

CASE SUMMARY

Case #2011/1296

Complainant: Chris Sullivan
2222 N Sullivan Court
Monticello, Indiana 47960

Applicator: Kevin Potts
Caddyshack Lawn Care
7936 S. 250 E.
Lafayette, Indiana 47909
765-404-6307

1. On July 21, 2011, I, Agent George N. Saxton 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 Imreliis. A Notice of Inspection was issued to Kevin Potts. I observed the following during my on-site investigation:
 - a) Tops of trees twisting and curling and browning of tips of needles (see figures #1, 2 & 3).
2. I took the following photos depicting injured/damaged vegetation:

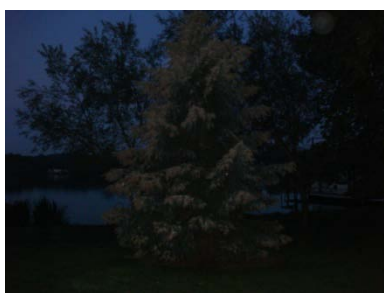


Figure #1



Figure #2

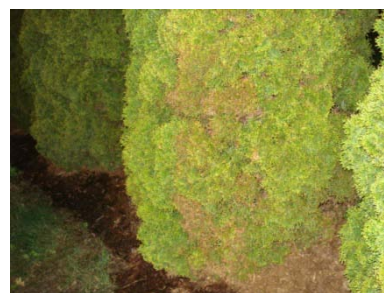


Figure #3

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. Arborvitae
4. According to a report from the PPDL, *"There was no evidence of significant mite or insect injury or disease on the spruce sample submitted. The arborvitae sample exhibited stippling injury from mite feeding on the inner needles. The spruce sample submitted*

showed symptoms 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.

The arborvitae sample exhibited yellow and dead tips, a symptom that can be caused by a number of different stress factors. We have recently seen this type of symptom on arborvitae that is growing in landscapes where turf has been treated with an auxinic (growth regulator type) herbicide.”

--Gail Ruhl; Plant Disease Diagnostician

5. According to the application information collected from the applicator Imprelis Herbicide (EPA Reg. No. 352-793) was applied May 10, 2011, at the rate of 4.5 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.”

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: October 21, 2011