

CASE SUMMARY

Case #2011/1084

Complainant: Bob Hettmansperger
3645 W. CR50N
Wabash, IN 46992

Applicator: Kristian Gaerte
Scott's Landscape Services
11335 N. CR175E
North Manchester, IN 46962
260-982-6139

Certified Applicator
Licensed Business

1. On June 27, 2011, I, Agent Andy Roth of the Office of Indiana State Chemist (OISC), performed an investigation at the property listed above in response to a claim of injury/damage to non-target trees possibly resulting from exposure to Imprelis Herbicide. During my on-site investigation, I observed distorted tips, brown needles and tip dieback on new growth of mature Norway spruces. Smaller Norways were severely browned and had begun dropping needles.
2. I photographed the site documenting the symptoms I observed:



Figure 1



Figure 2



Figure 3



Figure 4

3. I collected a plant sample from Norway spruces exhibiting symptoms and turned them in to the Plant & Pest Diagnostic Lab (PPDL) at Purdue for assessment.
4. I also collected a plant sample from Norway spruces and a composite soil sample from the treated turf area for chemical 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 sample and pictures submitted exhibit 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 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."*
6. According to application information collected from Scott's Landscape Services, Kristian Gaerte applied Imprelis Herbicide (EPA Reg. No. 352-793) on May 3, 2011, at the rate of 4.5 oz /acre using ride-on, ground application equipment.



Andrew R. Roth
Pesticide Investigator

Date: October 25, 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 15, 2011