

**ADVISORY COMMISSION ON PESTICIDES  
VETERANS' MEMORIAL AUDITORIUM  
5825 FLORIDA BLVD.  
BATON ROUGE, LOUISIANA  
July 17, 2019 - 9:30 AM**

**MINUTES**

**CALL TO ORDER**

The meeting was called to order by the Chairman, Dr. Grady Coburn, at 9:32 a.m.

**ROLL CALL**

Members present: Dr. Grady Coburn, George Bragg, Dr. Gary Ross, Dr. Sharon Meyer, Jenny Buller, Scotty Meador, Martin Floyd, Keith Majure, Johnny Landry, Roby Shields, and Billy Guthrie.

Members absent: None.

Others present: Kevin Wofford, LDAF; Harry Schexnayder, LDAF; Amanda LaGroue, LDAF Counsel, Kelly Moore, LDAF; Joe Ingrao, LDAF; Shelly Graham, LDAF; Alycia Wheeler, Hearing Officer; and Kim Pope, LSU AgCenter.

**PUBLIC COMMENTS**

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

**APPROVAL OF THE MINUTES**

**Motion:** Mr. Floyd made a motion to approve the minutes of the February 20, 2019 meeting, as distributed. The motion was seconded by Mr. Bragg and passed unanimously.

**AMENDMENTS TO AGENDA**

Dr. Coburn asked Mr. Wofford if there were any recommendations for amendments to the agenda. There were none.

## **ADJUDICATORY HEARING**

Ms. Alycia Wheeler, Hearing Officer, conducted the Adjudicatory Hearing. Ms. LaGroue presented the following cases:

### **Keith Whitmore, Case No. 2167**

Mr. Whitmore was not present. The Department charged Mr. Whitmore 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. Bragg made a motion to accept the stipulation of the parties as presented. The motion was seconded by Dr. Coburn and passed unanimously.

**Motion:** Mr. Landry made a motion to accept the fine as stipulated. The motion was seconded by Ms. Buller and passed unanimously.

### **Daniel Heath Clement Case No. 2186**

Mr. Clement was not present. The Department charged Mr. Clement 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 \$1,500.00, with \$750.00 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 Ms. Buller and passed unanimously.

**Motion:** Dr. Coburn made a motion to accept the fine as stipulated. The motion was seconded by Mr. Shields and passed unanimously.

### **Fred Collins, Case No. 2187**

Mr. Collins was not present. The Department charged Mr. Collins 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.

Mr. Floyd abstained from voting.

**Motion:** Mr. Shields made a motion to accept the stipulation of the parties as presented. The motion was seconded by Mr. Meador and passed unanimously among remaining members.

**Motion:** Mr. Bragg made a motion to accept the fine as stipulated. The motion was seconded by Mr. Landry and passed unanimously among remaining members.

**Gregory Taylor, Case No. 2188**

Mr. Taylor was not present. The Department charged Mr. Taylor 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. Floyd made a motion to accept the stipulation of the parties as presented. The motion was seconded by Mr. Landry and passed unanimously.

**Motion:** Mr. Floyd made a motion to accept the fine as stipulated. The motion was seconded by Mr. Bragg and passed unanimously.

**Brett Barrick, Case No. 2189**

Mr. Barrick was not present. The Department charged Mr. Barrick with one (1) violation of LRS 3:3252(A)(16) and one (1) violation of LRS 3:3252(A)(6). Following the penalty matrix, the charge included a penalty of \$1,250.00, due within 30 days. The stipulation was signed by all parties.

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

Mr. Landry abstained from voting.

**Motion:** Mr. Guthrie made a motion to accept the stipulation of the parties as presented. The motion was seconded by Mr. Floyd and passed unanimously among remaining members.

**Motion:** Mr. Shields made a motion to accept the stipulation of the parties as presented. The motion was seconded by Mr. Floyd and passed unanimously among remaining members.

There was discussion after the vote regarding the length of time an Ag Consultant can be expired before having to reapply versus just retesting and/or paying fines. Dr. Coburn asked that this topic be placed on the Agenda for the next ACP meeting so the Commission can discuss amending the rules to state that an expired Ag Consultant be made to go through the entire application process before being allowed to receive a new license.

**DEPARTMENT REPORTS**

***Program Update - Kevin Wofford***

The Department has received 120 complaints so far this year, and while all complaints are investigated, only about 60 have been verified as legitimate complaints.

*Dicamba Update* - Only 2 complaints so far this year.

*Pesticide Collection Program* - A Contractor has been retained for this program. The Department is finalizing an MOU with the LSU AgCenter to assist in the program. Funding will come from

the registration of pesticide products. The plan is to have the program running by the fall of this year.

*Non-Certified Applicators* - The Department and the LSU AgCenter are working with EPA on a training or certification for non-certified applicators who handle restricted use pesticides.

### **OLD BUSINESS**

There was no old business to discuss.

### **NEW BUSINESS**

#### ***LSU AgCenter - Kim Pope***

Several manuals have been updated including General Standards for Commercial Applicators, Private Applicators, and Restricted Use Salesperson; and a Seed Treatment manual has been adopted. The LSU AgCenter adopted a National manual but included a chapter in the back of the book to include Louisiana Rules & Regulations. That new manual and exam should be ready by September. The AgCenter also created a pesticide applicator record-keeping manual. Ms. Pope will update as soon as that manual is available.

*Paraquat Update* – Starting this November, all Paraquat manufacturers will be required to include certain additions to their labels; most importantly adding that only certified applicators can handle Paraquat. They will have to go through a product-specific training for Paraquat. That training will be good for 3-years.

### **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
Derek Scroggs	1a, 2a, 3a, 4a	Approve	Approved
Chris R. Ward	2a, 4a	Approve	Approved

**Motion:** Mr. Bragg made a motion to accept all recommendations of the Ad Hoc Committee, and approve the applications for Derek Scroggs and Chris R. Ward. The motion was seconded by Ms. Buller and passed unanimously.

### **FUTURE MEETING**

The next meeting of the Advisory Commission on Pesticides was scheduled for Wednesday, October 9, 2019 at 9:30 a.m. in the Veterans' Memorial Auditorium, Baton Rouge, Louisiana.

## **PUBLIC COMMENT**

There were no public comments.

## **ADJOURN**

**Motion:** Mr. Bragg made a motion to adjourn the meeting. This motion was seconded by Mr. Floyd and passed unanimously. The meeting adjourned at 10:58 a.m.