

UNITED HORSE PROTECTION RULES

Introduction and Definitions. United Horse Protection (UHP) is a Division and DBA of United Mountain Horse, Inc., a Kentucky non-profit corporation. UHP is an HIO operating under the provisions, rules and regulations of the Horse Protection Act (HPA). The following Rules govern the particular operations of UHP as enabled and authorized by the HPA, and to some extent duplicate HPA regulations. To the extent that any provision of these Rules is deemed to be in conflict with any provision, regulation or interpretation of the HPA or USDA, the HPA or USDA provisions or regulations shall control.

The following definitions apply to the terms used in this document:

APHIS - Animal and Plant Health Inspection Service

DQP - Designated Qualified Person under the Act, certified by UHP.

HIO - Horse Industry Organization

HPA, or the Act - Horse Protection Act

LOW- Letter of Warning

Rules and Regulations – the rules, regulations and provisions of the HPA and UHP

UHP- United Horse Protection, a dba of UMH

UMH – United Mountain Horse, Inc.

USDA - United States Department of Agriculture

VMO - Veterinarian Medical Officer (of the USDA)

DQP CERTIFICATION PROCEDURES AND DUTIES.

1. DQP Candidates.

UHP is authorized by the USDA to issue DQP certifications to qualified candidates and shall provide uniform, consistent training.

A DQP is an individual trained to detect horses whose condition violates provisions of the HPA for purposes of being exhibited, and to inspect horses and any records pertaining to such horses for the purposes of enforcing the Act.

A DQP certified by UHP is responsible to show or sale management.

DQP candidates are individuals with equine background and expertise.

An individual's conduct and ability as a DQP must be exemplary and they are subject to continued review.

In an effort to eliminate conflicts of interest, real or perceived, UHP will approve only individuals who are not involved, and whose immediate families are not involved, in the training, showing, breeding, boarding or tutoring of non-trotting horses or their riders as a principal source of income. An exception may be made for an individual to be assigned only to shows or sales involving a breed or breeds of horse other than the breed of horse in which his or her immediate family is involved.

2. Application Process.

Application must be made on the official form furnished by UHP and accompanied by the required fee, which is not refundable. No application shall be considered until references are returned.

Application fees are as follows:

\$25 for initial application, which is not refundable;
\$25 for annual renewal.

UHP shall act upon every application. Applications will be considered only after they are deemed complete and in appropriate form by UHP. The applicant will be notified by letter of the action taken on the application. When an application is approved, the applicant must thereafter attend a two day clinic and complete a written test. Applicants must receive a mark of 80% or better to pass.

After attending the clinic and receiving a passing grade on the test, the applicant must apprentice a minimum of two horse shows. He/she will then receive certification by UHP to act as a DQP at events which affiliate with UHP for this purpose.

The certification of a DQP must be renewed in the following calendar year and in each calendar year thereafter. All UHP DQPs must attend a four hour refresher course each year conducted or approved by UHP in order for his or her certification to be renewed for the coming year. It is the DQP's responsibility to attend these classes at his or her own expense. Failure to attend the annual refresher course will result in automatic revocation of the UHP DQP certification.

3. Rules and Regulations Governing DQPs.

A DQP working a particular affiliated event is ineligible to serve at that event as President, Chairman, Secretary, Manager or other employee, official or exhibitor.

A DQP unable to attend a function to which he/she has been assigned must notify UHP immediately. Failure of a DQP assigned by UHP to attend a show or sale, or perform his or her duties in accordance with the Rules and Regulations, without due cause, shall constitute cause for disciplinary action.

A DQP must be assigned by UHP before he/she can serve as a DQP at an affiliated show or sale under a UHP certification.

A DQP is prohibited from visiting with or communicating with exhibitors while working a horse show except in the course of carrying out his/her official duties. Exhibitors are allowed in the inspection area only when presenting an entry for inspection.

A DQP's immediate family, and any horse in which the DQP has any interest, is prohibited from showing at a show or being presented for exhibition or sale where that DQP is working.

4. Relationship to Event Management.

A DQP has no authority in connection with the management or the judging of a show or management of an affiliated event. He/she is the representative of UHP and shall conduct himself/herself a diplomatic manner in working with management officials to enforce the Rules and Regulations. The DQP shall immediately report any violations under these provisions to the appropriate officials, as provided in the Rules and Regulations, which provide that only sound horses are exhibited. The DQP shall keep himself/herself available to judges, exhibitors and management at all times to investigate any alleged violation of the Rules and Regulations.

5. Duties of a DQP.

Duties of a DQP are:

To inspect all horses to be shown or sold at the event, in accordance with the Rules and Regulations.

To assist show or sale management.

To report to the event management any misrepresentation of or substitution of an entry.

To report to event management any offense or violation of the Rules and Regulations.

To report to UHP any exhibitor or trainer who has failed to comply fully with the Rules and Regulations regarding the showing of only sound horses.

To make such other reports, charges and records as are required by the Rules and Regulations.

To appear at the request of UHP at any and all hearings involving the DQP program.

To transmit to UHP the following information:

- a. Class sheets on every class inspected.
- b. A total number of the different breeds inspected at each show.
- c. A written report of any offense or violation of HPA or UHP rules for every show or sale inspected.
- d. A written report if there were no violations found for every show or sale inspected.
- e. A copy of the premium list and/or program for each show inspected.
- f. A program or catalog on every sale inspected.
- g. A total number of the horses inspected at each sale.

Note: All reports must be turned in to UHP within three days after completion of every show or sale on forms furnished by UHP. Failure of a DQP to timely return all required reports could result in disciplinary action, including loss or suspension of the UHP license.

6. Responsibilities of the DQP.

A DQP shall be aware of all applicable Rules and Regulations, and shall keep an updated copy at all times at all shows or sales worked.

7. Evaluation of DQPs.

The UHP Coordinator shall evaluate each DQP's performance and shall inform the DQP of any problems arising with his or her performance. The UHP Coordinator has the authority to require appropriate remedial action by a DQP to address performance issues which may fall short of requiring an LOW, including additional apprentice work, instruction, or other actions, in order to retain UHP certification.

UHP may decline to renew the certification of any DQP for any reason, with or without formal notice and hearing. UHP may suspend the certification of a DQP without formal notice and hearing, or pending notice and hearing, under circumstances in which the UHP Coordinator determines that this is necessary to ensure effective, lawful conduct of the UHP Program.

8. Letter of Warning.

A LOW is an official notice of unsatisfactory DQP performance. The UHP shall issue a LOW to any DQP alleged to have failed to perform in a satisfactory manner or to have violated UPH Rules in a manner which results in failure to adequately enforce the objectives of the HPA. The UHP Coordinator shall schedule a hearing and provide the DQP notice of an opportunity to be heard, in accordance with procedures provided by UHP. The hearing shall be completed within thirty days of the date of the notice. If a DQP is found to have performed unsatisfactorily as charged, UHP may impose sanctions, including suspension or revocation of the UHP license.

9. Revocation of Certification.

UHP shall revoke the certification of any DQP who receives two LOWs, and shall not reissue certification to that individual for three years. If a recertified DQP receives another LOW within two years of recertification, his or her certification will immediately be revoked, and he or she will be permanently barred from certification.

UHP shall dismiss any DQP in its program who has been convicted of any violation of the Act, Rules or Regulations, or who has paid a fine or civil penalty in settlement of any alleged violation of the Act, Rules or Regulations, if such alleged violation occurred after July 13, 1976.

INSPECTIONS

10. Inspection Areas.

All horses shall be inspected in a specific area that meets the requirements of the Rules and Regulations. Only the horse and custodian of the horse shall be allowed in the DQP/VMO inspection area except as described below. A child under the age of fourteen years may be accompanied by a parent or an adult guardian in the inspection area when exhibiting in a youth class.

Following inspection, the horse shall proceed directly to a designated warm-up holding area where it shall remain until being called to the line-up for exhibition. No horse may leave the designated holding area before showing without the permission of the DQP. Any horse leaving the designated area before showing must be reinspected by the DQP before being allowed into the show ring or sale area.

Visitors shall only be allowed in these areas while under direct escort of either a UHP or APHIS representative. APHIS and UHP personnel shall be notified when visitors are present and who will be their escort.

11. Inspection Authority.

The method and manner of determining the eligibility of horses to show shall be within the sole discretion of the DQP, except as otherwise provided herein. A DQP has the authority to, and shall, disqualify from competition or sale any horse found in his/her opinion to be in violation of the Rules and Regulations. In shows using both a veterinarian and a DQP, any horse declared ineligible to show by either one shall not be allowed to show.

All horses become subject to the authority and jurisdiction of the DQP when they are brought upon the show grounds, except when they are actually being judged in the show arena or exhibited for sale.

The DQP or VMO may inspect any horse at any horse show, exhibition, sale or auction. The DQP or VMO may carry out additional inspection procedures or conduct additional tests, such as examining rear limbs, to determine whether or not a horse is in compliance with the HPA. DQPs must do a post show inspection on all first place horses and can do a post show inspection on any horse. Horses subject to a post-show inspection shall report immediately and directly to the inspection area from the show ring at the end of the class. The exhibitor/rider must be dismounted during the inspection of the horse.

The DQP will inspect horses no more than three classes ahead of the time the inspected horses are to be shown, when the show has 150 horses or more. The DQP will inspect horses no more than two classes ahead of the time the inspected horses are to be shown, when the show has less than 150 horses.

The DQP will have the horses walked and turned in a figure eight, allowing the DQP to observe for signs of soreness. The DQP will instruct the custodian of the horse to hold the reins no less than 18 inches from the shank of the bit.

The DQP will do a physical examination of the horse's pastern area. The DQP may check the horse with a small hammer and/or hoof testers to see if it has been pressure shod. The DQP has the authority to require the removal of all hoof coatings that may disguise the amount of acrylic used for hoof repair.

The DQP may carry out additional inspection procedures as he/she deems necessary to determine whether the horse is in compliance with the Rules and Regulations.

No one may touch the lower limbs of the horse (from the knee to the hoof) after it has been inspected and prior to entering the event unless under the supervision of the DQP.

The DQP should arrive on the show or event grounds for one day shows or for multi-day shows, or events requiring or providing the stabling of horses, no less than one hour prior to the event's scheduled starting time, for the purpose of monitoring the unloading, preparation, warm-up and barn areas. The DQP will observe for the use of prohibited substances and is empowered to inspect leg wrappings and shipping boots. The DQP should continue to monitor these areas throughout the length of the event.

For the purposes of examining those horses showing signs of soreness while in the preparation area, warm-up arenas, or anywhere on the show grounds, the DQP may require the custodian of the horse to bring the horse directly to the inspection area for the purpose of examining the horse for compliance with the HPA.

The DQP will not take an unreasonable amount of time to perform the inspection procedures. The DQP will discriminate in the allocation of his/her time and will not take time from his/her primary duty of examining each horse prior to entry into the event, nor in any manner delay the event, solely for the purpose of monitoring areas or activities outside the inspection area.

12. Prohibited Practices.

The Rules and Regulations prohibit shoeing, trimming or using any method or device on a horse's limb in a manner that causes such horse to suffer, or can reasonably be expected to cause such horse to suffer, pain, distress, inflammation or lameness when walking, trotting or otherwise moving. This includes, but is not limited to, inserting a tack, screw, nail or other device or substance, other than acceptable hoof packing, between the horse's hoof and its shoe or pad. A pressure shoeing violation shall be defined as shoeing, trimming, or engaging in any practice the result of which causes the inducement of pain in the sole of the foot. If a DQP or VMO suspects that a horse's hoof has been subjected to any such practice, the DQP or VMO may require the horse's custodian to remove the shoes, pads, or both, to allow further examination. The use of plastic wrap on the legs of any horse, while at an event, exhibition, or on the show grounds, is prohibited.

13. Inspection of Horses.

The inspection of horses for purposes of determining compliance with the Act involves an evaluation of the horse's appearance, locomotion, and the physical examination described below. Each inspection shall include all three components, with documentation by the DQP and VMO of any observable and physical findings in the case of a violation of the HPA or the Regulations. Although the examination for compliance with the Act requires all three components, the determination by the DQP or VMO as to whether there is a violation may be based upon findings within any one of the three components alone. Any DQP or VMO who is inspecting a horse shall complete all three components of the inspection protocol before rendering any findings based on such inspection. He/she shall also document any physical and observable findings on which he/she bases a determination to disqualify a horse from an event because it is fractious or unruly.

a. Appearance. At all times during the inspection, the DQP or VMO shall observe the entire horse's appearance to determine whether the horse suffers, or can reasonably be expected to suffer, physical pain or distress, inflammation or lameness, when walking, trotting or

otherwise moving. Observable indications of pain may appear while the horse is at rest, during locomotion, and/or during physical examination. Observable indications of pain include, but are not limited to, changes in depth and rate of respirations, excessive perspiration on the skin and hair coat, abnormal reactions of the eyes and ears, abnormal stance, tucking of flanks and flexing of abdominal muscles, stepping forward with the rear limbs while the front limbs remain lightly planted, tossing of the head to maintain balance and the overall demeanor and temperament of the horse. The DQP or VMO also shall look for evidence of prohibited substances, and prohibited or non-compliant paraphernalia or devices.

b. Locomotion. During the inspection, the DQP or VMO shall direct the custodian of the horse to lead, walk, and turn the horse in a figure-eight to allow the DQP or VMO to determine whether the horse suffers, or can reasonable be expected to suffer, physical pain or distress, inflammation or lameness, when walking, trotting or otherwise moving. During the locomotion component of the inspection, the DQP or VMO shall observe the horse's appearance for indications of pain.

c. Physical Examination. The DQP or VMO shall conduct a physical examination of the horse as required by the applicable Regulations. This examination shall include, but not be limited to, digital palpation procedure, examination for evidence of scar rule violations, evidence of prohibited substances, and prohibited or non-compliant paraphernalia or devices. The DQP or VMO shall digitally palpate the front limbs of the horse from knee to hoof, with particular emphasis on the pasterns and fetlocks, as described in the applicable Regulations. During the digital palpation procedure, the DQP or VMO shall describe and document any consistent and reproducible (non-random) limb withdrawal.

14. Stewarding and Unruly Horses.

No person shall act in any manner that may cause a false examination result, or use any signal or device (including without limitation whips or cigarette smoke), to distract or steward a horse during examination. If either the DQP or VMO observes such behavior, the DQP shall be immediately excuse the horse and shall report the incident to event management and UHP. DQPs shall excuse any horse that is unruly or exhibits an unwillingness to submit to examination.

UHP SANCTIONS FOR HPA VIOLATIONS

15. General.

At shows, exhibitions, sales and auctions affiliated with UHP, violations of the HPA and the Regulations shall be subject to the jurisdiction of UMH and UHP. The UHP Coordinator shall ensure that all disciplinary proceedings are conducted in accordance with applicable procedures of UHP and UMH, before the UMH Hearing Committee. Upon a finding of violation, the UMH Hearing Committee shall enforce the penalties for violations of the HPA. Suspensions shall begin on the first day after a decision is issued by the UMH Hearing Committee.

16. Prohibited Conduct. The Rules and Regulations set forth the conduct that violates the Act and subjects individuals to disqualification, suspension, and, in some instances, monetary penalties. The following are examples of such prohibited conduct: (a) shipping, transporting, moving, delivering, or receiving any horse which is sore with reason to believe that such horse

while it is sore may be entered, shown, exhibited, auctioned, or offered for sale, in any horse show, horse exhibition, or horse sale or auction; (b) showing or exhibiting a sore horse; (c) entering a sore horse for the purpose of being shown or exhibited; (d) selling, auctioning, or offering for sale a sore horse; and (e) allowing any activity described in clauses (b), (c) or (d) above.

17. Other Violations.

No person shall act in any manner that is deliberately offensive to the DQP, or is threatening or intimidating to the DQP or any of the DQP's staff, or in any manner is directed at compromising, resisting or interfering with the ability of the DQP to fully perform his/her duties in accordance with the Rules and Regulations. The DQP shall report any violation of this provision in the same manner as any other violation of the Rules and Regulations.

18. Penalties.

Any exhibitor, other than a minor, showing a horse in any show, exhibition, sale or auction, in violation of the HPA, shall be subject to all penalties in this section.

The violations listed in the penalties table below are all violations of the Act and shall impose the corresponding penalties after exhaustion of any appeals. A violation will be a subsequent violation for enhanced penalty purposes only if it occurs at a subsequent event on a date after a violator has commenced serving a penalty imposed by the UHP. In all cases, when any violation is identified after a horse has shown in its class (post show), the winnings shall be forfeited and the class shall be retied. If there are multiple violations in connection with a single horse, the violation carrying the most severe penalty must be imposed.

19. Suspensions.

UHP shall issue suspension notices within fifteen days of the end of the event where the violation occurred, by sending the notice to the violator by certified and regular mail. All suspensions shall begin twenty days from the date the notification is mailed, unless a bona fide written request for an appeal is received by UHP within the twenty day period. A violator may file an appeal of the suspension notice in writing within twenty days of the date of the service of the notice, and UHP must make a decision on the appeal promptly, normally within two months, unless written and justifiable circumstances warrant a longer time. If the hearing committee determines that the appeal is frivolous or made for the purpose of postponing the suspension, further penalties may be assessed.

A person who has been suspended or disqualified as a result of an HPA violation shall not: (a) enter a horse for the purposes of showing, exhibiting or selling at auction ("Enter a horse," as used in this section, shall mean to perform any of the activities that are required to be completed before a horse can actually be shown or exhibited); (b) show or exhibit a horse at a horse show, public auction, or exhibition such as a college football game or parade; (c) judge a horse show; (d) enter the show ring during the course of a horse show; (e) enter the inspection area or warm-up area where previously inspected horses are allowed to await ring or sale entry, during the course of a horse show or sale; (f) coach any trainer, owner, or exhibitor anytime during the show or exhibit; (g) transport horses to shows, exhibitions or public auctions; (h) prepare a horse on the sale, show, auction or exhibition grounds; (i) attend a horse show; or (j) serve as a horse

show official. Multiple suspensions are to be served consecutively, not concurrently. A person suspended by the USDA or any other USDA certified HIO for a HPA violation is automatically suspended from UHP affiliated events.

20. Probation Period.

Except for a pressure shoeing violation, the term “probation period” means the period of time after a suspension is served in which a subsequent violation becomes cumulative and results in being considered a “second, third” etc. offense according to the following table, as opposed to a new first offense. Each probation period shall commence once a suspension has been fully served and any subsequent HPA offense received after the end of a probation period shall be considered a first offense. **All HPA violations shall carry a probation period of one year, except as follows:** The probation period will be two years in the case of: (a) a second bilateral sore violation; or (b) a subsequent bilateral sore violation occurring within three years of a suspension notice for a first bilateral sore violation, assuming the second violation also results in a suspension notice. The probation period for pressure shoeing violations does not terminate, but continues indefinitely.

21. Penalties table.

HPA Soring Violations				
	First Offense	Second Offense	Third Offense	Fourth & Subsequent Offense
Pressure Shoeing	Five years	Life		
Bilateral Sore	Eight months	Two years	Five years	Life
Unilateral Sore	Thirty days	Two months	One year	Two years
Scar rule	Two weeks	Two months	One year	Two years
Suspension Violations				
Six months for each occurrence				
Other HPA Violations				
Foreign Substance - Pre Show	Disqualification from Class (non-correctable)			
Foreign Substance - Post Show	Two weeks for each occurrence			
Equipment Violations - Pre Show	Disqualification from Class (non-correctable)			
Equipment Violations - Post Show	Two weeks for each occurrence			

Unruly/Fractus Horse
Disqualification from Class (non-correctable)

All HPA violation suspensions go to the owner, trainer, exhibitor and the horse.

UHP may levy any other such penalty against the person as deemed appropriate.

For suspension purposes, one month equals 30 days.

22. Affected Individuals, Firms, Corporations or Partnerships.

The provisions of these rules shall apply to all owners, exhibitors, agents, trainers, managers, riders, show officials, show employees, members of the families or employees of the above, participating either individually, or as a member of an entity, or any person at a show or sale affiliated with UHP who acts in a manner in violation of the rules of UHP.

Any act at a show in violation of the rules by a member of the family or employee of a person participating in the show, who is described in the previous sentence, may be deemed to have been committed by such person and subject him to penalties.

Any person, firm, corporation or partnership or any other entity granted any right, privilege, authorization, or license, or accepting any benefit from UHP shall be deemed to have contractually agreed to fully cooperate with all duly appointed committees, agents, and employees in enforcement of all rules, regulations, and order of UMH.

Any person, firm, corporation, partnership, or other entity granted any right, privilege, authorization, or license, or accepting, receiving, or exercising same, may be required to give evidence or testimony in any investigation, hearing, trial, or other proceeding held by duly appointed representatives of UHP in connection with investigation of possible violation and enforcement of these rules.

Any violations and penalties applicable by UHP shall apply equally to all horse shows, sales and exhibitions affiliated with UHP.

Failure of any person, firm, or corporation to comply with any penalty or punishment assessed by UHP shall result in automatic suspension of all privileges until full compliance occurs.

23. Standard of Conduct.

Individuals may not serve on the UMH board or committees nor shall they be allowed to be on the UMH approved judges' list while on suspension. Individuals also may not serve on the UMH board or committees nor be on the UMH approved judges' list during the one-year or two-year probation period when applied to any suspension of thirty days or more. Individuals are prohibited from serving on the UMH board, committees or UMH approved judges' list at any time if they have been found to have violated the pressure shoeing rule.

24. Hearings.

Hearings will be conducted under the procedures set out in Section II of the UMH Rules as applicable. In any instance where provisions of the UMH Rules conflict with these UHP Rules, the provisions of the UHP Rules shall prevail.