CASE SUMMARY

Case #2011/1354

Complainant: Salin Bank
351 Sagamore Parkway W.
West Lafayette, Indiana 47906
765-807-7520

Applicator: Jeff Waldon — Certified Applicator
A Beautiful Lawn
9205 McCombs Court
Lafayette, Indiana 47909
765-523-3187

1. On July 27, 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 Lorenzo Olivo. I observed the following during my on-site investigation:
   a) Dead Honey locusts (see figures #1 & 2).
   b) Yews turning brown (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. Honey locust

4. I collected the following composite vegetation sample to be submitted to the OISC residue lab:
    A. Yew

5. According to a report from the PPDL, "*There was no evidence of significant disease on the sample submitted. A few scales were found. The sample has been sent to entomology for evaluation. A final report will be sent later. 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.*"

    Tom Creswell
    Director, Plant and Pest Diagnostic Lab
    Creswell@purdue.edu

6. According to the OISC residue lab report, the vegetation sample from the shrub contained 1.5 parts-per-billion (PPB) of aminocyclopyrachlor (the active ingredient in Imprelis.

7. According to the application information collected from the applicator, Imprelis Herbicide (EPA Reg. No. 352-793) was applied May 16, 2011, at the rate of one oz/10,000 square feet using a Z-sprayer; no application was made directly to any exposed roots of any trees or ornamentals."

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 21, 2011