

American Horse Council White Paper - Legal Status Of Horses as Livestock

The following information is provided as an educational service by the American Horse Council and the American Association of Equine Practitioners. Since several states are considering the possibility of changing the legal definition of horses under state law to companion animals, non-food animals or other similar designations, the AHC and AAEP want to make sure the horse industry is aware of the ramifications if such a change were to happen by statute.

Livestock: definition. Livestock is most commonly considered to be animals kept or raised in a farm or ranch setting and used in a commercial enterprise. The raising of livestock is an agricultural endeavor that promotes the preservation of green space and a way of life that many in today's society desire.

Are horses livestock? Yes. Traditionally, and legally, horses have been considered livestock in the United States. Many horses are still kept and raised on a farm or ranch or are used in a commercial enterprise. The US horse industry makes a major contribution to the economic well being of the country, with a \$112.1 billion impact. It generates 1,404,400 full time equivalent jobs and pays \$1.9 billion in taxes to all levels of government.

What effects would changing the legal status have on the horse industry?

1. Possible loss of state and federal support monies. Now, the care and regulation of horses and horse related activities come under the state and federal agriculture departments. The USDA provides funds for research into several equine diseases, enforces the Horse Protection Act, and is developing methods to enforce the Safe Commercial Transportation of Equine to Slaughter Act. There is a possibility of losing funding for research, regulation and disaster relief.
2. Humane Laws. All states have animal anti-cruelty laws. Two categories exist, laws for livestock and laws for non-livestock. Livestock laws are intended to ensure humane treatment and care, while still allowing for use of the animal. If horses lose livestock status, livestock anti-cruelty laws will no longer apply to them.
3. Limited Liability Laws. Some state laws are not limited to horses, but encompass all farm animals. If horses are no longer considered livestock, these laws may no longer apply to them. Ironically, horse owners worked to get these laws passed, since they realize the horse is a potentially dangerous animal and are aware of the risks of dealing with them.
4. Tax issues. Currently, under federal law commercial horse breeders and owners are treated as farmers. Since horses are considered as livestock, state sales and excise tax rates are often advantageous. If horse breeding ceases to be an agricultural endeavor, taxes could increase.

Why do some want to change the definition?

Many feel that changing the definition to companion animals would prevent the use of horses for human consumption.

Conclusion.

The horse has long been considered livestock in the United States and throughout the world. This does not prevent individuals from enjoying their horses as companion animals. That is their privilege, just as it is the right of others to continue to care for them as livestock. Changing the legal definition of horses to companion animals under state law, however, could adversely affect horse owners and breeders and not necessarily better protect horses.