

CASE SUMMARY

Case #2011/1076

Complainant: Jane Roll
1817 North Creasy Lane
Lafayette, IN 47905
765-448-6712

Applicator: Chris Knight
Tippecanoe Lawn Care
4400 St. Rd. 25 N.
Lafayette, IN 47905
765-589-8251

Certified Applicator
Licensed Business

1. On June 20, 2011 I, Agent Kevin W. Neal 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. A Notice of Inspection was issued to Jane Roll. I observed the following during my on-site investigation:
 - a) Tops of trees were curled (see figure 1)
 - b) Needles "curled" and brown on tips of candles (see figure 2)
2. I took the following photos depicting injured/damaged vegetation:



Figure One



Figure Two

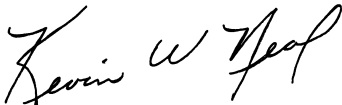
3. I collected the following vegetation samples from visibly impacted non-target vegetation as described in paragraph #1 for examination by the Purdue Plant Pest Diagnostic Laboratory (PPDL):
 - a) White Pine
4. According to a report from the PPDL, *"There was no evidence of disease on the sample. The sample submitted exhibits 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 shoot and its 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. At the site I collected the following environmental samples for chemical analysis by the OISC Residue Laboratory:
- a) Pine Sample From Roll Backyard (PS-1)
 - b) Soil Sample Roll Backyard (SS-1)

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

6. According to the application information collected from the applicator Imprelis Herbicide (EPA Reg. No. 352-793) was applied on March 21 and May 10, 2011 at the rate of 4.5 oz/acre using hand held ground spray equipment.



Kevin W. Neal
Pesticide Investigator

Date: September 23, 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