



MEMORANDUM

To: AHC Organizations

From: American Horse council

Re: USDA Proposes to Tighten Regulations on Transporting Horses to Slaughter

Date: November 7, 2007

The U.S. Department of Agriculture (USDA) has proposed to amend the regulations governing the commercial transportation of equines for slaughter. The proposed changes would extend the regulatory protections provided by the Commercial Transport of Equines to Slaughter Act (the Act) to horses bound for slaughter but delivered first to an assembly point, feedlot, or stockyard. Comments on the proposed rule changes must be submitted to USDA by January 7, 2008.

Background – Current Transport Rules

USDA adopted the rules regulating the transport of equines for slaughter in December, 2001. These rules subjected commercial transporters of horses for slaughter to federal regulation for the first time. The rules require that shippers certify the fitness of these horses to travel and provide them with water, food, and rest for 6 hours prior to being loaded for transport. Once loaded the horses cannot be shipped for longer than 28 hours without being off-loaded for 6 hours and given the chance to rest, eat and drink. While in transport, horses must be checked at least every 6 hours to ensure that no horse has fallen or otherwise become physically distressed in route.

Trucks used to transport horses to processing facilities must allow for the segregation of stallions and aggressive horses from others, provide enough room for the well-being of the horses during transport and be equipped with doors and ramps that allow safe loading and unloading.

The rules prohibited the use of double-deck trailers to commercially transport horses to slaughter after December 7, 2006.

Proposed Changes

The rule proposal notes that the Commercial Transport of Equines to Slaughter Act applies to “equines for slaughter,” which are broadly defined in the law as “any member of the Equidae family being transferred to a slaughter facility, including an assembly point, feedlot, or stockyard.” But the current rules apply only to equines moved to a slaughter plant, not to equines that are moved at some point to an assembly point, feedlot or stockyard. USDA considers this a gap in the protections of the Act. “As the regulations are written, equines sold as slaughter horses may be transported to an assembly point, for example, in a double-deck trailer and without any of the protections afforded by the regulations,” the proposal notes. USDA goes on to say that “we believe that equines may be delivered to these intermediate points en route to slaughter for the sole purpose of avoiding compliance with the regulations.” The proposed rule change would fill that gap.

The proposed change would broaden the protections of the Act by re-defining “equine for slaughter” to include any equine “being transferred to a slaughter facility, including an assembly point, feedlot, or stockyard.” In effect, the proposed changes would move-up the point at which the regulations apply in the process of moving horses from farms and sales to a slaughter facility. The proposed change would provide equines delivered to intermediate points en route to slaughter with the same protections regarding food, water, hour limits, and the prohibition on double-decker trucks, as those horses moved directly to plants.

Exception for Certain Equine. The proposed rule provides that USDA will consider all equines delivered to an assembly point, feedlot or stockyard to be equines for slaughter and subject to the regulations unless the owner/shipper presents an official certificate of veterinary inspection and the original copy of a negative equine infectious anemia test chart or other documents indicating the names and addresses of the consignor, consignee, owner and examining veterinarian for any equine being shipped, as evidence that the equines are not equines for slaughter.

Conclusion

Neither the current rules nor the proposed changes apply to the transport of horses for breeding, racing, showing or recreation.

Please give us your thoughts on these proposed changes. If you have any questions, please contact the AHC.

To read the full rule proposal, go to the AHC website at www.horsecouncil.org or the Federal Register at: <http://a257.g.akamaitech.net/7/257/2422/01jan20071800/edocket.access.gpo.gov/2007/pdf/E7-21896.pdf>

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