

# CASE SUMMARY

Case #2011/1199

**Complainant:** Doris Joanne Pontius  
3139 Portsmouth Dr. East  
Lafayette, IN 47909  
765-474-9134

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

Certified Applicator  
Licensed Business

1. On July 7, 2011, I, Agent Kevin 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 Ms. Pontius. I observed the following during my on-site investigation:
  - a) Brown on tips of candles (see figures 1 and 2).
2. I took the following photos depicting injured/damaged vegetation:

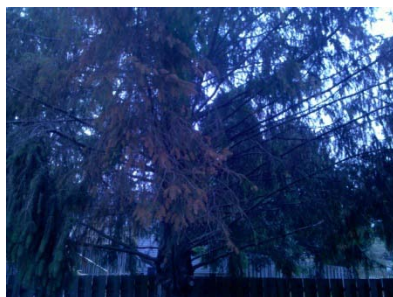


Figure One

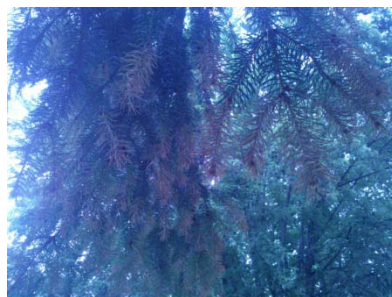


Figure Two

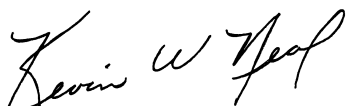
3. I collected the following vegetation samples from visibly impacted non-target vegetation as described in paragraph #1 for examination by the Purdue Plant Pest Diagnostic Laboratory (PPDL):
  - a) Spruce
4. I collected the following environmental samples for chemical analysis by the OISC Residue Laboratory:
  - a) Pine Sample Front Yard Pontius (PS-1)
  - b) Composite Soil Sample Pontius (SS-1)
  - c) Soil Sample Drip Line of PS-1 Pontius (SS-2)

5. According to a report from the PPDL, *“No infectious disease or insect pests were found to be associated with the dieback and distortion observed on the spruce sample submitted. The sample exhibited symptoms that are typically found to be associated with injury that can be caused by a synthetic auxin (growth regulator type) herbicide. 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 report from the OISC Residue Lab the following levels of aminocyclopyrachlor (active ingredient in Imprelis Herbicide) were found in the samples referenced in item #4:

a) PS-1 Pine Sample Front Yard Pontius	52 PPB
b) SS-1 Composite Soil Sample Pontius	3.2 PPB
c) SS-2 Soil Sample Drip Line of PS-1 Pontius	.18 PPB

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



Kevin W. Neal  
Pesticide Investigator

Date: September 9, 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 21, 2011