

**LOUISIANA AGRICULTURAL CHEMISTRY AND SEED COMMISSION
PROCEEDINGS
October 6, 2015
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 9:05 a.m. by Mr. Fred Bass, Confidential Assistant to Commissioner Mike Strain.

ROLL CALL

The roll was called by Mrs. Tina Ficklin.

The following commission members or their Designees were present: Mr. Fred Bass, Designee for Commissioner Mike Strain; Dr. Philip Elzer, Louisiana Agricultural Experiment Station; Dr. Steve Linscombe, Louisiana Cooperative Extension Service; Mr. Michael Hensgens, Seed Industry. A quorum was declared.

Absent from the meeting: Mr. Don Philley, Fertilizer Industry, LAIA; Mr. Ed O'Neal, Feed Industry, LAIA; Mr. Ronnie Anderson, Louisiana Farm Bureau Association.

Others Present: Todd Parker, Assistant Commissioner of Agricultural and Environmental Sciences; Dr. Mark LeBlanc, Director of Agricultural Chemistry Programs Division; Angelle Pearson, Assistant Director of Agricultural Chemistry Programs Division; Kevin Wofford, Director LDAF Seed Programs Division; Lester Cannon, Assistant Director LDAF Seed Programs Division; Lauren Boydston, Agricultural Chemistry Programs Division; Tina Ficklin, LDAF Seed Programs Division; Ms. Lindsey Hunter, LDAF Legal Counsel and Mr. Michael Vallan, Assistant Attorney General.

PUBLIC COMMENT

No public comment.

APPROVAL OF THE MINUTES

Motion: Dr. Philip Elzer made a motion to approve the proceedings as written from the October 23, 2014 Louisiana Agricultural Chemistry and Seed Commission meeting. Dr. Steve Linscombe seconded the motion. Motion approved unanimously.

SET NEXT HEARING DATE

A date for the next hearing was not established. Lester Cannon recommended a Spring 2016 meeting and will notify the commission and involved parties once the date is confirmed. All parties were in agreement.

OLD BUSINESS

Lester Cannon gave an update on the red rice/weedy rice plant discussion. Mr. Cannon reported that no unidentified plants of this nature were found during the 2015 field inspections. Mr. Cannon surveyed other states and found that Louisiana's seed certification standards were adequate or surpassed other states' isolation and land requirements. It was also found that Louisiana's standards met or surpassed the recommendations of a study performed by AOSCA, entitled International Study On Pollen Flow In Rice Fields. Upon discussion with LSU Ag professionals and individuals from the rice industry, it was determined that Louisiana would continue to be proactive in addressing potential problems by monitoring the issue and maintaining open communication with involved parties. It was further determined that no changes to Louisiana Seed Certification Standards were required at this time.

NEW BUSINESS

Agricultural Chemistry Programs Division: Update on the Food Safety Modernization Act

Dr. Mark LeBlanc gave an update on the Agricultural Chemistry Programs and on the status of the FSMA.

LDAF Seed Programs Division: Update on the Seed Programs activities

Kevin Wofford gave an update on Seed Programs.

Legislative changes

Recent legislative changes to the Seed Law were enacted to 1) require seed labelers, of seed being sold or offered for sale in Louisiana, to register as a Seed Dealer, and 2) increase the statutory limit for a Seed Dealer license to \$200.00, and the Quarterly Seed Inspection fee to \$0.30 per hundred pounds of seed; thereby allowing LACSC to increase fees to allow the Seed Programs Division to become more self-sufficient if necessary.

Operational changes

Seed Programs Division implemented a new seed database program administered by USAPlants on July 1, 2015. The new program allows seed dealers and consumers online access to pay fees, file reports, print licenses and view analysis reports.

LDAF hired additional field inspectors across the state.

Request for recertification of Mermentau variety rice

Lester Cannon presented a request from Crowley Grain Driers, Inc. to re-certify the Mermentau rice variety. Due to a grain contamination issue found in the registered class of Mermentau rice there is suspected to be a shortage of registered seed for the 2016 planting season. After

consulting with other states' availability of registered Mermentau, Mr. Cannon reported that there is a seed shortage and is requesting a motion to accept the recertification of certified Mermentau rice for a period of one year.

Motion to accept the recertification of certified Mermentau for the 2016 planting season was made by Michael Hensgens, seconded by Dr. Steve Linscombe. Motion passed unanimously.

Proposed Amendments

Proposed change to §121.A Seed Dealers License - to increase the fee from \$100 to \$150 annually to help defray the cost of administering and regulating the seed industry. The last increase in the license fee was in July 2010.

Proposed change to §123.A Seed Regulatory Fee – to increase the fee from \$0.20 to \$0.25 per hundred pounds of agricultural or vegetable seed at the first point of sale in Louisiana. Last increase was in 2003.

Proposed to change §123.C and D - replace the word “inspection” with the word “regulatory” to be consistent with the language in the Seed Law.

Proposed change to §763.A.3 Sugarcane Tissue Culture Certification Standards - to allow the source of registered stock from the second ratoon of plantlets produced through tissue culture of foundation material. The source is currently limited to the first ratoon of foundation plantlets. This will give certified producers the ability to more easily recognize the threat of plant off-types before the material is increased throughout the industry.

Proposed change to §763.E Field Standards - to include Eastern Black Nightshade into the noxious weed list; strike Browntop panicum from the Other Weeds section, as it no longer poses a threat to the industry; strike the word “virus” from Sugarcane Mosaic as it has been determined there are other causal agents that are not viruses; strike Mexican Rice Borer and replace it with all Sugarcane Stem Borers for a broader scope of potential threat.

Proposed change to the §749.B Seed Rice Certification Standards Field Standards - to increase land requirements for hybrid rice varieties to five years.

Proposed change to §519.2.b Processing of Certified Seed - to strike the language as it applies to the registered seal requirement on registered seed packaged in super bags. Packaging in super bags is now common throughout the industry and super bags contain a registered seed tag. Therefore, it is no longer necessary to attach a registered seal to the container.

Motion to accept proposed amendments made by Dr. Steve Linscombe, seconded by Michael Hensgens. Motion passed unanimously.

Motion to accept a Resolution for Adoption of Regulation made by Michael Hensgens. Seconded by Dr. Steve Linscombe. Motion passed unanimously.

Other business

Discussion on cost of fertilizer as it relates to oil prices. Commission requests an update at the next meeting.

BREAK – 5 minutes

HEARING

At 10:15, Mr. Fred Bass turns the hearing over to Mr. Michael Vallan, Hearing Officer, Assistant Attorney General.

HEARING OF CASES

Seed Programs Division Cases:

Seed Programs Division Case Number 14-01 – Lowe’s Home Centers #428

Lowe’s Home Center signed a stipulation in agreement to pay the agreed upon fine of \$3,000.00, with \$1500.00 of the fine being waived subject to the stipulation agreement.

Seed Programs Division Case Number 14-02 – Greenpoint Ag LLC.

Greenpoint Ag LLC signed a stipulation in agreement to pay the agreed upon fine of \$500.00, with \$250.00 of the fine being waived subject to the stipulation agreement.

CASES WITH STIPULATIONS:

Four (4) delinquent fertilizer tonnage report violations with no prior appearances in the past five years.

- Case No. 15 – 02 HydroSystems**
- Case No. 15 – 03 Jimmy Sanders / LeCompte**

Ms. Lindsey Hunter asked that exhibits marked LDAF 1 and LDAF 2 be accepted into evidence as the findings of facts and conclusions of law. LDAF 1: Charge Letters sent via Certified Mail with signed receipts. LDAF 2: Signed, witnessed and notarized Stipulations between the LDAF and Respondents. Mr. Michael Vallan, hearing officer, accepted the evidence presented.

Motion to accept the stipulation letters as the findings of facts and conclusions of law was made by Mr. Michael Hensgens and seconded by Dr. Steve Liscombe. Motion passed unanimously.

Mr. Michael Vallan asked Ms. Angelle Pearson for a recommendation on the penalties. Ms. Pearson recommended a penalty of one hundred dollars (\$100.00) per violation for a total fine of four hundred dollars (\$400.00).

Motion to accept the recommended penalty of one hundred dollars (\$100.00) per violation for a total of four hundred dollars (\$400.00) per respondent was made by Dr. Philip Elzer and seconded by Mr. Michael Hensgens. Motion passed unanimously.

Three (3) delinquent lime tonnage report violations with no prior appearances in the past five years.

Case No. 15 – 04 Jimmy Sanders / Rayville

Ms. Lindsey Hunter asked that exhibits marked LDAF 1 and LDAF 2 be accepted into evidence as the findings of facts and conclusions of law. LDAF 1: Charge Letter sent via Certified Mail with signed receipts. LDAF2: Signed, witnessed and notarized Stipulations between the LDAF and Respondents. Mr. Michael Vallan, hearing officer, accepted the evidence presented.

Motion to accept the stipulation letters as the findings of facts and conclusions of law was made by Dr. Steve Linscombe and seconded by Dr. Philip Elzer. Motion passed unanimously.

Mr. Michael Vallan asked Ms. Angelle Pearson for a recommendation on the penalty. Ms. Pearson recommended a penalty of one hundred dollars (\$100.00) per violation for a total fine of three hundred dollars (\$300.00).

Motion to accept the recommended penalty of one hundred dollars (\$100.00) per violation for a total fine of three hundred dollars (\$300.00) per respondent was made by Mr. Michael Hensgens and seconded by Dr. Steve Linscombe. Motion passed unanimously.

Three (3) delinquent feed/pet food tonnage report violations with no prior appearances in the past five years.

Case No. 15 – 05 Canidae Corp
Case No. 15 – 06 Double K Feeds
Case No. 15 – 12 Sojourner Farms, LLC
Case No. 15 – 13 Superior Farms Pet Provisions
Case No. 15 – 14 Texas Natural Feeds
Case No. 15 – 15 Walgreen Co / Westminster Pet Division
Case No. 15 – 19 Green Bark Gummies, Inc.

Ms. Lindsey Hunter asked that exhibits marked LDAF 1 and LDAF 2 be accepted into evidence as the findings of facts and conclusions of law. LDAF 1: Charge Letters sent via Certified Mail with signed receipts. LDAF 2: Signed, witnessed and notarized Stipulations between the LDAF and Respondents. Mr. Michael Vallan, hearing officer, accepted the evidence presented.

Motion to accept the stipulation letters as the findings of facts and conclusions of laws was made by Dr. Steve Linscombe and seconded by Dr. Philip Elzer. Motion passed unanimously.

Mr. Michael Vallan asked Ms. Angelle Pearson for a recommendation on the penalties. Ms. Pearson recommended a penalty of one hundred dollars (\$100.00) per violation for a total fine of three hundred dollars (\$300.00).

Motion to accept the recommended penalty of one hundred dollars (\$100.00) per violation for a total of three hundred dollars (\$300.00) per respondent was made by Mr. Michael Hensgens and seconded by Dr. Phillip Elzer. Motion passed unanimously.

Three (3) delinquent feed/pet food tonnage report violations with prior appearances in the past five years.

Case No. 15 – 08 IMS Trading Corp. (2012 – 07 \$300.00 fine)

Ms. Lindsey Hunter asked that exhibits marked LDAF 1 and LDAF 2 be accepted into evidence as the findings of facts and conclusions of law. LDAF 1: Charge Letter sent via Certified Mail with signed receipts. LDAF 2: Signed, witnessed and notarized Stipulation between the LDAF and Respondent. Mr. Michael Vallan, hearing officer, accepted the evidence presented.

Motion to accept the stipulation letters as the findings of facts and conclusions of law was made by Mr. Michael Hensgens and seconded by Dr. Steve Linscombe. The motion passed unanimously.

Mr. Michael Vallan asked Ms. Angelle Pearson for a recommendation on penalties. Ms. Pearson recommended a penalty of two hundred dollars (\$200.00) per violation for a total fine of six hundred dollars (\$600.00).

Motion to accept the recommended penalty of two hundred dollars (\$200.00) per violation for a total of six hundred dollars (\$600.00) per responded was made by Mr. Michael Hensgens and seconded by Dr. Steve Linscombe. Motion passed unanimously.

Four (4) delinquent feed/pet food tonnage report violations with no prior appearances in the past five years.

Case No. 15 – 16 Alaska Naturals Pet Products
Case No. 15 – 20 Kropf Feed, LLC
Case No. 15 – 22 Peas Plus, LLC
Case No. 15 – 25 Radio Systems Corp
Case No. 15 – 26 Total Feeds, Inc.

Ms. Lindsey Hunter asked that exhibits marked LDAF 1 and LDAF 2 be accepted into evidence as the findings of facts and conclusions of law. LDAF 1: Charge Letters sent via Certified Mail with signed receipts. LDAF 2: Signed, witnessed and notarized Stipulations between the LDAF and Respondents. Mr. Michael Vallan, hearing officer, accepted the evidence presented.

Motion to accept the stipulation letters as the findings of facts and conclusions of law was made by Dr. Steve Linscombe and seconded by Mr. Michael Hensgens. Motion passed unanimously.

Mr. Michael Vallan asked Ms. Angelle Pearson for a recommendation on the penalty. Ms. Pearson recommended a penalty of one hundred dollars (\$100.00) per violation for a total fine of four hundred dollars (\$400.00).

Motion to accept the recommended penalty of one hundred dollars (\$100.00) per violation for a total fine of four hundred dollars (\$400.00) per respondent was made by Dr. Phillip Elzer and seconded by Mr. Michael Hensgens. Motion passed unanimously.

Four (4) delinquent feed/pet food tonnage report violations with prior appearances in the past five years.

Case No. 15 – 21 Nestle Dreyer’s Ice Cream Co. (2012 – 05 \$300.00)

Ms. Lindsey Hunter asked that exhibits marked LDAF 1 and LDAF 2 be accepted into evidence as the findings of facts and conclusions of law. LDAF 1: Charge Letters sent via Certified Mail with signed receipts. LDAF 2: Signed, witnessed and notarized Stipulations between the LDAF and Respondents. Mr. Michael Vallan, hearing officer, accepted the evidence presented.

Motion to accept the stipulation letters as the findings of facts and conclusions of law was made by Dr. Steve Linscombe and seconded by Mr. Michael Hensgens. Motion passed unanimously.

Mr. Michael Vallan asked Ms. Angelle Pearson for a recommendation on the penalty. Ms. Pearson recommended a penalty of two hundred dollars (\$200.00) per violation for a total fine of eight hundred dollars (\$800.00).

Motion to accept the recommended penalty of two hundred dollars (\$200.00) per violation for a total fine of eight hundred dollars (\$800.00) was made by Dr. Phillip Elzer and seconded by Dr. Steve Linscombe. Motion passed unanimously.

CASES WITHOUT STIPULATIONS:

Mr. Michael Vallan swore Ms. Angelle Pearson in to testify as a witness for all cases with no stipulations.

Three (3) delinquent feed/pet food tonnage report violations with no prior appearances in the past five years.

Case No. 15 – 07 Hugs Pet Products
Case No. 15 – 09 NatPets, LLC
Case No. 15 – 10 Preppy Puppy, Inc.
Case No. 15 – 11 Shafer Seed

Case No. 15 – 07 Hugs Pet Products

Ms. Lindsey Hunter asked that exhibits marked LDAF 1 and LDAF 3 be accepted into evidence. Ms. Hunter asked Ms. Pearson if she recognized LDAF 1 and LDAF 3. Ms. Pearson stated that she did recognize LDAF 1 and LDAF 3.

LDAF 1: Charge Letter sent via Certified Mail with receipt.

LDAF 3: Quarterly Tonnage Reports.

Quarterly Reports:

First: On Time
Second: Late (September 23, 2015)
Third: Late (September 23, 2015)
Fourth: Late (September 23, 2015)

Motion to find Hugs Pet Products in violation of the Louisiana Feed Law for the late filing of three quarterly tonnage reports and inspection fees was made by Dr. Steve Linscombe and seconded by Mr. Michael Hensgens. Motion passed unanimously.

Mr. Vallan asked Ms. Pearson for a recommendation on the penalty. Ms. Pearson recommended a penalty of two hundred dollars (\$200.00) per violation for a total fine of six hundred dollars (\$600.00).

Motion to accept the recommended penalty of two hundred dollars (\$200.00) per violation for a total fine of six hundred dollars (\$600.00) was made by Mr. Michael Hensgens and seconded by Dr. Philip Elzer. Motion passed unanimously.

Case No. 15 – 09 NatPets, LLC

Ms. Lindsey Hunter asked that exhibits marked LDAF 1 and LDAF 3 be accepted into evidence. Ms. Hunter asked Ms. Pearson if she recognized LDAF 1 and LDAF 3. Ms. Pearson stated that she did recognize LDAF 1 and LDAF 3.

LDAF 1: Charge Letter sent via Certified Mail with receipt.

LDAF 3: Quarterly Tonnage Reports.

Quarterly Reports:

First: Late (June 2, 2015)
Second: Late (June 2, 2015)
Third: Late (June 2, 2015)
Fourth: On Time

Motion to find NatPets, LLC in violation of the Louisiana Feed Law for the late filing of three quarterly tonnage reports and inspection fees was made by Dr. Philip Elzer and seconded by Mr. Michael Hensgens. Motion passed unanimously.

Mr. Vallan asked Ms. Pearson for a recommendation on the penalty. Ms. Pearson recommended a penalty of two hundred dollars (\$200.00) per violation for a total fine of six hundred dollars (\$600.00).

Motion to accept the recommended penalty of two hundred dollars (\$200.00) per violation for a total fine of six hundred dollars (\$600.00) was made by Mr. Michael Hensgens and seconded by Dr. Steve Linscombe. Motion passed unanimously.

Case No. 15 – 10 Preppy Puppy, Inc.

Ms. Lindsey Hunter asked that exhibits marked LDAF 1 and LDAF 3 be accepted into evidence. Ms. Hunter asked Ms. Pearson if she recognized LDAF 1 and LDAF 3. Ms. Pearson stated that she did recognize LDAF 1 and LDAF 3.

LDAF 1: Charge Letter sent via Certified Mail with receipt

LDAF 3: Quarterly Tonnage Reports

Quarterly Reports:

First: Late (November 3, 2014)

Second: Late (February 17, 2015)

Third: On Time

Fourth: Late (September 21, 2015)

Motion to find Preppy Puppy, Inc. in violation of the Louisiana Feed Law for the late filing of three quarterly tonnage reports and inspection fees was made by Dr. Steve Linscombe and seconded by Mr. Michael Hensgens. Motion passed unanimously.

Mr. Vallan asked Ms. Pearson for a recommendation on the penalty. Ms. Pearson recommended a penalty of two hundred dollars (\$200.00) per violation for a total fine of six hundred dollars (\$600.00).

Motion to accept the recommended penalty of two hundred dollars (\$200.00) per violation for a total fine of six hundred dollars (\$600.00) was made by Dr. Philip Elzer and seconded by Mr. Michael Hensgens. Motion passed unanimously.

Case No. 15 – 11 Shafer Seed

Ms. Lindsey Hunter asked that exhibits marked LDAF 1 and LDAF 3 be accepted into evidence. Ms. Hunter asked Ms. Pearson if she recognized LDAF 1 and LDAF 3. Ms. Pearson stated that she did recognize LDAF 1 and LDAF 3.

LDAF 1: Charge Letter sent via Certified Mail with receipt

LDAF 3: Quarterly Tonnage Reports

Quarterly Reports:

First: Late (November 17, 2014)

Seconded: Late (February 14, 2015)

Third: Late (June 2, 2015)

Fourth: On Time

Four (4) delinquent feed/pet food tonnage report violations with no prior appearances in the past five years.

Case No. 15 – 17 Chase Feed Mill & Supplies, LLC

Case No. 15 – 18 Glanbia

Case No. 15 – 27 Vetrin Medical, Inc.

Case No. 15 – 17 Chase Feed Mill & Supplies, LLC

Ms. Lindsey Hunter asked that exhibits marked LDAF 1 and LDAF 3 be accepted into evidence. Ms. Hunter asked Ms. Pearson if she recognized LDAF 1 and LDAF 3. Ms. Pearson stated that she did recognize LDAF 1 and LDAF 3.

LDAF 1: Charge Letter sent via Certified Mail with receipt

LDAF 3: Quarterly Tonnage Reports

Quarterly Reports:

First: Late (March 11, 2015)

Second: Late (March 11, 2015)

Third: Late (June 25, 2015)

Fourth: Not Received

Motion to find Chase Feed Mill & Supplies, LLC in violation of the Louisiana Feed Law for the late filing of four quarterly tonnage reports and inspection fees was made by Dr. Steve Linscombe and seconded by Mr. Michael Hensgens. Motion passed unanimously.

Mr. Vallan asked Ms. Pearson for a recommendation on the penalty. Ms. Pearson recommended a penalty of two hundred dollars (\$200.00) per violation for a total fine of eight hundred dollars (\$800.00).

Motion to accept the recommended penalty of two hundred dollars (\$200.00) per violation for a total fine of eight hundred dollars (\$800.00) was made by Dr. Philip Elzer and seconded by Dr. Steve Linscombe. Motion passed unanimously.

Case No. 15 – 18 Glanbia

Ms. Lindsey Hunter asked that exhibits marked LDAF 1 and LDAF 3 be accepted into evidence. Ms. Hunter asked Ms. Pearson if she recognized LDAF 1 and LDAF 3. Ms. Pearson stated that she did recognize LDAF 1 and LDAF 3.

LDAF 1: Charge Letter sent via Certified Mail with receipt

LDAF 3: Quarterly Tonnage Reports

Quarterly Reports:

First: Late (November 28, 2014)

Second: Late (February 17, 2015)

Third: Late (September 18, 2015)

Fourth: Late (September 18, 2015)

Motion to find Glanbia in violation of the Louisiana Feed Law for the late filing of four quarterly tonnage reports and inspection fees was made by Mr. Michael Hensgens and seconded by Dr. Steve Linscombe. Motion passed unanimously.

Mr. Vallan asked Ms. Pearson for a recommendation on the penalty. Ms. Pearson recommended a penalty of two hundred dollars (\$200.00) per violation for a total fine of eight hundred dollars (\$800.00).

Motion to accept the recommended penalty of two hundred dollars (\$200.00) per violation for a total fine of eight hundred dollars (\$800.00) was made by Dr. Steve Linscombe and seconded by Dr. Philip Elzer. Motion passed unanimously.

Case No. 15 – 27 Vetrin Medical, Inc.

Ms. Lindsey Hunter asked that exhibits marked LDAF 1 and LDAF 3 be accepted into evidence. Ms. Hunter asked Ms. Pearson if she recognized LDAF 1 and LDAF 3. Ms. Pearson stated that she did recognize LDAF 1 and LDAF 3.

LDAF 1: Charge Letter sent via Certified Mail with receipt

LDAF 3: Quarterly Tonnage Reports

Quarterly Reports:

First: Late (February 11, 2015)

Second: Late (February 11, 2015)

Third: Not Received

Fourth: Not Received

Motion to find Vetrin Medical, Inc. in violation of the Louisiana Feed Law for the late filing of four quarterly tonnage reports and inspection fees was made by Mr. Michael Hensgens and seconded by Dr. Steve Linscombe. Motion passed unanimously.

Mr. Vallan asked Ms. Pearson for a recommendation on the penalty. Ms. Pearson recommended a penalty of two hundred dollars (\$200.00) per violation for a total fine of eight hundred dollars (\$800.00).

Motion to accept the recommended penalty of two hundred dollars (\$200.00) per violation for a total fine of eight hundred dollars (\$800.00) was made by Dr. Steve Linscombe and seconded by Dr. Philip Elzer. Motion passed unanimously.

Four (4) delinquent feed/pet food tonnage report violations with prior appearances in the past five years.

Case No. 15 – 23 Pet Guard (2014 – 19 \$400.00)

Ms. Lindsey Hunter asked that exhibits marked LDAF 1 and LDAF 3 be accepted into evidence. Ms. Hunter asked Ms. Pearson if she recognized LDAF 1 and LDAF 3. Ms. Pearson stated that she did recognize LDAF 1 and LDAF 3.

LDAF 1: Charge Letter sent via Certified Mail with receipt

LDAF 3: Quarterly Tonnage Reports

Quarterly Reports:

First: Late (December 9, 2014)

Second: Late (March 12, 2015)

Third: Not Received

Fourth: Not Received

Motion to find Pet Guard in violation of the Louisiana Feed Law for the late filing of four quarterly tonnage reports and inspection fees was made by Mr. Michael Hensgens and seconded by Dr. Steve Linscombe. Motion passed unanimously.

Mr. Vallan asked Ms. Pearson for a recommendation on the penalty. Ms. Pearson recommended a penalty of four hundred dollars (\$400.00) per violation for a total fine of sixteen hundred dollars (\$1600.00).

Motion to accept the recommended penalty of four hundred dollars (\$400.00) per violation for a total fine of sixteen hundred dollars (\$1600.00) was made by Dr. Philip Elzer and seconded by Mr. Michael Hensgens. Motion passed unanimously.

Postponed Cases:

Case No. 15 – 24 PLB International Inc.

Ms. Hunter asked that PLB International Inc. be continued/postponed until next hearing due to the lack of communication between the LDAF and Respondent.

Other business

Ms. Angelle Pearson asked the commission about setting a particular agreed upon fine amount in the Fertilizer, Lime and Feed/Pet Food stipulations like Seed has written out in its stipulations sent to companies prior to the adjudicatory hearing informing them of their violations.

Concluded Adjudicatory Hearing with Mr. Michael Vallan, Hearing Officer.

The meeting was turned back over to chairman, Mr. Fred Bass.

NEW BUSINESS

No new business at this time.

PUBLIC COMMENT

No public comment.

Mr. Bass thanked every for all of their hard work and a job well done.

ADJOURNMENT

Motion to adjourn the meeting was made by Mr. Michael Hensgens and seconded by Dr. Steve Linscombe. Motion passed unanimously.