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2 **SUBJECT: Add Surgical Alteration Disclosure to Rules of Conduct**

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4 *(This section to be completed by the Agenda and Resolutions Committee.)*

5 Committees required to review:

Committee Action:

Approve                      Disapprove

6	Equine Stress/Research & Education Committee	_____	_____
	Ethical Practice Review Board	_____	_____
	Probable Cause Panel	_____	_____
	Registration Commission	_____	_____

7  
8 **CONVENTION ACTION:**

9

10	_____ Approved	_____ Approved with Modification	_____ Disapproved
11			
12	_____ Withdrawn	_____ Referred to Committee _____	

13  
14 **RESOLUTION:**  
15 *(Refer to Article 901 for submission requirements.)*

17 Whereas,            The Arabian Horse Association Code of Ethics and Sportsmanship under Rules of Conduct has several  
18 rules pertaining to the ethical exhibition and transfer of title of the ownership of the Arabian horse; and

19 Whereas,            The implementation by the general membership of AHA of Articles 304.7 and 304.9 (page 12) proves  
20 that we, the AHA members, wish to have our horses honestly represented and to have the ability to  
21 breed and show and see our horses in an informal and discretionary manner without concerns ~~of~~  
22 horses being misrepresented to the judges, breeders, potential buyers, exhibitors or to any enthusiasts  
23 of the Arabian horse; and

24 Whereas,            The genotype which is determined at conception is responsible for the phenotype (the natural  
25 expression of the genotype) which naturally evolves as the horse develops; and

26 Whereas,            Changes in the phenotype (or natural look) of a horse can unnaturally result from surgical procedures;  
27 and

28 Whereas,            The physical alteration of an individual horse may misrepresent the horse and constitute fraud; and

29 Whereas,            Castration, a form of surgical alteration, has historically been recorded on the official certificate of  
30 registration.; Therefore, Be It

31 Resolved,            That AHA Article 304.9 be amended to read as follow:

32                            “9. (a) Members, their agents, servants and employees, shall not perform, aid, instruct, conspire with  
33 another, or employ another to perform any surgical procedure on a horse, to be shown, used for  
34 breeding, or sold as a breeding animal, that conceals any genetic defect or any undesirable trait, unless  
35 such surgery is necessary for therapy to the horse as attested and sworn to in writing by a qualified  
36 veterinarian. Such surgery must be reported to AHA by the owner, lessee, manager or other person  
37 who authorized the surgery within thirty (30) days of the surgery commencing with surgery performed  
38 July 1, 2005 and thereafter. Surgery performed December 1, 2004 until June 30, 2005, must be  
39 reported no later than July 31, 2005, to permit the development, production and distribution of  
40 necessary report forms.

41                            (b) Reportable Surgeries are as follows: 1) cutting the dorsal or ventral tail muscles; 2) ear trims;  
42 3) Forssells operation; 4) implantations (saline, latex, silicone, etc.); 5) inferior check desmotomy; 6)  
43 liposuction; 7) Modified Forssells operation; 8) partial removal of the anterior 1/3 of the tongue; 9)  
44 partial severance of the ligamentum nuchas; 10) subcutaneous injection of materials to fill in defects  
45 and 11) tattooing.

(c) A Surgical Review Panel shall be appointed by the AHA President to serve during the President's tenure. The Panel is to be composed of four (4) members; two (2) members of the Equine Stress/Research and Education Committee; one (1) member of the Registration Commission and one (1) veterinarian who is recognized as an equine practitioner. This Panel will maintain (making additions to or deletions from), and will consider applications for exception to, the list of Reportable Surgeries in 9 (b).

(d) A Memorandum of Understanding is to be pursued between AHA and the American Veterinary Medical Association (AVMA) whereby veterinarians will file a report with AHA if they perform any of the procedures found in 9 (b). on any Arabian horse, identifying the date of surgery, name of horse and name of owner and any other information that AHA and AVMA might consider important for reporting."

(e) Any surgical procedure stated in 9 (b) must be documented on the Registration Certificate or on an Official Surgical alteration Addendum to this certificate.

Effective: AHA Article 304.9 (a), (b), (c), (d) effective December 1, 2004  
AHA Article 304.9 (e) effective upon approval by the Registration Commission

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**PROPONENT'S FINANCIAL IMPACT:**

(Refer to Article 901.2.e. for financial requirements.)

Minimal: Cost of forms, clerical and posting to registration certificate.

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**AHA IMPACT STATEMENT:**

Following are some of the issues that may arise if this Resolution is implemented:

1. How often can/will the Panel change the list?
2. How will the members be notified of the changes in the list?
3. What if the surgery disclosure list changes (without the transferee's knowledge) the day before a horse is transferred without the owner's disclosure of the newly listed surgery?
4. What happens if the current Panel deletes a previously required reportable surgery? Will all the papers have to be changed to delete reference to that surgery?
5. When a reportable surgery is added to the list by the Panel, do horses which previously had that particular surgery have to then add it to their papers? What is the time limit to do so?
6. Will there be confusion (or a presumption) that disclosing a surgery that is on the list will protect a person from a Section 9 unethical surgical alteration? (in other words, "If the surgery is on the list and I disclose it, then it is not a violation?");
7. Does the statement 'Arabian' in Line 51 include Half-Arabian and Anglo-Arabians?
8. Was Staff time taken into consideration?
9. Should the Memorandum of Agreement be with the American Association of Equine Practitioners?
10. Will there be legal issues with AVM? What if the veterinarian fails to report the surgery?
11. What if the AVMA refuses to enter into a Memorandum of Understanding?
12. What happens if no report is made?
13. What will be the Committee costs?

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Surgical alteration of an Arabian horse to improve appearance and performance is an ethical issue that has been addressed under AHA rules (see Codes of Ethics). Disclosure of this surgery, as required under Resolution #6-04, would be left up to the integrity (ethics) of the owner and veterinarian authorizing and performing the surgery.

Disclosure would be voluntary at best. The few owners and veterinarians who feel surgical alteration is necessary will most likely not disclose the surgery as it would publicly announce that the horse has a problem.

