CASE SUMMARY

Case #2011/1262

Complainant: Dr. Arlena Roshel
3448 Bluegrass Ln.
Terre Haute, IN 47802
812-299-1113

Applicator: Dave Calvert — Certified Applicator
Bowman's Pro Turf — Licensed Business
5121 N. Murphy Rd.
Brazil, IN 47834
812-448-1852

1. On July 27, 2011, I, Agent Scott Farris 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. I observed the following during my on-site investigation:
   a) Spruce tree showing browning (see figure #1).
   b) Yew Showing browning (see figure #2)

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


Figure #1

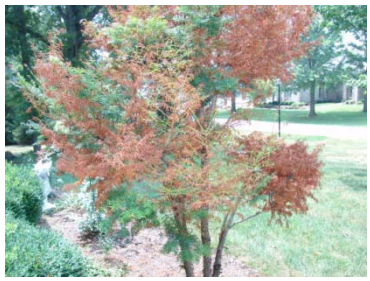
Figure #2

3. I collected the following vegetation samples from visibly impacted non-target vegetation as described in paragraph #1 for examination by the Purdue Plant Pest Diagnostic Laboratory (PPDL):
   a) Spruce
   b) Yew
   c) Lilac
   d) Honeysuckle
   e) Red Oak

4. According to a report from the PPDL, "*Spruce and Yew: There was no evidence of disease or insects/mites on these samples. 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. Lilac and honeysuckle: There was some yellowing on these two samples but symptoms of twisting and distortion of leaves typically seen with this type of herbicide injury were absent. Nutritional or other cultural problems may be contributing to the yellowing. Red Oak: The leaf spotting is caused b oak anthracnose. There were no clear symptoms of herbicide injury on this sample.*"

5. According to the application information collected from the applicator Imprelis Herbicide (EPA Reg. No. 352-793) was applied on May 19th, 2011, at the rate of 4.0oz /per acre using Z sprayer equipment; no application was made to the soil within the drip line of any of the trees or ornamentals; no application was made directly to any exposed roots of any trees or ornamentals.

Scott M Farris — Date: September 1, 2011
Pesticide Investigator

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 — Final Date: September 14, 2011
Compliance Officer