

CASE SUMMARY

Case #2011/1115

Complainant: Teddi VanBlaracum
1610 W. Chapel Pike
Marion, IN 46952
765-662-6452

Applicator: Jeff Kraemer
Grant County Lawn, Inc.
707 N. Miller Ave
Marion, IN 46952
765-384-5219

Registered Technician
Licensed Business

1. On June 29, 2011, I, Agent Jay Kelley 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 Teddi VanBlaracum. 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).
 - c) Tips of arborvitae's brown with yellowing as you move back toward stem (see figure #4).
2. I took the following photos depicting injured/damaged vegetation:



Figure #1



Figure #2



Figure #3

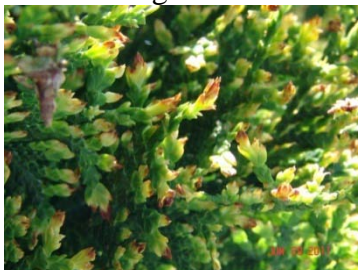




Figure #4

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
 - b) Arborvitae
4. I collected the following environmental samples for chemical analysis by the OISC Residue Laboratory:
- a) Vegetation sample from yard (spruce)
 - b) Soil sample from yard
 - c) Control soil sample
5. According to a report from the PPDL, *"No infectious disease or insect pest found to be associated with the dieback and distortion observed on spruce and oriental arborvitae branch samples submitted. The sample (and pictures) submitted show symptoms that are typically found to be 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."*
6. According to the report from the OISC Residue Lab the following levels of aminocyclopyrachlor (active ingredient in Imprelis Herbicide) were found in the samples referenced in item #4:
- | | |
|---|---------|
| a) Vegetation sample from yard (spruce) | 70 PPB |
| b) Soil sample from yard | 3.1 PPB |
| c) Control soil sample | BDL |
- PPB=Parts Per Billion
BDL=Below Detection Limits
7. According to the application information collected from the applicator Imprelis Herbicide (EPA Reg. #352-793) was applied on April 20, 2011, at the rate of 1.34oz / 13000 square feet using hand held 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.


Paul J. Kelley
Pesticide Investigator

Date: August 4, 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: August 22, 2011