

**ADVISORY COMMISSION ON PESTICIDES  
VETERANS' MEMORIAL AUDITORIUM  
5825 FLORIDA BLVD.  
BATON ROUGE, LOUISIANA  
October 6, 2020 - 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. Kenneth McMartin, Johnny Landry, Roby Shields, and Billy Guthrie.

Members absent: Jenny Buller, Scotty Meador, and Ryan Waguespack.

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

**PUBLIC COMMENTS**

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

**APPROVAL OF THE MINUTES**

**Motion:** Mr. Shields made a motion to approve the minutes of the July 29, 2020 meeting. 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. Alicia Wheeler, Hearing Officer, conducted the Adjudicatory Hearing. Ms. LaGroue presented the following cases:

**Daniel Heath Clement, Case No. 2311**

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

**Louisiana International Hemp Company, LLP Case No. 2312**

Louisiana International Hemp Company, LLP was not present. The Department charged Louisiana International Hemp Company, LLP with one (1) violation of LRS 3:3252(A)(16). Following the penalty matrix, the charge included a penalty of \$1,000.00 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. Bragg and passed unanimously.

**Harry Fruge', Case No. 2313**

Mr. Fruge' was not present. The Department charged Mr. Fruge' 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:** Dr. McMartin made a motion to accept the stipulation of the parties as presented. The motion was seconded by Mr. Landry and passed unanimously.

**Marcus Wilkes, Case No. 2314**

Mr. Wilkes was not present. The Department charged Mr. Wilkes 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. Shields and passed unanimously.

**DEPARTMENT REPORTS**

The Department received 153 pesticide complaints and issued 36 warning letters so far this year.

*Pesticide Collection Program* – An event was scheduled for April of this year, but had to be cancelled due to COVID-19. The Department is planning to reschedule for December 2020. The Department will advertise the event details as soon as the dates are confirmed with area facilities.

With the help of the LSU AgCenter, the Department has still been able to host recertification meetings with smaller in-person groups and virtual sessions.

### **OLD BUSINESS**

#### ***Proposed Rule Change: 701. Examinations of Applicators, Salespersons and Agricultural Consultants – Kevin Wofford***

The Department presented new language regarding examinations stating: Applicants who fail to receive a passing score on the private applicator examination, commercial applicator examination, or pesticide salesperson examination shall be eligible for re-examination after completing and submitting an application for retesting.

**Motion:** Mr. Bragg made a motion to accept the Department's recommendation to amend LAC 7:XXIII.701 as stated above. The motion was seconded by Mr. Shields and passed unanimously.

### **NEW BUSINESS**

Mr. Wofford presented information regarding fees charged by surrounding states for private applicator exams. Those fees range from \$20 to \$100 depending on the state. Mr. Ingrao mentioned that some of the surrounding states charge higher fees because they use 3<sup>rd</sup> party testing centers, while Louisiana hosts testing in-house. The Department recommends charging a \$50 fee for the commercial and private applicator exams.

**Motion:** Mr. Shields made a motion to set the testing fee for commercial and private applicator examinations as \$50.00. The motion was seconded by Mr. Bragg and passed unanimously.

### **FUTURE MEETING**

The next meeting of the Advisory Commission on Pesticides was scheduled for Wednesday, February 24, 2021 at 9:30 a.m. in the Veterans' Memorial Auditorium, Baton Rouge, Louisiana.

### **PUBLIC COMMENT**

There were no public comments.

### **ADJOURN**

**Motion:** Dr. Coburn made a motion to adjourn the meeting. This motion was seconded by Mr. Bragg and passed unanimously. The meeting adjourned at 10:26 a.m.