

CASE SUMMARY

Case #2011/1141

Complainant: Carol Porter
16129 Waterside Drive
Granger, Indiana 46530
574-272-8151

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 Dean Porter. I observed the following during my on-site investigation:
 - a) Spiral 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. Spruce
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 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.)"*

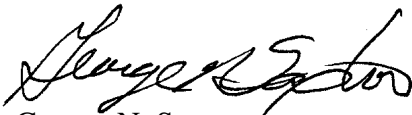
Tom Creswell

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 10, 2011, at the rate of 2.8oz/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 21, 2011