

CASE SUMMARY

Case #2011/1154

Complainant: Kevin Patterson Property Manager
5702 Kirkpatrick Way
Indianapolis, IN 46220
317-538-0904
Village Umbrella HOA & Cape Cod Subdivision

Applicator: Hittle Landscaping
17778 Sun Park Drive
Westfield, IN 46074
317-896-5697

1. On July 20, 2011, Agent George Saxton and I, both of the Office of Indiana State Chemist (OISC), performed an investigation at the Cape Cod subdivision/Village Umbrella HOA. The investigation was 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 Kevin Patterson, the property manager. I observed the following on the evergreen (spruce and white pine) trees during my on-site investigation:
 - a) Browning at the tips (figures 1,2,4)
 - b) Curling at the top (figure 5)
 - c) Spiraling of dead areas (figures 1 & 2)
 - d) Entire branch dieback and curling of the candles (figure 3)

I observed the following on the honey locust trees during my on-site investigation:

- a) Leaf browning (figures 6 & 7)
 - b) Leaf curling (figure 7)
 - c) Leaf drop (figure 8)
2. I took the following photos depicting injured/damaged vegetation:



Figure 1



Figure 2



Figure 3



Figure 4



Figure 5



Figure 6

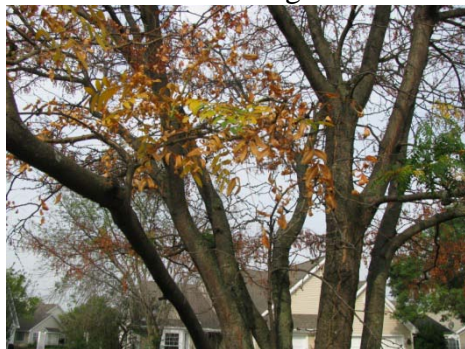


Figure 7



Figure 8

3. I collected a vegetation sample (spruce) from visibly impacted non-target vegetation for examination by the Purdue Plant Pest Diagnostic Laboratory (PPDL).
4. The PPDL report stated the following:

“There was no evidence of disease nor significant mite damage on the samples submitted.

The sample (and pictures) submitted show 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 curving) of the leaves or needles, shoot and shoot tip; leaf cupping which can be upward or downward, and in extreme cases, new leaves can be irregular in size and shape (usually smaller than normal) and have abnormal leaf margins.

Tom Creswell
Director, Plant and Pest Diagnostic Lab

5. According to the application information collected from Hittle Landscaping, Imprelis Herbicide (EPA Reg. No. 352-793) was applied at the rate of 4.5 fluid ounces per acre using a ride on sprayer; no application was made to the soil within the drip line of any of the spruce trees; no application was made directly to any exposed roots of any trees or ornamentals.



Elizabeth C. Carter
Pesticide Investigator

Date: August 11, 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 19, 2011