

CASE SUMMARY

Case #2011/1123

Complainant: Nancy Jones
8834 E. 400 S.
New Ross, IN 47968
765-366-5482

Applicator: Daniel Guard
Vita Green Lawn Inc.
2109 Indianapolis Rd.
Crawfordsville, IN 47933-0286
765-230-0636

Certified Applicator
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 possibly resulting from exposure to the herbicide Imprelis. I observed the following during my on-site investigation:
 - a) Tops of pine trees were curled (see figure #1).
 - b) Needles "balled up" and brown on the tips of spruce (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
 - b) Pine
4. According to a report from the PPDL, *"No infectious disease or insect pest was found to be associated with the dieback and distortion observed on the spruce and white pine samples submitted. The samples 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 June 3, 2011, at the rate of 4.50oz /acre using Z 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.



Scott M. Farris
Pesticide Investigator

Date: September 23, 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 19, 2011