

LOUISIANA WEIGHTS AND MEASURES COMMISSION HEARING

**MINUTES**

**AUGUST 22, 2019**

9:30 a.m.

Louisiana Department of Agriculture & Forestry

Veterans' Memorial Auditorium

5825 Florida Blvd.

Baton Rouge, LA 70806

**I. CALL TO ORDER**

Chairman Larry Terrell called the hearing to order at 9:30 a.m.

**II. ROLL CALL AND DECLARATION OF QUORUM**

**Commission Members present**

Mr. Larry Terrell, Chairman  
Mr. Dave George, Vice Chairman  
Mr. Neil Henderson  
Mr. Nolan Percy  
Mr. Justin Alford  
Ms. Tommy Haring  
Mr. Mickey Freiberg  
Mr. Cal Simpson  
Mr. Frank LoPinto

**Members absent**

Mr. Paul Coriel  
Mr. Brian Girardot  
Mr. Mark Westmoland  
Mr. Brad Terral  
Mr. Dane Hebert

**LDAF staff present**

Amy McInnis - LDAF Attorney-General Counsel, Baleigh Olah - Assistant to LDAF Attorney, Bobby Fletcher, Paul Floyd, Milton Hunter, Jarrad Poirrier, Corey Marino and Rachel Rice-Baham.

**Also in attendance**

Alicia Wheeler, Hearing Officer for Attorney General Office

**DECLARATION OF QUORUM**

Nine (9) members being present, Chairman Larry Terrell declared a quorum.

**III. APPROVAL OF MAY 02, 2019 MINUTES**

**Motion** was made by Mr. Justin Alford and **seconded** by Mr. Dave George to approve the minutes for the May 02, 2019 meeting. All members were in favor. **Motion carried.**

**IV. PUBLIC COMMENTS**

There were no public comments made.

**V. ADJUDICATORY HEARING**

**CONTINUED**

**(1) Case No. 19-08-02**

**Agrilife Protein Solutions**

**3140 Highway 568**

**Waterproof, LA 71375**

**53 violations**

32 – Non Specific Content Descriptions- LAC 7:XXXV.105(B)(2)

B. General Requirements

2. In connection with the weight, measure, or numerical count, no qualifying word, phrase or clause shall be used; a statement such as *not less than, average, when packed,* or a statement that the contents are *between* certain limits, is not permissible.

19 – Misrepresentation of Quantity – La. R.S. 3:4617(A)

A. No one shall misrepresent the price or quantity of a commodity, thing, or service sold or offered or exposed for sale, to any actual or prospective customers.

2 - Labeling - LAC 7:XXXV.105(C.)(1)

C. Labeling; Container Construction; Drainage

1. All commodities in package form shall bear a printed or stenciled label containing:

A. the true name of the commodity in the package; and

B. the name and place of business of the manufacturer, packer, distributor, or seller. Such label must be legible and in the English language and must not be covered or obscured in any way.

**Continuance granted** by Hearing Officer Alicia Wheeler in anticipation of new information and documentation pertaining to the possible dissolution and bankruptcy of this entity. Additional paperwork has been requested of Agrilife and their legal counsel to provide proof of entity's status.

**STIPULATIONS**

(2) **Case No. 19-05-14**  
**Transcontinental Shell**  
**4941 Veterans Memorial Blvd**  
**Metairie, LA 70006**

**12 violations**

3 – Overcharges - LA. R.S. 3:4617 (A)

A. No one shall misrepresent the price or quantity of a commodity, thing, or service sold or offered or exposed for sale, to any actual or prospective customer.

9 - Prices not displayed - LAC 7:XXXV.117

A. The price of a commodity or item offered for retail sale, which is labeled with a computerized bar code label, shall be plainly displayed, either by a price marked in English on the package containing the individual commodity or item, or by a placard or card placed on the shelf in front of the commodity or item which is clearly visible and legible.

B. The price displayed on the shelf, commodity or item required by subsection A of this section, shall be precisely equal to the price actually charged by the seller.

**Stipulation Received:** The department recommended a penalty of \$3,000.00. **Motion** to accept the stipulation and recommended penalty was made by Frank LoPinto and **seconded** by Mickey Freiberg. All members were in favor. **Motion carried.**

(3) **Case No. 19-08-01**  
**Smitty's Supply Inc.**  
**63399 Highway 51 North**  
**Roseland, LA 70456**

**217 violations**

217 – Offered for Sale/Falsely Labeled – LAC 7:XXXV.347

**R.S.3:4689.C.1**

...C1. It shall be unlawful to sell, offer or keep for sale any lubricating oils, lubricants, mixtures of lubricants which are adulterated or falsely labeled.

**Stipulation Received:** The department recommended a penalty of \$54,250.00. **Motion** to accept the stipulation and recommended penalty was made by Dave George and **seconded** by Tommy Haring. All members were in favor. **Motion carried.**

(4) **Case No. 19-08-03**  
**Dollar General #11664**  
**10656 Highway 190**  
**Opelousas, LA 70570**

**3 violations**

3 - Overcharges - LA. R.S. 3:4617 (A)

A. No one shall misrepresent the price or quantity of a commodity, thing, or service sold or offered or exposed for sale, to any actual or prospective customer.

**Stipulation Received:** The department recommended a penalty of \$1,500.00. **Motion** to accept the stipulation and recommended penalty was made by Nolan Percy and **seconded** by Justin Alford. Cal Simpson abstained from voting on this matter. All remaining members were in favor. **Motion carried.**

(5) **Case No. 19-08-04**  
**Shop Rite #69**  
**1600 East Napoleon Street**  
**Sulphur, LA 70663**

**4 violations**

2 - Overcharges - LA. R.S. 3:4617 (A)

A. No one shall misrepresent the price or quantity of a commodity, thing, or service sold or offered or exposed for sale, to any actual or prospective customer

2 - Prices not displayed - LAC 7:XXXV.117

A. The price of a commodity or item offered for retail sale which is labeled with a computerized bar code label shall be plainly displayed, either by a price marked in English on the package containing the individual commodity or item, or by a placard or card placed on the shelf in front of the commodity or item which is clearly visible and legible.

B. The price displayed on the shelf, commodity or item required by Subsection A of this Section shall be precisely equal to the price actually charged by the seller.

**Stipulation Received:** The department recommended a penalty of \$1,000.00. **Motion** to accept the stipulation and recommended penalty was made by Tommy Haring and **seconded** by Nolan Percy. Justin Alford abstained from voting on this matter. All remaining members were in favor. **Motion carried.**

(6) **Case No. 19-08-05**  
**Love's Travel Stop #362**  
**2024 A West Street**  
**Vinton, LA 70668**

**12 violations**

6 - Overcharges - LA. R.S. 3:4617 (A)

A. No one shall misrepresent the price or quantity of a commodity, thing, or service sold or offered or exposed for sale, to any actual or prospective customer.

6 - Prices not displayed - LAC 7:XXXV.117

A. The price of a commodity or item offered for retail sale which is labeled with a computerized bar code label, shall be plainly displayed, either by a price marked in English on the package containing the individual commodity or item, or by a placard or card placed on the shelf in front of the commodity or item, which is clearly visible and legible.

B. The price displayed on the shelf, commodity or item, required by subsection A of this section, shall be precisely equal to the price actually charged by the seller.

**Stipulation Received:** The department recommended a penalty of \$3,000.00. **Motion** to accept the stipulation and recommended penalty was made by Dave George and **seconded** by Cal Simpson. All members were in favor. **Motion carried.**

(7) **Case No. 19-08-06**  
**Fred's Store #2687**  
**702 West Fourth Street**  
**DeQuincy, LA 70633**

**6 violations**

4 - Overcharges - LA. R.S. 3:4617 (A)

A. No one shall misrepresent the price or quantity of a commodity, thing, or service sold or offered or exposed for sale, to any actual or prospective customer.

2 - Prices not displayed - LAC 7:XXXV.117

A. The price of a commodity or item offered for retail sale which is labeled with a computerized bar code label shall be plainly displayed, either by a price marked in English on the package containing the individual commodity or item, or by a placard or card placed on the shelf in front of the commodity or item which is clearly visible and legible.

B. The price displayed on the shelf, commodity or item required by Subsection A of this Section shall be precisely equal to the price actually charged by the seller.

**Stipulation Received:** The department recommended a penalty of \$1,500.00. **Motion** to accept the stipulation and recommended penalty was made by Justin Alford and **seconded** by Mickey Freiberg. All members were in favor. **Motion carried.**

(8) **Case No. 19-08-07**  
**Dollar General #7599**  
**2407 West Pinhook Road**  
**Lafayette, LA 70508**

**3 violations**

3 - Overcharges - LA. R.S. 3:4617 (A)

A. No one shall misrepresent the price or quantity of a commodity, thing, or service sold or offered or exposed for sale, to any actual or prospective customer.

**Stipulation Received:** The department recommended a penalty of 1,500.00. **Motion** to accept the stipulation and recommended penalty was made by Frank LoPinto and **seconded** by Dave George. Cal Simpson abstained from voting on this matter. All remaining members were in favor. **Motion carried.**

(9) **Case No. 19-08-08**  
**Peto's**  
**104 Bruce Circle**  
**Lake Charles, LA 70611**

**2 violations**

1 - Overcharge - LA. R.S. 3:4617 (A)

A. No one shall misrepresent the price or quantity of a commodity, thing, or service sold or offered or exposed for sale, to any actual or prospective customer.

1 - Price not displayed - LAC 7:XXXV.117

A. The price of a commodity or item offered for retail sale which is labeled with a computerized bar code label shall be plainly displayed, either by a price marked in English on the package containing the individual commodity or item, or by a placard or card placed on the shelf in front of the commodity or item which is clearly visible and legible.

B. The price displayed on the shelf, commodity or item required by Subsection A of this Section shall be precisely equal to the price actually charged by the seller.

**Stipulation Received:** The department recommended a penalty of \$500.00. **Motion** to accept the stipulation and recommended penalty was made by Cal Simpson and **seconded** by Nolan Percy. All members were in favor. **Motion carried.**

(10) Case No. 19-08-09  
Circle K Store #7775  
4029 Jackson Street Extension  
Alexandria, LA 71301

**4 violations**

2 - Overcharges - LA. R.S. 3:4617 (A)

A. No one shall misrepresent the price or quantity of a commodity, thing, or service sold or offered or exposed for sale, to any actual or prospective customer.

2 - Prices not displayed - LAC 7:XXXV.117

A. The price of a commodity or item offered for retail sale which is labeled with a computerized bar code label shall be plainly displayed, either by a price marked in English on the package containing the individual commodity or item, or by a placard or card placed on the shelf in front of the commodity or item which is clearly visible and legible.

B. The price displayed on the shelf, commodity or item required by Subsection A of this Section shall be precisely equal to the price actually charged by the seller.

**Stipulation Received:** The department recommended a penalty of \$1,000.00. **Motion** to accept the stipulation and recommended penalty was made by Dave George and **seconded** by Nolan Percy. All members were in favor. **Motion carried.**

(11) Case No. 19-08-10  
CVS Pharmacy #6360  
1695 Highway 59  
Mandeville, LA 70448

**6 violations**

4 - Overcharges - LA. R.S. 3:4617 (A)

A. No one shall misrepresent the price or quantity of a commodity, thing, or service sold or offered or exposed for sale, to any actual or prospective customer.

2 - Prices not displayed - LAC 7:XXXV.117

A. The price of a commodity or item offered for retail sale which is labeled with a computerized bar code label shall be plainly displayed, either by a price marked in English on the package containing the individual commodity or item, or by a placard or card placed on the shelf in front of the commodity or item which is clearly visible and legible.

B. The price displayed on the shelf, commodity or item required by Subsection A of this Section shall be precisely equal to the price actually charged by the seller.

**Stipulation Received:** The department recommended a penalty of \$1,500.00. **Motion** to accept the stipulation and recommended penalty was made by Justin Alford and **seconded** by Mickey

Freiberg. Cal Simpson abstained from voting on this matter. All remaining members were in favor. **Motion carried.**

**(12) Case No. 19-08-11**  
**Dollar General #11163**  
**5101 Horseshoe Drive**  
**Alexandria, LA 71302**

**6 violations**

3 - Overcharges - LA. R.S. 3:4617 (A)

A. No one shall misrepresent the price or quantity of a commodity, thing, or service sold or offered or exposed for sale, to any actual or prospective customer.

3 - Prices not displayed - LAC 7:XXXV.117

A. The price of a commodity or item offered for retail sale which is labeled with a computerized bar code label shall be plainly displayed, either by a price marked in English on the package containing the individual commodity or item, or by a placard or card placed on the shelf in front of the commodity or item which is clearly visible and legible.

B. The price displayed on the shelf, commodity or item required by Subsection A of this Section shall be precisely equal to the price actually charged by the seller.

**Stipulation Received:** The department recommended a penalty of \$3,000.00. **Motion** to accept the stipulation and recommended penalty was made by Tommy Haring and **seconded** by Nolan Percy. Cal Simpson abstained from voting on this matter. All remaining members were in favor. **Motion carried.**

**(13) Case No. 19-08-12**  
**Chardele Auto and Truck Plaza**  
**560 Highway 397**  
**Lake Charles, LA 70615**

**17 violations**

2 - Overcharges - LA. R.S. 3:4617 (A)

A. No one shall misrepresent the price or quantity of a commodity, thing, or service sold or offered or exposed for sale, to any actual or prospective customer.

15 - Prices not displayed - LAC 7:XXXV.117

A. The price of a commodity or item offered for retail sale which is labeled with a computerized bar code label shall be plainly displayed, either by a price marked in English on the package containing the individual commodity or item, or by a placard or card placed on the shelf in front of the commodity or item which is clearly visible and



legible.

B. The price displayed on the shelf, commodity or item required by Subsection A of this Section shall be precisely equal to the price actually charged by the seller.

**Stipulation Received:** The department recommended a penalty of \$4,250.00. **Motion** to accept the stipulation and recommended penalty was made by Cal Simpson and **seconded** by Frank LoPinto. All members were in favor. **Motion carried.**

(14) **Case No. 19-08-13**  
**CVS Pharmacy #3730**  
**3700 South Carrollton Avenue**  
**New Orleans, LA 70118**

**8 violations**

8 - Overcharges - LA. R.S. 3:4617 (A)

A. No one shall misrepresent the price or quantity of a commodity, thing, or service sold or offered or exposed for sale, to any actual or prospective customer.

**Stipulation Received:** The department recommended a penalty of \$2,000.00. **Motion** to accept the stipulation and recommended penalty was made by Dave George and **seconded** by Justin Alford. Cal Simpson abstained from voting on this matter. All remaining members were in favor. **Motion carried.**

(15) **Case No. 19-08-14**  
**Dollar General #9510**  
**883 Robert Blvd.**  
**Slidell, LA 70458**

**8 violations**

8 - Overcharges - LA. R.S. 3:4617 (A)

A. No one shall misrepresent the price or quantity of a commodity, thing, or service sold or offered or exposed for sale, to any actual or prospective customer.

**Stipulation Received:** The department recommended a penalty of \$4,000.00. **Motion** to accept the stipulation and recommended penalty was made by Mickey Freiberg and **seconded** by Larry Terrell. Cal Simpson abstained from voting on this matter. All remaining members were in favor. **Motion carried.**

(16) **Case No. 19-08-15**  
**Barksdale Exxon**  
**2264 Barksdale Blvd.**  
**Bossier City, LA 71112**

**11 violations**

8 - Overcharges - LA. R.S. 3:4617 (A)

A. No one shall misrepresent the price or quantity of a commodity, thing, or service sold or offered or exposed for sale, to any actual or prospective customer.

3 - Prices not displayed - LAC 7:XXXV.117

A. The price of a commodity or item offered for retail sale which is labeled with a computerized bar code label shall be plainly displayed, either by a price marked in English on the package containing the individual commodity or item, or by a placard or card placed on the shelf in front of the commodity or item which is clearly visible and legible.

B. The price displayed on the shelf, commodity or item required by Subsection A of this Section shall be precisely equal to the price actually charged by the seller.

**Stipulation Received:** The department recommended a penalty of \$2,750.00. **Motion** to accept the stipulation and recommended penalty was made by Dave George and **seconded** Tommy Haring. All members were in favor. **Motion carried.**

(17) **Case No. 19-08-17**  
**Family Dollar #23968**  
**1006 Highway 171**  
**Stonewall, LA 71078**

**3 violations**

1 - Overcharge - LA. R.S. 3:4617 (A)

A. No one shall misrepresent the price or quantity of a commodity, thing, or service sold or offered or exposed for sale, to any actual or prospective customer.

2 - Prices not displayed - LAC 7:XXXV.117

A. The price of a commodity or item offered for retail sale, which is labeled with a computerized bar code label, shall be plainly displayed, either by a price marked in English on the package containing the individual commodity or item, or by a placard or card placed on the shelf in front of the commodity or item, which is clearly visible and legible.

B. The price displayed on the shelf, commodity or item, required by subsection A of this section, shall be precisely equal to the price actually charged by the seller.

**Stipulation Received:** The department recommended a penalty of \$750.00. **Motion** to accept the stipulation and recommended penalty was made by Cal Simpson and **seconded** by Nolan Percy. All members were in favor. **Motion carried.**

(18) **Case No. 19-08-18**  
**Family Dollar #25483**  
**5723 Highway 14**  
**Lake Charles, LA 70607**

**4 violations**

1 - Overcharge - LA. R.S. 3:4617 (A)

A. No one shall misrepresent the price or quantity of a commodity, thing, or service sold or offered or exposed for sale, to any actual or prospective customer.

3 - Prices not displayed - LAC 7:XXXV.117

A. The price of a commodity or item offered for retail sale which is labeled with a computerized bar code label shall be plainly displayed, either by a price marked in English on the package containing the individual commodity or item, or by a placard or card placed on the shelf in front of the commodity or item which is clearly visible and legible.

B. The price displayed on the shelf, commodity or item required by Subsection A of this Section shall be precisely equal to the price actually charged by the seller.

**Stipulation Received:** The department recommended a penalty of \$1,000.00. **Motion** to accept the stipulation and recommended penalty was made by Dave George and **seconded** by Cal Simpson. All members were in favor. **Motion carried.**

(19) **Case No. 19-08-19**  
**18<sup>th</sup> Street Food Mart**  
**307 West 18<sup>th</sup> Street**  
**Lake Charles, LA 70601**

**3 violations**

2 - Overcharges - LA. R.S. 3:4617 (A)

A. No one shall misrepresent the price or quantity of a commodity, thing, or service sold or offered or exposed for sale, to any actual or prospective customer.

1 - Price not displayed - LAC 7:XXXV.117

A. The price of a commodity or item offered for retail sale which is labeled with a computerized bar code label shall be plainly displayed, either by a price marked in English on the package containing the individual commodity or item, or by a placard or card placed on the shelf in front of the commodity or item which is clearly visible and legible.

B. The price displayed on the shelf, commodity or item required by Subsection A of this Section shall be precisely equal to the price actually charged by the seller.

**Stipulation Received:** The department recommended a penalty of \$750.00. **Motion** to accept the stipulation and recommended penalty was made by Mickey Freiberg and **seconded** by Frank LoPinto. All members were in favor. **Motion carried.**

**(20) Case No. 19-08-20**  
**24/7 Discount**  
**3500 Jefferson Highway**  
**Jefferson, LA 70121**  
**14 violations**

1 - Overcharge - LA. R.S. 3:4617 (A)

A. No one shall misrepresent the price or quantity of a commodity, thing, or service sold or offered or exposed for sale, to any actual or prospective customer.

13 - Prices not displayed - LAC 7:XXXV.117

A. The price of a commodity or item offered for retail sale which is labeled with a computerized bar code label shall be plainly displayed, either by a price marked in English on the package containing the individual commodity or item, or by a placard or card placed on the shelf in front of the commodity or item which is clearly visible and legible.

B. The price displayed on the shelf, commodity or item required by Subsection A of this Section shall be precisely equal to the price actually charged by the seller.

**Stipulation Received:** The department recommended a penalty of \$3,500.00. **Motion** to accept the stipulation and recommended penalty was made by Justin Alford and **seconded** by Nolan Percy. All members were in favor. **Motion carried.**

**(21) Case No. 19-08-21**  
**Circle K Store #7669**  
**3530 North Causeway Blvd.**  
**Metairie, LA 70002**  
**14 violations**

6 - Overcharges - LA. R.S. 3:4617 (A)

A. No one shall misrepresent the price or quantity of a commodity, thing, or service sold or offered or exposed for sale, to any actual or prospective customer.

8 - Prices not displayed - LAC 7:XXXV.117

A. The price of a commodity or item offered for retail sale which is labeled with a computerized bar code label shall be plainly displayed, either by a price marked in English on the package containing the individual commodity or item, or by a placard or card placed on the shelf in front of the commodity or item which is clearly visible and legible.

B. The price displayed on the shelf, commodity or item required by Subsection A of this Section shall be precisely equal to the price actually charged by the seller.

**Stipulation Received:** The department recommended a penalty of \$3,500.00. **Motion** to accept the stipulation and recommended penalty was made by Dave George and **seconded** by Cal Simpson. All members were in favor. **Motion carried.**

**(22) Case No. 19-08-22**  
**Esplanade Discount One**  
**3652 West Esplanade Avenue**  
**Metairie, LA 70002**  
**17 violations**

17 - Prices not displayed - LAC 7:XXXV.117

A. The price of a commodity or item offered for retail sale which is labeled with a computerized bar code label shall be plainly displayed, either by a price marked in English on the package containing the individual commodity or item, or by a placard or card placed on the shelf in front of the commodity or item which is clearly visible and legible.

B. The price displayed on the shelf, commodity or item required by Subsection A of this Section shall be precisely equal to the price actually charged by the seller.

**Stipulation Received:** The department recommended a penalty of \$4,250.00. **Motion** to accept the stipulation and recommended penalty was made by Dave George and **seconded** Tommy Haring. All members were in favor. **Motion carried.**

**(23) Case No. 19-08-23**  
**Racetrac #2430**  
**5725 Jefferson Highway**  
**Harahan, LA 70123**  
**11 violations**

6 - Overcharges - LA. R.S. 3:4617 (A)

A. No one shall misrepresent the price or quantity of a commodity, thing, or service sold or offered or exposed for sale, to any actual or prospective customer.

5 - Prices not displayed - LAC 7:XXXV.117

A. The price of a commodity or item offered for retail sale which is labeled with a computerized bar code label shall be plainly displayed, either by a price marked in English on the package containing the individual commodity or item, or by a placard or card placed on the shelf in front of the commodity or item which is clearly visible and legible.

B. The price displayed on the shelf, commodity or item required by Subsection A of

this Section shall be precisely equal to the price actually charged by the seller.

**Stipulation Received:** The department recommended a penalty of \$2,750.00. **Motion** to accept the stipulation and recommended penalty was made by Dave George and **seconded** by Mickey Freiberg. All members were in favor. **Motion carried.**

**(24) Case No. 19-08-24**  
**Salon Centric #1501**  
**3216 West Esplanade Avenue North, Suite A7**  
**Metairie, LA 70002**

**14 violations**

11 - Overcharges - LA. R.S. 3:4617 (A)

A. No one shall misrepresent the price or quantity of a commodity, thing, or service sold or offered or exposed for sale, to any actual or prospective customer.

3 - Prices not displayed - LAC 7:XXXV.117

A. The price of a commodity or item offered for retail sale which is labeled with a computerized bar code label shall be plainly displayed, either by a price marked in English on the package containing the individual commodity or item, or by a placard or card placed on the shelf in front of the commodity or item which is clearly visible and legible.

B. The price displayed on the shelf, commodity or item required by Subsection A of this Section shall be precisely equal to the price actually charged by the seller.

**Stipulation Received:** The department recommended a penalty of \$3,500.00. **Motion** to accept the stipulation and recommended penalty was made by Cal Simpson and **seconded** by Nolan Percy. All members were in favor. **Motion carried.**

**(25) Case No. 19-08-25**  
**E Z Mart #4415**  
**4740 North Cities Service Highway**  
**Sulphur, LA 70663**

**5 violations**

3 - Overcharges - LA. R.S. 3:4617 (A)

A. No one shall misrepresent the price or quantity of a commodity, thing, or service sold or offered or exposed for sale, to any actual or prospective customer.

2 - Prices not displayed - LAC 7:XXXV.117

A. The price of a commodity or item offered for retail sale which is labeled with a computerized bar code label shall be plainly displayed, either by a price marked in English on the package containing the individual commodity or item, or by a placard or

card placed on the shelf in front of the commodity or item which is clearly visible and legible.

B. The price displayed on the shelf, commodity or item required by Subsection A of this Section shall be precisely equal to the price actually charged by the seller.

**Stipulation Received:** The department recommended a penalty of \$1,250.00. **Motion** to accept the stipulation and recommended penalty was made by Dave George and **seconded** by Nolan Percy. All members were in favor. **Motion carried.**

**(26) Case No. 19-08-26**  
**Y Not Stop - Versailles**  
**64 Versailles Blvd.**  
**Alexandria, LA 71303**

**5 violations**

2 - Overcharges - LA. R.S. 3:4617 (A)

A. No one shall misrepresent the price or quantity of a commodity, thing, or service sold or offered or exposed for sale, to any actual or prospective customer.

3 - Prices not displayed - LAC 7:XXXV.117

A. The price of a commodity or item offered for retail sale which is labeled with a computerized bar code label shall be plainly displayed, either by a price marked in English on the package containing the individual commodity or item, or by a placard or card placed on the shelf in front of the commodity or item which is clearly visible and legible.

B. The price displayed on the shelf, commodity or item required by Subsection A of this Section shall be precisely equal to the price actually charged by the seller.

**Stipulation Received:** The department recommended a penalty of \$1,250.00. **Motion** to accept the stipulation and recommended penalty was made by Mickey Freiberg and **seconded** by Frank LoPinto. Justin Alford abstained from voting on this matter. All remaining members were in favor. **Motion carried.**

(27) **Case No. 19-08-27**  
**The Southern Pantry**  
**8790 Youree Drive**  
**Shreveport, LA 71115**

**9 violations**

6 - Overcharges - LA. R.S. 3:4617 (A)

A. No one shall misrepresent the price or quantity of a commodity, thing, or service sold or offered or exposed for sale, to any actual or prospective customer.

3 - Prices not displayed - LAC 7:XXXV.117

A. The price of a commodity or item offered for retail sale which is labeled with a computerized bar code label shall be plainly displayed, either by a price marked in English on the package containing the individual commodity or item, or by a placard or card placed on the shelf in front of the commodity or item which is clearly visible and legible.

B. The price displayed on the shelf, commodity or item required by Subsection A of this Section shall be precisely equal to the price actually charged by the seller.

**Stipulation Received:** The department recommended a penalty of \$2,250.00. **Motion** to accept the stipulation and recommended penalty was made by Dave George and **seconded** by Justin Alford. All members were in favor. **Motion carried.**

(28) **Case No. 19-08-28**  
**Murphy USA #5662**  
**925 East Keyser Avenue**  
**Natchitoches, LA 71457**

**4 violations**

2 - Overcharges - LA. R.S. 3:4617 (A)

A. No one shall misrepresent the price or quantity of a commodity, thing, or service sold or offered or exposed for sale, to any actual or prospective customer.

2 - Prices not displayed - LAC 7:XXXV.117

A. The price of a commodity or item offered for retail sale which is labeled with a computerized bar code label shall be plainly displayed, either by a price marked in English on the package containing the individual commodity or item, or by a placard or card placed on the shelf in front of the commodity or item which is clearly visible and legible.

B. The price displayed on the shelf, commodity or item required by Subsection A of this Section shall be precisely equal to the price actually charged by the seller.

**Stipulation Received:** The department recommended a penalty of \$1,000.00. **Motion** to accept the stipulation and recommended penalty was made by Cal Simpson and **seconded** by Nolan Percy. All members were in favor. **Motion carried.**



(29) Case No. 19-08-29

Mobil Truck Stop

6305 Airline Highway

Baton Rouge, LA 70806

5 violations

5 - Prices not displayed - LAC 7:XXXV.117

A. The price of a commodity or item offered for retail sale which is labeled with a computerized bar code label shall be plainly displayed, either by a price marked in English on the package containing the individual commodity or item, or by a placard or card placed on the shelf in front of the commodity or item which is clearly visible and legible.

B. The price displayed on the shelf, commodity or item required by Subsection A of this Section shall be precisely equal to the price actually charged by the seller.

Stipulation Received: The department recommended a penalty of \$1,250.00. **Motion** to accept the stipulation and recommended penalty was made by Frank LoPinto and **seconded** by Mickey Freiberg. All members were in favor. **Motion carried.**

(30) Case No. 19-08-16

Corner Mart #33

5454 West 70<sup>th</sup> Street

Shreveport, LA 71129

19 violations

18 - Overcharges - LA. R.S. 3:4617 (A)

A. No one shall misrepresent the price or quantity of a commodity, thing, or service sold or offered or exposed for sale, to any actual or prospective customer.

1 - Price not displayed - LAC 7:XXXV.117

A. The price of a commodity or item offered for retail sale which is labeled with a computerized bar code label shall be plainly displayed, either by a price marked in English on the package containing the individual commodity or item, or by a placard or card placed on the shelf in front of the commodity or item which is clearly visible and legible.

B. The price displayed on the shelf, commodity or item required by Subsection A of this Section shall be precisely equal to the price actually charged by the seller.

Stipulation Received: The department recommended a penalty of \$4,750.00. **Motion** to accept the stipulation and recommended penalty was made by Dave George and **seconded** by Frank LoPinto. Cal Simpson abstained from voting on this matter. All remaining members were in favor. **Motion carried.**

**VI. NEW BUSINESS**

Appreciation and thanks were offered to all staff of the LDAF Weights & Measures Division for working together in such a way that enables the division to be effective and efficient. Director Bobby Fletcher recognized the participating members of a recent Skimmer Sweep conducted with local authorities from the St. Tammany, Jefferson and East Baton Rouge Parish areas, along with the United States Secret Service. A video of the department's endeavors was presented to the members of the board and guests to better demonstrate the collaborative efforts put forth by the members of the division, local law enforcement and secret service.

**VII. OLD BUSINESS**

None

**VIII. PUBLIC COMMENT**

None

**IX. NEXT MEETING DATE**

Available dates for the next Commission Hearing were announced to be January 16, 2020 or January 23, 2020. At the request of Chairman Larry Terrell, the department agreed to send out an email with this information for further discussion and decision.

**X. ADJOURNMENT**

Motion made by Mr. Nolan Percy and seconded by Mr. Larry Terrell.  
All members were in favor. Motion carried.



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Mr. Larry Terrell, Chairman