

**ADVISORY COMMISSION ON PESTICIDES
VETERANS' MEMORIAL AUDITORIUM
5825 FLORIDA BLVD.
BATON ROUGE, LOUISIANA
February 20, 2019 -- 9:30 AM**

MINUTES

CALL TO ORDER

The meeting was called to order by the Chairman, Dr. Grady Coburn, at 9:35 a.m.

ROLL CALL

Members present: Dr. Grady Coburn, Dr. Gary Ross, George Bragg, Dr. Sharon Meyer, Jenny Buller, Scotty Meador, Johnny Landry, and Billy Guthrie.

Members absent: Martin Floyd, Keith Majure and Roby Shields.

Others present: Benjy Rayburn, LDAF; Kevin Wofford, LDAF; Harry Schexnayder, LDAF; Amanda LaGroue, LDAF Counsel, Amy McInnis, LDAF Counsel; Kelly Moore, LDAF; Joe Ingrao, LDAF; Julianne Nauta, LDAF; Assistant Attorney General Alycia Wheeler, Hearing Officer; and Mark Sclafani, LDAF.

PUBLIC COMMENTS

Dr. Coburn opened the floor for public comments. There were no public comments.

APPROVAL OF THE MINUTES

Motion: Mr. Guthrie made a motion to approve the minutes of the October 3, 2018 meeting, as distributed. The motion was seconded by Dr. Meyer and passed unanimously.

AMENDMENTS TO AGENDA

Dr. Coburn asked Mr. Wofford if there were any recommendations for amendments to the agenda. Amendments to the Agenda were requested for three (3) late arrival Ag Consultant applications: Todd Knight, Blaine Viator, Ph.D. and Billy J. Williams.

Motion: Dr. Meyer made a motion to amend the Agenda to include Ag Consultant Exam Applications for Todd Knight, Blaine Viator, Ph.D. and Billy J. Williams. The motion was seconded by Mr. Bragg and passed unanimously.

ADJUDICATORY HEARING

Ms. Alycia Wheeler, Hearing Officer, conducted the Adjudicatory Hearing. Ms. McInnis introduced the new LDAF attorney assigned to AES, Ms. Amanda LaGroue, who presented the following cases:

Keith Whitmore, Case No. 2167

Ms. LaGroue stated Mr. Whitmore requested a continuance. This was his first request for a continuance and the Department had no objection.

Motion: Mr. Guthrie made a motion to accept the continuance. The motion was seconded by Mr. Landry and passed unanimously.

Robert Lane, Jr. Case No. 2168

Mr. Lane was not present. The Department charged Mr. Lane with two (2) violations of LRS 3:3252(A)(18), specifically, LAC 7:XXIII,1101(I). Following the penalty matrix, the charge included a penalty of \$4,000.00, with \$2,000.00 suspended, due within 30 days. The stipulation was signed by all parties.

Ms. Wheeler admitted LDAF's exhibits into the record.

Motion: Ms. Buller made a motion to accept the stipulation of the parties as presented. The motion was seconded by Mr. Landry and passed unanimously.

Carl Hill, Case No. 2162

Mr. Hill was not present. The Department charged Mr. Hill with one (1) violation of LRS 3:3252(A)(18), specifically, LAC 7:XXIII,1101(I). Following the penalty matrix, the charges included a penalty of \$1,000.00, with \$500.00 suspended, due within 30 days. The stipulation was signed by all parties.

Ms. Wheeler admitted LDAF's exhibits into the record.

Motion: Mr. Landry made a motion to accept the stipulation of the parties as presented. The motion was seconded by Mr. Guthrie and passed unanimously.

John Marion, Case No. 2160

Mr. Marion was not present. The Department charged Mr. Marion with one (1) violation of LRS 3:3252(A)(18), specifically LAC 7:XXIII,1101(I). Following the penalty matrix, the charge included a penalty of \$1,000.00, with \$500.00 suspended, due within 30 days. The stipulation was signed by all parties.

Ms. Wheeler admitted LDAF's exhibits into the record.

Motion: Mr. Meador made a motion to accept the stipulation of the parties as presented. The motion was seconded by Mr. Bragg and passed unanimously.

DEPARTMENT REPORTS

Program Update—Kevin Wofford: Dicamba Update-- EPA made some changes to the label in 2019. The biggest change to the label is that to apply this product, now you have to be a *certified* applicator. Previously, someone working under the supervision of a certified private or commercial applicator could apply the product. EPA has mandated that manufacturers provide training for all persons who apply their products. Several states allow online training. Louisiana requires face-to-face training and does not accept online training from other states.

Another EPA change is that product must be applied during the time period, beginning one hour after sunrise until two hours before sunset. The Department enforces these labels, so the following information must be documented in the records: time started, time ended, temperature at start, temperature during the application, and the temperature when ended. Mr. Wofford stated this chemical application is for *ground use only*, and clarified questions from the Commission. He explained the process following application testing on this product, which included a certification that is recorded and printed on the back of the applicator's card. The validated card must be presented to purchase this chemical.

*Pesticide Collection Program--*An “unwanted” pesticides collection and pickup program will be in effect soon. There has been none in effect since 1996.

*Ag Consultants Update—*The Ag Consultants conference last week, in Marksville, went very well. Mr. Wofford spoke to that group about the requirements to be an Ag Consultant.

*EPA Region 6 Training for Inspectors—*The Department is hosting an EPA Region 6 (Louisiana, Arkansas, Texas, Oklahoma and New Mexico) Training for Inspectors, in Shreveport, the first week of May.

*Recertification—*This is the busiest time of the year for recertifications. Some delays may occur.

New staff has been hired. Mark Sclafani and Amanda LaGroue were introduced and welcomed. Amy McInnis was congratulated on her promotion.

OLD BUSINESS

There was no old business to discuss.

NEW BUSINESS

Mr. Guthrie addressed non-uniformity, with the Rules and Regulations, of identifying subcategories that are printed on the back of Commercial Applicator and Ag Consultant cards. Mr. Wofford felt some of this would be corrected, when the new computer program is implemented. Mr. Rayburn assured this matter would be addressed.

CONSIDERATION OF AG CONSULTANT EXAM APPLICATIONS

Mr. Ingrao presented the findings of the Ad Hoc committee for the following applicants:

APPLICANT	CATEGORIES	COMMITTEE RECOMMENDATION	COMMISSION DECISION
Tandon Baker	1a, 3a	Approve	Approved
Michael Davis	1a	Approve	Approved
Clare Nichols	4d	Approve	Approved
Blaine Viator, PhD	2a, 3a, 4a	Approve	Approved
Billy J. Williams	1a, 2a, 3a, 3d, 4a	Approve	Approved
Todd Knight	2a, 3a, 4a	Approve	Approved
Jacob Hopkins	1a	Deny – lack of general science	Denied

Motion: Mr. Guthrie made a motion to accept all recommendations of the Ad Hoc Committee, and allow testing for Tandon Baker, Michael Davis, Clare Nichols, Blaine Viator, Ph.D., Billy J. Williams, and Todd Knight – and, to deny the request for testing, for Jacob Hopkins. The motion was seconded by Mr. Landry and passed unanimously.

FUTURE MEETING

The next meeting of the Advisory Commission on Pesticides was scheduled for Wednesday, July 17, 2019, at 9:30 a.m., in the Veterans' Memorial Auditorium, Baton Rouge, Louisiana. The Ad Hoc Committee on Agricultural Consultant Applications will meet earlier that morning, at a time to be determined.

PUBLIC COMMENT

There were no public comments.

ADJOURN

Motion: Mr. Guthrie made a motion to adjourn the meeting. This motion was seconded by Mr. Bragg and passed unanimously. The meeting adjourned at 10:15 a.m.