

CASE SUMMARY

Case #2011/1119

Complainant: Susan Greenfield
1406 Fall Ridge Dr.
Brownsburg, IN 46112
317-331-4885

Applicator: James Nalker
Weedbusters Lawn Care
9015 E. CR 300 N
Brownsburg, IN 46112
317-852-5310

Registered Technician
Licensed Business

1. On July 5, 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 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 figure #2).
2. I took the following photos depicting injured/damaged vegetation:



Figure #1



Figure #2

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, *"No infectious disease or insect pest found to be associated with the dieback and distortion observed on spruce sample submitted. The sample submitted exhibit 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."

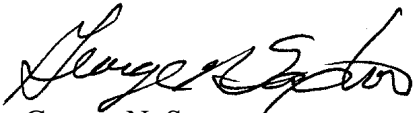
5. According to the application information collected from the applicator Imprelis Herbicide (EPA Reg. No. 352-793) was applied on May 4th, 2011, at the rate of 4.3oz /acre using Z ground spray type equipment; no application was made to the soil within the drip line of any of the trees or ornamentals; no application was made directly to any exposed roots of any trees or ornamentals.



Scott M. Farris
Pesticide Investigator

Date: September 21, 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 14, 2011