

# \$300K Settlement Reached In Kentucky 31 Investigation

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Source: [www.TurfMagazine.com](http://www.TurfMagazine.com)

The [Oregon Department of Agriculture](#) (ODA), Dynamic Seed Source, LLC (Dynamic), and Dynamic's owner, Trevor Abbott, have settled allegations that Dynamic and Abbott violated the Oregon Seed Law. An ODA investigation found Abbott and Dynamic Seed Source LLC mislabeled at least 161 seed lots as Kentucky 31, resulting in 207 violations. In Oregon, a single lot of grass seed can equal up to 55,000 pounds of seeds. Kentucky 31 is a popular variety of tall fescue in high demand and sold at a premium price.



(Credit: Getty Images/Freila)

ODA issued Notices of Civil Penalty to Abbott and Dynamic Seed Source LLC in June 2019, and amended those notices in June 2020, January 2021 and February 2021. Trevor Abbott and Dynamic Seed Source LLC contested each of the notices. ODA also issued a Notice of Proposed License Revocation or, alternatively, License Suspension, and Imposition of Probation and Final Order by Default to Dynamic in May 2020, which Dynamic contested. Both parties reached an agreement with ODA on May 6, 2021, avoiding additional litigation.

"ODA launched an industry-wide investigation in response to concerns

submitted to us by the Oregon grass seed industry,” said Director Alexis Taylor, ODA. “We take every complaint seriously and thank the seed industry for its support and cooperation. Together with our agricultural partners, ODA is committed to keeping our industry reputable, strong, forward-thinking, and in compliance with state, federal, and international requirements.”

As part of the agreements, Abbott and Dynamic Seed Source LLC neither admit nor deny any wrongdoing, and agree that ODA may find that Abbott and Dynamic committed the 207 violations alleged in the Notices of Civil Penalty. Dynamic and Abbott also each agree to pay \$150,000 in civil penalties. Dynamic’s wholesale seed dealer’s license will be suspended for one year, effective June 30, 2021. Upon any reissuance of a wholesale dealer’s license, Dynamic Seed Source LLC, will be under three years of probation.

Probation would include the following conditions, among others:

1. Twice yearly records audits (i.e., required to submit to the department all records related to seed sales for review).
2. Participation in at least one workshop or training on Oregon Seed Laws.
3. At least one in-person examination of records annually.

ODA’s investigation of mislabeling seed in Oregon continues. Oregon is the largest producer of cool-season forage and turf grass seed in the U.S., producing nearly 591 million pounds in 2017. The Willamette Valley is the prominent place of production, and Linn County is affectionately referred to as the “Grass Seed Capital of the World.” Grass seed is the fifth largest agricultural commodity in Oregon, worth more than \$517 million and driving more than \$1 billion in economic activity.

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