of an injectable dose should be administered during the 12 hours prior to competing. In the event the phenylbutazone is administered orally, half of the maximum daily dose (1.0 grams per 1000 lbs.) can be administered each 12 hours during a five day treatment program. Phenylbutazone should not be administered for more than five successive days.

4. Whenever flunixin meglumine is administered, the dose should be accurately calculated according to the actual weight of the animal. Each 24 hours, not more than 0.5 milligrams per pound of body weight should be administered, preferably less. For a 1000 pound animal, the maximum daily dose is 500 milligrams, which equals two 250 milligram packets of granules, or one 500 milligram packet of granules or 500 milligrams of the oral paste (available in 1500 milligram dose syringes), or 10.0 cc of the injectable (50 milligrams per milliliter). No part of a dose should be administered during the 12 hours prior to competing. Any medicated feed must be consumed and/or removed at least 12 hours prior to competing. Flunixin meglumine should not be administered for more than five successive days.

5. Whenever ketoprofen is administered, the dose should be accurately calculated according to the actual weight of the animal. Each 12 hours, not more than 1.0 milligrams per pound of body weight should be administered, preferably less. For a 1000 pound animal, the maximum daily dose is 1.0 grams, which equals 10.0 cc of the injectable (100 milligrams per milliliter). No part of a dose should be administered during the 12 hours prior to competing. Ketoprofen should not be administered for more than five successive days.

6. Whenever meclofenamic acid is administered, the dose should be accurately calculated according to the actual weight of the animal. Each 12 hours, not more than 0.5 milligrams per pound of body weight should be administered, preferably less. For a 1000 pound animal, the maximum 12 hour dose is 0.5 grams, which equals one 500 milligram packet of granules. Meclofenamic acid should not be administered for more than five successive days.

7. Whenever naproxen is administered, the dose should be accurately calculated according to the actual weight of the animal. Each 24 hours, not more than 4.0 milligrams per pound of body weight should be administered, preferably less. For a 1000 pound animal, the maximum daily dose is 4.0 grams, which equals eight 500 milligram tablets. No part of a dose should be administered during the 12 hours prior to competing. Any medicated feed should be consumed and/or removed at least 12 hours prior to competing. Naproxen should not be administered for more than five successive days.

8. Whenever a permitted NSAID is administered, any additional permitted NSAID should not have been administered during the three (3) days prior to competing.
9. Whenever any NSAID is administered that is not permitted to be used, it should not have been administered during the seven days prior to competing.

Whenever any NSAID is administered to a horse or pony in a manner that might cause the plasma concentration to exceed the quantitative restrictions of the rule (in the case of those permitted to be used), or might cause more than one NSAID to be detected in the animal’s blood or urine sample, or might cause the NSAID to be detected at any concentration in the animal’s blood or urine sample (in the case of those not permitted to be used), the trainer and owner should withdraw the horse or pony from competition, and the animal should be withheld from competition until the plasma concentration of any permitted NSAID returns to acceptable concentrations and/or until any NSAID forbidden at any concentration is no longer present in the animal’s blood or urine sample.

REGARDING METHOCARBAMOL:
1. Whenever methocarbamol is administered, the dose should be accurately calculated according to the actual weight of the horse or pony. Each 24 hours, not more than 5.0 mg per pound of body weight should be administered, preferably less. For a 1000 pound animal, the maximum dose each 24 hours is 5.0 grams, which equals ten 500 milligram tablets or 50 cc of the injectable (100 milligrams per milliliter). No dose should be administered during the 24 hours immediately following the prior dose.

2. No part of a dose should be administered during the 12 hours prior to competing. Any medicated feed must be consumed and/or removed at least 12 hours prior to competing. Methocarbamol should not be administered for more than five successive days.

In any instance methocarbamol has been administered to a horse or pony in a manner that might cause the plasma concentration to exceed the quantitative restriction of the rule, the trainer and owner should withdraw the horse or pony from competition, and the animal should be withheld from competition until the plasma concentration returns to acceptable levels.

ADDITIONAL RESTRICTIONS FOR PARTICULAR CLASSES/DIVISIONS

ANABOLIC STEROIDS
Effective December 1, 2011, anabolic steroids are considered forbidden for all breeds and disciplines competing under USEF Rules. No anabolic steroid is to be administered to a horse or pony in the time before competition such that it, or any metabolite of it, might be present in the animal, or might be detectable in its blood or urine sample at the time of competition. This means that no anabolic steroids should be administered and/or any surgical implants should be removed sufficiently in advance of competing such that these substances are not present in the blood or urine at the time of competition (see HOW LONG DRUGS REMAIN DETECTABLE below), and they should not be used thereafter.
HOW LONG DRUGS REMAIN DETECTABLE

The following information about drug detection serves two main purposes. In the context of competing under the USEF’s Prohibited Substance Rule (GR 409) or under FEI Regulations (in the United States) it provides information about how long after the administration of a particular drug it is necessary to refrain from competition in order for the horse to compete in compliance with the rules. In the context of competing under the USEF’s Therapeutic Substance Rule (GR 410-412), it provides information about how long after the administration of a forbidden, therapeutic substance it is necessary to file a Medications Report Form in order for the horse to compete in compliance with the rule. In the case of forbidden, non-therapeutic substances, e.g. fluphenazine and reserpine, it provides information about how long after the administration of such a drug it is necessary to refrain from competition in order for the drug to be no longer detectable in the blood or urine sample of the horse.

The following information is applicable for horses and ponies competing in the United States. It is not applicable to any animal competing outside the United States or under any drug testing program using a laboratory other than the USEF Equine Drug Testing and Research Laboratory.

The FEI may publish alternate detection times for some substances which are to be followed when competing under FEI rules. Please review FEI List of Detection Times at: fei.org/fei/cleansport/ad-h/detection-times

The following information is current at the time of this printing. However, the Federation systematically refines existing drug tests to make them more sensitive, and it develops new tests. Improved testing procedures are routinely implemented at any time without prior notice. Therefore, the time guidelines on the following page might become obsolete as new and more sensitive procedures are implemented. Reliance upon the following guidelines will not serve as a defense to a charge of violation of the rule in the event of a positive drug test.

The following information is applicable to most horses and ponies. Nevertheless, reliance upon it does not guarantee compliance with the rules, since the response of individual horses and ponies may vary. Exhibitors, owners, and trainers should consult the drug manufacturer and knowledgeable veterinarians for up-to-date information and more specific advice concerning the therapeutic use of a drug or medication for a particular horse or pony.

The following information is made available with the assumption that any and all drugs and medications are used only for a therapeutic purpose, i.e., the diagnosis and/or treatment of illness or injury, and that any dose administered is a conservative, therapeutic dose, consistent with the manufacturer’s recommendations. The following guidelines are not part of the rules.

Depending upon the drug administration scenario, e.g., the formulation of the drug, the dose or doses administered, the frequency of administration, the route or routes of administration, the weight of the horse or pony, the health condition of the animal, etc., it is possible that the following substances and their metabolites (by-products) might remain detectable in the blood or urine sample of the animal for a number of days following the final administration of the substance, as follows:
Anabolic steroids:
- boldenone 82 days
- nandrolone 35 days
- stanozolol 47 days
- testosterone 30 days

Long-acting tranquilizers and psychotropics, e.g., fluphenazine and reserpine 90 days

Shorter-acting tranquilizers and sedatives, e.g., acepromazine, detomidine, and xylazine 7 days

Procaine and procaine penicillin 14 days

Local anesthetics other than procaine, e.g., lidocaine and mepivacaine 7 days

Methylprednisolone 14 days

Isoflupredone (intra-articular injection) 7 days

Isoflupredone (sacroilliac injection) 28 days

Corticosteroids other than methylprednisolone and isoflupredone, e.g., triamcinolone and betamethasone 7 days

Nonsteroidal anti-inflammatory drugs, e.g., phenylbutazone and flunixin 3 days

Antihistamines, e.g., cyproheptadine and pyrilamine 7 days

Gabapentin 14 days

Respiratory drugs, e.g., albuterol 7 days

Isoxsuprine 21 days

For guidelines on any other drug or medication, call 800.633.2472.

THIS INFORMATION, IF HEEDED, WILL MINIMIZE THE CHANCES OF POSITIVES FOR FORBIDDEN SUBSTANCES; HOWEVER, ALL TRAINERS, OWNERS, AND EXHIBITORS ARE CAUTIONED THAT THE FOREGOING ARE ONLY GENERAL GUIDELINES, AND IT IS THE TRAINER’S RESPONSIBILITY TO SEE TO IT THAT CONDITIONS PREVAIL FOR FULL COMPLIANCE WITH ALL USEF RULES.

THE REQUIREMENT TO SUBMIT, OBSERVE, COOPERATE, AND ASSIST
GR402 requires trainers, owners, and their representatives to submit their horses and ponies to the collection of both blood and urine samples, at the discretion of the testing veterinarian appointed by USEF. The animal is to be left in the charge of the testing personnel until all sample collections are completed, or until, in the exclusive discretion of the testing personnel, the animal is released.

In accordance with GR402, trainers are urged to accompany the testing personnel and the animal during the time that samples are collected, labeled, and sealed, and to serve as witness to these procedures. In the
event he or she is unwilling or unable to do so, the trainer is urged to appoint an agent to serve as witness to these procedures. Failure to witness these procedures, and/or failure to appoint an agent to do so, precludes a trainer from subsequently challenging the identity of the horse or pony from which samples were collected, or the procedures employed in collecting, labeling, or sealing the samples.

GR403 requires trainers, owners, and their agents to cooperate with the testing personnel, to take the horse or pony immediately to the location selected by the testing personnel for sample collections, to present the animal for sample collections, to cooperate in the prompt procurement of samples with no unnecessary delays, and to exhibit polite attitude and actions to the testing personnel at all times.

Failure to comply with all of the requirements of GR402 and 403 is a potentially serious violation of the rules that can result in the issuance of charges of a rule violation by the Federation. Those found to have violated these rules can be subject to suspensions, fines, and the revocation of winnings, at the discretion of the Federation’s Hearing Committee.

CONDITIONS FOR THERAPEUTIC ADMINISTRATIONS OF FORBIDDEN SUBSTANCES

There are certain conditions under which a forbidden substance might be used in compliance with USEF Equine Drugs and Medications Rules. The complete process and conditions are provided on page 32 of these guidelines under GR411. One step of the process includes Filing a Medication Report Form to document compliance with the rule. It is specified that the Equine Drugs and Medications Report Form must be filed with the Steward/Technical Delegate or Designated Competition Office Representative within one hour after administration or one hour after the Steward/Technical Delegate or Designated Competition Office Representative returns to duty if administration is at a time other than during competition hours.

ELECTRONIC FILING OF EQUINE DRUGS AND MEDICATIONS REPORT FORMS

To make compliance with GR411 easier to fulfill, the USEF has recently started to accept medication report forms submitted electronically. This form can be submitted at any time prior to competition, but is still under the same time requirements as the paper version. The link to the online version is: usef.org/medicationreportform

THE VETERINARIAN’S RESPONSIBILITIES

When dealing with illness or injury in a horse or pony competing at a USEF recognized show or event, the veterinarian should prescribe or administer whatever is indicated for therapeutic purposes. Whenever prescribing or administering a substance forbidden or restricted by the rules, the veterinarian should advise the exhibitor, trainer, and owner how to comply with USEF Rules. However, if the veterinarian (1) fails to give them proper advice, or (2) gives them improper advice about compliance with the rules, or (3) if the trainer, owner, or exhibitor fail to heed the proper advice of the veterinarian, then the trainer and owner may be subject to appropriate penalties under Federation Rules.

No veterinarian should be party to the administration of a drug or medication to a horse or pony for the non-therapeutic purpose of affecting its performance. This is unethical, and it encourages unethical conduct among trainers, owners, and
exhibitors. Such conduct is contrary to USEF Rules, is professionally unethical, and undermines the fairness of competition at horse shows and events.

**THE TRAINER’S RESPONSIBILITIES**

Under USEF Rules, the trainer is held responsible and accountable for the condition of the horse or pony and for compliance with the rules. The trainer is defined as any adult or adults who has or shares the responsibility for the care, training, custody, condition or performance of the horse or pony. This could be one person or several individuals. Trainers, in the absence of substantial evidence to the contrary, are responsible and accountable under the penalty provisions of these rules, whether or not they have signed an entry blank. They are also responsible for guarding each horse at, and sufficiently prior to a recognized competition, such as to prevent the administration by anyone of or its exposure to any forbidden substance, and to know all the provisions of this rule and all other rules and regulations of the Federation and the penalty provisions of said rules.

For the purposes of this rule, substantial evidence means affirmative evidence of such a clear and definite nature as to establish that the trainer or any employee or agent of the trainer was, in fact, not responsible or accountable for the condition of the horse and/or pony.

Understanding the USEF Equine Drugs and Medications Rule will help avoid inadvertent violations. All questions about the rule should be directed to the USEF Equine Drugs and Medications Program, 956 King Avenue, Columbus, Ohio 43212, toll-free 800.633.2472.

**CONCLUSION**

One consistent theme which runs through the drug rules of all the private groups is the constant re-evaluation of their positions and the changes made in the rules to accommodate the best thinking of the trainers, owners and veterinarians. As new drugs are developed to treat horses therapeutically and as other drugs are discovered which allow the unscrupulous trainers and veterinarians to take unfair advantage by administering drugs for which there are no effective tests, each association amends its rules to ensure the fairest competition possible for all participants.

**CHAPTER 4 DRUGS AND MEDICATIONS**

GR401-408. Equine Drugs and Medications Provisions Applicable to All Breeds and/or Disciplines.

**GR401**

**DETERMINING THE EQUINE DRUGS AND MEDICATIONS DESIGNATION FOR EACH BREED OR DISCIPLINE**

1. The Board of Directors shall designate every Breed, Discipline, and/or Group competing under Federation Rules as either a Prohibited Substance Group or a Therapeutic Substance Group, as outlined herein below.

2. At each Annual Meeting, each Division Committee shall determine by a majority vote and shall indicate to the Chief Administrator of the Equine Drugs and Medications Program its preference for its Breed or Discipline to be designated as (or to be part of) either a Prohibited Substance Group or a Therapeutic Substance Group. In any instance where more
than one Division Committee is responsible for a Breed and/or Discipline Group, after each committee has determined its preference by a majority vote, unanimity between and/or among the Division Committees of the Group shall be required to invoke a recommendation to be designated a Prohibited Substance Group. Absent such concurrence, the joint recommendation of the Division Committees of the Group shall be construed as a recommendation in favor of designation as a Therapeutic Substance Group.

3. Each Division Committee shall have responsibility to recommend for its division.

4. At its meeting at the Federation’s Annual Meeting, the Equine Drugs and Medications Committee shall take into consideration these recommendations and the written recommendations of the respective Affiliate Associations in this regard, and it shall enact the designation for each Breed, Discipline, and/or Group. The effective dates of these designations shall coincide with the effective dates of the newly published Rule Book.

5. These designations shall be reviewed by each Division Committee at the subsequent Rule Change Convention.

6. Every horse and/or pony competing at Federation competitions and/or events shall be subject to either the Prohibited Substance Provisions (GR409) or the Therapeutic Substance Provisions (GR410–412), depending upon its Breed’s, Discipline’s, and/or Group’s designation, and it shall be required to compete in compliance therewith, whether competing in unrated or rated classes and/or divisions.

7. Any horse and/or pony that competes in more than one Breed, Discipline, and/or Group at a competition, one of which is a Prohibited Substance Group, shall be required to be in compliance with the Prohibited Substance Provisions at all times while competing in any and/or all classes and/or divisions at that competition.

**GR402 TESTING**

1. Horses and/or ponies competing at a Licensed Competition are subject to examination by a licensed veterinarian who must be appointed by the Administrator of the Equine Drugs and Medications Program. Said appointed veterinarian, with the approval of the Administrator, may appoint a technician to perform certain duties under this Rule. The examination may include physical, urine, blood tests and/or any other test or procedure at the discretion of said veterinarian necessary to effectuate the purposes of this rule. Said veterinarian may examine any or all horses and/or ponies in a class or all classes in a competition or any horses and/or ponies entered in any class, whether in competition or not, if on the competition grounds, or any horse and/or pony withdrawn by any exhibitor within 24 hours prior to a class for which it has been entered.

2. Whether a horse and/or pony is in competition or not, refusal to submit the horse and/or pony for examination or to cooperate with the veterinarian or his agents constitutes a violation and subjects the responsible person to penalties under GR406.
3. Trainers who are not able to accompany Federation drug testing personnel and the horse and/or pony to the location where sample collection is to take place, to act as witness to the collection and sealing of blood and urine samples, and to sign the drug collection documents in the appropriate places as witness, must appoint an agent to do so. The absence of such a witness shall constitute a waiver of any objection to the identification of the horse and/or pony tested and the manner of collection and sealing of the samples.

4. Upon the collection of a sufficient number of tubes of blood from the horse or pony, the tubes shall be divided into two groups. One group shall be labeled and identified as Blood Sample A and the other as Blood Sample B, and they shall be sealed accordingly. Upon the collection of a sufficient volume of urine from the horse or pony, a portion of the sample shall be poured into a second urine sample container. One container shall be labeled and identified as Urine Sample A and the other as Urine Sample B, and they shall be sealed accordingly. These procedures shall be performed whether or not the trainer or his/her appointed witness is present as provided for in Section 3 above.

5. In the event reasonable attempts at sample collections from the horse or pony do not provide a sufficient number of tubes of blood or a sufficient volume of urine to be divided, labeled, and identified as Samples A and B, as determined by the testing veterinarian and/or technician, the sample(s) obtained (if obtained) shall be labeled and identified as Sample(s) A only, and it shall be recorded in the records of the Equine Drugs and Medications Program that the corresponding Sample(s) B does (do) not exist, in which event the obtained Sample(s) shall be subject to testing.

6. A blood sample may be retested under these Rules at any time exclusively at the direction of the Federation. The retesting of a sample may lead to a violation only if the sample was retested within three (3) years from the sample collection date. In order to constitute a violation under these rules, the substance detected in the retested sample must (i) have been forbidden at the time of sample collection; and (ii) not a therapeutic substance, which for purposes of this rule includes only the Controlled Medications on the FEI Prohibited Substances List (available at http://www.fei.org/fei/cleansport) in effect on the sample collection date.

7. In the event that the retested sample proves positive, and the retest was conducted more than one (1) year since the date of collection, no prizes or awards will be required to be returned.

GR403
COOPERATION

1. Cooperation with the veterinarian and/or his agent(s) includes:
   a. Taking the horse and/or pony and the veterinarian and/or his agent(s) immediately to the location selected by said veterinarian and/or agent(s) for testing the horse and/or pony and presenting it for testing.
   b. Assisting the veterinarian and/or his agent(s) in procuring the sample promptly, including but not limited to removing equipment from
the horse and/or pony, leaving it quietly in the stall and avoiding any
distractions to it. Schooling, lengthy cooling out, bandaging and other
delays of this type shall be construed as noncooperation.

c. Polite attitude and actions toward the veterinarian and/or his
agent(s).

GR404
ACCOUNTABILITY OF TRAINERS AND OTHER PERSONS RESPONSIBLE

1. Trainers and other Persons Responsible, in the absence of substantial
evidence to the contrary, are responsible and accountable under
the penalty provisions of these rules. The trainer and other Persons
Responsible are not relieved from such responsibility as a result of the
lack or insufficiency of stable security.

2. The Persons Responsible may include the individual who rides, vaults,
or drives the horse and/or pony during a competition; the Owner; and/or
Support Personnel.

3. Support Personnel is defined to include but is not limited to grooms,
handlers, longeurs, and veterinarians may be regarded as additional
Persons Responsible if they are present at the competition or have made
a relevant decision about the horse and/or pony.

4. A trainer is defined as any adult or adults who has or shares the
responsibility for the care, training, custody, condition, or performance
of a horse and/or pony. Said person must sign the entry blank of any
Licensed Competition whether said person be a trainer, owner, rider,
agent and/or coach. Where a minor exhibitor has no trainer, then a
parent, guardian or agent or representative thereof must sign the entry
blank and assume responsibility as trainer. The name of the trainer
must be designated as such on the entry blank. It is the responsibility
of trainers as well as competition management to see that entry blanks
contain all of the required information. The responsibilities of a trainer
include, but are not limited to the following:

a. for the condition of a horse or pony at a Licensed Competition
(whether or not they have signed an entry blank),

b. to guard each horse and/or pony at, and sufficiently prior to, a
Licensed Competition such as to prevent the administration by anyone
of, or its exposure to, any forbidden substance, and

c. to know all of the provisions of this Chapter 4 (including any
advisories or interpretations published in equestrian) and all other
rules and regulations of the Federation and the penalty provisions
of said rules. For purposes of this rule, substantial evidence means
affirmative evidence of such a clear and definite nature as to establish
that said trainer, or any employee or agent of the trainer, was, in fact,
not responsible or accountable for the condition of the horse and/
or pony. If any trainer is prevented from performing his or her duties,
including responsibility for the condition of the horses and/or ponies in
his or her care, by illness or other cause, or is absent from any Licensed
Competition where horses and/or ponies under his or her care are
entered and stabled, he or she must immediately notify the competition
secretary and, at the same time, a substitute must be appointed by the
trainer and such substitute must place his or her name on the entry blank forthwith. Such substitution does not relieve the regular trainer of his/her responsibility and accountability under this rule; however, the substitute trainer is equally responsible and accountable for the condition of such horses and/or ponies.

5. The trainer and owner acknowledge that the trainer represents the owner regarding horses and/or ponies being trained or managed, entries, scratches for any reason and any act performed on any horse and/or pony under the care and custody of the trainer.

6. In the case of a horse and/or pony competing under the Therapeutic Substance Provisions, any trainer and/or Persons Responsible subject to these rules who actually administers, attempts to administer, instructs, aids, conspires with another to administer or employs anyone who administers or attempts to administer a forbidden substance to a horse and/or pony which might affect the performance of said horse and/or pony at a competition licensed by the Federation without complying with GR411, is subject to the penalties provided in GR406.

7. Any trainer and/or Persons Responsible subject to these rules who administers, attempts to administer, instructs, aids, conspires with another to administer or employs anyone who administers or attempts to administer any substance to a horse and/or pony by injection or by any other route of administration, whether the substance is forbidden or permitted, in the competition ring of a competition licensed by the Federation during a scheduled class, is subject to the penalties provided in GR406. BOD 6/30/15 Effective 12/1/15.

GR405
EQUINE DRUGS AND MEDICATIONS TESTING IN CONNECTION WITH AN APPEAL MEASUREMENT

1. Each animal submitted for an appeal measurement is subject to the Drugs and Medications Chapter at the time of said measurement and/or concurrent examinations, and said animal must be in compliance therewith.

2. Each animal submitted for an appeal measurement must have drug testing samples collected at the time of said measurement and/or concurrent examinations. No sample is a drug testing sample unless it is collected by and/or under the direct supervision of Federation drug testing personnel, who must be appointed by the Administrator of the Equine Drugs and Medications Program to collect samples from the animal in question in connection with said measurement.

3. Each animal submitted for an appeal measurement must have both a urine sample and a blood sample collected at the time of said measurement and/or concurrent examinations. Both the urine sample and the blood sample must be of sufficient volume for drug testing purposes, as determined by the Administrator of the Equine Drugs and Medications Program. Said sample collections shall be conducted in accordance with procedures which are the sole prerogative of the Federation drug testing personnel. As deemed necessary by the Federation testing veterinarian, the animal shall be administered furosemide to cause it to produce a urine sample in a timely manner.
4. Every blood sample and/or urine sample collected in connection with an appeal measurement and all portions thereof are the sole property of the Federation. Said samples and all portions thereof must remain in the sole custody of the Federation drug testing personnel at all times during said measurement and/or concurrent examinations, and subsequently they must be submitted to the Federation’s laboratory for testing in accordance with the instructions of the Administrator of the Equine Drugs and Medications Program.

5. The entire cost of sample collections and testing conducted in connection with an appeal measurement, including the fees and expenses of Federation drug testing personnel, shipping costs for equipment and samples, laboratory charges, etc., as determined by the Administrator of the Equine Drugs and Medications Program, must be paid in full by the appellant within 30 days of the submission of an invoice, regardless of the outcome of said measurement, and regardless of the laboratory results. A deposit in cash or certified check equal to the costs of sampling and testing, as estimated by the Administrator of the Equine Drugs and Medications Program, may be required prior to the measurement.

6. No appeal measurement is valid absent written affirmation of the CEO or his designee confirming the receipt of negative drug testing results from the Federation’s laboratory, indicating that both the urine and blood sample collected from the animal in question in connection with said measurement and/or concurrent examinations were found to contain no forbidden substance, said results having been issued to the Administrator of the Equine Drugs and Medications Program. Any instance involving a finding of forbidden substance shall additionally result in the issuance of a charge of violation of Chapter 4 for adjudication by the Hearing Committee in accordance with the provisions of Chapters 6 and 7.

GR406
RESULTS, CONFIRMATORY ANALYSIS, AND RETEST

1. Blood and urine samples labeled and identified as Samples A shall be subjected to chemical analysis by the Federation Drug Testing Laboratory or by a laboratory with which the Federation has contracted for its services. Blood and urine samples labeled and identified as Samples B shall be stored securely, unopened, at the Federation Drug Testing Laboratory, to be used in the event of a confirmatory analysis, or in the event of a future analysis.

2. In the event the chemical analysis of Blood or Urine Sample A is negative, i.e., no forbidden substance or any metabolite or analogue thereof is found to be present in the sample, the corresponding Blood or Urine Sample B may be frozen and maintained, at the Federation Equine Drug Testing and Research Laboratory, for possible future chemical analysis.

3. In the event the chemical analysis of Blood or Urine Sample A is positive, i.e., a forbidden substance or any metabolite or analogue thereof is found to be present in the sample, this shall be prima facie evidence that the forbidden substance was administered in some manner to said horse or pony, whether intentionally or unintentionally, or otherwise was caused to be present in the tissues, body fluids or excreta of the horse or pony at
the competition, whether intentionally or unintentionally, such that the trainer(s) deemed responsible and accountable for its condition is (are) liable under the provisions of GR404.

4. In the event the chemical analysis of Blood or Urine Sample A is positive, and upon the issuance of Notices of Charge to persons deemed responsible and accountable under the rules, a person charged who requests a confirmatory analysis of the corresponding Blood or Urine Sample B must make the request in writing to Counsel of the Equine Drugs and Medications Committee, and it must be received within 15 days of the date of the Notice of Charge.

5. The confirmatory analysis of the corresponding Blood or Urine Sample B shall be performed by a drug testing laboratory that must be mutually agreed upon by the person charged who requests the confirmatory analysis and Counsel of the Equine Drugs and Medications Committee, which laboratory must have demonstrated proficiency in performing the necessary confirmatory analysis, provided the corresponding Blood or Urine Sample B exists and is of sufficient volume to permit a confirmatory analysis. In the event the drug testing laboratory that analyzed Sample A is the only laboratory that has demonstrated proficiency in performing the necessary confirmatory analysis, as determined by Counsel of the Equine Drugs and Medications Committee, this laboratory shall be the only laboratory to which Counsel of the Equine Drugs and Medications Committee shall agree to perform the confirmatory analysis of the corresponding Sample B. Upon the completion of the confirmatory analysis, the laboratory performing the confirmatory analysis shall forward its findings and supporting data to all parties.

6. In the event no agreement is reached as to a laboratory as required in section 5 above, and the person charged who requests the confirmatory analysis does not revoke his/her request, the confirmatory analysis of the corresponding Blood or Urine Sample B shall be performed by the Federation Drug Testing Laboratory, or by a laboratory with which The Federation has contracted for its services, as determined by Counsel of the Equine Drugs and Medications Committee, which laboratory shall forward its findings and supporting data to all parties. Both the results of the analysis of Sample A (and supporting data) and the results of the confirmatory analysis of the corresponding Sample B, if any (and supporting data, if any), shall be admissible as evidence in any hearing or proceeding pertaining to this matter.

7. In the event the corresponding Blood or Urine Sample B does not exist, or is of insufficient volume to permit a confirmatory analysis, as determined by Counsel of the Equine Drugs and Medications Committee, and there exists a remaining aliquot of Blood or Urine Sample A which is of sufficient volume to permit a retest, as determined by Counsel of the Equine Drugs and Medications Committee, a person charged who requests the retest of Blood or Urine Sample A must make the request in writing to Counsel of the Equine Drugs and Medications Committee, and it must be received within 7 days of the determination that the corresponding Blood or Urine Sample B does not exist or is of insufficient volume to permit a confirmatory analysis.

8. Any requested re-test of the remaining aliquot of Blood or Urine Sample A,
provided it is of sufficient volume to permit a retest, shall be performed by the Federation Drug Testing Laboratory, or by a laboratory with which The Federation has contracted for its services, as determined by Counsel of the Equine Drugs and Medications Committee.

9. The retest of the remaining aliquot of Blood or Urine Sample A may be witnessed by a Witnessing Analyst appointed by the person charged who requests such analysis at the same time as the retest is requested. The Witnessing Analyst must be a qualified analytical chemist employed by an equine drug testing laboratory. If no Witnessing Analyst is appointed by the person requesting the retest, or if the Witnessing Analyst is unavailable within a reasonable time, the requested retest of the remaining aliquot of Blood or Urine Sample A shall proceed without the Witnessing Analyst.

10. In the event the Witnessing Analyst appointed by the person requesting the retest of the remaining aliquot of Blood or Urine Sample A is satisfied that the positive result is correct, Counsel of the Equine Drugs and Medications Committee must be informed immediately by fax with confirmation by letter.

11. In the event the Witnessing Analyst is not satisfied that the result of the retest of the remaining aliquot of Blood or Urine Sample A is correct, Counsel of the Equine Drugs and Medications Committee must be informed immediately by fax followed by a written report setting forth the basis for the Witnessing Analyst’s opinion. Copies of the original and subsequent results and supporting analytical data must be submitted to the Federation Hearing Committee as part of the hearing record in the case, for resolution by it of any and all issues regarding the original analysis of Blood or Urine Sample A and the retest of the remaining aliquot of Blood or Urine Sample A.

12. By requesting the confirmatory analysis of the corresponding Blood or Urine Sample B, or the retest of the remaining aliquot of Blood or Urine Sample A, or by requesting that the retest be witnessed by a Witnessing Analyst, the person charged who makes such request(s) agrees to and must pay any and all fees, costs and expenses relating to the confirmatory analysis or the retest, whether it is performed by a mutually agreed upon laboratory, by the Federation Drug Testing Laboratory, or by a laboratory with which The Federation has contracted for its services, upon the presentation an invoice by Counsel of the Equine Drugs and Medications Committee, and any and all fees, costs, and expenses relating to the Witnessing Analyst.

13. In the case of a horse and/or pony competing under the Therapeutic Substance Provisions, if the chemical analysis of the sample taken from such horse and/or pony indicates the presence of a forbidden substance or any metabolite or analogue thereof and all the requirements of GR411 have been fully complied with, the information contained in said Equine Drugs and Medications Report Form and any other relevant evidence will be considered by the Federation in determining whether a rule violation was committed by any person(s) responsible or accountable for the condition of the horse and/or pony under the provisions of this rule.

14. When a positive report is received from the chemist identifying a
forbidden substance, or any metabolite or analogue thereof, a hearing will be held in accordance with Chapter 6, except as may otherwise be provided by GR412. No trainer, responsible or accountable for the condition of said horse and/or pony, will be suspended, or a horse and/or pony barred from competition, until after an administrative penalty has been assessed or after the conclusion of a hearing and a written ruling thereon has been made.

15. The owner or owners of a horse and/or pony found to contain a forbidden substance or any metabolite or analogue thereof may be required to forfeit all prize money, sweepstakes, added money and any trophies, ribbons and “points” won at said competition by said horse and/or pony and the same will be redistributed accordingly. The owner must pay a fee of $300 to said competition. Points accumulated toward Horse of the Year Awards prior to said competition may be nullified and redistributed at the discretion of the Hearing Committee. If, prior to or at a hearing, the Federation as the charging party, determines that one or more persons, not previously charged as a trainer should also be charged as a trainer, then, upon application by the Federation, the Hearing Committee may, in its discretion, continue or adjourn the hearing, in whole or in part, to permit a new or amended charge to be issued (unless the person(s) to be charged waive notice).

16. A trainer of a horse and/or pony found to contain such forbidden substance or any metabolite or analogue thereof is subject to whatever penalty is assessed by the Hearing Committee, except for administrative penalties issued by the Chairman of the Equine Drugs and Medications Committee and accepted, as provided by GR412. Said trainer may be fined and may be suspended from all participation in Licensed Competitions for a period of one year for the first offense, and for a longer period for a second or later offense, said suspension to be served at any time at the discretion of the Hearing Committee.

The horse and/or pony may be suspended for any period of time specified by the Hearing Committee. In determining an appropriate penalty under these rules, the Hearing Committee may take into account such factors and circumstances as it may deem relevant, including but not limited to

a. the pharmacology of the forbidden substance,

b. the credibility and good faith of the person charged or of other witnesses,

c. penalties determined in similar cases, and

d. past violations of any Federation rules (or the lack thereof).

e. reliance upon the professional ability or advice of a veterinarian who is a licensed graduate of an accredited veterinary school and who is in good standing in the state in which he/she primarily practices.

17. If the Hearing Committee determines that any violation or attempted violation of this Rule was willful and/or intentional, there shall not be any limit to the period of a suspension, and the Hearing Committee may impose other and significantly greater penalties than it would have in the absence of such a determination.
18. A blood sample may be retested under these Rules at any time exclusively at the direction of the Federation. The retesting of a sample may lead to a violation only if the sample was retested within three (3) years from the sample collection date. In order to constitute a violation under these rules, the substance detected in the retested sample must (i) have been forbidden at the time of sample collection; and (ii) not a therapeutic substance, which for purposes of this rule includes only the Controlled Medications on the FEI Prohibited Substances List (available at http://www.fei.org/fei/cleansport) in effect on the sample collection date.

19. In the event that the retested sample proves positive, and the retest was conducted more than one (1) year since the date of collection, no prizes or awards will be required to be returned.

GR407
MANAGEMENT PROCEDURES

1. To provide funds for research, inspection and enforcement of rules regarding use of medications and drugs, each Licensed Competition, except where prohibited by law, must assess the exhibitors a fee of $8 for each horse and/or pony entered in the competition, except the fee shall be $20 for each horse entered in an FEI sanctioned competition or a USEF High Cap Computer List Class. Participants in the following classes are exempted from payment:
   a. leadline
   b. exhibitions
   c. games and races,
   d. classes for 4-H members,
   e. Academy classes (Academy classes are classes limited to horses used regularly in a lesson program)
   f. Opportunity classes
   g. Classes at Regular or Local Competitions restricted to breeds or disciplines whose rules are not included in the USEF rulebook.
   h. However, these classes are not exempt from the Drugs and Medications Chapter itself. Within 10 days after a competition, competition management must forward to the Federation a sum representing the above fee times the number of horses and/or ponies entered in the nonexempt classes of the competition plus the number of horses and/or ponies scratched where the fee is not refunded, such sum to be held by the Federation in a separate fund for use to accomplish the purpose set forth above.

2. It is a violation for a Licensee to assess and/or collect a drug enforcement fee in excess of or in addition to that specified and required by GR407.1 of these rules, unless said assessment is approved in writing by the Federation in advance, and then only under the terms and conditions set forth.

3. It is a violation for a Licensee to withhold from the Federation any or all of the drug fees collected in accordance with GR407.1, for any purpose, including to defray the expenses incurred providing stalls, passes, and other items to the Federation drug testing personnel, as required by GR407.4 and .5.
4. Each Licensed Competition shall, at its own cost and expense, set aside and make available to The Federation testing personnel upon request suitable facilities conveniently located for the veterinarian appointed by the Federation and his or her technicians to collect equine blood and urine samples. Suitable facilities means one or more stalls if available, as requested, that are well lit, clean, dry, freshly bedded, and having a door or gate that can be secured.

5. Each Licensed Competition, upon request, must furnish the veterinarian appointed by The Federation and/or the Administrator of the Equine Drugs and Medications Program by mail forthwith, with the requested number of official passes and parking passes for the veterinarians and technicians to have immediate and free access to all areas at said Licensed Competition.

6. Competition management must cooperate with and exhibit polite attitude and actions toward the veterinarian and/or his agents.

**GR408**

**INTERPRETATIONS OF THE FEDERATION EQUINE DRUGS AND MEDICATIONS CHAPTER AND ITS APPLICATION TO PARTICULAR SUBSTANCES**

Any questions regarding the interpretation of this Chapter, including the application of this Chapter to particular substances, should be directed to the office of the Federation Equine Drugs and Medications Program, 956 King Avenue, Columbus, Ohio 43212-2655. (800) 633-2472, (614) 299-7707, FAX (614) 299-7706. Trainers and/or owners who seek advice concerning the interpretation and application of this rule should not rely solely upon interpretations or advice by private or competition veterinarians, competition officials, competition personnel, or other persons, but should also obtain verification of any such interpretations or advice from the Federation Equine Drugs and Medications Program office. Any trainer or owner who is uncertain about whether this rule applies in any given situation would be well advised to withdraw the affected horse and/or pony from competition until such time as the Federation Equine Drugs and Medications Program office has been consulted.

**GR409**

**EQUINE DRUGS AND MEDICATIONS, PROHIBITED SUBSTANCE PROVISIONS**

1. This paragraph applies only to FEI Banned Substances and Methods.

For all Federation Equestre Internationale (FEI) recognized disciplines, Articles 2 (what constitutes a violation), 3 (proof of violations (except 3.1 and 3.2.3)), 4 (banned substances and methods), and 8.2 (principles of fair hearing) of the FEI Equine Anti-Doping rules govern. Those Articles are incorporated by reference as if fully set out herein and can be found at www.fei.org or the Drugs & Medications tab at www.usef.org. For purposes of this rule, the designation of “Person Responsible” in the incorporated provisions of the FEI Equine Anti-Doping rules shall refer to the individual(s) found to be the trainer of the horse as defined by GR404.

2. No horse and/or pony competing in a Breed or Discipline designated as (or part of) a No Prohibited Substance Group is to be shown in any class at a competition licensed by the Federation if it has been administered in
any manner or otherwise contained in its tissues, body fluids or excreta
a prohibited substance as defined in the FEI Equine Anti-Doping and
Controlled Medication Regulations, which can be found at www.fei.org.

3. EXHIBITORS, OWNERS, TRAINERS, AND VETERINARIANS ARE CAUTIONED
AGAINST THE USE OF MEDICINAL PREPARATIONS, TONICS, PASTES, AND
PRODUCTS OF ANY KIND, THE INGREDIENTS AND QUANTITATIVE ANALYSIS
OF WHICH ARE NOT SPECIFICALLY KNOWN, AS MANY OF THEM NO DOUBT
CONTAIN ONE OR MORE FORBIDDEN SUBSTANCES.

**GR410**

**EQUINE DRUGS AND MEDICATIONS, THE THERAPEUTIC SUBSTANCE PROVISIONS**

1. No horse and/or pony competing in a Breed or Discipline designated as (or
part of) a Therapeutic Substance Group is to be shown in any class at a
competition licensed by the Federation (see also GR402.1, last sentence)
if it has been administered in any manner or otherwise contains in its
tissues, body fluids or excreta a forbidden substance except as provided
in GR411. Any horse and/or pony that competes in more than one Breed,
Discipline, and/or Group at a competition, one of which is a Prohibited
Substance Group, shall be required to be in compliance with the
Prohibited Substance Provisions at all times while competing in any and/
or all classes and/or divisions at that competition. For purposes of this
rule, a forbidden substance is:

a. Any stimulant, depressant, tranquilizer, local anesthetic,
psychotropic (mood and/or behavior altering) substance, or drug which
might affect the performance of a horse and/or pony (stimulants and/
or depressants are defined as substances which stimulate or depress
the cardiovascular, respiratory or central nervous systems), or any
metabolite and/or analogue of any such substance or drug, except as
expressly permitted by this rule.

b. Any corticosteroid present in the plasma of the horse/pony other than
dexamethasone (see GR410.5b).

c. Any nonsteroidal anti-inflammatory drug in excess of one present
in the plasma or urine of the horse/pony (GR411 does not apply);
exception: salicylic acid.

d. Any substance (or metabolite and/or analogue thereof) permitted by
this rule in excess of the maximum limit or other restrictions prescribed
herein.

e. Any substance (or metabolite and/or analogue thereof), regardless
of how harmless or innocuous it might be, which might interfere with
the detection of any of the substances defined in (a), (b), (c) or (e) or
quantification of substances permitted by this rule.

f. Any anabolic steroid (GR411 below does not apply).

2. EXHIBITORS, OWNERS, TRAINERS, AND VETERINARIANS ARE CAUTIONED
AGAINST THE USE OF MEDICINAL PREPARATIONS, TONICS, PASTES, AND
PRODUCTS OF ANY KIND, THE INGREDIENTS AND QUANTITATIVE ANALYSIS
OF WHICH ARE NOT SPECIFICALLY KNOWN, AS MANY OF THEM MAY
CONTAIN A FORBIDDEN SUBSTANCE.

3. The full use of modern therapeutic measures for the improvement and
protection of the health of the horse and/or pony is permitted unless:

a. The substance administered is a stimulant, depressant, tranquilizer, local anesthetic, drug or drug metabolite which might affect the performance of a horse and/or pony or might interfere with the detection of forbidden substances or quantification of permitted substances; or

b. More than one nonsteroidal anti-inflammatory drugs are present in the plasma or urine of the horse/pony (GR411 does not apply); exception: salicylic acid; or

c. The presence of such substance in the blood or urine sample exceeds the maximum limit or other restrictions prescribed herein below.

4. Restrictions concerning the nonsteroidal anti-inflammatory drugs are as follows:

a. The maximum permitted plasma concentration of diclofenac is 0.005 micrograms per milliliter.
b. The maximum permitted plasma concentration of phenylbutazone is 15.0 micrograms per milliliter.
c. The maximum permitted plasma concentration of flunixin is 1.0 micrograms per milliliter.
d. The maximum permitted plasma concentration of ketoprofen is 40.0 nanograms per milliliter.
e. The maximum permitted plasma concentration of meclofenamic acid is 2.5 micrograms per milliliter.
f. The maximum permitted plasma concentration of naproxen is 40.0 micrograms per milliliter.
g. Not more than one of the substances listed in (a) through (g) are permitted to be present in the same plasma or urine sample (GR411 does not apply).
h. The maximum permitted plasma concentration of firocoxib is 0.240 micrograms per milliliter.
i. Any nonsteroidal anti-inflammatory drug not listed in (a) through (g) above is forbidden to be present in the plasma or urine sample (GR411 does not apply); exception: salicylic acid.
j. Any nonsteroidal anti-inflammatory drug that becomes approved for use in horses can be added to the list of those permitted, after the completion, review and approval of the needed research.

5. Restrictions concerning other therapeutic substances are as follows:

a. The maximum permissible plasma concentration of methocarbamol is 0.5 micrograms per milliliter.
b. The maximum permitted plasma concentration of dexamethasone is 0.5 nanograms per milliliter.

6. Thresholds for substances of possible dietary origin are as follows:

a. The maximum permissible urine concentration of theobromine is 2.0 micrograms per milliliter.
7. Additional restrictions concerning particular classes and/or divisions (GR411 does not apply):

   a. In the breeding/in-hand classes for three-year-olds and under in the Arabian, Half Arabian, and Anglo Arabian Division, any anabolic steroid is forbidden. (See HOW LONG DRUGS REMAIN DETECTABLE in the current Drugs and Medications Rules Pamphlet for guidelines).

GR411 CONDITIONS FOR THERAPEUTIC ADMINISTRATIONS OF FORBIDDEN SUBSTANCES

1. A horse and/or pony exhibiting at a Licensed Competition pursuant to the Therapeutic Substance Provisions that receives any medication which contains a forbidden substance is not eligible for competition unless all of the following requirements have been met and the facts are furnished in writing on a timely-submitted official Equine Drugs and Medications Report Form:

   a. The medication must be therapeutic and necessary for the diagnosis or treatment of an existing illness or injury. Administration of a forbidden substance for non-therapeutic or optional purposes (such as, by way of example only, shipping, clipping, training, turning out, routine floating or cleaning of teeth, non-diagnostic nerve blocking, uncasting, mane pulling or non-emergency shoeing) is not considered to be therapeutic. Any trainer who is uncertain about whether a particular purpose is considered to be therapeutic would be well advised to consult the Federation Equine Drugs and Medications Program office.

   b. The horse and/or pony must be withdrawn from competition for a period of not less than 24 hours after the medication is administered.

   c. The medication must be administered by a licensed veterinarian, or, if a veterinarian is unavailable, only by the trainer pursuant to the advice and direction of a veterinarian.

   d. Identification of medication—the amount, strength and mode of administration.

   e. Date and time of administration.

   f. Identification of horse and/or pony, its name, age, sex, color and entry number.

   g. Diagnosis and reason for administration.

   h. Statement signed by person administering medication.

   i. Equine Drugs and Medications Report Form filed with the Steward/Technical Delegate or Designated Competition Office Representative within one hour after administration or one hour after the Steward/Technical Delegate or Designated Competition Office Representative returns to duty if administration is at a time other than during competition hours.

   j. The Steward, Technical Delegate, or Designated Competition Office Representative must sign and record the time of receipt on the Equine Drugs and Medications Report Form.

   k. At selection trials for World Championships, and/or Olympic and/or Pan American Games, the requirement of subsection (b) above, that...
the horse or pony must be withdrawn from competition for a period of not less than 24 hours after the medication is administered will not apply, provided that:

1. the competition is conducted pursuant to the written selection procedures as approved by the Federation Board of Directors;
2. the written selection procedures specifically allow for therapeutic administrations of medications by a USEF-appointed veterinary panel within 24 hours preceding competition, and the written selection procedures are in no case less stringent in this regard than the FEI Veterinary Regulations (Articles 1006.7 and 1006.8) and guidelines pursuant thereto;
3. all requirements of the written selection procedures regarding therapeutic administrations of medications have been met;
4. all requirements of this Rule have been met except subsection GR411.1(b); and all persons competing in the competition are eligible and competing for selection.

2. Where all the requirements of GR411 have been fully complied with, the information contained in said Equine Drugs and Medications Report Form and any other relevant evidence will be considered by the Federation in determining whether a rule violation was committed by any person(s) responsible or accountable for the condition of the horse and/or pony under the provisions of this rule.

NOTE: The official Equine Drugs and Medications Report Form is available from the officiating Steward/Technical Delegate and/or Competition Secretary. All required information must be included when filing a report. Failure to satisfy and follow all the requirements of this Rule and to supply all of the information required by such Equine Drugs and Medications Report Form is a violation of the rules. The Steward/Technical Delegate must report any known violations of this Rule to the Federation for such further action as may be deemed appropriate.

3. Flunixin, in addition to one other substance listed in GR410 (a) through (g), may be found in the same plasma and/or urine sample of a horse under the following conditions and for the treatment of colic or an ophthalmic emergency only: (i) must comply with GR411.1; (ii) the flunixin must have been administered by a veterinarian; (iii) the required medication report form must be signed by the administering veterinarian; and (iv) the horse must be withdrawn from competition for 24 hours following the administration.

GR412 ADMINISTRATIVE PENALTIES

1. The provisions for administrative penalties shall apply to any potential or alleged violation of the Equine Drugs and Medications Rule. The Federation shall hold in abeyance the issuance of charges of rule violation pending further determination by the Chairman of the Equine Drugs and Medications Committee, who shall take into consideration all pertinent information available, including the seriousness of the alleged violation(s), precedents in similar Federation drug cases, and any prior rule violation(s) by the individual(s). At all times while consideration is given as to a determination by the Chairman of the Equine Drugs and
Medications Committee, the identity of the horse, rider, trainer, coach, and owner must not be known or disclosed to him.

2. The Chairman of the Equine Drugs and Medications Committee shall, upon consultation with staff, and within 60 days of receipt of laboratory results, make a determination in his or her discretion whether to recommend the issuance of charges by the Federation, whether to recommend a plea agreement, whether to impose administrative penalties, or whether to take no further action in the matter, and shall communicate that decision in writing to the Federation’s CEO or his designee.

3. In the event the Chairman of the Equine Drugs and Medications Committee determines to impose administrative penalties in accordance with GR412.2, in lieu of a recommendation to issue charges, he or she shall be authorized to impose any or all of the penalties enumerated in Chapter 7, GR703, setting forth the terms and conditions for compliance. The trainer(s) and owner(s) shall after receiving written notice of the right to a hearing, after their written waiver of same, and written acceptance of an administrative penalty, be subject to any and all administrative penalties imposed by the Chairman of the Equine Drugs and Medications Committee.

4. The Federation shall give written notification to trainer(s) and owner(s) of administrative penalties determined pursuant to GR412.3 above, the terms and conditions of which shall not be subject to negotiation. An administrative penalty must be approved by the Hearing Committee Co-Chairs before it is offered to the Respondent(s). Once accepted by all parties and by the Hearing Committee, an administrative penalty shall have the same force and effect as would a finding of rule violation by the Hearing Committee following a hearing pursuant to Chapters 6 and 7, and will be published on the Federation’s web site.

5. Any trainer(s), or owner(s), or both, who have received notice of an administrative penalty under GR412.4 and who have not accepted same in writing shall receive a hearing before the Hearing Committee, in accordance with Chapters 6 and 7. Administrative penalties accepted in accordance with this Rule shall be effective immediately, shall be final, and shall not be subject to further review under any circumstance(s).

6. In the event an administrative penalty is not accepted in writing, the Federation shall issue a written charge or charges pursuant to Chapter 6, and the Hearing Committee shall conduct a hearing pursuant to Chapters 6 and 7 upon said charge(s). In the event of a finding of a violation, the Hearing Committee shall not be limited in choice of penalties to those that might have been imposed in accordance with GR412.2 and .3, nor in any such instance shall the Hearing Committee be limited in any other way in exercising all of its prerogatives as set forth in the Bylaws and Rules.

7. A blood sample may be retested under these Rules at any time exclusively at the direction of the Federation. The retesting of a sample may lead to a violation only if the sample was retested within three (3) years from the sample collection date. In order to constitute a violation under these rules, the substance detected in the retested sample must (i) have been
forbidden at the time of sample collection; and (ii) not a therapeutic substance, which for purposes of this rule includes only the Controlled Medications on the FEI Prohibited Substances List (available at http://www.fei.org/fei/cleansport) in effect on the sample collection date.

8. In the event that the retested sample proves positive, and the retest was conducted more than one (1) year since the date of collection, no prizes or awards will be required to be returned.

GR413
HUMAN DRUG TESTING

1. In accordance with the rules of the FEI and of the World Anti-Doping Agency (WADA), any Federation member shall comply with in-competition, no advance notice (NAN), and other out-of-competition drug testing conducted by the FEI, WADA, US Anti-Doping Agency (USADA) or by a WADA-authorized organization or USADA-authorized organization at any time without advanced notice. Failure to cooperate with such in-competition, NAN or other out-of-competition drug testing shall be a violation of Federation rules.

2. In conjunction with the above-described NAN or other out-of-competition drug testing, the Federation is required to submit the names, current addresses, telephone numbers, training times and training and competition locations for individuals and teams as requested by the FEI, WADA, or USADA to enable FEI, WADA, or USADA to conduct NAN or other out-of-competition drug testing. Notwithstanding the foregoing, compliance with anti-doping regulations rests with the individual subject to testing.

3. A finding of violation of human drug rules by USADA or WADA shall be deemed a violation of Federation rules, and the reciprocity provisions of GR615.2 shall be applied.

GR 414
PROHIBITED PRACTICES

1. No injectable substances may be administered to any horse or pony within 12 hours prior to competing, with the following three exceptions subject to paragraph 2 below:

   a. Therapeutic fluids, which amount must consist of a minimum of 1L of polyionic fluids per 100lb of body weight; and which must be used in accordance with the manufacturer’s recommendations and guidelines. The fluids must not be supplemented with concentrated electrolytes, such as magnesium.

   b. Antibiotics. Procaine penicillin G is prohibited under this exception.

   c. Dexamethasone. This is permitted only for the treatment of acute urticaria –( hives). The dose must not exceed 0.5 mg per 100 lb (5.0 mg for 1000 lb horse) if administered more than 6 hours and less than 12 hours prior to entering the competition ring, and must not exceed 1.0 mg per 100 lb (10.0 mg for 1000lb horse) within any 24 hour period.

2. The above exceptions are permitted only when (i) the substance is administered by a licensed veterinarian and no less than 6 hours
prior to competing; and (ii) the “Trainer” as defined under General Rule 404 properly files, or causes to be properly filed, an Equine Drugs and Medications Report Form with the Steward/Technical Delegate or competition office representative within one hour after the administration of the substance or one hour after the Steward/Technical Delegate or competition office representative returns to duty if the administration occurs at a time outside competition hours. The Steward/Technical Delegate or competition office representative shall sign and record the time of receipt on the Equine Drugs and Medications Report Form.

3. No horse may be injected with any substance, forbidden or permitted, into an intra-synovial space (joint, tendon sheath, or bursa) within the 4 days preceding competition. No horse less than two years of age may be treated with intrasynovial injections within the 30 days preceding competition.

4. Shockwave Therapy may only be administered by or on the order of a licensed veterinarian. If sedation is required for Shockwave Therapy, only sedation performed by a licensed veterinarian and administered at the same time as the Shockwave Therapy will be considered therapeutic and GR411 will apply. No sedation associated with Shockwave Therapy will be considered therapeutic if administered within 24 hours prior to competition. No horse may be treated with Shockwave Therapy within the 3 days preceding competition with the following exception:

   a. Shockwave Therapy may be administered by a licensed veterinarian within the 3 day prohibited period, but no closer than 12 hours prior to competing, and is limited to application to the back and dorsal pelvis areas. No Shockwave Therapy is permitted within the 12 hours prior to competing. This exception is permitted only when the “Trainer” as defined under GR404 properly files, or causes to be properly filed, an Equine Drugs and Medications Report Form with the Steward/Technical Delegate or competition office representative within one hour after the administration of Shockwave Therapy or one hour after the Steward/Technical Delegate or competition office representative returns to duty if the administration occurs at a time outside competition hours. The Steward/Technical Delegate or competition office representative shall sign and record the time of receipt on the Equine Drugs and Medications Report Form.
Exhibit 13
CURRICULUM VITAE

NAME: Tracy Ace Turner

SOCIAL SECURITY NO.: 524-82-2404

BIRTHDATE: December 16, 1953

BIRTH PLACE: Scottsbluff, Nebraska

BUSINESS: Turner Wilson Equine Consulting
10777 110th St N
Stillwater, MN 55082

MARITAL STATUS: Married-Julie Wilson, DVM, Dipl.ACVIM
Children-Tarren Aubrey (1/20/90)
Tristan Garland (3/9/92)

EDUCATION:
B.S. 1976, Colorado State University
D.V.M 1978, Colorado State University
Internship 1978-1979, University of Georgia
Equine Medicine and Surgery
Residency 1979-1981, Purdue University
Large Animal Surgery
M.S. 1981, Purdue University

M.S. THESIS TITLE:
Thermographic Evaluation of the Equine Lower Limb

GRADUATE MAJOR: Large Animal Veterinary Surgery

GRADUATE MINOR: Large Animal Veterinary Medicine

SPECIALTY CERTIFICATION:
Diplomate, American College of Veterinary Surgeons, 1986
Diplomate, American College of Veterinary Sports Medicine and Rehabilitation, 2013

STATE LICENSES:
Colorado #3248
Minnesota #09696

PRESENT TITLE/POSITION:
Surgeon, Sports Medicine
Anoka Equine Veterinary Services
Elk River, MN
Vice President and Treasurer  
Turner Wilson Equine Consulting  
Stillwater, MN

PROFESSIONAL POSITIONS:

Farrier                                      June 1972-June 1978

Intern in Equine Medicine and Surgery       July 1978-June 1979  
College of Veterinary Medicine               
University of Georgia                        
Athens, GA

Resident in Large Animal Surgery            July 1979-Sept 1981  
School of Veterinary Medicine                
Purdue University                             
West Lafayette, IN

Assistant Professor                         Oct 1981-May 1983  
Clinical Veterinary Medicine                 
College of Veterinary Medicine                
University of Illinois                        
Urbana, IL

Assistant Professor                         June 1983-July 1988  
Surgical Sciences                            
College of Veterinary Medicine                
University of Florida                         
Gainesville, FL

Associate Professor                         Aug 1988-March 1990  
Large Animal Clinical Sciences               
College of Veterinary Medicine                
University of Florida                         
Gainesville, FL

Surgeon, Director of Sports Medicine         March 1990-Sept 1991  
Rochester Equine Clinic                      
Rochester, NH

Associate Professor                         Dec 1991- July 2000  
Clinical and Population Sciences             
College of Veterinary Medicine                
University of Minnesota
St. Paul, MN

Professor
Clinical and Population Sciences
College of Veterinary Medicine
University of Minnesota
St. Paul, MN

July 2000- January 2004

Associate Veterinarian
Anoka Equine Veterinary Services
Elk River, MN

February 2004-Present

ADMINISTRATIVE POSITIONS

Chief of Large Animal Surgery
Veterinary Teaching Hospital
College of Veterinary Medicine
University of Florida
Gainesville, FL

July 1984-July 1985

Chief, Large Animal Surgery
Veterinary Teaching Hospital
College of Veterinary Medicine
University of Minnesota
St. Paul, MN

Nov 1992-Sept 1995

Chief, Large Animal Surgery
Veterinary Teaching Hospital
College of Veterinary Medicine
University of Minnesota
St. Paul, MN

July 2001-October 2003

PROFESSIONAL ORGANIZATIONS:

American Veterinary Medical Association; 1978 - present
American College of Veterinary Surgeons; 1986 – present
American College of Veterinary Sports Medicine and Rehabilitation; 2013- present
American Association of Equine Practitioners; 1986 - present
Minnesota Veterinary Medical Association; 1995-present
Minnesota Association of Equine Practitioners; 1995-present
Association for Equine Sports Medicine; 1988 - 2002
American Farrier's Association; 1983 - present
Florida State Farrier's Association; 1983 - present
Minnesota Farrier's Association; 1994 - present
Offices:
   Board of Directors, Alachua County Veterinary Medical Association, 1987-1988
   Moderator, Annual Meeting Am Assoc Equine Practnr, 1995
   Coordinator, AAEP-AFA Student Shortcourses in Podiatry, 1995-2004
   Program Committee, Minnesota Veterinary Medical Association, Co-chairman Equine Program, 1996-2000
   Board of Directors, Assoc Equine Sports Medicine, 1996-2002
   Secretary/Treasurer, Assoc Equine Sports Med, 1998-2002
   President, Minnesota Association of Equine Practnr, 2008-2010
   Chair, Minnesota Veterinary Medical Assn Equine Welfare Committee, 2009

HONOR SOCIETIES
   Society of Phi Zeta, 1981 - present
   Society of Sigma Xi, 1982 - 1990

HONORS AND AWARDS:
   a. Outstanding Presentation Award, International Hoof Care Summit, 2007
   b. International Equine Veterinarians Hall of Fame: 2004
   c. Central States Dressage and Combined Training Association, Distinguished Service Award; 2001, 2002
   d. Lexington Who’s Who; 2000
   e. Student Chapter, Am Vet Med Assoc; Advisor Appreciation Award, University of Florida, 1990
   f. Large Animal Clinician of the Year: 1988, Univ. of Florida
   g. Large Animal Clinician of the Year: 1987, Univ. of Florida
   h. University of Florida Alumni Award for Individualized Investigation: 1987
   i. Honorary Lifetime Membership in Florida State Farrier's Association, 1987
   j. Colorado State University Honor Scholarship
   k. Colorado Masonic Scholarship

MEMBERSHIP IN OTHER ORGANIZATIONS
   United States Eventing Association
   United States Dressage Federation
   United States Equestrian Team
   Central States Eventing and Dressage Association
      Board of Directors 1998-2004
   Minnesota Horse Council
      Board of Directors 2002-present
      Chair, Legislative Committee 2004-present
      Chair, Unwanted Horse Committee, 2009
Vice President, 2009-2010
President, 2011-2012; 2014-present
Masonic Temple, Westminster, CO Lodge
Rocky Mountain Scottish Rite Consistory
National Historic Preservation Society
Colorado State University Alumni Association
The Smithsonian Associates
National Parks and Conservation Association
The Wilderness Society
World Wildlife Federation

GRADUATE TEACHING AND ADVISORY EXPERIENCE:
University of Georgia  Clinical teaching rounds,
Purdue University   Clinical teaching
   LAC 483: Equine Surgery
      *Equine Hoof
      *Cryptorchidism
University of Illinois  Clinical teaching
   VCM 365: Large Animal Surgery
      *Lameness Diagnosis
      *Equine Hoof
      *Equine Abdomen
   VCM 365L: Large Animal Surgery Lab
      *Equine Abdomen
   VCM 397: Advanced Equine Lameness
      *Metacarpal Disease
      *Carpal Disease
      *Septic Arthritis
   VB 302: Gross Anatomy
      *Equine Leg
University of Florida  Clinical teaching
   VEM 5402: Soft Tissue Surgery
      *Equine Abdomen
      *Food Animal Abdomen
      *Abdominal Wall
   VEM 5402L: Soft Tissue Surgery Lab
      *Bovine Laparotomy
      *Equine Celiotomy
   VEM 5441: Orthopedic Surgery
      *Lameness Exam
      *Laminitis
      *Equine Hoof
      *Navicular Disease
      *Corrective Shoeing
      *Metacarpal Disease
*Carpal Disease
*Long Bone Fractures
VEM 5441L: Orthopedic Surgery Lab
*Equine Lameness
*Equine Ortho Procedures
VEM 5115: Applied Anatomy
*Equine Nerve Blocks
VEM 5112: Musculoskeletal System
*Equine Locomotion

**Course Coordinator**
*VEM 5441: 1986-1990
*VEM 5402: 1988-1990

University of Minnesota

Clinical teaching (CAPS 5214)
CAPS 5364: Equine Lameness
CAPS 5352: Large Animal Surgery
  *Castration/cryptorchid
  *Equine oral and dental disease
  *Equine Oropharynx and esophagus
  *Equine abdomen
  *Equine wound healing
  *Upper respiratory disease
  *Equine lameness examination
  *Equine foot
  *Equine joint disease
  *Equine tendon disease
  *Equine muscle disease
  *Developmental orthopedic disease
  *Selected equine lameness
CVM 5350: Principles of Surgery
  *Management of Traumatic Wounds
  *Large Animal Orthopedics
  *L.A. arthrotomy/arthroscopy
CAPS 5356: Colic Team
  *Pathophysiology of colic
  *Supportive therapy for colics
CAPS 5232: Equine Podiatry
CAPS 5222: Equine Lameness
CAPS 5712: Equine Sports Medicine
CAPS 3502: Animal Health and Disease
SACS 5453: Spec Proc in Vet Radiology
  *Thermography
CAPS 8393: Prob. in L.A. Orthopedics
CAPS 5951: Directed Studies

**Course Coordinator**
ADVISING- Graduate students and surgical residents

Graduate students
Jaymes Mortenson, M.S. candidate, University of Illinois, 1982
Kevin Sherman, M.S. candidate, University of Florida, 1989-90
Roslyn Machon, M.S. candidate, University of Minnesota, 1993-94
Brian Anderson, M.S. candidate, University of Minnesota, 1992-94
Jairo Mancada, PhD candidate, University of Minnesota, 1992-
Erin Malone, PhD candidate, University of Minnesota, 1992-1997
Jacqueline McCowan, M.S. candidate, Univ. of Minnesota, 1993-1994
Ghanem Al-Ghamdi, M.S. candidate, University of Minnesota, 1994-99
Linnea Lentz, Ph.D. candidate, University of Minnesota, 1994-
Norris Adams, M.S. candidate, University of Minnesota, 1995-1998
Flavio de la Corte, Ph.D. candidate, University of Minnesota, 1995-1999
Kristin Shaw, M.S. candidate, University of Minnesota, 1995-1996
Jennifer MacLeay, Ph.D. candidate, University of Minnesota, 1997-1998
Mohammed Hussan, M.S. candidate, University of MN, 2000-2003
Julie Cary, M.S. candidate, University of Minnesota, 2000-2003
Mauro Verna, M.S. candidate, University of Minnesota, 2001-2004

Surgery residents
Martha Campbell, Surgery resident, University of Florida, 1983-84
David G. Wilson, Surgery resident, University of Florida, 1983-84
Greg Wolf, Surgery resident, University of Florida, 1983-84
Marta Prades, Surgery resident, University of Florida, 1984-87
Nolton Pattio, Surgery resident, University of Florida, 1984-87
R. Reid Hanson, Surgery resident, University of Florida, 1984-87
Ted Specht, Surgery resident, University of Florida, 1984-87
Regan Adams, Surgery resident, University of Florida, 1984-87
Jerry Roth, Surgery resident, University of Florida, 1987-88
Lisa Hopen, Surgery resident, University of Florida, 1987-88
John Malark, Surgery resident, University of Florida, 1987-89
Juan Manuel Zertuche, Surgery resident, Univ. of Florida, 1987-1990
Kevin Sherman, Surgery resident, University of Florida, 1989-90
Carlos Cervantes, Surgery resident, Univ. of Florida, 1989-90
Brian Anderson, Surgery resident, Univ. of Minnesota, 1992-1994
Erin Malone, Surgery resident, University of Minnesota, 1992-1995
Jacqueline McCowan, Surgery resident, Univ. of Minnesota, 1993-1994
Mike Sorum, Surgery resident, University of Minnesota, 1994
Linnea Lentz, Surgery resident, University of Minnesota, 1994-97
Allison Paige Adams, Surgery resident, Univ. of Minnesota, 1994-97
Norris Adams, Surgery resident, University of Minnesota, 1995-1998
Flavio de la Corte, Surgery resident, Univ. of Minnesota, 1996-1999
Tiffany Lennox, Equine resident, Univ. Of Minnesota, 1997-2000
Rolfe Radcliffe, Equine resident, Univ. Of Minnesota, 1997-2000
Flavio de la Corte, Surgery resident, Univ. of Minnesota, 1999-2001
Julie Cary, Surgery resident, Univ. of Minnesota, 2000-2003
Colin Mitchell, Surgery resident, Univ. of Minnesota, 2001-2003
Mauro Verna, Surgery resident, University of Minnesota, 2001-2004

FOREIGN TRAVEL/EXPERIENCE
(1) I Curso De Cirugia General Equina, Caceres, Spain, June 1988
(2) Second Corso SCIVAC Di Ippologia: Le Patologie Del Piede Del Cavallo; Parma, Italy; February 1991
(3) III Simposio De Clinica Veterinaria Equina, Curitiba, Brazil; April 1992
(4) Curso De Topicos Avancados Em Medicina Equino, Rio de Janeiro, Brazil; April 1992
(5) Curso De Medicina Y Cirugia Del Colico Equino, Barcelona, Spain; October 1992
(6) First South Africa Farrier's Congress, Johannesburg, South Africa; June 1993
(7) Cape Turf Club Equine Congress, Cape Town, South Africa; June 1993
(8) Natal Province Equine Congress, Nottingham Road, South Africa; June 1993
(9) International Symposium on Podotrochlosis, Dortmund, Germany; October 1993
(10) 1st International Congress of the Faculty of Veterinary Sciences, La Plata, Argentina; November 1993
(11) Curso Internacional De Clinica Medica Equina; Santa Maria, Brazil, November 1993
(12) 33rd British Equine Veterinary Association Congress; Dublin, Ireland, September 1994
(13) XIII Conferencias Ciclo Internacional de Veterinaria Equina; Buenos Aires, Argentina, November 1994
(14) Dubais International Equine Symposium; Dubai, United Arab Emirate, March 1996
(15) Association of Equine Sports Medicine; Bonn, Germany, June 1996
(16) Societa Italiana Veterinari per Equini; Verona, Italy, November 1996
(17) Norwegian Association of Equine Practitioners; Oslo, Norway, January 1997
(18) VI Jornadas Internacionales De Cirugia Veterinaria; Barcelona, Spain, March 1997
(19) Swedish Farriers Association; Uppsala, Sweden, April 1997
(20) Equus Catalonia: Barcelona, Spain, September 1997
(21) Manitoba Horse Expo 1998; Winnpeeg, Canada, January 1998
(22) Probe Lecture Series; Guelph, Canada, February 1998
(23) Kruuse International; Stockholm, Sweden, March 1999
(24) 34th Annual Congress Finnish Association of Veterinary Practitioners; Naantali, Finland, March 1999
(25) Official Veterinary Surgeon, 99 PanAm Gamnes, Manitoba, Canada, September 1999
(26) 6th Congress on Equine Medicine and Surgery; Geneva, Switzerland, December 1999
(29) XIX Panvet Conference, Buenos Aires, Argentina, October 2004
(30) Annual Horseman’s Protective and Benevolent Assoc Meeting, Toronto, Canada, July 2005
(33) Jumping Amsterdam, Amsterdam, Netherlands, January 2010
(34) XVI International Conference, Carrara, Italy, January 2010
(35) No Foot, No Horse, New Market, United Kingdom, March 2011
(36) Equine Thermography, Amsterdam, Netherlands, March 2011
(37) 2nd Annual Equitarian Initiative, Vera Cruz, Mexico, October 2011
(38) XVI Pan America Games, Guadalajara, Mexico, October 2011
(39) Equitarian, San Palo Sul, Honduras, November 2011
(40) Equine Thermography, Epe, Netherlands, April 2012
(41) 3rd Annual Equitarian Initiative, Pueblo, Mexico, October 2012
(42) Neonatal Orthopedic Disease, Mexico City, Mexico, February 2013
(42) Equitarian, Osa Peninsula, Costa Rica, March 2013
(43) Equine Thermography, Epe, Netherlands, April 2013
(44) Equitarian, Choluteca, Honduras, November 2013
(45) Equine Thermography, Epe, Netherlands, April 2014
(46) 7th International Colloquium on Working Equids, Royal Holloway, England, July 2014
(47) Equitarian, Nicaragua, October 2014
(48) Equitarian, Choluteca, Honduras, November 2014
(49) Equine Thermography, Epe, Netherlands, April 2015

JOURNAL REVIEWS and REVIEW BOARDS

J Am Vet Med Assoc, reviewer
Am J Vet Res, reviewer
Veterinary Surgery, reviewer
Compendium of Continuing Education, reviewer
Eq Vet J, reviewer
Eq Vet Ed, reviewer
Comparative Exercise Physiology, reviewer
Veterinary Medicine, reviewer
Proceedings Am Assoc Equine Practnr, reviewer
J Veterinary Medicine, reviewer
Equine Practice, reviewer
USDA/CSREES/NRICGP, reviewer
Iowa State University Press, reviewer
Veterinary Learning Systems, Equine Medical Review, reviewer
Texas A&M University Agriculture Experiment Station, reviewer
Hoofcare and Lameness, editorial board
Equus, editorial board
Equine Medical Review, editorial board
Canadian Veterinary J, reviewer
Professional Farrier, editorial board

RESEARCH INTERESTS
Equine Lameness  Thermography
Navicular Disease  Equine Podiatry
Equine Orthopedics  Equine Back and Upper Limb Lameness

RESEARCH GRANTS AND PROPOSALS:
1980  "Thermographic Analysis of the Equine Lower Limb"
  Purdue Capitation Funds, $4,000 (Funded)
  Turner TA, Fessler JF

1981  "Thermographic Analysis of Equine Limbs"
  Univ of Illinois Research Board, $20,000 (Funded)
  Oustz K, Turner TA, Chen D

"Feasibility of Arterial Grafting in the Horse"
  Illinois Veterinary Clinic Revolving Fund, $1,285 (Funded)
  Turner TA

1982  "Radiographic and Scintigraphic Navicular Bone Changes in Clinically Normal Horses"
  Biomedical Research Support Grant, $3,000 (Funded)
  Turner TA, Kneller SK, Allhands R

"Digital Vein Prostaglandin Levels in Normal Horses and Those Affected with Podotrochlosis"
  Illinois Dept of Agriculture, Breeders Fund, $2,200 (Funded)
  Turner TA

"A Biomechanical Model of the Kinematics of the Equine Limb During Walk, Trot and Pace"
  Illinois Dept of Agriculture, Breeders Fund, $77,050 (Not Funded)
  Pijanowski GJ, Turner TA

"The Relationship of the Carpometacarpal Joint Morphology to Forelimb Splint Disease"
  Illinois Dept of Agriculture, Breeders Fund, $28,595 (Not Funded)
  Pijanowski GJ, Kneller SK, Turner TA, Baker GJ

"Epidemiology and Prophylaxis of Strongylus vulgaris Infections in Horses"
  Illinois Dept of Agriculture, Breeders Fund, $15,930 (Not Funded)
  Todd KS, DiPietro JA, Turner TA

"Restoration of Normal Tendon Function Using Carbon Fiber Material"
  AVMA Foundation, $15,000 (Not Funded)
  Pijanowski GJ, Stein LE, Turner TA
"Thermographic Evaluation of Gingering in Horses"
American Horse Show Association, $2,000 (Funded)
Turner TA, Scoggins RD

1983  "Cinemagraphic and Stress Strain Analysis of Tendon Suture Patterns"
Illinois Veterinary College Revolving Funds, $3,000 (Funded)
Pijanowski GJ, Stein LE, Turner TA

"Quantitative Analysis of Exercise on Tendon Healing"
National Institute of Health, $281,445 (Not Funded)
Pijanowski GJ, Stein LE, MacCoy DM, Turner TA

"Microvideo Camera for the Development of Teaching Videos" Merck Education Support Grant, $18,454 (Not Funded)
Turner TA

1984  "Effect of DMSO on Erythrocyte Fragility and Hepatic and Renal Function"
Univ of Florida Start Up Funds, $605 (Funded)
Wilson JH, Clement S, Turner TA

"Arthroscopically Induced Articular Cartilage Defects: A Model for Degenerative Joint Disease"
Univ of Florida, Div Sponsored Research, $24,222 (Not Funded)
Turner TA, Colahan PT

"Arthroscopically Induced Articular Cartilage Defects: A Model for Degenerative Joint Disease"
Biomedical Research Support Grant, $5,999 (Not Funded)
Turner TA, Colahan PT

"A Proposal for Purchase of Arthroscopic Equipment to Study Equine Joint Disease"
Univ of Florida, Div Sponsored Research, $5,103 (Funded)
Turner TA

"Evaluation of Lavage Solutions for Arthroscopic Surgery"
CRIS Project USDA Funds, $2,932 (Funded)
Turner TA

1985  "Evaluation of Hyaluronic Acid as an Adjunct to Arthroscopy"
CRIS Project USDA Funds, $4,496 (Funded)
Turner TA

"Field Evaluation of Adequan- Intramuscular vs Intraarticular"
Luitpold-Werk, $7,233 (Funded)
Turner TA

1986  "Evaluation of Carpal Contact and Carpal Compression to Determine Areas of Stress Concentration Predisposing to Carpal Fractures in the Horse"
Biomedical Research Support Grant, $3,600 (Funded)
Turner TA

"Evaluation of Carpal Contact and Carpal Compression to Determine Areas of Stress Concentration Predisposing to Carpal Fractures in the Horse"
Univ of Florida Contingency Funds, $1,800 (Funded)
Turner TA

"Evaluation of Proximal Navicular Desmotomy as a Surgical Treatment for Navicular Disease"
Univ of Florida Appleton Trust Funds, $8,303 (Funded)
Turner TA, Wright IM, Poulos PW, Colahan PT

1987  "Thermal Patterns of the Normal Limb and Selected Limb Conditions in the Equine Neonate"
Univ of Florida Foundation ENSG Funds, $500 (Funded)
Turner TA, Specht TE

"Thermographic Evaluation of the 'Bucked Shin' Complex”
Love of Horses Equine Research Seed Grant, $5,411 (Not Funded)
Turner TA, Specht TE

"Thermographic Analysis of Skin Temperature Changes Due to Physical Therapy Devices Used on the Lower Limb of Horses”
Love of Horses Equine Research Seed Grant, $4,960 (Not Funded)
Turner TA, Colahan PT

"Digital Vein Prostaglandin Analyses and Their Possible Role in Navicular Disease"
Love of Horses Equine Research Seed Grant, $3,528 (Not Funded)
Turner TA, Poulos PW, Bottoms G

"Metabolic Changes During Dopamine and Dobutamine Infusions in Horses"
Am Horse Shows Assoc, Equine Health Research Fund, $4,898 (Not Funded)
Turner TA, Robertson S, Malark JA

1988  "Thermal Patterns of the Normal Limb and Selected Limb Conditions in the Equine Neonate"
Univ of Florida Foundation, ENSG Funds, $304 (Funded)
Turner TA

"Digital Vein Prostaglandin Analyses and Their Possible Role in Navicular Disease"
Col Vet Med- USDA Animal Health, $1,677 (Funded)
Malark JA, Turner TA, Bottoms G

"Feasibility of Cervicothoracic Ganglion Sympathectomy for Treatment of Navicular Disease"
Grayson Foundation, $31,825 (Not Funded)
Turner TA, Malark JA

1989  "Evaluation of the Anti-Inflammatory Effects of Orally Administered Carprofen"
Roche Vitamins and Fine Chemicals, $16,723 (Funded)
Bloomberg MS, Turner TA, Clemmons RC

1992  "The Effect of Hoof Angle and Check or Navicular Desmotomy on Contact Pressures in the Equine Distal Interphalangeal Joint and Navicular Bursa"
Minnesota Racing Commission, $8,939 (Not Funded)
Turner TA, Geor R, Anderson B

"A Kinematic Investigation of the Effects of Regional and Intra-articular Anesthesia on Horses"
Minnesota Racing Commission, $15,206 (Not Funded)
Moncada JR, Kobluk CN, Geor RJ, Turner TA, Schils S

"Laparoscopic Nissen Fundoplication Utilizing EndoherniaR Stapler"
United States Surgical Corp., $10,400 (Funded)
Turner TA, Steckel RR

"Effect of Chronic Dexamethasone on Bone Mineral Content in Trained Horses"
Morris Animal Foundation, Pre-proposal $42,230 (Not Funded)
Murphy MJ, Geor RJ, Turner TA, Walser M

1994  "National Equine Racing Injury Reporting System"
Grayson-Jockey Club Research Foundation $37,040 (Not Funded)

"In Vitro and In Vivo Analysis of Physical Forces on the Equine Navicular Bone: Pilot Studies"
Univ of MN Graduate School Grant-in-Aid, $16,516 (Funded)
Turner TA

"Chromosomal trisomies in flexural and angular limb deformities in the foal"
Morris Animal Foundation, $6475 (Funded)
Weber AF, Trent AM, Turner TA, Bellamy J, Ruth GR, Buoen LC

"Navicular disease: Comparisons of distal interphalangeal joint and navicular bone pressures"
American Horse Shows Association, $5398 (Not Funded)
Turner TA

"Chromosomal trisomies in flexural and angular limb deformities in the foal"
Morris Animal Foundation, $14,000 continuation (Not Funded)
Ruth GR, Turner TA, Weber AF

"Investigation of vasoactive intestinal peptide and nitric oxide as relaxant neurotransmitters of the equine jejunum"
American College of Veterinary Surgeons, $4698 (Not Funded)
Malone ED, Brown DR, Turner TA

"Epidemiologic, genetic, and cellular basics of rhabdomyolisis"
American College of Veterinary Surgeons, $4800 (Not Funded)
Lentz L, Valberg S, Turner TA

1995
“Investigation of relaxant neurotransmitters of the equine intestine"
American Quarter Horse Association, $12,323 (Not Funded)
Malone ED, Turner TA, Brown DR

"Navicular disease: Comparisons of distal interphalangeal joint and navicular bone pressures"
American Horse Shows Association, $5398 (Funded)
Turner TA

"Navicular disease: Comparisons of distal interphalangeal joint and navicular bone pressures"
Minnesota Racing Commission, $6052 (Not Funded)
Turner TA

"Thermographic assessment of musculoskeletal injuries of race horses: A potential adjunct to pre-race examination"
Minnesota Racing Commission, $6553 (Not Funded)
Turner TA, Wilson JH, Jensen R

1996
"Equine radiology tutorial/data base"
Project Minnemac, Minnemac computer (Funded)
Cox VS, Johnston GR, Walter P, Feeney DA, Turner TA

"Equine radiology tutorial"
Univ of Minn Instructional Computer Award, $4688 (Not Funded) Cox VS, Johnston GR, Walter P, Feeney DA, Turner TA

1997
“Proximal suspensory desmitis: The significance of an enlarged suspensory and secondary nerve degeneration”
Minn. Agricultural Experiment Station, $13,431.00 (Not Funded)
Turner TA, De La Corte FD

“Thermographic assessment of musculoskeletal injuries of race horses: A potential adjunct to pre-race examination”
Emerge Vision Systems, $10,000 (Pending)
Turner TA, Wilson JH

“An in vitro biomechanical comparison of interlocking nail constructs and double plating for fixation of diaphyseal femur fractures in foals”
Am College of Veterinary Surgeons, $10,000 (Not Funded)
Radcliffe RM, Turner TA, Markel MM, Watkins JP

“An in vitro biomechanical comparison of interlocking nail constructs and double plating for fixation of diaphyseal femur fractures in foals”
Synthes Inc, $9,650 (Funded)
Radcliffe RM, Turner TA, Markel MM, Watkins JP

“An in vitro biomechanical comparison of interlocking nail constructs and double plating for fixation of diaphyseal femur fractures in foals”
HERO, Houston Equine Research Organization, $5,000 (Not Funded)
Radcliffe RM, Turner TA, Markel MM, Watkins JP

1998

“Prospective Study of Back Injuries of the Horse”
Minnesota Equine Research Center, $5,000 (Funded)
Turner TA, Sage AM

“Thermographic assessment of musculoskeletal injuries of race horses”
Minnesota Equine Research Center, $5293 (Not Funded)
Turner TA, Wilson JH

“Standardization and validation of a PCR blood test for the equine SRY gene: A basis for determination of heritable pseudohermaphroditism and sex identification of preimplantation embryos”
Minnesota Equine Research Center, $6000 (Not Funded)
O’Brien T, Turner TA, Buoen LC, Weber AF

“An in vitro biomechanical comparison of interlocking nail constructs and double plating for fixation of diaphyseal femur fractures in foals”
Am Assn Equine Practitioners, $8752 (Not Funded)
Radcliffe RM, Turner TA, Markel MM, Watkins JP

“An in vitro biomechanical comparison of interlocking nail constructs and double plating for fixation of diaphyseal femur fractures in foals”
Am College of Veterinary Surgeons, $10000 (Funded)
Radciffe RM, Turner TA, Markel MM, Watkins JP

“Detailed Ultrasonographic Mapping of the Normal and Diseased Equine Pelvis”
Am Assn Equine Practitioners, $6125 (Not Funded)
Tomlinson J, Turner TA, Sage A

1999

“Detailed Ultrasonographic Mapping of the Normal and Diseased Equine Pelvis”
Mn Equine Research Center, $6125 (Funded)
Sage A, Tomlinson J, Turner TA

“Correlation of Hoof Contact Pressures with Hoof HeatPatterns to Assess Hoof Balance”
Mn Equine Research Center, $8,567.50 (Funded)
Turner TA

“Thermographic Assessment of musculoskeletal Injuries of Race Horses”
Mn Equine Research Center, $8,034.00 (Funded)
Turner TA, Wilson JH

2000

"Thermographic Effects of a Modified Intermittent Sequential Pulsating Device on Horses"
Mego Afek Medical Division, $9,000.00 (Funded)
Turner TA, Tomlinson JT

2003

“Effects of Extracorporeal Shock Wave Therapy on Local Tissue Metabolism”
Mn Equine Research Center, $23,691 (Funded)
Turner TA,

2004

“Thermographic Assessment of Saddle Fit Comparing Custom Fit versus Cair Panel System with Changeable Gullet.”
Weatherbeeta, $8,000 (Funded)
Turner TA

2006

“Observational Study of Equine Swimming for Conditioning and Physiotherapy at Canterbury Park”
MN Equine Research Center, $9,790 (Funded)
Wilson JH, Turner TA, Hovda L

PUBLICATIONS:
REFEREEED JOURNALS:


34. Turner TA: Lamenesses that respond to a palmar digital nerve block-What are they? Ippologia, 7(4), 17-26, 1996.


REFEREED PROCEEDINGS:

1. Turner TA, Kneller SK, Badertscher RR, Stowater JL: Radiographic changes in the navicular bones of normal horses. In refereed section of Proceedings of 32nd Annual


REVIEWED JOURNALS:


**BOOK CHAPTERS**


NON-REFEREED PROCEEDINGS:
International:


32. Colahan P, Turner TA: Problems of the foot and hoof. *Actas De Las IV Jornadas*


47. Turner TA: Objective assessment of hoof balance. Svenska Hovslagareforeningen,
handout, 1997.


National:


43. Turner TA: Diagnosis and treatment of equine foot problems, Proceedings Am College of Veterinary Surgeons, 1999:


State and Local:


Anderson BH, Turner TA: Hoof avulsions, lacerations and hoof wall defects. *Equine*
**Hoof Care Short Course**, 1994: 96-104.


95. Turner TA: Anatomy and biomechanics of the equine lower limb. *Proceedings of the*


University of Minnesota, April 2001: 33-38


BOOKS


Section editor


ABSTRACTS:


18. Turner TA, Colahan PT: Evaluation of carpal contact and carpal compression to


25. Turner TA, Colahan PT, Woodall C: Carpal bone contact, analysis using pressure sensitive film: correlation to carpal osteochondral fragmentation. *SIWAL/AESM abstracts*: 57, 1993


**PRESENTATIONS:**

**International**

1. Wound Healing; I Curso De Cirugia General Equina, Caceres, Spain, June 1988

2. Abdominal Exploration (wet lab); I Curso De Cirugia General Equina, Caceres, Spain, June 1988

3. Upper Respiratory Endoscopy (wet lab); I Curso De Cirugia General Equina, Caceres, Spain, June 1988

4. Long Bone Fractures; I Curso De Cirugia General Equina, Caceres, Spain, June 1988

5. Standing Deep Flexor Tenotomy (wet lab); I Curso De Cirugia General Equina, Caceres, Spain, June 1988

6. Standing Palmar Digital Neurectomy (wet lab); I Curso De Cirugia General Equina, Caceres, Spain, June 1988

7. Limb Amputation (wet lab); I Curso De Cirugia General Equina, Caceres, Spain, June 1988

8. Clinical Examination of the Equine Foot and Hoof Abnormalities; Second Corso SCIVAC Di Ippologia: Le Patologie Del Piede Del Cavallo; Parma, Italy; February 1991

9. Treatment of Navicular Disease; Second Corso SCIVAC Di Ippologia: Le Patologie Del Piede Del Cavallo; Parma, Italy; February 1991

10. Hoof Defects/Management and Diagnosis of Flexural Deformities; Second Corso SCIVAC Di Ippologia: Le Patologie Del Piede Del Cavallo; Parma, Italy; February 1991
11. Septic Conditions of the Equine Foot; Second Corso SCIVAC Di Ippologia: Le Patologie Del Piede Del Cavallo; Parma, Italy; February 1991

12. Trimming and Shoeing of the Normal Hoof and Hoof Lacerations; Second Corso SCIVAC Di Ippologia: Le Patologie Del Piede Del Cavallo; Parma, Italy; February 1991

13. Corns and Bruises/Quittor and Sidebones; Second Corso SCIVAC Di Ippologia: Le Patologie Del Piede Del Cavallo; Parma, Italy; February 1991

14. Laminitis: Current Therapy; III Simposio De Clinica Veterinaria Equina, Curitiba, Brazil; April 1992

15. Laminitis: Current Therapy; Curso De Topicos Avancados Em Medicina Equino, Rio de Janeiro, Brazil; April 1992

16. Proper shoeing and its Effect on Equine Locomotion; Curso De Topicos Avancados Em Medicina Equino, Rio de Janeiro, Brazil; April 1992

17. Lameness Caused by the Imbalanced Hoof; Curso De Topicos Avancados Em Medicina Equino, Rio de Janeiro, Brazil; April 1992

18. Navicular Syndrome: Current Thought and Therapy; Curso De Topicos Avancados Em Medicina Equino, Rio de Janeiro, Brazil, April 1992

19. Digestive physiology and pharmocology; Curso De Medicina Y Cirugia Del Colico Equino, Barcelona, Spain; October 1992

20. Surgery of the large intestine; Curso De Medicina Y Cirugia Del Colico Equino, Barcelona, Spain; October 1992

21. Post surgical complications; Curso De Medicina Y Cirugia Del Colico Equino, Barcelona, Spain; October 1992

22. Carpal bone contact, analysis using pressure sensitive film: correlation to carpal osteochondral fragmentation; Second International Workshop on Animal Locomotion and Association of Equine Sports Medicine, Fallbrook, California; March 1993

23. Examination of the equine foot; First South Africa Farrier's Congress, Johannesburg, South Africa; June 1993

24. Measurements for the assessment of hoof balance; First South Africa Farrier's Congress, Johannesburg, South Africa; June 1993

25. Hoof imbalance and its relation to lameness; First South Africa Farrier's Congress, Johannesburg, South Africa; June 1993
26. The effect of hoof angle on joints and tendons; First South Africa Farrier's Congress, Johannesburg, South Africa; June 1993

27. Management and diagnosis of flexural and angular limb deformities; First South Africa Farrier's Congress, Johannesburg, South Africa; June 1993

28. The repair of hoof wall defects; First South Africa Farrier's Congress, Johannesburg, South Africa; June 1993

29. Septic conditions of the equine foot; First South Africa Farrier's Congress, Johannesburg, South Africa; June 1993

30. Current thoughts on laminitis; First South Africa Farrier's Congress, Johannesburg, South Africa; June 1993

31. Current therapy for laminitis; First South Africa Farrier's Congress, Johannesburg, South Africa; June 1993

32. The navicular syndrome: Shoing principles and treatment; First South Africa Farrier's Congress, Johannesburg, South Africa; June 1993

33. Hoof imbalance and its relation to lameness; Cape Turf Club Equine Congress, Cape Town, South Africa; June 1993

34. Management and diagnosis of flexural and angular limb deformity; Cape Turf Club Equine Congress, Cape Town, South Africa; June 1993

35. Hoof imbalance and its relation to lameness; Natal Province Equine Congress, Nottingham Road, South Africa; June 1993

36. Management and diagnosis of flexural and angular limb deformity; Natal Province Equine Congress, Nottingham Road, South Africa; June 1993

37. Diagnostic findings using a navicular syndrome protocol; International Symposium on Podotrochlosis, Dortmund, Germany; October 1993

38. Lameness of the distal interphalangeal joint; International Symposium on Podotrochlosis, Dortmund, Germany; October 1993

39. Role of hoof imbalance on navicular disease; International Symposium on Podotrochlosis, Dortmund, Germany; October 1993

40. Inferior check desmotomy as a treatment for navicular disease; International Symposium on Podotrochlosis, Dortmund, Germany; October 1993
41. Surgical treatment of equine colic; 1st International Congress of the Faculty of Veterinary Sciences, La Plata, Argentina; November 1993

42. Post-surgical complications of colic surgery; 1st International Congress of the Faculty of Veterinary Sciences, La Plata, Argentina; November 1993

43. Management and diagnosis of flexural limb deformities; 1st International Congress of the Faculty of Veterinary Sciences, La Plata, Argentina; November 1993

44. Diagnosis and treatment of tendon and ligament injuries in the horse; 1st International Congress of the Faculty of Veterinary Sciences, La Plata, Argentina; November 1993

45. Lameness caused by an imbalanced foot; 1st International Congress of the Faculty of Veterinary Sciences, La Plata, Argentina; November 1993

46. Pathology of the equine stifle; 1st International Congress of the Faculty of Veterinary Sciences, La Plata, Argentina; November 1993

47. Surgical treatment of equine colic; Equine Congress at the Federal University of Santa Maria; Santa Maria, Brazil, November 1993

48. Post-surgical complications of colic surgery; Curso Internacional de Clinica Medica Equina; Santa Maria, Brazil, November 1993

49. Management and diagnosis of flexural limb deformities; Curso Internacional de Clinica Medica Equina; Santa Maria, Brazil, November 1993

50. Diagnosis and treatment of tendon and ligament injuries in the horse; Curso Internacional de Clinica Medica Equina; Santa Maria, Brazil, November 1993

51. Lameness caused by an imbalanced foot; Curso Internacional de Clinica Medica Equina; Santa Maria, Brazil, November 1993

52. Pathology of the equine stifle; Curso Internacional de Clinica Medica Equina; Santa Maria, Brazil, November 1993

53. Prospective study of the diagnostic findings associated with navicular syndrome; 33rd British Equine Veterinary Association Congress; Dublin, Ireland, September 1994.

54. Treatment strategies for caudal hoof lameness; 33rd British Equine Veterinary Association Congress; Dublin, Ireland, September 1994.


57. Biomechanics of the Hoof; XIII Conferencias Ciclo Internacional De Veterinaria Equina; Buenos Aires, Argentina, November 1994.


60. Hoof Measurements for the Objective Assessment of Hoof Balance; XIII Conferencias Ciclo Internacional De Veterinaria Equina; Buenos Aires, Argentina, November 1994.

61. Examination of the Equine Foot; XIII Conferencias Ciclo Internacional De Veterinaria Equina; Buenos Aires, Argentina, November 1994.


64. Septic Conditions of the Equine Foot; XIII Conferencias Ciclo Internacional De Veterinaria Equina; Buenos Aires, Argentina, November 1994.

65. Lacerations, Avulsions, and Defects of the Hoof; XIII Conferencias Ciclo Internacional De Veterinaria Equina; Buenos Aires, Argentina, November 1994.


68. Differentation of navicular region pain from other forms of palmar heel pain. Association of Equine Sports Medicine; Bonn, Germany, June 1996

69. Uses and limitiations of thermography. Association of Equine Sports Medicine; Bonn, Germany, June 1996

70. Pathophysiology of palmar heel pain with particular reference to navicular pain and degeneration. Societa Italiana Veterinari per Equini; Verona, Italy, November 1996
71. Review of recent research concerning palmar heel pain. Societa Italiana Veterinari per Equini; Verona, Italy, November 1996

72. Diagnosis and differentiation of palmar heel pain. Societa Italiana Veterinari per Equini; Verona, Italy, November 1996

73. Lamenesses that respond to palmar digital analgesia. Societa Italiana Veterinari per Equini; Verona, Italy, November 1996

74. The role of hoof balance, its assessment and treatment with reference to palmar hoof pain. Societa Italiana Veterinari per Equini; Verona, Italy, November 1996

75. Developing strategies for palmar heel pain. Societa Italiana Veterinari per Equini; Verona, Italy, November 1996

76. Anatomy and biomechanics of the equine lower limb. Norwegian Assoc Equine Practnr; Oslo, Norway, January 1997

77. Assessment of equine hoof balance. Norwegian Assoc Equine Practnr; Oslo, Norway, January 1997


79. Conditions that block out with palmar digital analgesia. Norwegian Assoc Equine Practnr; Oslo, Norway, January 1997


81. Equine lower limb radiographs (wetlab). Norwegian Assoc Equine Practnr; Oslo, Norway, January 1997

82. Lameness associated with the palmar heel region. VI Jornadas Internacionales De Cirugia Veterinaria; Barcelona, Spain, March 1997

83. Treatment of hoof wall defects. VI Jornadas Internacionales De Cirugia Veterinaria; Barcelona, Spain, March 1997

84. Diagnosis and treatment of palmar heel pain. VI Jornadas Internacionales De Cirugia Veterinaria; Barcelona, Spain, March 1997

86. Management of arthritis in horses. Swedish Farriers Association; Uppsala, Sweden, April 1997

87. Diagnosis and treatment strategies for palmar heel pain. Swedish Farriers Association; Uppsala, Sweden, April 1997

88. Physical therapy for horses. Swedish Farriers Association; Uppsala, Sweden, April 1997

89. Broodmare nutrition. Equus Catalonia, Barcelona, Spain, September 1997

90. Musculoskeletal problems of the neonate. Equus Catalonia, Barcelona, Spain, September 1997

91. Developmental orthopedic disease in the weanling. Equus Catalonia, Barcelona, Spain, September 1997


111. Laminitis. XIX Panvet Conference, Buenos Aires, Argentina, October 2004

112. Diagnosis of hoof problems. XIX Panvet Conference, Buenos Aires, Argentina, October 2004


114. Thermography: Early Detection of Injury in Horses. 5th International Symposium on Rehabilitation and Physical Therapy in Veterinary Medicine, Minneapolis, MN August 2008

115. Treatment of Kissing Spines in Horses: 140 Cases. 5th International Symposium on Rehabilitation and Physical Therapy in Veterinary Medicine, Minneapolis, MN August 2008

116. Jumping Amsterdam, Amsterdam, Netherlands, January 2010
117. SIVE, Carrara, Italy, January 2010
118. Ontario Vetrinary College, Guelph, Canada February 2011
119. No Foot No Horse, Newmarket, United Kingdom, March 2011
120. Amsterdam, Netherlands, March 2011
121. Epe, Netherlands, April 2012
122. Epe, Netherlands, 2013

**National**

1. Thermography of the Equine Lower Limb; 17th Annual Meeting of Am Col of Veterinary Surgeons, San Diego, CA; February 1982
2. Feasibility of Arterial Grafting in the Horse; 18th Annual Meeting of Am Col Veterinary Surgeons, Las Vegas, NV February 1983
3. The Pathogenesis and Treatment of Navicular Disease; Eastern States Veterinary Conference; Orlando, FL; January 1984
4. Radiographic Changes in the Navicular Bones of Normal Horses; 32nd Annual Convention Am Assoc of Equine Practitioners Nashville, TN; December 1986
5. Navicular Disease Management: Shoeing Principles; 32nd Annual Convention Am Assoc of Equine Practitioners; Nashville, TN; December 1986
6. The Effect of Hoof Angle on Coffin, Pastern, and Fetlock Joint Angles; 33rd Annual Convention Am Assoc of Equine Practitioners New Orleans, LA; November 1987
7. Hoof Abnormalities and Their Relation to Lameness; 34th Annual Convention Am Assoc Equine Practitioners, San Diego, CA; December 1988
8. Proper Shoeing and Shoeing Principles for the Management of Navicular Syndrome; 34th Annual Convention Am Assoc Equine Practitioners, San Diego, CA; December 1988
9. Treatment of Equine Canker; 34th Annual Convention Am Assoc Equine Practitioners, San Diego, CA; December 1988
10. The Complexity of Diagnosing Navicular Disease; 3rd Annual Bluegrass Laminitis
11. Panel Discussion on Hoof Problems; 3rd Annual Bluegrass Laminitis Symposium; Louisville, KY; January 1989

12. Lameness Caused by Improper Shoeing; Eastern States Veterinary Conference; Orlando, FL; January 1989

13. Diagnosis of Equine Colic; Eastern States Veterinary Conference; Orlando, FL; January 1989

14. Hindlimb Muscle Strain as a Cause of Lameness in the Horse; 35th Annual Convention Am Assoc Equine Practitioners; Boston, MA; December 1989

15. Thermography in Lameness Diagnosis; Eastern States Veterinary Conference; Orlando, FL; January 1990

16. Thermography for Muscle Injury Diagnosis; Eastern States Veterinary Conference; Orlando, FL; January 1990

17. Current Techniques for Diagnosing Navicular Disease; Eastern States Veterinary Conference; Orlando, FL; January 1990

18. Treatment of Navicular Disease; Eastern States Veterinary Conference; Orlando, FL; January 1990

19. Treatment of Common Foot Problems; Eastern States Veterinary Conference; Orlando, FL; January 1990

20. Medical Management of Laminitis; Ninth Annual Veterinary Medical Forum, ACVIM; New Orleans, LA; May 1991

20. Effects of Heat, Cold, Bio-magnets and Ultrasound on Skin Circulation in the Horse; 37th Annual Convention Am Assoc Equine Practitioners, San Francisco, CA; December 1991

21. Thermography in lameness diagnosis; 1992 ACVS Veterinary Symposium; Miami, FL; November 1992

22. Hoof repair and shoeing for hoof injuries; 1992 ACVS Veterinary Symposium; Miami, FL; November 1992

23. Navicular syndrome; 1992 ACVS Veterinary Symposium; Miami, FL; November 1992

24. The use of hoof measurements for the objective assessment of hoof balance; 38th Annual Convention Am Assoc Equine Practitioners; Orlando, FL; December 1992
25. Use of deep flexor tenotomy in the management of laminitis; 38th Annual Convention
   Am Assoc Equine Practitioners; Orlando, FL; December 1992

26. Inferior check desmotomy as a treatment for caudal hoof lameness; 38th Annual
   Convention Am Assoc Equine Practitioners; Orlando, FL; December 1992

27. Treatment strategies for caudal hoof lameness; 7th Annual Bluegrass Laminitis
   Symposium; Louisville, KY; January 1993

28. The use of hoof measurements for the objective assessment of hoof balance; 7th Annual
   Bluegrass Laminitis Symposium; Louisville, KY; January 1993

29. A survey of the long term effects of deep flexor tenotomies; 7th Annual Bluegrass
   Laminitis Symposium; Louisville, KY; January 1993

30. Hindlimb lameness or neurologic disease?; 11th Annual Am Col Veterinary Internal
    Medicine Forum; Washington, D.C.; May 1993

31. Treatment strategies for navicular disease; 130th Annual Meeting of the Am Veterinary
    Medical Assoc; Minneapolis, MN July 1993

32. Lameness of the distal interphalangeal joint; 39th Annual Meeting of Am Assoc Equine
    Practnr; San Antonio, TX; December 1993

33. Navicular syndrome: An update; North American Veterinary Conference; Orlando, FL;
    January 1994

34. Treatments for tendon and ligament injuries; North American Veterinary Conference;
    Orlando, FL; January 1994

35. Alternative therapies: Witchcraft or Science; North American Veterinary Conference;
    Orlando, FL; January 1994

36. Hindlimb lameness or neurologic disease?; North American Veterinary Conference;
    Orlando, FL; January 1994

37. Thermography of equine limbs, ASDA/APHIS External Review of the Horse
    Protection Program; Washington, D.C.; April 1994

38. Lameness evaluation in event horses, ACVS Veterinary Symposium; Washington, D.C.;
    October 1994

39. Lamenesses that respond to a palmar digital nerve block-what are they? ACVS Veterinary
    Symposium; Washington, D.C.; October 1994
40. Problems affecting the foot- Panel discussion; ACVS Veterinary Symposium; Washington, D.C.; October 1994

41. Shoeing Challenges- Panel discussion; 41st Annual Meeting Am Assoc Eq Practnr; Lexington, KY; December 1995

42. Limb Dissection, wetlab. AFA 25th Annual Convention; Kansas City, KS; February 1996.

43. Flexural and angular limb deformities. ABVP Practioners Symposium; Chicago, IL; June 1996

44. Septic conditions of the equine foot. ABVP Practioners Symposium; Chicago, IL; June 1996

45. Current therapy for equine laminitis. ABVP Practioners Symposium; Chicago, IL; June 1996

46. Anatomy and biomechanics of the equine lower limb. Wild West Veterinary Conference, Reno, Nevada, October 1996

47. Diagnosis and treatment strategies for palmar heel. Wild West Veterinary Conference, Reno, Nevada, October 1996

48. Diagnosis and treatment of vague hindlimb lameness. Wild West Veterinary Conference, Reno, Nevada, October 1996


52. Objective Assessment of hoof balance. 9th Ann Central Veterinary Conference, Kansas City, Mo, August 1997.

53. Diagnosis of palmar heel pain in horses. 9th Ann Central Veterinary Conference, Kansas City, Mo, August 1997.

54. Treatment of palmar heel pain in horses. 9th Ann Central Veterinary Conference, Kansas
55. Care and treatment of hoof wall injuries. 9th Ann Central Veterinary Conference, Kansas City, Mo, August 1997.


64. How to treat navicular bone fractures. 43rd Annual Meeting Am Assoc Eq Practnr, Phoenix, Az, December 1997.


70. Thermography. 18th Annual Meeting Assoc Equine Sports Medicine, Leesburg, VA, March 1998

71. Imaging wet lab. 18th Annual Meeting Assoc Equine Sports Medicine, Leesburg, VA, March 1998


80. Thermal imaging wet lab. Emerge Thermal Imaging Seminar, West Palm Beach, FL, March 1999

81. Thermal imaging wet lab. Emerge Thermal Imaging Seminar, W. Lafayette, IN, April 1999


89. Equine musculoskeletal ultrasonography laboratory. Central Veterinary Conference, Kansas City, Mo, August 1999.


108. Effects of Topical Therapeutic Modalities on Skin Circulation in the Horse. Assoc Equine Sports Medicine, New Brunswick, NJ, September 2000

109. Intra-articular and Regional Anesthesia of the Forelimb. American College of Veterinary Surgeons, Crystal City, VA, September 2000

110. Use of Thermography in Lameness Evaluation. American College of Veterinary Surgeons, Crystal City, VA, September 2000

111. An Update on Heel Pain. American College of Veterinary Surgeons, Crystal City, VA, September 2000


113. Panel- Shoeing the Lame Horse. American College of Veterinary Surgeons, Crystal City, VA, September 2000

114. Canker and White Line Disease. Table topics at the 46th Annual Conv of the Am Assoc Eq Practnr. San Antonio, TX, November 2000


118. Thermographic assessment of racing Thoroughbreds, 47th Annual Conv Am Assoc Eq Practnr, San Diego, CA, November 2001


120. History of Thermal Imaging. Veterinary Thermal Imaging Seminar. San Luis Obispo, CA October 2003


123. Artifacts on the Thermographic Examination. Veterinary Thermal Imaging Seminar. San Luis Obispo, CA October 2003


125. Thermography of the Equine Foot. Veterinary Thermal Imaging Seminar. San Luis Obispo, CA October 2003


131. Normal Mature Equine Thermographic Examination. Veterinary Thermal Imaging

133. Artifacts on the Thermographic Examination. Veterinary Thermal Imaging Seminar. San Luis Obispo, CA March 2004


135. Thermography of the Equine Foot. Veterinary Thermal Imaging Seminar. San Luis Obispo, CA March 2004


139. Thermographic Assessment of Equine Back Problems. Am Acad Thermology, Auburn, AL, April 2004


143. Artifacts on the Thermographic Examination. Veterinary Thermal Imaging Seminar. San Luis Obispo, CA October 2004


145. Thermography of the Equine Foot. Veterinary Thermal Imaging Seminar. San Luis Obispo, CA October 2004

146. Thermography of Equine Tendons and Ligaments. Veterinary Thermal Imaging
147. Thermography of Equine Joint Disease. Veterinary Thermal Imaging Seminar. San Luis Obispo, CA October 2004


149. How to Assess Saddle Fit in Horses. 50th Annual Conv Am Assoc Eq Practnr, Denver, CO, December 2004


155. Thermography of the Equine Foot. Veterinary Thermal Imaging Seminar. San Luis Obispo, CA March 2005

156. Thermography of Equine Tendons and Ligaments. Veterinary Thermal Imaging Seminar. San Luis Obispo, CA March 2005


159. Caudal Hoof Lameness. Annual Meeting Am Veterinary Medical Assoc, Minneapolis, MN, July 2005

160. Hoof Balance. Annual Meeting Am Veterinary Medical Assoc, Minneapolis, MN, July 2005

161. Laminitis. Annual Meeting Am Veterinary Medical Assoc, Minneapolis, MN,


165. Artifacts on the Thermographic Examination. Veterinary Thermal Imaging Seminar. San Luis Obispo, CA October 2005


167. Thermography of the Equine Foot. Veterinary Thermal Imaging Seminar. San Luis Obispo, CA October 2005


171. Understanding Equine Lameness. Annual Meeting of Student Chapter Am Veterinary Medical Assoc, Minneapolis, MN, March 2006.

172. Equine Pre-purchase Examination. Annual Meeting of Student Chapter Am Veterinary Medical Assoc, Minneapolis, MN, March 2006.


188. Thermography of Equine Tendons and Ligaments. Veterinary Thermal Imaging Seminar. San Luis Obispo, CA October 2006


191. How to Subjectively and Objectively Examine the Equine Foot. 52nd Annual Conv


204. Thermography of the Equine Foot. Veterinary Thermal Imaging Seminar. San Luis Obispo, CA March 2007


208. Examination of the Equine Foot. American Association of Equine Practitioners Resort Symposium, Vail, CO January 2008


211. Septic Hoof Conditions. American Association of Equine Practitioners Resort Symposium, Vail, CO January 2008


**Regional and State**

1. Navicular Disease; The Seventh District Indiana Veterinary Medical Association, Terre Haute, IN; May 1981

2. Clinical Aspects of Acute Laminitis; 69th Annual Conference for Veterinarians and Alumni Reunion, Purdue Univ; W. Lafayette, IN; September 1981

3. Clinical Aspects of Acute Laminitis; Annual Conference for Veterinarians, Univ of Illinois; Urbana, IL; October 1981

4. Pathogenesis and Treatment of Navicular Disease; West Central Indiana Veterinary Medical Association; W. Lafayette, IN; November 1981

5. Patent Urachus in Foals; Eastern Illinois Veterinary Medical Association, Champaign, IL; March 1982
6. Septic Arthritis in Foals; Annual Conference for Veterinarians, Univ of Illinois; Urbana, IL; October 1982

7. Fractures and Wounds: Emergency Treatment; Annual Conference for Veterinarians, Univ of Illinois; Urbana, IL; October 1982

8. Corrective Shoeing in the Horse; Annual Conference for Veterinarians, Univ of Illinois; Urbana, IL; October 1982

9. Pathogenesis and Treatment of Navicular Disease; Alachua Veterinary Medical Association; Gainesville, FL; August 1983

10. Equine Arterial Grafting; Ocala Equine Conference; Ocala, FL, November 1983

11. Emergency Splinting Techniques for the Horse; Student Chapter AVMA Convention; Gainesville, FL, March 1984

12. Navicular Disease; Student Chapter AVMA Convention; Gainesville, FL; March 1984

13. Arthroscopic Surgery for the Horse; Forum at Ocala Breeders Sale; Ocala, FL; April 1984

14. Arthroscopy of the Equine Carpus; Univ of Florida Annual Conference for Veterinarians; Gainesville, FL; April 1984

15. Laminitis: An Update; Alachua Veterinary Medical Association Meeting; Gainesville, FL; October 1986

16. Proper Shoeing and the Management of Navicular Disease in the Horse; Tri-State (MA,CN,RI) Vet Medical Assoc Meeting; Boxboro, MA, March 1987

17. Radiographic Changes in the Navicular Bones of Normal Horses; Tri-State (MA,CN,RI) Vet Medical Assoc Meeting; Boxboro, MA; March 1987

18. Navicular Disease: Pathogenesis and Treatment Update; Tri-State(MA,CN,RI) Vet Medical Assoc Meeting; Boxboro, MA; March 1987

19. Thermography in Equine Medicine; Tri-State(MA,CN,RI) Vet Medical Assoc Meeting; Boxboro, MA; March 1987

20. Carpal Biomechanics; Tri-State(MA,CN,RI) Vet Medical Assoc Meeting; Boxboro, MA; March 1987

21. What's New in Equine Surgery; Tri-State(MA,CN,RI) Vet Medical Assoc Meeting; Boxboro, MA; March 1987
22. Navicular Disease: Diagnosis and Treatment; California Veterinary Medical Association's 99th Annual Scientific Seminar; San Francisco, CA, October 1987

23. Introduction to Thermography; California Veterinary Medical Association's 99th Annual Scientific Seminar; San Francisco, CA; October 1987

24. Small Intestinal Colics; California Veterinary Medical Association's 99th Annual Scientific Seminar; San Francisco, CA; October 1987

25. Thermal Patterns of the Normal Limb and Selected Limb Conditions of the Equine Neonate; Sixth Annual Equine Neonatology Research Conference; Gainesville, FL; November 1987

26. Proper Shoeing; Wisconsin Equine Practitioners Assoc; Lake Geneva, WI; February 1988

27. Lameness Caused by Improper Shoeing; Wisconsin Equine Practitioners Assoc; Lake Geneva, WI; February 1988

28. Hoof Abnormalities; Wisconsin Equine Practitioners Assoc; Lake Geneva, WI; February 1988

29. Shoeing for Selected Pathologic Conditions; Wisconsin Equine Practitioners Assoc; Lake Geneva, WI; February 1988

30. Shoeing Principles for the Management of Navicular Disease; Wisconsin Equine Practitioners Assoc; Lake Geneva, WI; February 1988

31. Shoeing and Treatment for Laminitis; Wisconsin Equine Practitioners Assoc; Lake Geneva, WI; February 1988

32. Radiographic Changes in the Navicular Bones of Normal Horses; Louisiana Veterinary Medical Association; Monroe, LA February 1988

33. Proper Shoeing and the Management of Navicular Disease; Louisiana Veterinary Medical Association; Monroe, LA; February 1988

34. Navicular Disease: An Update on the Pathogenesis and Treatment; Louisiana Veterinary Medical Association; Monroe, LA; February 1988

35. Introduction to Thermography; Louisiana Veterinary Medical Association; Monroe, LA; February 1988

36. Carpal Biomechanics; Louisiana Veterinary Medical Association; Monroe, LA; February 1988
37. What's New in Surgery; Louisiana Veterinary Medical Association; Monroe, LA; February 1988

38. Proper Shoeing; Alabama Academy of Veterinary Practice, Auburn, AL; August 1988

39. Lameness Caused by Improper Shoeing; Alabama Academy of Veterinary Practice, Auburn, AL; August 1988

40. Hoof Abnormalities; Alabama Academy of Veterinary Practice, Auburn, AL; August 1988

41. Shoeing for Selected Pathologic Conditions; Alabama Academy of Veterinary Practice, Auburn, AL; August 1988

42. Shoeing Principles for the Management of Navicular Disease; Alabama Academy of Veterinary Practice, Auburn, AL; August 1988

43. Shoeing and Treatment for Laminitis Alabama Academy of Veterinary Practice, Auburn, AL; August 1988

44. Introduction to Thermography; Pennsylvania and Maryland Veterinary Medical Association Joint Meeting; Atlantic City, NJ; October 1988

45. Radiographic Aspects of Navicular Disease; Pennsylvania and Maryland Veterinary Medical Association Joint Meeting; Atlantic City, NJ; October 1988

46. The Lame Horse in Motion; Univ of Florida Annual Conference for Veterinarians; Gainesville, FL; March 1989

47. Lameness Wet Lab; Univ of Florida Annual Conference for Veterinarians; Gainesville, FL; March 1989

48. Pathogenesis of Navicular Disease; Central Arizona Veterinary Medical Association; Phoenix, AZ; April 1989

49. Diagnosing Navicular Disease; Central Arizona Veterinary Medical Association; Phoenix, AZ; April 1989

50. Treating Navicular Disease; Central Arizona Veterinary Medical Association; Phoenix, AZ; April 1989

51. Septic Conditions of the Equine Foot; Central Arizona Veterinary Medical Association; Phoenix, AZ; April 1989
52. Laminitis; Central Arizona Veterinary Medical Association; Phoenix, AZ; April 1989

53. Improper Shoeing and Its Relation to Lameness; Central Arizona Veterinary Medical Association; Phoenix, AZ; April 1989

54. Introduction of Thermography in Equine Lameness Diagnosis; 1st Annual Georgia Veterinary Equine Conference; Atlanta, GA; October 1989

55. Diagnosis and Treatment of Navicular Disease; 1st Annual Georgia Veterinary Equine Conference; Atlanta, GA; October 1989

56. Diagnosis and Treatment of Navicular Disease and Laminitis; Tenth Annual Rochester Equine Clinic Conference; Rochester, NH; February 1990

57. Diagnosis and Treatment of Upper Limb Lameness in the Horse; Tenth Annual Rochester Equine Clinic Conference; Rochester, NH; February 1990

58. Lameness Evaluation in the Horse; Eleventh Annual Rochester Equine Conference; Rochester, NH; February 1991

59. Management of the Arthritic Horse in the Field; Eleventh Annual Rochester Equine Conference; Rochester, NH; February 1991

60. Lameness Techniques Laboratory and Demonstration; Eleventh Annual Rochester Equine Conference; Rochester, NH; February 1991

61. Current Therapy for Laminitis; North Carolina Veterinary Medical Association; Greensboro, NC; January 1992

62. Current Thought and Therapy for Navicular Disease; North Carolina Veterinary Medical Association; Greensboro, NC; January 1992

63. Diagnostics of Equine Foot Problems; Minnesota Association of Veterinary Technicians; Minneapolis, MN; February 1993

64. Current Therapy for Equine Laminitis; Minnesota Association of Veterinary Technicians; Minneapolis, MN; February 1993

65. Treatment Strategies for Caudal Hoof Lameness; Michigan Equine Practitioners Association; Detroit, MI; September 1993

66. Use of Hoof Measurements for the Objective Assessment of Hoof Balance; Michigan Equine Practitioners Association; Detroit, MI; September 1993

67. Medical and surgical treatment of osteochondrosis; Annual Fall Conference for
Veterinarians and Veterinary Techicians, University of Minnesota; St. Paul, MN; October 1993

68. Therapy for flexural and angular limb deformities; Annual Fall Conference for Veterinarians and Veterinary Techicians, University of Minnesota; St. Paul, MN; October 1993

69. Pathogenesis and diagnosis of navicular syndrome; Nebraska Veterinary Medical Assoc; Lincoln, NE; January 1994

70. Treatment of navicular syndrome; Nebraska Veterinary Medical Assoc; Lincoln, NE; January 1994

71. Objective assessment of hoof balance; Nebraska Veterinary Medical Assoc; Lincoln, NE; January 1994

72. Diagnosis and treatment of tendon and ligament injuries in the horse; Nebraska Veterinary Medical Assoc; Lincoln, NE; January 1994

73. Treatment of flexural and angular limb deformities; Nebraska Veterinary Medical Assoc; Lincoln, NE; January 1994

74. Current therapy for laminitis; Nebraska Veterinary Medical Assoc; Lincoln, NE; January 1994

75. Diagnosis of navicular syndrome; Indiana Veterinary Medical Assoc; Indianapolis, IN; January 1994

76. Treatment of navicular syndrome; Indiana Veterinary Medical Assoc; Indianapolis, IN; January 1994

77. Thermography in lameness diagnosis; Indiana Veterinary Medical Assoc; Indianapolis, IN; January 1994

78. Muscle strain as a cause of hindlimb lameness; Indiana Veterinary Medical Assoc; Indianapolis, IN; January 1994

79. Objective assessment of hoof balance; Indiana Veterinary Medical Assoc; Indianapolis, IN; January 1994

80. Current therapy for laminitis; Indiana Veterinary Medical Assoc; Indianapolis, IN; January 1994

81. Anatomy of the hoof; Equine Hoof Care Short Course; St.Paul, MN; March 1994.
82. Biomechanics of the hoof; Equine Hoof Care Short Course; St. Paul, MN; March 1994.

83. Update on navicular syndrome; Equine Hoof Care Short Course; St. Paul, MN; March 1994.

84. Anatomy of the equine hoof; CO St Univ AAEP/Rocky Mtn Farriers Assn Short Course for Veterinary Students, Ft. Collins, CO; March 1994

85. Lameness caused by imbalanced hoof; CO St Univ AAEP/Rocky Mtn Farriers Assn Short Course for Veterinary Students, Ft. Collins, CO; March 1994

86. Therapeutic shoes: Indications and applications; CO St Univ AAEP/Rocky Mtn Farriers Assn Short Course for Veterinary Students, Ft. Collins, CO; March 1994

87. Therapeutic shoeing for foot problems; CO St Univ AAEP/Rocky Mtn Farriers Assn Short Course for Veterinary Students, Ft. Collins, CO; March 1994

88. Pathogenesis, diagnosis, and treatment of navicular syndrome; 88th Annual Convention Mississippi Vet Med Assn; Biloxi, MS; June 1994

89. Hoof measurements for the objective assessment of hoof balance; 88th Annual Convention Mississippi Vet Med Assn; Biloxi, MS; June 1994

90. Current therapy for laminitis; 88th Annual Convention Mississippi Vet Med Assn; Biloxi, MS; June 1994

91. Pathogenesis, diagnosis, and treatment of navicular syndrome; 75th Annual Fall Conference for Veterinarians, Univ of Illinois, Urbana-Champaign, IL; September 1994

92. Hoof measurements for the objective assessment of hoof balance; 75th Annual Fall Conference for Veterinarians, Univ of Illinois, Urbana-Champaign, IL; September 1994

93. Hindlimb muscle strain as a cause of lameness in horses; 75th Annual Fall Conference for Veterinarians, Univ of Illinois, Urbana-Champaign, IL; September 1994

94. Hindlimb lameness or neurological disease? Annual Fall Conference for Veterinarians, St. Paul, MN; October 1994

95. Update on palmar heel pain, differential diagnosis. Equine hoof and Lameness and Equine Behaviour Seminar, St. Paul, MN; March 1995

96. Advances in understanding the effects of shoeing on the hoof and leg. Equine hoof and Lameness and Equine Behaviour Seminar, St. Paul, MN; March 1995

97. White line disease, What it is? What it isn't? Equine hoof and Lameness and Equine


111. Veterinarian-farrier relations: veterinarian's perspective. Montana Veterinary Medical Association "Farrier's Workshop"; Bozeman, MT, Jan 1996.

113. Therapeutic shoe applications. Montana Veterinary Medical Association "Farrier's Workshop"; Bozeman, MT, Jan 1996.


115. Diagnosis and treatment of palmar heel pain. Montana Veterinary Medical Association; Bozeman, MT, Jan 1996.


118. Therapeutic shoe applications. Third Annual Veterinarian/Farrier Conference, Univ. of Minnesota, St. Paul. MN, Mar 1996.


120. History of Farriery. No Carolina St. Univ AAEP/AFA Farrier Short Course, Raleigh, NC, April 1996.


123. Role of hoof imbalance in lameness. No Carolina St. Univ AAEP/AFA Farrier Short Course, Raleigh, NC, April 1996.

124. The veterinarian's perspective in lameness cases: Veterinarian-farrier relations. 19th Annual Equine Seminar LaVMA, Shreveport, LA, September 1996


127. Role of hoof imbalance on navicular disease. 19th Annual Equine Seminar LaVMA, Shreveport, LA, September 1996

128. Flexural and angular limb deformities. 19th Annual Equine Seminar LaVMA, Shreveport, LA, September 1996

129. Diagnosis and treatment of palmar heel pain. 19th Annual Equine Seminar LaVMA, Shreveport, LA, September 1996

130. Diagnosis and treatment strategies for palmar heel pain. 114th Annual Meeting PnVMA, Lancaster, PA, October 1996

131. Objective criteria for the assessment of hoof balance. 114th Annual Meeting PnVMA, Lancaster, PA, October 1996


138. Medical and surgical management of flexural and angular limb deformities. Fourth Annual Veterinarian-Farrier Conference, University of Minnesota, St. Paul. MN, April 1997


156. History of Farriery. The Ohio State Univ AAEP/AFA Farrier Short Course, Columbus, Ohio, May 1998.
157. Functional anatomy of the equine. The Ohio State Univ AAEP/AFA Farrier Short Course, Columbus, Ohio, May 1998.

158. The effects of therapeutic shoes on the horse. The Ohio State Univ AAEP/AFA Farrier Short Course, Columbus, Ohio, May 1998.

159. Role of hoof imbalance in lameness. The Ohio State Univ AAEP/AFA Farrier Short Course, Columbus, Ohio, May 1998.


171. Anatomy and biomechanics of the equine lower limb. Ohio Veterinary Medical Assn, Columbus, Ohio, February 1999.
172. Lamenesses that respond to a palmar digital nerve block- what are they? Ohio Veterinary Medical Assn, Columbus, Ohio, February 1999.


175. Equine thermal imaging. Ohio Veterinary Medical Assn, Columbus, Ohio, February 1999.


177. Diagnosis of the Sore Performance Horse. Maryland Veterinary Medical Assn, Ocean City, MD, June 1999.

178. Treatment of the Sore Performance Horse. Maryland Veterinary Medical Assn, Ocean City, MD, June 1999.

179. Diagnosis and Developing Treatment Strategies for Palmar Foot Pain. Maryland Veterinary Medical Assn, Ocean City, MD, June 1999.


188. Equine thermal imaging. 85th Annual Convention of the Oklahoma Veterinary Medical Assoc, Tulsa, OK, January 2000.


198. Biomechanics of the Equine Foot. Univ of Illinois Equine Seminar, Champaign, IL, September 2000

199. Hoof Imbalance as a Cause of Lameness. Univ of Illinois Equine Seminar, Champaign, IL, September 2000


201. The Art and Frustration of Hoof Balance. Purina Veterinary-Farrier Seminar, St. Louis, MO, October 2000
202. Hoof Imbalance as a Cause of Lameness. Purina Veterinary-Farrier Seminar, St. Louis, MO, October 2000

203. Integration of Imaging in Equine Practice. 94th Annual Meeting Arkansas Veterinary Medical Assn, Little Rock, AR, February 2001

204. Diagnosis and Treatment of Equine Foot Problems. 94th Annual Meeting Arkansas Veterinary Medical Assn, Little Rock, AR, February 2001

205. Equine Thermal Imaging. 94th Annual Meeting Arkansas Veterinary Medical Assn, Little Rock, AR, February 2001

206. Tendonitis Rehabilitation. 94th Annual Meeting Arkansas Veterinary Medical Assn, Little Rock, AR, February 2001

207. Developmental Orthopedic Disease. 94th Annual Meeting Arkansas Veterinary Medical Assn, Little Rock, AR, February 2001


209. Diagnosis of Palmar Foot Pain in the Horse, Proceedings SW Equine Seminar, April 2001


211. Digital Perfusion in Developmental Laminitis: David Hood’s Theory, 2001 Equine Veterinarian and Farrier Conference, University of Minnesota, April 2001

212. Australian Equine Laminitis Research: Chris Pollitt’s Theories, 2001 Equine Veterinarian and Farrier Conference, University of Minnesota, April 2001

213. Histopathology of Peracute Laminitis, 2001 Equine Veterinarian and Farrier Conference, University of Minnesota, April 2001


215. Laminitis, 2001 Equine Veterinarian and Farrier Conference, University of Minnesota, April 2001

217. The Digital Pathologies of Chronic Laminitis, 2001 Equine Veterinarian and Farrier Conference, University of Minnesota, April 2001


220. Evaluation of Shoeing Procedures on Horses with Chronic Laminitis, 2001 Equine Veterinarian and Farrier Conference, University of Minnesota, April 2001

221. Equine Cushing’s Disease and Laminitis, 2001 Equine Veterinarian and Farrier Conference, University of Minnesota, April 2001

222. Systemic Immuno-Hypersensitivity in the Equine with Chronic Laminitis, 2001 Equine Veterinarian and Farrier Conference, University of Minnesota, April 2001

223. The Equine Foot: Form and Function. Seattle Veterinary/Farrier Meeting, Seattle, WA, January 2004

224. Fractured coffin and navicular bones. Seattle Veterinary/Farrier Meeting, Seattle, WA, January 2004

225. Using Metron Hoof Assessment Software. Seattle Veterinary/Farrier Meeting, Seattle, WA, January 2004

226. Shoeing Considerations for Upper Hindlimb Lameness. Seattle Veterinary/Farrier Meeting, Seattle, WA, January 2004

227. Introduction to Veterinary-Farrier Relations. AAEP/AFA Student Shortcourse. Univ Georgia, Athens, GA, October 2004

228. Equine Foot Anatomy. AAEP/AFA Student Shortcourse. Univ Georgia, Athens, GA, October 2004

229. Equine Hoof Examination. AAEP/AFA Student Shortcourse. Univ Georgia, Athens, GA, October 2004


236. Introduction to Veterinary-Farrier Relations. AAEP/AFA Student Shortcourse. Univ Florida, Gainesville, FL, February 2005


240. Introduction to Veterinary-Farrier Relations. AAEP/AFA Student Shortcourse. Colorado State Univ, Ft. Collins, CO, October 2005


244. Introduction to Veterinary-Farrier Relations. AAEP/AFA Student Shortcourse. Auburn Univ, Auburn, AL, September 2006


252. Understanding the Lame Horse. Nebraska Veterinary Medical Assoc, Grand Island, NE, January 2007

253. Principles of Joint Therapy. Nebraska Veterinary Medical Assoc, Grand Island, NE, January 2007

254. Equine Imaging. Nebraska Veterinary Medical Assoc, Grand Island, NE, January 2007

255. Introduction to Veterinary-Farrier Relations. AAEP/AFA Student Shortcourse. Western Univ, Pomona, CA, February 2007

256. Equine Foot Anatomy. AAEP/AFA Student Shortcourse. Western Univ, Pomona, CA, February 2007

257. Equine Hoof Examination. AAEP/AFA Student Shortcourse. Western Univ, Pomona, CA, February 2007

258. Equine Hoof Balance AAEP/AFA Student Shortcourse. Western Univ, Pomona, CA, February 2007

259. Introduction to Veterinary-Farrier Relations. AAEP/AFA Student Shortcourse. Oregon State Univ, Corvallis, OR, October 2007


261. Equine Hoof Examination. AAEP/AFA Student Shortcourse. Oregon State Univ, Corvallis, OR, October 2007

262. Equine Hoof Balance AAEP/AFA Student Shortcourse. Oregon State Univ,
Corvallis, OR, October 2007

University

1. Pleuritis: An Equine Case Report and Literature Review University of Georgia Intern Rounds; Athens, GA; October 1978

2. Caesarean Section in the Mare; University of Georgia Intern Rounds; Athens, GA; December 1978

3. Lymphangitis in the Equine: Diagnosis and Treatment; University of Georgia Intern Rounds; Athens, GA; February 1979

4. Equine Testicular Tumors; University of Georgia Intern Rounds; Athens, GA; May 1979

5. Arthrodesis in the Horse; Purdue University Resident Roundtable; W. Lafayette, IN; May 1980

6. The Anatomic, Pathologic, and Radiographic Aspects of Navicular Disease; Student Chapter, American Veterinary Medical Association, W. Lafayette, IN; September 1980

7. Patent Urachus in Foals; Purdue University Resident Roundtable; W. Lafayette, IN; October 1980

8. Rectal Prolapse in the Horse; University of Illinois, Col Vet Med Seminar; Urbana, IL; July 1981

9. Thermography of Equine Limbs; Purdue University, School of Vet Med Seminar; W. Lafayette, IN; September 1981

10. Foot Physiology: Normal and Corrective Hoof Care; Student Chapter, AAEP, Purdue Univ; W. Lafayette, IN; September 1981

11. Normal and Corrective Hoof Trimming Wet Lab; Student Chapter, AAEP, Purdue Univ; W. Lafayette, IN; September 1981

12. Thermography of the Equine Lower Limb; Purdue Univ/Univ of Illinois Group Meeting; Covington, IN; October 1981

13. Radiographic Changes in the Navicular Bones of Normal Horses; Univ of Minnesota, Col of Vet Med Seminar; St. Paul, MN; March 1986

14. Shoeing Management for Navicular Disease; Univ of Minnesota, Col of Vet Med
Seminar; St. Paul, MN; March 1986

15. Diagnostic Thermography in Veterinary Medicine; University of Minnesota Seminar; St. Paul, MN; November 1991

16. Thermography in Equine Medicine; Student Chapter Am Assoc Equine Practmr; Univ. of Minnesota, St. Paul, MN; February 1992

17. Equine Laminitis; Univ. of Minnesota Large Animal Hospital Seminar; St. Paul, MN; October 1992.

18. Equine Biomechanics; Univ. of Minnesota Seminar; St. Paul, MN; October 1992


LAY PRESENTATIONS

International/National

1. Arthroscopic Surgery for the Horse; Horse Owner's Specialty Conference; Orlando, FL; March 1986

2. Horseshoeing; Horse Owner's Specialty Conference; Orlando, FL; March 1986


5. Lameness Panel; 10th Annual Equine Medicine Symposium; No Car St Univ, Raleigh, NC; February 1994.

6. Guarding against lameness; Manitoba Horse Expo ‘98; Winnepeg, Canada; January 1998.

7. Equine Thermal Imaging; Quarter Horse Congress, Columbus, Ohio; October 1999.

8. 2000 Mile check-up; Annual Meeting of the United States Combined Training Assn; Tampa, FL; December 1999.
9. Diagnosis of Lameness in the Horse. Purina Horseman’s Seminar; Seattle, WA; October 2000


**State or Local**

1. Navicular Disease; Florida State Farrier's Association Meeting; Gainesville, FL; November 1983

2. Proper Shoeing and Lameness; Florida Horseman's Association; Ocala, FL; September 1984

3. Anatomy of the Pectoral and Pelvic Limbs; Florida State Farrier's Association Meeting; Gainesville, FL; November 1984

4. Veterinarian-Farriers Relations; Florida State Farrier's Association Meeting; Gainesville, FL; November 1985

5. Update on Navicular Disease; Florida State Farrier's Association Meeting; Gainesville, FL; November 1986

6. Hoof Care for Angular Limb Deformities; Florida State Farrier's Association; Gainesville, FL; October 1988
7. Update on Hoof Science; Florida State Farrier's Association; Gainesville, FL; October 1988

8. Navicular Disease Update; Third Annual Veterinarian Farrier Symposium; Rochester, NH; October 1990

9. Laminitis; Johnson and Wales University Annual Horse Health Seminar; Providence, RI; February 1991

10. Navicular Disease; Rochester Equine Clinic Winter Horseman's Seminar; Rochester, NH; March 1991

11. Laminitis; Rochester Equine Clinic Winter Horseman's Seminar; Rochester, NH; March 1991

12. Navicular Disease; Mad River Riding and Driving Club; Waitsfield, VT; March 1991

13. Proper Shoeing and the Effect of Shoeing on the Horse; Univ of Minnesota Spring Clinic for Horse Owners; St. Paul, MN; April 1992

14. Imbalanced Shoeing as a Cause of Lameness; Univ of Minnesota Spring Clinic for Horse Owners; St. Paul, MN; April 1992

15. Navicular Syndrome; Univ of Minnesota Spring Clinic for Horse Owners; St. Paul, MN; April 1992

16. Equine Lameness and Prevention; North Branch Veterinary Equine Clients; North Branch, MN; February 1993

17. Equine Foot Radiology; Minnesota Farrier's Association; Coates, MN; March 1993

18. Use of Hoof Measurements to Assess Equine Hoof Balance; Minnesota Farrier's Association; Coates, MN; March 1993

19. Conformation of the Horse; Indianhead Miniature Club; Hudson, WI; October 1993.

20. Veterinarian's assessment of hoof balance; Minnesota School of Farriery Fall Seminar; Ramsey, MN; October 1993

21. Update on navicular disease; Minnesota School of Farriery Fall Seminar; Ramsey, MN; October 1993

22. Osteochondrosis in horses; Minnesota Racing Quarter Horse Assn; Medina, MN; February 1994
23. Equine foot lameness; Town & Country Third Annual Equine Dinner; Winona, MN; April 1994

24. Nutritional aspects of developmental orthopedic disease; Minnesota Arabian Horse Breeders Meeting; St. Paul, MN; March 1995

25. Equine conformation: Form to function; St. Croix Equestrian Clinic; Hudson, WI; March 1995

26. Lameness evaluation in the horse; Town & Country Fourth Annual Equine Dinner; Winona, MN; April 1995

27. Nutrition for the young equine athlete; Andover Equestrian Council; Andover, MN; April 1995


29. First Aid for Horses; St. Paul Mounted Police; St. Paul, MN; May 1995

30. Aging the Horse; St. Paul Mounted Police; St. Paul, MN; May 1995

31. Horse Health and Husbandry; St. Paul Mounted Police; St. Paul, MN; May 1995

32. Conformation of the Horse; St. Paul Mounted Police; St. Paul, MN; May 1995

33. Examination of the equine foot; Granville Veterinary Hospital, Granville, NY; March 1998.

34. Treatment strategies for palmar foot pain; Granville Veterinary Hospital, Granville, NY; March 1998.

35. Role of hoof imbalance in lameness; Granville Veterinary Hospital, Granville, NY; March 1998.

36. Conditioning the Sport Horse; Central States Dressage and Combined Training Assn; White Bear Lake, MN; March 1998

37. Preventing equine lameness; 2nd Annual Northwest Minnesota Equine Conference. Crookston, MN; April 1998


39. Guarding against lameness; No West MN Equine Conf; Crookston, MN, April 1998.

40. First Aid for Horses; St. Paul Mounted Police; St. Paul, MN; May 1998
41. Conformation of the Horse; St. Paul Mounted Police; St. Paul, MN; May 1998
42. First Aid for Horses; St. Paul Mounted Police; St. Paul, MN; Nov 1998
43. Conformation of the Horse; St. Paul Mounted Police; St. Paul, MN; Nov 1998
44. Navicular Disease in the Horse: An Update; Centaur Forge; Burlington, WI; April 1999
45. Objective Measurements for the Assessment of Hoof Balance; Centaur Forge; Burlington, WI; April 1999
46. First Aid for Horses; St. Paul Mounted Police; St. Paul, MN; October 1999
47. Conformation of the Horse; St. Paul Mounted Police; St. Paul, MN; October 1999
49. First Aid for Horses; St. Paul Mounted Police; St. Paul, MN; June 2000
50. Conformation of the Horse; St. Paul Mounted Police; St. Paul, MN; June 2000
52. Recognizing Lameness. Minnesota Horse Expo, St. Paul, MN; April 2001
55. Care of the Horse’s Foot. Groom Elite Program, Canterbury Park, MN, June 2005
56. Care of the Horse’s Foot. Groom Elite Program, Canterbury Park, MN, June 2006
57. Care of the Horse’s Foot. Groom Elite Program, Canterbury Park, MN, June 2007
58. Care of the Horse’s Foot. Groom Elite Program, Canterbury Park, MN, June 2008
59. Unwanted Horse in Minnesota, Minnesota Horse Expo, St. Paul, MN, April 2009

POSTER PRESENTATIONS:
1. Evaluation of Carpal Contact and Compression to Determine Areas of Stress Concentration Predisposing to Carpal Fracture in the Horse; 22nd Annual Meeting of Am Col of Veterinary Surgeons; San Antonio, TX; February 1987.

22 September 2016

To whom it may concern;

I was asked to comment on the use of pads, packing material and roller motion shoes. In my opinion, these are all essential items for the treatment of lameness and the continuous battle to keep our competition horses sound. Whether they be racehorses, show jumpers, dressage horses or whatever sport horses may be used, the ability to use these materials is justified and warranted. There are numerous scientific papers detailing the use of pads to achieve mechanical changes in the horse’s hoof that are necessary to relieve pain. Packing materials come in a variety of consistencies and various different properties that make them extremely important for the redistribution of load and therefore relieve pain. The allow horses to be used pain free on a variety of surfaces. Finally, roller motion shoes are described as any shoe that does not land flat and eases rollover of the hoof from stance phase to breakover. These shoes are necessary to relieve any number of issues from tendon strain to navicular strain. However, to clarify, these tools are used on an individual case basis. The pads will be a single pad, the shoe will be either used by itself or with a single pad. Combinations of pads are used therapeutically ONLY in severe injuries, injuries that would prevent showing. Pad combinations or stacks of pads are used for gait enhancement in show horses, they are not therapeutic.

The main point is, the loss of the instruments or the making of these an illegal act for use in horses would be a setback in the treatment of lameness in horses. They are used every day and are as essential as a vaccine. There is a difference between these instruments used for therapeutic purposes and those used for gait enhancement.

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