

LAWN CARE INDUSTRY

Quiet Capitol Hill signals deceiving lull

LCOs keep up their guard, say reinforcements are desperately needed during PLCAA's fifth annual 'Day on the Hill.'

■ Lawn care pesticide safety hearings appear unlikely this spring.

Industry-crippling legislation, long threatened by Sen. Joseph Lieberman, (D-Conn.), simmers on a back burner. It's apparently not robust enough—not even after four years of cutting and stitching—to fight its way to a committee hearing.

LCOs paid scant attention to either issue during the Professional Lawn Care Association of America's (PLCAA) "Day on the Hill" early this past February in Washington, D.C. And it doesn't look like a significant revision of FIFRA is going to make much headway on The Hill in 1994 either.

No crises.

No controversy.

Few real issues with any emotional



Joel Blackwell, far left, gave LCOs excellent advice on communicating with legislators. The others (left to right): Doug Hague, Al Cortez, Gene Pool and Phil Fogarty, all of Ohio.



A march in February: LCOs traveled together to the Old Executive Office Building to learn about Pres. Bill Clinton's Health Care Reform Package.

weight behind them surfaced during PLCAA's fifth annual legislative foray to the U.S. capital.

But Andrew Hines, president of Shrub & Turf, drove the 13 hours from Athens, Ga., to attend the event. So he wanted to get his say—which was that LCOs are like an opossum creeping across a super highway with "enviro-nuts" working the gears of a smoke-belching 18-wheeler.

"We just stuck our heads out of the hole and we're going to get hit with the back side of the hurricane," Hines insisted, admitting that some of this skepticism over this apparent lull in anti-lawn care feeling was fueled by seeing activists give his industry, and a fellow green industry business owner, a public relations and regulatory keel-hauling in Georgia in 1992.

"The entire purpose of some of these people is to destroy our industry," insisted Hines. "They tell us they're going to whip our butts. Then they do everything they can to do it. The scary thing is, they've been involved with politics a lot longer than we have."

The feisty, red-haired Hines (Read his letter in the "Hot Topics" section.) was one of about six LCOs asking the tough (well, as tough as they got anyway) questions of U.S. EPA's Victor Kimm, three congressional agricultural committee staffers, and Capitol Hill columnist Charlie Cook.

Some other LCOs speaking out about their continuing concerns over misguided regulation included people like Coloradoan Don Kurtz of Lawn Medic; Don Tannahill, co-owner of Tridon Lawn Service, Olathe, Kans.; and Sam Lang, Fairway Green, Raleigh, NC.

These people received their political experience—and sometimes their first regulatory bloody noses—on local and state

issues. They obviously felt confident enough to take their concerns to a higher level. That they did.

To the person, however, they urged many other LCOs, the ones back home, to become similarly involved. That means visiting lawmakers—local, state and federal (or their legislative aides)—then keeping in regular touch with them.

"Our legislators want to hear from us. They want to hear our story," pleaded Tannahill. "They want to know how their decisions are affecting our industry, but they're not hearing from enough people in the industry."

Against this backdrop of two raw, sunless days in Washington D.C., the LCOs, with no dragons to fight off, practiced their presentations. Then they launched themselves to The Hill to reintroduce themselves and their concerns to the legislators and the hand-shaking cadre of cautiously smiling assistants, appearing almost by magic, one each from the senate and congressional offices.

For the most part, LCOs found a warm welcome from many Senators and Congresspeople and their assistants too.

The lawn pros touched on all the usual matters—preemption, pre-notification, registries, etc.—but primarily they offered themselves as sources of information, particularly regarding the use of specialty chemicals.

But in spite of the sporadic outbreaks of incredulity—which, on one occasion, filled the Old Executive Building like a bad stink during a patronizing discussion of the administration's health care proposal—this was about as close to a Capitol Hill love-in as LCOs have mustered to date.

That is, until glaze-ice crept over the



'We're learning how the game is played,' says Don Kurtz of Lawn Medic, Colorado.

area's three major airports, and an American Airlines jet slid off a National Airport runway (fortunately with no injuries).

That sealed Washington, and about half the LCOs spent an extra day there, an expense in time and money some of them didn't need (particularly since an eight-ounce draft cost \$2.30 at the hotel bar). Most operate businesses grossing \$500,000 or less annually and they don't, as a rule, have fat travel budgets. In fact, a few of the stranded LCOs fretted over snow-removal accounts waiting for them back home. Snow, it turned out, fell in the East everywhere there wasn't freezing drizzle.

But, it was the lack of an obvious legislative or regulatory threat that may have been the most unnerving of all for some of the LCOs.

—Ron Hall

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Kimm says administration wants more reduction in pesticide use

■ The lawn care operators didn't expect to find government officials asking them to use more chemical pesticides: they weren't disappointed.

"Many of us have long believed it is quite likely that pesticides are used more than they need to be used," said Victor J. Kimm, EPA Deputy Assistant Administrator, addressing 85 LCOs (from 24 states) and nine representatives of chemical product suppliers at the Professional Lawn Care Association of America's (PLCAA) Day on the Hill on February 7.

Kimm, in fact, said that the U.S. Environmental Protection Agency (EPA), the Food and Drug Administration (FDA) and the United States Department of Agriculture (USDA) met in June 1993 to begin mapping policies to:

- 1) encourage the growth of integrated pest management practices, and
- 2) promote, through licensing activities, replacement products that are just as effective as and "inherently safer" than classic hard chemicals.

"A good deal of attention is going into the general notion of trying to reduce the



EPA's Kimm says lawn care industry needs better data concerning applicator and customer exposure—and quick.

Kimm said the timetable for these, and all, pesticide-related issues isn't clear-cut, an observation coming into clearer focus when Kimm admitted that the EPA's re-registration of pesticides, begun several years ago, won't even be near completion by century's end.

"I do believe that there will be significant debate about pesticide legislation beginning in the next couple of weeks," he predicted.

—Ron Hall

presence of persistent toxic chemicals in society," he said. These efforts, mostly aimed at production agriculture, will increasingly include lawn care.

But Kimm's message to the LCOs was multi-pronged and included warnings of other approaching pesticide-related concerns.

For instance, he briefly touched on a National Academy of Science (NAS) study concerning the health implications of pesticide residues on children's diets. This particular five-year investigation, Kimm said, will likely grow into related studies dealing with the additive impact of other exposures to pesticides on children.

He urged the lawn care industry to initiate investigations of its own to determine and document homeowner, particularly children, exposures on treated lawns. "It's absolutely critical to get that work started quickly," Kimm said. A task force being readied by three trade associations and 17 product registrants may, in fact, already be moving in that direction, he reported.

Even within the EPA itself, reforms are being sought to better deal with pesticide issues, the most significant being a drive to replace the Delaney Clause (zero risk, zero tolerance for any chemicals that seem to cause cancer in man or animal) with a new standard based on "no reasonable certainty of harm"—as is the case in the Food, Drug and Cosmetic Act as it relates to other food additives.

The EPA, Kimm said, is also looking for authority:

- ✓ to revise its pesticide cancellation/suspension process which, Kimm said, is "antiquated, takes forever, and doesn't work very well;"

- ✓ to institute "phase out or phase down" of a pesticide when concerns arise over its risk;

- ✓ to issue pesticide licenses that run out after 15 years so that re-registrations can be carried out on a more routine basis;

- ✓ to ask that all pesticide label changes become effective on one date each year.

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