

**MINUTES
IN-PERSON MEETING OF THE
LOUISIANA BOARD OF ANIMAL HEALTH**

**SEPTEMBER 28, 2023, 10:00 A.M.
LOUISIANA DEPARTMENT OF AGRICULTURE AND FORESTRY
VETERANS MEMORIAL AUDITORIUM
5825 FLORIDA BOULEVARD
BATON ROUGE, LA 70806**

NOTE: THIS IS TENTATIVE MINUTES FROM THE SEPTEMBER 28, 2023, MEETING OF THE BOARD OF ANIMAL HEALTH. A FINAL VERSION OF THE MINUTES WILL BE MADE AVAILABLE AFTER APPROVAL BY THE BOARD AT ITS NEXT, REGULARLY SCHEDULED MEETING

CALL TO ORDER

The meeting was called to order by Dr. Craig Fontenot, D.V.M., at 10:02 a.m.

PLEDGE OF ALLEGIANCE

Dr. Fontenot led the Pledge of Allegiance.

ROLL CALL

The roll was called by Jaclyn Soileau.

Members present: Clark Cooper, DVM, Craig Fontenot, DVM, Rayburn Smith, Kurt Cazayoux, David Mains, Bill Holdman, Vandal Fairchild, Giles Brown, Lennie Crawford, Sara Byrd, Dale Cambre, and Law Ponder.

Members absent: Dan Cason, Brady Rutledge, Anna Chapman, DVM, Nickey Smith, and Thomas Early.

A quorum was present.

PUBLIC COMMENTS

There were no public comments submitted at this time.

APPROVAL OF MINUTES

Dr. Fontenot noted an error in the proposed minutes for the March 2023 board meeting, which incorrectly indicated that he was absent from that meeting, when he was, in fact, present.

Motion: Mr. Crawford moved to approve the minutes, subject to the correction noted by Dr. Fontenot. The motion was seconded by Dr. Fontenot and passed unanimously.

NEW BUSINESS

WALD LIVESTOCK MARKET CHARTER HEARING

Mr. Anton Wald and Mr. John Wald of Wald Livestock applied for a Livestock Market Charter, which would allow them to operate a Livestock Market Buying Station in Kentwood, Louisiana. Mr. Anton Wald appeared in support of his application.

The Department staff reported on aspects of the Walds' application. Brand Enforcement Supervisor Scott Perry reported: (1) that the Walds have satisfied the requirement that their bond with the Stockyards and Packers division of the U.S. Department of Agriculture has been renewed in the amount of \$100,000; and (2) that the Walds have submitted complete financial statements, which have been reviewed by LDAF auditor with no questionable issues. Brand Officer Dillon Lacour reported that he inspected the Walds' facility and, with the exception of a few remaining items (running water, certified scale, and electrical updates), the facility meets standards and is well-prepared to begin operations. Based on the foregoing, Assistant Commissioner Michelle Ribera advised the Board that the Department recommends approval of the application, subject to completion of the aforementioned unfinished amenities and final inspection by the Department.

Mr. Frank Lopinto, member of the public and owner of Amite Livestock Auction in Amite, LA, spoke in opposition of the Walds' application.

Discussion was had by the board members.

LDAF General Counsel, Amy McInnis, directed the board members to the applicable law, a copy of which had been placed in their meeting materials. Ms. McInnis read aloud the statutory criteria for consideration of applications for livestock market charters.

Mr. Anton Wald spoke in support of his application.

Motion: Mr. Holdman moved to approve the livestock market charter application, subject to completion of the unfinished amenities and final inspection by the Department. The motion was seconded by Mr. Cazayoux. No recusals or abstentions. Roll call vote was as follows:

Roll call vote: Brown - no; Byrd – yes; Cambre – no; Cazayoux- yes; Cooper – no; Crawford – no; Fairchild – no; Fontenot- no; Holdman – yes; Mains- no; Ponder-no; R. Smith -no.

The motion did not carry and the application was denied.

ADJUDICATORY HEARINGS

Alicia Wheeler, an Assistant Attorney General with the Department of Justice was the Hearing Officer and presided over the hearings. Amy McInnis, General Counsel for the Louisiana Department of Agriculture and Forestry, presented the following cases:

**1. IN THE MATTER OF MICHEL LAURENT
LAURENT'S MEAT MARKET
NO: 23-MPI-001**

Respondent, Michel Laurent, was charged with the following violation(s).

Two (2) counts of intimidating and interfering with LDAF meat inspection personnel in violation of *R.S. 3:4227 and 4233(A)(12)*.

One (1) count of failure to maintain and provide to the Commissioner, upon request, any requested reports, accounts, books, or records as required by *LA R.S. 3:4233(A)(11)*.

One (1) count of improperly processing meat or meat produces without an inspector present as required by law. *LA R.S. 3:4233 (A)(2)*.

One (1) count of improperly distributing meat or meat products which have not been inspected as required by law, in violation of *LA R.S. 3:4210(2)* and *LA R.S. 3:4233(A)(3)(a)*

One (1) count of improperly distributing meat or meat products which have been retained by LDAF meat inspection personnel (Tag#16245) pursuant to a regulatory control action under *9 CFR 500.2, 9 CFR 500.3*.

One (1) count of knowingly misrepresenting information to LDAF personnel for knowingly misrepresenting information to LDAF personnel regarding Respondent's efforts to recall misbranded meat products, in violation of *R.S. 3:4211 (2), (3), (5), and (6)*.

Respondent was not present, but had agreed to enter into a stipulated agreement with the Department, subject to the following terms:

1. Respondent agrees to voluntarily surrender the state-issued grant of inspection currently issued to Mr. Michel Laurent and/or Laurent's Meat Market effective upon the BOAH's and the Commissioner of Agriculture's acceptance of the stipulation agreement.
2. The Respondent would be free to operate meat-processing functions under the authority of the U.S. Department of Health.
3. The Respondent would be free to apply for a federal grant of inspection for his facility through the UD Department of Agriculture (USDA).
4. If the Respondent wishes to apply for a state-grant of inspection through the department, the Respondent shall wait a period of no less than two (2) years from the date of the Commissioner's acceptance of this agreement to re-apply for a grant of inspection. Such application would require the Respondent to meet all standard requirements for applicants and additionally, the Respondent cannot be in bad standing with the USDA.

The Department recommended that the Board accept the stipulation by both parties.

Motion: Dr. Fontenot moved to accept the stipulation. The motion was seconded by Mr. Fairchild and carried unanimously.

**2. IN THE MATTER OF TIMMY HEBERT
CASE NO: 23-AH-002**

Respondent, Mr. Timmy Hebert, was charged with the following violations:

Fourteen (14) violations of R.S. 3:2131 for failure to dispose of animal carcasses.

Respondent was not present, but a had agreed to enter into a stipulated agreement with the Department, wherein Respondent has agreed to pay a penalty of Four Thousand (\$4,000) Dollars, with Two Thousand (\$2,000) Dollars of that amount suspended. Respondent shall pay unsuspended portion of Two Thousand (\$2,000) Dollars in monthly payments of One Hundred (\$100) Dollars.

The Department recommended that the Board accept the stipulation executed by both parties.

Motion: Mr. Fairchild moved to accept the stipulation. The motion was seconded by Mr. Cambre and carried unanimously.

REVOCAION OF TRICHOMONIASIS QUARANTINE PEN PERMIT

**1. IN THE MATTER OF GARY THOMPSON
CASE NO. 23-AH-001**

Ms. McInnis presented the Department's proposed cancellation of Trichomoniasis Quarantine Pen permit issued to Respondent, Gary Thompson in accordance with LAC 7:XXI.752, based on Respondent's repeated violations of animal health laws and regulations. Section 752(F) provides for the cancellation of trichomoniasis quarantine facility permits when the owner or operator the facility has been found to be in violation of animal health laws or rules.

Ms. McInnis presented documentation of this Board's prior decisions, holding Mr. Gary Thompson in violation of its laws and rules, specifically in the following cases: AH-19-01, AH-22-01, and 23-AH-001. All aforementioned cases have been heard before the Board and have been ruled on. The monetary penalties of these cases have not been paid by Mr. Thompson at this time.

Ms. McInnis advised that it is within the Board's authority to cancel the quarantine permit if it sees fit.

Motion: Mr. Ponder moved to cancel the Trichomoniasis Quarantine Pen Permit issued to Respondent, Gary Thompson. The motion was seconded by Mr. Crawford and the motion carried unanimously.

LDAF REPORTS

Brand Registration Report

LDAF Brand Enforcement Officer, Dillon Lacour, reported on the Brand Registration program. There are now five thousand, six hundred and twenty-seven (5,627) brands currently active with over 300 of those being lifetime brands issued by the Department to date. There has been a significant increase in the issuance of lifetime brands.

Saddle Microchipping Report

Enforcement Officer Lacour also reported on the success of the Department's saddle microchipping events. The recent event in Elmer, LA had fifty-five saddles microchipped; with more events scheduled both at the upcoming State Fair in Shreveport, LA, as well as an event scheduled at the Port Allen Arena in West Baton Rouge Parish. All microchipping is done free of charge.

Chronic Wasting Disease (CWD) Report

Dr. Daniel Myrick reported on the Chronic Wasting Disease (CWD) program and advised of newly appropriated funds of Fifty-Two Thousand (\$52,000) Dollars from the USDA for genetic testing on farm raised deer herds that are currently enrolled in the CWD certification program. The purpose of the testing is to identify genetic markers that have been shown to help those deer by making them less susceptible to Chronic Wasting Disease (CWD). The funding for this program will allow the Department to begin testing approx. 700 deer enrolled in the CWD herd certification program. Dr. Myrick informed the Board there had been one other case found in a wild deer. That case had also been found in Tensas parish, like the previous ones had.

PUBLIC COMMENTS

There were no public comments received at this time.

ANNOUNCEMENTS

Ms. McInnis reminded board members to complete required sexual harassment training and ethics training.

DATE OF NEXT MEETING

The next meeting of the Board was tentatively set for March 2024.

ADJOURNMENT

Motion: Mr. Brown. Moved to adjourn the meeting. The motion was seconded by Mr. Crawford and passed unanimously. The meeting adjourned at 11:22AM.