

**ADVISORY COMMISSION ON PESTICIDES
VETERANS' MEMORIAL AUDITORIUM
5825 FLORIDA BLVD.
BATON ROUGE, LOUISIANA
February 23, 2022 - 9:30 AM**

MINUTES

CALL TO ORDER

The meeting called to order by Dr. Coburn at 9:31 a.m.

ROLL CALL

Members present: Dr. Grady Coburn, George Bragg, Dr. Kenneth McMartin, Jenny Buller, Scotty Meador, Johnny Landry, Roby Shields, Billy Guthrie and Ryan Waguespack.

Members absent: None.

Others present: Harry Schexnayder-LDAF; Kiara Moore-LDAF; Paeton Burkett-LDAF Counsel; Amy McInnis-LDAF Counsel; Baleigh Olah-LDAF Counsel; Kelly Moore-LDAF; Joe Ingrao-LDAF; Dr. Ansel Rankins-LDAF; Mark Sclafani-LDAF; Alicia Wheeler-Hearing Officer; Brian Gueltig-LSU AgCenter.

PUBLIC COMMENTS

Mr. Chuck Gilpin of Gulf States Clean Guard in Mandeville, LA was given 15 minutes for public comments on Antimicrobial Pest Control. Mr. Gilpin stated: "he has been in business 17-years, is current with Category 8E Antimicrobial Pest Control and General Standards and does mold remediation." Mr. Gilpin stated: "Who enforces Category 8E work post-hurricane? Non LDAF licensed companies doing Category 8E work and they are not using the right products."

Harry Schexnayder responded for non-Structural Pesticide businesses there is no rule on advertising and it is not a violation of pesticide regulations to advertise. There is nothing LDAF can do unless a pesticide application has occurred and we have evidence.

Dr. Coburn and Mr. Guthrie informally recommend adding this item to the next commission advisory meeting for formal discussion.

APPROVAL OF THE MINUTES

Motion: Mr. Bragg made a motion to approve the minutes of the October 20, 2021 meeting. The motion was seconded by Mr. Landry and passed unanimously.

AMENDMENTS TO AGENDA

Motion: Mr. Shields had an amendment to the agenda. LDAF's current stand on recertification is you can be certified in any category and go to any recertification meeting to be recertified. Mr. Shields question: it is time to constitute a training course for that category as approved by the commission; what courses are approved and who grants the approval.

Dr. Coburn made a motion to amend the agenda to add this item to New Business and was seconded by Mr. Guthrie and passed unanimously.

No public comments on the agenda item change.

ADJUDICATORY HEARING

Ms. Alicia Wheeler, Hearing Officer, conducted the Adjudicatory Hearing. Ms. Burkett presented the following cases:

Brian Mitchell – Case No. 2381

Mr. Mitchell was not present. The Department charged Mr. Mitchell with three (3) violations of LRS 3:3252(A)(18), specifically LA RS 3:3243(A), LRS 3:3252(A)(6), LRS 3:3252(A)(4). Following the penalty matrix, the charge included a penalty of \$1,750.00, with \$500.00 suspended, due within 30 days. The stipulation was signed by all parties.

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

Clint Freyou – Case No. 2383

Mr. Freyou was not present. The Department charged Mr. Freyou with four (4) violations of LRS 3:3252(A)(18), specifically LAC 7:XXIII.1101(I), LRS 3:3252(A)(6), LRS 3:3252(A)(10), LRS 3:3252(A)(18), specifically LAC 7:XXIII.1301(D)(3). Following the penalty matrix, the charge included a penalty of \$1,750.00, with \$500.00 suspended, due within 30 days. The stipulation was signed by all parties.

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

Keven Gonsoulin – Case No. 2384

Mr. Gonsoulin was not present. The Department charged Mr. Gonsoulin with two (2) violations of LRS 3:3252(A)(18), specifically LAC 7:XXIII.1101(I) and LRS 3:3252(A)(6) . Following the penalty matrix, the charge included a penalty of \$1,250.00, with \$500.00 suspended, due within 30 days. The stipulation was signed by all parties.

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

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

DEPARTMENT REPORTS

Mr. Schexnayder reported the Pesticide office was working on remote status. There are three vacancies within the division mainly in the Structural Program. The department is actively looking to fill Ronnie Mulberry's position. One out of 4 vacancies has been filled.

Pesticide Applications are being made and applicators are not keeping complete records. Keeping good records is important and required by the rules; it is lacking of late. Roby Shields asked: "does LDAF have a standardized form?" LDAF suggests using a standardized record keeping form.

OLD BUSINESS

There was no old business.

NEW BUSINESS

Private Applicator Training and Certification Discussion. Mr. Schexnayder stated: "for some pesticide applications, if using a restricted use pesticide all persons must be certified. Supervising a non-certified employee is no longer an option for these certain products. A Private Applicator training for certification was held North Louisiana; about 200 attended. Will still have to test for Private Applicators but there is a training option. Brian Gueltig added LSU AgCenter is the training provider; he is here to support and to serve. He will get training information to Harry for approval. The training materials need to be well developed. Mr. Guthrie added to fast track training because it is spraying season. Mr. Schexnayder stated: "private Applicators must keep up with annual training if they are handling paraquat or dicamba." Dr. Coburn clarified that a person can be certified by attending a short meeting and taking a test or can attend a longer training meeting without having to test. Mr. Schexnayder agreed with that statement.

Uncertified Applicators Discussion. The federal rule will change in 2 years. Restricted Use Pesticides applied by uncertified applicators will no longer be allowed to be applied under supervision. Training of those uncertified applicators will be required and records kept of training.

Added Agenda Item. Mr. Shields stated: "recertification should be attained at the same certification seminar that they are certified in. Currently, certified applicators are getting recertification by attending seminars outside of their certifications thus not getting the appropriate training in their field of work. Rick Bayhi, executive director of LAVMA, stated: "membership to LAVMA continued to grow over the years. The last two years, by allowing certified applicators to recertify by attending a seminar not under their category, will negatively impact many associations such as turf & ornamental, mosquito, etc... Meeting fees help fund the associations. Dr. Dearl Sanders, Professor of LSU AgCenter and former director of LAVMA, stated would prepare customized annual recertification seminars to discuss what is going on in the industry currently, invite speakers from out of state, and get in front of problems. If virtual recertification meetings will continue, the associations will not be able to operate. Does LDAF have the capability to tell where each individual received recertification training? There is currently no way to tell. Dr. Sanders stated there is a big desire for virtual but should move to in-person. LDAF will extend certification to allow to attend a future meeting for every category.

CONSIDERATION OF AG CONSULTANT EXAM APPLICATIONS

Mr. Ingrao gave the report of the Ad Hoc Committee. The committee recommends Wade Walker not be allowed to test due to not meeting the academic requirement. The Ad Hoc Committee recommends Elijah Mason Wood be approved to take all exams.

APPLICANT	CATEGORIES	COMMITTEE RECOMMENDATION	COMMISSION DECISION
Wade Walker	1a	Not Approved	Not Approved
Elijah Mason Ward	1a, 2a, 3a, and 4a	Approve	Approve

Motion: Mr. Guthrie moves to accept the recommendations; Mr. Bragg seconds and passed unanimously.

FUTURE MEETING

The next meeting of the Advisory Commission on Pesticides was scheduled for Wednesday, June 29, 2022 at 9:30 a.m. in the Veterans’ Memorial Auditorium, Baton Rouge, Louisiana.

PUBLIC COMMENT

There were no public comments.

ADJOURN

Motion: Mr. Landry motion to adjourn; Mr. Bragg seconds and passed unanimously. The meeting adjourned at 11:18 a.m.