CASE SUMMARY

Case #2011/1140

Complainant: Ira Anes
16121 Wellington Parkway Court
Granger, Indiana 46530
574-276-4756

Applicator: Brian Latimer
Lattimer Lawn Care
51363 County Road 3
Elkhart, Indiana 46514
574-262-5051

1. On June 29, 2011, I, Agent George N. Saxton 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 Ira Anes. I observed the following during my on-site investigation:
   a) Tops of trees twisting and curling and browning of tips of needles (see figures #1, 2 & 3).

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


Figure #1


Figure #2


Figure #3

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. White Pine

4. I collected the following environmental samples for chemical analysis by the OISC Residue Lab:
   A. Composite soil from the yard
   B. Composite vegetation from the tree

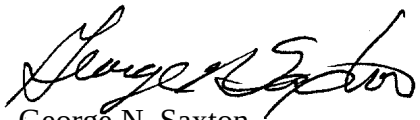
NOTE: A decision was made by OISC management to not analyze these environmental samples. That decision was based on: 1) the large number of similar cases being investigated by OISC at the same time; 2) the large number of similar environmental samples already analyzed that had produced applicable representative 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, "*There is no evidence of disease on the sample submitted. The sample (and pictures) submitted show 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 leaves or needles, shoot and shoot tip; leaf cuppings 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. The prospects for recovery from herbicide damage depends on the dose and the extent of the damage. Don't give up on herbicide damaged trees and shrubs too quickly. Here are some suggestions for managing stress to help allow the tree to recover as much as possible.*
    - *Make sure the tree has plenty of water this summer: Irrigate so the tree gets an inch of water each week from rain and/or irrigation. This will reduce stress on the tree and help wash remaining herbicide down past the root zone.*
    - *Don't prune dead wood until you know the extent of the dieback, probably about a year. Early pruning can stimulate new growth and increase stress. The exception to this is to remove dead branches that might be a hazard if they fall*
    - *Don't fertilize affected trees this year or next year. Again, stimulating new top growth too soon is adding stress to the tree."*

   Tom Creswell
   Director, Plant and Pest Diagnostic Lab
   creswell@purdue.edu

6. According to the application information collected from the applicator Imprelis Herbicide (EPA Reg. No. 352-793) was applied May 3, 2011, at the rate of 4.3 oz/acre using a Z-sprayer; 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.

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 20, 2011