

PVP legislation

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conform to it," said Salt. "As of today, nobody has."

The major split in the seed industry is over Variety Not Stated (VNS).

The industry "has spent a good deal of time discussing VNS issues," Cahill said. "We've had serious, frank and candid discussions. The industry is split 50-50."

The new UPOV treaty "clearly states if you have a name and protected variety, you are to use it under all circumstances," she said.

Yet, one of the common methods of marketing turfgrass in surplus years is by VNS. If a company walks away from its contract with a grower, the grower sells the seed as VNS. Or, if a contracted field of proprietary grass gets "contaminated" with another type of grass and the buyer nixes the deal, again that seed goes to the marketplace as VNS.

There are three viewpoints:

- The seed companies': It's their proprietary seed, yet the company gets no royalty from its sale.

- The seed grower's: He has devoted a growing season to that acreage of turf seed and he needs to earn some money from it.

- The ultimate buyer: In the case of VNS, he has no idea what he is buying.

"We're split right down the middle. The owners voted and the good guys lost by one percent," said Tee-2-Green President Bill Rose, who supports the PVP legislation.

"People are simply not informed enough to make a logical decision," he said. "Varieties all have names and the names should be used. The consumer deserves to know what he's buying. Volume seed packets say: 'Contains 30 percent ryegrass, 30 percent Kentucky bluegrass and maybe fine fescue.' In this day and age all varieties have names. Some are good for turf and some are not, and the consumer has no way of knowing it."

In a scenario spelled out by Seed Research of Oregon Marketing Director Skip Lynch, farmers are actually blending named varieties, harvesting them and selling them as VNS.

"They are essentially stealing the research those companies have put into it and selling it off as VNS," Lynch said.

Lynch agreed that in some cases companies have abused growers by not buying the seeds and thus leaving them no option other than to sell it on the open market as VNS.

"A lot of this problem should be taken up in contract law. Instead they put into this revision of the PVP law," he said.

Another reason for the United States to pass VNS laws, Rose said, is that "Europe and New Zealand consider the U.S. a dumping ground for their off-grade seed. They can sell it as VNS and

it may be a forage variety. It goes into discount or volume lawn mixes."

Most of the bigger seed companies have supported the PVP legislation, according to Lynch. "The growers have to a certain extent been against it. Some companies that operate more borderline as brokers have been against it."

So why worry about signing on to the new UPOV?

"It offers you reciprocal rights," Cahill said. "We'll have the same rights in France as they do here, so no one is at a disadvantage."

The 21 member countries are

the most industrialized and "our basic competitors," she said.

"If the U.S. wants to remain competitive nationally, we want to join," Salt agreed.

When the previous UPOV was passed, the United States actually was not in full compliance, but the other countries "looked the other way," said Leah Brillman, research director of Seed Research of Oregon. "They let it [lack of VNS coverage] go through because the farm groups put up such a fuss. But who knows if they'll let it go this time if we don't meet all the standards?"

Foley-PLP names Roberts new president

ROCHESTER, N.Y. — Kenneth D. Roberts has been named president of Foley-PLP Company. The announcement was made by Walter Ringer, chairman of the company's parent, Foley-Belsaw.

Before joining Foley-PLP, Roberts was vice president and GM of the after-market division of

Valeo Engine Cooling, Inc. in Jamestown, N.Y. Roberts held several sales, marketing and human resources positions before joining Armstrong Tire and Rubber 12 years ago.

Through a series of mergers, Armstrong and Valeo became affiliated and Roberts moved to Valeo in 1986.



Kenneth Roberts



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