CASE SUMMARY

Case #2011/1080

Complainant: Tom Jordan
2596 Nottingham Place
West Lafayette, IN 47906
765-448-6712

Applicator: Chris Knight
Tippecanoe Lawn Care
4400 St. Rd. 25 N.
Lafayette, IN 47905
765-589-8251

Certified Applicator
Licensed Business

1. On June 20, 2011 I, Agent Kevin W. Neal of the Office of Indiana State Chemist (OISC) performed an investigation at the complainant's property in response to a claim of injury/damage to non-target trees and shrubs possibly resulting from exposure to the herbicide Imprelis. A Notice of Inspection was issued to Tom Jordan. I observed the following during my on-site investigation:
   a) Tops of trees were curled (see figure 1)
   b) Needles "curled" and brown on tips of candles (see figures 2 and 3)

2. I took the following photos depicting injured/damaged vegetation:

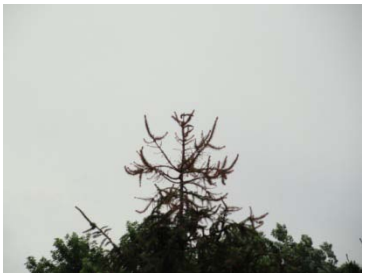
Figure One


Figure Two


Figure Three

3. The following vegetation samples had previously been submitted by Mr. Jordan for examination by the Purdue Plant Pest Diagnostic Laboratory (PPDL).
   a) Spruce

4. At the site I collected the following environmental samples for chemical analysis by the OISC Residue Laboratory:
   a) Pine Sample Jordan (PS-1)
   b) Sample From Jordan (SS-1)

NOTE: A decision was made by OISC management to not analyze these environmental samples. That decision was based on: 1) the large number of similar cases being investigated by OISC at the same time; 2) the large number of similar environmental samples already analyzed that had produced applicable representative results consistent with the presence of visible exposure symptoms; 3) the expertise developed by OISC investigators through repetition to identify Imprelis exposure symptoms without chemical confirmation.

5. According to a report from the PPDL, "*The sample submitted (Norway spruce) exhibits symptoms that are associated with injury caused by synthetic auxin (growth regulator type) herbicides. Typical symptoms caused by these herbicides can include epinasty (twisting and curling) of the shoot tip and tips of branches. On conifers, affected new growth may turn brown and die. On broadleaf plants, leaf cupping (upward or downward) may occur and in extreme cases, new leaves may appear irregular in size and shape (usually smaller than normal) and have abnormal leaf margins."*

6. According to the application information collected from the applicator Imprelis Herbicide (EPA Reg. No. 352-793) was applied on April 7 and May 24, 2011, at the rate of 4.5 oz/acre using hand held ground spray equipment.

Kevin W. Neal
Pesticide Investigator

Date: September 12, 2011

Disposition: No violation of the Indiana Pesticide Use and Application Law was documented against the pesticide applicator. Effective September 15, 2011, the Indiana registration for Imprelis Herbicide, EPA Reg. #352-793, was cancelled because it was determined by OISC that the product is "misbranded" (it bears label directions that are inadequate to prevent unreasonable adverse effects to non-target vegetation).

George N. Saxton
Compliance Officer

Final Date: September 20, 2011