



United States  
Department of  
Agriculture

Animal and Plant  
Health Inspection  
Service

4700 River Road  
Riverdale, MD  
20737

August 1, 2012

HAWHA  
1830 W. Parkview  
Bolivar, MO 65613

Re: Final Rule, Docket #: APHIS-2011-0030

Dear HAWHA HIO:

As of July 9, 2012, the final rule requiring horse industry organizations and associations (HIOs) to assess and enforce minimum penalties under the Horse Protection Act (HPA) has become effective. *See* 9 C.F.R. § 11.25. On July 23, 2012, USDA notified Heart of America Walking Horse Association (HAWHA) HIO of its failure to comply with the final rule and provided HAWHA HIO with the opportunity to rectify this failure or adequately explain it to the satisfaction of the U.S. Department of Agriculture (USDA) within 5 business days from receipt of the letter. On July 26, 2012, HAWHA HIO sent USDA a letter stating its reasons for not implementing the final rule.

As of today, August 1, 2012, HAWHA HIO has failed to submit an amended rulebook demonstrating that it is assessing and enforcing the minimum penalties outlined in the final rule. HAWHA HIO's letter of July 27, 2012 also failed to adequately explain its noncompliance to the satisfaction of the Department. Consequently, this letter serves as HAWHA HIO's initial notice that its DQP program certification has been revoked pursuant to 9 C.F.R. ' 11.7(g). HAWHA HIO may appeal this revocation to the Administrator within 30 days from receipt of this letter and request a hearing which will be held in accordance with the Uniform Rules of Practice for the Department of Agriculture in subpart H of part 1, subtitle A, title 7, Code of Federal Regulations (7 CFR 1.130 *et seq.*). All DQP licenses HAWHA HIO has issued will expire 30 days after the effective date of revocation of its certification program, or 15 days after the date the revocation becomes final after appeal, unless such licenses are transferred to an HIO having a program currently certified by the Department.

Sincerely,

Chester A. Gipson  
Deputy Administrator  
Animal Care

Cc: Dr Rachel Cezar; National Horse Protection Coordinator



Safeguarding American Agriculture

APHIS is an agency of USDA's Marketing and Regulatory Programs  
An Equal Opportunity Provider and Employer

Federal Relay Service  
(Voice/TTY/ASCII/Spanish)  
1-800-877-8339