

CASE SUMMARY

Case #2011/1350

Complainant: Casey Baesler
28 Hazelwood Ct.
Terre Haute, IN 47802
812-239-1237

Applicator: Jonathan Pettus
Bowmans Pro Turf
5121 N. Murphy Rd.
Brazil, IN 47834-9118
812-448-1852

Certified Applicator
Licensed Business

1. On August 9, 2011, I, Agent Scott Farris 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 possibly resulting from exposure to the herbicide Imprelis. I observed the following during my on-site investigation:
 - a) Spruce tree was completely brown with dieback (see figures #1& #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) Spruce
4. According to a report from the PPDL, *"The sample submitted had totally dead foliage. There was no evidence of insects, mites or disease on the sample. Cause of the dieback can't be determined based on visual symptoms and pictures submitted. Twisting and distortion of needles was not observed."*

5. According to the application information collected from the applicator Imprelis Herbicide (EPA Reg. No. 352-793) was applied on May 5, 2011, at the rate of 4.00oz /acre using Z 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.



Scott M. Farris
Pesticide Investigator

Date: September 23, 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 19, 2011