



APA UPDATE –WHAT IS THE DELAY?

In the past few issues of Breeders Digest we have endeavored to keep you up to date on developments in the dispute with the Department's registration office over interpretation of the APA and on progress toward the Sport Horse Canada concept (see sporthorsecanada.com). This month we will focus on why the process is taking so long and provide detailed information about our work with the Minister's office.

Understandably, there is a great deal of concern over the delay in resolving the distinct breed definition. The first thing people need to know is that there is no deliberate attempt by either the Department or by the CWHBA to delay the process. We must remember that we are dealing with government and that there are several layers of authority involved in the process. Nevertheless, we are sure that the Department is working diligently to put forward recommendations, subsequent to the winding up of the work of the Advisory Committee.

For our part, we have continued to deal directly with the Minister's office. Since April 2006, when we first wrote to Minister Strahl, we have met four times with Ministerial staff members, consulted with David Anderson, Parliamentary Secretary for Agriculture and with Rob Merrifield, MP for Yellowhead. We have prepared and provided large numbers of documents in anticipation of a meeting with the Minister. The appointment of a new Minister, the Honorable Gerry Ritz, has of course delayed the planned meeting and engendered more briefing documents from both the CWHBA and his Department.

I want to reiterate, there has been no attempt to delay the process. In fact we have had very positive, courteous and timely treatment from the aforementioned individuals. We believe there is a genuine desire on all sides to come to a positive resolution.

Why have we gone directly to the Minister of Agriculture? There are two reasons why it has become necessary for the Minister to become involved:

1. The central issue of interpretation and administration of the Animal Pedigree Act is ultimately the responsibility of the Minister. Interpretation of the Act by the department has apparently changed since incorporation of the CWHBA in 1991. Either the Minister or the courts must arbitrate the difference of opinion between the department and the CWHBA.
2. The process which was agreed to in September of 2005 .."a plan to move forward quickly to clarify the definition of Warmblood horses as a distinct breed in Canada." (*Canadian Warmblood Horse Breeders Association - Agriculture and Agri-Foods Canada JOINT COMMUNICATION RELEASE*), was suspended by the Department in early 2006. The Department appointed an Advisory Committee in October 2006 and invited submissions. However, information (including a video) provided by the CWHBA, for consideration by the committee, was not shared with the Advisory Committee. It therefore became necessary for the CWHBA to take our information directly to the Minister to have it considered. We are pleased to report that the information has been valued and considered at that level.



What information have we provided to the Minister? The following is a brief synopsis of the information which we have brought to the Minister. (These documents are available as pdf files on the CWHBA website).

1. Sport Horse Canada Principles and Process- This was the original concept paper for an umbrella organization, agreed to by representatives of the CWHBA, CSHA and Sport Pony with participation of the AAFC. See sporthorsecanada.com. It still provides the basis for a viable plan for unifying Canadian breeders.
2. Considerations in the Definition of Warmblood Horses – This document covers the breed history, APA requirements and economic and practical issues surrounding the distinct breed status for Warmblood horses. It clearly explains how Warmblood horses meet the Department's requirements for distinct breed status: phenotypic distinctiveness and genetic stability. It also draws attention to the concerns regarding fragmentation of the industry, should Canada become home to a number of Warmblood societies, as is the case in the USA.
3. Letter from Jan Pedersen – President of the WBFSH, Jan's letter gives the international perspective on Warmblood breeding and confirms that the CWHBA, a member in good standing of WBFSH, is operating in congruence with European practices.
4. Critique Prins Report – The Prins Report is the inspection report of the CWHBA that was done in February 2002, but not released until September 2005. The report is flawed in fact and in methodology, and simply reflects elements of the Department's previously expressed opinions concerning the breed status of Warmblood horses. The CWHBA provided an extensive rebuttal to the Minister. While the major conclusions of the report were based on errors in fact, it did by implication, confirm several of our contentions. The report clearly shows that:
 - a. The CWHBA has been operating in compliance with its by-laws.
 - b. All horses registered by the CWHBA, trace to foundation Warmblood horses.
 - c. Complaints which had been alluded to were not confirmed.
 - d. It was also complimentary concerning the extensiveness and accuracy of our pedigree records.
5. Legal Opinion re our interpretation of the APA. The CWHBA commissioned an analysis of the APA with respect to determining and maintaining distinct breed status. The document received, confirmed our original interpretation of the APA under which the CWHBA was incorporated. It further outlined options for proceeding should a reference to the courts be required.
6. Considerations in the Definition of Warmblood Horses for Canada by Dr. Jan Philipsson- (see last issue of Breeders Digest)
7. CV Dr. Philipsson – Dr Philipsson is a much published senior geneticist at the University of Upsala in Sweden. This document outlines his credentials and extensive connection with Warmblood horse breeding.



8. Fact Sheet – CWHBA APA – (see spring issue Breeders Digest) This document chronicles the dispute with the department beginning with the original correspondence from 1999.
9. Distinguishing Characteristics of Warmblood Horses- Endorsed by European experts, this document was developed by the CWHBA board as part of the consultation process initiated in September 2005 and suspended in 2006.

These documents combined with numerous telephone conversations and e mail correspondence with the Minister's staff has brought us to a point where we are ready to meet with Minister Ritz. It is our understanding that he has asked the department officials to adjust their recommendations to allow for a negotiated solution. When the opportunity arises we are ready to participate fully by bringing a number options to the table. The bottom line of course is to maintain the integrity of the Warmblood horse in Canada.

Why is this so important? This is a watershed issue for all Canadian breeders. Animal Pedigree legislation is found in most western countries. It is designed to provide credible standard practices to assure domestic and foreign consumer protection. Export markets are the primary drivers for this type of legislation, so it is important that standard practice be maintained between jurisdictions.

The roles and responsibilities of government and of breeders are defined in legislation. In brief, the Government sets forth procedures for registration and association practices, while the breeders define breeding goals. Each group contributes its expertise. When governments begin to try to define breeds in contravention to international standards, they step beyond their authority and put at risk the integrity of the breeds.

Standards for Clydsdale horses for example (one of the oldest breed registries in the world and in Canada), must be set by breeders to maintain international reciprocity. In Canada this issue has affected the Connemara pony, the Appaloosa (now defined as a new breed in Canada), the Warmblood and will soon impact the cattle industry, in particular black cattle being produced by various breeds.

The issue is critical for Warmblood breeders because of the international nature of the business. It is vital that Warmbloods continue to be produced in congruence with international standards. We are all aware that marketing horses presents a challenge under the best of conditions. Laden with an additional "identity" burden Canadian breeders will be at a significant disadvantage. In addition, European registries, already active in Canada will assume further control of the direction of Canadian breeding. The CWHBA is standing up for the rights of Canadian breeders and will continue to do so until the Canadian legislation is applied in a fair, consistent and beneficial manner for all breeders.