2026 Horse Protection Proposed Rule

Last Modified:

APHIS is seeking public comment on a proposed rule to strengthen its regulations under the Horse Protection Act (HPA). Following a district court’s vacatur of portions of the 2024 final rule, APHIS is withdrawing the remaining portions of the rule and proposing updates that strengthen enforcement, ensure due process, and support modernized, science-based inspections across events covered under the regulations.

APHIS encourages the public to comment on this proposed rule. It is available for public review in the Federal Register. Beginning November 13, 2026, the public may submit comments by visiting www.regulations.gov and entering "APHIS-2026-0067” in the search field. The 30-day comment period closes on December 14, 2026.

Frequently Asked Questions

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Why is APHIS proposing changes to the Horse Protection regulations?

In 2024, APHIS published a final rule amending the Horse Protection regulations to allow management to hire third-party inspectors trained and licensed by APHIS, rather than Horse Industry Organizations (HIOs), and prohibit the use of action devices and non-therapeutic pads and substances. In 2025, a district court vacated major portions of the 2024 rule and enjoined enforcement of parts of the current regulations due to legal deficiencies.

In its new proposed rule, APHIS is withdrawing the remaining portions of the 2024 final rule and proposing changes to the Horse Protection regulations to improve the inspection process to better identify and prevent sore horse from unfairly competing and participating in horse shows, exhibitions, sales, and auctions.

What changes is APHIS proposing to the Horse Protection regulations?

In its proposed rule, APHIS is proposing to:

- Enhance the training, evaluation, monitoring and standards of conduct provisions for third-party inspectors (referred to as Designated Qualified Persons or DQPs).
- Modernize inspection procedures to better ensure that only compliant horses compete or participate in HPA-regulated events.
- Strengthen provisions to ensure that exhibitors, management, horse industry organizations and associations (HIOs), and other individuals do not interfere with APHIS or DQP inspections of horses.
- Prohibit the use of masking agents and other substances that conceal evidence of soring (such as sedatives or topical numbing agents).
- Remove the “scar rule” from the regulations, consistent with a district court decision finding that the scar rule likely exceeds USDA’s statutory authority.
- Revise APHIS’ inspection procedures to require two APHIS veterinarians to independently inspect and concur on a finding of a noncompliance before notifying the individual having responsibility for the horse.
- Establishing a process for individuals who are responsible for a horse to immediately appeal APHIS inspection findings to a neutral Appeals Official at the event.

- Clarifying the responsibilities of management for disqualification of sore horses and the prohibitions on horses otherwise not in compliance with the Act or regulations.

What are the benefits of the proposed rule?

The changes in the proposed rule are designed to achieve the purpose of the HPA, namely, to eliminate soring and restore fair competition at covered horse shows, exhibitions, sales, and auctions. The proposed rule would:

- Improve fairness and transparency for exhibitors while enhancing soring detection.
- Ensure consistent inspections across events.
- Align inspection procedures with modern veterinary science, other equine disciplines, and the HPA.
- Reinforce APHIS' commitment to ensuring accountable, science-based oversight of industry-led enforcement efforts through an inspection system that is effective, transparent, and sustainable within existing resources.

How do I submit a comment on the proposed rule?

Beginning November 13, 2026, you can submit comments on or before December 14, 2026, in two ways:

1. Online:

- Go to www.regulations.gov.
- Enter "APHIS-2026-0067" in the Search field.
- Select the Documents tab, then select the Comment button next to the proposed rule.

2. By Mail or Delivery:

Send your comment to:
Docket No. APHIS-2026-0067

Regulatory Analysis and Development, PPD, APHIS
5601 Sunnyside Ave, Beltsville, MD 20740

Please be sure to submit your comment before the deadline. All comments become part of the public record and may be viewed online.

Resources

Tips for Submitting Effective Comments

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