

OUR OPINION



The horse hasn't necessarily left the barn on the state's new proposed rules for buying and selling horses. The current draft is weak and would do little to protect consumers. Tampa Tribune photo

Horse Rules Come Up Lamé On Medical History, Names

Let's see if we've got this straight. The Florida Department of Agriculture and Consumer Affairs is drafting regulations to deter deception in the buying and selling of horses.

But as the rules now stand, the horse's name doesn't have to be disclosed. Neither does the name of the owner or the buyer. And the animal's detailed medical history, well, forget about it.

The state's proposed regulations on horse sales, scheduled for a final public hearing in Tallahassee in April, will do little to address the problem of shady horse sales.

Instead, the department should return to the starting gate. To protect consumers, it should ensure that owners and buyers are clearly identified and that sellers fully disclose, in writing, a horse's medical condition and history.

Neither owners nor buyers should be allowed to hide behind agents or syndicates or remain nameless. Yet, the proposed rules allow "duly authorized agents" to consummate a sale. This invites a scenario in which the true owner of the horse could bid against a would-be buyer, inflating the price.

Detailed medical histories would enable buyers to make informed decisions. Responsible horse owners keep medical records or can get them from their veterinarians, so this requirement should not pose a hardship. If buyers fail to analyze the records for red flags, that's their fault.

Also, the name of the horse should be required on bills of sale and other records. Such a requirement would tie a specific animal to the sale and enable potential buyers to research its lineage.

However, a seller should not be held liable for lacking knowledge of a medical problem a horse suffered under a previous owner. Unless the state wants to spend the money to create and maintain a medical-records database of Florida horses — beginning with their births — it would be unfair to hold owners responsible for unseen problems.

Department officials also have failed to propose a remedy for buyers who get duped. The ability to void a sale and get a refund is a must — the only fair resolution. The new rules would serve no real purpose unless buyers can correct being wronged.

Department officials made the right call, at least for now, in passing on requiring mandatory drug testing of horses before sales. Still, there's nothing to prevent potential buyers from making privately arranged tests a condition of purchase. The state doesn't need to get involved in testing.

The proposed rules on horse sales fall short of their intended purpose.

Florida's \$7 billion-a-year horse industry — which impacts the lives of more than 240,000 owners, breeders, farmers and other residents — deserves a better contract.