

UNITED STATES DEPARTMENT OF AGRICULTURE
ANIMAL AND PLANT HEALTH INSPECTION SERVICE

OFFICIAL WARNING

VIOLATION OF FEDERAL REGULATIONS

CASE NO.

TN130133

VIOLATOR

Tim Smith

ADDRESS (Street, City, State, Zip Code)

212 Shepard Dr.
Shelbyville, TN 31763

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 23, 2012

15 U.S.C. § 1824(7) – Unlawful Acts

“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 horse 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 by regulation under Section 1828 of this title prohibits to prevent the soring of horses.”

9 C.F.R. § 11.2(b)(15) Prohibition concerning exhibitors – Specific prohibitions

“(b) Specific prohibitions. The use of any of the following devices, equipment, or practices on any horse at any horse show, horse exhibition, or horse sale or auction is prohibited: metal hoof bands, such as used to anchor or strengthen pads and shoes, placed less than ½ inch below the coronet band.

Tim Smith entered for the purpose of showing a horse, “X-Factor,” in the 74th Annual Tennessee Walking Horse National Celebration in Shelbyville, Tennessee, which had pad bands placed less than ½ inch below the coronet bands.

See Continuation Page

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

12/7/2012

TELEPHONE NO.

(301) 851-3751

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

DATE RECEIVED:

FOR CERTIFIED MAIL - RECEIPT NO:

Date of Violation: August 25, 2012

15 U.S.C. § 1824(7) – Unlawful Acts

“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 horse 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 by regulation under Section 1828 of this title prohibits to prevent the soring of horses.”

9 C.F.R. § 11.2(b) Prohibition concerning exhibitors – Specific prohibitions

“(b) Specific prohibitions. The use of any of the following devices, equipment, or practices on any horse at any horse show, horse exhibition, or horse sale or auction is prohibited:

(10) Artificial extensions of the toe length, whether, accomplished with pads, acrylics or any other material or combinations thereof, that exceeds 50 percent of the natural hoof length....

(11) Toe length that does not exceed the height of the heel by 1 inch or more. The length of the toe shall be measured from the coronet band, at the center of the front pastern along the front of the hoof wall to the ground. The heel shall be measured....

(15) Metal hoof bands, such as used to anchor or strengthen pads and shoes, placed less than ½ inch below the coronet band.

Tim Smith entered for the purpose of showing a horse, “Jose’s Ritzy Hawk,” in the 74th Annual Tennessee Walking Horse National Celebration in Shelbyville, Tennessee, which had pad heights beyond fifty percent the hoof wall length, coronet bands less than ½ inch or greater from the top of the pad band, and toe lengths that did not exceed the heel lengths by at least one inch.