

CASE SUMMARY

Case #2011/1233

Complainant: Tony Larosa
5839 Judaco
Indianapolis, IN 46227
317-788-0293

Applicator: Steve Mattingly
Mattingly Lawn Care
P.O. Box 39268
Indianapolis, IN 46239-0626
317-786-3093

Certified Applicator
Licensed Business

1. On July 20, 2011, I, Agent Joe Becovitz of the Office of Indiana State Chemist (OISC), performed an investigation at the Tony Larosa residence in response to a claim of injury/damage to non-target trees and shrubs possibly resulting from exposure to the herbicide Imprelis. I observed the following during my on-site investigation:
 - a) Norway and blue spruce trees exhibited twisting and browning of the new growth (see Figures 1 and 2).
 - b) Two red maple trees had yellowing between the leaf veins (see Figures 3 and 4)
2. I photographed the site documenting the symptoms I observed:



Figure 1



Figure 2



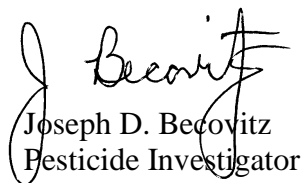
Figure 3



Figure 4

3. I collected the following vegetation samples from visibly impacted non-target vegetation, as described in paragraph #1, for examination by the Plant & Pest Diagnostic Lab (PPDL) at Purdue:
 - a) Blue spruce
 - b) Red maple
4. The report from the PPDL for the samples submitted indicates, "Norway and Blue Spruce: 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. When injury results in new shoot dieback in conifers there will be no regrowth this season, and with certain species, such as Norway spruce, the entire tree can die.

Maple: Did the tree show similar yellowing last year? Yellowing between the veins and necrosis of some leaves, as shown in this sample, can be caused by Iron or Manganese deficiency in high pH soils. This type of yellowing would gradually become a problem over several years in established trees in undisturbed sites. A soil test sent to a commercial testing lab along with a tissue sample should confirm or rule this out. Also a foliar spray containing these nutrients would provide temporary green up of the leaves if this were the only problem."
5. According to the application information collected from the applicator, Imprelis Herbicide (EPA Reg. No. 352-793) was applied on May 9, 2011, at the rate of 4.5 oz /acre using a hose and reel type sprayer.


Joseph D. Becovitz
Pesticide Investigator

Date: September 20, 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 18, 2011