



VIA: USPS Certified Mail  
Shipping Event: 1st

April 24, 2012

Joseph Ray Gilmer  
22630 Highway 18 N  
Toone, TN 38381

## **OFFICIAL WARNING**

Re: Reference number TN11049-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 Official Warning. Our agency, the Animal and Plant Health Inspection Service (APHIS), is responsible for enforcing the HPA, and other agriculture laws that help prevent the spread of animal and plant pests and diseases, and ensure the welfare of animals.


After providing you with an opportunity for a hearing, we may impose civil penalties of up to \$2,200, or other sanctions, for each violation described in this Official Warning. Although we generally pursue penalties for this type of violation(s), we have decided not to pursue penalties in this instance so long as you comply, in the future, with laws that APHIS enforces.

### **Consequences Of Continuing Non-Compliance**

If you violate laws that APHIS enforces in the future, we may pursue criminal penalties, or we may pursue civil penalties for the violations described in this Official Warning, 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 Official Warning, contact Jennifer Jones at (301) 851-2780 or call our main office number at (301) 851-2948.

<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> TN11049-AC</p>	
	<p><b>VIOLATOR:</b> Joseph Ray Gilmer</p>	<p><b>ADDRESS</b> (<i>Street, City, State, ZIP Code</i>): 22630 Highway 18 N Toone, TN 38381</p>	
<p>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 Regulations:</p> <p><b>Date of Violation: August 27, 2010</b></p> <p><b>15 U.S.C. § 1824(7) Unlawful Acts.</b> The following conduct is prohibited:</p> <p>“The showing or exhibiting at a horse show or horse exhibition; the selling or auctioning at a horse sale or auction; 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 exhibition; or offering for sale at a horse sale or auction, any horse which is wearing or bearing any equipment, device, paraphernalia, or substance which the Secretary...prohibits to prevent the soring of horses.”</p> <p>You showed or exhibited the horse, “Ruben Goldstein” a.k.a. “Empowered With Pride,” with chains touching and falling below the coronary band.</p> <p><b>Date of Violation: August 27, 2010</b></p> <p><b>9 C.F.R. § 11.2(b)(17) Specific prohibitions.</b> The use of the following devices or equipment on any horse at any horse show, horse exhibition, or horse sale or auction is prohibited:</p> <p>“Any action device or any other device that strikes the coronet band of the foot of a horse except for soft rubber or soft leather bell boots that are used as protective devices.”</p>			
<p>The Animal and Plant Health Inspection Service (APHIS) created federal regulations to ensure the welfare of animals and help prevent the spread of animal and plant pests and diseases. Since violations of the regulations can have serious and costly impacts that are detrimental to the public interest, APHIS is providing you with an Official Warning for the violation(s) described above. Any further violation of these federal regulations may result in the assessment of a civil penalty, criminal prosecution, or other sanctions. If you have any questions concerning this Official Warning or violation(s), please contact the APHIS official listed in this notice.</p>			
<p><b>APHIS OFFICIAL (Name):</b> Robert J. Huttenlocker</p>	<p><b>OFFICE ADDRESS:</b> 4700 River Road, Unit 85 Riverdale, MD 20737</p>		
<p><b>APHIS OFFICIAL (Title):</b> Director, Investigative and Enforcement Services</p>	<p><b>DATE ISSUED:</b> 4/24/2012</p>	<p><b>TELEPHONE NUMBER:</b> (301) 851-2948</p>	