

# CASE SUMMARY

Case #2011/1150

**Complainant:** WH Long Burberry Apartments  
3814 Burberry Dr.  
Lafayette, IN 47905

**Applicator:** Jeff Waldon  
A Beautiful Lawn  
9205 McComb Ct.  
Lafayette, IN 47905  
765-714-9466

Certified Applicator  
Licensed Business

1. On July 1, 2011 I, Agent Kevin W. Neal 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 Jeff Waldon. I observed the following during my on-site investigation:
  - a) Tops of trees were curled
  - b) Spiraling of dead areas
2. I took the following photos depicting injured/damaged vegetation:



Figure One



Figure Two



Figure Three



Figure Four



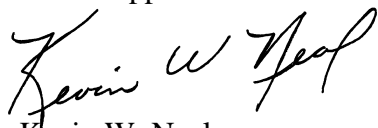
Figure Five



Figure Six

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) Mulberry
4. At the site I collected the following environmental samples for chemical analysis by the OISC Residue Laboratory:
  - a) Pine Sample Near Pond Burberry (PS-1)
  - b) Weed Sample From Under Pine Tree w/Symptoms
  - c) Composite Soil Sample Burberry
  - d) Soil Sample Inside Drip Line of PS-1
5. According to a report from the PPDL, *"The samples submitted were a branch from a spruce tree and a sample of mulberry growing beneath the tree. The mulberry leaves exhibited typical symptoms (twisting and distortion) expected following exposure to a growth regulator-type herbicide. The new growth of the spruce was bleached out and brown however no distortion was evident. Environmental/site stress conditions can cause symptoms similar to those observed on the spruce branch submitted. No insects or diseases were found to be associated with either of the samples submitted."*
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) PS-1 Pine Sample Near Pond Burberry	40 PPB
b) WS-1 Weed Sample From Under Pine Tree w/Symptoms	6.0 PPB
c) SS-1 Composite Soil Sample Burberry	6.7 PPB
d) SS-2 Soil Sample Inside Drip Line of PS-1	.67 PPB
7. According to the application information collected from the applicator Imprelis Herbicide (EPA Reg. No. 352-793) was applied at the rate of 4 oz per acre a Z-Spray ride on applicator.



Kevin W. Neal  
Pesticide Investigator

Date: September 7, 2011

**Disposition:** No violation of the Indiana Pesticide Use and Application Law was documented against the pesticide applicator. On August 12, 2011, a letter was sent to E.I. duPont de Nemours and Company, Inc. proposing cancellation of the registration for Imprelis Herbicide, EPA registration number 352-793, for distributing a pesticide product with label directions that are inadequate to prevent unreasonable adverse effects to non-target vegetation.



George N. Saxton  
Compliance Officer

Final Date: September 14, 2011