

**LOUISIANA AGRICULTURAL CHEMISTRY AND SEED COMMISSION
MINUTES
OCTOBER 27, 2016
9:30 A.M.**

**Louisiana Department of Agriculture & Forestry Building
LDAF Veterans Memorial Auditorium
5825 Florida Boulevard
Baton Rouge, LA 70806**

CALL TO ORDER

The meeting was called to order at 9:36 a.m. by Mr. Fred Bass, Confidential Assistant to Commissioner Mike Strain.

ROLL CALL

The roll was called by Mrs. Tina Ficklin.

The following commission members or their Designees were present: Mr. Fred Bass, Designee for Commissioner Mike Strain; Dr. Philip Elzer, Louisiana Agricultural Experiment Station; Dr. Steve Linscombe, Louisiana Cooperative Extension Service; Mr. Michael Hensgens, Seed Industry; Mr. Don Phillee, Fertilizer Industry, LAIA; Mr. Kyle McCann, Designee for Mr. Ronnie Anderson, Louisiana Farm Bureau Association. A quorum was declared.

Absent from the meeting: Mr. Ed O'Neal, Feed Industry, LAIA.

Others Present: Todd Parker, Assistant Commission of Agricultural and Experiment Sciences; Dr. Mark LeBlanc, Director of Agricultural Chemistry Programs Division; Angelle Pearson, Assistant Director of Agricultural Chemistry Programs Division; Lauren Boydston, Agricultural Chemistry Programs Division; Cheryl McGee, Agricultural Chemistry Programs Division; Tina Ficklin, LDAF Seed Programs Division; Jason Schmidt, Agricultural Chemistry Programs Division; Jeff Scallan, Agricultural Chemistry Programs Division; Raynette Cason, Agricultural Chemistry Programs division; Deepika Curole, Agricultural Chemistry Programs Division; David Johnston, LDAF Seed Programs Division; Ms. Lindsey Hunter, LDAF Legal Counsel and Mr. Bradley Overton, Assistant Attorney General.

PUBLIC COMMENT

No public comment.

APPROVAL OF THE MINUTES

A request was made by the commission to include a description of the violation in the minutes for the next hearing.

Motion: Mr. Michael Hensgens made a motion to approve the proceedings as written from the April 28, 2016 Louisiana Agricultural Chemistry and Seed Commission meeting. Dr. Philip Elzer seconded the motion. Motion approved unanimously.

SET NEXT HEARING DATE

Angelle recommended a tentative date of April 26, 2017 for the next hearing. Angelle will be in touch with the commission members on the scheduling of the next hearing date.

OLD BUSINESS

Don Philley gave an update regarding fertilizer.

NEW BUSINESS

David Johnston was introduced as the new registered Seed Analyst with the Department.

Dr. Mark LeBlanc updated the commission on the FDA grant, the implications of the Feed program joining the Animal Health Division.

HEARING

Mr. Fred Bass turned the hearing over to Mr. Bradley Overton, Hearing Officer, Assistant Attorney General.

HEARING OF STIPULATED CASES

Lindsey Hunter explained to the Commission the process of stipulated cases whereby 50% of the penalty is suspended for a probationary period of one (1) year for first time offenders, beginning from the date the Agency signs the stipulation, under the following two conditions: First, the Respondent shall not violate the Law, or any rules and regulations adopted by the Commissioner of Agriculture & Forestry or by the Louisiana Agricultural Chemistry and Seed Commission during the one (1) year probationary period. Second, the penalty shall be paid by the Respondent to Agency by certified funds within thirty (30) days after receipt of notice of the Commissioner's acceptance of the stipulation. If Respondent complies with these conditions, then the suspended portion of the monetary penalty shall be considered discharged and of no further effect.

If, however, Respondent does violate any of these conditions, then the suspended portion of the monetary penalty shall become immediately due and payable, without further action being required other than written notification of the violation from Agency to Respondent.

Seed Programs Division Cases:

Seed Programs Division Case Number 16-01 – The Home Depot #349

The Home Depot #349 was charged with four violations of the Louisiana Seed Law

R. S. 3:1431 *et seq.*, due to offering for sale, out-of-test date seed, particularly, R.S. 3:1440 for violating a written stop order by removing the stop-ordered seed from the store location without obtaining a written stop order release.

Ms. Lindsey Hunter asked that exhibits marked LDAF 1 and LDAF 2 be accepted into evidence as the findings of facts and conclusions of law. LDAF 1: Charge Letters sent via Certified Mail with signed receipts. LDAF 2: Signed, witnessed and notarized Stipulations between the LDAF and Respondents. Mr. Bradley Overton, hearing officer, accepted the evidence presented.

The Louisiana Department of Agriculture & Forestry recommended a violation penalty of Two Thousand Dollars (\$2,000.00), with One Thousand Dollars (\$1,000.00) of the penalty to be

suspended for first offense. The Commission accepted the department's recommendation and offered no modifications.

Motion to accept the stipulation letter as the findings, facts and conclusion of law and to accept the recommended total fine of One Thousand (\$1,000.00) was made by Dr. Philip Elzer and seconded by Mr. Michael Hensgens. All members in favor. No opposition.

Seed Programs Division Case Number 16-02 – Walmart #2938

Walmart #2938 was charged with three violations of the Louisiana Seed Law R. S. 3:1431 *et seq.*, due to offering for sale, out-of-test date seed, particularly, R.S. 3:1440 for violating a written stop order by removing the stop-ordered seed from the store location without obtaining a written stop order release.

Ms. Lindsey Hunter asked that exhibits marked LDAF 1 and LDAF 2 be accepted into evidence as the findings of facts and conclusions of law. LDAF 1: Charge Letters sent via Certified Mail with signed receipts. LDAF 2: Signed, witnessed and notarized Stipulations between the LDAF and Respondents. Mr. Bradley Overton, hearing officer, accepted the evidence presented.

The Louisiana Department of Agriculture & Forestry recommended a violation penalty of One Thousand Five Hundred Dollars (\$1,500.00), with Seven Hundred and Fifty Dollars (\$750.00) of the penalty to be suspended for first offense. The Commission accepted the department's recommendation and offered no modifications.

Motion to accept the stipulation letter as the findings, facts and conclusion of law and to accept the recommended total fine of Seven Hundred and Fifty Dollars (\$750.00) was made by Kyle McCann and seconded by Dr. Philip Elzer. All members in favor. No opposition.

Seed Programs Division Case Number 16-03 – Walmart Supercenter #0023

Walmart #0023 was charged with one violation of the Louisiana Seed Law R. S. 3:1431 *et seq.*, particularly, R.S. 3:1440 for violating a written stop order by removing the stop-ordered seed from the store location without obtaining a written stop order release.

Ms. Lindsey Hunter asked that exhibits marked LDAF 1 and LDAF 2 be accepted into evidence as the findings of facts and conclusions of law. LDAF 1: Charge Letters sent via Certified Mail with signed receipts. LDAF 2: Signed, witnessed and notarized Stipulations between the LDAF and Respondents. Mr. Bradley Overton, hearing officer, accepted the evidence presented.

The Louisiana Department of Agriculture & Forestry recommended a violation penalty of Five Hundred Dollars (\$500.00), with Two Hundred and Fifty Dollars (\$250.00) of the penalty to be suspended for first offense. The Commission accepted the department's recommendation and offered no modifications.

Motion to accept the stipulation letter as the findings, facts and conclusion of law and to accept the recommended total fine of Two Hundred and Fifty Dollars (\$250.00) was made by Dr. Stephen Linscombe and seconded by Michael Hensgens. All members in favor. No opposition.

Agricultural Chemistry Division Cases:

CONTINUED CASES

Agricultural Chemistry Division Case Numbers 16 – 06; 16 – 08; 16 – 09; 16 – 11; 16 – 24; 16 – 27

Case Number 16 – 06 Ecocraps

Case Number 16 – 08 Oakley Fertilizer / Dumas

Case Number 16 – 09 Oakley Fertilizer / North Little Rock

Case Number 16 – 11 VF-11 Industries

Case Number 16 – 24 Nuttrinsic Corporation

Case Number 16 – 27 Tengo USA LLC

Ms. Lindsey Hunter made the request to the commission to continue the above mentioned cases due to the mail being returned or the lack of acknowledgment of each of the companies. Each of these companies was charged with at least three or four violations of the Fertilizer Law or the Feed Law of the State of Louisiana.

Motion to continue these cases was made by Dr. Steve Linscombe and seconded by Dr. Philip Elzer. Motion passed unanimously.

Three (3) delinquent fertilizer tonnage report violations with no prior appearances in the past five years.

Agricultural Chemistry Division Case Number 16 – 07 – Oakley Fertilizer Company/Shreveport

Oakley Fertilizer Company/Shreveport was charged with three violations of the Louisiana Fertilizer Law R.S. 3:1411 *et seq.*, particularly, R.S. 3:1417(A) (8) – failure to timely file quarterly tonnage reports and inspection fees.

Ms. Lindsey Hunter asked that exhibits marked LDAF 1 and LDAF 2 be accepted into evidence as the findings of facts and conclusions of law. LDAF 1: Charge Letters sent via Certified Mail with signed receipts. LDAF 2: Signed, witnessed and notarized Stipulations between the LDAF and Respondents. Mr. Bradley Overton, hearing officer, accepted the evidence presented.

Motion to accept the stipulation letters as the findings of facts and conclusions of law was made by Mr. Michael Hensgens and seconded by Dr. Steve Linscombe. Motion passed unanimously.

Mr. Bradley Overton asked Ms. Angelle Pearson for a recommendation on the penalties. Ms. Pearson recommended a penalty of One Hundred Dollars (\$100.00) per violation for a total fine of Three Hundred Dollars (\$300.00).

Motion to accept the recommended penalty of One Hundred Dollars (\$100.00) per violation for a total of Three Hundred Dollars (\$300.00) per respondent was made by Dr. Philip Elzer and seconded by Mr. Michael Hensgens. Motion passed unanimously.

Four (4) delinquent fertilizer tonnage report violations with no prior appearances in the past five years.

Agricultural Chemistry Division Case Number 16 – 04 – American Colloid Company

American Colloid Company has been charged with four (4) violations of the Louisiana Fertilizer Law R.S. 3:1411 *et seq.*, particularly, R.S. 3:1417(A)(8) – failure to timely file quarterly tonnage reports and inspection fees.

Ms. Lindsey Hunter asked that exhibits marked LDAF 1 and LDAF 2 be accepted into evidence as the findings of facts and conclusions of law. LDAF 1: Charge Letters sent via Certified Mail with signed receipts. LDAF 2: Signed, witnessed and notarized Stipulations between the LDAF and Respondents. Mr. Bradley Overton, hearing officer, accepted the evidence presented.

Motion to accept the stipulation letters as the findings of facts and conclusions of law was made by Mr. Don Philley and seconded by Mr. Kyle McCann. Motion passed unanimously.

Mr. Bradley Overton asked Ms. Angelle Pearson for a recommendation on the penalties. Ms. Pearson recommended a penalty of One Hundred Dollars (\$100.00) per violation for a total fine of Four Hundred Dollars (\$400.00).

Motion to accept the recommended penalty of One Hundred Dollars (\$100.00) per violation for the total of Four Hundred Dollars (\$400.00) per violation was made by Dr. Philip Elzer and seconded by Mr. Michael Hensgens. Motion passed unanimously.

Four (4) delinquent fertilizer tonnage report violations with prior appearances in the past five years.

Agricultural Chemistry Division Case Number 16 – 05 – Cannon Packaging Company

Cannon Packaging Company has been charged with four (4) violations of the Louisiana Fertilizer Law R.S. 3:1411 *et seq.*, particularly, R.S. 3:1417(A)(8) – failure to timely file quarterly tonnage reports and inspection fees. Cannon Packaging Company previously appeared in front of the commission in 2013 and was fined a total fine of \$400.00.

Ms. Lindsey Hunter asked that exhibits marked LDAF 1 and LDAF 2 be accepted into evidence as the findings of facts and conclusions of law. LDAF 1: Charge Letters sent via Certified Mail with signed receipts. LDAF 2: Signed, witnessed and notarized Stipulations between the LDAF and Respondents. Mr. Bradley Overton, hearing officer, accepted the evidence presented.

Motion to accept the stipulation letters as the findings of facts and conclusions of law was made by Mr. Michael Hensgens and seconded by Dr. Steve Linscombe. Motion passed unanimously.

Mr. Bradley Overton asked Ms. Angelle Pearson for a recommendation on the penalties. Ms. Pearson recommended a penalty of Two Hundred Dollars (\$200.00) per violation for a total fine of Eight Hundred Dollars (\$800.00).

Motion to accept the recommended penalty of Two Hundred Dollars (\$200.00) per violation for the total of Eight Hundred Dollars (\$800.00) per violation was made by Dr. Philip Elzer and seconded by Mr. Don Philley. Motion passed unanimously.

Agricultural Chemistry Division Case Number 16 – 10 – US Borax

US Borax has been charged with four (4) violations of the Louisiana Fertilizer Law R.S. 3:1411 *et seq.*, particularly, R.S. 3:1417(A)(8) – failure to timely file quarterly tonnage reports and inspection fees. Cannon Packaging Company previously appeared in front of the commission in 2012 and was fined a total fine of \$300.00.

Ms. Lindsey Hunter asked that exhibits marked LDAF 1 and LDAF 2 be accepted into evidence as the findings of facts and conclusions of law. LDAF 1: Charge Letters sent via Certified Mail with signed receipts. LDAF 2: Signed, witnessed and notarized Stipulations between the LDAF and Respondents. Mr. Bradley Overton, hearing officer, accepted the evidence presented.

Motion to accept the stipulation letters as the findings of facts and conclusions of law was made by Mr. Kyle McCann and seconded by Dr. Steve Linscombe. Motion passed unanimously.

Mr. Bradley Overton asked Ms. Angelle Pearson for a recommendation on the penalties. Ms. Pearson recommended a penalty of Two Hundred Dollars (\$200.00) per violation for a total fine of Eight Hundred Dollars (\$800.00).

Motion to accept the recommended penalty of Two Hundred Dollars (\$200.00) per violation for the total of Eight Hundred Dollars (\$800.00) per violation was made by Mr. Don Philley and seconded by Dr. Philip Elzer. Motion passed unanimously.

Three (3) delinquent lime tonnage report violations with no prior appearances in the past five years.

Agricultural Chemistry Division Case Number 16 – 13 – Green Up Plant Food

Green Up Plant Food has been charged with three (3) violations of the Louisiana Agricultural Liming Materials Law R.S. 3:1430.1 *et seq.*, particularly, R.S. 3:1430.7 – failure to timely file quarterly tonnage reports and inspection fees.

Ms. Lindsey Hunter asked that exhibits marked LDAF 1 and LDAF 2 be accepted into evidence as the findings of facts and conclusions of law. LDAF 1: Charge Letters sent via Certified Mail with signed receipts. LDAF 2: Signed, witnessed and notarized Stipulations between the LDAF and Respondents. Mr. Bradley Overton, hearing officer, accepted the evidence presented

Motion to accept the stipulation letters as the findings of facts and conclusions of law was made by Mr. Michael Hensgens and seconded by Dr. Steve Linscombe. Motion passed unanimously.

Mr. Bradley Overton asked Ms. Angelle Pearson for a recommendation on the penalties. Ms. Pearson recommended a penalty of One Hundred Dollars (\$100.00) per violation for a total fine of Three Hundred Dollars (\$300.00).

Motion to accept the recommended penalty of One Hundred Dollars (\$100.00) per violation for the total of Three Hundred Dollars (\$300.00) per violation was made by Mr. Don Philley and seconded by Dr. Philip Elzer. Motion passed unanimously.

Three (3) delinquent lime tonnage report violations with prior appearances in the past five years.

Agricultural Chemistry Division Case Number 16 – 12 – Calcium Products Incorporated

Calcium Products Incorporated has been charged with three (3) violations of the Louisiana Agricultural Liming Materials Law R.S. 3:1430.1 *et seq.*, particularly, R.S. 3:1430.7 – failure to timely file quarterly tonnage reports and inspection fees. Calcium Products Incorporated previously appeared before the commission in 2014 and was fined a total fine of \$300.00.

Ms. Lindsey Hunter asked that exhibits marked LDAF 1 and LDAF 2 be accepted into evidence as the findings of facts and conclusions of law. LDAF 1: Charge Letters sent via Certified Mail with signed receipts. LDAF 2: Signed, witnessed and notarized Stipulations between the LDAF and Respondents. Mr. Bradley Overton, hearing officer, accepted the evidence presented

Motion to accept the stipulation letters as the findings of facts and conclusions of law was made by Mr. Michael Hensgens and seconded by Dr. Philip Elzer. Motion passed unanimously.

Mr. Bradley Overton asked Ms. Angelle Pearson for a recommendation on the penalties. Ms. Pearson recommended a penalty of Two Hundred Dollars (\$200.00) per violation for a total fine of Six Hundred Dollars (\$600.00).

Motion to accept the recommended penalty of Two Hundred Dollars (\$200.00) per violation for the total of Six Hundred Dollars (\$600.00) per violation was made by Mr. Michael Hensgens and seconded by Dr. Philip Elzer. Motion passed unanimously.

Four (4) delinquent lime tonnage report violations with no prior appearances in the past five years.

Agricultural Chemistry Division Case Number 16 – 14 – Pinnacle Agriculture Distribution/Delhi

Pinnacle Agriculture Distribution/Delhi has been charged with four (4) violations of the Louisiana Agricultural Liming Materials Law R.S. 3:1430.1 *et seq.*, particularly, R.S. 3:1430.7 – failure to timely file quarterly tonnage reports and inspection fees.

Ms. Lindsey Hunter asked that exhibits marked LDAF 1 and LDAF 2 be accepted into evidence as the findings of facts and conclusions of law. LDAF 1: Charge Letters sent via Certified Mail with signed receipts. LDAF 2: Signed, witnessed and notarized Stipulations between the LDAF and Respondents. Mr. Bradley Overton, hearing officer, accepted the evidence presented

Motion to accept the stipulation letters as the findings of facts and conclusions of law was made by Dr. Philip Elzer and seconded by Dr. Steve Linscombe. Motion passed unanimously.

Mr. Bradley Overton asked Ms. Angelle Pearson for a recommendation on the penalties. Ms. Pearson recommended a penalty of One Hundred Dollars (\$100.00) per violation for a total fine of Four Hundred Dollars (\$400.00).

Motion to accept the recommended penalty of One Hundred Dollars (\$100.00) per violation for the total of Four Hundred Dollars (\$400.00) per violation was made by Mr. Michael Hensgens and seconded by Dr. Philip Elzer. Motion passed unanimously.

Agricultural Chemistry Division Case Number 16 – 15 – Pinnacle Agriculture Distribution/Rayville

Pinnacle Agriculture Distribution/Rayville has been charged with four (4) violations of the Louisiana Agricultural Liming Materials Law R.S. 3:1430.1 *et seq.*, particularly, R.S. 3:1430.7 – failure to timely file quarterly tonnage reports and inspection fees.

Ms. Lindsey Hunter asked that exhibits marked LDAF 1 and LDAF 2 be accepted into evidence as the findings of facts and conclusions of law. LDAF 1: Charge Letters sent via Certified Mail with signed receipts. LDAF 2: Signed, witnessed and notarized Stipulations between the LDAF and Respondents. Mr. Bradley Overton, hearing officer, accepted the evidence presented

Motion to accept the stipulation letters as the findings of facts and conclusions of law was made by Mr. Kyle McCann and seconded by Mr. Don Philley. Motion passed unanimously.

Mr. Bradley Overton asked Ms. Angelle Pearson for a recommendation on the penalties. Ms. Pearson recommended a penalty of One Hundred Dollars (\$100.00) per violation for a total fine of Four Hundred Dollars (\$400.00).

Motion to accept the recommended penalty of One Hundred Dollars (\$100.00) per violation for the total of Four Hundred Dollars (\$400.00) per violation was made by Mr. Michael Hensgens and seconded by Dr. Steve Linscombe. Motion passed unanimously.

Three (3) delinquent feed/pet food tonnage report violations with no prior appearances in the past five years.

Agricultural Chemistry Division Case Number 16 – 16 – Copper River Seafoods, Inc.

Copper River Seafoods, Inc. has been charged with three (3) violations of the Louisiana Feed Law R.S. 3:1319 *et seq.*, particularly, R.S. 3:1401(C) (4) – failure to timely file quarterly tonnage reports and inspection fees.

Ms. Lindsey Hunter asked that exhibits marked LDAF 1 and LDAF 2 be accepted into evidence as the findings of facts and conclusions of law. LDAF 1: Charge Letters sent via Certified Mail with signed receipts. LDAF 2: Signed, witnessed and notarized Stipulations between the LDAF and Respondents. Mr. Bradley Overton, hearing officer, accepted the evidence presented

Motion to accept the stipulation letters as the findings of facts and conclusions of law was made by Mr. Kyle McCann and seconded by Mr. Don Philley. Motion passed unanimously.

Mr. Bradley Overton asked Ms. Angelle Pearson for a recommendation on the penalties. Ms. Pearson recommended a penalty of One Hundred Dollars (\$100.00) per violation for a total fine of Four Hundred Dollars (\$400.00).

Motion to accept the recommended penalty of One Hundred Dollars (\$100.00) per violation for the total of Four Hundred Dollars (\$400.00) per violation was made by Mr. Michael Hensgens and seconded by Dr. Steve Linscombe. Motion passed unanimously.

Agricultural Chemistry Division Case Number 16 – 17 – Delta White Tail

Delta White Tail has been charged with three (3) violations of the Louisiana Feed Law R.S. 3:1319 *et seq.*, particularly, R.S. 3:1401(C)(4) – failure to timely file quarterly tonnage reports and inspection fees.

Ms. Lindsey Hunter asked that exhibits marked LDAF 1 and LDAF 2 be accepted into evidence as the findings of facts and conclusions of law. LDAF 1: Charge Letters sent via Certified Mail with signed receipts. LDAF 2: Signed, witnessed and notarized Stipulations between the LDAF and Respondents. Mr. Bradley Overton, hearing officer, accepted the evidence presented

Motion to accept the stipulation letters as the findings of facts and conclusions of law was made by Mr. Kyle McCann and seconded by Mr. Don Philley. Motion passed unanimously.

Mr. Bradley Overton asked Ms. Angelle Pearson for a recommendation on the penalties. Ms. Pearson recommended a penalty of One Hundred Dollars (\$100.00) per violation for a total fine of Four Hundred Dollars (\$400.00).

Motion to accept the recommended penalty of One Hundred Dollars (\$100.00) per violation for the total of Four Hundred Dollars (\$400.00) per violation was made by Mr. Michael Hensgens and seconded by Dr. Steve Linscombe. Motion passed unanimously.

Agricultural Chemistry Division Case Number 16 – 18 – Foppers Pet Treat Bakery

Foppers Pet Treat Bakery has been charged with three (3) violations of the Louisiana Feed Law R.S. 3:1319 *et seq.*, particularly, R.S. 3:1401(C) (4) – failure to timely file quarterly tonnage reports and inspection fees.

Ms. Lindsey Hunter asked that exhibits marked LDAF 1 and LDAF 2 be accepted into evidence as the findings of facts and conclusions of law. LDAF 1: Charge Letters sent via Certified Mail with signed receipts. LDAF 2: Signed, witnessed and notarized Stipulations between the LDAF and Respondents. Mr. Bradley Overton, hearing officer, accepted the evidence presented

Motion to accept the stipulation letters as the findings of facts and conclusions of law was made by Mr. Kyle McCann and seconded by Mr. Don Philley. Motion passed unanimously.

Mr. Bradley Overton asked Ms. Angelle Pearson for a recommendation on the penalties. Ms. Pearson recommended a penalty of One Hundred Dollars (\$100.00) per violation for a total fine of Four Hundred Dollars (\$400.00).

Motion to accept the recommended penalty of One Hundred Dollars (\$100.00) per violation for the total of Four Hundred Dollars (\$400.00) per violation was made by Mr. Michael Hensgens and seconded by Dr. Steve Linscombe. Motion passed unanimously.

Agricultural Chemistry Division Case Number 16 – 19 – Hi Tek Rations

Hi Tek Rations has been charged with three (3) violations of the Louisiana Feed Law R.S. 3:1319 *et seq.*, particularly, R.S. 3:1401(C)(4) – failure to timely file quarterly tonnage reports and inspection fees.

Ms. Lindsey Hunter asked that exhibits marked LDAF 1 and LDAF 2 be accepted into evidence as the findings of facts and conclusions of law. LDAF 1: Charge Letters sent via Certified Mail with signed

receipts. LDAF 2: Signed, witnessed and notarized Stipulations between the LDAF and Respondents. Mr. Bradley Overton, hearing officer, accepted the evidence presented

Motion to accept the stipulation letters as the findings of facts and conclusions of law was made by Mr. Kyle McCann and seconded by Mr. Don Philley. Motion passed unanimously.

Mr. Bradley Overton asked Ms. Angelle Pearson for a recommendation on the penalties. Ms. Pearson recommended a penalty of One Hundred Dollars (\$100.00) per violation for a total fine of Four Hundred Dollars (\$400.00).

Motion to accept the recommended penalty of One Hundred Dollars (\$100.00) per violation for the total of Four Hundred Dollars (\$400.00) per violation was made by Mr. Michael Hensgens and seconded by Dr. Steve Linscombe. Motion passed unanimously.

Agricultural Chemistry Division Case Number 16 – 22 – Michigan Sugar Company

Michigan Sugar Company has been charged with three (3) violations of the Louisiana Feed Law R.S. 3:1319 *et seq.*, particularly, R.S. 3:1401(C) (4) – failure to timely file quarterly tonnage reports and inspection fees.

Ms. Lindsey Hunter asked that exhibits marked LDAF 1 and LDAF 2 be accepted into evidence as the findings of facts and conclusions of law. LDAF 1: Charge Letters sent via Certified Mail with signed receipts. LDAF 2: Signed, witnessed and notarized Stipulations between the LDAF and Respondents. Mr. Bradley Overton, hearing officer, accepted the evidence presented

Motion to accept the stipulation letters as the findings of facts and conclusions of law was made by Mr. Kyle McCann and seconded by Mr. Don Philley. Motion passed unanimously.

Mr. Bradley Overton asked Ms. Angelle Pearson for a recommendation on the penalties. Ms. Pearson recommended a penalty of One Hundred Dollars (\$100.00) per violation for a total fine of Four Hundred Dollars (\$400.00).

Motion to accept the recommended penalty of One Hundred Dollars (\$100.00) per violation for the total of Four Hundred Dollars (\$400.00) per violation was made by Mr. Michael Hensgens and seconded by Dr. Steve Linscombe. Motion passed unanimously.

Agricultural Chemistry Division Case Number 16 – 23 – Midwest Agri Commodities

Midwest Agri Commodities has been charged with three (3) violations of the Louisiana Feed Law R.S. 3:1319 *et seq.*, particularly, R.S. 3:1401(C)(4) – failure to timely file quarterly tonnage reports and inspection fees.

Ms. Lindsey Hunter asked that exhibits marked LDAF 1 and LDAF 2 be accepted into evidence as the findings of facts and conclusions of law. LDAF 1: Charge Letters sent via Certified Mail with signed receipts. LDAF 2: Signed, witnessed and notarized Stipulations between the LDAF and Respondents. Mr. Bradley Overton, hearing officer, accepted the evidence presented

Motion to accept the stipulation letters as the findings of facts and conclusions of law was made by Mr. Kyle McCann and seconded by Mr. Don Philley. Motion passed unanimously.

Mr. Bradley Overton asked Ms. Angelle Pearson for a recommendation on the penalties. Ms. Pearson recommended a penalty of One Hundred Dollars (\$100.00) per violation for a total fine of Four Hundred Dollars (\$400.00).

Motion to accept the recommended penalty of One Hundred Dollars (\$100.00) per violation for the total of Four Hundred Dollars (\$400.00) per violation was made by Mr. Michael Hensgens and seconded by Dr. Steve Linscombe. Motion passed unanimously.

Agricultural Chemistry Division Case Number 16 – 25 – Prairie Dog Treats, LLC

Prairie Dog Treats, LLC has been charged with three (3) violations of the Louisiana Feed Law R.S. 3:1319 *et seq.*, particularly, R.S. 3:1401(C) (4) – failure to timely file quarterly tonnage reports and inspection fees.

Ms. Lindsey Hunter asked that exhibits marked LDAF 1 and LDAF 2 be accepted into evidence as the findings of facts and conclusions of law. LDAF 1: Charge Letters sent via Certified Mail with signed receipts. LDAF 2: Signed, witnessed and notarized Stipulations between the LDAF and Respondents. Mr. Bradley Overton, hearing officer, accepted the evidence presented

Motion to accept the stipulation letters as the findings of facts and conclusions of law was made by Mr. Kyle McCann and seconded by Mr. Don Philley. Motion passed unanimously.

Mr. Bradley Overton asked Ms. Angelle Pearson for a recommendation on the penalties. Ms. Pearson recommended a penalty of One Hundred Dollars (\$100.00) per violation for a total fine of Four Hundred Dollars (\$400.00).

Motion to accept the recommended penalty of One Hundred Dollars (\$100.00) per violation for the total of Four Hundred Dollars (\$400.00) per violation was made by Mr. Michael Hensgens and seconded by Dr. Steve Linscombe. Motion passed unanimously.

Agricultural Chemistry Division Case Number 16 – 26 – Raw Basics, LLC

Raw Basics, LLC has been charged with three (3) violations of the Louisiana Feed Law R.S. 3:1319 *et seq.*, particularly, R.S. 3:1401(C)(4) – failure to timely file quarterly tonnage reports and inspection fees.

Ms. Lindsey Hunter asked that exhibits marked LDAF 1 and LDAF 2 be accepted into evidence as the findings of facts and conclusions of law. LDAF 1: Charge Letters sent via Certified Mail with signed receipts. LDAF 2: Signed, witnessed and notarized Stipulations between the LDAF and Respondents. Mr. Bradley Overton, hearing officer, accepted the evidence presented

Motion to accept the stipulation letters as the findings of facts and conclusions of law was made by Mr. Kyle McCann and seconded by Mr. Don Philley. Motion passed unanimously.

Mr. Bradley Overton asked Ms. Angelle Pearson for a recommendation on the penalties. Ms. Pearson recommended a penalty of One Hundred Dollars (\$100.00) per violation for a total fine of Four Hundred Dollars (\$400.00).

Motion to accept the recommended penalty of One Hundred Dollars (\$100.00) per violation for the total of Four Hundred Dollars (\$400.00) per violation was made by Mr. Michael Hensgens and seconded by Dr. Steve Linscombe. Motion passed unanimously.

Three (3) delinquent feed/pet food tonnage report violations with prior appearances in the past five years.

Agricultural Chemistry Division Case Number 16 – 20 – IMS Trading Corp

IMS Trading Corp has been charged with three (3) violations of the Louisiana Feed Law R.S. 3:1319 *et seq.*, particularly, R.S. 3:1401(C) (4) – failure to timely file quarterly tonnage reports and inspection fees. IMS Trading Corp previously appeared in front of the commission on two separate occasions. In 2012, they were fined a total fine of \$300.00 and in 2015 they were fined a total fine of \$600.00.

Ms. Lindsey Hunter asked that exhibits marked LDAF 1 and LDAF 2 be accepted into evidence as the findings of facts and conclusions of law. LDAF 1: Charge Letters sent via Certified Mail with signed receipts. LDAF 2: Signed, witnessed and notarized Stipulations between the LDAF and Respondents. Mr. Bradley Overton, hearing officer, accepted the evidence presented

Motion to accept the stipulation letters as the findings of facts and conclusions of law was made by Mr. Don Philley and seconded by Dr. Steve Linscombe. Motion passed unanimously.

Mr. Bradley Overton asked Ms. Angelle Pearson for a recommendation on the penalties. Ms. Pearson recommended a penalty of Five Hundred Dollars (\$500.00) per violation for a total fine of Fifteen Hundred Dollars (\$1500.00).

Motion to accept the recommended penalty of Five Hundred Dollars (\$500.00) per violation for the total of Fifteen Hundred Dollars (\$1500.00) per violation was made by Mr. Michael Hensgens and seconded by Dr. Steve Linscombe. Motion passed unanimously.

Agricultural Chemistry Division Case Number 16 – 21 – Loving Pets Corporation

Loving Pets Corporation has been charged with three (3) violations of the Louisiana Feed Law R.S. 3:1319 *et seq.*, particularly, R.S. 3:1401(C) (4) – failure to timely file quarterly tonnage reports and inspection fees. Loving Pets Corporation previously appeared in front of the commission in 2013 and was fined a total fine of \$300.00.

Ms. Lindsey Hunter asked that exhibits marked LDAF 1 and LDAF 2 be accepted into evidence as the findings of facts and conclusions of law. LDAF 1: Charge Letters sent via Certified Mail with signed receipts. LDAF 2: Signed, witnessed and notarized Stipulations between the LDAF and Respondents. Mr. Bradley Overton, hearing officer, accepted the evidence presented

Motion to accept the stipulation letters as the findings of facts and conclusions of law was made by Mr. Michael Hensgens and seconded by Dr. Philip Elzer. Motion passed unanimously.

Mr. Bradley Overton asked Ms. Angelle Pearson for a recommendation on the penalties. Ms. Pearson recommended a penalty of Two Hundred Dollars (\$200.00) per violation for a total fine of Six Hundred Dollars (\$600.00).

Motion to accept the recommended penalty of Two Hundred Dollars (\$200.00) per violation for the total of Six Hundred Dollars (\$600.00) per violation was made by Mr. Michael Hensgens and seconded by Dr. Steve Linscombe. Motion passed unanimously.

Concluded Adjudicatory Hearing with Mr. Bradley Overton, Hearing Officer.

Turned hearing back over to Mr. Fred Bass.

NEW BUSINESS

No new business at this time

PUBLIC COMMENTS

There were no public comments.

Mr. Fred Bass thanked everyone for being present and for a job well done.

ADJOURNMENT

Motion to adjourn the meeting was made by Mr. Don Philley and seconded by Dr. Philip Elzer. The motion passed unanimously.