



## TENNESSEE FARM BUREAU FEDERATION

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May 20, 2025

United States Department of Agriculture  
Animal and Plant Health Inspection Service  
Regulatory Analysis and Development  
Station 2C-10.16  
4700 River Road, Unit 25  
Riverdale, MD 30737-1238

**Re: Docket No. APHIS-2022-0004 - Horse Protection Amendments; Further Delay of Effective Date and Request for Comment**

The Tennessee Farm Bureau Federation (TFBF) represents a diverse group of farmers across the state and, with over 695,000 members, is the largest general farm organization in Tennessee. Our policy is developed through a grassroots network of members who identify, research, deliberate, vote on, and adopt policies on various issues, including the care of horses. On behalf of our member farmers, we submit these comments and strongly encourage the USDA Animal and Plant Health Inspection Service (APHIS) to reconsider the Biden Administration's 2024 Horse Protection Act (HPA) rulemaking.

Tennessee's equine industry is a vital part of the agricultural economy in this state. Tennesseans take immense pride in all segments of the industry, including shows and competition within all breeds and types of horses. Competition showcases the performance and capabilities of a horse while encouraging steady improvement of genetics and lineage to ensure quality within each breed.

TFBF believes humanity has a moral obligation to avoid cruelty when taking care of animals and opposes using soring to train horses. Soring negatively affects a horse's health and tarnishes the equine industry's reputation. Those who violate the HPA do not represent the pride and care horse owners have for their animals and should be held accountable to the full extent of the law. However, the 2024 rulemaking for the HPA excessively overreaches its authority to punish those who sore horses and would negatively affect the entire horse industry and those who do the right thing. Although we support APHIS's intended goal to end soring practices in equine training, TFBF cannot support the 2024 rule in its current form.

On January 31, 2025, the United States District Court for the Northern District of Texas held that APHIS exceeded its statutory authority in the 2024 HPA rule with respect to the following provisions:

1. A blanket prohibition of the use of pads, action devices, and substances on Tennessee Walking Horses and racking horses;
2. A Dermatologic Conditions Indicative of Soring provision intended to replace the "scar rule" failed to provide due process, and;

3. The pre- and post-deprivation reviews in the rule had failed to provide due process.

However, the district court upheld the 2024 HPA rule's provision to remove the authority of Designated Qualified Persons (DQPs) to inspect horses. Since 1976, the HPA has allowed Horse Inspection Organizations (HIOs) to appoint DQPs to inspect horses and ensure they comply with the HPA. These DQPs are licensed based on their experience within the equine industry and knowledge of the specific industry they are inspecting. Subsequently, HIOs have been responsible for the administration, licensing, and training of DQPs and enforcing HPA violations. This structure, centered around an environment of industry-wide accountability and self-regulation, maintains a higher standard of responsibility within the industry. The 2024 HPA rule shifts this regulatory authority and its responsibilities from HIOs entirely to APHIS. TFBF is concerned about this change because we strongly believe in the collaborative partnership between HIOs and APHIS to ensure the HPA is enforced with integrity and accountability. Also, we are concerned, especially considering recent budget cuts and personnel changes within USDA, with the availability of resources within APHIS to enforce HPA at the same level without the help of HIOs. TFBF encourages APHIS to reconsider this provision and retain this longstanding partnership with HIOs.

Care and concern for the animals entrusted to our care is a moral responsibility and personal desire of animal owners across Tennessee and the nation. Those who abuse this responsibility should be held accountable for their actions. However, the 2024 HPA Rule will unfairly affect most horse owners who treat their animals with respect and adversely affect the communities who take pride in the equine competition and performance industries. Because of this, TFBF strongly urges APHIS to rescind the 2024 HPA rule and to work with the equine industry to develop a plan to protect horses from soring, which is backed by science and allows the industry to thrive and grow.

Thank you for your consideration.

Sincerely,

A handwritten signature in cursive script that reads "Eric Mayberry".

Eric Mayberry  
President  
Tennessee Farm Bureau Federation