

ADVISORY COMMISSION ON PESTICIDES
Veterans' Memorial Auditorium
5825 Florida Blvd., Baton Rouge, LA
March 1, 2023 – 9:30 a.m.

MINUTES

CALL TO ORDER

The meeting was called to order by Dr. Grady Coburn at 9:31 a.m.

ROLL CALL

Members present: Dr. Grady Coburn, George Bragg, Dr. Kenneth McMartin, Scotty Meador, Johnny Landry, and Roby Shields.

Members absent: Billy Guthrie, Jenny Buller, and Ryan Waguespack

A quorum was present.

Others present: Harry Schexnayder – LDAF, Paeton Burkett – LDAF Attorney, Alicia Wheeler – Hearing Officer, Joe Ingrao – LDAF, Ashley LaBorde – LDAF, Brian Gueltig – LSU AG Center, William Kivett – LSU AG Center, and Jason Starns – LDAF.

PUBLIC COMMENTS

There were no public comments.

APPROVAL OF THE MINUTES

Motion: Mr. George Bragg moved to approve the minutes from the November 2, 2022 meeting. The motion was seconded by Mr. Scotty Meador and passed unanimously.

ADJUDICATORY HEARINGS

Hearing Officer Alicia Wheeler conducted the adjudicatory hearings. LDAF Attorney Paeton Burkett presented the following matters:

STIPULATIONS

Barry Boyette, Case No. 23-ACP-2481

The Department charged Mr. Boyette with two (2) violations LRS 3:3252(A)(18), specifically LAC 7: XXIII.1101(I).

The stipulation was presented by Ms. Burkett.

Respondent admits to violations and agrees to pay the penalty of \$3,500.00 with \$1,750.00 suspended within 30-days after receipt of the Commissioner's acceptance. The stipulation was signed by all parties.

Ms. Wheeler admitted LDAF's Exhibits 1 and 2 into the record.

Motion: Mr. Johnny Landry moved to accept the stipulation and penalty as presented. The motion was seconded by Dr. Kenneth McMartin and passed unanimously.

Jeffrey Wayne Harrell, Case No. 23-ACP-2483

The Department charged Mr. Harrell with one (1) violation LRS 3:3252(A)(18), specifically LAC 7: XXIII.1101(I).

The stipulation was presented by Ms. Burkett.

Respondent admits to violation and agrees to pay the penalty of \$1,000.00 with \$500.00 suspended within 30-days after receipt of the Commissioner's acceptance. The stipulation was signed by all parties.

Ms. Wheeler admitted LDAF's Exhibits 1 and 2 into the record.

Motion: Mr. Roby Shields moved to accept the stipulation and penalty as presented. The motion was seconded by Mr. George Bragg and passed unanimously.

Bradley Ferrell, Case No. 23-ACP-2484

The Department charged Mr. Ferrell with one (1) violation LRS 3:3252(A)(18), specifically LAC 7: XXIII.1101(I).

Respondent admits to violation and agrees to pay the penalty of \$1,000.00 with \$500.00 suspended within 30-days after receipt of the Commissioner's acceptance. The stipulation was signed by all parties.

Ms. Wheeler admitted LDAF's Exhibits 1 and 2 into the record.

Motion: Dr. Kenneth McMartin moved to accept the stipulation and penalty as presented. The motion was seconded by Mr. Scotty Meador and passed unanimously.

LDAF Report – Mr. Harry Schexnayder

Mr. Harry Schexnayder asked Ms. Paeton Burkett to give an update on the rule change previously approved by the commission regarding the application of 2,4-D Choline. Ms. Burkett updated the commission that notice of intent with the state register for the rule was published January 20, 2023 and second report was submitted. Final rule will be filed April 10, 2023 and become effective April 20, 2023.

Mr. Harry Schexnayder asked Mr. Joe Ingrao to discuss the plan changes submitted to the EPA to regulate pesticide use and certify and license individuals. Mr. Ingrao updated the commission on the agreement with the EPA to approve the state certification plan. Mr. Ingrao stated that the plan has been submitted by the state and has been submitted beyond Region 6 office to D.C. and discussed some of the new requirements to be included in the C & T plan.

Mr. Harry Schexnayder discussed changes to fumigation categories, exams and recertifications that are included in the plan changes.

Mr. Harry Schexnayder discussed Un-wanted Pesticide Pick Up Events around the state. The last one held in Franklinton, LA on November 9, 2022 collected 35 tons of un-wanted pesticides. He discussed the next Pick Up Event scheduled for March 23, 2023 in Napoleonville, LA and distributed information to the commission members on the program.

Also, Mr. Harry Schexnayder discussed a two-day LDAF Inspector Training event that will provide training for all of the inspectors that will cover all of the Agricultural and Environmental Science Programs and procedures including the Seed, Horticulture, Fertilizer and Pesticide Programs.

OLD BUSINESS

There was no old business.

NEW BUSINESS

There was no new business.

CONSIDERATION OF AG CONSULTANT EXAM APPLICATIONS

Mr. Joe Ingrao presented to the commission the recommendations of the Ad Hoc Committee of Advisory Commission on Pesticides to approve Britton Gage Costello testing in the categories (1a) Agricultural Entomology and (3a) Agricultural Weed Control and approve Hunter Lipsey testing in the categories (1a) Agricultural Entomology, (2a) Agricultural Plant Pathology, (3a) Agricultural Weed Control, and (4a) Agricultural Field Soil Management.

Motion: Mr. George Bragg moved to accept the recommendations of the Ad Hoc Committee of Advisory Commission on Pesticides to approve the two applicants for agricultural consultant certification testing. The motion was seconded by Mr. Johnny Landry and passed unanimously.

FUTURE MEETING

The next meeting of the Advisory Commission on Pesticides was tentatively scheduled for Wednesday, June 28, 2023, at 9:30 a.m., at the Department of Agriculture and Forestry, Veterans' Memorial Auditorium, Baton Rouge, Louisiana.

PUBLIC COMMENTS

There were no public comments.

ADJOURN

Motion: Mr. George Bragg moved to adjourn the meeting. The motion was seconded by Mr. Roby Shields and passed unanimously. The meeting adjourned at 10:13 a.m.