

<p>ARIZONA DEPARTMENT OF AGRICULTURE</p> <p><b><u>SUBSTANTIVE POLICY STATEMENT</u></b></p> <p>ANIMAL SERVICES DIVISION</p> <p>Equine Rescue Facilities Registry Multiple Locations</p>	<p><u>DIVISION/ PROGRAM</u>      ASD</p> <hr/> <p>SP 12-02</p> <hr/> <p><i>Donald B. Smith</i> SIGNATURE</p> <hr/> <p><i>October 18, 2012</i> DATE</p>
--	--

This substantive policy statement is advisory only. A substantive policy statement does not include internal procedural documents that only affect the internal procedures of the agency and does not impose additional requirements or penalties on regulated parties or include confidential information or rules made in accordance with the Arizona administrative procedure act. If you believe that this substantive policy statement does impose additional requirements or penalties on regulated parties you may petition the agency under section 41-1033, Arizona Revised Statutes, for a review of the statement.

**1. BACKGROUND**

A.R.S. § 3-1350 and A.A.C. R3-2-708 establish and describe the requirements to be listed on the Arizona Department of Agriculture’s registry of equine rescue facilities. In order to qualify for the registry, a facility must meet minimum standards regarding the physical condition of the facility and the equine care and treatment at the facility. Compliance with the minimum standards is verified by a licensed veterinarian. A.R.S. § 3-1350(B)(2) & (D)(1); A.A.C. R3-2-708(B)(3). The facility must also be incorporated as a nonprofit corporation. A.R.S. § 3-1350(B)(1) & (D)(2); A.A.C. R3-2-708(B)(2).

In some cases, a single nonprofit corporation may have more than one facility. The following policy addresses those occurrences.

**2. POLICY**

“A nonprofit corporation owning multiple equine rescue facilities must file the letter and checklist described in subsection (B)(3) [of the rule] and pay the annual registration fee for each location it wants included on the registry.” A.A.C. R3-2-708(E).

A facility represents a single location where horses are being cared for. Thus, a nonprofit corporation with two rescue locations has two facilities. Each facility must be registered separately as required by A.A.C. R3-2-708(E). A nonprofit corporation with two facilities may choose to register one facility, two facilities, or neither facility because the registry is voluntary. But the registration of one facility by itself does not make all of the nonprofit corporation’s facilities registered.

The purpose of the registry is to list facilities where a veterinarian has verified that the facility meets minimum standards. The fact that a veterinarian may have certified that a facility owned by ABC Horse Rescue in Phoenix meets the minimum standards does not prove that ABC Horse Rescue’s separate facility in Tucson also meets the minimum standards. The same

principle applies to two separate facilities within the same city. Thus, if a nonprofit corporation wants to register all of its rescue facilities, it must submit a separate checklist for each facility, a separate registration fee for each facility (the fees may be combined into a single check), and a letter from a veterinarian certifying that each facility is not inadequate with respect to the minimum standards. The nonprofit corporation may submit a separate veterinarian letter for each facility or a single letter that lists the physical addresses of all the facilities that the veterinarian is certifying.

A nonprofit corporation that registers multiple facilities will receive a separate registration certificate from the Department for each facility.

### **3. EFFECTIVE DATE**

This policy statement represents the view of the Department since A.A.C. R3-2-708(E) went into effect July 3, 2010.