CASE SUMMARY

Case #2011/1122

Complainant: Judy Ruark
11512 Seafan Ct
Indianapolis, IN 46236
317-823-0333

Applicator: Rodney Baker — Certified Applicator
RJM Lawn Solutions LLC — Licensed Business
40 Byram Blvd
Martinsville, IN 46151
765-342-1663

1. On June 28, 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 possible injury/damage to non-target trees and shrubs resulting from runoff from a neighbor's property that had exposure to the herbicide Imprelis (See case summary #2011/1121-Mary Price). A Notice of Inspection was issued to Judy Rourk. I observed the following during my on-site investigation:
   a) I did not observe symptoms of Imprelis exposure to vegetation on Mrs. Rourk's property.
   b) Observed some minor needle drop on evergreen toward rear of property.

2. I took the following photos depicting injured/damaged vegetation:

3. I collected the following vegetation samples from visibly impacted non-target vegetation for examination by the Purdue Plant Pest Diagnostic Laboratory (PPDL).
   a) *Spruce*
   b) *Other deciduous plant*

4. At the site I collected the following environmental samples for chemical analysis by the OISC Residue Laboratory:
   a) Vegetation from pine (Spruce) trees.
   b) Vegetation from miscellaneous trees.

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.

5. According to a report from the PPDL, "*Boxwood psyllid, Cacopsylla busi (Linnaeus) was responsible for the cupping on the leaves on the sample of boxwood submitted. No control needed at this time. No infectious disease was found to be associated with the spruce, yew, and alder samples submitted. The spruce exhibited dieback of branch tips however no epinasty (twisting and distortion) suggestive of damage from growth-regulator type herbicide was observed on the spruce sample. Root stress from environmental factors can cause this type of symptom. Yellowing of new growth was observed on the deciduous tree sample (alder) and yellowing of older growth was observed on the yew however we did not observe and specific distortion suggestive of exposure to a growth regulator.*"

Paul J. Kelley III

Paul J. Kelley
Pesticide Investigator

Date: September 22, 2011

Disposition: No violation of the Indiana of the Indiana Pesticide Use and Application Law was documented at this time.

George N. Saxton
Compliance Officer

Final Date: October 12, 2011