

CASE SUMMARY

Case #2011/1330

Complainant: Bill Adams Sr.
5222 Commerce Square Dr.
Indianapolis, IN 46237
317-889-8900

Applicator: Jason Welty
Greenleaf Landscaping, Inc..
788 S. Runyon Rd
Greenwood, IN 46143
317-881-4566

Certified Applicator
Licensed Business

1. On July 28, 2011, I, Agent Jay Kelley 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 Bill Adams Sr. I observed the following during my on-site investigation:
 - a) Tops of spruce trees were curled. See figure #1.
 - b) Browning of the needles throughout. See figure #2
 - c) Pine needles "balled up" and distorted randomly throughout tree. See figures #3 & #4.
2. I took the following photos depicting injured/damaged vegetation:



Figure #1



Figure #2

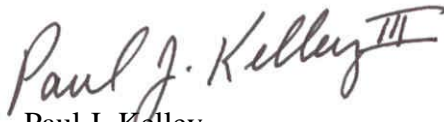


Figure #3



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) Spruce
 - b) White Pine
4. According to a report from the PPDL, *“White Pine and Spruce: samples show twisted and distorted new growth along with yellowing and dieback of new growth. There was no evidence of significant mite or insect injury or disease on the sample submitted. The sample (and pictures) submitted show symptoms that 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 April 28th, 2011, at the rate of 1.78oz / 17,830 square feet 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.



Paul J. Kelley
Pesticide Investigator

Date: August 8, 2011

Disposition: No violation of the Indiana Pesticide Use and Application Law was documented against the pesticide applicator. On August 12, 2011, a letter was sent to E.I. duPont de Nemours and Company, Inc. proposing cancellation of the registration for Imprelis Herbicide, EPA registration number 352-793, for distributing a pesticide product with label directions that are inadequate to prevent unreasonable adverse effects to non-target vegetation.



George N. Saxton
Compliance Officer

Final Date: September 13, 2011