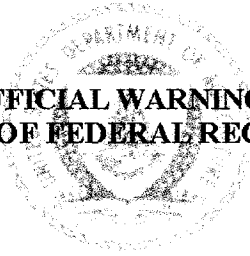


UNITED STATES DEPARTMENT OF AGRICULTURE
ANIMAL AND PLANT HEALTH INSPECTION SERVICE

**OFFICIAL WARNING
VIOLATION OF FEDERAL REGULATIONS**



CASE NO.
FL130013-AC and FL130022-AC

VIOLATOR
David Smith

ADDRESS (Street, City, State, Zip Code)

**333 Claypool Boyce Road
Alvaton, KY 42122**

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: April 27, 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(c) Prohibition concerning exhibitors – Substances

"(c) Substances. All substances are prohibited on the extremities above the hoof of any Tennessee Walking Horse or racking horse while being shown, exhibited, or offered for sale at any horse show, horse exhibition, or horse sale or auction, except lubricants such as glycerine, petrolatum, and mineral oil, or mixtures thereof...."

You entered, for the purpose of showing or exhibiting, the horse "The White Mask," at the 2012 Gulf Coast Charity Celebration which tested positive for Isopropyl Palmitate and Cholesterol.

Date of Violation: April 28, 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."

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You entered, for the purpose of showing or exhibiting, the horse "Just Watch and Learn," at the 2012 Gulf Coast Charity Celebration which tested positive for DMSO, Isopropyl myristate, Isopropyl Palmitate, o-aminoazotoluene, and 1,4-bis[(1-methylethyl)amino]-9, 10-Anthracenedione.

*** 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

At

SIC

OFFICE ADDRESS:

4700 River Road
Riverdale, MD 20737

DATE ISSUED

2/10/2012

TELEPHONE NO.

(301) 851-3751

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

DATE RECEIVED:

FOR CERTIFIED MAIL - RECEIPT NO: