

## Appendix O. Triclopyr Incidents

### Listed under Triclopyr (116001)

Unsure if Triclopyr TEA or BEE (not enough information provided for classification)

#### *Aquatic:*

I000925-001 REGISTERD USE

6/10/1993 WV Highly Probable Likelihood

Fish kill of approximately 23000 fish in area (stream/river) below a railroad crossing and above a low retention dam on Blueston River near Bluefield, WV. The route of exposure was via spray drift, and in addition to Triclopyr, another chemical 2,4-D was also listed in the report as being highly probable for incident.

#### *Plants:*

I014404-019 MISUSE

9/12/1990 WA Probable Likelihood

The Annual Report 1991 from the State of Washington included an incident in Spokane County in which shrubs in a yard were dying. The State Extension Office suspected herbicide drift of 2,4-D and Triclopyr from an application made along a fence line in the vicinity. The infractor was charged with a violation of label and state law. The incident occurred in a residential area.

I014404-018 UNDETERMINED LEGALITY

9/5/1990 WA Possible Likelihood

The Annual Report 1991 from the State of Washington included an incident in Yakima County in which the complainant alleges that an application of Triclopyr damaged poplar trees and other ornamentals in her yard. It is not clear whether this was a direct application or as the result of spray drift of the pesticide.

I014409-009 REGISTERD USE

6/4/1992 WA Possible Likelihood

This incident was reported in the Washington State Dept. of Health Annual Report 1993, Pesticide Incident Reporting Review Panel, April 1994, prepared by the Washington State Department of Agriculture. Alleged that Glyphosate, 2,4-D and Triclopyr drifted in to a garden. The drift/over spray was confirmed by lab results. No analysis was submitted, and the State sent a warning letter.

I013883-026 UNDETERMINED LEGALITY

6/28/1997 WA Highly Probable Likelihood

This is from the 1998 Annual Report from the Washington State Department of Health Pesticide Incident Reporting and Tracking Review Panel, September 1999, from the 1997 PIRT Data. Cypress trees were found dying along a fence line, and pesticide residues (Triclopyr and 2,4-D) were found within the plants. The neighbor had used the product, but the site of application was not given.

I012786-005 UNDETERMINED LEGALITY

5/13/2001 France Possible Likelihood

To comply with 6(a)2 requirements, Scotts reported a complaint from Isigny sur mer, France, that Garlon D 12 (Triclopyr and 2,4-D) damaged 10 ornamental trees. The symptom was listed simply as "phytotoxicity."

I007875-001 REGISTERD USE

5/1/1991 WI Probable Likelihood

Garden and ornamental plants of homes bordering 55 treated acres allegedly were injured by drift (physical) and drift due to volatilization. The incident was being investigated by the Wisconsin Dept. of AG Trade and Consumer Protection, for spraying effected under conditions that were too windy, in Oregon, WI. Pesticides involved included Triclopyr and 2,4-D active ingredients in the product Crossbow (which has both TEA and BEE formulations), both were classified as probable likelihood.

I003377-027 ACCIDENTAL MISUSE

3/31/1993 CA Highly Probable Likelihood

A pest control operator applied a pesticide to a railroad right-of-way by ground application. Owners of grapevines adjacent to the railroad noted damage to their crops, almonds also were documented as having plant damage; preliminary estimates of monetary damage were placed at \$6,000,000. The pesticide operator (Asplundh) agreed to plead guilt to 2 misdemeanors (lack of supervision, and failure to evaluate surrounding conditions). A total of \$10,000 was imposed in fines (\$5,000 paid and \$5,000 suspended). Triclopyr was detected as a residue on the plants.

I007834-039 ACCIDENTAL MISUSE

4/23/1998 CA Probable Likelihood

This report was submitted by Karen Heisler, Region 9, as part of a cleanup effort to reduce a backlog of incidents. On April 23, 1998, personnel of the CA Dept. of Transportation applied Garlon on weeds alongside Highway 111, in Coachella, CA. This application was made adjacent to grape vineyards. On April 24, the vineyard owner notified the Riverside County Agricultural Commissioner's Office that the pesticide had drifted onto his vineyards. On May 27 the Southern Regional Office was notified by the grower that the crop loss was estimated at \$500,000. The incident is still under investigation.

## Triclopyr TEA

### ***Aquatic:***

I008883-001 UNDETERMINED LEGALITY

6/7/1999 LA Possible Likelihood

To comply with 6(a)2 regulations, Dow AgroSciences reported an allegation that 45,000 pounds of catfish had been destroyed in a catfish farm in St. Martinsville, LA, by Triclopyr. An adjacent rice field had been sprayed with Grandstand R (Triclopyr TEA) at the rate of 3.0 lbs/gallon, and with Stam M-4 (Propanil), a product not made by Dow. The manager of the catfish farm contends that the spray drift of Grandstand R had killed the fish as the consequence of oxygen starvation, a distance of 70 ft. There were no analyses made to support the allegation which is presumed to have been based on the herbicidal action of Grandstand R that might kill the plankton in the fish pond.

### ***Plants:***

I003147-001 REGISTERD USE -Ag

1/1/1996 TX Probable Likelihood

The registered use of Grandstand R (Triclopyr TEA) resulted in a reduced yield of rice. The incident was reported by the company in response to FIFRA REGS compliance.

I006846-003 REGISTERD USE -Ag

1/1/1998 AR Probable Likelihood

The registered use of Grandstand R (Triclopyr TEA) resulted in a reduced yield of rice. A crop demonstrated yield loss, when grown on a field that had been treated with the pesticide. The Company submits data without prejudice in compliance with FIFRA regulations.

I006846-002 REGISTERD USE -Ag

1/1/1998 AR Probable Likelihood

The registered use of Grandstand R (Triclopyr TEA) resulted in a reduced yield of rice. A crop demonstrated yield loss, when grown on a field that had been treated with the pesticide. The Company submits data without prejudice in compliance with FIFRA regulations.

I006846-001 REGISTERD USE -Ag

1/1/1998 AR Probable Likelihood

The registered use of Grandstand R (Triclopyr TEA) resulted in a reduced yield of rice. A crop demonstrated yield loss, when grown on a field that had been treated with the pesticide. The Company submits data without prejudice in compliance with FIFRA regulations.

I004846-001 REGISTERD USE-rice

1/1/1997 TX Probable Likelihood

Pesticide Grandstand R (Triclopyr TEA) was applied to a rice field, and as a result allegedly demonstrated twisting and knotting up in the rice crop.

I008639-001 REGISTERD USE-rice

5/8/1998 LA Possible Likelihood

Of 106 acres planted in RICE in Bastrop, LA 71220, allegedly all endured crop injury after pesticide Grandstand (Triclopyr TEA) application at planting time. Decreased yield was the salient crop injury demonstrated.

I007340-707 UNDETERMINED LEGALITY

5/27/1998 NJ Possible Likelihood

To comply with 6(a)2 regulations, Solaris reported that ornamentals were alleged to have been damaged in New Jersey on May 27, 1998, as the result of using Ortho Brush-B-Gon (Triclopyr TEA), it was treated directly with the pesticide.

I002507-001 REGISTERD USE

8/16/1995 AR Probable Likelihood

Reportedly, a fence line was treated with Garlon-3 (Triclopyr TEA) a herbicide with a backpack sprayer. Allegedly, a neighboring cotton field experienced patches of injury caused by the drifting effect at the time of spraying the fence line.

I008571-027 ACCIDENTAL MISUSE

3/5/1999 FL Probable Likelihood

In Boynton Beach, FL, nearly 5 acres of lawn were sprayed with Brush-B-Gon (Triclopyr TEA) from a 24 oz bottle with sprayer to control weeds. However, the label specifically states against this. At the recommendation of a local store, the customer now has alleged property damage from use on his entire St. Augustine lawn and wants compensation.

I009262-093 REGISTERD USE

8/20/1999 WI Probable Likelihood

As part of its August, 1999 report of pesticide incidents, Scotts Co. included a complaint from a resident of Ladysmith, WI, who claimed that the parts of her lawn that she treated with Weed-B-Gon Chick (Triclopyr TEA), Clover were burned.

I009262-094 REGISTERD USE

8/30/1999 IL Probable Likelihood

As part of its August, 1999 incident report, Scotts Co. included a complaint from a resident of Orland Park, IL, who alleged that Weed-B-Gon Chick Killer (Triclopyr TEA) damaged his lawn, approximately 120 square feet. The temperature was in the low 80s and he sprayed a 10 x 12 area with a solution of 4 oz/20 gallons.

I008003-001 REGISTERD USE-rice

6/5/1998 LA Possible Likelihood

To comply with 6(a)2 regulations, Dow AgroSciences reported that 58 acres of rice in Eunice, LA, were allegedly damaged by Grandstand (Triclopyr TEA). Here is the problem description: "Over sprayed portions of the field exhibited severe root fish-hooking and dead tellers. Grower took the acreage to yield and compared this yield with other acreage that was treated with other products. He noted a 11.4 barrel deficiency in this treated rice compared to the untreated." The claim date was June 5, 1998 (#67220019981021184127).

I008188-001 REGISTERD USE-rice

10/5/1998 CA Possible Likelihood

To comply with 6(a)2 regulations, Dow AgroSciences reported that 125 acres out of 166 of rice were alleged to have been damaged by Grandstand (Triclopyr TEA) in Biggs, CA. The claim date was October 5, 1998. Here is the report by Dow AgroSciences: "Application made July 8, 1998. Rice was 49 days old when applied. Rice showed symptoms of root twisting and color change, first noticed July 16, 1998. Variety M-202. After application was made temperatures exceeded 100 degrees F."

I008188-003 REGISTERD USE-rice

11/3/1998 CA Possible Likelihood

To comply with 6(a)2 regulations, Dow AgroSciences reported a complaint alleging that 202 acres of rice in Chico, CA, were damaged by Grandstand (Triclopyr TEA). The complaint was dated November 3, 1998. Here is the description of the problem: "Color change noticed on 8/26/98. Rice was 47 days old at application. Variety L-204. Yield at 69 dry. Average 72 dry for all M fields."

I008188-002 REGISTERD USE-rice

11/3/1998 CA Possible Likelihood

To comply with 6(a)2 regulations, Dow AgroSciences reported that all 82 acres of rice in Biggs, CA, were alleged to have been damaged by Grandstand (Triclopyr TEA). The claim was made on November 3, 1998. There was a decreased yield production.

I009513-001 REGISTERD USE-rice

5/26/1999 LA Probable Likelihood

To comply with 6(a)2 regulations, Dow Agrosciences reported a claim made that GRANDSTAND (Triclopyr TEA) adversely affected all 120 acres of rice in Gueydan, LA in May, 1999. Triclopyr is the active ingredient of the product and it caused fish-hooking on roots, aborted tillers, and reduced stand.

I008884-001 ACCIDENTAL MISUSE-rice

6/10/1999 AR Probable Likelihood

To comply with 6(a)2 regulations, Dow AgroSciences reported an incident in which Grandstand (Triclopyr, TEA) was allegedly applied to a rice field in McGehee, AR, but drifted onto a nearby tree plantation area where it destroyed 95.6 acres of cottonwood and 27.9 acres of oak trees, a total of 124 acres of trees were affected.

I009969-006 REGISTERD USE-rice

6/28/1999 CA Probable Likelihood

To comply with 6(a) regulations, Dow reported a complaint from Yuba City, CA, that GRANDSTAND (Triclopyr TEA) had damaged all 142 acres of rice. Here is the Dow inspector's report: "Looked at field on 7/23/99 w/ Debbi Shatley and Greg Anderson. A 3 inch height difference was noticed. Visual symptoms of rice tip burn, aerial roots, crooked neck on roots. Quadris application made 7/21/99. Stemrot. It was stated that 3-4 inches of water in rice during the application. Panicle and head cut in rice-some rough seed come through."

I009513-002 REGISTERD USE-rice

7/2/1999 TX Probable Likelihood

To comply with 6(a)2 regulations, Dow AgroSciences reported the claim that GRANDSTAND (Triclopyr TEA) damaged 150 acres of rice in Katy, TX. Rice was twisted at the roots and tillers are falling off.

I009513-003 REGISTERD USE-rice

11/2/1999 CA Probable Likelihood

To comply with 6(a)2 regulations, Dow AgroSciences reported a complaint alleging that GRANDSTAND (Triclopyr TEA) had damaged all 153 acres of rice in Gridley, CA. An inspector reported that there was visible tip burn and damage to the rice tillers.

I012366-048 UNDETERMINED LEGALITY-rice

5/20/2000 CA Possible Likelihood

To comply with 6(a)2 requirements, Dow reported a complaint from Princeton, CA, that GRANDSTAND HERBICIDE (Triclopyr TEA) damaged 90.3 acres of rice. The Problem Description of the Dow report reads: "Application made at 10 oz for the control of redstem - noticed tip burn 10 days after application."

I016962-005 REGISTERD USE-rice

5/23/2004 CA Possible Likelihood

Farmer claimed that the used Clincher CA (Cyhalofop-butyl) and Grandstand CA (Triclopyr TEA) resulted in yield loss of rice. Apparently the same incident (same date, same town, and same pesticides) was reported in three different claims (I016962-005, -006, and -007) by different people. The three incidents were combined into I016962-005 and the acreage of the three reported areas affected was summed, a total of 560 acres were affected.

I015748-035 REGISTERD USE-rice

6/19/2004 AR Possible Likelihood

To comply with 6(a)2 requirements, Dow reported an incident in Dewitt, AR, in which Grandstand (Triclopyr TEA) damaged 80 acres of a 160-acre crop of rice. Dow admitted that the rice showed signs of injury, but a number of authorities in the field felt that Grandstand could not be related to the injury. Rice production in AR and LA has been diminished by a disease that has not been identified, but the thinking is that Grandstand amplifies the symptoms. Yield losses have been around 50%, and the inspector suggested that the company settle the claim quickly, rather than risk the consequences of taking the crop to yield. Two pesticides were associated with this incident, Propanil and Triclopyr (TEA), and both are listed as possible likelihood of certainty.

I006871-001 ACCIDENTAL MISUSE

No Date OH Probable Likelihood

Dow AgroSciences reported this incident to EPA to comply with FIFRA Section 6(a)(2). Reportedly, a mixture of Garlon 3A (Triclopyr TEA) and Tordon (Picloram) was applied to an electric power line right-of-way. 1.5 inches of rain occurred the next evening moving product (via runoff) into an adjacent soybeans field which resulted in cupped leaves and absent plants. No other data, name of county or the location was reported.

## Triclopyr BEE

### ***Aquatic:***

I005004-001 ACCIDENTAL MISUSE

No date AR Probable Likelihood

DowElanco filed this report with the EPA to comply with FIFRA Section 6(a)(2). Reportedly, Garlon 4 (Triclopyr BEE) aerial drift contaminated an adjacent pond thus, causing damage to some aquatic vegetation. No other details were reported.

### ***Plants:***

I004712-001 REGISTERD USE

1/1/1997 FL Probable Likelihood

The County treated a right-of-way near a 10-acre site of plants (tomatoes) which allegedly showed growth regulatory type injury in 0.92 acres after pesticide treatment (Garlon 4 – Triclopyr BEE). The incident was reported by a company letter/report in compliance with FIFRA Regulations.

I004721-001 REGISTERD USE

1/1/1997 FL Probable Likelihood

The Power & Light Company treated a right-of-way with pesticide (Garlon 4 – Triclopyr BEE) near a planted field. Allegedly, the crop (tomato) showed signs of growth regulatory type injury. The incident was reported by a company letter/report in compliance with FIFRA Regulations.

I003581-001 ACCIDENTAL MISUSE

No date CA Probable Likelihood

It was reported that pastureland, adjacent to a vineyard, was treated with Garlon 4 (Triclopyr BEE). Some of the aerially-applied Garlon drifted onto the vineyard and resulted in brown or dead leaves, decreased growth, and several dead vines. A total of 2 rows of grapevines were affected as the result of spray drift.

I015921-002 UNDETERMINED LEGALITY

1/1/1998 AR Possible Likelihood

To comply with 6(a)2 requirements, Dow reported an incident in Cleveland, OK, in which the plaintiff suffered damage to real property including the deaths of hundreds of trees of desirable variety as the result of conduct in January, 2001 and June/July, 2002, and overspraying in December, 2003 and spring of 2004. Products that were sprayed included Spike 20P, Remedy, and Grazon P+D Herbicide, besides Triclopyr (BEE) chemicals included Picloram, 2,4-D, Triisopropylamine, and Tebuthiuron . In addition to the deaths of the trees, the plaintiff alleges that the contamination of the land and water resources have diminished the property's use for deer hunting and fishing.

I001944-001 ACCIDENTAL MISUSE

No Date OK Possible Likelihood

In conformity with 6(a)2 regulations DowElanco reported that a pest control operator applied Garlon 4 (Triclopyr BEE) and Tordon K (Picloram) on a right-of-way in Oklahoma on a day when the wind speed was between 10 and 16.1 mph. The homeowner of property adjacent to

the right-of-way alleged that 332 oak, 44 walnut, 234 grafted walnut, 50 hickory, 30 hickory grafted to pecan, 30 sassafras, 12 redbud, 5 dogwood, 3 black cherry, 1 Chinese chestnut, 3 apple, 3 pear, 5 sycamore, and 1 ornamental pear were damaged. Also damage was claimed to have occurred to numerous vegetable plantings and to animals. The State Dept. of Agriculture investigated and concluded there was no herbicidal effect to the trees.

I005413-001 ACCIDENTAL MISUSE

No Date CA Probable Likelihood

A roadside median was treated with Garlon 4 (Triclopyr BEE) on a relatively windy day and the spray injured several wine grape fields that were adjacent. Dow AgroSciences reported that the litigation has been voluntarily dismissed with prejudice, no other detail were given

I008077-001 REGISTERD USE

4/1/1994 CA Possible Likelihood

Alleged damage to a vineyard occurred in ST. Helena, CA over a period of three years: April 1994, 1995, and 1996 from drift of a pesticide (Garlon 4 – Triclopyr BEE) that was applied to an adjacent horse pasture. The injury consisted of damage to vines, severe stunting, death of shoot tips and entire shoots which resulted in low fruit, shot berries, withering and dead clusters and loss of crop yield (grapes) and budding grape plants. Of the 13.99 use site acres affected, the acreage belonged to two different owners (1) with 8.02 acres; (2) with 5.97 acres. Co. Code = DERBI 101125.

I005082-001 ACCIDENTAL MISUSE

No Date CA Probable Likelihood

DowElanco filed this report with the EPA to comply with FIFRA Section 6(a)(2). A owner of a rose tree nursery had a malfunction on his spray rig. A valve shutting off the tank containing Turflon ester (Triclopyr BEE) did not completely close when he switched to a tank containing Triforine and Mavrik. The operator proceeded with the treatment and two days later he noted damage to roses. No data of any kind was reported.

**Triclopyr, TEA (116002)**

***Plants:***

I012701-001 UNDETERMINED LEGALITY

2/13/2002 OH Probable Likelihood

To comply with 6(a)2 requirements, DuPont reported a problem concerning the Columbus, OH, Compost Facility which conducted a bioassay to investigate the toxicity of their compost to tomato seedlings (<100). The seedlings showed stunted growth and splitting of terminal leaves. There had been similar problems with composts in other areas. The product applied to the seeds was a product with a mixture of Triclopyr TEA and Clopyralid triethanolamine in the product Confront, both pesticides were classified as being of probable likelihood for the incident.

I010624-001 REGISTERD USE

8/1/2000 WA Possible Likelihood

Numerous newspaper accounts of an environmental problem in the Paoluse area of Washington State. In that area, home gardeners were confronted with a problem that was shown to originate



with the distribution of compost by Washington State University. Further study showed that TORDON 22K was used on fields at the University and the hay harvested from those fields was fed to cattle. Excreta from the cattle contained TORDON and the subsequent concentration found in the home gardens was of the order of 0.01 ppb Picloram. Also listed as possible responsible was Triclopyr TEA in the formulation Confront with Clopyralid. The plants damaged included potatoes and tomatoes.

I010927-035 REGISTERD USE

6/27/1999 CA Probable Likelihood

To comply with 6(a)2 regulations, Dow reported a complaint from Biggs, CA, that Grandstand (Triclopyr TEA) damaged all 156.9 acres of rice plants. The Dow report is as follows: "Looked at field on 7/13/99. Noticed tip burn and overlap areas from application. Yellowing and white spots on the rice and in severely damaged areas. Burned down tillers and also necrotic spots were observed on the leaf. The field was examined again on 7/23/99, and a small buffer strip was noted on the east side.

I010927-036 REGISTERD USE

5/5/1999 CA Probable Likelihood

To comply with 6(a)2 regulations, Dow reported a complaint from Princeton, CA, that Grandstand (Triclopyr TEA) damaged all of a 213-acre crop of rice. The Dow report of the incident follows: "Noticed burn on rice shortly after application. The crop was looked at on 7/21/99. Noticeable burn and some overlap areas. Application made during hot weather, with hot surfactant."

I010927-037 REGISTERD USE

5/28/1999 CA Probable Likelihood

To comply with 6(a)2 regulations, Dow reported a complaint from Willows, CA, that Grandstand (Triclopyr TEA) damaged all 52 acres of a rice crop. The application was made during very hot weather, on May 28. The field was inspected on August 4 and on December 23 when there had been a low yield and the plants were then dead.

I010927-038 ACCIDENTAL MISUSE

4/27/2000 CA Probable Likelihood

To comply with 6(a)2 regulations, Dow reported a complaint from Princeton, CA, that Grandstand (Triclopyr TEA) damaged all 145 acres of a rice crop. The report of the problem by Dow said: "Alleged crop injury and non-performance due to Grandstand. Application made late at 45 days after planting. Application made against label 2 applications 20 days apart. Application made only 15 days apart."

I010927-039 ACCIDENTAL MISUSE

4/25/2000 CA Probable Likelihood

To comply with 6(a)2 regulations, Dow reported a complaint from Woodland, CA, that Grandstand (Triclopyr TEA) damaged all 132 acres of a rice crop. Dow's report of the incident follows: "Application of Grandstand took place late in the season resulting in damage to the rice. Yield by grower allegedly reduced. Variety m-204."

I013636-030 REGISTERD USE

4/1/2002 TX Possible Likelihood

Farmer claims that Grandstand (Triclopyr TEA) damaged his rice stand (42 of 52 acres). No other information supplied.

I013550-006 ACCIDENTAL MISUSE

6/29/2002 CA Probable Likelihood

To comply with 6(a)2 requirements, Dow reported a complaint from Firebaugh, CA, that GRANDSTAND (Triclopyr TEA) damaged a portion of an alfalfa field. The product was being aerially applied to rice but it drifted across a 75 ft canal and then onto an alfalfa field, extending 300 to 400 feet into the field. The alfalfa was burned.

I016962-008 UNDETERMINED LEGALITY

6/25/2003 TX Possible Likelihood

A farming business sued Helena Chemical Company alleging that the Grandstand herbicide (Triclopyr TEA) they sold them caused "various damage" to their rice crop in 2003.

I016962-043 REGISTERD USE

6/15/2005 MS Possible Likelihood

Grower applied Stam M-4 (Propanil) at 1 gal/acre and Grandstand R (Triclopyr TEA) at 0.67 pints/acre to rice, broadleaf weeds, and curly indigo. 70 out of the 405 treated rice field acres experienced injury in the form of tillers erupting from the stalk. This decreased the yield by 17.9 bushels/acre compared to the uninjured 335 acres of rice field. Both Triclopyr and Propanil pesticides were classified as being of possible likelihood for the incident.

I016680-001 UNDETERMINED LEGALITY

4/6/2005 OR Possible Likelihood

A vineyard owner alleged that 13 acres of vineyards was damaged by over-spray of a combination of products (Triclopyr TEA, Sulfometuron, 2,4-D, and Hexazinone). He thinks that they were used on an adjacent Right-Of Way. Application was over several weeks. Soil and tissue samples were taken, and the analysis was not reported.

I017837-003 REGISTERD USE

8/2/2004 MN Possible Likelihood

Nursery grower filed a lawsuit against MN Valley power alleging herbicides [DMA 4 (2,4-D) and Garlon 3A (Triclopyr TEA)] applied to their right-of-way 100 feet from the property killed nursery trees and greenhouse annuals. Leaf tissue samples of tree showed .017 ppm of 2-4-D and no detectable Triclopyr.

**Triclopyr, BEE (116004)**

***Plants:***

I012209-003 MISUSE

5/24/2001 CA Probable Likelihood

A report from the CA Dept. of Pesticide Regulation (8/21/01) stated that the owner of a grape vineyard in Kenwood called the Sonoma County Agricultural Commissioner's office to report a

crop loss and symptoms of herbicide exposure in his vineyard. An investigation was made and it was found that on May 24-25, 2001, the owner of a winery in Glen Ellen applied GARLON 4 (Triclopyr BEE) and ROUNDUP PRO (Acetochlor) on his property to control blackberries. Samples were taken from the vineyard and found positive. It was found that some of the pesticides had drifted onto the grape vines causing damage valued at \$84,380. A Notice of Violation was filed and a fine of \$675 was levied. The action was closed on May 21, 2002

#### I013550-004 REGISTERD USE

7/1/2001 FL Possible Likelihood

To comply with 6(a)2 requirements, Dow reported a complaint from Old Town, FL, that 2,4-D damaged 18 acres of Bermuda grass. The 2,4-D had been applied a month earlier but had produced poor results, so it was re-sprayed with REMEDY (Triclopyr BEE). Stunting was the result of these sprayings. There was one payment of \$2520 and a subsequent one of \$800 to the dealer as a partial cost of the application.

#### I011622-003 ACCIDENTAL MISUSE

5/17/2001 CA Probable Likelihood

To comply with 6(a)2 requirements, Dow submitted letters of June 15, 2001, that reported the judgment made by a court concerning a prior damage claim. The case was made by a tomato farmer in California that Garlon was sprayed by the State of California Department of Water Resources, and this spraying (via drift) damaged his tomato plants which were adjacent. The result was the cupping and curling of the plants, and the Court's finding was in favor of the tomato farmer. Garlon and Remedy (Triclopyr BEE) are registered for a number of uses but they do not include tomatoes.

#### I016940-015 REGISTERD USE

4/1/2004 CA Probable Likelihood

The CA Dept. of Pesticide Regulation reported through EPA Region 9 that there were several applications of Garlon (Triclopyr BEE) herbicide made by State Park employees to control weeds. The herbicide drifted on to a grape vineyard, olive trees and ornamental plants. The vineyard was 8.63 acres valued at \$148,170.00. The grapes were refused at the winery because it had been contaminated with a pesticide that was not approved for use on grapes. The following news related to this incident was published online by the National Coalition Against the Misuse of Pesticides on July 9, 2004. California Park Service used two herbicides, Round Up (Glyphosate) and Garlon 4 (Triclopyr BEE) to eradicate a nonnative plant known as Vinca on park grounds. The herbicide spraying at Bothe-Napa Valley State Park had drifted and accidentally damaged two vineyards. The incident was investigated by the Napa county agricultural commissioner's office and foliage samples were taken from the affected vineyards for lab analysis. The product label prohibits Garlon 4 from being sprayed as mists and prohibits permitting direct contact with grapes, tobacco, vegetable crops, and broad leaf plants.

#### I013645-010 MISUSE

4/23/1998 CA Probable Likelihood

The CA Department of Pesticide Regulation reported an incident in Coachella that resulted in severe damage to two grape vineyards. Personnel of the CA Department of Transportation applied GARLON 4 (Triclopyr BEE) alongside Highway 111 on April 23, 1998. The next day,

the Riverside County Agricultural Commission Office was notified of pesticide damage to two vineyards; it was alleged that the damage sustained was \$1,000,000. Soil and foliage samples, no data supplied, were then collected and the ensuing analyses established that GARLON 4 had drifted onto the vineyards and was responsible for the damage that had been sustained. On May 26 a Violation Notice was issued to Cal Trans for its use of a pesticide in conflict with its registered labeling, and on Dec. 30 an assessment of \$1,000 was levied for violating FAC, Section 12973.

I010927-014 ACCIDENTAL MISUSE

7/24/1999 TX Probable Likelihood

To comply with 6(a)2 requirements, Dow reported a complaint from Carson county, TX, that Triclopyr BEE damaged an entire 300 acre field of soybeans. The problem was that the operator of a flying service applied Remedy to mesquite trees in Armstrong County, TX, and then flushed the chemical out of the plane before filling the sprayer, through a rubber hose, with Round Up. When he sprayed 300 acres of soybeans, they all died. Plastic tubing should have been used to transfer the chemical because Remedy (Triclopyr BEE) penetrates the inner lining of rubber hosing. Dow submitted a letter, dated June 15, 2001 (identified as I011622-001) but it had no additional information.

I013550-007 REGISTERD USE

7/19/2002 FL Probable Likelihood

To comply with 6(a)2 requirements Dow reported a complaint that GARLON 4 (Triclopyr BEE) had damaged about 1.5 acres of beans and 3 oak trees as the result of spray drift. Across the county road from the claimant's property (150-200 ft), there was spraying of GARLON 4 and CHOPPER to a forest site and drift from the spraying damaged about 1.5 acres of beans, 3 oak trees, and some grape vines. The beans exhibited chlorosis and cupping, the grapes were chlorotic, and some of the oak leaves turned brown.