

CASE SUMMARY

Case #2011/1557

Complainant: Vince Kochert
9834 Buttowndown Lane
Zionsville, Indiana 46077

Applicator: Ryan Coyner
Hittle Landscaping, LLC
17778 Sun Park Drive
Westfield, Indiana 46074
317-710-2387

Licensed Applicator
Licensed Business

1. On August 29, 2011, I, Agent Kevin Gibson 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 Vince Kochert. I observed the following during my on-site investigation:
 - a) Browning of Needles (see figure #1).
 - b) Close-up (see figure #2).
2. I took the following photos depicting injured/damaged vegetation:

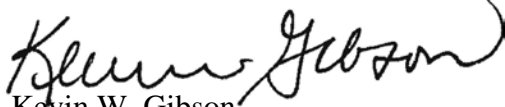


Figure #1



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 spruce sample showed dieback of stems and olive drab discoloration of needles on new growth. 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 re-growth this season, and with certain species, such as Norway spruce, the entire tree can die"*
5. According to the application information collected from the applicator Imprelis Herbicide (EPA Reg. No. 352-793) was applied on May 17, 2011, at the rate of 4.5 oz/acre using "ride-along" 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.



Kevin W. Gibson
Pesticide Investigator

Date: September 6, 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 15, 2011