

CASE SUMMARY

Case #2011/1274

Complainant: Bob Rendaci
1225 E. Brentwood Lane
Clinton, IN 47842
765-832-8501

Applicator: Tom Bekkering
Tommy Boys Lawncare
631 Blackmon St.
Clinton, IN 47842
812-208-7626

Certified Applicator

1. On July 22, 2011, I, Agent Kevin Neal 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 Bob Rendaci. I observed the following during my on-site investigation:
 - a) Needles "curled" and brown on tips of candles (see figure 1)
 - b) Spiraling of dead trees (see figure 2)
2. I took the following photos depicting injured/damaged vegetation:



Figure One

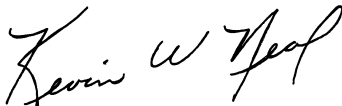


Figure Two

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) Maple
4. According to a report from the PPDL, "Blue Spruce: *The sample showed no evidence of disease. Spruce spider mite eggs and mite injury to older growth were present but not contributing to the dieback. The sample (and pictures) submitted show dieback symptoms that may be associated with injury caused by root uptake or other exposure to*

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.” Red Maple: There was no evidence of disease or insects on the sample. No pictures of the maple were submitted. The sample showed abnormal red color on the petioles along with yellowing between the veins. The petioles were attached to the stem at an abnormal 45 degree downward angle. This set of symptoms suggest possible herbicide involvement but other stress factors such as nutritional problems can’t be ruled out.”

5. According to the application information collected from the applicator Imprelis Herbicide (EPA Reg. No. 352-793) was applied on March 25 and May 13, 2011, at the rate of 4.3 oz/acre using ride on Z-sprayer.



Kevin W. Neal
Pesticide Investigator

Date: September 19, 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: September 26, 2011