

**LOUISIANA SEED COMMISSION MEETING MINUTES**  
**March 12, 2013**  
**9:00 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 9:03 a.m. by Mr. Fred Bass, Confidential Assistant to Commissioner Mike Strain.

**ROLL CALL**

The roll was called by Mrs. Tina Ficklin.

The following members or their Designees were present: Mr. Fred Bass, Designee for Commissioner Mike Strain; Dr. Johnny Saichuk, Designee for Dr. Paul Coreil, representing the Louisiana Cooperative Extension Service; Dr. John Russin representing the Louisiana Agricultural Experimental Station; Mr. Michael Hensgens, Designee for Mr. Levy Lord, representing the Louisiana Ag Industries Association. The Louisiana Farm Bureau Association was not represented at the meeting.

Others Present: Todd Parker, Assistant Commissioner of AES; Kevin Wofford, LDAF Seed Programs; Lester Cannon, LDAF Seed Programs; Tina Ficklin, LDAF Seed Programs; Tabitha Gray, LDAF Legal Counsel and Ms. Lindsey Hunter, Assistant Attorney General.

A quorum was declared.

**APPROVAL OF THE MINUTES**

**Motion:** Mr. Michael Hensgens made a motion to approve the minutes from the November 27, 2013 Louisiana Seed Commission Meeting as written. Dr. John Russin seconded the motion. Motion was approved unanimously.

**NO PUBLIC COMMENT**

**NEW BUSINESS**

**Discussion:**

Seed Programs Division staff updated Seed Commission members on the following Lab business:

- hiring of a new germination analyst
- increased samples due to industry volume and service samples from Texas and Oregon

- increased revenue due to focus of Department auditing of dealers for seed inspection fee shortages
- Liberty Link 601 Gene detection; three year success rate with zero detection
- Consolidation of Seed Commission and Feed, Fertilizer and Liming Commission to a new seven-member *Agriculture Chemistry and Seed Commission*. Effective July 1, 2013 members appointed as follows:
  - Commissioner of La Dept of Agriculture & Forestry
  - Director of LA Co-Operative Extension
  - Director of LA Ag Experimental Station
  - President of LA Farm Bureau Association
  - Seed industry representative\*
  - Feed industry representative\*\*
  - Fertilizer industry representative\*

\*appointed by the Commissioner from a list of nominations submitted by Louisiana Ag Industries Association and \*\*Louisiana Cattleman's Association
- Changes to Seed Law in regards to prohibitions and technical language

## **ADJUDICATORY HEARING**

### **Case 13-01; Rocking Rooster Vet Services**

The Louisiana Seed Commission heard the case of LDAF vs. Rocking Rooster Vet Services. The case was initiated by violations of Stop Orders that had been placed by LDAF inspectors on out-of-test-date seed that was being offered for sale. Staff legal counsel, Tabitha Gray, presented evidence labeled Exhibit Seed-1 as the charge letter dated January 28, 2013 against Rocking Rooster Vet Services, along with the signed returned receipt and Exhibit Seed-2 as the signed and notarized stipulation letter whereby Rocking Rooster Vet Services was presented with the terms of the violation, neither agrees with nor denies the violations as charged and agrees to the penalty and all terms stated in the stipulation letter.

The Louisiana Department of Agriculture & Forestry recommended a violation penalty of Five Hundred Dollars (\$500.00), with a probationary suspended amount of Two Hundred Fifty Dollars (\$250.00) waived due to first-time offense, with remaining penalty of Two Hundred Fifty Dollars (\$250.00) to be paid within 30 days. The Seed Commission accepted the department's recommendation and offered no modifications.

Lindsey Hunter, an assistant Attorney General presiding as the hearing officer assigned to this case, accepted both Exhibit Seed-1 and Seed-2 as evidence presented.

**Motion** to accept the stipulation letter as the findings, facts and conclusion of law was made by Mr. Michael Hensgens and seconded by Dr. John Russin. All members in favor. No opposition.

## **Case 13-02; The Home Depot #356**

The Louisiana Seed Commission heard the case of LDAF vs. The Home Depot #356. The case was initiated by violations of Stop Orders that had been placed by LDAF inspector on out-of-test-date and coated seed due to labeling issues. Staff legal counsel, Tabitha Gray, presented evidence labeled Exhibit Seed-1 as the charge letter dated January 28, 2013 against The Home Depot #356, along with the signed returned receipt and Exhibit Seed-2 as the signed and notarized stipulation letter whereby The Home Depot #356 was presented with the terms of the violation, neither agrees with nor denies the violations as charged and agrees to the penalty and all terms stated in the stipulation letter.

The Louisiana Department of Agriculture & Forestry recommended a violation penalty of Five Hundred Dollars (\$500.00), with a probationary suspended amount of Two Hundred Fifty Dollars (\$250.00) waived due to first-time offense, with remaining penalty of Two Hundred Fifty Dollars (\$250.00) to be paid within 30 days. The Seed Commission accepted the department's recommendation and offered no modifications.

Lindsey Hunter, an assistant Attorney General presiding as the hearing officer assigned to this case, accepted both Exhibit Seed-1 and Seed-2 as evidence presented.

**Motion** to accept the stipulation letter as the findings, facts and conclusion of law was made by Dr. John Russin and seconded by Mr. Michael Hensgens. All members were in favor. No opposition.

### **NO PUBLIC COMMENT**

### **ADJOURNMENT**

Motion to adjourn was made by Mr. Michael Hensgens, seconded by Dr. John Russin. Motion was approved unanimously.