



VIA: UPS Express Carrier  
Shipping Event: 1st

November 7, 2011

Keith McQuerry  
709 Shawnee Farm Road  
Harrodsburg, KY 40330-9779

## **WARNING LETTER**

Re: Reference number KY09086-AC

Dear Sir or Madam:

### **Why You Are Receiving This Letter**

We believe that you violated the Horse Protection Act (15 U.S.C. § 1821 et seq.) (HPA), as described in the attached Warning Letter. Our agency, the Animal and Plant Health Inspection Service (APHIS), is responsible for enforcing the HPA, and other agriculture laws, to protect American agriculture from plant pests and animal diseases, and to ensure the welfare of animals.


We may, after providing you with opportunity for a hearing, impose civil penalties of up to \$2,200, or other sanctions for the violations described in the Warning Letter. Though we usually pursue penalties for the types of violations described in the Warning Letter, we have decided not to pursue penalties for these violations so long as you comply, in the future, with laws that APHIS enforces involving animal and plant health.

### **Consequences of Continuing Non-Compliance**

If you violate laws that APHIS enforces in the future, we may pursue criminal penalties, or may pursue civil penalties for the violations described in the attached Warning Letter, in addition to any penalties we may pursue for any future violations.

### **What To Do If You Have Questions**

If you have any questions concerning this letter, contact Edmund Grant at (301) 734-0865, or call our main office number at (301) 734-8684.

<p>UNITED STATES DEPARTMENT OF AGRICULTURE ANIMAL AND PLANT HEALTH INSPECTION SERVICE</p>  <p><b>OFFICIAL WARNING</b> <b>VIOLATION OF FEDERAL REGULATIONS</b></p>		<p><b>CASE NUMBER:</b> KY09086-AC</p>
	<p><b>VIOLATOR:</b> Keith McQuerry</p>	
	<p><b>ADDRESS</b> (<i>Street, City, State, ZIP Code</i>): 709 Shawnee Farm Road Harrodsburg, KY 40330-9779</p>	
<p>The 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 Regulations:</p> <p><b>Date of Violation: July 2, 2009</b></p> <p><b>15 U.S.C. § 1824(2)</b> 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.</p> <p>You entered for the purpose of showing or exhibiting, the horse “Eb’s Night Storm Boy,” at the Owingsville Lions Club Horse Show which was found sore.</p> <p><b>Date of Violation: July 2, 2009</b></p> <p><b>15 U.S.C. § 1824(7)</b> Unlawful Acts. The showing or exhibiting at a horse show or horse exhibition . . . the allowing to be shown, exhibited, or sold at a horse show, horse exhibition, or horse sale or auction; the entering for the purpose of showing or exhibiting in any horse show or horse exhibition . . . any horse which is wearing or bearing any equipment, device, paraphernalia, or substance which the Secretary by regulation under section 1828 of this title prohibits to prevent the soring of horses.</p> <p>You entered, for the purpose of showing or exhibiting, the horse “Eb’s Night Storm Boy,” at the Owingsville Lions Club Horse Show which tested positive for prohibited foreign substances Diisooctyl Adipate, 1,4-bis (isopropyl) amino 9, 10-Anthracenedione, and o-Aminoazotoluene.</p> <p>These federal requirements were created to help prevent the spread of animal and plant pests and diseases, or to ensure the welfare of animals. Since violations of the regulations can have serious and costly impacts detrimental to the public interest, you are warned of this violation. Any further violation of these federal requirements 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 APHIS officials listed in this notice.</p>		
<p><b>APHIS OFFICIAL (Name)</b> Sarah L. Conant, ESQ</p>	<p><b>OFFICE ADDRESS:</b> 4700 River Road, Unit 85 Riverdale, MD 20737</p>	
<p><b>APHIS OFFICIAL (Title)</b> Supervisor, Animal Health and Welfare Enforcement Branch</p>	<p><b>DATE ISSUED:</b> November 7, 2011</p>	<p><b>TELEPHONE NUMBER:</b> (301) 734-8684</p>