

CASE SUMMARY

Case #2011/1592

Complainant: Ron Kotter
553 Deer Creek Dr.
Vincennes, IN 47591
812-890-8019

Applicator: Josh Baker
Perk-A-Lawn Inc.
2470 Maranatha Lane
Vincennes, IN 47591
812-881-9786

Registered Technician
Licensed Business

1. On September 6, 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 and shrubs possibly resulting from exposure to the herbicide Imprelis. I observed the following during my on-site investigation:
 - a) Tops of spruce trees were curled (see figure #1).
 - b) Needles "balled up" and brown on tips of candles (see figures #2, #3 & #4).
2. I took the following photos depicting injured/damaged vegetation:



Figure #1



Figure #2



Figure #3



Figure #4

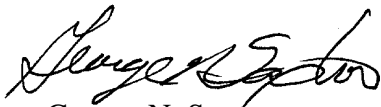
3. I collected the following vegetation samples from visibly impacted non-target vegetation as described in paragraph #1 for examination by the Purdue Plant Pest Diagnostic Laboratory (PPDL):
 - a) Spruce
4. According to a report from the PPDL, *"There was no evidence of significant mite or insect injury or disease on the samples submitted. The sample and pictures submitted show dieback of branches, which in Norway spruce has been associated with injury caused by root uptake of synthetic auxin (growth regulator type) herbicides. Twisting and distortion of the branches was absent from the physical sample. 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 May 9th, 2011, at the rate of 4.5oz /acre using Z sprayer type 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 8, 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