

CASE SUMMARY

Case #2011/1280

Complainant: Lee Shipley
2775 Harrison Woods
Terre Haute, IN 47805
812-466-2232

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

Certified Applicator
Licensed Business

1. On August 16, 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 possibly resulting from exposure to the herbicide Imprelis. I observed the following during my on-site investigation:
 - a) Spruce trees curled and brown on tips of candles (see figures #1).
 - b) Maple tree showing symptoms of dieback (see figure #3).
 - c) River birch tree showing some discoloring and leaf spotting (see figure #4).
2. I took the following photos depicting injured/damaged vegetation:



Figure #1



Figure #2



Figure #3



Figure #4

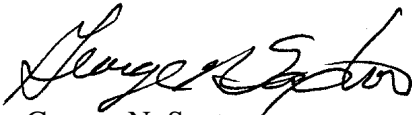
3. I collected the following vegetation samples from visibly impacted non-target vegetation as described in paragraph #1 for examination by the Purdue Plant Pest Diagnostic Laboratory (PPDL):
 - a) Spruce
 - b) Maple
 - c) River Birch
4. According to a report from the PPDL, *"There was no evidence of significant mite or insect injury or disease on the spruce samples submitted. Insect galls were observed on the maple leaves and an unidentified fungal leaf spot was observed on the leaves of the river birch. The sample and picture of the spruce submitted show symptoms that are suggestive of injury that can be 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 June 7th, 2011, at the rate of 4.3oz /acre using Z ground spray 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
Pesticide Investigator

Date: September 15, 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 21, 2011