

CASE SUMMARY

Case #2011/1202

Complainant: Jill Keyes
7390 Fox Hollow Ridge
Zionsville, IN 46077
317-201-0480

Applicator: Brent Chavis
Colwell Lawn & Landscape
13295 Illinois St, Suite 122
Carmel, IN 46032
317-710-8435

Registered Technician
Licensed Business

1. On July 26, 2011, I, Agent Scott Farris 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. I observed the following during my on-site investigation:
 - a) Needles "balled up" and brown on tips of candles (see figures #1 & #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
4. 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.”

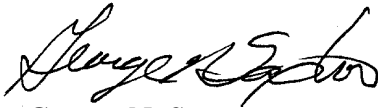
5. According to the application information collected from the applicator Imprelis Herbicide (EPA Reg. No. 352-793) was applied on April 29th, 2011, at the rate of 4.5oz/acre using Z ground spray equipment; no application was made to the soil within the drip line of any of the trees or ornamentals; no application was made directly to any exposed roots of any trees or ornamentals.



Scott M. Farris
Pesticide Investigator

Date: September 9, 2011

Disposition: No violation of the Indiana Pesticide Use and Application Law was documented against the pesticide applicator. On August 12, 2011, a letter was sent to E.I. duPont de Nemours and Company, Inc. proposing cancellation of the registration for Imprelis Herbicide, EPA registration number 352-793, for distributing a pesticide product with label directions that are inadequate to prevent unreasonable adverse effects to non-target vegetation.



George N. Saxton
Compliance Officer

Final Date: September 14, 2011