



Exhibit 1

Statement of the Performance Show Horse Association House Energy and Commerce Committee Subcommittee on Manufacturing, Commerce and Trade November 13, 2013

Chairman Terry, Ranking Member Schakowsky and Members of the Subcommittee:

The Performance Show Horse Association appreciates the opportunity to provide a statement regarding H.R. 1518 and the negative impacts this legislation would have on the Tennessee Walking Horse industry and the communities and families that work in and depend on this industry.

The Performance Show Horse Association is a multi-state organization representing walking horse shows, trainers, owners, breeders and other long-time participants in the walking horse industry. Our organization was established to bring about, through the industry, needed reforms that will restore the credibility and integrity of our sport and, at the same time, ensure that those few people who have created a negative perception of our industry are removed. Our goals are to bring common-sense and realistic reforms that will protect the horse and save the industry.

The entire equine world is built on the beauty of the horse, its abilities and the desire of its owners to show, exhibit, and compete to win. By and large, the Tennessee Walking Horse industry stems from a family-based hobby for most owners who love this breed of horse and enjoy the community, tradition and competition the horse show industry provides. The Tennessee Walking Horse is an extremely gentle and docile breed which allows amateur riders of all ages to participate and enjoy this sport. In fact, at this year's world championship horse show, the youngest rider competing was 4 years of age, with the most "elite" rider winning a championship at age 96. This industry is certainly not about making its participants rich. The average prize for a typical Saturday night horse show is \$75 per class with an entry fee averaging \$40 per class.

And why is this legislation and the severe economic impacts associated with it being proposed? Because the Humane Society of the United States has an agenda to eliminate the horse as a farm and sport animal. They have an agenda to eliminate the horse from all competitive arenas. Their goal is to make the horse a companion animal. Make no mistake - this is a HSUS bill. The connection between Mr. Whitfield and the HSUS is irrefutable – his wife is a paid lobbyist for the Humane Society of the United States and the Humane Society Legislative Fund.



ECONOMIC IMPACT OF PROPOSED LEGISLATION:

This legislation, if passed, could and would most likely be the death knell of our industry. The Tennessee Walking Horse industry has been hard-hit by the poor economic conditions of the last few years as well as much more aggressive and retaliatory inspection and oversight activities by the U.S. Department of Agriculture. In 2000, there were over 80,000 show horses; today there are approximately 15,000. The very foundation of the Tennessee Walking Horse sport would be decimated. The Celebration, our World Grand Championship, which is akin to the Thoroughbred Industry's Kentucky Derby or the American Saddlebred's Worlds' Championship Horse Show at the Kentucky State Fair, has had a decline of 50 percent of horses competing in the last 5 years. And the economic impact to this Industry and associated supporting farmers, small businesses and untold employees would be staggering as there are over 20,640 direct and indirect jobs associated with the Tennessee Walking Horse and show horse industry across the country as identified by the USDA's report in 2012.

NO FACTUAL SUPPORT FOR ELIMINATION OF WEIGHTED SHOES AND ACTION DEVICES:

One of the changes called for in the proposed Whitfield/HSUS bill is the elimination of all "weighted" shoes for Tennessee Walking Horses. It is indisputable that this provision alone would eliminate approximately 85 percent of the show and performance horses as outlined in the attached list of "weighted" shoes and associated number of horses. The attached exhibit shows that at sanctioned horse shows, approximately 85 percent of the classes allowed for participation require a weighted shoe and, under this legislation, those classes and corresponding horses would be eliminated. (Exhibit B attached).

The stated reason for eliminating 85 percent of the Industry show horses is the allegations that "all horses are sore." This incorrect statement is continually reinforced by using undocumented and inaccurate inflammatory language that "rampant soring continues", and there is "massive abuse" in the industry.

It even appears that the legislation's authors have been able to convince 2 professional organizations, the American Association of Equine Practitioners and the American Veterinary Medicine Association, to make an inaccurate statement with no basis in fact that "because the inhumane practice of soring Tennessee Walking Horses has continued and because the industry has been unable to make substantial progress in eliminating this abusive practice, the AVMA and the AAEP believe a ban on action devices and performance packages is necessary to protect the health and welfare of the horse."

These organizations have stated publically that "there is little scientific evidence to indicate that the use of action devices below a certain weight are detrimental to the health and welfare of the horse..." (AAEP/AVMA joint statement June 14, 2012). As professional organizations, it is



surprising that they support legislation that completely disregards their own public statements and the only comprehensive scientific study that has been performed, the “Auburn Study” (Attached as Exhibit C), that documented that the pad and action device utilized today and recognized in current regulations do not cause harm to the horse.

Additionally, the motivations and professional integrity of these organizations must be called in to question as they seek to eliminate the Tennessee Walking Horse industry while remaining strangely quiet about the abuses and deaths that occur on a daily basis within the Thoroughbred Industry. In the period of 2009-2011, over 3000 thoroughbred horses died as a result of racing or the training connected to racing. In this same time period, ONE Tennessee Walking Horse participating in show events died. (See the attached New York Times article regarding this issue – Exhibit D). Interestingly, the AAEP, regarding a piece of legislation seeking to add more regulation to the racing Industry, encouraged Congress to work with the Horse Racing Industry regarding issues it had, not eliminate it as they are proposing here.

However, these inflammatory and incorrect statements by this legislation’s sponsor, the Humane Society of the United States and their supporters are easily countered by FACT. According to the U.S. Department of Agriculture’s Animal and Plant Health Inspection Service (“APHIS”), the regulatory agency charged with managing and overseeing the Horse Protection programs, the HPA compliance rate for the HIO-affiliated Tennessee Walking Horse shows was 98.5 percent over the period 2009-2012. In fact, in the last year, USDA violations at the Tennessee Walking Horse National Celebration decreased by 33 percent. Those are the facts. Most importantly, these compliance rates are by and large a result of SUBJECTIVE testing methods, subject to human bias and mistakes, rather than science-based OBJECTIVE testing.

We have not been able to find any other Industry, either government-regulated or self-regulated, that is 98.5 percent compliant using clearly subjective inspection protocols. By way of example, based on publicly reported numbers generated by the U.S. Department of Agriculture, its Food Safety and Inspection Service (FSIS) branch reports an approximately 98 percent compliance rate for 2010 and 2011, using we hope objective inspections as they are dealing with our countries food supply. If the Federal government’s own agency is to be believed, and which is in direct contradiction to the misrepresentations of Congressman Whitfield, the Humane Society of United States and their supporters, only a very small percentage of Tennessee Walking Horses are out of compliance with the HPA. We believe, however, that with common-sense and realistic reforms, this number can be further reduced through the industry’s proactive reforms and self-regulation.

Proponents of this bill also claim the weighted shoes used by 85 percent of the Tennessee Walking Horses currently competing are used to “hide” abuse. They claim such soring techniques are “regularly used” and have been “documented”. However, the only documented instance of “pressure shoeing” in the last four or five years was detected through inspections performed by an HIO inspector – not the USDA. We are unaware of the USDA ever



prosecuting any individual for allegations related to “pressure shoeing” abuse despite the hundreds of digital x-rays performed by USDA inspectors over the years.

In fact, veterinarian review of the Tennessee Walking Horse credits the use of pads with the decrease in laminitis issues found in competition Tennessee Walking Horses as compared to other competitive breeds. Also, Tennessee Walking Horses regularly compete into mid-teen ages and the World Championship Horse show has a class designated for Classic Horses, which are those 15 years of age and older and in this year’s Celebration, 32 Classic horses competed.



THE CURRENT SUBJECTIVE INSPECTION PROCESS:

As noted, it is extremely important that you as a Member of Congress understand the inspection process and methodology placed upon the industry by APHIS. Under the Horse Protection Act, both Designated Qualified Persons (DQPs), inspecting on behalf of the HIOs, and APHIS inspectors utilize subjective testing methods. Nevertheless, the inspection procedure currently used is one of the most extensive and intrusive used in any agriculture-related inspection.

The subjectivity creates significant inconsistencies, allows for the introduction of personal bias and creates constant problems and conflicts. What other industry goes through a series of inspection stations by both DQPs and Government VMOs prior to competition and can pass but fail an inspection 30 or 45 minutes later after it competes?

How can consistency be achieved when 2 different USDA inspectors disagreed 26 percent of the time when inspecting the same horse at the same time? (See Exhibit F – Joy Smith Affidavit) These are consistent and constant problems that can and should be solved. But, again, even with this subjectivity, the industry's horses have a 98.5 percent compliance rate.

CLAIMS REGARDING “FOREIGN SUBSTANCE” TESTING:

Another claim made by the sponsor of this legislation and his Humane Society of United States allies is that in one instance of testing, 52 out of 52 horses tested positive for the presence of foreign substances and, therefore, must be sore. Under current regulation and the testing methodologies used by the USDA inspectors, the Department has a zero-tolerance policy. The current testing methods essentially require a horse's foot area to be sterile with the exception of certain lubricants identified in the regulations— despite the fact that the Act only prohibits foreign substances which are intended to alter the gait of the horse or mask the inspection process.

Even a proponent of H.R. 1518 (USEF – United States Equine Federation) has said that “zero-tolerance” is an unacceptable protocol. Numerous experts in the field of mass spectrometry (the technology used by USDA inspectors) agree that, given the current technology and advances since its introduction in 1970, a zero tolerance protocol is unacceptable. The technology has improved exponentially and detection on the level of 1 part per billion is possible.

An additional issue with the Department's Foreign Substance Policy is that they have not developed or identified any type of baseline or tolerance level. They have not established by policy or regulation which “foreign substances, and at what particle level, cause soreing. The current “foreign substance” testing returns a “positive” result for any substance present on the horse's foot – including those which common sense would tell you are not intended to alter the horse's gait such as hoof paint, fly spray and other normal equine care products.



Additionally, in 2012, the Walking Horse Trainers' Association instituted a swabbing program aimed at protecting the welfare of the horse and increasing compliance by its member trainers. Both the AAEP and AVMA were approached in face-to-face meetings and through correspondence soliciting the organizations' involvement in development of the swabbing program and participation in its implementation. Neither the AAEP nor the AVMA chose to assist the industry in its efforts to eliminate soring and, instead, issued a statement supporting the ban on pad and action devices which was contradictory to their previous public statements.

Most significantly, however, is the fact that the Department has NEVER brought an HPA violation case against ANYONE for ANY foreign substance violation. This fact shows that even the Department knows that their methodology, protocols, lack of baseline, lack of any independent or peer-reviewed scientific data concerning acceptable or unacceptable foreign substance and process would not stand up under scrutiny in a court of law.

The statements, therefore, by the author of H.R. 1518, the Humane Society of the United States and their supporters that "all horses are sored", that "rampant soring continues" and that there is "massive abuse" are, quite simply, factually incorrect and not backed up by any fact whatsoever. When an organization is pushing an agenda, the truth is not a concern. For any individual or group to attempt to use these findings as support for their claims that these horses are sored and/or that the shoes and actions devices should be removed is absurd.

ADDITIONAL EXPENSE TO FEDERAL GOVERNMENT OF PROPOSED LEGISLATION:

The Legislative History and records regarding creation of the Horse Protection Act and the amendments in 1976 indicate the clear intent of the legislation was to provide for industry self-regulation that was overseen by and partnered with the Department of Agriculture and APHIS. In fact, the amendments passed in 1976 were a response to the Department's failure to adequately inspect and Congress's recognition of the need to create industry inspection methodology through the creation of the Horse Industry Organizations. H.R. 1518 guts the very foundations of the Horse Protection Act and these amendments from 1976, eliminates the self-regulatory mechanics of the bill and turns over to the Department all control, oversight, authority and actions. And yet Congressman Whitfield has stated that "this amendment...does not cost the federal government any additional money." That statement is false and, in fact, this legislation will cost a great deal if enacted.

First and foremost, the elimination of the HIOs will require ALL tickets written at shows to be adjudicated by the Department as, currently, the HIOs handle that process for the majority of the written tickets. So any ticket written for scar rule, foreign substance detection, soring, etc., must be dealt with by Government staff, attorneys, and support personnel as we certainly would



not question Congressman Whitfield's belief in due process of law. Therefore these violations must be provided that process.

Secondly, the legislation, if enacted, would require additional funding due to the fact that the entire inspection resources of the HIOs will be eliminated and replaced with Government-selected inspectors. The Government, therefore, will have to recruit, manage and schedule for participating shows approximately 100 new Government inspectors. As the Department is currently only able to inspect approximately 6 percent of HIO-affiliated events, this inspector number would need to be increased accordingly if the Tennessee Walking Horse industry is able to continue its existence as the author of H.R. 1518 claims will be the case.

Despite claims of rampant abuse, from 1982 to 2012, a thirty (30) year period, there were 34 USDA HPA prosecutions which were appealed to a court of appeals and/or judicial officer. Under the proposed legislation, the USDA would be responsible for prosecuting all alleged violations identified by USDA certified inspectors. The USDA's Program Activity Reports for 2011 indicate 683 violations and in 2012 indicate 582 violations. Based on the USDA's reports and the allegation that soring is "rampant" and remains undetected, the USDA will be responsible for the prosecution, and any subsequent appeals, of, at a minimum, hundreds of alleged violations each year.

APHIS has admitted that for the current violations they find from their attendance at 6-8 percent of the shows they believe that the investigation can be completed within 365 days. Also, in a filing in the recent lawsuit, and left undisputed by the DOJ, it was estimated the time lapse between the alleged violation and a decision appealed from the Administrative Law Judge to the Judicial Officer was 49 months. If the accused chose to appeal the Agency decision to an Article III court, the time lapse between the alleged violation and final decision was approximately 70 months. Just these timeframes alone brings into question the viability of this Whitfield/HSUS program to "end soring" since it could be years until a case is prosecuted – if ever.

All expenses associated with DQP training are currently paid for by the HIOs. This includes requirements for an all-day training session EACH year for EVERY inspector, additional sessions for those inspectors who could not attend the initial session, a recurrent session of at least 4 hours EACH year for EACH inspector. It also includes a continuation of the Department's regulatory requirement of APHIS oversight, monitoring and appraisal of the performance of new inspectors, the apprenticeship requirement of all new inspectors for 2 shows and, as the legislation provides a preference for veterinarians, have a ready schedule of extra inspectors due to professional requirements that conflict with show requirements.

Additionally, regulations require a significant amount of reporting for each show, proper training and actions associated with their enforcement responsibilities and proper consideration and actions related to the provision of due process of law for those charged or ticketed with violating the Horse Protection Act. And since these new inspectors are federal government



employees or subcontractors the security currently required by APHIS will need to be extended to every inspector at every show – not an insignificant cost. All of this while taking into account that the majority of the shows occur on the weekends when most busy professionals want and need personal time with their families. *The cost of all of these items will be the responsibility of the United States government.*

The USDA itself has recognized the significant costs associated with the undertakings proposed by this legislation. During the rulemaking process of adopting the Regulations implementing the industry self-regulation HIO program, the USDA stated the following:

“[comments] suggested that the DQP program should be operated by the Department and the applicants should be trained and licensed directly by the Department. The Department has neither the personnel nor the funds to carry out such an extensive undertaking and feels that the DQP program should remain in the realm of industry self-regulation.”
44 Fed. Reg. 1158, 1160.

Additionally, as part of the 2011 rulemaking regarding the adoption of mandatory minimum penalties, the USDA stated the following:

“The Act provides us with the authority to pursue civil and criminal penalties against persons who violate the Act. However, such proceedings may be time-consuming and expensive, and our resources for prosecuting such cases are limited.”

76 Fed. Reg. 30864, 30865 (May 27, 2011)

The Office of the Inspector General’s Audit Report of September 2010 also found the following regarding expenses of HPA enforcement:

- Page 113: “Given its limited resources – which APHIS regards as inadequate to send its own veterinarians to the approximately 500 horse shows that are held each year – the agency implemented the program by collaborating with horse industry organizations sponsoring the shows.”
- Page 126: “According to the Horse Protection Act, APHIS employees have the authority to inspect horses and initiate civil proceedings against individuals who are suspected of having abused their horses. Because these proceedings can be long, expensive, and have unpredictable results, APHIS has structured its enforcement process so that horse industry organizations and DQPs are the primary parties responsible for issuing immediate penalties to individuals for violating the Horse Protection Act.”

Even without taking on activities associated with the inspection process as contemplated by this legislation, as recently as January 11, 2012, the USDA recognized the time and expense associated with just the investigation and prosecution of alleged violations. The USDA has already been forced to prioritize its activities based on limited resources while operating under



the current HIO program. For the proponents of the proposed legislation to assert there would be no additional costs incurred by the USDA in undertaking to perform ALL inspections and prosecutions, including those currently performed through the HIO system, is unfounded.

Congressman Whitfield also stresses the point that the use of these government inspectors, due to elimination of the DQP Program, is voluntary. In the Horse Protection Act amendments passed in 1976, Congress recognized that the Department of Agriculture could not manage and did not have the capabilities to inspect all of the walking horse shows. Congress, therefore, set up the DQP Program. This legislation eliminates that program, establishes a government-selected and managed program and proposes to pass the inspection costs on to the show manager. If a show manager, however, chooses NOT to utilize this government inspector, he or she assumes the risk and personal liability of an HPA violation and the associated criminal or civil liability. We doubt that many show managers, if any, will believe the provisions of H.R. 1518 are "voluntary."

CONCLUSION:

As we have noted throughout this statement, H.R. 1518 would eliminate approximately 85 percent of the current Tennessee Walking Horse industry and 85 percent of the industry's economic value to the communities and families that make up this industry. It would result in the unconstitutional taking of over \$1.3 billion in property without just compensation through the elimination of the value of these performance horses. It would result in a negative economic impact of over \$3.2 billion and the loss of thousands of jobs in each of the affected areas.

It would have a significant cost to the Government through the new requirements and tasks that would have to be assumed by the Department of Agriculture. It violates the intent and spirit of the original Horse Protection Act. It seeks to prohibit weighted shoes and action devices that have been found to have no harmful effect under current regulation. It continues an inspection process that is, by definition, unworkable as it utilizes subjective testing and foreign substance policies that are not realistic, defined or scientifically valid.

The Performance Show Horse Association is committed to the elimination of the small minority of people who sore horses for competitive advantage. As the industry has a 98.5 percent compliance rate, that number is a small minority. But this elimination must occur in a common-sense, realistic manner that recognizes the original intent of the Horse Protection Act by maintaining the HIO system, requiring shows to be a part of that system, by instituting scientifically valid testing protocols and inspection methods, by eliminating the conflicts of interest and, in so doing, show these magnificent animals in a competitive, but safe, manner.

Our industry is not perfect and more work remains. We can say, however, that we have made, and will continue to make, great strides in eliminating the small minority of bad actors in our



sport. No other component of the equine industry can say that. Our industry did not have 3,000 horses die in the last four years.

This legislation, if enacted, will destroy the proud and historic Tennessee Walking Horse industry and this Subcommittee, through this and other statements, testimony and reflection will agree with this analysis. We do, however, remain committed to work with Congress, the Department of Agriculture and APHIS and other reasonable people on realistic common-sense reforms and revisions that eliminates the sore horse, not the show horse.

Thank you for your time and attention to this Statement and we appreciate your consideration of this material. We hope that after the consideration of these facts and supporting material, rather than our opponent's continued uses of misinformation and inflammatory language, you will understand and appreciate the progress we have made. But we know more needs to be done and we would encourage the Subcommittee to consider the recommendations we have suggested as they represent a common-sense and realistic approach that can make our industry achieve our goal of protecting our horses and saving our industry.



Exhibit 2

Tennessee Walking Horse Compliance with HPA

Recently there have been a lot of purported “facts” that have been provided by the authors of the Whitfield/HSUS House Bill 1518. Most of those facts surround the horrific video of Jackie McConnell mistreating horses at his barn. The Industry has condemned this practice and Mr. McConnell’s actions. He was given a lifetime ban by the Industry and convicted by State authorities for his actions. In no way does the Industry support soring or any mistreatment of our horses. This HSUS undercover video does not support the Whitfield/HSUS’ radical statements that “*all horses are sored*”. This statement is baseless, reckless and false. It is a blatant and deliberate attempt to deceive both the public and our lawmakers with media sensationalism.

Furthermore, the Horse Protection Act, as written, and the Whitfield/HSUS proposed amendments do not, and will not provide jurisdiction for inspections of private barns. Such inspections are the responsibility of state agriculture departments. As was recently recommended in the Horse Racing Integrity and Safety Act of 2013, hearing November 21, 2013 by the AVMA and AAEP, is the suggestion that the veterinarian on sight should be more active observing the horses at the individuals farm or business where the USDA or State agencies are unaware of what actions are taking place. Unlike the HSUS, which is willing to wait for months while animals are abused, the veterinarians will report any abuse when it is noticed.

In analyzing the last 5 years of the USDA violation reports (of their own inspections) the truth is that the Industry is 96.7 percent compliant today with the HPA requirements regarding sore horses. These reports are available on the PSHA website if you would like to review them yourselves. In all of the USDA reports please remember that the reported “violations” by the USDA include many “non-soring violations*” or “technical violations”, which for purposes of this analysis have been removed.

Also please remember that the inspections themselves are still very subjective. Perhaps the most controversial being the scar rule.

In the HSUS’s Petition for Rule Making, Docket APHIS 2011-0006:

@ Page 9: “*over 47 percent of all HPA violations in 2009 were based on scar rule violations...*”

In addition, see the attached affidavit of Joy Smith, former President of the Mississippi Walking Horse Association, regarding a “teaching clinic” held by APHIS on understanding scar rule violations, March 12, 2007, in Holly Springs, Mississippi:

1. Twenty-two (22) horses were presented by participants for evaluation and teaching purposes;



2. VMOs Dr. Burgeois and Dr. Poe performed twenty-three (23) Scar Rule

Evaluations on twenty-two horses;

- One horse was presented on two occasions by two different handlers.
 - Determined out of compliance with the Scar Rule at the initial evaluation,
 - Later found to be compliant with the Scar Rule when presented the
 - Second time by a different handler;
- These seasoned veterans of the Horse Protection Act failed to render the same opinion concerning compliance with the Scar Rule on six (6) horses, or 26 percent of the horses they examined and evaluated.

And consider the following statement from 1996: University of California, Davis, California:

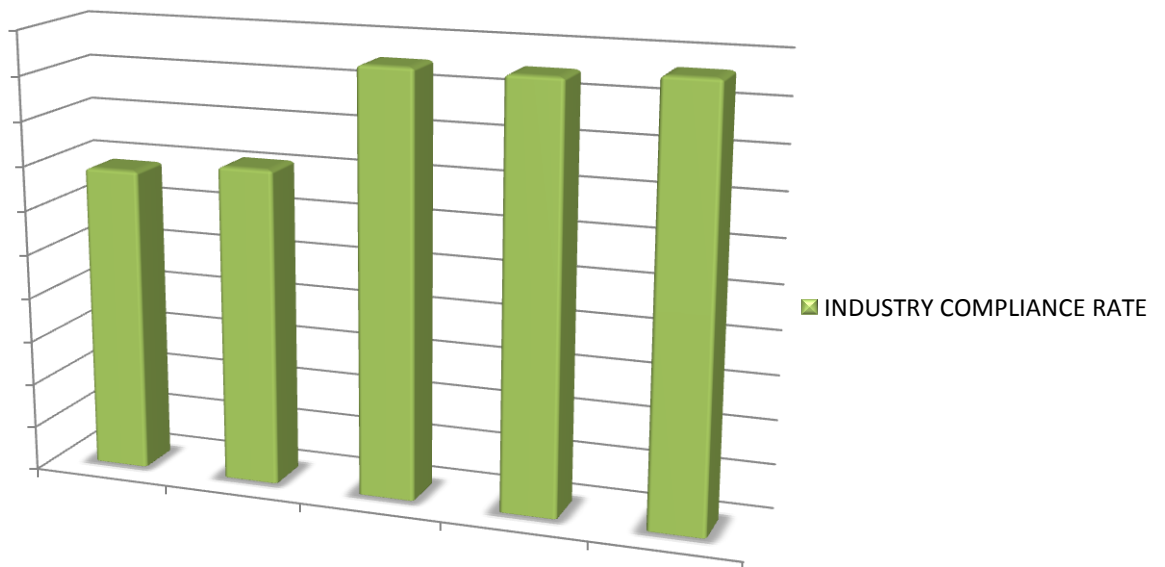
“...A definitive scar rule is the platform of uniform rules and possibly the effectiveness of the program. The scar rule as presently written has various interpretations among HIOs, USDA, and other stakeholders....” This still holds true.

The information analyzed below only includes those “soring” violations that are the subject of the HSUS/Whitfield authors and supporters’ claims (bilateral, unilateral and scar).



Key Trend Points

Despite misleading statements that the Industry is not improving in its efforts to eliminate showing the facts are that from 2009 to 2013 there has been a 28 percent compliance improvement according to the USDA.



Clearly, and in direct contradiction of statements made by the HSUS/Whitfield witnesses at the Commerce Committee Hearing in DC on November 13, 2013 the Industry has gone from a 68.6 percent compliance rate to the current 96.7 percent.

2009 - 68.6 percent

2010 - 71.2 percent

2011 - 95.2 percent

2012 - 95 percent

2013 - 96.67 percent

In addition in just the last year between 2012 and 2013 using the USDAs own data when normalized** the number of violations has dropped 34 percent.



CELEBRATION – USDA/SHOW STATISTICS

The Celebration results for the last 5 years also not only shows the improvement in the Industry's efforts to eliminate soring but also the total reversal of a problem identified in the OIG Audit for pre 2008 statistics. Under the OIG Audit for data from 2005 to 2008, APHIS veterinarians were present at only 6 percent of all shows, yet DQPs issued 49 percent of all violations at these shows when APHIS employees were present than when they were not. As you can see from the chart below not only has the compliance rate, according to the USDA, improved from 50 percent to 95.45 percent but also the HIO did not write more tickets under the oversight of the USDA. Clearly the Industry is serious about eliminating soring and its efforts prove that – even according to the USDA.

And even more impressive is that for 2013 vs. 2012 the USDA violations went from 141 to 89 for a total decline of 52 which is 36.9 percent lower and on 103 more inspections.

Footnotes

Non soring violations found in USDA reports:

- . Shoeing
- . Action device (usually 1-2 ounces too heavy)
- . A horse is deemed unacceptable (not a HPA violation)
- . A horse is deemed "unruly" (not a HPA violation)
- . High band
- . Bad image (not a HPA violation)
- . Refusal of eye exam (not a HPA violation)
- . Designated "Non-HPA" violation (clearly not a HPA violation).
- . Other (not a HPA violation)
- . Not reporting to DQP station (not a HPA violation)
- . Refusal to inspect (not a HPA violation)

** The drop from 503 sore violations in 2012 to 318 in 2013, (when normalized for inspection numbers) is 480 (reduced by 23 to reflect 452 fewer inspections) to 318 or a drop of 162, when divided by 480 = 33.9 percent decline year over year for all USDA violations.



Exhibit 3

The Tennessee Walking Horse “Package”

By now you have probably heard a lot about the “package” that is used in the Tennessee Walking Horse Industry. But what you probably don’t know is that from a veterinary and scientific standpoint the “package” does not harm the horse – in any way. To put the “package” in perspective if you look at the comparison between a running shoe used by humans and the package used by the TWH you will not only find similarities but on a comparative basis the package used on the horse is lighter than what we as humans use when we run. Both have or allow for additional cushion and both are elevated from the heel to the toe – to provide better support and improves the ability to rock or move forward.

PACKAGE WORN BY WALKING HORSES VS. ATHLETIC RUNNING SHOES

Average package weighs 3 pounds [48 oz.]
Average horse weighs 1,000



Average athletic basketball shoe weighs 15 to 16 oz.
A 200 pound player's shoe is equivalent to a 5 pound package on the horse



RUBBER ON BOTTOMS & HEELS FOR CUSHION



GEL INSERT



EquiMax EHS Cushion Support





Another interesting item is the use of “packages” not only on the TWH but many other horse breeds. As you can see from the pictures below all of these horses have the “exaggerated” gait that is so criticized by the opponents of the TWH, although ironically not of any of these other breeds.

SHOW HORSES: EXAGGERATED - ANIMATED
GAITS: PADS - BANDS - ACTION DEVICES
EVERY CHAMPION HORSES HAS A SPECIAL
SHOE



American Saddlebred



ASB



Dressage



Friesian

Hackney





TENNESSEE WALKING HORSE

Unique Natural
Gaits: Flat Walk
& Running Walk

Some have
described the
TWH as “*walking
behind*” and
“*running up front*.”

Through selective breeding,
patient training, the use of
special shoeing and action
devices, the natural gait of the
TWH is exaggerated.



“The TWH has a distinct gait quality that helps to explain its unique high stepping animation...”

“... keeping the step length the same at the walk and running walk, the TWH creates overstride. This unique characteristic of TWH movement, overstride, allows the front legs to be high stepping and animated...”

“How the Hoof Meets the Road,” by Paul Roberson, MS, UT Knoxville.

The TWH undergoes the most stringent inspection of any performance animal in the world and maintains a 98 percent compliance rate which is comparable to that of the food inspections of FSIS.

As a side note the TWH by its breeding has an “exaggerated” gait which is even evident at birth. Surely no one believes that these baby foals, which have no shoes on their feet are “sored” to obtain the “exaggerated” gait.



Also if you would like to view a video of a TWH that the HSUS/Whitfield camp is claiming needs to be sored in order to have the “exaggerated” gait please go to

Command and Control

The “package” doesn’t cause soring, harm to the horse or damage the horses’ feet in any way. Without getting into a lot of scientific detail suffice it to say that in the most comprehensive scientific study performed regarding the TWH it concluded that the package does not harm the horse. If you would like to read the full study it is attached at the end titled the Auburn Study. Needless to say the HSUS/Whitfield opponents to the TWH show horse have never refuted this study, at least not with any facts.

So where does that leave the TWH Industry? Currently the HSUS/Whitfield legislation and their radical supporters are pushing to eliminate the TWH show breed. That is correct – almost the entire show breed which in all probability will devastate the TWH to the extent it may never recover. Set forth below are all the show divisions that the HSUS/Whitfield legislation would eliminate – more than 85 percent of all show classes. That impacts more than 20,000 jobs, \$3.2 billion worth of the economy, and \$1.3 billion worth of horses. Not including all the charities,



personal enjoyment the owner and exhibitor enjoy. And please make no mistake about what the next steps are for the HSUS. The HSUS is using the Whitfield amendment to get its foot in the door to the entire equine world. Their goal is to make the horse, like they are trying with other farm animals, a “companion” animal and lawn ornament. If they are successful, with the millions of dollars they spend on lobbying, who knows how many other horse breeds they will devastate in 5 years.

Please understand that PSHA does not endorse, approve or condone soring or harming our horses. We are sickened by what Mr. McConnell did to the horses under his care and he has been barred from participating in our industry for the rest of his life. When Lance Armstrong finally admitted he used illegal drugs it was a black eye for bike racing. When 3000 horses die over a three year period in the thoroughbred racing Industry it is an embarrassment to that Industry. Every time a football or baseball player uses illegal drugs it is a black eye for that sport. When a NASCAR driver cheats it is a black eye for that Industry. But NO politician has ever suggested eliminating an entire Industry because of these types of offensive behaviors. Instead all of these Industries have implemented additional oversight and scrutiny to prevent further problems. We believe we are doing this and the Industry should not be eliminated because 1 man chose to do something horrendous.

You may of course hear from the HSUS/Whitfield radicals that the package allows “pressure shoeing” or the ability to put things in between the package and the horses hoof/sole. Again the actual facts don’t bear out their inflammatory statements. In the last 5 years and for over hundreds of thousands of inspections the USDA has not written one pressure shoeing violation to our knowledge. The only pressure shoeing violation was found and written by the HIO, on a horse that had no pad.

Finally, as you now know the “package” doesn’t harm the horse. Eliminate the sore horse not the show horse. Eliminate the sore horse – punish the *deed* not the *breed* and certainly not the 96.6 percent [USDA Statistic] or 98 percent [Industry Statistic] of compliant horses and owners. Do not eliminate these horses bred, shown and loved by the families of this industry.



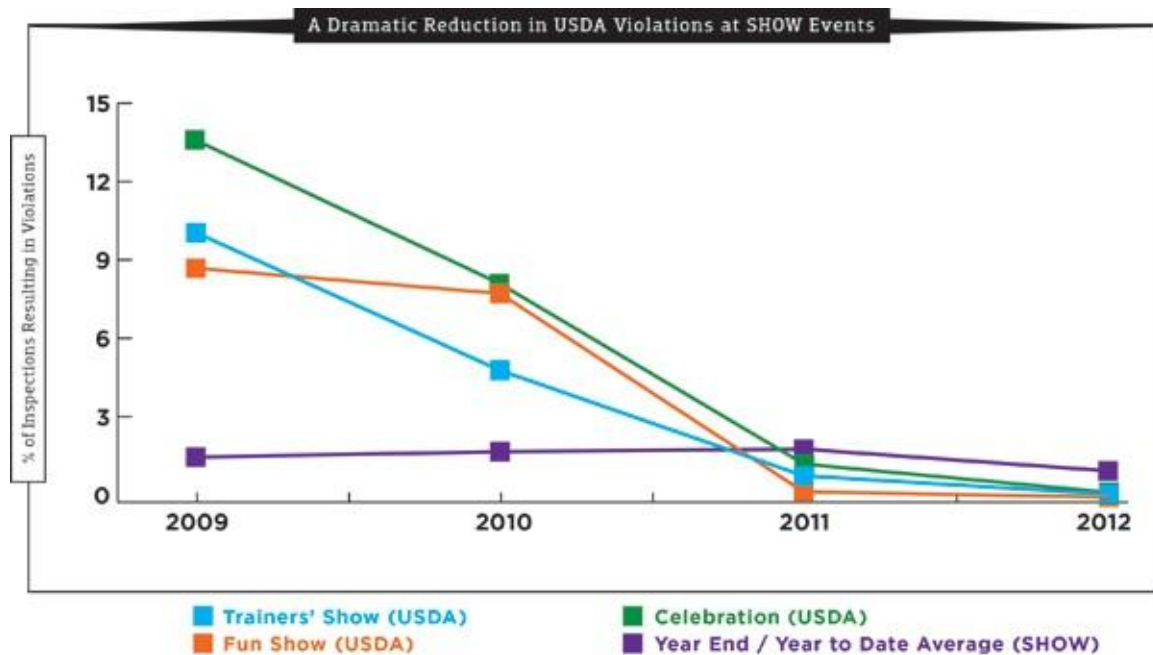
EXHIBIT 4

The Truth About the Walking Horse Industry

MYTH: The industry cannot reform; reform won't stop unscrupulous trainers from soring horses

FACT:

- SHOW Horse Industry Organization (HIO), the largest HIO, has proven that reform works.
- The USDA has praised SHOW for its tough inspections and even adopted some of SHOW's inspection processes.
- Since SHOW's inception, violations have been decreasing and last year and last year they have a 98.5 percent compliance rating with the HPA.
- Below is the progress by numbers, showing the dramatic reduction in USDA violations at SHOW events.



MYTH: The industry cannot self regulate and is not willing to call out abusers

FACT:

- SHOW has the strictest inspections and harshest penalties in the business.
- Since SHOW's inception, violations have been decreasing and last year they



received a 98.5 percent compliance rating from the USDA.

- In the last three years SHOW HIO has suspended 155 trainers for one year for a finding of bilateral sensitivity – more than any other HIO or the USDA in its history (the USDA has only pursued 52 federal cases in the forty years since the passage of the Horse Protection Act).
- SHOW's inspections, where the USDA was not even present at the show, have resulted in the first two criminal prosecutions of HPA violations in approximately 20 years.
- Recently, SHOW issued three lifetime suspensions, one for pressure shoeing and two for use of a distraction device, one 7.5-year suspension for falsifying records, and two 1-year suspensions for swapping horses. SHOW HIO found all four of these violations at horse shows where the USDA was not present.

MYTH: The industry is at odds with Federal Regulators and Animal Advocates

FACT:

SHOW HIO has implemented at least 90 percent of the recommendations of the AAEP White Paper on the Tennessee Walking Horse.

SHOW HIO had already implemented numerous items, including eliminating all conflicts with DQPs identified in the OIG Audit of APHIS calling out the industry for problems.

MYTH: In 2011, 52 of the 52 horses swabbed by the USDA at The Celebration were found to have been sored.

FACT:

- The USDA uses a zero tolerance concept for its swabs which given the advancement in technology is recognized by experts in the field as an improper tolerance. In addition, the USDA does not have a baseline or recognize any therapeutic substances that are allowed under the HPA. For instance one of the illegal foreign substances they identified was cholesterol, which makes no sense at all.
- Detection of a foreign substance does not mean there was abuse or an attempt to hide abuse. In some cases, horses are testing positive for foreign substances because they were washed with a certain soap, the trainer used fly spray or any number of other substances that are not harmful to a horse, or it could be something as simple as the trainer used face lotion in the morning then touched the horse.



MYTH: People sore horses because the prize money is huge

FACT:

- The horse that wins the biggest contest at The Celebration wins \$15,000.
- At the 4th of July shows, the biggest weekend aside from The Celebration, the average first place horse made \$100. With an entry fee of \$35, that is a \$65 profit before any expenses are factored in.
- The average price of a show horse is less than \$20,000.
- The average breeding fee is less than \$1,000.
- Trainers on average charge between \$500-800 per month per horse.

MYTH: Industry only matters to a small group of trainers and owners

FACT:

- The Show Horse and Tennessee Walking Horse Industry account for over 380,000 direct and indirect jobs across the country.
- The Show Horse component of the United States' horse industry represents approximately \$11 billion of impact to the economy of the United States.
- In Shelbyville alone, the home of the National Celebration, the industry accounts for more than \$50 million in economic activity
- More than 90 percent of walking horse shows contribute proceeds to charities. The Tennessee Walking Horse National Celebration alone contributes over \$200,000 each year to local civic organizations and charities.

MYTH: The industry does not want to work with the USDA

FACT:

- The lead veterinarian and inspector for SHOW HIO agrees with the USDA inspectors close to 100 percent of the time, when those rogue inspectors who do not play by the rules are not present.
- SHOW HIO cannot reform the industry alone, only the shows they control. To reform the industry, SHOW must partner with the USDA to implement reforms.
- In the last year, the reformers in the walking horse industry have reached out to and asked to partner with the USDA repeatedly.
- At the 2011 Celebration, SHOW and USDA inspectors agreed on 98.9 percent of the entries inspected.



STATEMENT OF JOHN BENNETT, DVM

HOUSE ENERGY AND COMMERCE COMMITTEE

SUBCOMMITTEE ON MANUFACTURING, COMMERCE AND TRADE

NOVEMBER 13, 2013

Chairman Terry, Ranking Member Schakowsky and Members of the Subcommittee:

I appreciate the opportunity to provide my statement regarding H.R. 1518 and the negative impacts this proposed legislation would have on the Tennessee Walking Horse as well as the industry, communities and families which depend on this horse for survival.

I have been a licensed veterinarian for 33 years and am currently licensed by the State(s) of Tennessee, Kentucky, Mississippi, Alabama, and Florida. I am a member of AAEP, AVMA, KVMA, TVMA, FAEP, MTAEF (Past President for two years), TCVM and TWHBEA. My current practice is located in Shelbyville, Tennessee, and consists primarily of an equine practice focused on the care of Tennessee Walking Horses, Quarter Horses, Saddlebreds and Hunter Jumpers. Approximately 60% of my current practice involves the care and treatment of Tennessee Walking Horses. A copy of my curriculum vitae has been attached as Exhibit 1.

In addition to working for horse owners and trainers, I have been hired by the Human Society of the United States ("HSUS") to examine and treat horses under their care. Specifically, I was called in to examine and care for Tennessee Walking Horses seized by HSUS from the barns of Jackie McConnell and Larry Wheelon in those highly-publicized cases. While these cases involving the HSUS implicated serious animal cruelty issues, which are very important to address, they were not situations controlled by the Horse Protection Act. The HPA applies only if a horse is being transported, exhibited, shown or publicly sold. As a result, neither the HPA as currently written, or as proposed, would address those situations.

Obviously, as a veterinarian, the welfare of the horse is my primary concern. I, along with industry leaders, recognize the history of the Tennessee Walking Horse necessitated enactment of the Horse Protection Act in 1970. However, my personal experience with this breed, as confirmed by the USDA reported 98+% compliance rate over the past several years, confirms the HPA has been effective in achieving its goals. While 100% compliance is of course the goal, a 98+% rate of compliance based on the subjective inspections performed on these animals as part of a competitive event indicates that the industry takes this issue very seriously and has made great strides in eliminating soring.



In November 2012, I along with David Thompson met with Congressman Whitfield concerning the legislation which he and HSUS now propose. During that meeting we discussed the multi-faceted issues that face the industry and the complex nature of those issues. As a result of that meeting we agreed the industry needed to be a part of the solution and present solutions to move the industry forward

EFFECTS OF THE PROPOSED BILL ON THE TENNESSEE WALKING HORSE INDUSTRY

The legislation being proposed in H.R. 1518:

- (1) eliminates self regulation by the industry by removing the Horse Industry Organization (“HIO”) system and places responsibility for ALL inspection and enforcement with the USDA; and
- (2) eliminates all “weighted shoes” and all action devices from being worn by Tennessee Walking Horses.



EFFECTS OF ELIMINATION OF HIO SYSTEM:

The impacts associated with H.R. 1518 are enormous. First, the USDA will be required to scale up its HPA enforcement staff substantially in order to take over the functions now being performed by HIOs. The USDA will be required to hire, train and supervise inspectors to be present at all events. In 2012 alone, there were 403 separate events which affiliated with an HIO – some of which were multi-day events. Based on the USDA's reports, in 2012 the USDA was present at only 78, or 19%, of those affiliated events.

Under the Whitfield/HSUS proposal, based on 2012 USDA reports, the USDA will have the responsibility of providing trained inspectors for approximately 400 additional events each year which are now currently inspected by USDA certified HIOs. If the USDA increases the costs charged to show managers for providing these inspectors, show managers will likely either (1) choose not to put on a horse show in which case the communities and charities which the shows support will suffer; or (2) choose to not have inspectors present at the event in which case the welfare of the horses will suffer if inspections are not performed.

EFFECTS OF ELIMINATION OF WEIGHTED SHOES AND ACTION DEVICES:

H.R. 1518 also calls for the banning of "weighted shoes" as well as action devices for all Tennessee Walking Horses. The impact of this ban would be to decimate the TWH show industry.

The shoes and action devices currently worn by the TWHs while competing in the show ring, define the breed's gait and classifications. As reflected on the document attached as Exhibit 2, several divisions of show horses will be eliminated which represents **the elimination of 85% of the Tennessee Walking Horses currently showing**. This reduction in the numbers and types of horses allowed to compete would economically devastate the entire industry. Hundreds of millions of dollars invested in horses, farms and homes would be rendered virtually worthless.

INDUSTRY SELF REGULATION IS WORKING

The current compliance rates reported by the USDA indicate the welfare of the horse is being protected and the industry is achieving the goal of eliminating soring. According to the USDA's APHIS, the HPA compliance rate for HIO-affiliated Tennessee Walking Horse shows was 98.5% over the period from 2009-2012.



The HIO system currently in place allows for the immediate disqualification of a horse found to be noncompliant. Additionally, as private entities, HIOs are able to more quickly enforce penalties against alleged violators since they are not required to follow the due process requirements for public actors such as the USDA.

The AAEP White Paper, "Putting the Horse First: Veterinary Recommendations for Ending Soring of Tennessee Walking Horses", published in August 2008, made several recommendations to address the issue of soring. One recommendation was to eliminate the use of the HIOs' Designated Qualified Persons ("DQP") program which existed in 2008 "since acknowledged conflicts of interest which involve many of them cannot be reasonably resolved, and these individuals should be excluded from the regulatory process." (AAEP White Paper attached as Exhibit 3, p.5).

In response to the AAEP White Paper, SHOW HIO was activated in 2009 and has been responsible for inspecting the majority of horse shows since that time. In 2013, SHOW HIO, one of 13 USDA certified HIOs, has inspected 147 events which represent 44% of affiliated events held this year. One of the many reforms implemented by SHOW HIO was to eliminate the use of DQP inspectors with a conflict of interest. SHOW DQPs are not allowed to have any financial interest in the TWH industry and are required to execute a Statement of No Conflict of Interest each year as part of their certification training. SHOW HIO implemented the most stringent inspection process ever put in place by an industry organization. At the Tennessee Walking Horse National Celebration alone, between 2009 and 2011, SHOW reduced the number of HPA violations at that event alone from 13.7% to 1.1% based on USDA reports.

While the White Paper recommended the use of veterinarians instead of DQPs because of the alleged conflicts of interest which existed in 2008, the use of veterinarians as the primary inspectors is not a simple solution. Veterinarians who treat TWHs as part of their practice would be subject to the same conflicts of interest experienced by the DQPs as discussed in the White Paper. Additionally, the USDA has recently attempted to recruit veterinarians for their HPA enforcement program with very little response. Veterinarians who are currently practicing have little incentive to perform inspections at TWH events which are typically held on weekends given the minimal income generated. As a result, the number of veterinarians who would agree to take on the inspector role would likely not be able to provide coverage for the number of events held each year.

ELIMINATION OF WEIGHTED SHOES AND ACTION DEVICES NOT SCIENTIFICALLY AND/OR FACTUALLY SUPPORTED



The only comprehensive scientific study concerning the effect of the weighted shoes and action devices worn by Tennessee Walking Horses was performed at the University of Auburn ("the Auburn Study"). The Auburn Study was conducted by veterinarians with a wealth of equine knowledge and included three (3) former presidents of the AAEP, the then Dean of the School of Veterinary Medicine at Auburn University as well as veterinarians practicing in the states of Alabama and Tennessee. The study concluded that the shoeing requirements and action device limits currently set out in the HPA and its Regulations were not harmful to the horse. A copy of the Auburn Study has been attached as Exhibit 4.

As recently as June 14, 2012, in a joint statement released by the AAEP and AVMA, the organizations acknowledged "there is little scientific evidence to indicate that the use of action devices below a certain weight are detrimental to the health and welfare of the horses. . . ." Nevertheless, the AAEP and AVMA have joined with HSUS in supporting H.R. 1518 to eliminate weighted shoes and action devices – despite all scientific evidence to the contrary.

Additionally, the current inspection process which includes digital palpation of the horse's pastern as well as examination of the "scar rule" is entirely subjective which can lead to inconsistency. The subjective nature of the inspection process incorporates not only the human element of the inspector but also the unpredictability of the horses being inspected in a busy horse show environment. In 1991, some of the same veterinarians involved in the Auburn Study attempted to address the subjective inspection process and issued the Atlanta Protocol which called for an overall assessment of the horse to include freedom of movement in locomotion and called for inspectors not to rely solely on digital palpation to diagnose soring. This Protocol is not being utilized by USDA inspectors or DQPs despite its recommendations. A copy of the Atlanta Protocol, together with an executive summary of same, has been attached as Exhibit 5.

SHOEING REQUIREMENTS:

The shoes currently worn by TWHs are similar to those utilized in other breeds. (Exhibit 6). In fact, the TWH experiences **fewer** incidents of forelimb lameness than is seen in other breeds. This fact, combined with the findings of the Auburn study, indicates there is no scientifically viable basis to support the ban called for in H.R. 1518.

Additionally, the claims by the proponents of this legislation that the current shoeing package is used to hide "pressure shoeing" or other painful techniques is not supported by the documented facts, nor my personal experience and observations. The USDA has performed digital x-rays on hundreds of horses at the shows it has attended. To my knowledge, the USDA has never found and prosecuted any alleged violator for a pressure shoeing violation.



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ACTION DEVICES:

The 98+% compliance rate as documented by the USDA does not support that use of soring chemicals is “widespread” as HSUS and other the supporters of this legislation would have the public believe. Additionally, the “foreign substance” results argued in support of elimination of the action device are fatally flawed and can provide no support for this position.

The HPA prohibits only those substances designed to “sore” or alter the horse’s gait, or those which mask the findings of an inspection process. The only exceptions are a small number of lubricants identified in the Regulations. The current USDA swabbing “protocol” has a zero-tolerance standard for ALL chemicals – even those you would expect to find on a horse such as shampoo and fly spray. There has been no attempt to set a baseline for those substances which might impact the gait of the horse or create a masking effect. The current protocol essentially calls for a sterile horse’s pastern which is not a scientifically-based standard and is wholly unrealistic. As a result, the numbers thrown around by the supporters of this Bill are unscientific, wholly misleading and provide no support for their position.

Additionally, H.R. 1518 supporters argue the action devices cause “scars” on the horse’s pasterns in violation of the “scar rule” regulation adopted in 1979, amended in 1988. The language of the scar rule regulation is outdated as written in light of the conditions of the horses’ pasterns considered at the time its was implemented. The regulation’s language creates a completely subjective examination and results in inconsistent results in its application. At a USDA training session, USDA VMOs disagreed 26% of the time when examining the same horse, at the same time, for scar rule compliance. A copy of an Affidavit and the VMO findings is attached as Exhibit 7.

By way of example, in 2010 the horse The Golden Sovereign was determined by a VMO to be in violation of the “scar rule”. The horse was immediately transported to Rood & Riddle, a Kentucky clinic recognized for its expertise in equine medicine, for examination and documentation. A copy of the Rood & Riddle report of the “scarred” horse is attached as Exhibit 8. As you will note, Dr. Scott Hopper vehemently disagreed with the USDA VMO’s findings and stated “In m opinion this horse should not have been rejected based upon the scar rule. This horse’s pasterns should serve as the poster child for what owners and trainers should strive for their horses to look like. There is no sensitivity to palpation and no hair loss anywhere on the pastern. I don’t understand how a horse can pass through the DQP and then be rejected a short time later.”

**COMMON SENSE REFORMS ARE NEEDED TO CONTINUE TO IMPROVE COMPLAINECE
AND PROMOTE THE WELFARE OF THE HORSE**



First, as recognized by the AAEP in its White Paper, there exists a “critical” need for one HIO system “for the effective resolution of conflict and the establishment and enforcement of uniform standards and regulations. The current system arrangement of multiple Horse Industry Organizations (HIOs) fails to accomplish this vital need and has resulted in competing interest.” (AAEP White Paper, Exhibit. 3, p.6). The multiple HIOs currently certified by the USDA allow for different levels of inspection and enforcement and caters to the lowest possible denominator instead of holding all participants to the same high standard. In a letter dated June 28, 2012, Dr. Chester Gipson, APHIS Deputy Administrator, documented the fact that HIOs are not required to honor each other’s penalties. Dr. Gibson stated:

This notice clarifies that individuals found to be in violation by an HIO are only suspended from participating in the shows, exhibitions, sales, or auctions that the HIO issuing the suspension is affiliated with, and are not precluded under the final rule from participating in shows affiliated with other HIOs. (Exhibit 9).

As a result, a violator on suspension with one HIO can simply show at events affiliated by a different HIO. This situation actually punishes the HIOs which have the most stringent inspection and enforcement process – a result which severely weakens an HIO’s ability to promote compliance.

Secondly, the use of **OBJECTIVE**, scientifically-accepted testing must be developed and implemented in order to truly bring an end to soring. This need was also recognized by the AAEP in its White Paper which called for “establishment of objective methods to detect soring.” (White Paper, Exhibit. 3, p.5). These objective testing standards should be accompanied by harsh penalties for those found to be in violation.

Lastly, cooperation between the USDA and the established one HIO will further carry out the purposes of the Horse Protection Act to promote the welfare of the horse.



Statement of
Commissioner Julius Johnson
Tennessee Department of Agriculture
Importance of the Tennessee Walking Horse Industry to Tennessee

Before the
U.S. House of Representatives Commerce, Manufacturing & Trade Subcommittee
of the House Energy & Commerce Committee
November 13, 2013

Chairman Terry, Ranking Member Schakowsky and Members of the Subcommittee:

As Commissioner of the Tennessee Department of Agriculture, I appreciate you allowing me to provide testimony on the importance of the equine industry, and especially the Tennessee Walking Horse Industry, to our state. The Tennessee Department of Agriculture has a long history of supporting the Walking Horse industry through both Republican and Democrat administrations, and we are proud of the contribution this industry makes not only to our state but to numerous rural communities across Tennessee that depend on the economic activity generated by this industry.

The equine industry is an important part of Tennessee's economy and its heritage. We are ranked among the top six states in the nation in the number of equine according to the latest Census of Agriculture. Our Market Development Division helps to support this growing industry through promotion of Tennessee trails, shows and events, and through involvement with numerous breed associations. Tennessee is home to several national breed associations in addition to the Tennessee Walking Horse.

In 2000, the Tennessee General Assembly designated the Tennessee Walking Horse the official horse of the state of Tennessee. This is a testament to the broad, bipartisan support that the breed enjoys statewide.

Based on responses to a 2009 informal survey, Tennessee has roughly 26 equine associations involving thousands of individuals. Many young people are intricately involved in these breed associations and other industry activities that lead to the development of productive, responsible citizens. I know of no better way to build character and responsibility in our young people than through the proper care and handling of horses and other livestock.

Some additional facts about Tennessee's equine industry are:



- ❖ A 2010 survey indicates 170,000 head (USDA-NASS, 2010) but a more comprehensive survey in 2004 indicates as many as 240,000 head (TDA, 2004). We believe that the numbers have not declined but rather the variation is more likely due to differing survey methodologies.
- ❖ There are 41,000 Tennessee farms with equine (TDA, 2004).
- ❖ There are 3.2 million acres, 30 percent of Tennessee's farmland, designated for equine use (USDA-NASS, 2010).
- ❖ Tennessee is ranked among the top six states in the nation in total equine, including donkeys, burros and mules. (6th in equine, 2nd in donkeys, burros and mules: USDA-NASS, 2010).
- ❖ Tennessee is ranked fifth in the U.S. in number of horse farms (USDA-NASS, 2010).
- ❖ Tennessee is ranked eleventh in the U.S. in terms of market value of equine (USDA-NASS, 2010).
- ❖ The top five breeds are the Tennessee Walking Horse, Quarter Horse, Donkey, Mule and Spotted Saddle Horse.
- ❖ The top use of equine is for pleasure and sport, or competition, and for breeding stock. Many of our livestock farms across Tennessee have brood mares for raising yearling foals. This is critical as a secondary source of farm income, helping to keep family farms profitable and viable. It is an important factor that should not be ignored. These are individual farmers with modest incomes who are trying to piecemeal successful family farming operations.

Tennessee Equine Industry Economic Impact:

- ❖ The total economic impact from the equine industry in Tennessee is \$1.4 billion.*
- ❖ The total value-added impact of equine in Tennessee is \$746 million.*
- ❖ The indirect business tax revenue received by state and local governments is \$61.2 million.*



- ❖ The total estimated economic impact from horse shows and events is \$45 million. The importance of the industry to the many local and rural community charities and organizations is significant.*
- ❖ The industry creates 20,309 jobs throughout our state, and again, especially in rural Tennessee where it is more and more difficult to attract jobs.*

**Source: Menard et al, 2010*

- ❖ Sources of income from the equine industry – horse breeding, sales, events/shows, recreation, stabling equines, and training – all contribute to the state's economy. Although horse racing in other states has contributed to the industry's popularity, recent growth has come largely from equestrian sports and recreation (i.e., show jumping, field hunting, driving, cutting, roping, eventing, dressage and endurance).
- ❖ Equine owners/operations have to purchase equipment and services (clothing, tack, and trainers) to carry out these activities. Additionally, equine operations, like other livestock operations, have to purchase equipment (i.e., tractors, trucks, trailers, farm structures and fencing), feed and hay and require the services of veterinarians and farriers.
- ❖ The breeding of equine requires investment in farmland and other assets not economically justifiable for most other agricultural enterprises. These activities also create additional tourism and recreational expenditures.
- ❖ Perhaps harder to quantify are the contributions from educational services and the institutional support provided by agricultural and veterinary schools for equine production and care (Offutt and Korb, 2006; Whiting, Molnar, and McCall, 2006).

Current Issues before Congress

The Tennessee Department of Agriculture, and I personally, find the soring of horses in any shape, form or fashion objectionable on every level. There should be no tolerance for animal cruelty. Walking Horse industry leaders have made what we believe are monumental strides at eliminating this practice from the industry. And we believe they are committed to a policy of zero tolerance for individuals who commit violations. We understand the motives of some to further tighten the regulation of the industry in order to protect the horse. However, we caution against overreaction by some who seek to eliminate horse shows at the expense of rural communities and horse owners, the vast majority of whom are caring and responsible in the management of their animals. Rural Tennessee would suffer the greatest as a result of this type of legislation. We urge this committee and Congress to find the right balance that protects the horse as well as ensures the viability of the Walking Horse industry should you find it necessary



to pass legislation at all. The Tennessee Walking Horse is a wonderful, dynamic breed that has been the enjoyment of many around the world for its ride, gentleness and endurance.

We believe Congressman Whitfield's proposed legislation is based more on perception than sound science. We believe it is excessive and will damage the industry significantly and potentially eliminate the performance horse all together. I urge you to find sensible solutions to this issue.

Mister Chairman and members of the committee, thank you for providing me and the Tennessee Department of Agriculture an opportunity to be a part of this discussion and issue that is important to all of us, but especially to rural Tennessee.



Performance
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Association

State	Number Registered	State	Number Registered
Tennessee	55,847	Minnesota	1,174
Kentucky	34,453	Iowa	1,157
Alabama	17,197	Wisconsin	1,156
Mississippi	10,583	Arizona	967
North Carolina	9,215	Kansas	907
Missouri	8,400	Utah	889
Georgia	8,372	Wyoming	705
Ohio	7,614	Maryland	589
Texas	7,338	New York	567
Virginia	6,960	Nevada	378
West Virginia	4,596	New Jersey	310
Indiana	4,274	New Mexico	295
South Carolina	4,196	North Dakota	203
California	4,008	Nebraska	199
Florida	3,977	South Dakota	187
Illinois	3,909	Maine	170
Arkansas	3,572	Massachusetts	132
Washington	3,305	Alaska	118
Louisiana	3,191	Vermont	101
Michigan	2,952	New Hampshire	92
Pennsylvania	2,581	Connecticut	89
Oregon	2,208	Rhode Island	71
Montana	2,019	Delaware	42
Idaho	1,738	Hawaii	30
Oklahoma	1,619	District of Columbia	15
Colorado	1,594	Puerto Rico	9

