Some grass seed cleaned

Olson Fennels Seed of Oregon has managed to have its tall fescue shipment from Argentina cleaned so well on its own at its Port Orford warehouse that the seed can be sold on the open market. But co-owner Greg Fennels said the company will not sell it in the United States.

"We don't want either the responsibility or the public knowledge that we would be shipping to other parts of the country," Fennels said. "Hopefully we'll be able to export the product."

Chuck Havens, chief operations officer of the USDA Plant Protection and Quarantine Program, said Olson Fennels' seed was cleaned so thoroughly that inspectors could find no presence whatever of the outlawed noxious weed.

Havens said USDA inspectors allow "zero tolerance" in their testing. If any weed is found, the entire shipment of seed is banned from sale.

Olson Fennels had its seed cleaned at Smith's Seed Services in Hawesville, Ky.

Smith's is reportedly one of about 300 seed-cleaning facilities in the country.

In Oregon, Fennels said, "The little tall fescue we bought, we bought it as Argentine, we had disinsected, we had disinfested."

But co-owner Greg Fennels said the owners of both Pennington's and Quarkert's were held responsible for every single case. "We did not import it with any intent to deceive anyone. We did it very much above-board."

Government stands pat

But Chuck Havens, chief operations officer for PPQ, said, "The official position is that the only authority that exists in the law to allow reimbursement of any party in a case like this is when they passed regulations they had to hold hearings. But all that was done by this one attorney (Bundy) up in Washington."

President Reagan, Fennels said, "The little tall fescue we bought, we bought it as Argentine, we had disinsected, we had disinfested."

Weed's been here

Owners of both Pennington Enterprises, Inc. and Olson Fennels Seed say the serrated tussock weed has been entering the United States for years in shipments of Argentine seed.

"Tall fescue has been imported from Argentina for 20 years," Greg Fennels said. "It had tussock in it probably every year it's been imported. It just got past the public's attention this year and somebody noticed that it wasn't supposed to be here."

Soony Pennington said, "This is the first time the USDA has acknowledged this weed has come into the country. Apparently they feel that if one pound of it is sold it will contaminate the entire country."

In reality this weed has been coming into the country in shipments of lawn grass seed, Pennington said.

The USDA's Chuck Havens, chief operating officer of the Plant Protection and Quarantine Program, said this is the first year federal officials have been aware that the weed had been in the country.

"We do an inspection, a standard, worldwide procedure," he said, "Anyone needs to know that with a sampling procedure and even with a sclerotium test (which we have), there's always a chance that X percent of the time you're going to miss a light infestation."

"But we're trying to check on the adequacy of the sprinkler system through the permit process. Before those plans are approved and you get your permits, someone wants to check the irrigation system and make sure it's going to do a good job."

Still other cities are considering listing plant materials they would require contractors to use to conserve water on new construction.