

CASE SUMMARY

Case #2011/1232

Complainant: Rick Terrell
Notting Hill Owners Association
3350 Nottinghill Drive East
Plainfield, IN 46168

Applicator:	Jason Welty	Certified Applicator
	Scott Black	Certified Applicator
	Greenleaf Landscaping	Licensed Business
	788 S. Runyon Road	
	Greenwood, IN 46143	
	317-373-9060	

1. On July 20, 2011, I, Agent Andy Roth of the Office of Indiana State Chemist (OISC), performed an investigation at the above listed housing complex in response to a claim of injury/damage to non-target trees and shrubs possibly resulting from exposure to Imprelis Herbicide. Rick Terrell indicated Greenleaf Landscaping has the contract for applications to all the turf areas at the complex. During my on-site investigation, I observed numerous evergreens, including Norway and blue spruce, white pine, arborvitae, cypress and yew which exhibited twisted and stunted new growth, brown and stunted needles, tip dieback and premature needle drop. Affected trees were observed in common areas as well as on homeowner properties. Ornamentals and flower species in homeowner landscape beds also exhibited symptoms, including distorted tips, cupped leaves and leaf scorch/browning..
2. I photographed the site documenting the symptoms I observed:



Figure 1



Figure 2



Figure 3



Figure 4



Figure 5



Figure 6

3. I collected plant samples from several species of plants, including Norway and blue spruce, white pine, arborvitae, cypress, yew, maple and viburnum, which exhibited symptoms and submitted them to the Plant & Pest Diagnostic Lab (PPDL) at Purdue for assessment.
4. I collected a foliage sample from an affected Norway spruce and a composite soil sample from the treated turf area for chemical analysis by the OISC Residue Lab.

NOTE: A decision was made by OISC management to not analyze the environmental samples in this case. That decision was based on: 1) the large number of similar environmental samples already analyzed that had produced representative results consistent with the presence of visible exposure symptoms; 2) the expertise developed by OISC investigators through repetition to identify Imprelis exposure symptoms without chemical confirmation; and 3) the large number of similar cases being investigated by OISC at the same time.

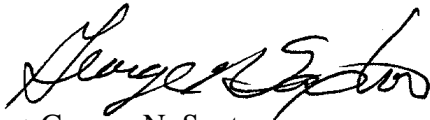
5. The report from the PPDL for the samples submitted indicates, “Cypress, White Pine, Maple, Spruce, Yew, Viburnum and Rose of Sharon submitted. There was no evidence of significant mite or insect injury or disease on the samples submitted.
The samples (and pictures) submitted show symptoms that are 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.”
6. According to application information collected from Greenleaf Landscaping, Jason Welty and Scott Black applied Imprelis Herbicide (EPA Reg. No. 352-793) to turf areas at Notting Hill on April 21, 2011, at the rate of 4.5 oz /acre using ride-on application equipment.



Andrew R. Roth
Pesticide Investigator

Date: October 26, 2011

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: November 14, 2011