

LOUISIANA WEIGHTS AND MEASURES COMMISSION HEARING
MINUTES

NOVEMBER 9, 2016

9:30 a.m.

Louisiana Department of Agriculture & Forestry
Veterans' Memorial Auditorium
5825 Florida Blvd.
Baton Rouge, LA 70806

1. CALL TO ORDER

The hearing was called to order by Mr. LeBlanc at 9:40 a.m.

2. ROLL CALL

Commission Members present

Mr. Marcy, LeBlanc Sr., Chairman
Mr. Dave George, Vice Chairman
Mr. Joseph Al Moreaux
Mr. Nolan Percy
Mr. Larry Terrell
Mr. Michael Hensgens
Mr. Brian Girardot

Members absent

Mr. Frank LoPinto
Mr. Brad Terral

LDAF staff present

Lindsey Hunter, LDAF Legal Counsel
Benjy Rayburn, Stephen O. Sessums, Archie Lambert, Tricia Berry, Paul Floyd,
Steven Coco, Teri Berken, Nicole Kerne, Jolie Cornay, Nicole Robino and
Lisa Sonnier

Also in attendance

Bradley Overton, Hearing Officer for Attorney General Office
John Ezell, District Manager for Dollar General Stores

3. DECLARATION OF QUORUM

Eight (8) members being present Mr. LeBlanc declared a quorum

4. APPROVAL OF JULY 27, 2016 MEETING

Motion made by Mr. George and seconded by Mr. Hensgens to approve the minutes All members were in favor

5. **ADJUDICATORY HEARING**

(1) **Case No. 16-11-01**
Bumper to Bumper 186
3217 Pinhook
Lafayette LA 70508

6 violations

5 - Overcharges - LA. R.S. 3:4617

A. No one shall misrepresent the price or quantity of a commodity, thing, or service sold or offered or exposed for sale, to any actual or prospective customer

1 - Prices not displayed - LAC 7:XXXV.117

A. The price of a commodity or item offered for retail sale which is labeled with a computerized bar code label shall be plainly displayed, either by a price marked in English on the package containing the individual commodity or item, or by a placard or card placed on the shelf in front of the commodity or item which is clearly visible and legible

B. The price displayed on the shelf, commodity or item required by subsection A of this section shall be precisely equal to the price actually charged by the seller

Stipulation received. The department recommended a penalty of \$900.00
Motion to accept the stipulation and recommended penalty by Mr. Alford and seconded by Mr. Girardot and passed unanimously

(2) **Case No. 16-11-02**
Circle K #4533
3606 Ambassador Caffrey Parkway
Lafayette LA 70503

3 violations

1 - Overcharge - LA. R.S. 3:4617

A. No one shall misrepresent the price or quantity of a commodity, thing, or service sold or offered or exposed for sale, to any actual or prospective customer

2 - Prices not displayed - LAC 7:XXXV.117

A. The price of a commodity or item offered for retail sale which is labeled with a computerized bar code label shall be plainly displayed, either by a price marked in English on the package containing the individual commodity or item, or by a placard or card placed on the shelf in front of the commodity or item which is clearly visible and legible

B. The price displayed on the shelf, commodity or item required by subsection A of this section shall be precisely equal to the price actually charged by the seller

Stipulation received. The department recommended a penalty of \$450.00
Motion to accept the stipulation and recommended penalty by Mr. Alford and seconded by Mr. Percy and passed unanimously

(3) **Case No. 16-11-03**
Circle K # 4913
2113 Robley Drive
Lafayette LA 70508

6 violations

2 - Overcharges - LA. R.S. 3:4617

A. No one shall misrepresent the price or quantity of a commodity, thing, or service sold or offered or exposed for sale, to any actual or prospective customer

4 - Prices not displayed - LAC 7:XXXV.117

A. The price of a commodity or item offered for retail sale which is labeled with a computerized bar code label shall be plainly displayed, either by a price marked in English on the package containing the individual commodity or item, or by a placard or card placed on the shelf in front of the commodity or item which is clearly visible and legible

B. The price displayed on the shelf, commodity or item required by subsection A of this section shall be precisely equal to the price actually charged by the seller

Stipulation received. The department recommended a penalty of \$900.00
Motion to accept the stipulation and recommended penalty by Mr. Girardot and seconded by Mr. Moreaux and passed unanimously

(4) **Case No. 16-11-04**
Circle K #8190
9009 Youree Dr
Shreveport LA 71115

10 violations

3 - Overcharges - LA. R.S. 3:4617

A. No one shall misrepresent the price or quantity of a commodity, thing, or service sold or offered or exposed for sale, to any actual or prospective customer

7 - Prices not displayed - LAC 7:XXXV.117

A. The price of a commodity or item offered for retail sale which is labeled with a computerized bar code label shall be plainly displayed, either by a price marked in English on the package containing the individual commodity or item, or by a placard or card placed on the shelf in front of the commodity or item which is clearly visible and legible

B. The price displayed on the shelf, commodity or item required by subsection A of this section shall be precisely equal to the price actually charged by the seller

Stipulation received. The department recommended a penalty of \$1,750.00
Motion to accept the stipulation and recommended penalty by Mr. Hensgens and seconded by Mr. Girardot and passed unanimously

(5) **Case No. 16-11-05**
Circle K # 8341
520 East Prien Rd
Lake Charles LA 70601

8 violations

5- Overcharges - LA. R.S. 3:4617

A. No one shall misrepresent the price or quantity of a commodity, thing, or service sold or offered or exposed for sale, to any actual or prospective customer

3 - Prices not displayed - LAC 7:XXXV.117

A. The price of a commodity or item offered for retail sale which is labeled with a computerized bar code label shall be plainly displayed, either by a price marked in English on the package containing the individual commodity or item, or by a placard or card placed on the shelf in front of the commodity or item which is clearly visible and legible

B. The price displayed on the shelf, commodity or item required by subsection A of this section shall be precisely equal to the price actually charged by the seller

Stipulation received. The department recommended a penalty of \$1,200.00
Motion to accept the stipulation and recommended penalty by Mr. Hensgens and seconded by Mr. Percy and passed unanimously

(6) **Case No. 16-11-06**
Circle K #881
11730 Mansfield Rd
Keithville LA 71047

15 violations

5 - Overcharges - LA. R.S. 3:4617

A. No one shall misrepresent the price or quantity of a commodity, thing, or service sold or offered or exposed for sale, to any actual or prospective customer

10- Prices not displayed - LAC 7:XXXV.117

A. The price of a commodity or item offered for retail sale which is labeled with a computerized bar code label shall be plainly displayed, either by a price marked in English on the package containing the individual commodity or item, or by a placard or card placed on the shelf in front of the commodity or item which is clearly visible and legible

B. The price displayed on the shelf, commodity or item required by subsection A of this section shall be precisely equal to the price actually charged by the seller

Stipulation received. The department recommended a penalty of \$3,000.00
Motion to accept the stipulation and recommended penalty by Mr. Terrell and seconded by Mr. Percy and passed unanimously

(7) **Case No. 16-11-07**
Cracker Barrel # 219
3900 Verot School Road
Youngsville LA 70592

5 violations

4 - Overcharges - LA. R.S. 3:4617

A. No one shall misrepresent the price or quantity of a commodity, thing, or service sold or offered or exposed for sale, to any actual or prospective customer

1 - Price not displayed - LAC 7:XXXV.117

A. The price of a commodity or item offered for retail sale which is labeled with a computerized bar code label shall be plainly displayed, either by a price marked in English on the package containing the individual commodity or item, or by a placard or card placed on the shelf in front of the commodity or item which is clearly visible and legible

B. The price displayed on the shelf, commodity or item required by subsection A of this section shall be precisely equal to the price actually charged by the seller

Stipulation received. The department recommended a penalty of \$750.00
Motion to accept the stipulation and recommended penalty by Mr. Percy and seconded by Mr. Girardot and passed unanimously

(8) Case No. 16-11-08
Dick's Sporting Goods # 1098
524 West Prien Lake Rd
Lake Charles LA 70601

14 violations

2 - Overcharges - LA. R.S. 3:4617

A. No one shall misrepresent the price or quantity of a commodity, thing, or service sold or offered or exposed for sale, to any actual or prospective customer

12- Prices not displayed - LAC 7:XXXV.117

A. The price of a commodity or item offered for retail sale which is labeled with a computerized bar code label shall be plainly displayed, either by a price marked in English on the package containing the individual commodity or item, or by a placard or card placed on the shelf in front of the commodity or item which is clearly visible and legible

B. The price displayed on the shelf, commodity or item required by subsection A of this section shall be precisely equal to the price actually charged by the seller

Stipulation received. The department recommended a penalty of \$2,100.00

Motion to accept the stipulation and recommended penalty by Mr. Hensgens and seconded by Mr. Moreaux and passed unanimously

(9) Case No. 16-11-09
Dollar General #3318
2718 Rodeo Rd
Abbeville LA 70510

5 violations

5 - Prices not displayed – LAC 7:XXXV.117

A. The price of a commodity or item offered for retail sale which is labeled with a computerized bar code label shall be plainly displayed, either by a price marked in English on the package containing the individual commodity or item, or by a placard or card placed on the shelf in front of the commodity or item which is clearly visible and legible

B. The price displayed on the shelf, commodity or item required by subsection A of this section shall be precisely equal to the price actually charged by the seller

Motion made by Mr. LeBlanc and seconded by Mr. Alford to find Dollar General #3318 in violation and to accept the departments recommended penalty of \$750.00 and passed unanimously

**(10) Case No. 16-11-10
Dollar General #6118
312 West Milton Ave
Lafayette LA 70508**

4 violations

4 – Prices not displayed – LAC 7:XXXV.117

A. The price of a commodity or item offered for retail sale which is labeled with a computerized bar code label shall be plainly displayed, either by a price marked in English on the package containing the individual commodity or item, or by a placard or card placed on the shelf in front of the commodity or item which is clearly visible and legible

B. The price displayed on the shelf, commodity or item required by subsection A of this section shall be precisely equal to the price actually charged by the seller

Motion made by Mr. LeBlanc and seconded by Mr. Alford to find Dollar General #6118 in violation and to accept the departments recommended penalty of \$500.00 and passed unanimously

**(11) Case No. 16-11-11
Dollar General #4240
19320 Florida Blvd
Albany LA 70711**

5 violations

1 - Overcharge - LA. R.S. 3:4617

A. No one shall misrepresent the price or quantity of a commodity, thing, or service sold or offered or exposed for sale, to any actual or prospective customer

4- Prices not displayed - LAC 7:XXXV.117

A. The price of a commodity or item offered for retail sale which is labeled with a computerized bar code label shall be plainly displayed, either by a price marked in English on the package containing the individual commodity or item, or by a placard or card placed on the shelf in front of the commodity or item which is clearly visible and legible

B. The price displayed on the shelf, commodity or item required by subsection A of this section shall be precisely equal to the price actually charged by the seller

Motion made by Mr. LeBlanc and seconded by Mr. Alford to find Dollar General #4240 in violation and to accept the departments recommended penalty of \$750.00 and passed unanimously

(12) Case No. 16-11-12
Dollar General #8598
1419 East Prien Lake Rd
Lake Charles LA 70601

8 violations

2 - Overcharges - LA. R.S. 3:4617

A. No one shall misrepresent the price or quantity of a commodity, thing, or service sold or offered or exposed for sale, to any actual or prospective customer

6- Prices not displayed - LAC 7:XXXV.117

A. The price of a commodity or item offered for retail sale which is labeled with a computerized bar code label shall be plainly displayed, either by a price marked in English on the package containing the individual commodity or item, or by a placard or card placed on the shelf in front of the commodity or item which is clearly visible and legible

B. The price displayed on the shelf, commodity or item required by subsection A of this section shall be precisely equal to the price actually charged by the seller

Motion made by Mr. LeBlanc and seconded by Mr. Alford to find Dollar General #8598 in violation and to accept the departments recommended penalty of \$1,200.00 and passed unanimously

(13) Case No. 16-11-13
Family Dollar #3181
108 South Landry Dr
New Iberia LA 70560

5 violations

5- Prices not displayed - LAC 7:XXXV.117

A. The price of a commodity or item offered for retail sale which is labeled with a computerized bar code label shall be plainly displayed, either by a price marked in English on the package containing the individual commodity or item, or by a placard or card placed on the shelf in front of the commodity or item which is clearly visible and legible

B. The price displayed on the shelf, commodity or item required by subsection A of this section shall be precisely equal to the price actually charged by the seller

Motion made by Mr. Girardot and seconded by Mr. LeBlanc to find Family Dollar #3181 in violation and to accept the departments recommended penalty of \$750.00 and passed unanimously

(14) Case No. 16-11-14
Family Dollar #1174
2450 Broad St
Lake Charles LA 70601

8 violations

4 - Overcharges - LA. R.S. 3:4617

A. No one shall misrepresent the price or quantity of a commodity, thing, or service sold or offered or exposed for sale, to any actual or prospective customer

4 - Prices not displayed - LAC 7:XXXV.117

A. The price of a commodity or item offered for retail sale which is labeled with a computerized bar code label shall be plainly displayed, either by a price marked in English on the package containing the individual commodity or item, or by a placard or card placed on the shelf in front of the commodity or item which is clearly visible and legible

B. The price displayed on the shelf, commodity or item required by subsection A of this section shall be precisely equal to the price actually charged by the seller

Motion made by Mr. Terrell and seconded by Mr. Hensgens to find Family Dollar #1174 in violation. **Motion** made by Mr. LeBlanc and seconded by Mr. George to accept the departments recommended penalty of \$1,200.00 and passed unanimously

(15) Case No. 16-11-15
Gaspard Fast Stop
9346 Gulf Hwy
Lake Charles LA 70607

12 violations

8 - Overcharges - LA. R.S. 3:4617

A. No one shall misrepresent the price or quantity of a commodity, thing, or service sold or offered or exposed for sale, to any actual or prospective customer

4 - Prices not displayed - LAC 7:XXXV.117

A. The price of a commodity or item offered for retail sale which is labeled with a computerized bar code label shall be plainly displayed, either by a price marked in English on the package containing the individual commodity or item, or by a placard or card placed on the shelf in front of the commodity or item which is clearly visible and legible

B. The price displayed on the shelf, commodity or item required by subsection A of this section shall be precisely equal to the price actually charged by the seller

Motion made by Mr. George and seconded by Mr. Percy to find Gaspard Fast Stop in violation. **Motion** made by Mr. Girardot and seconded by Mr. Moreaux to accept the departments recommended penalty of \$2,100.00 and passed unanimously

(16) Case No. 16-11-16 (DISMISSED CASE)
Gerstner Memorial Hop In
1717 Gerstner Memorial Dr. Ste., B
Lake Charles LA 70601

14 violations

14 - Prices not displayed - LAC 7:XXXV.117

A. The price of a commodity or item offered for retail sale which is labeled with a computerized bar code label shall be plainly displayed, either by a price marked in English on the package containing the individual commodity or item, or by a placard or card placed on the shelf in front of the commodity or item which is clearly visible and legible

B. The price displayed on the shelf, commodity or item required by subsection A of this section shall be precisely equal to the price actually charged by the seller

Ms. Hunter requested this case be dismissed, request granted by Mr. Overton

(17) Case No. 16-11-17
GNC #9116
2665 Derek Dr.
Lake Charles LA 70601

8 violations

1 - Overcharge- LA. R.S. 3:4617

A. No one shall misrepresent the price or quantity of a commodity, thing, or service sold or offered or exposed for sale, to any actual or prospective customer

7 - Prices not displayed - LAC 7:XXXV.117

A. The price of a commodity or item offered for retail sale which is labeled with a computerized bar code label shall be plainly displayed, either by a price marked in English on the package containing the individual commodity or item, or by a placard or card placed on the shelf in front of the commodity or item which is clearly visible and legible

B. The price displayed on the shelf, commodity or item required by subsection A of this section shall be precisely equal to the price actually charged by the seller

Motion made by Mr. Terral and seconded by Mr. Moreaux to find GNC #9116 in violation. **Motion** made by Mr.Hengens and seconded by Mr. Percy to accept the departments recommended penalty of \$1,200.00 and passed unanimously

(18) Case No. 16-11-18 (DISMISSED CASE)
Hollywood Ave Food Mart
1413 Hollywood Ave., Ste 300
Shreveport LA 71108

7 violations

4 - Overcharges - LA. R.S. 3:461

A. No one shall misrepresent the price or quantity of a commodity, thing, or service sold or offered or exposed for sale, to any actual or prospective customer

3 - Prices not displayed - LAC 7:XXXV.117

A. The price of a commodity or item offered for retail sale which is labeled with a computerized bar code label shall be plainly displayed, either by a price marked in English on the package containing the individual commodity or item, or by a placard or card placed on the shelf in front of the commodity or item which is clearly visible and legible

B. The price displayed on the shelf, commodity or item required by subsection A of this section shall be precisely equal to the price actually charged by the seller

Ms. Hunter requested this case be dismissed, requested granted by Mr. Overton

(19) Case No. 16-11-19
Kaplan Express
507 W. Veterans Memorial Drive
Kaplan LA 70548

4 violations

3 - Overcharges - LA. R.S. 3:4617

A. No one shall misrepresent the price or quantity of a commodity, thing, or service sold or offered or exposed for sale, to any actual or prospective customer

1 - Prices not displayed - LAC 7:XXXV.117

A. The price of a commodity or item offered for retail sale which is labeled with a computerized bar code label shall be plainly displayed, either by a price marked in English on the package containing the individual commodity or item, or by a placard or placed on the shelf in front of the commodity or item which is clearly visible and legible

B. The price displayed on the shelf, commodity or item required by subsection A of this section shall be precisely equal to the price actually charge by the seller

Motion made by Mr. Moreaux and seconded by Mr. Girardot to find Kaplan Express in violation. **Motion** made by Mr. Alford and seconded by Mr. Percy to accept the departments recommended penalty of \$500.00 and passed unanimously

(20) Case No. 16-11-20
Kaplan Quik Stop
501 E Veterans Memorial Drive
Kaplan LA 71108

3 violations

3 - Overcharges - LA. R.S. 3:4617

A. No one shall misrepresent the price or quantity of a commodity, thing, or service sold or offered or exposed for sale, to any actual or prospective customer

Motion made by Mr. LeBlanc and seconded by Mr. Moreaux to find Kaplan Quik Stop in violation. **Motion** made by Mr. Girardot and seconded by Mr. Percy to accept the departments recommended penalty of \$500.00 and passed unanimously

(21) Case No. 16-11-21 (DISMISSED CASE)
Lakeshore Dr. Food Mart
2450 Lakeshore Dr
Shreveport LA 71103

6 violations

1 - Overcharge - LA. R.S. 3:4617

A. No one shall misrepresent the price or quantity of a commodity, thing, or service sold or offered or exposed for sale, to any actual or prospective customer

5 - Prices not displayed - LAC 7:XXXV.117

A. The price of a commodity or item offered for retail sale which is labeled with a computerized bar code label shall be plainly displayed, either by a price marked in English on the package containing the individual commodity or item, or by a placard or card placed on the shelf in front of the commodity or item which is clearly visible and legible

B. The price displayed on the shelf, commodity or item required by subsection A of this section shall be precisely equal to the price actually charged by the seller

Ms. Hunter requested this case be dismissed, request granted by Mr. Overton

(22) Case No. 16-11-22
Leslie Pool Supply
2647 Derek Drive
Lake Charles LA 70607

9 violations

3 - Overcharges - LA. R.S. 3:4617

A. No one shall misrepresent the price or quantity of a commodity, thing, or service sold or offered or exposed for sale, to any actual or prospective customer

6 - Prices not displayed - LAC 7:XXXV.117

A. The price of a commodity or item offered for retail sale which is labeled with a computerized bar code label shall be plainly displayed, either by a price marked in English on the package containing the individual commodity or item, or by a placard or card placed on the shelf in front of the commodity or item which is clearly visible and legible

B. The price displayed on the shelf, commodity or item required by subsection A of this section shall be precisely equal to the price actually charged by the seller

Stipulation received. The department recommended a penalty of \$1,350.00
Motion to accept the stipulation and recommended penalty by Mr. Moreaux and seconded by Mr. Alford and passed unanimously

(23) Case No. 16-11-23
Highway 171 One Stop
3216 Gerstner Memorial Dr
Lake Charles LA 70601

8 violations

1 - Overcharge - LA. R.S. 3:4617

A. No one shall misrepresent the price or quantity of a commodity, thing, or service sold or offered or exposed for sale, to any actual or prospective customer

7 - Prices not displayed - LAC 7:XXXV.117

A. The price of a commodity or item offered for retail sale which is labeled with a computerized bar code label shall be plainly displayed, either by a price marked in English on the package containing the individual commodity or item, or by placard or card placed on the shelf in front of the commodity or item which is clearly visible and legible

B. The price displayed on the shelf, commodity or item required by subsection A of this section shall be precisely equal to the price actually charged by the seller

Motion made by Mr. Terrell and seconded by Mr. Hensgens to find Highway 171 one Stop in violation. Motion made by Mr. George and seconded by Mr. LeBlanc to accept the departments recommended penalty of \$1,200.00 and passed unanimously

(24) **Case No. 16-11-24**
Smart Style #18015
123 St. Nazaire Road
Broussard LA 70518

4 violations

4 - Overcharges - LA. R.S. 3:4617

A. No one shall misrepresent the price or quantity of a commodity, thing, or service sold or offered or exposed for sale, to any actual or prospective customer

Stipulation received. The department recommended a penalty of \$600.00
Motion to accept the stipulation and recommended penalty by Mr. Alford and seconded by Mr. Girardot and passed unanimously

(25) **Case No. 16-11-25**
Sunflower Super Saver
1631 Sampson Street
Westlake LA 70669

4 violations

4 - Overcharges - LA. R.S. 3:4617

A. No one shall misrepresent the price or quantity of a commodity, thing, or service sold or offered or exposed for sale, to any actual or prospective customer

Motion made by Mr. George and seconded by Mr. Percy to find Sunflower Super Saver in violation. **Motion** made by Mr. Alford and seconded by Mr. Percy to accept the departments recommended penalty of \$600.00 and passed unanimously

(26) **Case No. 16-11-26**
Sunshine Groceries
2217 Highway 171
Deridder LA 70634

4 violations

2 - Overcharge - LA. R.S. 3:4617

A. No one shall misrepresent the price or quantity of a commodity, thing, or service sold or offered or exposed for sale, to any actual or prospective customer

2 - Prices not displayed - LAC 7:XXXV.117

A. The price of a commodity or item offered for retail sale which is labeled with a computerized bar code label shall be plainly displayed, either by a price marked in English on the package containing the individual commodity or item, or by a placard or card placed on the shelf in front of the commodity or item which is clearly visible and legible

B. The price displayed on the shelf, commodity or item required by subsection A of this section shall be precisely equal to the price actually charged by the seller

Stipulation received. The department recommended a penalty of \$600.00

Motion to accept the stipulation and recommended penalty by Mr. Hensgens and seconded by Mr. Girardot and passed unanimously

(27) **Case No. 16-11-27**
Super Food Mart
1539 N Martin Luther King Hwy
Lake Charles LA 70601

11 violations

3 - Overcharge - LA. R.S. 3:4617

A. No one shall misrepresent the price or quantity of a commodity, thing, or service sold or offered or exposed for sale, to any actual or prospective customer

8 - Prices not displayed - LAC 7:XXXV.117

A. The price of a commodity or item offered for retail sale which is labeled with a computerized bar code label shall be plainly displayed, either by a price marked in English on the package containing the individual commodity or item, or by a placard or card placed on the shelf in front of the commodity or item which is clearly visible and legible

B. The price displayed on the shelf, commodity or item required by subsection A of this section shall be precisely equal to the price actually charged by the seller

Stipulation received. The department recommended a penalty of \$1,925.00

Motion to accept the stipulation and recommended penalty by Mr. Hensgens and seconded by Mr. LeBlanc and passed unanimously

(28) Case No. 16-11-28 (DISMISSED CASE)
The Southern Pantry
8790 Youree Drive
Shreveport LA 71115

11 violations

2 - Overcharges - LA. R.S. 3:4617

A. No one shall misrepresent the price or quantity of a commodity, thing, or service sold or offered or exposed for sale, to any actual or prospective customer

8 - Prices not displayed - LAC 7:XXXV.117

A. The price of a commodity or item offered for retail sale which is labeled with a computerized bar code label shall be plainly displayed, either by a price marked in English on the package containing the individual commodity or item, or by a placard or card placed on the shelf in front of the commodity or item which is clearly visible and legible

B. The price displayed on the shelf, commodity or item required by subsection A of this section shall be precisely equal to the price actually charged by the seller

Ms. Hunter request this case to be dismissed, request granted by Mr. Overton

Adjudicatory hearing cases continued

Case No. 16-03-01

Gretna Shell

2800 Belle Chasse Hwy

Gretna LA 70053

12 violations

12 - Prices not displayed - LAC 7:XXXV.117

A. The price of a commodity or item offered for retail sale which is labeled with a computerized bar code label shall be plainly displayed, either by a price marked in English on the package containing the individual commodity or item, or by a placard or card placed on the shelf in front of the commodity or item which is clearly visible and legible

B. The price displayed on the shelf, commodity or item required by subsection A of this section shall be precisely equal to the price actually charged by the seller

Motion made by Mr. Alford and seconded by Mr. Girardot to find Gretna Shell in violation. **Motion** made by Mr. LeBlanc and seconded by Mr. Alford to accept the departments recommended penalty of \$2,700.00 and passed unanimously

Case No. 16-03-12

Circle K #8192

325 West 70th Street

Shreveport LA 71106

7 violations

4 - Overcharge - LA. R.S. 3:4617

A. No one shall misrepresent the price or quantity of a commodity, thing, or service sold or offered or exposed for sale, to any actual or prospective customer

3 - Prices not displayed - LAC 7:XXXV.117

A. The price of a commodity or item offered for retail sale which is labeled with a computerized bar code label shall be plainly displayed, either by a price marked in English on the package containing the individual commodity or item, or by a placard or card placed on the shelf in front of the commodity or item which is clearly visible and legible

B. The price displayed on the shelf, commodity or item required by subsection A of this section shall be precisely equal to the price actually charged by the seller

Stipulation received. The department recommended a penalty of \$1,050.00 **Motion** to accept the stipulation and recommended penalty by Mr. Hensgens and seconded by Mr. Girardot and passed unanimously

Case No. 16-03-14
Road King Plaza
1825 Interstate 10
Lake Charles LA 70601

9 violations

1 - Overcharge - LA. R.S. 3:4617

A. No one shall misrepresent the price or quantity of a commodity, thing, or service sold or offered or exposed for sale, to any actual or prospective customer

8 - Prices not displayed - LAC 7:XXXV.117

A. The price of a commodity or item offered for retail sale which is labeled with a computerized bar code label shall be plainly displayed, either by a price marked in English on the package containing the individual commodity or item, or by a placard or card placed on the shelf in front of the commodity or item which is clearly visible and legible

B. The price displayed on the shelf, commodity or item required by subsection A of this section shall be precisely equal to the price actually charged by the seller

Stipulation received. The department recommended a penalty of \$1,800.00
Motion to accept the stipulation and recommended penalty by Mr. Hensgens and seconded by Mr. Alford and passed unanimously

6. NEW BUSINESS

Mr. Hengens suggested that the Departments legal division to make some changes to the wording of the charge letter fines

7. OLD BUSINESS

none

8. PUBLIC COMMENT

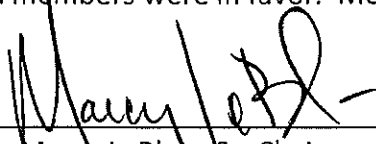
none

9. NEXT MEETING DATE

Next Commission Hearing sometime in February 2017

10. ADJOURNMENT

Motion made by Mr. Girardot and seconded by Mr. Moreaux
All members were in favor. Motion carried



Mr. Marcy LeBlanc Sr. Chairman