

CASE SUMMARY

Case #2011/1283

Complainant: Matt McFall
1108 W Miller
Clinton, IN 47842
(765) 832-7369

Applicator: Tom Bekkering
Tommy Boys Lawn Care
631 Blackman St.
Clinton, IN 47842
(812) 208-7626

Licensed Applicator
Licensed Business

1. On July 22, 2011, I, Agent Matt Pearson 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 Matt McFall. I observed the following during my on-site investigation:
 - a) Tops of trees were curled (see figure #1).
 - b) Browning of needles throughout tree (see figure #2).
2. I took the following photos depicting injured/damaged vegetation:

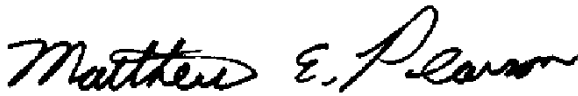


Figure #1



Figure #2

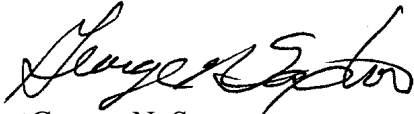
3. I collected the following vegetation samples from visibly impacted non-target vegetation as described in paragraph #1 for examination by the Purdue Plant and Pest Diagnostic Laboratory (PPDL).
 - a) *Spruce*
4. According to a report from the PPDL, *"There was some twisting present on the sample consistent with injury associated with synthetic auxin (growth regulator type) herbicides. but residue testing evidence will be needed to determine whether herbicide injury played a role in death of the tree. We can't rule out drought stress (from 2010 or this year) or other injuries as contributing factors."*
5. According to the application information collected from the applicator Imprelis Herbicide (EPA Reg. No. 352-793) was applied on 5/27/2011, at the rate of 4.3 oz/acre using a Z sprayer; 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.



Matthew E. Pearson
Engineering Specialist

Date: October 17, 2011

Disposition: No violation of the Indiana Pesticide Use and Application Law was documented at this time.



George N. Saxton
Compliance Office

Final Date: November 10, 2011