

CASE SUMMARY

Case #2011/1228

Complainant: Doug Pasquale
11761 Creekstone Way
Zionsville, IN 46077
317-732-4377

Applicator: James Eaks
Green Scene Inc.
PO Box 248
Fortville, IN 46040
317-326-8888

Registered Technician
Licensed Business

1. On July 14, 2011, I, Agent Beth Carter 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 Dawn Pasquale. I observed the following on approximately 5 spruce trees during my on-site investigation:
 - a) Curling at the top of the tree (see figure1).
 - b) Browning of the candles (see figure 3).
 - c) Browning of needles throughout the branch and entire branch dieback (see figure 2 &4).
2. I took the following photos depicting injured/damaged vegetation:



Figure 1



Figure 2



Figure 3



Figure 4

3. I collected a vegetation sample from a visibly impacted spruce tree for examination by the Purdue Plant Pest Diagnostic Laboratory (PPDL).
4. I collected the following environmental sample for chemical analysis by the OISC Residue Laboratory:
 - a) Vegetation sample (spruce)
 - b) Soil from yard (composite)
 - c) Soil inside drip line

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

5. The report from the PPDL stated: *“The sample (and pictures) submitted show symptoms that may be 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. Symptoms of twisting and distortion of new growth were not very distinct in this sample. Drought stress during the late summer and fall of 2010 may have contributed to stress and dieback of these trees.”*
6. According to the application information collected from Green Scene, Imprelis Herbicide (EPA Reg. No. 352-793) was applied on May 10, 2011, at the rate of .10 fluid ounces per thousand square feet with a hose and reel type sprayer.


Elizabeth C. Carter
Pesticide Investigator

Date: September 26, 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