

# CASE SUMMARY

Case #2011/1231

**Complainant:** Eric Schwarzkopf  
11752 Skyhawk Ct.  
Fishers, IN 46037  
317-845-9517

**Applicator:** Jason Gallaher  
Green Scene, Inc.  
P.O. Box 248  
Fortville, IN 46040  
317-326-8888

Registered Technician  
Licensed Business

1. On July 21, 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 possibly resulting from exposure to the herbicide Imprelis. A Notice of Inspection was issued to Mr. Schwarzkopf. I observed the following on one spruce tree during my on-site investigation:
  - a) Curling at the top (see figure 1).
  - b) Dropped needles (see figure 2).
  - c) Browning of needle tips (see figure 1 & 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. According to a report from the PPDL, *"There was no evidence of significant mite or insect injury or disease on the sample submitted. The sample had few twisting symptoms but 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."*
5. According to the application information collected from the applicator, Imprelis Herbicide (EPA Reg. No. 352-793) was applied on May 2, 2011, at the rate of .10 oz /1000 square feet using a tank sprayer.



Elizabeth C. Carter  
Pesticide Investigator

Date: August 25, 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