

# CASE SUMMARY

Case #2011/1234

**Complainant:** Bob Korson  
6114 Simien Road  
Indianapolis, IN 46237-3058  
317-786-5848

**Applicator:** Steve Mattingly  
Mattingly Lawn Care  
P.O. Box 39268  
Indianapolis, IN 46239-0626  
317-786-3093

Certified Applicator  
Licensed Business

1. On July 20, 2011, I, Agent Joe Becovitz of the Office of Indiana State Chemist (OISC), performed an investigation at the Bob Korson residence in response to a claim of injury/damage to non-target trees and shrubs possibly resulting from exposure to the herbicide Imprelis. I observed the following during my on-site investigation:
  - a) White pine trees exhibited twisting and browning of the new growth (see Figures 1 and 2).
2. I photographed the site documenting the symptoms I observed:



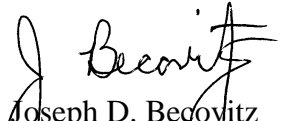
Figure 1



Figure 2

3. I collected the following vegetation samples from visibly impacted non-target vegetation, as described in paragraph #1, for examination by the Plant & Pest Diagnostic Lab (PPDL) at Purdue:
  - a) White pine

4. The report from the PPDL for the samples submitted indicates, *“There was no evidence of significant mite or insect injury or 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. When injury results in new shoot dieback in conifers there will be no regrowth this season, and with certain species, such as Norway spruce, the entire tree can die.”*
5. According to the application information collected from the applicator, Imprelis Herbicide (EPA Reg. No. 352-793) was applied on May 18, 2011, at the rate of 4.5 oz /acre using a hose and reel type sprayer.

  
Joseph D. Becovitz  
Pesticide Investigator

Date: September 20, 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: October 18, 2011