

UNITED STATES DEPARTMENT OF AGRICULTURE
ANIMAL AND PLANT HEALTH INSPECTION SERVICE



OFFICIAL WARNING
VIOLATION OF FEDERAL REGULATIONS

CASE NO.
AR10013-AC

VIOLATOR
William Edward (Edgar) Abernathy

ADDRESS (Street, City, State, Zip Code)

William Edward (Edgar) Abernathy
1181 Jason Way
Byhalia, MS 38611

The Department of Agriculture has evidence that on or about **April 22, 2010**, you or your organization committed the following violation of Federal law:

Entered for the purpose of showing or exhibiting, the horse "Gold Danger," at the Gulf Coast Charity Horse Show which was found sore.

The Horse Protection Act prohibits the following conduct:

15 U.S.C. § 1824(1) – Unlawful acts

"The shipping, transporting, moving, delivering, or receiving of any horse which is sore with reason to believe that such horse while it is sore may be shown, exhibited, entered for the purpose of being shown or exhibited, sold, auctioned, or offered for sale, in any horse show, horse exhibition, or horse sale or auction..."

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 CFR § 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."

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)

Sarah L. Conant, Chief, Animal Health and Welfare Enforcement Branch
Investigative and Enforcement Services

OFFICE ADDRESS:

4700 River Road, Unit 85
Riverdale, MD 20737

SIGNATURE

Sarah Conant

DATE ISSUED

11/30/2010

TELEPHONE NO.

(301) 734-8684

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

DATE RECEIVED:

FOR CERTIFIED MAIL - RECEIPT NO: