

UNITED STATES DEPARTMENT OF AGRICULTURE
ANIMAL AND PLANT HEALTH INSPECTION SERVICE

OFFICIAL WARNING

VIOLATION OF FEDERAL REGULATIONS

CASE NO.

AL11008-AC

VIOLATOR

Dean Byard

ADDRESS (Street, City, State, Zip Code)

3505 Pinwheel Drive
Antioch, TN 37013-4863

The U.S. Department of Agriculture has evidence that on or about the date(s) listed below, you or your organization committed the following violation(s) of Federal law:

Date of Violation: August 25, 2012

15 U.S.C. § 1824(2) – Unlawful acts

“The (A) showing or exhibiting, in any horse show or horse exhibition, of any horse which is sore, (B) entering for the purpose of showing or exhibiting in any horse show or horse exhibition, any horse which is sore, (C) selling, auctioning, or offering for sale, in any horse sale or auction, any horse which is sore, and (D) allowing any activity described in clause (A), (B), or (C) respecting a horse which is sore by the owner of such horse.”

9 C.F.R. § 11.3 – Scar rule

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

Dean Byard allowed the entry of a horse, “I’m Tex-Anna” in the in the 74th Tennessee Walking Horse National Celebration in Shelbyville, Tennessee, which was found sore and in violation of the scar rule.

Titles 7 & 9 Code of Federal Regulations were promulgated to help prevent the spread of animal and plant pests and diseases and assure the humane treatment of animals. Since the violations of the regulations can have serious and costly impact detrimental to the public interest, you are warned of this violation. Any further violation of these regulations may result in the assessment of a civil penalty or criminal prosecution. If you have any questions concerning this warning or violation, please contact the listed APHIS official.

APHIS OFFICIAL (Name, Title)

Dr. Chester A. Gipson
Deputy Administrator

OFFICE ADDRESS:

4700 River Road
Riverdale, MD 20737

DATE ISSUED

12/14/2012

TELEPHONE NO.

(301) 851-3751

FOR PERSONAL SERVICE - RECEIVED BY: (Name and signature)

DATE RECEIVED:

FOR CERTIFIED MAIL - RECEIPT NO: