

CASE SUMMARY

Case #2011/1129

Complainant: Lois & Richard Scott
12838 Norfolk Circle
Carmel, IN 46032
317-582-0061

Applicator: Shaun Messenger
The Greenskeeper, Inc.
1051 Summit Dr.
Carmel, IN 46032
317-846-7131

Certified Applicator
Licensed Business

1. On July 14, 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 and shrubs possibly 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 figures #2 & #3).
 - c) Discoloration of Oak tree (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
4. I collected the following environmental samples for chemical analysis by the OISC Residue Laboratory:
 - a) Vegetation sample from yard (spruce and oak)
 - b) Soil sample from yard
 - c) Soil from under drip edge of spruce
5. According to a report from the PPDL, *"There was no evidence of disease on the samples submitted (pine and spruce). The samples submitted exhibits 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 shoot and its 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 spruce	744 PPB
b) Vegetation sample from oak tree	BDL
c) Soil sample from yard	1.3PPB
d) Soil from under drip edge of spruce	3.0 PPB

PPB=Parts Per Billion BDL=Below Detection Limits
7. According to the application information collected from the applicator Imprelis Herbicide (EPA Reg. No. 352-793) was applied on June 9th, 2011, at the rate of 4.50oz /per acre using hand held ground sprayequipment; 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: October 31, 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 22, 2011