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Scotts/Pursell suit

Continued from page 47

"I will say, we think that both companies worked very hard and amicably to reach a settlement."

Added Pursell's Executive Vice President David Pursell, "There are some confidential provisions we can't discuss."

The legal tussle started in 1993 when Pursell published a series of comparative advertisements. One ad posed the question, "All poly-coated fertilizers are created equal, right?" Another employed apples and oranges.

"The part we objected to," said Schmenk, "was a side-by-side comparison chart that used four different criteria, the figures for which they had no proof of."

Pursell has a different point of view.

"We came out with our Polyon technology in 1991," Pursell explained, "and

Scotts introduced Poly-S shortly after that. And there was quite a bit of confusion among superintendents about which was which. Scotts chose a trade name that is awfully similar.

"Scotts would have you believe they were the same, while we would disagree. Poly-S is polymer-sulfur coated, while Pursell is just polymer-coated.

"We ran the ad, which we still hold is 100 percent factual, in May 1993. We ran it in May, June, July and August to clear up the misperception that these products were the same.

"The bottom line is, they forced us to withdraw the ad, which wasn't run all this year anyway. The ad did its duty last year. They make a big deal that they forced us to withdraw the ad. So we're making a big deal about forcing Scotts to do these comparative tests... Basically, the lawyers made out pretty well."

Classic Design Group

Continued from page 3

be outsourced to Central Florida Turf of Avon Park, while club management will be provided by Neil W. Harris of Orlando, said deBoer.

A civil engineer who's designed several executive-length courses—including the Hamptons in Auburndale—deBoer will serve as CGG's course architect. He also explained the firm has a continuing agreement with Snead to provide "signature" design consultation and endorsement.

"We're working with Pringle Development in Leesburg—right in the state's central corridor, retirement haven," said deBoer. "We're looking to take this right through to the management stages... We started this company six months ago with two ideas in mind: Design a level of golf course suited to

the senior golfer; and eliminate the biggest headache for developers—namely, dealing with all the consultants and contractors. We do it all."

DeBoer said CGG is primarily interested in real estate-based golf communities. "But we have talked to some counties and municipalities about projects like these," he added.

Once the hot, new design approach, executive-length courses have proven taboo over the last 15 years. Does deBoer see a correlation between senior-length and executive-length?

"No. The primary people who will be playing these courses will not know they're playing a short course. They'll make a few more pars and spend three and a half hours instead of five.

"Once people see the challenge is there, despite the length, it will be an enormous success."

November

6-9 — 15th Annual International Irrigation Exposition and Technical Conference in Atlanta. Contact 703-573-3551.

6-9 — Education Conference and Show of the National Institute on Park and Grounds Management in Orlando., Fla. Contact 414-733-2301.

7-9 — Georgia GCSA Annual Meeting at Kiawah Island, S.C. Contact Karen White at 706-769-4076.

8-11 — Turf & Grounds Exposition in Rochester, N.Y. Contact 800-873-TURF.

11-12 — Golf Course Expo in Orlando, Fla. Contact the Golf Course News Conference Group at 207-846-0600.

11-17 — Professional Grounds Management Society Annual Meeting in St. Louis. Contact John Gillan at 410-584-9754.

13-16 — 28th Annual Carolinas GCSA Conference and Show in Myrtle Beach, S.C. Contact 800-476-GCSA.

13-17 — Professional Lawn Care Association of America Conference in St. Louis. Contact Ann McClure at 404-977-5222.

13-17 — American Society of Agronomy Annual Meeting in Seattle. Contact David Kral at 608-273-8080.

14-17 — Green Industry Expo in St. Louis. Contact 404-973-2019.

17 — Landscape Integrated Pest Management Symposium in Toms River, N.J. Contact 908-349-1246.

17-18 — GCSAA Seminar on Golf Course Restoration, Renovation and Construction Projects in Fargo, N.D.*

17-19 — Tree Care Industry Expo '94 in Rochester, N.Y. Contact 800-733-2622.

18-20 — NGF Golf Summit '94 in Phoenix. Contact 407-744-6006.

19-22 — CMAA Club Issues Forum in Palm Desert, Calif. Contact 703-739-9500.

28-30 — North Central Turfgrass Exposition in St. Charles, Ill. Contact Jack Lagershausen at 312-616-0800.

29-Dec. 1 — New Jersey Turfgrass Association Expo in Atlantic City. Contact 908-821-7134.

29-Dec. 1 — Rocky Mountain Turf Conference and Trade Show in Denver. Contact Julia Marie at 303-688-3440.

29-Dec. 1 — NJ Turf Expo in Atlantic City., Contact 908-821-1734.

December

5-7 — Texas Turfgrass Conference and Show in Fort Worth. Contact 806-354-8447.

6-8 — Georgia Turfgrass Association's 25th Annual Turfgrass Conference and Show in Atlanta. Contact 912-682-5189.

6-9 — Ohio Turfgrass Conference and Show in Columbus. Contact 614-261-6750.

1995

January

3-5 — Wisconsin Turfgrass & Green Industry EXPO in Madison. Contact 608-262-1490.

11-13 — North Carolina Turfgrass Conference and Show in Charlotte. Contact 910-695-1333.

17-19 — 65th Annual Michigan Turfgrass Conference in Lansing. Contact Kay Patrick at 517-321-1650.

17-19 — Cook College IPM short course at New Brunswick, N.J. Contact 908-932-9271.

* For more information contact the GCSAA Education Office at 800-472-7878.

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CIRCLE #147

PVP legislation

Continued from page 47

tantly, the plant-breeding community and agriculture in general," Cahill said. "This reaffirmed our bond with the American farmer and made certain people know the rules of the game.

Turfgrass, clover and alfalfa are exempted from the controversial Variety Not Stated portion of the law, according to Tom Salt, plant variety protection examiner with the U.S. Department of Agriculture.

"If soybean, cotton or other products fail the grade, they can be used for other purposes, but that is not the case with turfgrass," Salt said.

Thus, the law states a turfgrass must be sold by variety name — if it has a certificate of protection — unless someone walks away from a contract and doesn't make payment within 30 days of the contract's specified date. Seed companies have the option to buy the seed from the farmer and recondition it to bring it up to standard, or to allow the farmer to sell the seed as VNS, Salt said.

ASTA members, split over the issue of VNS, came out of their convention in June with "a strong and united front," Cahill said. "People were very pleased with the progress we were making, and felt that advancing the principles of the legislation was important — not only to our membership but the plant-breeding community in general."

The big change in UPOV for ASTA? "It was a recognition of the importance of farmers to be able to save seed for use on their own holdings, which we've always supported," said Cahill. "But to withhold sales of new protected varieties unless there is permission of the owner of that variety."

Also, the new document advances the concept of and introduces the term "essential derivation" (ED), which is "very important to the plant-breeding community," Cahill said. ED is "that minimum distance between varieties... It all rests upon the issue of dependence of one variety on another. And that will be determined by the breeders."

The law did not specify any parameters or recipes for each crop. That will be ongoing because there is no agreement right now and it is a very new concept, Cahill said.

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C. Total Paid and/or Requested Circulation (sum of B1 + B2)	18,305	17,482
D. Free Distribution by Mail (samples, complimentary, other free)	5,363	6,270
E. Free Distribution Outside Mail	121	0
F. Total Free Distribution (sum of D+E)	5,484	6,270
G. Total Distribution (sum of C+F)	23,789	23,752
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