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Grass-seed makers start turf war over TV ads

Atlanta Business Chronicle - Giannina Smith

Two grass-seed manufacturers are in a turf battle over whose grass is greener. Madison, Ga.-based Pennington Seed Inc., a producer of grass seed and a manufacturer and distributor of lawn, garden and turf-care products, filed a lawsuit on April 3 in the United States District Court Northern District of Georgia against Marysville, Ohio-based **The Scotts Miracle-Gro Co.** and **The Scotts Company LLC.**

According to the suit, Scotts is accused of airing television commercials containing “false and misleading” claims about competitor Pennington’s products. The commercials are alleged to represent Pennington’s grass-seed product as producing a lawn that is inferior in color, thickness and in its ability to withstand infrequent watering. Pennington claims the commercial compares Scotts’ highest-quality grass-seed product to Pennington’s low-end, economy product. With the commercial airing during the peak season for grass-seed sales, Pennington argues that Scotts is looking to “gain an unfair advantage and to create the maximum amount of harm to Pennington.”

“We feel Scotts unfairly portrayed our products in their ads and the effects are extremely misleading to the consumer, so we felt like we had to take action,” said Ronnie Stapp, spokesperson for Pennington.

On April 13, Scotts filed a counterclaim against Pennington admitting its commercials compare Scotts’ high-end Turf Builder Grass Seed to Pennington’s lower-priced Kentucky 31 grass seed, but stating that its commercials are truthful and not misleading. Scotts, on the other hand, is asking that Pennington put a stop to its misleading radio and television advertising, which claims Pennington’s Smart Seed product is the only brand of grass seed that needs less water due to a seed coating it has developed. Scott alleges that research shows Pennington’s claims about the ingredients in its seed coating are false and that “nothing else about Smart Seed lends support to any claim that the product is unique in saving water.”

Scotts said it does not comment on pending litigation.

Spanish news

Spanish language channel Telemundo 47 Atlanta has begun airing locally produced news briefs in Spanish. Aimed at Atlanta's growing Hispanic community, the 90-second news items air three times per night during the six, seven and eight o'clock hours and are currently Telemundo 47's only news product. Jorge Buzo, a 22-year radio and TV veteran, was brought on to anchor the segments, which feature news and a five-day weather forecast. Buzo, who has worked at **Fox Sports** and Georgia TeVe, will also handle special programming and in-depth interviews for the station.

Along with its news briefs, Telemundo 47 Atlanta also broadcasts a variety of community programming including "Objectivo Atlanta," a 30-minute community show airing Saturday mornings that features local events and talent, as well as "Atlanta Latino en tu tele," a talk show taped in front of a live audience that is a collaboration with the newspaper Atlanta Latino.

Food firm

Lovely & Delicious Enterprises Inc. is expanding its scope of work from a consultancy to a full-service brand-marketing firm. Founded by Chadwick Boyd, the firm is focused on the food and lifestyle business categories and already has some big brands as part of its portfolio, including **Bella Cucina Artful Food**, **The Procter & Gamble Co.**, California chef Todd Fisher and **Food Network** star Tyler Florence. Along with brand strategy and consultancy services, Lovely & Delicious is now also equipped to execute brand campaign rollouts through design services, advertising, media production, social media strategy, search engine marketing and optimization, and media buying and planning, as well as other work. Boyd said these moves position his firm to serve more national and global brands.

Who got what

DENMARK {the agency} has been selected by Chicago-based Whole Bakers, creators of gluten-free, organic and kosher cookies, to help launch the brand nationally and develop marketing programs.

Arketi Group has been chosen by Reveille Software as agency of record.

Rountree Group Communications Management Agency has been tapped by Pickron Orthodontic Care and Integrated Fire Protection for communications services.

Engauge has teamed up with **WellStar Health System** to relaunch WellStar's Web site and will also be debuting a new Web site for Imagine It! The Children's Museum of Atlanta.

Trevelino/Keller Communications Group Inc. was chosen by InQuickER to launch the company nationally and increase its brand recognition in Georgia, Alabama and Florida.