

CASE SUMMARY

Case #2011/1313

Complainant: Mark Lemmerman for Wanda Prock
1430 Cartersburg Road
Danville, IN 46122
317-416-4181

Applicator: Herb Kincaid
Greenleaf Landscaping Inc.
788 Runyon Road
Greenwood, IN 46143-9103
317-373-9060

Certified Applicator
Licensed Business

1. On July 28, 2011, I, Agent Joe Becovitz of the Office of Indiana State Chemist (OISC), performed an investigation at Prock residence in response to a claim of injury/damage to non-target trees and shrubs possibly resulting from exposure to the herbicide Imprelis. I observed the following during my on-site investigation:
 - a) Norway spruce trees exhibited twisting and curling of the new growth (see Figures 1 and 2).
2. I photographed the site documenting the symptoms I observed:



Figure 1

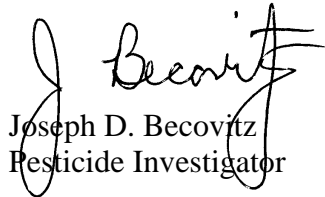


Figure 2

3. I collected the following vegetation samples from visibly impacted non-target vegetation, as described in paragraph #1, for examination by the Plant & Pest Diagnostic Lab (PPDL) at Purdue:
 - a) Norway spruce
4. The report from the PPDL for the samples submitted indicates, *“There was no evidence of significant mite or insect injury or disease on the sample submitted. The sample (and*

pictures) submitted show symptoms that are associated with injury caused 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. 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.

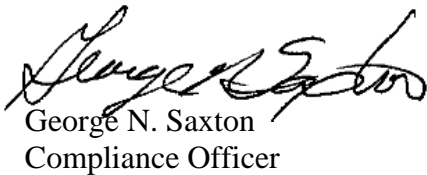
5. According to the application information collected from the applicator, Imprelis Herbicide (EPA Reg. No. 352-793) was applied on May 12, 2011, at the rate of 4.5 oz /acre using ride-on, ground application equipment.



Joseph D. Becovitz
Pesticide Investigator

Date: December 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: January 11, 2012