

## LAWNCARE

### Chemical insanity defense flops in trial

A former lawn care company employee who balanced a murder defense on chemical intoxication was found guilty in a Massachusetts courtroom in February in the garroting, bludgeoning death of a 34-year-old woman.

David Garabedian, 23, in a precedent-setting defense, alleged the chemicals he used as an employee at Old Fox Lawn Care, induced temporary insanity and caused him to strangle and bludgeon to death Eileen Muldoon, a Middlesex (Mass.) County woman. Muldoon caught Garabedian urinating in her yard while he was working in a neighboring yard. In the ensuing argument, Garabedian allegedly strangled and bludgeoned the woman with rocks from a nearby wall.

It took 16 jurors seven hours to reach the guilty verdict.

Industry reaction to the verdict has been mixed. Most lawn care operators, however, feel the whole incident was over much too quickly to have formed any kind of lasting public sentiment.

"It was a situation that could have taken place in any industry or in any business," said Paul Bizon of Prograss, Hubbard, OR. "It's unfortunate he (Garabedian) hung it on the chemical industry."

John Kenney, owner of Turf Doctor in Framingham, MA, and president of the Professional Lawn Care Association of America said, "If you let your imagination go, you could easily imagine any former employee who ever got a hangnail suing you for damages."

The impact of the trial on the convicted man's former employer has been "minimal" according to Dr. J. Wilkinson of Old Fox.

"We have not heard from any of our customers in regard to the trial whatsoever."

However, some lawn care operators voiced concern that ramifications from the trial may come down the road, such as around the routine spraying time of insecticides.

Wilkinson voiced some of the same sentiment.

"We don't know the impact it'll have on potential future customers who may never call because of the trial."

The controversial trial, did, however, bring to the fore once again a facet of the growing anti-pesticide movement in the country; a facet that has gained enough steam to be used as a murder defense.

Said Terry Witt of Dow Chemical USA, manufacturer of Dursban, the chemical of record in the case: "We were glad that the jury looked at the scientific data rather than at the emotional appeal which is attached to that plea. Obviously, one of the real concerns the industry faces is the anti-pesticide movement afoot within the country. One of our major challenges is to figure out how to communicate with the general public and translate some of our technical information to a level that people can comprehend."

## INDUSTRY

### Amfac to drop hort operations

Saying their horticulture businesses are not "conducive to effective corporate management," Amfac President and Chief Executive Officer Myron Du Bain has announced plans to divest those operations from the company as part of long-range restructuring plan.

The plan, designed to focus the firm's resources on high-margin and growth businesses, will divest Amfac of \$177 million in assets that lost \$48 million last year, Du Bain said. A \$15 million after-tax reserve has been taken against Horticulture Group businesses, as well as \$10 million against their west coast retail operations, Liberty House of California.

"Horticulture has proven to be, for Amfac, a series of small businesses which we do not believe to be conducive to effective corporate management," Du Bain said. "The nurseries segment of our business has been our biggest horticulture problem over the past two years, due principally to lengthy growing cycles and depressed housing starts during the 1981-83 time period."

John Mendez, executive vice president of Amfac's Horticulture Group,

said five separate business entities are involved in the divestiture: Cal-Turf sod producers (three locations), Jenco wholesale nurseries (four locations), three container nurseries, Garden Perry's (three locations) and two mail order operations—Gurney Seed and Henry Field.

Of the horticulture and retail operations, Du Bain said, "While these activities do not fit our growth plans, we and our investment bankers believe that they are attractive and desirable to others in their respective industries."

## COVER STORY

### National Arbor Day finally nears reality

After 40 years of trying, the Committee for National Arbor Day may be near their goal, to have the last Friday in April proclaimed Arbor Day across the country.

Today, 24 states have legislation recognizing trees on various days from February through May. The

Committee believes the impact of a national day of recognition, the same day each year in every state, would be much greater. To this end, they have received support from more than 90 U.S. congressmen for the National Arbor Day Bill, H.J. Res. #71.

Harry J. Banker, national chairman of the Committee, believes passage of this bill is nearing reality and calls for all organizations and individuals in the landscape industries to ask their senators and representatives to support the legislation. Banker and many state Arbor Day chairmen have persistently sought a national holiday for years. The idea was created in the early '40's by Clevelander Edward Scanlon.

Banker feels a national day is needed to counteract a relentless decrease in tree population caused by increasing maintenance costs and reduced planting space for trees. "Our large elms and soft maples cost many dollars to prune, spray and fertilize," Banker states.

These trees are not being replaced with lower maintenance trees as they are lost to insects, disease and weather damage. Arbor Day legislation would help in both planting and replacement of urban trees, Banker and his group of volunteers believe.

## UPDATE

### GCSAA promotes Prusa

Jim Prusa, director of education for the Golf Course Superintendents Association of America, has added a new facet to his job - that of associate executive director.

John M. Schilling, executive director, said the appointment of Prusa will fill a long-standing need in the Association for a definite second executive in command.

"His responsibilities will include direct participation in the financial management of the Association as well as all operational decisions," said Schilling.

### Witteveen Canada's top super

Gordon Witteveen, golf course superintendent of Toronto's prestigious Board of Trade Country Club, was named Canadian Golf Course Superintendent of the Year.

CGSA President-elect Steve Miller said Witteveen was a driving force behind the formation of the CGSA and was instrumental in establishing the Greenmaster as the voice of the Canadian turfgrass industry.

### "Florida Golfweek" tops - again

Out of a record 145 entries in seven categories, Fore and Florida Golfweek continued their domination of the Harry C. Eckhoff Award contest by taking first places for the third straight year in a row in their categories.

The contest, sponsored by the National Golf Foundation, honors excellence in golf journalism in local and regional publications and newsletters produced by golf-related organizations.

Fore, entered by Charles Bob, formerly of the Southern California Golf Association in North Hollywood, took first in the quarterly magazine division, while Florida Golfweek, published by Charles Stine of Winter Haven, won in the weekly newspaper category.

### Builders honor NGF staff

The National Golf Foundation field services staff has been recognized and officially applauded by the Golf Course Builders Association of America for its efforts in golf facility development. The NGF was recognized for providing "continuous impetus to the development of golf courses in the United States."

Don A. Rossi, executive director of the builders' organization and former NGF executive director, said the award was the first of its kind for the Foundation.

NGF efforts in golf course development began in 1936. Since then, more than 7,000 golf facilities have opened in the United States.

## PEOPLE

### Cushman's Bozarth dies in North Carolina

John Bozarth, veteran district sales manager for the Cushman Division of OMC Lincoln, died Jan. 2 in Shelby, NC. Bozarth joined OMC Lincoln in 1965 and worked with company-oper-



ated stores for three years before joining the marketing division for Cushman turf equipment.

A former director of the Golf Car Manufacturer's Association, Bozarth was active in several regional turfgrass associations as well as the Elks Lodge.

## PESTICIDES

### Pesticide info system operational

If your business has a computer terminal with telephone transmission accessories, the National Pesticide Information Retrieval System (NPIRS) is now at your fingertips.

NPIRS is a computer data base resource that describes the key characteristics of the 50,000 pesticides registered with the Environmental Protection Agency as well as thousands of state registrations. EPA cooperates with NPIRS by updating its data weekly, and to date, 12 states have also submitted registration information to the computer system.

Started as a pilot program two years ago, NPIRS went into full operation late last year after a successful test period. NPIRS is a joint program involving Purdue University and the U.S. Department of Agriculture. The USDA, EPA, National Pest Control Association, 12 states and a manufacturer representing the pesticide industry all helped implement the system.

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## UPDATE

### 100 organizations form toxic hazard coalition

Environmental groups, labor unions, and even senior citizen organizations have joined together for a major door-to-door campaign starting this spring to increase the average citizen's "knowledge" about toxic chemicals.

David Dietz, director of the Pesticide Public Policy Forum (3PF) told *Weeds Trees & Turf* more than 13 unions and 55 environmental organizations will participate in the national campaign. Beside knocking on doors across the country, the group is expected to ask for signatures for a petition for tougher chemical laws.

A report on this organization and recent legislation in various states will appear in the May issue.

### Ruckelshaus sees little chance for 84 FIFRA without compromise

EPA Administrator William Ruckelshaus has admitted there is little hope for a new set of amendments to the Federal Insecticide Fungicide and Rodenticide Act in 1984, unless both sides work out compromises on their own.

The Harper's Ferry Bill, labelled an environmentalist's want list, was introduced last summer by Representative Harkin of California. The amendments caused the differences between environmentalists and the pesticide industry to grow larger. It is therefore unlikely the two sides will reach any type of compromise this year.

According to an American Association of Nurserymen backgrounder, the Harper's Ferry Bill would require all applicators be certified (not just supervisors), that applicators maintain records of each job, and reduces the use of special local needs registrations. It would also require prenotification, buffer zones, and posting.

### Minnesota prenotification bill could crimp pesticide applicators

The Minnesota legislature will be considering a Community Right to Know bill this session which places considerable requirements on all applicators of pesticides. Industry representatives fear the bill, if passed, may be used by other states for similar legislation.

The amendments would require posting 8 1/2 x 11-inch signs five days prior to application stating the pesticide(s) to be used, method of application, date and time of intended applications, known symptoms of the chemicals, name and address of two persons responsible for the application, the address of the Minnesota State Health Department, and the word toxic in two-inch-high letters.

Before making applications copies of pesticide labels are to be provided to the property owner and tenants. Applicators are to send copies of the required materials to the State Department of Health and the State Department of Agriculture.

NPIRS from page 12

Jim White, the system's user service manager at Purdue, said the system "fills a long-recognized need. In the past, by the time a compendium of pesticide changes was compiled and issued, it was already out-of-date. Now, NPIRS members can rapidly acquire timely pesticide information."

#### SOD

### Minnesota predicts sod shortage

The Minnesota Turf Association has predicted a severe shortage of cultured sod for the 1984 construction season.

Agronomist Curt Klint, executive director of the Association, said, "Contractors, home builders and other consumers statewide should anticipate their needs early and contact their suppliers to check on availability and prices."

Klint attributed the anticipated shortage as an effect of the construction industry slowdown of the last three years, which reduced the demand for sod. Local turf growers responded to the reduced demand by converting their fields to other crops which allow for harvest every season, instead of the 12 to 18 months needed to produce sod.

Last fall's demand for sod was larger than expected, however, so reserves that would have been available this spring are already depleted, according to Klint.

Sod planted this spring will not be available until mid-1985.

Twin Cities area turf growers supply sod throughout Minnesota, as well as to North and South Dakota, Wyoming, Montana and part of Iowa.

#### CHEMICALS

### Burke elected VP at Stauffer Chemicals

John J. Burke, general manager of Stauffer Chemical Co.'s Agricultural Chemical Division, has been elected a vice president of the corporation.

Burke joined Stauffer in 1966 as an analytical chemist, and he also held several positions with SWS Silicones Corp., a subsidiary of Stauffer. A native of Carbondale, PA, Burke received both his bachelor's degree and doctorate in chemistry from the University of Pittsburg.