

# CASE SUMMARY

Case #2011/1348

**Complainant:** Marilyn Weber  
3520 Indianbrook Drive  
Lafayette, Indiana 47909  
765-543-1085

**Applicator:** Tippecanoe Lawn Care  
4400 State Road 25 N  
Lafayette, Indiana 47905  
765-589-8251

1. On July 28, 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 Imprelis. A Notice of Inspection was issued to Marilyn Weber. I observed the following during my on-site investigation:
  - a) Dead dogwood tree (see figure #1).
  - b) White pine with white spots (see figure #2).
2. I took the following photos depicting injured/damaged vegetation:



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 Purdue Plant Pest Diagnostic Laboratory (PPDL).
  - A. White Pine
  - B. Dogwood

4. According to a report from the PPDL, "*Pine: Very heavy scale insect infestation was present. The sample has been sent to entomology for evaluation. No significant disease present. No evidence of herbicide injury.*

*Dogwood: There was no evidence of disease or insect injury on the sample submitted and no symptoms of herbicide injury. We suspect the problem is lower down, i.e. root rot or injury, trunk damage or decay, unfavorable soil conditions or site conditions. A larger sample and more information about the site and history of the tree would be needed to attempt to determine the cause of decline. With dogwood in particular it is often difficult to determine a specific cause."*

Tom Creswell

Director, Plant and Pest Diagnostic Lab

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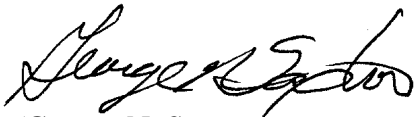
**Entomology Report:**

*The pine samples submitted was verified as being infected with pine needle scale. The white dots on the leaves are scale insects. This infestation is likely responsible for the slow needle growth and much of the browning."*

(Tim Gibb)

5. According to the application information collected from the applicator Imprelis Herbicide (EPA Reg. No. 352-793) was applied April 5<sup>th</sup> and May 20<sup>th</sup>, 2011, at the rate of 4.5 oz/acre.

**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: November 11, 2011