

CASE SUMMARY

Case #2011/1373

Complainant: Steve Henke
3524 Club Estates Drive
Carmel, IN 46033
317-439-3731

Applicator: John "Thomas" Padgett
Hoosier Lawn Pro
23300 Mulebarn Rd.
Sheridan, IN 46069
317-758-5432

Licensed Applicator
Licensed Business

1. On August 2, 2011, I, Agent Beth Carter 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 Mr. Henke's son. I observed the following on approximately seven evergreen trees during my on-site investigation:
 - a) Dropped needles (see figure 1).
 - b) Spiraling of dead areas (see figure 2).
 - c) Curling at the top (see figure 3).
 - d) Browning and distortion of needle tips (see figure 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*
4. According to a report from the PPDL, *“There was no evidence of significant mite or insect injury or disease on the sample submitted. 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.*
5. According to the application information collected from the applicator Imprelis Herbicide (EPA Reg. No. 352-793) was applied on April 30, 2011, at the rate of 3.0 oz/acre using a backpack sprayer.

Elizabeth C. Carter

Elizabeth C. Carter
Pesticide Investigator

Date: August 24, 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

George N. Saxton
Compliance Officer

Final Date: September 14, 2011