

Acquisitions allow Best Sand to expand processing capability

CHARDON, Ohio — Fairmount Minerals continues to broaden its impact in the sand market with the purchase of the processing facilities of Southern Silica in Richmondale, Ohio. The acquisition enhances the sand-processing capabilities of the southern Ohio division of Best Sand Corp., a subsidiary of Fairmount here. The company plans to relocate part of the recently acquired equipment to its Walker Ridge quarry site and operate the Richmondale facility in conjunction with its nearby Deaver, Ohio, plant, purchased last fall from Schrader Sand and Gravel. Ted Johnson, who was

previously based at the company's Technisand subsidiary in Bridgman, Mich., has been named manager of the southern Ohio operation.

According to William E. Conway, chairman and CEO at Fairmount, the company can now better meet the needs of metal alloy, foundry, turf and other customers in southern Ohio and surrounding states by providing a greater volume of high-purity quartz pebbles and silica sand.

Harmony adds fertilizer-grade biosolids to product line

CHESAPEAKE, Va. — Harmony Products recently expanded its product line to include biosolids (mechanically dried sewage sludge), in addition to its poultry manure-based products for the professional turf industry. This announcement follows Harmony's signing of a master license agreement and a marketing agreement with New England Fertilizer Company (NEFCO) of Quincy, Mass.

"The processing of sludge and the quality of the resulting products has improved greatly," said Mark Nuzum, president of the Harmony's plant products division.

"With these new biosolid products, there is

no dust, odor or high heavy metal content that was once a concern with this category of products."

Harmony Products, which has manufactured professional organic products here since 1991, will market biosolids from NEFCO's sludge management facility in Quincy. This facility, which is one of the largest such facilities in the world, produces an environmentally safe product termed "fertilizer-grade biosolids." Harmony will market the 4-2-0 biosolids product and will also develop upgraded analysis fertilizers through the use of its patented Bridge product technology.

Pennington suit

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companies destroy the seed, the seed had been distributed. Pennington had blended the fescue with other seeds and, around Feb. 1, 1989, shipped 200,000 pounds in three-pound bags as lawn seed to 1,600 K Mart stores nationwide.

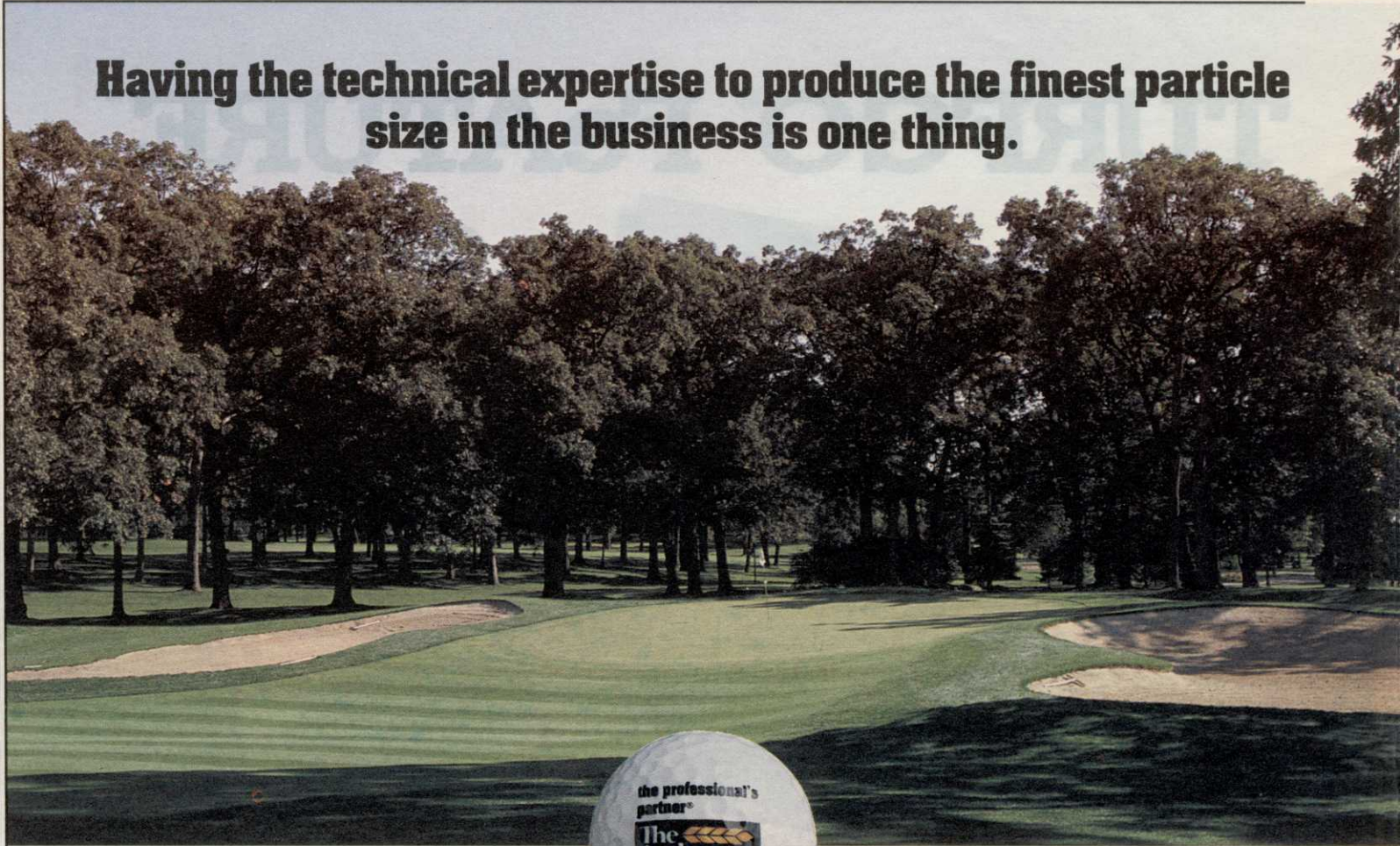
Pennington said the seed companies imported the seed in good faith, trusted the government inspection and did not intend to introduce serrated tussock to agriculture, where it is toxic to animals. He pointed out that courts agreed the USDA exceeded its power by demanding the recall. Section 12 of the Federal Noxious Weed Act of 1974 states: "The provisions of this act shall not apply to shipments of seed subject to the Federal Seed Act (FSA)," and serrated tussock was never listed under the FSA.

Pennington sued in district court in Washington, D.C., in 1989, winning the case and also the government's appeal in an Oct. 13, 1993, decision from the U.S. Court of Appeals for the district of Columbia Circuit. It took another 15 months to get the \$250,000 check.

Pennington reported a loss of \$200,000, an amount exceeded by the total losses of the other companies. Losing but deciding not to sue were Olson-Fennell Seeds, Seaboard Seed Co. of Bristol, Ill., Normac, Inc. of Tangent, Ore., Allied Seed Cooperative of Nampa, Idaho, Gateway Seed Co. of St. Louis, and Hanceford Seed Co. of Sommerset, Ky.

Despite the lengthy court entanglement and the \$167,000 attorney's fee, Pennington said the battle was worth it. "The law was very clear — even to a layman — as to what authority the government should and should not have and that they clearly overstepped their authority," he said. "I knew I did not stand to win a lot of money. But I felt I had been wronged and needed vindication. And when the government agreed to pay me \$250,000 ... I felt I had been vindicated."

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