

# CASE SUMMARY

Case #2011/1166

**Complainant:** Larry and Sandra Speer  
1115 West Laurelwood Drive  
Carmel, Indiana 46032  
317-848-2353

**Applicator:** Ed Clevenger  
The Greenskeeper  
1051 Summit Drive  
Carmel, Indiana 46032-2582  
Licensed Applicator  
Licensed Business

1. On July 18, 2011, I, Agent Kevin Gibson 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 possibly resulting from exposure to the herbicide Imprelis. A Notice of Inspection was issued to Sandra Speer. I observed the following during my on-site investigation:
  - a) Tips of spruce trees were curled and brown (see figure #1).
  - b) Brown needles through spruce tree (see figure #2)
2. I took the following photos depicting injured/damaged vegetation:



Figure #1



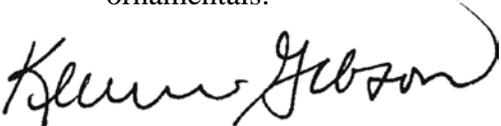
Figure #2

3. I collected the following vegetation samples from visibly impacted non-target vegetation as described in paragraph #1 for examination by the Purdue Plant Pest Diagnostic Laboratory (PPDL):
  - a) Spruce
  - b) White Pine

4. I collected the following environmental samples for chemical analysis by the OISC Residue Laboratory:
- a) Vegetation sample from yard (spruce)
  - b) Vegetation sample from yard (white pine)
  - c) Soil sample from yard inside drip line
  - d) Soil sample from yard outside of drip line

*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, *“There was no evidence of significant mite or insect injury or disease on the sample 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.*
6. According to the application information collected from the applicator Imprelis Herbicide (EPA Reg. No. 352-793) was applied on June 9, 2011, at the rate of 4.5 oz. / acre Z Spray ground equipment; no application was made to the soil within the drip line of any of the trees or ornamentals; no application was made directly to any exposed roots of any trees or ornamentals.



Kevin W. Gibson  
Pesticide Investigator

Date: September 27, 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: October 19, 2011