Seed firms: Gov't cost us $1M

BY MARK LESLIE

Not satisfied with the mere "regrets" of the U.S. Department of Agriculture for a snafu that cost his company $200,000, Sonny Pennington of Pennington Enterprises Inc. is on the verge of suing the USDA.

Pennington's Madison, Ga., firm is one of seven seed companies that absorbed a total $1 million loss when 2 million pounds of tall fescue seed imported from Argentina were found to contain a noxious weed, serrated tussock, and the seed was ordered recalled.

Pennington says he will decide by early August whether he would sue the government, but first he would seek an audience with Secretary of Agriculture Clayton Yeutter.

"We're attempting to go through Congress rather than lawyers," Pennington said. "Congressmen work cheaper than lawyers.

Possible cure found for cricket

BY LARRY KIEFFER

After four years of testing in pastureland by researchers with the University of Florida's Institute of Food and Agricultural Sciences, "the most promising biological control agent for mole crickets we have ever had" is ready for field trials at 20 Florida golf courses.

"Everything looks extremely promising as far as finally having something we can brag about," said Bob Rebberg, chairman of the Florida Turfgrass Association's research awards committee.

What Rebberg and the FTGA are bragging about is a Uruguayan nematode that carries a bacterium "at least four times more virulent on the mole cricket than some of the other materials that have been pulled in from commercial organizations."

The microscopic nematode crawls in the mole cricket's mouth, infects it with the lethal bacteria, and then crawls out before the insect dies "within one to several days."

Eureka! Golf gold being mined

1989 is prime time for nation's builders

BY MARK LESLIE

This is the best of times for golf course builders.

A short while ago, Golf Course Builders Association Executive Director Don Rossi said: "There's no way to buy the land, build a golf course, and make money except to charge exhorbitant fees — unless the land is given to you — because the cost of the land is so, so expensive."

Poof! Suddenly real-estate developers are giving the land away to golf course builders because the developers want a golf course to attract home buyers but don't want to get involved in something they're not expert in.

Beware snags, but money can be found

BY KATHY BISSELL

Getting a golf course from dream to reality requires at least as many complex maneuvers as getting a team to the Super Bowl.

It takes money, talent and time. Because more people want to play golf, because research reports from groups such as the National Golf Foundation say we need more courses, and because people seem to think there's a lot of money to be made, many individuals and developers want to take the plunge into golf course development.

The difficulties are knowing how to get the funds to start and how to make a project
Some grass seed cleaned

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Seed suit possible

Olson Fennels Seed of Oregon has managed to have its tall fescue shipment from Argentina cleaned so well on its own 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 whatsoever 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.

GOVERNMENT UPDATE

Irrigation systems face tight inspection

In order to conserve water, some communities in California are starting to require approval of sprinkler irrigation plans.

Dr. Kenneth H. Solomon of California State University Fresno's Center for Irrigation Technology told a group in Michigan, "Our drought conditions have made everyone very concerned about water. Most (California) cities have someone on staff responsible for water conservation and many cities sponsor educational programs encouraging it."

People are 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.

Weed's been here

 Owners of both Pennington Enterprises, Inc. and Olson Fennels 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 hit the public's attention this year and somebody noticed that it wasn't supposed to be here."

Sonny 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 love grass, or Argentine seed.

The USDA's Chuck Havens, chief operating officer of the Plant Protection and Quarantine Program, said this is the first you've heard of it and it's not likely they can prove that any action we took was not authorized by the statutes. And our position is it was and any such case could not prevail.

"As the Federal Seed Act would be rewritten to include seed weeds, Havens said he thought they would not "because the interpretation is that we can take action on the weeds.."

"They are saying that the intent of Congress was never to prohibit us from taking action on listed noxious weeds."

"My personal opinion is that certainly some clarification is needed, but not necessarily" that the Federal Seed Act be rewritten.

For his part, Bundy said, "There is no one person that you can say is responsible. There is no one entity that is responsible for it. It is a series of things that happened."

"You cannot say that either side is completely responsible and doesn't bear some responsibility, including the seed companies."

However, he said, "You have to remember the U.S. government is immune from suits except for some very limited situations and even then the Congress has seen fit to consent to being sued."

"Under Section 12 we are prohibited from compensating and a court is prohibited from awarding any damages under section 12 that there was no authority to take action."

Bundy said it "is up to Congress and their wisdom" as to whether or not they think the government should be sued.