

## **HIO Meeting Summary**

June 13-14, 2006

Pomona, CA

**Present:** Don Bell (NWAH), Donna Benefield (HPC), Keith Dane (FOSH), Craig Evans (TWHBEA), Niels Holch (HOA & WI), Lonnie Messick (NHSC)

**Not Present:** Mack Motes (SSHBEA), Kenny Smith (KWHA), and Bob Nagel (MFTHBA)

**USDA:** Dr. Todd Behre and Dr. Chester Gipson; Facilitators Robin Lohnes and Mike Tuck

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**JUNE 13, 2006**

### **Review of May 9, 2006, Teleconference Summary:**

The May 9, 2006, teleconference summary was reviewed and approved as amended.

### **Dr. Gipson's Opening Comments**

Dr. Gipson addressed the HIO representatives by saying that he has been less visible at the HIO meetings on purpose, and as the HIOs move closer to amending their draft of the OP the USDA will step back even more, although Mike Tuck will still be in attendance as a facilitator. He has consistently framed these meetings as industry meetings, not open meetings, and instituted the series of listening sessions as a mechanism to include public comments. The listening sessions have gone quite well and the Department has received consistent feedback. Basically, the message has been that USDA has not been properly enforcing the HPA although exact interpretations have differed from venue to venue (TN to KY to CA). The Department has given the industry every opportunity to "regulate" itself, and the industry is now at a crossroads and in the crosshairs of the animal welfare community. For example, one state attorney general and another state official have inquired as to the use of sniffer to test horses. He also reminded the HIO representatives that although USDA does not have jurisdiction at barns it does have limited jurisdiction regarding the interstate/intrastate transport of sore horses. He added that it was clear that any OP USDA approved would have to address the issues the public has put forth during the listening sessions.

Dr. Gipson reiterated that the Department was not giving away its authority to enforce the Act but was giving the HIOs an opportunity to take the first bite out of the apple. The final product must set the standard high in order for the Department to approve it because the Department itself is under close scrutiny. Although the Department would like to avoid amending the HPA regulations, at this time, as it is a lengthy process, ultimately the Department is looking for an OP that will protect the horse, not the trainer. As for technology advances, the Department will continue to work with groups that are interested and capable of raising funding for additional and ongoing research.

In conclusion, the industry needs to acknowledge that soring still exists and make a sincere effort to stop it. He also suggested that HIO representatives might want to make their final draft OP available to the public upon request as a way of including the general public.

Dr. Gipson was asked whether the Department was still reticent about including a list of examples that would require decertification. He responded that the Department will listen to feedback and may reconsider, but at this time the three things that USDA did not want to see specifically in the OP are 1) technology related issues, 2) decertification examples; and 3) pressure shoeing issues. (The latter already being a priority for the Department.)

### **KY Listening Session**

There was a brief discussion of the Kentucky USDA listening session held in May and several public comments were noted. One being that one commenter suggested eliminating the 6 oz. chain and go back to the 10 oz. chain, and the other that scars seem to be genetic in nature, and that Walking Horses were prone to them.

### **CA Listening Session**

It was noted that most of the issues that the public raised at the June 12<sup>th</sup> listening session had already been addressed by the HIO working group; however, there were two new suggestions that had not been previously raised. The first was to post signage in the DQP inspection area clearly stating that the violations of the HPA are a federal offense and if convicted, could result in the loss of voting rights and/or state issued licenses to practice medicine, etc. The second suggestion was to report violators to the state, county, and city law enforcement. An additional suggestion, relating to instituting penalties for violations of foreign substances detected by the sniffer technology, is already under review by the Department.

### **USDA Monthly Report (Dr. Behre)**

**2004/2005 Cumulative Show Reports:** Dr. Behre reported that the reports were 95% final. He will send each of the HIOs a copy for final review and it will be up to each HIO to make any additional changes or corrections.

**May 2006 Interim Show Reports:** Dr. Behre reported that the Department did not attend any shows or sales since the last teleconference

**Update on Technology:** Dr. Behre reported that the sniffer information has been posted on the website although the explanation of the sniffer technology and the chain of custody for the 7060s had yet to be posted. He also reported that he had reviewed the terminology used on the pull down screens for the new database

### **Follow the Horse Report (Keith Dane/Niels Holch)**

The following is an excerpt from Keith Dane's FTH report summarizing the report's conclusion:

*Although 93% of individual and 93.8% of horse scar rule violations resulted in penalties (suspensions), a significant number of those suspensions (12% of individual and 21.5% of horse suspensions) were not reported on the combined suspension list.*

*Although a significant number of individuals had repeat violations with different horses (49 violations of 555 were repeat violations, or 8.8%), a smaller number (8/555, or .014%) had repeat violations with the same horse. Six horses experienced repeat violations.*

*Of those with repeat violations, when different HIOs issued the violations, some suspension penalties were overlapping and/or the repeat violations were treated as first time violations for penalty purposes. Some horses were reported as being owned or trained by different members of the same family when repeat violations were issued.*

*Horses and individuals in a random sample were suspended in a timely manner, and no horses in the sample were shown during their suspension period.*

*There is no single database that tracks (or even stores) the final resolution of all violations. Analysis of scar rule violation and suspension data was complicated by this, as multiple lists and databases from the USDA and HIOs needed to be compared and cross-referenced to construct a complete picture.*

Keith pointed out that this exercise uncovered some data issues, such as double checking whether suspensions were ever served, which Dr. Behre said that the new database would address. A suggestion was made for the Department to also include on its suspension list the dates when individuals come off suspension.

### **DQP Evaluation**

After further consideration and discussion with Lonnie Messick, Donna Benefield withdrew HPC's suggestion to institute an internal review and evaluation of DQPs.

### **Scar Rule Proposed Language**

It was the general consensus of the working group that the current scar rule language was clear, and that any questions or clarifications could be addressed at USDA's upcoming scar rule workshop June 29, 2006, in Kaufman, TX.

### **Publication of HIO Suspension Lists**

Each of the HIO representatives would go back to their respective organizations for specific feedback on this request, and report back at the July teleconference.

### **Conflict of Interest**

The HIO representatives in attendance discussed instituting a two year prohibition period for those serving on HIO boards who have received suspensions. It was noted that this would only apply to HIOs, and not to industry organizations such as WHTA or TWHBEA, since the OP only involves HIOs directly.

### **No Penalty/Suspension OP**

It was noted that this agenda item had already been addressed and was tabled indefinitely.

### **Review of OP**

Donna Benefield referenced an industry letter sent to trainers talking about perceptions in the field, and stated that the message coming from the industry should not be about perception but should be about the reality that soring still exists and that the trainers and the industry should acknowledge that fact up front. It was suggested that perhaps language to that effect should be included in the purpose and authority section of the OP. Craig Evans will draft proposed language for consideration.

Robin Lohnes also asked each of the HIOs to send any other additional amendments to the OP other than those already raised so they could be included in advance of the September HIO meeting in Nashville. Keith Dane indicated that FOSH will send such a letter before the September meeting.

There was also a brief discussion as to the show reports including the total number of horses in attendance in addition to the number of entries, and to break out the number of flat show horses vs. padded, if possible.

The working group reviewed the OP section by section, and Niels Holch recorded all changes agreed to by HIO representatives in attendance. Niels will prepare a redline version in advance of the July HIO teleconference for review by each representative.

## **JUNE 14, 2006**

### **Review of OP**

The working group continued its section by section review of the OP, and any changes were incorporated in the redline version Niels is tracking.

Regarding HPC's suggestion to eliminate hand carts, chains, and plastic wrap from the DQP inspection areas, Niels and Lonnie indicated that they would take that suggestion back to their respective boards but anticipated that there may be some resistance. As a practicality, Lonnie pointed out that at one night shows with only one DQP in attendance that it might be difficult to monitor.

Keith Dane expressed concern on behalf of FOSH that some shows do not have a separate holding/inspection area so horses were returning to the barns after inspection before entering their classes. Dr. Behre indicated that the Department can contact show management in advance to ensure that a holding area is set aside to prevent this. It was suggested that this directive be included in the information packet sent to all show managers.

Donna Benefield reiterated the importance of the Department developing standardized forms for all of the HIOs to use in order to accurately track data. Dr. Behre responded that with the new database the Department is doing just that.

Regarding the September scheduled HIO meeting in Nashville, a number of HIO representatives indicated that they would not be available on the 12<sup>th</sup> and 13<sup>th</sup>. It was suggested that the HIOs meeting take place on September 25-26 instead.

Keith Dane brought up a point of discussion relating to the scar rule and whether the industry would be receptive to a grandfather clause prohibiting all scars on all horses two years old and younger as of January 1, 2007. All animals older than two years of age would be subject to HPA violations. Lonnie and Niels, specifically, said that they would take this back to their respective boards/clients for feedback and discussion, and will report back at the July teleconference. Both HPC and NWAH agreed, and Don Bell, on behalf of NWAH, added that NWAH would sign the OP if such a clause was to be included in the OP.

#### **Determine July 11, 2006 HIO Teleconference**

- Tentative Agenda:
  - Review of June 13-14, 2006, meeting summary
  - USDA Interim Show Report
  - Feedback on Changes Made to OP
  - Continued OP Review
  - Confirm September Meeting Dates