

UPDATE

Monsanto/Carbide cases end, data arbitration stands unscathed

Years of heated debate, led by Monsanto and Union Carbide, have produced little relief to chemical companies wanting to protect secret data used to register a pesticide with EPA from competitors.

In August, we reported the Supreme Court ruled in favor of EPA in the Monsanto case, although the Court did recognize trade secrets as property. The Court shut the door completely when it ruled in a similar data arbitration case concerning Union Carbide that the constitutionality of EPA's data compensation was not ripe for review.

Union Carbide says EPA will again start using its data in support of other companies' registration applications. This opens the door for me-too registrations until Congress can amend FIFRA, something unlikely before 1985.

Chemigation regulations eminent

Federal and state pesticide regulatory officials are pressing for new rules to prevent groundwater contamination and accidental poisoning caused by chemigation, application of pesticides through irrigation systems. Posted warnings, restrictions by soil type and water table, and allowing only products specifically labelled for chemigation are the leading proposals for regulations. Expect restrictions by the end of 1985.

Other topics raised during a meeting of these officials in July, which could result in additional regulations, include using pesticides at less than label rates, standards to judge groundwater contamination, additional label warnings for fumigants, and possible elimination of the restricted use classification for pesticides.

Civil servants fight contracting out

Park Service employees are strongly influencing U.S. House Appropriations Interior subcommittee members to attach an amendment to the Park Service's 85 budget to prevent contracting out. The Park Service hoped to save \$15 million over the next two years by contracting out maintenance and repair services. It contracts \$90 million in work each year to private concerns. Other agencies seeking to save money by contracting out include EPA, Transportation, Health and Human Services, and Housing and Urban Development. Once contracting out issues are settled, government bid work should vastly increase.

Meanwhile, the American Association of Nurserymen are accusing the U.S. Forest Service for unfair competition for selling overstock from its tree nurseries to the customers of private nurserymen. AAN says private nurserymen can't compete with the subsidized prices of the Forest Service and that overstock would not occur if the government nurseries were well-managed.

Exmark product line and our entire line of Ranger walk-behind mowers resulted in the decision to expand our facility at this time."

TREES

Davey joins effort to aid disabled

The Davey Environmental Services signed a contract to operate a new project recruiting disabled workers for work in nursery, landscaping, lawn care, arborist, groundskeeping, and allied industries.

The Ohio Area Office will be part of a national outreach effort called Horticulture Hiring the Disabled (HHD). The project is sponsored by a U.S. Department of Education grant to the National Council for Therapy and Rehabilitation through Horticulture. Horticulture business leaders in Ohio will be called to support the new project office.

The Davey Environmental Services is a division of the Davey Tree Expert Company, Kent, OH. Davey will be working closely with service and vocational agencies serving disabled persons in Ohio to identify new opportunities for training and employment of physically and mentally disabled workers.

Tom Hazelwood, operations manager at Davey, says, "We are pleased to be involved in this new project. It will add an extra dimension to our services and provide additional opportunities for employment of disabled persons in Ohio."

Other HHD area offices are located in Upper Marlboro, MD, Lake Worth, FL, and Pleasant Hill, CA.

INDUSTRY

Allied sells liquid fertilizer business

Allied, an energy and chemicals concern based in Morristown, NJ, recently announced the sale of its liquid fertilizer business to members of the business's management and E.F. Hutton & Co. The sale includes plants at Geismar, LA, LaPlatte, NB, and Hopewell, VA. Other details of the transaction were not disclosed.

Late last year Allied revealed the liquid fertilizer market had been unprofitable in recent years and announced that it was selling its operation. Allied said its 1983 profit would be reduced by \$140 million as a result of the sale.

The new liquid fertilizer business will be called Arcadian Corp.