

LOUISIANA COMMISSION OF WEIGHTS AND MEASURES
ADJUDICATORY HEARING MINUTES

October 23, 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

Vice Chairman, Mr. Dave George, called the hearing to order at 9:32 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. Dave George, Vice Chairman

Mr. Bryan Stafford

Mr. Justin Alford

Mr. Cal Simpson

Mr. Frank Lopinto

Mr. Mickey Freiberg

Alternates Present:

With six (6) members present, a quorum was declared.

The following members were absent: Mr. Scott Simonson, Mr. Joe Bushnell, Mr. Micheal DiResto, Mr. Tommy "Bo" Haring.

III. PUBLIC COMMENTS.

None.

IV. APPROVAL OF JUNE 26, 2025, MINUTES.

Mr. Dave George moved to approve the minutes from the June 26, 2025, meeting. Mr. Bryan Stafford seconded the motion. The motion carried unanimously.

A motion was made by Mr. Justin Alford to add stipulation 25-WM-1009 (Dollar General Store 9666) to the agenda. Mr. Bryan Stafford 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.

ADJUDICATED CASES

25 – WM – 1011 Metro by T-Mobile (New Iberia)

16 VIOLATION(S)

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

Bethany Gonzales, LDAF Attorney, represented the Department. Tanika Starks, Assistant Attorney General, presided over the hearing. Huda Chouaib and BouBaker Ait Taib were present on behalf of the Respondent.

Director Paul Floyd, LDAF Inspector Alaina Hebert, and Program Manager Steven Coco were called as witnesses by the Department. Paul Floyd identified and authenticated the Charge Letter dated September 19, 2025 with all original attachments, and it was admitted into evidence as LDAF 1. Ms. Alaina Hebert identified and authenticated the Notice of Inspection reports dated May 22, 2025; and July 10, 2025. The notice of inspection reports were admitted into evidence as LDAF 2 and LDAF 3, respectively. Mr. Steven Coco identified and authenticated the warning letter dated May 23, 2025, and it was admitted into evidence as LDAF 4.

The Department recommended the Commission to find respondent in violation for ten (10) violations of the Louisiana Weights and Measures, laws, rules and regulations for failing to display a price as required by LAC 7:XXXV.117(A). The Department recommended a penalty of Five Thousand Dollars (\$5,000.00) to be paid within 30 days of receipt of demand letter.

The motion to find respondent in violation was made by Mr. Frank Lopinto and seconded by Mr. Dave George. The motion failed.

The motion to assess a penalty of Five thousand dollars (\$5,000) with the full penalty of five thousand dollars suspended with the condition that the Respondent passes a follow up inspection was made by Mr. Frank Lopinto and seconded by Mr. Justin Alford. All members were in favor. The motion carried.

Mr. Cal Simpson offered a substitute motion for a penalty of Three Thousand Dollars (\$3,000.00), the substitute motion was seconded by Mr. Bryan Stafford. The motion failed with a vote of three yes's and three no's. The roll call vote is as follows: Mr. Justin Alford, no, Mr. Mickey Freiberg, no, Mr. Dave George, yes, Mr. Frank Lopinto, no, Mr. Cal Simpson, yes, and Mr. Bryan Stafford, yes.

25 – WM – 1002 Swan Lake Food Mart (Bossier City)

11 VIOLATION(S)

11 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 Alicia Waller, and Program Manager Steven Coco were called as witnesses by the Department. Paul Floyd identified and authenticated the Charge Letter dated September 19, 2025, with all original attachments, and it was admitted into evidence as LDAF 1. Ms. Alicia Waller identified and authenticated, the price verification summary reports dated March 12, 2025; April 11, 2025; and May 9, 2025. The summary reports were admitted into evidence as LDAF 2, LDAF 3, and LDAF 4,

respectively. Mr. Steven Coco identified and authenticated the warning letter dated April 14, 2025, and it was admitted into evidence as LDAF 5.

The Department recommended the Commission to find respondent in violation for eleven (11) 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 Eight Thousand Two Hundred Fifty Dollars (\$8,250.00) 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. Frank Lopinto. All members were in favor. The motion carried.

The motion to assess the department recommended penalty was made by Mr. Cal Simpson and seconded by Mr. Mickey Freiberg. All members were in favor. The motion carried.

STIPULATED CASES

25 – WM – 1003 Grab N Geaux 20 (Lafayette)

18 VIOLATION(S)

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

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

The department recommended a penalty of Five Thousand Dollars. (\$5,000.00). Motion to accept the stipulation and recommended penalty was made by Mr. Frank Lopinto and seconded by Mr. Justin Alford. All members were in favor. Motion carried.

25 – WM – 1004 Family Dollar Store (Shreveport)

7 VIOLATION(S)

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

The department recommended a penalty of Three Thousand Five Hundred Dollars. (\$3,500.00). Motion to accept the stipulation and recommended penalty was made by Mr. Mickey Freiberg and seconded by Mr. Cal Simpson. All members were in favor. Motion carried.

25 – WM – 1009 Dollar General Store 9666 (Lafayette)

14 VIOLATION(S)

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

The department recommended a penalty of Two Thousand One Hundred Dollars. (\$2,100.00). Motion to accept the stipulation and recommended penalty was made by Mr. Bryan Stafford and seconded by Mr. Mickey Freiberg. All members were in favor. Motion carried.

25 – WM – 1010 Circle K 7665 (Kenner)

11 VIOLATION(S)

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

The department recommended a penalty of One Thousand One Hundred Dollars. (\$1,100.00). Motion to accept the stipulation and recommended penalty was made by Mr. Cal Simpson and seconded by Mr. Justin Alford. All members were in favor. Motion carried.

25 – WM – 1021 Rouse’s Enterprise, L.L.C

24 VIOLATION(S)

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

9 – Prices not displayed – LAC 7:XXXV.117 (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. Mickey Frieberg and seconded by Mr. Cal Simpson. All members were in favor. Motion carried.

VI. OLD BUSINESS.

None.

VII. NEW BUSINESS.

- A. The W&M Director, Paul Floyd, thanked all the commission members for their time and service.
- B. The W&M Director, Paul Floyd, presented Mr. Cal Simpson with a plaque for his service from 2018 - 2025.

VIII. PUBLIC COMMENTS.

None.

IX. NEXT MEETING DATE.

Tuesday, February 10, 2026, at 9:30 am.
Wednesday, June 24, 2026, at 9:30 am.
Thursday, November 05, 2026, at 9:30am.

X. ADJOURNMENT.

A motion was made at 11:45 a.m. to adjourn the meeting by Mr. Justin Alford and seconded by Mr. Frank Lopinto. All members were in favor. Motion carried.

Chairman Signature

Printed Name