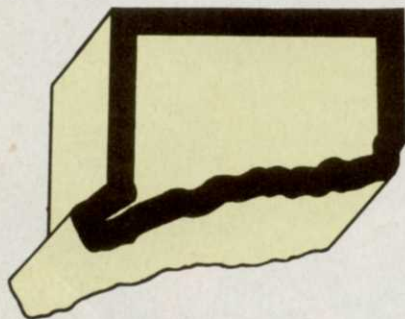


LEGISLATION

Sign-posting, licensing laws in the books

Recent legislation in three states will have an effect on how pesticides are applied. The states—Connecticut, Maryland and Kansas—have restricted pesticide application in different ways. Here is a brief rundown on new laws facing pesticide applicators in those states:



Connecticut

Anyone who sprays pesticides for non-agricultural purposes—including homeowners—will have to post warning signs. The law, passed by the state legislature in May, is expected to take effect in 1990.

The law is probably the first in the country to be jointly supported by industry and environmental groups. "The parties have agreed on everything involving the posting," says Don Kiley, executive director of the Professional Pesticide Users of Connecticut.

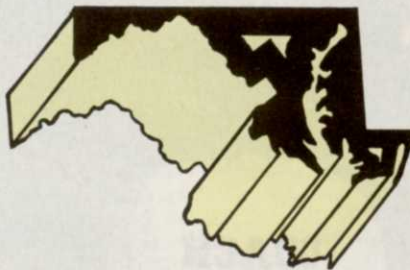
Specific regulations are to be completed by the Department of Environmental Protection by Oct. 1, 1989.

Kiley says industry and environ-

mentalists have agreed that 4x5-inch signs should be posted at conspicuous points of entry, with black letters on a yellow background reading: "Pesticide Application."

The name and phone number of the company or person doing the application would be on the back of the sign, and the property owner would be responsible for removing it after 24 hours.

The two groups also agreed that a registry of individuals who wish to be notified prior to applications should be established by the state. Pesticide applicators who spray abutting properties would then be responsible for notifying these individuals one day in advance. Applicators would be excused in the event of an emergency application.



Maryland

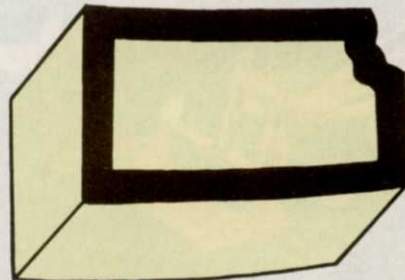
Mandatory sign posting, approved by the state legislature last year, will begin some time in July or August. The specific requirements were being finalized at the time this magazine went to press.

The requirements as they stand are

almost identical to those in Massachusetts: LCOs must post 4x5-inch yellow signs with the image of a person walking with a dog, with black letters reading: "Pesticide Application, Keep Off."

One difference is that the customer is instructed to remove the sign after 48 hours, not 72 hours as in Massachusetts, says Mary Ellen Setting, an entomologist with the Maryland Department of Agriculture. The back of the sign must have the applicator's company and phone number.

Many companies began voluntary compliance this spring, Setting says. The law covers all commercial and government lawn and ornamental applications.



Kansas

All who apply lawn care chemicals commercially for one year after Jan. 1, 1989 will have to be licensed. The legislature recently passed the requirement with the support of the Professional Lawn Care Association of Mid-America, according to Dave Murphy, association president.

Applicators will work their first year as registered technicians; they will receive verifiable training by a certified applicator. After one year, they will have to pass a test administered by the Department of Agriculture.

Kansas is one of a handful of states to require mandatory training of all lawn care applicators. The Professional Lawn Care Association of Mid-America is lobbying for a similar bill in Missouri.

Only handlers of materials in the "restricted-use" category, designated by the Environmental Protection Agency, require certification or supervision under the Federal Fungicide, Insecticide and Rodenticide Act.

Most lawn care chemicals do not fall under this category.

—Lawn Care Industry

PESTICIDES

It's official: Daconil innocent

On May 9, nearly five years after the fact, Daconil fungicide was cleared of any complications in the death of Navy Lt. George Prior.

Judge Paul S. Sheridan, Circuit Court of Arlington County, Va., dismissed the \$16 million lawsuit against Diamond Shamrock and the Army/Navy Country Club for the death. The suit was filed by Prior's widow, Liza, who claimed Prior died as a result of Daconil exposure.

"We're pleased with the judgment in this case as it relates to our product, Daconil 2787," says Ed Sabala, mana-



Daconil

ger of corporate communications for Fermenta Plant Protection, which presently manufactures Daconil.

Prior, 30, died in September of 1982 of toxic epidermal necrolysis (TEN), a rapidly progressive and often fatal disease, 14 days after playing golf on the

continued on page 11

PRIOR from page 8

Army/Navy Country Club golf course. The course had been sprayed with Daconil.

The case has been repeatedly touted by anti-pesticide activists as proof that lawn pesticides are dangerous.

"We've just been beaten up by it so many times in the media," says Steve Hardymon, spokesman for ChemLawn Services, Columbus, Ohio. "We're just happy to have it behind us."

Adds Jim Wilkinson, executive director of the Pesticide Public Policy Foundation: "This is just one thorn out of our sides. Wherever we go, they're (activists) always referring to it."

Greg Richards was working for a lawn care company in Washington, D.C., where Prior lived, in 1983 when the suit was filed. Richards, now product manager at Lesco Inc., remembers that the suit was featured prominently in local media.

Customers, understandably concerned, would ask them if they used Daconil, Richards says.

"It just takes a tool away from some of these environmentalists who have been pounding away at it for years and years," Richards says. "The case was used as a reference against all pesticides."

"There is no question in my mind that Daconil was in no way related to Lt. Prior's death," notes Robert Arthur, the lead defense attorney. He summarized the two sides' arguments.

For the plaintiffs, Dr. Lord said he determined, through infrared photography, that Daconil was present on Prior's golf balls, clubs and shoes, as well as the golf course. He said Prior had been plagued by unusual health complaints after playing on the course.

Arthur says two other doctors supported Dr. Lord's conclusions but offered no investigation of their own: Dr. Kenneth Chase, an internal medicine specialist, and toxicologist Ruth Shearer, Ph.D.

Two of the defense witnesses took issue with Dr. Lord's method of determining Daconil was present on the grass at the time Prior played.

Samuel Goward, Ph.D., an expert in infrared photography, said the quality of the photography was too poor to determine any type of chemical was present. Keith Flohr, a chemist, said the fluorescence revealed in Dr. Lord's photos could not be known to be that of Daconil, but healthy grass.

ACADEMIA

Students and city cooperate on training with industry reps

A number of turf and tree care companies joined forces with Paul Smith's College last summer to educate urban tree management students, while also beautifying the streets and parks of Plattsburgh, N.Y.

The program was developed by college urban tree management coordinator Grove Katzman and teaching assistant Harry Pearsall. Under the program, industry representatives provided a wide variety of demonstrations and lectures to the students, who then practiced what they learned in the real-life laboratory of this northeastern New York municipality.

James Fenstermacher of ChemLawn, Malcolm Johnson of the S.V. Moffett Co. and Dave de Sousa of the F.A. Bartlett Tree Expert Co. conducted seminars and field training. Also lending a hand was Dave Armstrong of the Niagara Mohawk Power Corp.

"Everybody benefits," believes Katzman. "It's a hands-on training exercise that allows our students to gain practical experience while being involved in a very positive project."

Practical demonstrations were held at the Plattsburgh municipal beach, Bailey Avenue and West End parks and a local golf course.

"This is something that's never

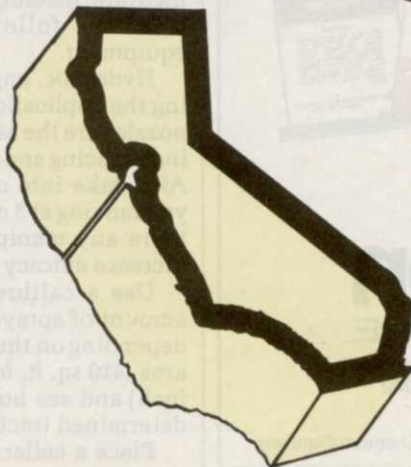


Jim Fenstermacher of ChemLawn points out weed problems to UTM students in Bailey Avenue Park. Photo by D. Czuprynski.

been done before," Katzman continues. "It's new and it's different. Although a tremendous number of problems are involved, there is also a great opportunity here to really accomplish something."

LEGISLATION

Landscape board puts halt to threatening legislation



California landscapers certainly can't control the amount of water that falls from the sky. But when government attempts to restrict their business, they move.

California is in the grip of its worst drought since 1977 (see "News/Trends"). Consequently, the East Bay Municipal Utility District (EBMUD) in the San Francisco area announced plans to impose stringent water control measures to minimize the crisis. EBMUD's proposal included water rationing programs and a ban on all landscaping projects until the rains return. Period.

continued on page 12