

CASE SUMMARY

Case #2011/1365

Complainant: Kathy Nelson
7385 Chipwood Drive
Noblesville, IN 46062
317-774-1284

Applicator: Shaun Messenger
The Greenskeeper
1051 Summit Drive
Carmel, IN 46032
317-846-7131

Licensed Applicator
Licensed Business

1. On August 1, 2011, I, Agent Trish Waller 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 Kathy Nelson. I observed the following during my on-site investigation:
 - a) Stems with tips slightly curled with brown needles (see figure #3).
 - b) Brown throughout tree (see figure #1 & #2).
2. I took the following photos depicting injured/damaged vegetation:



Figure #1



Figure #2



Figure #3

3. I collected the following vegetation samples from visibly impacted non-target vegetation for examination by the Purdue Plant Pest Diagnostic Laboratory (PPDL).
 - a) Spruce

4. According to a report from the PPDL, *“The spruce sample submitted showed a uniform brown discoloration of all needles. The physical sample lacked twisting and distortion of the needles and branches and the dark brown color is atypical of other spruce samples where Imprelis exposure was suspected earlier in the year. The browning may point to other stress factors but does not preclude herbicide injury as contributing. The photos were low resolution but did show some evidence of branch tip twisting similar to that seen with other spruce samples with presumed Imprelis exposure. Rhizosphaera (needlecast fungus) was found fruiting on a few of the brown needles after moist chamber incubation but the fungus was not widespread and Rhizosphaera does not normally cause defoliation of first year needles except where some other stress factor is present. A few scale insects were present but they are not contributing to the symptoms.”*
5. According to the application information collected from the applicator Imprelis Herbicide (EPA Reg. No. 352-793) was applied May 4, 2011, at the rate of 4.5 oz/acre using a tank sprayer 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.



Trish Waller
Inspector

Date: August 30, 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 14, 2011