CASE SUMMARY

Case #2011/1315

Complainant: Dan Childs
659 Winslow Lane
West Lafayette, IN 47906
765-497-4437

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

Certified Applicator
Licensed Business

1. On July 25, 2011 I, Agent Kevin W. Neal 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 Dan Childs. I observed the following during my on-site investigation:
   a) Spiraling of dead areas (see figure 1)
   b) Browning and curling of needles (see figure 2)

2. I took the following photos depicting injured/damaged vegetation:

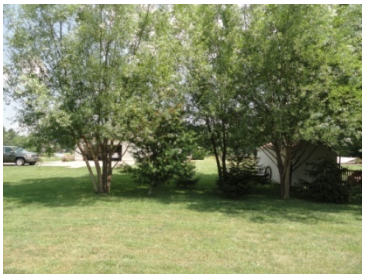

Figure One

Figure Two

3. I collected the following vegetation samples from visibly impacted non-target vegetation for examination by the Purdue Plant Pest Diagnostic Laboratory (PPDL).
   a) White Pine

4. At the site I collected the following environmental samples for chemical analysis by the OISC Residue Laboratory:
   a) Soil Sample From White Pine Drip Line (SS-1)
   b) Soil From Childs Property (SS-2)
   c) White Pine From Childs (WPS-1)
   d) Soil From Target Area Neighbor (SS-3)

5. According to the report from the OISC Residue Lab the following levels of aminocyclopyrachlor (active ingredient in Imprelis Herbicide) were found in the samples referenced in item #4:
    a) *SS-1 Soil Sample from WPS Drip Line* *1.2 ppb*
    b) *SS-2 Soil From Childs Property* *bdl*
    c) *WPS-1 White Pine From Childs* *755 ppb*
    d) *SS-3 Soil From Target Area Neighbor* *2.9 ppb*

6. According to a report from the PPDL, "*There was no evidence of significant mite or insect injury or disease on the sample. The sample 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."*

7. According to the application information collected from the applicator Imprelis Herbicide (EPA Reg. No. 352-793) was applied on May 3, 2011, at the rate of 4.5 oz per acre with Z-Spray ground application equipment.

Kevin W. Neal
Pesticide Investigator

Date: November 29, 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: December 7, 2011