

# CASE SUMMARY

Case #2011/1379

**Complainant:** Lynn Simler  
5000 S. 100 E.  
Lafayette, IN 47909  
765-474-0075

**Applicator:** Chris Knight  
Tippecanoe Lawn Care  
4400 St. Rd. 25 N.  
Lafayette, IN 47905  
765-589-8251

Certified Applicator  
Licensed Business

1. On August 12, 2011, I, Agent Kevin Neal 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 Lynn Simler. I observed the following during my on-site investigation:
  - a) Needles "curled" and brown on tips of candles (see figure1)
  - b) Tops of trees curled (see figure 2)
2. I took the following photos depicting injured/damaged vegetation:



Figure One

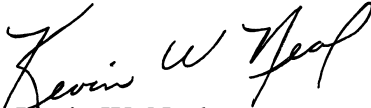


Figure Two

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) Pine
4. According to a report from the PPDL, *"There was no evidence of significant mite or insect injury or disease on the sample submitted. Twisting, distortion, dieback and stunting of new growth was observed. 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."*

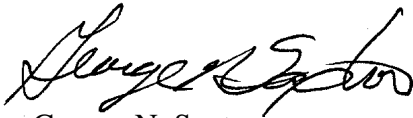
5. According to the application information collected from the applicator Imprelis Herbicide (EPA Reg. No. 352-793) was applied on March 31 and May 17, 2011, at the rate of 4.5 oz/acre using hand held ground spray equipment.



Kevin W. Neal  
Pesticide Investigator

Date: September 12, 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: September 20, 2011