

TITLE 15 - COMMERCE AND TRADE
CHAPTER 44 - PROTECTION OF HORSES

§ 1824. Unlawful acts

The following conduct is prohibited:

- (1) The shipping, transporting, moving, delivering, or receiving of any horse which is sore with reason to believe that such horse while it is sore may be shown, exhibited, entered for the purpose of being shown or exhibited, sold, auctioned, or offered for sale, in any horse show, horse exhibition, or horse sale or auction; except that this paragraph does not apply to the shipping, transporting, moving, delivering, or receiving of any horse by a common or contract carrier or an employee thereof in the usual course of the carrier's business or employee's employment unless the carrier or employee has reason to believe that such horse is sore.
- (2) 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.
- (3) The failure by the management of any horse show or horse exhibition, which does not appoint and retain a person in accordance with section 1823 (c) of this title, to disqualify from being shown or exhibited any horse which is sore.
- (4) The failure by the management of any horse sale or auction, which does not appoint and retain a qualified person in accordance with section 1823 (c) of this title, to prohibit the sale, offering for sale, or auction of any horse which is sore.
- (5) The failure by the management of any horse show or horse exhibition, which has appointed and retained a person in accordance with section 1823 (c) of this title, to disqualify from being shown or exhibited any horse
 - (A) which is sore, and
 - (B) after having been notified by such person or the Secretary that the horse is sore or after otherwise having knowledge that the horse is sore.
- (6) The failure by the management of any horse sale or auction which has appointed and retained a person in accordance with section 1823 (c) of this title, to prohibit the sale, offering for sale, or auction of any horse
 - (A) which is sore, and
 - (B) after having been notified by such person or the Secretary or after otherwise having knowledge that the horse is sore.
- (7) 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.
- (8) The failing to establish, maintain, or submit records, notices, reports, or other information required under section 1823 of this title.
- (9) The failure or refusal to permit access to or copying of records, or the failure or refusal to permit entry or inspection, as required by section 1823 of this title.

NB: This unofficial compilation of the U.S. Code is current as of Jan. 5, 2009 (see <http://www.law.cornell.edu/uscode/uscprint.html>).

(10) The removal of any marking required by the Secretary to identify a horse as being detained.

(11) The failure or refusal to provide the Secretary with adequate space or facilities, as the Secretary may by regulation under section 1828 of this title prescribe, in which to conduct inspections or any other activity authorized to be performed by the Secretary under this chapter.

(Pub. L. 91–540, § 5, Dec. 9, 1970, 84 Stat. 1405; Pub. L. 94–360, § 6, July 13, 1976, 90 Stat. 916.)

Amendments

1976—Pub. L. 94–360 substituted provisions prohibiting the transportation, receipt, exhibition, sale, or auction of a sore horse, and the showing, sale or auction of a horse bearing any device or substance prohibited by regulation of the Secretary, and making the management of a horse show, exhibition, or sale, responsible for failure to disqualify such horses from participating, and for interfering with the conducting of inspections by the Secretary of horses in the show or of the management records, for provisions authorizing the inspection of horses, transported in commerce, and requiring the management of shows and exhibitions to maintain such records as the Secretary prescribes. Provisions now covering the maintenance of records and the inspection of horses are set out as section 1823 of this title.