CASE SUMMARY

Case #2011/1211

Complainant: Jamie Brooks
7756 White Bark Court
Avon, IN 46123
317-313-6192

Applicator: Christopher Lantrip — Certified Applicator
Lantrip Services — Licensed Business
804 S Green Street
Brownsburg, IN 46112
317-858-8475

1. On July 14, 2011, I, Agent Beth Carter 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. The complainant was unclear as to what herbicides had been applied. A Notice of Inspection was issued to Jamie Brooks. I observed the following on the spruce trees during my on-site investigation:
    a) Browning of needle tips (see figure 1).
    b) Curling at the top (see figure 2).
    c) Spiraling of dead areas (see figure 3).

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


Figure #1


Figure #2

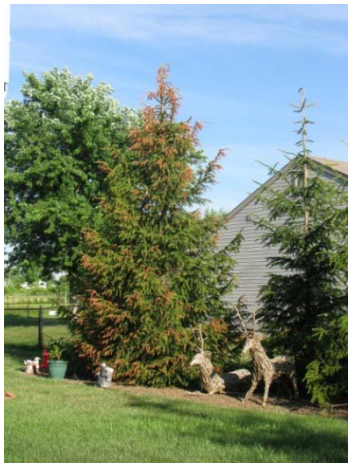
Figure #3

3. I collected the following vegetation sample 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)
    b) Soil sample composite from yard

5. According to the report from the PPDL, *"There was no evidence of significant mite or insect injury or disease on the spruce sample submitted. The sample exhibited symptoms that are associated with injury that can be caused by synthetic auxinic (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; dieback of distorted shoot tips; 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 yard (spruce)* *65.0 PPB*
    b) *Soil sample composite from yard* *0.78 PPB*
    PPB=Parts Per Billion

7. Originally when I spoke with Mr. Lantrip, he stated he had not applied Imprelis Herbicide to Mrs. Brooks' property, but rather he applied fertilizer and three-way herbicide on June 11. When I asked Mr. Lantrip if he possessed any Imprelis Herbicide, he stated he did use it on certain properties.

    Later, Mr. Lantrip called me back. He stated he had used Imprelis Herbicide (EPA Reg. No. 352-793) on the morning of June 11 before he made an application to Mrs. Brooks' property. Mr. Lantrip then said he had not cleaned out the tank between the applications because of the similar nature of the products. He stated that there was probably several gallons of Imprelis left over when he mixed in the three way herbicide and applied to Mrs. Brooks' property.

Elizabeth Carter

Elizabeth C. Carter Date: September 2, 2011
Pesticide Investigator

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

George N. Saxton Final Date: September 15, 2011
Compliance Officer