

UNITED STATES DEPARTMENT OF AGRICULTURE  
ANIMAL AND PLANT HEALTH INSPECTION SERVICE



**OFFICIAL WARNING**  
**VIOLATION OF FEDERAL REGULATIONS**

**CASE NUMBER:**  
FL09570-AC & KY09069-AC

**VIOLATOR:**  
Gene Marshall Kemp

**ADDRESS** (*Street, City, State, ZIP Code*):  
2085 Cages Bend Road  
Gallatin, TN 37066

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:

**Date of Violation: April 18, 2009**

**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.

You allowed the entry of the sore horse, "A Major Uprising," for the purpose of showing or exhibiting in the 2009 Spring Jubilee Charity Horse Show.

**Date of Violation: April 22, 2009**

**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.

You showed or exhibited the sore horse, "A Major Uprising," in the 2009 Gulf Coast Charity Horse Show.

**Date of Violation: April 18, 2009 & April 22, 2009**

**9 C.F.R. § 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 section 5 of the Act.

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.

**APHIS OFFICIAL (Name):**  
Robert J. Huttenlocker

**OFFICE ADDRESS:**  
4700 River Road, Unit 85  
Riverdale, MD 20737

**APHIS OFFICIAL (Title):**  
Director, Investigative and Enforcement Services

**DATE ISSUED:**  
8/7/2012

**TELEPHONE NUMBER:**  
(301) 851-2948