CASE SUMMARY

Case #2011/1329

Complainant: Richard Briede
4590 Brentwood Court
Zionsville, Indiana 46077
317-840-6082

Applicator: Jonas Stephens — Licensed Applicator
Go Green Lawn Services, Inc. — Licensed Business
8091 East Old State Road 144
Mooresville, Indiana 46158
317-714-4848

1. On July 28, 2011, I, Agent Kevin Gibson 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 several non-target trees possibly resulting from exposure to the herbicide Imprelis. A Notice of Inspection was issued to Richard Briede. I observed the following during my on-site investigation:
   a) Browning of needles throughout white pine tree (see figure #1).
   b) Close-up of white pine tree (see figure #2).
   c) Yew shrub with curling and browning of tips (see figure #3)
   d) Close-up of yew tips (see figure #4)

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


Figure #1


Figure #2


Figure #3


Figure #4

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) *Redbud Tree*
   b) *White Pine*
   c) *Yew Shrub*
   d) *Spruce*

4. According to a report from the PPDL, "*Spruce: Twisting, distortion and dieback of new growth was present on this sample. Some spruce spider mite injury was present but not contributing to dieback. Redbud: Passalora leaf spot (Cercospora leaf spot) was causing the small black spots on the leaves. It is a minor pathogen and causes only cosmetic injury to redbud. This disease is not contributing to the cupped and distorted leaves and tattered edges. White pine and Yew: Twisting, dieback and distortion of new growth observed. No disease, mite or insect problems noted. 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 re-growth 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 April 29, 2011 and June 14, 2011, at the rate of4.5 oz/acre using hand held ground spray equipment; 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.

Kevin W. Gibson
Pesticide Investigator

Date: September 28, 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: October 20, 2011