

**Structural Pest Control Commission
January 16, 2013
Veterans' Memorial Auditorium
5825 Florida Blvd.
Baton Rouge, LA 9:00 A.M.
Minutes**

CALL TO ORDER

The meeting was called to order by Mr. Bass at 9:16 am.

ROLL CALL

Members present: Fred Bass, Todd Parker, Dr. Tim Schowalter, Bob Kunst and Dan Foster.

Others present: David Fields, LDAF, Bobby Simoneaux, LDAF, Tyrone Dudley, LDAF, Ashley Dupree, LDAF, Mary Anderson, LDAF and Lisa Hall, LDAF.

AMENDMENTS TO THE AGENDA

Mr. Fields asked that the agenda be amended to show that there is only one lawsuit for Willie Cripps and the other lawsuit should be Michael Cripps and John Cripps. Mr. Kunst asked that the Agenda be amended to add an item to refer to the Rules Committee and also for discussion on Zoonotic diseases.

Motion: Mr. Kunst made a motion to amend the agenda to correct the lawsuit information and add the Rules Committee item and Zoonotic disease discussion. This motion was seconded by Mr. Parker. Mr. Bass called for Public Comment on the motion to amend. There was no public comment.

PUBLIC COMMENT

Mr. Mitchell Ross addressed the Commission requesting consideration to take an oral examination for the Licensee exam. He has difficulty passing the written examination. Mr. Fields said that the Department does not allow oral examinations, if you cannot read and comprehend, you cannot read the label of the pesticides used in the applications. This is the standard used at LDAF and also nationwide. Mr. Kunst discussed the LPMA Education Review classes and the LSU Summer Institute. Both of these classes will help Mr. Ross in passing his test. Mr. Fields said the Department will help Mr. Ross work his way through the education opportunities available to him.

APPROVAL OF MINUTES

Motion: Mr. Parker made a motion to approve the minutes. This motion was seconded by Dr. Schowalter and passed unanimously.

OLD BUSINESS

Mr. Parker reported that the Department is unable to increase the funding for LSU Termite Research work due to financial obligations but we can certainly revisit this at a later date.

Motion: Mr. Kunst made a motion that we set aside a specific time each year to review the possibility of increasing the funding each year. This motion was seconded by Mr. Foster and passed unanimously.

Mr. Fields suggested that this review come through the Research Committee since the annual report comes back to the SPCC. The commission members agreed to this.

Label for Review – Nathan Pendergrass – OBEX II Lightning Underlayment

Mr. Fields reported that the staff recommendation is that the product is not a standalone Termiticide (supplemental). Mr. Pendergrass stated that this product would be marketed as a supplemental Termiticide. The staff recommends that OBEX II be approved as a supplemental Termiticide and allowed to be sold as a supplement to other Termiticide applications and that the active ingredient should be printed on the label.

Motion: Mr. Kunst made a motion to approve the staff recommendation for OBEX 11. This motion was seconded by Mr. Foster and passed unanimously.

NEW BUSINESS

Department Reports

Mr. Fields reported on the Public Hearing held on January 9, 2013. There was a problem with the Intent – the Minimum Specifications for the Trench and Treat were left out of the rule. The omitted portion is being published in the near future and another Public Hearing will be held. However, the trench and treat is still in place with the Emergency Rule.

Online Reporting – Tyrone Dudley

Mr. Dudley reported that the Online Reporting went into production officially on November 1, 2012. There are two ways to access the Online Reporting system:

- (1) Through the url: epay.ldaf.state.la.us
- (2) (2) LDAF Website – SPCC Programs and there is a direct link

To date there are 140 registered users (PCO). So far implementation, use and flow is excellent.

Pretreats Call in Line – Bobby Simoneaux

Mr. Simoneaux reported that Google Online Voice for Pretreat Line has been moved to statewide use.

Mr. Simoneaux said EPA training on labels is set for early April. In addition to registration people, they will also train product managers and others in EPA.

ASPCRO Termiticide Standard Committee met and agreed to draft language for notice to establish better standards for termiticide efficacy.

LPMA – Jeff Porter

Mr. Porter introduced Mr. Jeff Hargrave as the incoming LPMA President.

Mr. Porter said that the LPMA Winter Convention will be held next week in Baton Rouge.

Mr. Simoneaux reported that there is a BASF Termidor 24C Label available for use of the Crazy Ant.

Motion: Mr. Kunst made a motion to have the SPCC Rules Committee come up with a definition of Licensee Experience Requirements. This motion was seconded by Dr. Showalter and passed unanimously.

Mr. Kunst discussed Zoonotic Diseases and the Pest Control Industry. Mr. Kunst requested that the department have an update by a Veterinarian in this field at the next SPCC

Mr. Bass called a recess at 10:05 am.

Mr. Bass called the meeting back to order at 10:15 am and all Commission members returned.

ADJUDICATORY HEARING

Mr. Bass turned the meeting over to Ms. Lindsey Hunter, Assistant Attorney General.

Jerad & Christy David

Mr. and Mrs. David were sworn in by Ms. Hunter.

Mrs. Ashley Dupree represented the department. Mr. Jason Chatagnier represented Mr. and Mrs. David.

Ms. David read a prepared statement and Mr. David agreed with his wife's statement.

Motion: Mr. Kunst made a motion to have the department to reinvestigate this inspection and that all facts are to be reinvestigated. This motion was seconded by Dr. Schowalter and passed unanimously.

Clay "Jerry" Hebert, Case No. 1604 – Mr. Hebert was present and was sworn in by Mrs. Hunter. Mr. Fields read the stipulation in Case No. 1604. Mr. Hebert stipulated to 3 violations for a total fine of \$750.

Motion: Mr. Parker made a motion to accept the stipulation as read. This motion was seconded by Mr. Kunst and passed unanimously.

Douglas Freeman, Case # 1605

Mr. Freeman was present and was sworn in by Mrs. Hunter. Mr. Fields read the stipulation. Mr. Freeman stipulated to 1 violation and a total fine of \$400.

Motion: Mr. Foster made a motion to accept the stipulation as read. This motion was seconded by Mr. Kunst and passed unanimously.

Steve R. Caballero, Case No. 1610

Mr. Caballero was present and was sworn in by Mrs. Hunter. Mr. Fields read the stipulation. Mr. Caballero stipulated to 2 violations for a total fine of \$1000.

Motion: Mr. Parker made a motion to accept the stipulation as read. This motion was seconded by Dr. Schowalter and passed unanimously.

Ms. Hunter turned the meeting over to Mr. Bass.

Mr. Bass called for a recess at 11:12 am.

Mr. Bass called the meeting back to order at 11:25 and all Commission members were present.

Mr. Fields handed out the Status reports.

CONSIDERATION OF LICENSEE APPLICATIONS

Mr. Tyrone Dudley presented the applications:

NAME OF APPLICANT	PHASES	APPROVED/DISAPPROVED
JOEY DURAND	GPC CVC	Approved all
PAUL EIKERT	GPC CVC TC	Disapproved for all
LEONARD HAYES	GPC CVC TC	Approved Approved Approved pending school
JEREMIAH MILLER	GPC CVC	Approved Approved
KYLE OLASIN	STRUT FUM COM FUM SHIP FUM	Disapproved Disapproved Disapproved
FRANK PALMISANO	GPC CVC	Approved Approved
CALEB PETREY	GPC CVC	Approved Approved
TONY PORTER	GPC CVC	Approved Approved
KENNETH REEVES	GPC CVC TERMITE	Approved Approved Approved pending school
HILTON RICHARD	GPC CVC	Approved Approved
HEATHER SUTHRLIN	GPC	Approved

	CVC	Approved
DARRELL WIGGINTON	GPC	Approved
	CVC	Approved

FUTURE MEETINGS

Mr. Fields said that the date of April 17, 2013 has been reserved for the next SPCC.

OTHER BUSINESS

Motion: Mr. Foster made a motion to go into Executive Session. This motion was seconded by Mr. Parker and passed unanimously.

Mr. Bass adjourned the regular meeting and asked that everyone except commission members and staff leave the room.

Mr. Bass called for a recess.

Mr. Bass called the regular meeting back to order. All commission members were present.

Motion: Dr. Schowalter made a motion to return to regular session. This motion was seconded by Mr. Parker and passed unanimously. Mr. Bass stated that there were no votes or actions taken at the Executive Session.

PUBLIC COMMENT

None

ADJOURN

Motion: Mr. Kunst made a motion to adjourn. This motion was seconded by Mr. Parker and passed unanimously. The meeting adjourned at 12:17 pm.