

LOUISIANA COMMISSION OF WEIGHTS AND MEASURES
ADJUDICATORY HEARING MINUTES

June 26, 2025, at 9:30 A.M.

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

I. **CALL TO ORDER**

Chairman, Mr. Scott Simonson, called the hearing to order at 9:33 a.m.

II. **ROLL CALL AND DECLARATION OF QUORUM**

Blaire LeBlanc, LDAF Staff, called roll, and the following Commission Members were present:

Commission Members Present

Mr. Scott Simonson, Chairman

Mr. Bryan Stafford

Mr. Justin Alford

Mr. Tommy "Bo" Haring

Mr. Cal Simpson

Mr. Joe Bushnell

Mr. Frank Lopinto

Alternates Present:

Tressy Leindecker

With eight (8) members present, a quorum was declared.

The following members were absent: Mr. Dave George, Mr. Mickey Freiberg and Mr. Micheal Diresto.

III. **PUBLIC COMMENTS.**

None.

IV. **APPROVAL OF FEBRUARY 20, 2025, MINUTES.**

Mr. Cal Simpson moved to approve the minutes from the February 20, 2025, meeting. Mr. Frank Lopinto seconded the motion. The motion carried unanimously.

A motion was made by Mr. Tommy "Bo" Haring to add stipulation 25-WM-0603 (Gillis Food Mart) to the agenda. Mr. Frank Lopinto seconded the motion. The motion carried unanimously. The motion passes.

V. **ADJUDICATORY HEARING**

LDAF Staff Attorney Bethany Gonzales represented the department and presented the following cases. Assistant Attorney General Tanika Starks presided as Hearing Officer.

STIPULATED CASES

25 – WM – 0204 EZ Shop Oakdale (Oakdale)

6 VIOLATION(S)

6 – Overcharge Violation(s) – LA. R.S. 3:4617 (A)

The department recommended a penalty of One Thousand Five Hundred Dollars. (\$1,500.00). Motion to accept the stipulation and recommended penalty was made by Mr. Justin Alford and seconded by Mr. Tommy “Bo” Haring. All members were in favor. Motion carried.

25 – WM – 0601 Circle K 2709075 (Lake Charles)

9 VIOLATION(S)

9 – Overcharge Violation(s) – LA. R.S. 3:4617 (A)

The department recommended a penalty of Six Thousand Seven Hundred Fifty Dollars. (\$6,750.00). Motion to accept the stipulation and recommended penalty was made by Mr. Bryan Stafford and seconded by Mr. Scott Simonson. All members were in favor. Motion carried.

25 – WM – 0605 More 4 Less 15 (Lake Charles)

14 VIOLATION(S)

4 – Overcharge Violation(s) – LA. R.S. 3:4617 (A)

10 – Prices not displayed – LAC 7:XXXV.117 (A)

The department recommended a penalty of Two Thousand Five Hundred Dollars. (\$2,500.00). Motion to accept the stipulation and recommended penalty was made by Mr. Cal Simpon and seconded by Mr. Justin Alford. All members were in favor. Motion carried.

25 – WM – 0607 Lil Billys Boudin and Cracklin (Lafayette)

3 VIOLATION(S)

3– Not meeting declared quantity - LA. R.S. 3:4617 (A)

The department recommended a penalty of Seven Hundred Fifty Dollars. (\$750.00). Motion to accept the stipulation and recommended penalty was made by Mr. Frank Lopinto and seconded by Mr. Tommy “Bo” Haring. Tressy Leindecker abstained. All members were in favor. Motion carried.

25 – WM – 0609 Grab N Geaux 14 (Lake Charles)

11 VIOLATION(S)

5 – Overcharges - LA. R.S. 3:4617 (A)

6 – Prices not displayed – LAC 7:XXXV.117 (A)

The department recommended a penalty of Three Thousand Four Hundred Dollars. (\$3,400.00). Motion to accept the stipulation and recommended penalty was made by Mr. Cal Simpson and seconded by Mr. Bryan Stafford. All members were in favor. Motion carried.

25 – WM – 0611 Grab N Geaux 15 (Iowa) 9 VIOLATION(S)

19 – Overcharge Violation(s) – LA. R.S. 3:4617 (A)

The department recommended a penalty of Nine Thousand Five Hundred Dollars. (9,500.00). Motion to accept the stipulation and recommended penalty was made by Mr. Bryan Alford and seconded by Mr. Cal Simpson. All members were in favor. Motion carried.

25 – WM – 0612 Grab N Geaux 13 (Lake Charles)

22 – Overcharge Violation(s) – LA. R.S. 3:4617 (A)

The department recommended a penalty of Eleven Thousand Dollars. (11,000.00). Motion to accept the stipulation and recommended penalty was made by Mr. Bryan Alford and seconded by Mr. Cal Simpson. All members were in favor. Motion carried.

25 – WM – 0603 Gillis Food Mart (Lake Charles)

23 VIOLATION(S)

5 – Overcharges - LA. R.S. 3:4617 (A)

18 – Prices not displayed – LAC 7:XXXV.117 (A)

The department recommended a penalty of Three Thousand Nine Hundred Fifty Dollars. (3,950.00). Motion to accept the stipulation and recommended penalty was made by Mr. Scott Simonson and seconded by Mr. Cal Simpson. All members were in favor. Motion carried.

ADJUDICATED CASES

25 –WM – 0602 Broadway Quick Stop (Alexandria)

6 VIOLATION(S)

6 Overcharge Violation(s) – LA. R.S. 3:4617 (A)

The department requested a continuation to the next hearing on October 23, 2025. Request was granted by hearing officer, Ms. Tanika Starks.

25 – WM – 0608 Gils at Interstate 10 Henderson (Breaux Bridge)

7 VIOLATION(S)

7 Overcharge Violations – La. R.S. 3:4617

Bethany Gonzales, LDAF Attorney, represented the Department. Tanika Starks, Assistant Attorney General, presided over the hearing. Mr. Robert Thomas was present on behalf of the Respondent. Mr. Robert Thomas presented a letter of authority to speak on behalf of the Respondent. Hearing officer, Ms. Tanika Starks, admitted and filed as Respondent #1.

The Department and Mr. Robert Thomas mutually requested a continuance to the next hearing on October 23, 2025. Ms. Tanika Starks granted the request.

25 – WM – 0604 Dollar General Store 23145 (Lake Charles)

4 VIOLATION(S)

4 Overcharge Violations – La. R.S. 3:4617

Bethany Gonzales, LDAF Attorney, represented the Department. Tanika Starks, Assistant Attorney General, presided over the hearing. No one was present on behalf of the Respondent.

Director Paul Floyd, LDAF Inspector Teri Berken, and Program Manager Steven Coco were called as witnesses by the Department. Paul Floyd identified and authenticated the Charge Letter dated May 23, 2025 with all original attachments, and it was admitted into evidence as LDAF 1. Ms. Teri Berken identified and authenticated the price verification summary reports dated October 15, 2024; December 2, 2024; and February 5, 2025. The summary reports were admitted into evidence as LDAF 2, LDAF 3, and LDAF 5, respectively. Mr. Steven Coco identified and authenticated the warning letter dated December 18, 2024, and it was admitted into evidence as LDAF 4.

The Department recommended the Commission to find respondent in violation for 4 violations of the Louisiana Weights and Measures, laws, rules and regulations for misrepresenting the price or quantity of a commodity and failing to meet the 98% or higher pass rate as required. The Department recommended a penalty of Two Thousand Dollars (\$2,000.00) to be paid within 30 days of receipt of demand letter.

The motion to find respondent in violation was made by Mr. Justin Alford and seconded by Mr. Tommy “Bo” Haring. All members were in favor. The motion carried.

The motion to assess the department recommended penalty was made by Mr. Frank Lopinto and seconded by Mr. Justin Alford. All members were in favor. The motion carried.

25 – WM – 0606 Quick Check (Lake Charles)

4 VIOLATION(S)

4 Overcharge Violations – La. R.S. 3:4617

Bethany Gonzales, LDAF Attorney, represented the Department. Tanika Starks, Assistant Attorney General, presided over the hearing. No one was present on behalf of the Respondent.

Director Paul Floyd, LDAF Inspector Anna Greathouse, and Program Manager Steven Coco were called as witnesses by the Department. Paul Floyd identified and authenticated the Charge Letter dated May 23, 2025, with all original attachments, and it was admitted into evidence as LDAF 1. Ms. Anna Greathouse identified and authenticated, the price verification summary reports dated November 8, 2024; December 19, 2024; and February 11, 2025. The summary reports were admitted into evidence as LDAF 2, LDAF 3, and LDAF 5, respectively. Mr. Steven Coco identified and authenticated the warning letter dated December 27, 2024, and it was admitted into evidence as LDAF 4.

The Department recommended the Commission to find respondent in violation for 4 violations of the Louisiana Weights and Measures, laws, rules and regulations for misrepresenting the price or quantity of a commodity and failing to meet the 98% or higher pass rate as required. The Department recommended a penalty of Two Thousand Dollars (\$2,000.00) to be paid within 30 days of receipt of demand letter.

The motion to find respondent in violation was made by Mr. Tommy “Bo” Haring and seconded by Mr. Justin Alford. All members were in favor. The motion carried.

The motion to assess the department recommended penalty was made by Mr. Tommy "Bo" Haring and seconded by Mr. Frank Lopinto. All members were in favor. The motion carried.

VI. **OLD BUSINESS.**

None.

VII. **NEW BUSINESS.**

- A. The W&M Director, Paul Floyd, gave a brief update on the refined price verification procedure to account for pricing display violations under LAC 7:XXXV.117(A).
- B. Mrs. Bethany Gonzales updated the commission on HB652 becoming ACT300 and the violations and fines that would come before the Commission of Weights and Measures. The Seafood Safety Task Force was transferred to The Louisiana Department of Agriculture and Forestry, effective June 11, 2025.

VIII. **PUBLIC COMMENTS.**

None.

IX. **NEXT MEETING DATE.**

October 23, 2025.

X. **ADJOURNMENT.**

A motion was made at 10:42 a.m. to adjourn the meeting by Mr. Justin Alford and seconded by Mr. Cal Simpson. All members were in favor. Motion carried.

Dave Huer
Vice Chairman Signature

Dave George
Printed Name