

CASE SUMMARY

Case #2011/1452

Complainant: Bryan Hooker
435 Leeds Circle
Carmel IN 46032
317-571-1268

Applicator: Tim Potts
The Greenskeeper, Inc.
1051 Summit Drive
Carmel, IN 46032
317-846-7131

Registered Technician
Licensed Business

1. On August 12, 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 Mr. Bryan Hooker. I observed the following during my on-site investigation:
 - a) Tops of trees were curled (See Figure #1 and Figure #4).
 - b) Spiraling of dead areas (See Figure #1).
 - c) Browning of needles (See Figure #1, #2, #3, and #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 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 disease on the sample submitted. Spruce spider mite injury was found on the interior needles of this sample but are not contributing significantly to the dieback of new growth. Dieback was present on the sample and twisting or distortion of the new branches was shown in the pictures of the spruce. The samples 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 color, 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 regrowth 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 May 24, 2011 at the rate of 4.5 oz/acre using 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
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: October 25, 2011