

CASE SUMMARY

Case #2011/1494

Complainant: Phil Klinger
5046 Manker Street
Indianapolis, IN 46227
765-497-4370

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

Certified Applicator
Licensed Business

1. On August 12, 2011, I, Agent Joe Becovitz of the Office of Indiana State Chemist (OISC), performed an investigation at the Klinger 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) Blue spruce trees appeared to be losing their inner needles. The new growth appeared to be normal (see Figures 1 and 2).
 - b) Several pine trees in the back yard were defoliated and appeared to be dead. No twisting or curling of the tops of the trees or branch tips was apparent (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
4. The report from the PPDL for the samples submitted indicates, *“There was no evidence of significant insect injury or disease on the spruce samples submitted. Stippling on inner needles from spruce spider mite feeding and eggs of spider mites were confirmed on the sample. Mites can cause needle loss that occurs from the inside of the tree towards the outside and from the bottom the tree towards the top. Our PPDL diagnosis of the possibility of potential damage from herbicide injury is based on visual assessment of samples and images submitted and whether the symptoms observed on non-target plants are typical of injury that could be caused by exposure or uptake of the herbicides purportedly applied to the area. I noted some slight distortion of new growth on one of the spruce branch samples submitted and some branch dieback, however, overall, the samples and pictures submitted **did not show typical symptoms that are suggestive of injury that can be 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; dieback of distorted tips; leaf cupping which can be upward or downward, and in extreme cases, new leaves can be irregular in color, 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 May 6, 2011, at the rate of 4.5 oz /acre using a hose and reel type sprayer.


Joseph D. Becovitz
Pesticide Investigator

Date: September 21, 2011

Disposition: The injury observed on spruce and pine trees at the Klinger residence did not appear to be related to the application of the herbicide Imprelis. No violation of the Indiana Pesticide Use and Application Law could be documented at this time.


George N. Saxton
Compliance Officer

Final Date: October 14, 2011