

# CASE SUMMARY

Case #2011/1288

**Complainant:** Lakes at Towne Road Home Owner's Association  
136<sup>th</sup> Street & Towne Road  
Carmel, IN 46074

**Applicator:** Roberto Tapia                      Registered Technician  
Start to Finish, Inc.                      Licensed Business  
3375 S CR 500 E  
Whitestown, IN 46075  
317-769-2211  
317-710-5802

1. On July 26, 2011, I, Agent Beth Carter 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. A Notice of Inspection was issued to Jeff Yearly, the owner of Start to Finish Inc. I observed the following on spruce trees during my on-site investigation:
  - a) Curling at the top (see figure 1, 2 & 3).
  - b) Browning of needle tips and entire branch (see figure 4 & 5).
  - c) Spiraling of dead areas (see figure 3).
2. I took the following photos depicting injured/damaged vegetation:



Figure 1



Figure 2



Figure 3



Figure 4



Figure 5

3. I collected a vegetation sample from a visibly impacted spruce tree as described in paragraph #1 for examination by the Purdue Plant Pest Diagnostic Laboratory (PPDL).
4. The report from the PPDL stated in part, *“There was no evidence of significant mite or insect injury or disease on the sample submitted. The samples submitted show symptoms that are typically found to be associated with injury that can be caused by a synthetic auxinic (growth regulator type) herbicide. Typical symptoms caused by these herbicides can include epinasty (twisting and curving) of the leaves or needles, shoot and shoot tip; dieback of distorted shoot tips; 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. If injury results in new shoot dieback in conifers there will be no regrowth this season.”*
5. According to the application information collected from the applicator, Imprelis Herbicide (EPA Reg. No. 352-793) was applied on May 9, 2011, at a rate of 4.0 fluid ounces per acre using a ride on sprayer.

*Elizabeth C. Carter*

Elizabeth C. Carter  
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*

George N. Saxton  
Compliance Officer

Final Date: September 21, 2011