

GREEN INDUSTRY NEWS

MAY 1990, VOLUME 29, NUMBER 5

LANDSCAPE MANAGEMENT

LEGISLATION

Lawn and golf pesticides get kicked in the backside

WASHINGTON, D.C. — Green industry interests were joking that Lt. George Prior has become “the man who wouldn’t die.” But it was no joke as the U.S. Senate held a subcommittee hearing on the alleged dangers of turf pesticides here March 28.

The most forceful and bitter witness to appear during the all-day session was Thomas Prior of Maplewood, N.J., who graphically recounted the death of his brother George eight years ago—several weeks after playing golf at a local course. Prior unhesitatingly blamed the death on exposure to a fungicide which had been applied to the golf course.

“There is a clear need for the government to take a more active role (in pesticide control),” Prior said. “It was established beyond doubt that chlorothanil (Daconil) killed my brother.”

Prior also said that testing laboratories paid for by pesticide manufacturers “have been abused” and that “there are no industry-wide standards for training or application.”

Also taking the stand were 11-year-old Kevin Ryan of Arlington Heights, Ill. and Sharon Malhotra of Murrysville, Pa.

Ryan said, “I can’t function mentally when I’m ex-



Room 216 of the Hart Building in Washington, D.C. was site of a Senate subcommittee hearing on lawn pesticides. Sen. Harry Reid (D-Nev.) (center, facing camera) presided.

posed to pesticides. I can’t even play in my own yard because my neighbors spray their lawns. And being on a baseball team is a dream I’ve given up on because all the ballfields are treated.

“They (lawn care companies) are robbing me of my childhood, and I am angry with my country for allowing these untested chemicals to be applied by untrained applicators.”

Said Malhotra, who complained of severe headaches, numbness, nausea and muscle twitches because of pesticides: “Everytime I leave my home, I’m risking exposure to pesticides. Hundreds of thousands of Americans’

lives have been seriously compromised.” Then—with passion: “Give us a chance to live normal, productive lives again.”

Senators in attendance were John Warner (R-Va.), Harry Reid (D-Nev.) and Joe Lieberman (D-Conn.). They did not ask for testimony in favor of turf pesticides until later in the day, when most media representatives had left to file their stories.

Representing the golf course industry was William R. Roberts, government relations chairman of the Golf Course Superintendents Association of America (GCSAA).

“The goal of the GCSAA is to work with legislators and regulators to protect

the environment,” Roberts said. “We do not intend to deal in the emotions of the moment. We will spend our dollars on research and education. We will not spend our dollars in the courtroom challenging the regulatory process.”

“Golf is honestly trying to...leave our home base here on earth...a little bit better.”

The hearing was called as a response to a General Accounting Office (GAO) report. Testifying for the GAO was associate director Peter F. Guerrero, who chose to focus on alleged cases of false advertising by the lawn care industry.

“We believe that the

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SENATE from page 8

public should be protected from pesticide advertisements that convey the impression of safety," Guerrero said, noting possible cancer risks, birth defects and other potential long-term effects of pesticides. "The industry continues to make advertising claims that its products are safe or non-toxic while federal enforcement actions against such claims remain limited."

The lawn care industry contends that use of such terms as "practically non-toxic" in advertising are accepted in the scientific community and not misleading.

"The disputed facts are before the court but, as of this date, have not been adjudicated," said Dr. Roger Yeary of ChemLawn.

Sen. Reid, chairman of the subcommittee, signalled the hearing's tone with his opening statement: "Remember, lawn chemicals by their very de-



Golf course superintendent Bill Roberts (left) and Dr. F. Eugene Hester (right) of the National Park Service testify.

sign are dangerous," he noted. "Pesticides are designed to kill. And what kills garden pests and weeds can also have an adverse health effect on people."

Sen. Lieberman, whose statement was also made before the media's mass exodus, was even more emphatic.

"In some cases," Lieberman noted, "lawn care chemicals are toxic to humans. In some cases, lawn care chemicals can kill people. That is truth."

"Too many of the makers of lawn care chemicals and the purveyors of lawn care services have been irresponsible in dealing with the risks associ-

ated with the products. And, I'm sorry to say, the government has been derelict in its duty to protect the public interest."

Taking the stand to defend turf pesticides were Roberts, Tom Delaney of the Professional Lawn Care Association of America, Dr. James Wilkinson of the Pesticide Public Policy Foundation, Jay Vroom of the National Agricultural Chemicals Association, Yeary, Dr. Warren Stickle of the Chemical Producers and Distributors Association and Dr. Michael Gough of the Task Force II on 2,4-D Research Data.

Lining up on the other side were Guerrero, Ryan, Malhotra, Prior, Attorney General Robert Abrams of New York, Dr. Sheila Zahm of the National Cancer Institute, Anne Bloom of Public Citizen and Jay Feldman of the National Coalition Against the Misuse of Pesticides.

—Jerry Roche □

WHAT THEY SAID IN WASHINGTON...

Selected quotations from testimony offered to the Senate Subcommittee on Toxic Substances, Environmental Oversight, Research and Development:

● "These are issues that have been neglected. We'll hear testimony that will get people talking."

—Sen. Harry Reid

● "I'm really concerned that the EPA has let this go on and on. We're dealing with real problems that deal with real people."

—Sen. Reid

● "The industry has stonewalled us in court. Your own estimates indicate that as many as 30 to 40 million people could be chemically sensitive."

—Hon. Robert Abrams

● "We do not intend to take the time of the subcommittee to present a detailed critique of the (Public Citizen) report, except to state that it is unauthoritative, inaccurate and misleading."

—Dr. Roger Yeary

● "The GAO says that we have too little information about most of the widely used lawn chemicals to say they are safe for people. Yet all of them are sold with the words 'EPA Registered' right on the label. And none of them are sold with adequate warnings."

—Sen. Joseph Lieberman

● "GAO found that the lawn pesticides industry continues to make claims (prohibited by FIFRA) that its

products are safe or non-toxic. EPA considers these claims to be false and misleading."

—GAO report

● "Of the 40 pesticides that comprise over 95 percent of the chemicals used by commercial lawn care firms, 12 are suspected carcinogens, 21 have been shown to cause other long-term health effects in lab animals or humans, and 20 have been shown to cause short-range damage to human central nervous systems."

—Anne Bloom

● "We are facing a national pesticide exposure crisis, the dimensions of which are not adequately calculated by the U.S. EPA. At the same time, people are getting sick from non-agricultural pesticide exposure in their homes, offices, schools and workplaces, through direct exposure, drift, volatilization, or by way of residues on treated landscapes."

—Jay Feldman

● "Manufacturers are making significant strides in diagnostics. These improved programs, involving state-of-the-art detection and identification kits, go a long way toward enhancing our targeted use of available technology."

—Jay Vroom

● "EPA should address the public's confusion about pesticide registration by banning pesticides containing known or probable carcinogens to be used for aesthetic purposes like lawn care."

—Mr. Abrams □

LEGISLATION

'Day on the Hill' goes over big; LCOs surprised

WASHINGTON, D.C. — A "Day on the Hill" program here, co-sponsored by the Professional Lawn Care Association of America (PLCAA) and Monsanto Chemical Co., resulted in 35 visits by lawn care businessmen to their Senators and Congressmen.

"The feedback we got was extremely positive," said Dr. Dave Duncan of Monsanto. "Most of the LCOs had some anxiety coming in, but when they got up on the Hill, they found out that their representatives were real people."

"We also found out that the PLCAA really needs to have a legislative agenda. A presence in Washington has been missing."

Eighty representatives from the lawn care industry and its media turned out for the two-day event, said Jim



The Hon. Cooper Evans talked to LCOs in Washington's Executive Office Building.

Altemus of Monsanto.

Besides the visits with their legislators, LCOs also sat in on a presentation by the Hon. Cooper Evans, special assistant to Pres. Bush for agriculture and food issues, at the White House; and one by Dr. Paul Shouda of the EPA Office of Pesticide Programs.

Evans noted that the Bush administration will continue to support states' rights when it comes to pesticides.

"The administration has a fundamental belief in states' rights, (except when) the situation on a national scale becomes chaotic. But until we have re-done the reviews, it is the administration's belief that the states have no right to preempt federal legislation."

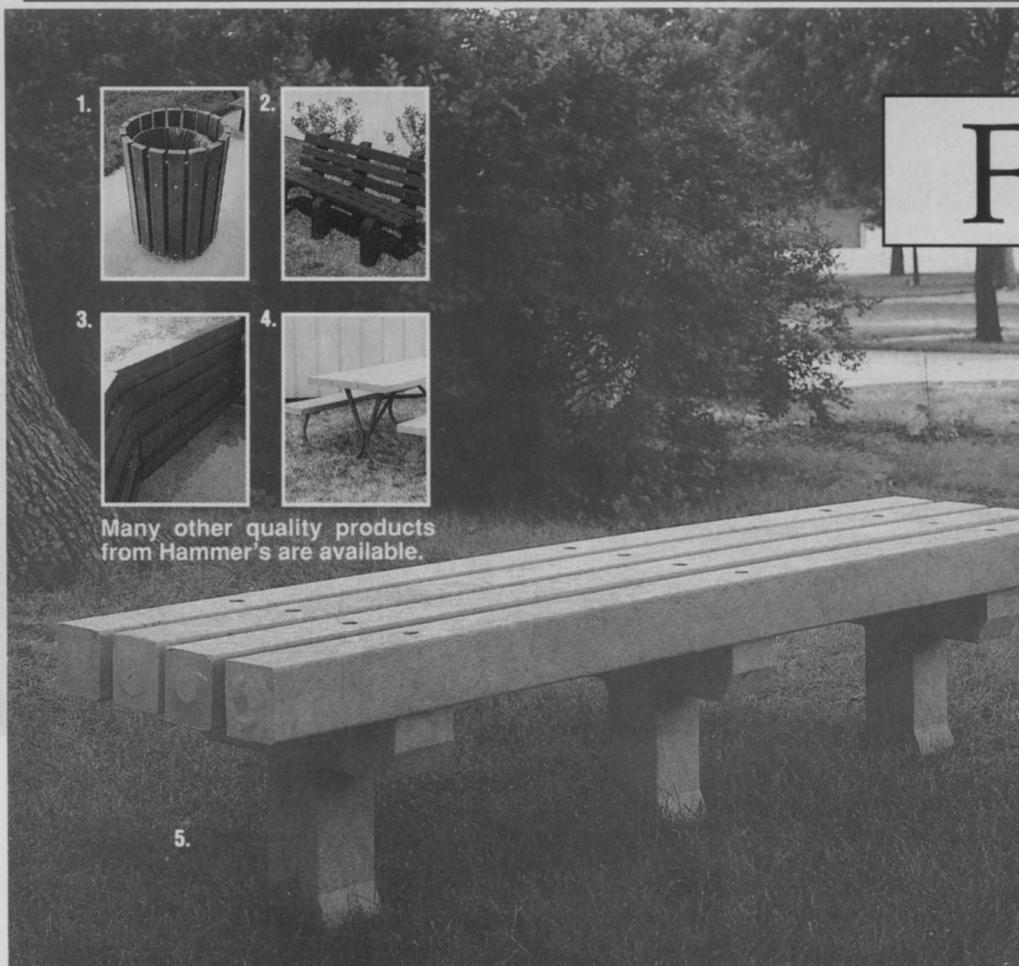
PLCAA president Rick Steinau, who—with Duncan—originated the "Day on the Hill" concept, was pleased.

"This turnout is a defi-

nite statement that the PLCAA did a good job," he said. "We also want to get the state associations involved in this kind of event, too."

Any lawn care operator with questions or an interest in attending "Day on the Hill" 1991 should direct them to the PLCAA, 1000 Johnson Ferry Rd. NE, Suite C-135, Marietta, GA 30068-2112; phone (404) 977-5222.

—Jerry Roche □



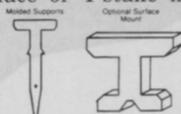
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- 2. Landscape Timbers 301*
- 3. Picnic Table 302*
- 4. Dura Bench 303*
- 5. Hi-back Bench 304*

EPA administrator promises a closer look at lawn care

WASHINGTON, D.C. — Testifying at a Senate subcommittee hearing, Victor J. Kimm of the Environmental Protection Agency (EPA) sounded a warning to lawn pesticide applicators.

"EPA will be paying close attention to lawn care and other home pesticide uses, as we go through the re-registration process mandated by the 1988 amendments to FIFRA," he promised.

Kimm, deputy assistant administrator for pesticides and toxic substances, said the EPA will monitor advertising.

"In light of our increasing concerns over lawn care advertising as well as general pesticide advertising, EPA and the Federal Trade Commission (FTC) met on Feb. 22 and decided to im-

plement formal procedures for referral of pesticide advertising cases between the two agencies."

Kim also noted some National Pesticide Telecommunication Network (NPTN) statistics in his testimony.

From April 1 through Sept. 30, 1989, for instance, the NPTN received 18,935 telephone calls, including 3,148 calls reporting adverse effects. Of those callers, 424 reported lawn care-related incidents, including 233 cases of human exposure, 96 cases of animal incidents and 95 cases of damage to plant material.

"These figures suggest that incidents are occurring, although not necessarily at an alarming rate," Kimm said. "Also, this information should be

treated with some caution since it is unverified."

This summer, Kimm said, the EPA plans to conduct a National Home and Garden Pesticide Use Survey, interviewing 2,000 Americans, to provide data on all types of pesticide use by homeowners, including lawn care pesticides.

Kimm noted that the EPA is considering legislation requiring lawn care and landscape companies to post after pesticides are applied.

"Although we are not seeing evidence that lawn care is a use pattern posing an unusual degree of health or environmental risk, we can agree that there are issues here that require the agency's careful consideration."

—Jerry Roche □

Design/build tops expansion

CLEVELAND — A recent survey conducted by this magazine indicates that more landscape contracting companies are creating new or expanding existing design/build capabilities than ever before.

Of 118 responses to the question "How do you intend to expand your company?" 55 referred to design/build services.

Next most popular area into which landscape contractors are expanding are ornamental care and aeration/renovation.

Questionnaires were mailed this spring to 500 landscape contractors who receive LANDSCAPE MANAGEMENT.

Environmental considerations—including current and pending legislation—were cited by 34 percent of the respondents to another question: "What trends will change your

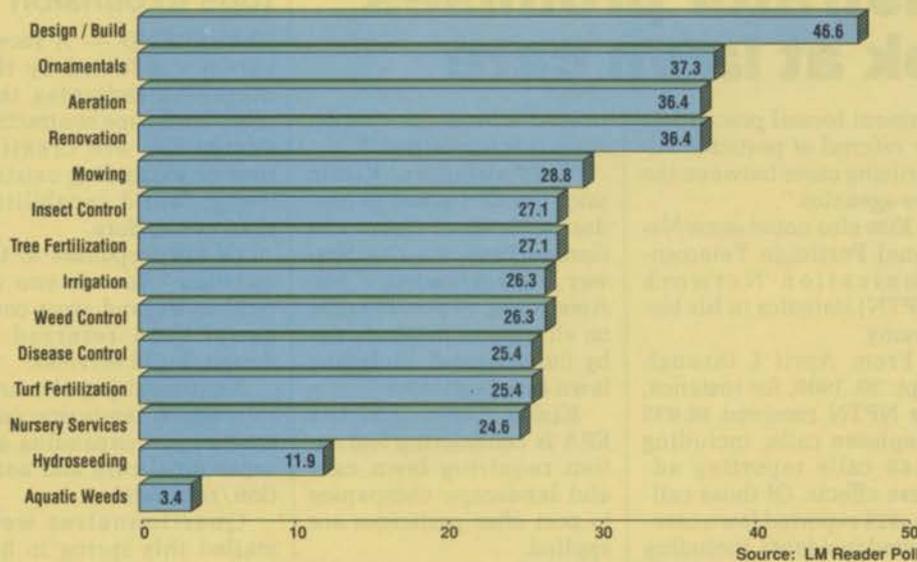
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How do you intend to expand your company?



company or force you to change the way you currently do business?"

Second behind environmental considerations was the labor shortage. (Most recent statistics compiled by the U.S. Department of Labor indicate that unem-

ployment is decreasing by about 1/10th of one percent per month.) Also mentioned as business considerations in the landscape industry were waste disposal, insurance rates, housing starts, use of computers and water consid-

erations, in that order.

(See chart.)

Among new services landscapers plan to provide to clients this year, the most popular is lighting (9.3 percent). Others cited by mul-

multiple respondents are aeration, irrigation, nursery/garden centers, tree care services and "hardscaping." □

LEGISLATION

Reporting law passes in Calif.

FRESNO, Calif. — California's new pesticide reporting law—A.B. 2161—is now in effect throughout the state, and requires that virtually every pesticide user report all monthly pesticide applications.

The new law covers the reporting of materials that users have not had to report in the past, and applies to pesticide applications on golf courses and turf and sod farms, in cemeteries and parks, and along roadways. Reports are due by the 10th of each month preceding the application.

Industry sources say they hope the law will help to temper the initiative drive of California Atty.

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Gen. John Van de Kamp, due to come up for a vote in November. The initiative seeks to outlaw all control products containing inert ingredients known to cause cancer or birth defects — even if enormous, unrealistic doses of those ingredients are required for a person to be at risk.

If passed, 50 to 80 percent of pesticides used in California will be eliminated. □

This arboretum a handy reference

Research associate Ron Walden poses in front of the Tidewater Arboretum at the Hampton Roads (Va.) Agricultural Experiment Station. The arboretum is a handy reference for landscapers in that section of the country. "People always want to do landscape design over the phone," says VPI-SU extension agent Randal W. Jackson. "I've stopped doing that. I tell them to visit the arboretum." Walden says the arboretum lets landscapers see what mature plants will look like in the landscape. The arboretum, established in 1975, includes more than 300 relatively new and/or unusual plants, most of which have been donated by Virginia nurserymen. The plants are fertilized with 18-6-12 Osmocote, a product of Sierra Chemical Co.

LITERATURE

ALCA releases a pair of 'tools'

FALLS CHURCH, Va. — The Associated Landscape Contractors of America (ALCA) has released a detailed report on contracting in the 1990s and, along with it, a 21-minute pesticide training video.

The report, "Landscape Contracting Today and in the Year 2000," looks at market trends, marketing and public relations, business structure and systems, legislation and other subjects. Written by ALCA's "Crystal Ball" Committee, it can be obtained for \$3.

The training video is designed to show interior-landscape technicians and supervisors who train technicians how to safely apply pesticides and how to clean up and handle spills.

The video's price is \$65 for members and \$95 for non-members.

To order either, phone ALCA at (703) 241-4004. □

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TURFSEED

Feds raid seed company, allege false statements

SALEM, Ore. — Federal agents entered the offices of the Olsen-Fennel Seed Co. here, seeking evidence of alleged false statements made to obtain phytosanitary seed inspection certificates.

Records, ledgers and documentation were seized during the April 5 search.

The affidavit alleges that Olsen-Fennel officials obtained the certificates for seed previously imported from Argentina by representing the seed as U.S.-grown. The seed was then exported to foreign buyers.

Assistant U.S. attorney Kent Robinson says such actions would be in violation of the U.S. Code which prohibits false statements to government agencies and wire fraud. Both carry maximum penalties of five years imprisonment and fines of up to \$250,000 for individuals and \$500,000 for corporations.

In an unrelated action, the state Department of Agriculture suspended the company's license for thirty days for selling or attempting to sell uncertified, mislabeled seed from Argentina to various U.S. buyers.

Investigations revealed the company knowingly sold grass seed lots that were mislabeled and misrepresented.

Company vice president Richard Olson said federal officials are at fault.

"This Argentina tall fescue entered the country with (federal) approval and they authorized us to go ahead and distribute it," said Olson. "After we did distribute it, that is when they found serrated tussock in it, and found out that their records were not correct and they should not have allowed it (into the U.S.) in the first place."

Olson withheld comment on the allegations that company officials made false statements, but again charged the federal government with delaying action.

"It's ironic that when we asked the federal government for help in this situation," said Olson, "they didn't have the time or the money to help us out of a problem they created. But they certainly seem to have the time and the money to pursue it from the other direction."

—Terry McIver □

LETTERS

Florida super intends no harm

To the editor:

I would like to clarify my position on an interview done with me in your February 1990 issue ("Florida's Best").

While I don't think it was the intent to produce a negative article, several of my peers interpreted it as such.

In the interview concerning northern superintendents coming to Florida, I did not initiate the subject but was asked my opinion. My emphasis was as strong

about a southern superintendent going North as a northern superintendent coming to Florida.

My objective was to point out how complex and diversified golf course superintendents' positions are today in light of aggressive environmental regulations, membership expectations, etc. If anyone believes that a transition from extreme North to South or vice versa is easy, they are not saying much about the complexity of our jobs.

William T. Hiers
John's Island Club,
Vero Beach, Fla.