The Department of Agriculture is giving pesticide violators only slaps on the wrists and appears to be "disregarding the law," a member of the state's Advisory Commission on Pesticides said Monday as she called for a federal investigation.

Crop-dusters whose licenses were suspended during a recent investigation of allegations of pesticide misuse are in the air again despite having never gone before the commission for a hearing, commission member Helen Vinton says in a letter to U.S. Environmental Protection Agency.

"Under the authority of the Administrative Procedures Act, we can't suspend their licenses indefinitely," he said.

One pilot's license was suspended for eight days, another for seven and another for two days before they were reinstated, Simmoneaux said.

Under the department's written enforcement policy, "it appears there should have been an adjudicatory hearing to lift any suspension of licenses of alleged violators," Vinton says in a letter to the U.S. Environmental Protection Agency.

"I would like to know where in the Enforcement Response Policy there is a provision for lifting a suspension without involvement of the Advisory Commission of Pesticides," she continues.

"It appears that there is disregard by the Louisiana Department of Agriculture and Forestry for enforcement of the Louisiana Pesticide Law," Vinton says. "The message sent out... is that violators will receive only a little slap on the wrist.

"It also appears that the Enforcement Response Policy is only a 'paperwork' response to the EPA's authority," Vinton says in the letter to Van Kozak, chief of EPA's pesticide section for the region.

"It further appears that the Advisory Commission on Pesticides is a sham and that the Department of Agriculture and Forestry is disregarding the law," she continues.

"In the suspension orders given to the pilots," earlier this month, the Agriculture Department "said this suspension will remain in effect until an adjudicatory hearing may be held on the violation described above before the Louisiana Advisory Commission on Pesticides," Vinton says in the letter to EPA.

At the time of the suspensions, Agriculture said a hearing before the commission would be held in about two weeks, she says.

"As of the writing of her letter Monday, Vinton says, the commission has not been notified that a hearing has been scheduled.

Simmoneaux said late Monday a hearing has been scheduled for November and the cases involving the pilots will be heard then.

The department had planned to have a hearing sooner, but it also has a number of other cases to prepare for and cannot be ready to hold a hearing until November, Simmoneaux said.