



FACT SHEET

CWHBA AND THE ANIMAL PEDIGREE ACT, October 30, 2006

A number of rumors have been circulating regarding the status of the CWHBA under the APA and concerning correspondence with the Minister of Agriculture. The following facts should help to clarify the situation.

- The Animal Pedigree Act (APA) provides for two types of breeds –distinct or evolving.
 - a. There is no definition for distinct breed in the APA but departmental documents define it as “A distinct breed under the APA is a population of animals with a common genetic origin and history, deriving from a common foundation population. Distinct breeds must be distinct, as defined by their physical resemblance, sufficient to differentiate the breed from others of its species. Animals of a distinct breed must demonstrate genetic stability, ensuring that the distinct characteristics of the breed can be passed on reliably from generation to generation.”
 - b. The APA does define evolving breed as “means a group of animals in the process of evolving into a new breed”.
- The CWHBA, formed in 1988, was given Ministerial recognition, in 1991, as the Canadian registry for Warmblood horses, as a distinct breed. In 1992 the CWHBA By-Laws were also approved by the Minister, as were subsequent by-law amendments in 1994.
- Since that time the CWHBA has been operating as a distinct breed and continues to operate as a distinct breed registry for Warmblood horses. Neither the APA nor our By-Laws have changed.
- In 2002 an inspection of the CWHBA was conducted under the authority of section 52 of the Animal Pedigree Act (APA). (See below 3 and 4)

1. In 1999, the then new registration officer, David Trus, wrote asking for clarification of the distinctive characteristics of Warmblood horses because, “There are a number of issues which remain unclear to me and whose lack of resolution is creating problems for others.” The CWHBA indicated its willingness to improve the definition of Warmblood and in correspondence which followed, the CWHBA made five requests to meet with Mr. Trus. No meetings took place.

2. In January of 2001 the CWHBA wrote to the Deputy Minister requesting his intervention.

3. In August 2001, on behalf of the Deputy Minister, we were advised by Director General, Gilles Lavoie“ that the Department will be conducting an inspection and examination of the association pursuant to Section 52 of the APA.” Chris Gould accompanied by Don Adams, Executive Director of Equine Canada, met with Gilles Lavoie to once more suggest that resolution through dialogue and discussion would be more effective. Mr. Lavoie maintained that the inspection would provide the information base to proceed with such a dialogue.

4. The inspection was to focus on :

- a. Given that the Warmblood horse is recognized as a distinct breed under the APA, do all Warmbloods registered by the CWHBA correspond with the requirements of a distinct breed, namely that:
 - i. All have common genetic origin and history,
 - ii. All are “distinct”, corresponding to consistent standards for the breed as intended at incorporation of the CWHBA, and
 - iii. Genetic stability is maintained for the distinct characteristics of the breed?
- b. Are all animals being registered in accordance with the rules of eligibility as contained in the by-laws of the CWHBA, and are all applications forms, policies and procedures consistent with those by-laws?
- c. Do all animals trace back to foundation stock of the breed, either Warmblood foundation stock approved by the Minister or to foreign registries recognized by the Minister for that purpose? Do animals of approved foreign registries trace back to foundation stock of the breed consistent with requirements of the Canadian registry and the APA?

5. February 18th 2002, Mr. Bill Prins, former administrator for Ayershire dairy cattle began his inspection which was completed two weeks later. He did not contact anyone in the CWHBA. The CWHBA learned of its completion on a chat line on the internet. Chris Gould spoke to Gilles Lavoie and was given contact information for Mr. Prins, to whom he subsequently spoke by telephone.

6. The CWHBA made several unsuccessful requests for copies of Prins’ Report.

7. In 2005, on behalf of the CWHBA Board, Chris Gould

- requested a meeting with the new Director General Michael Presley. Once again Don Adams from EC accompanied him to that meeting, January 20th. Mr. Presley undertook to meet again February 15th and provide a copy of the Prins Report, for discussion at that time. Mr. Presley canceled the meeting and Chris Gould met with Shane Morris a new member of the APA administration staff. No copy of the report was presented.
8. April 12th, 2005, Mr. Presley wrote a letter to the CWHBA Board of Directors outlining conclusions drawn from the Prins Report and providing a number of options. No report was included.
 9. Finally, after additional prodding, a single copy of the report was received by the CWHBA office in September; just days before a meeting with APA officials to discuss the contents of the report.
 10. The meeting held September 12, 2006 in Airdre, Alberta had in attendance members of the CWHBA Board, David Trus, Graham Clarke and Shane Morris. Invited observers included representatives from CSHA and Sport Pony as well as Don Adams from Equine Canada. The meeting was professionally facilitated and the following agreement was reached

“On September 12 the board of the Canadian Warmblood Horse Breeders Association met with representatives of Agriculture and Agri-Foods Canada (AAFC) in Airdre, Alberta. Representatives of the Canadian Sport Horse Association and Sport Pony Canada also attended. A number of issues were discussed in detail arising from the inspection report results communicated to the association in April, 2005 and received in early September. The positive meeting resulted in a plan to move forward quickly to clarify the definition of Warmblood horses as a distinct breed in Canada. There will be continuing discussions with association members and department officials on further breed clarification and amalgamation options.”

Canadian Warmblood Horse Breeders Association - Agriculture and Agri-Foods Canada JOINT COMMUNICATION RELEASE
 11. The department provided a check list of steps to be followed (Checklist for Recognition of Distinct Breed Characteristics). It included a required description of distinct physical characteristics and pedigree documentation. Work on both documents was begun, but the department requested that we provide only the distinguishing characteristics document to start.
 12. The Board of CWHBA provided a draft document and an outline diagram with endorsements from European experts, February 7th 2006. This was done after two conference calls with the Department, consultations in Europe and several Board meetings. A portion of this document (excluding the diagram and pedigree information) was circulated by the Department to seven breed associations for comment by March 10th. The CWHBA was to be provided copies of their response.
 13. Shane Morris, who had been taking the lead on this file for the department, was transferred to other responsibilities. Requests for the association comments were unanswered.
 14. April 24, 2006 the CWHBA wrote to the Minister raising concerns about the lengthy process and requesting his assistance in getting the information to finish step one, the distinguishing characteristics document.
 15. July 21, 2006 the Minister wrote back once again providing two options;
 - a. The CWHBA works with the CSHA and AAFC staff to define the Warmblood as a distinct breed and operate a single registry in a manner consistent with the requirements of the APA:
or
 - b. The CWHBA works with the CSHA and AAFC staff to define the Warmblood as an evolving breed and operate a single registry in a manner consistent with the requirements of the APA.
 - c. “Should you choose not to pursue either of these options, I am prepared to use my authority under Section 54 of the APA and issue the CWHBA an order directing that no more animals may be registered under its authority”. (Section 54 of the APA confers powers to the Minister to request actions by an association on the conclusion of an inspection, but does not supercede other provisions of the act).
 - d. The Minister’s letter further stated “I have asked Dr. Graham Clarke, Director Animal Industry Division, to ensure that the necessary staff and resources are made available to assure that this process moves ahead in a timely manner. As a follow-up to this letter Dr. Clarke will be contacting you about restarting the amalgamation discussions.”
 16. The CWHBA response to the Minister August 30th was clear regarding the choice of option one: “Consistent with past communication, our Board once more underlines our commitment to the process we embarked on with your officials: clarifying the language in our bylaws regarding the distinguishing characteristics of Warmblood horses as a distinct breed” and “The opportunities and advantages presented by the Sport Horse Canada concept are still very exciting and we look forward to working with the Department and the CSHA to bring them to fruition” Since the Minister’s July 21 letter there has been no communication from Dr. Clarke regarding the distinguishing characteristics document or restarting amalgamation talks.
 17. On October 17th, the CWHBA Board decided to attempt to reopen the amalgamation discussions by contacting the Joint Committee members. We also contacted several breed associations for their direct comments concerning the distinguishing characteristics document, which we provided to them in full.

18. Oct 25th the CWHBA received a second letter from the Minister reporting insufficiencies in our distinguishing characteristics document from several of the seven breed associations. Although we had been specifically asked to exclude genetic information, its lack provided the basis for some of the criticism. He did add "Several of the responses included examples of traits that might be helpful in future efforts to describe the Warmblood horse" and "Certainly the priority is to develop an acceptable description of the Warmblood as this is key to enabling the amalgamation process to move forward."

19. The CWHBA is committed to amalgamation. At the February AGM delegates voted overwhelmingly to proceed with amalgamation talks. We are also committed to ensuring that Canadian Warmblood breeders are on an equal footing with their European counterparts.

20. The CWHBA is waiting to hear from Dr. Clarke regarding the next steps.

SUMMARY

- In 1999 we were asked to clarify the definition of the Warmblood horse. We agreed, but were prevented from doing so by subsequent actions of the Department – refusal to meet, hiatus during inspection, delay in releasing inspection report.
- In 2005 we were again asked and agreed to follow a procedure laid out by the Department to clarify the definition of the Warmblood horse. The first step was to develop a distinguishing characteristics document. A first draft has been submitted and we are still waiting to see the results so that we may continue with this process.
- WE ARE BACK WHERE WE STARTED. Seven years later the difference is we have a procedure in place (if the Department will allow us to complete the process) and we have established a Joint Committee to proceed with amalgamation with the CSHA.

Note – The process laid out by the AAFC (Checklist for Recognition of Distinct Breed Characteristics) and the distinguishing characteristics document, is apparently new. The department was unable to provide examples of how this had been handled by other associations of any species.

CWHBA POSITION

We believe that Canadian breeders have the right, under the Animal Pedigree Act, to breed and register Warmblood horses in Canada in a manner that is consistent with international practice and standards. We will do everything necessary to defend that right.

Nevertheless, we have, and will continue to cooperate with the Government in everyway. We have responded to every request in a timely manner and have been patient in spite of long delays.

We are committed to the Sport Horse Canada concept as agreed to in April 2005 and are ready and willing to work with the CSHA and other Joint Committee members to bring it to fruition.

We believe everyone, including government officials, must follow due process in their actions. The APA provides for a very clear process for amalgamation of associations. It includes the right of members to vote. We are committed to ensuring that CWHBA members can exercise their right. We are also committed to offering a viable proposal upon which to vote.

We are volunteers doing what we can to improve conditions for breeding and marketing Warmblood horses. We have made substantial progress toward meeting that goal. We developed the CWHBA, an organization that is duly constituted under the Animal Pedigree Act. We have operated in compliance with our bylaws. Rumours to the contrary are unfounded and do nothing to improve the lot of Canadian breeders. The CWHBA is fully committed to providing the best possible service to members... we constantly look for new programs and for ways to improve the administration of breeding and the evaluation of breeding stock.

The CWHBA is a member /volunteer driven association, interested in furthering the WARMBLOOD horse in Canada and committed to fulfilling the purpose stated in our By-Laws:

The purpose of the association and the breeding aim shall be attained in particular by:

- a) The unification of the breeders of warmblood horses in Canada.
- b) The keeping of the Stud Book.
- c) Uniform breeding program which, through the Association's Stud Book regulations, are binding for all members.
- d) The organizing of breed shows and representation in exhibitions.
- e) Suitable measures for the furtherance of sales.

The above measures shall be carried out for the good of all horse breeders.

We encourage all members to contact the Stud Book Committee with questions or comments and to become familiar with the APA.

New Initiative from AAFC

Amalgamation Advisory Process Press Release - November 2006

AAFC Information Release Dec. 19, 2006

On November 23, 2006 Agriculture and Agri-Food Canada (AAFC) hosted a conference call with representatives from the boards of directors of the Canadian Warmblood Horse Breeders Association and the Canadian Sport Horse Association. The purpose of the call was to advise both boards of the process AAFC's will use to develop a breed description(s) for the population of horses represented by the two associations. Under the *Animal Pedigree Act* breeds must be defined both in terms of their genetic makeup and physical resemblance, with only one association representing each breed. Options for describing the horses will be presented to members of both associations for consideration at the next annual general meeting. It is expected the development of an appropriate breed description will assist in furthering the amalgamation discussions already underway between the two groups.

As noted on the call, Agriculture and Agri-Food Canada has invited 6 people to act as an advisory group for the purposes of developing acceptable breed description options. The advisory group will meet in-person on December 12th and it is anticipated it will complete its work by mid-January. The Department has made use of similar advisory groups in the past to ensure that it has access to the in-depth animal knowledge required to develop a suitable breed description. However, AAFC will be solely responsible for compiling, interpreting and using the results of the consultation in the manner in which it sees fit.

During the conference call, Dr. Clarke was asked about a Departmental survey of horse breed associations who had previously provided comment to AAFC on a draft version of a breed standard for Warmbloods. Breed associations representing Thoroughbred, Standardbred, Trakehner, Sport Horse, Appaloosa, Morgan and Arabian horses were invited to provide input. The results of this limited survey were strictly for use by AAFC, for the purpose of determining whether the proposed breed description for Warmblood horses was sufficient to describe a distinct horse within the Canadian marketplace. Based on its own assessment and the survey results, AAFC determined that an acceptable definition under the *Animal Pedigree Act* had not been achieved and that further work would be required.

Since during the conference call, the issue of performance characteristics was raised as a possible distinguishing feature. It should be noted that Audit and Evaluation clearly indicated in the mandatory 3 year review of the APA that "performance breeds" and "colour breeds" are not accommodated under the APA. Furthermore, the APA speaks specifically about "physical resemblance" and therefore any guidelines are to aid in choosing acceptable physical characteristics.

Agriculture and Agri-Food Canada (AAFC) has established a special advisory group to consider workable breed definitions for the Warmblood / Sport Horse populations. The AAFC Warmblood - Sport Horse Advisory Group met on December 11th and 12th in Ottawa. The work towards the development of a breed description(s) covering the population of horses represented by the Canadian Sport Horse (CSHA) and Canadian Warmblood Horse Breeders' (CWBHA) associations was carried out in a cooperative and objective atmosphere and good progress was made. At this point in the process a considerable amount of relevant information has been identified, critiqued, discussed and documented.

The meeting covered a wide range of issues that are relevant to the creation of a workable description for this population of horses. Issues included;

- History, relevance, changes and requirements of the *Animal Pedigree Act*
- The populations in Canada and abroad that must be considered
- The uses of and purposes for which these horses are typically bred and the evolution of these over time
- Physical characteristics relevant to soundness, performance and breed distinction
Development of objective criteria for breed characteristics useful to breeders
- Application of the science of genetics to breed criteria and breed improvement which are relevant to this process.
- Other issues such as the market for these horses

The next phase will be to document a draft description(s) based on the initially agreed criteria. This description will be a first draft and will need considerable work and input in several areas. As much as possible, the Advisory Group will endeavour to use objective descriptors written in easily understood language and avoid terms which are open to individual interpretation.

The Advisory Group members mutually agreed on an appropriate environment for working and communicating that would allow it to complete its work and development of practical alternatives for AAFC consideration. AAFC will communicate with the Advisory Group principally by telephone and email over the next month to 6 weeks. AAFC will then consider how it wishes to use the advice from the Advisory Group for purposes of indicating future options open to the CWHBA and CSHA.

Dr. Graham Clarke
D. Trus

Agriculture and Agri-Food Canada

Circulaire d'information - 19, Dec. 2006

Agriculture et Agroalimentaire Canada (AAC) a mis sur pied un groupe consultatif spécial qui examinera diverses définitions de race pouvant être mises en pratique en ce qui concerne les chevaux Warmblood et les chevaux sportifs. Les membres du groupe consultatif d'AAC sur les chevaux Warmblood et sportifs se sont réunis les 11 et 12 décembre à Ottawa. Les travaux en vue de l'élaboration d'une ou de plusieurs descriptions visant les espèces de chevaux qui intéressent l'Association des chevaux sportifs canadiens (ACSC) et l'Association canadienne des éleveurs de chevaux Warmblood (CWBHA) se sont déroulés dans un climat préconisant la collaboration et l'objectivité. Des progrès ont été réalisés. À ce stade-ci du processus, une quantité appréciable de renseignements pertinents ont été recueillis, analysés au cours de discussions puis consignés.

Durant la réunion, nous avons traité d'un vaste éventail de questions dont il faut tenir compte en vue de créer une description pratique à l'égard de cette catégorie de chevaux, notamment :

- l'historique, la pertinence, les modifications et les exigences de la Loi sur la généalogie des animaux;
- la nécessité de tenir compte des populations du Canada et de l'étranger;
- les utilisations et fins auxquelles ces chevaux sont habituellement destinés, et l'évolution de celles-ci au fil des ans;
- les caractéristiques physiques relatives aux qualités de reproducteur, à la performance et aux qualités distinctives de la race;
- l'élaboration de critères objectifs quant aux particularités propres à une race qui serviront aux éleveurs sélectionneurs;
- l'application de la science de la génétique aux critères de race et à l'amélioration d'une race dans le contexte de ce processus;
- d'autres questions comme le marché qui existe pour ces chevaux.

La prochaine phase consistera à documenter une ou plusieurs descriptions provisoires en fonction des critères convenus au départ. Cette description sera la première ébauche : de nombreuses modifications devront donc y être apportées à bien des égards. Dans la mesure du possible, le groupe consultatif s'efforcera d'utiliser des descripteurs objectifs rédigés dans un langage simple et évitera d'employer des termes qui laissent place à interprétation.

Les membres du groupe consultatif ont convenu d'un climat de travail et d'un mode de communication qui leur permettront de mener à bien leurs travaux et d'élaborer des solutions de rechange pratiques qui seront présentées à l'examen d'AAC. Le Ministère communiquera avec les membres du groupe consultatif principalement par téléphone et courriel d'ici les six prochaines semaines. AAC déterminera ensuite de quelle manière il utilisera les recommandations du groupe consultatif en vue de présenter les options qui s'offriront à la CWHBA et à l'ACSC.

Dr. Graham Clarke
D. Trus