

CASE SUMMARY

Case #2011/1082

Complainant: Todd Pairitz
The Bristols
12621 Chiefs Court
Fishers, IN 46037

Applicator: Jason Mikesell
Landscape Solutions
20261 State Road 37
Noblesville, IN 46060
317-776-3781

Certified Applicator
Licensed Business

1. On June 22, 2011, I, Agent Andy Roth of the Office of Indiana State Chemist (OISC), performed an investigation at the above listed housing addition in response to a claim of injury/damage to non-target trees and shrubs possibly resulting from exposure to Imprelis Herbicide. Landscape Solutions maintains all common-area turf at the addition. Numerous Norway and blue spruces exhibited distorted, brown new growth, extensive dieback and premature needle drop.
2. I photographed the site documenting the symptoms I observed:



Figure 1



Figure 2



Figure 3



Figure 4



Figure 5




Figure 6

3. I collected plant samples from Norway and blue spruces exhibiting symptoms and submitted them to the Plant & Pest Diagnostic Lab (PPDL) at Purdue for assessment.

4. I collected plant samples from affected Norway and blue spruces and a composite soil sample from the treated turf area for analysis by the OISC Residue Lab.

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

5. The report from the PPDL for the samples submitted indicates, *"The blue spruce sample had a small Cytospora canker on one branch. This would weaken the branch and eventually cause it to be susceptible to wind breakage or dieback. This disease is not responsible for the remaining symptoms. No other significant disease or mite problems were found on the samples. The samples submitted exhibit symptoms that are associated with injury caused by a 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."*
6. According to application information from Landscape Solutions, Jason Mikesell applied Imprelis Herbicide (EPA Reg. No. 352-793) to turf areas at The Bristols on April 20, 2011, at the rate of 4.5 oz /acre using ride-on application equipment.


Andrew R. Roth
Pesticide Investigator

Date: October 26, 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: November 14, 2011