

## Raszka Shelley

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**From:** Gallagher Chuck  
**Sent:** Wednesday, March 25, 2015 4:11 PM  
**To:** Raszka Shelley  
**Subject:** FW: Nuremberg Code on Human Experimentation means aerial spraying of poison should be banned

-----Original Message-----

From: Mark Robinowitz [mailto:mark@oilempire.us]  
Sent: Wednesday, March 25, 2015 4:03 PM  
To: Gallagher Chuck; Rep Witt; Rep Holvey  
Subject: Nuremberg Code on Human Experimentation means aerial spraying of poison should be banned

Dear Representatives:

I urge you to enact all three bills being considered at your hearing tomorrow, including HB 3123, which would prohibit aerial spraying.

The Nuremberg Code on Human Experimentation, which was written by the US federal government, prohibits forcing people to participate in experiments without their consent. Merely disclosing to people that they are being poisoned is cruel - and illegal.

We have the right not to breathe poison downwind of helicopter sprays.

At an environmental group meeting last month, Senator Edwards said that he was recently taken to see a helicopter spray operation, and while standing some distance downwind breathed in some of the spray and felt sick. There's no way to keep these poisons on one side of a property line, since the rotors blow it downwind for miles.

Helicopter herbiciding of federal forests was stopped in the 1980s, it's past time for the rest of Oregon to receive similar protection.

Respectfully,

Mark Robinowitz  
Lane County citizen

The Nuremberg Code on Human Experimentation [www.ushmm.org/research/doctors/Nuremberg\\_Code.htm](http://www.ushmm.org/research/doctors/Nuremberg_Code.htm)

From Trials of War Criminals before the Nuremberg Military Tribunals under Control Council Law No. 10. Nuremberg, October 1946–April 1949. Washington, D.C.: U.S. G.P.O., 1949–1953.

The great weight of the evidence before us is to the effect that certain types of medical experiments on human beings, when kept within reasonably well-defined bounds, conform to the ethics of the medical profession generally. The protagonists of the practice of human experimentation justify their views on the basis that such experiments yield

results for the good of society that are unprocurable by other methods or means of study. All agree, however, that certain basic principles must be observed in order to satisfy moral, ethical and legal concepts:

- The voluntary consent of the human subject is absolutely essential. This means that the person involved should have legal capacity to give consent; should be so situated as to be able to exercise free power of choice, without the intervention of any element of force, fraud, deceit, duress, over-reaching, or other ulterior form of constraint or coercion; and should have sufficient knowledge and comprehension of the elements of the subject matter involved as to enable him to make an understanding and enlightened decision. This latter element requires that before the acceptance of an affirmative decision by the experimental subject there should be made known to him the nature, duration, and purpose of the experiment; the method and means by which it is to be conducted; all inconveniences and hazards reasonably to be expected; and the effects upon his health or person which may possibly come from his participation in the experiment. The duty and responsibility for ascertaining the quality of the consent rests upon each individual who initiates, directs or engages in the experiment. It is a personal duty and responsibility which may not be delegated to another with impunity.

- The experiment should be such as to yield fruitful results for the good of society, unprocurable by other methods or means of study, and not random and unnecessary in nature.

- The experiment should be so designed and based on the results of animal experimentation and a knowledge of the natural history of the disease or other problem under study that the anticipated results will justify the performance of the experiment.

- The experiment should be so conducted as to avoid all unnecessary physical and mental suffering and injury.

- No experiment should be conducted where there is an a priori reason to believe that death or disabling injury will occur; except, perhaps, in those experiments where the experimental physicians also serve as subjects.

- The degree of risk to be taken should never exceed that determined by the humanitarian importance of the problem to be solved by the experiment.

- Proper preparations should be made and adequate facilities provided to protect the experimental subject against even remote possibilities of injury, disability, or death.

- The experiment should be conducted only by scientifically qualified persons. The highest degree of skill and care should be required through all stages of the experiment of those who conduct or engage in the experiment.

- During the course of the experiment the human subject should be at liberty to bring the experiment to an end if he has reached the physical or mental state where continuation of the experiment seems to him to be impossible.

- During the course of the experiment the scientist in charge must be prepared to terminate the experiment at any stage, if he has probably cause to believe, in the exercise of the good faith, superior skill and careful judgment required of him that a continuation of the experiment is likely to result in injury, disability, or death to the experimental subject.

We are constantly being told about “a permissible amount of radiation.” Who permitted it? Who has any right to permit it?

— Dr. Albert Schweitzer, “On Nuclear War And Peace”

These sprays, dusts, and aerosols are now applied almost universally to farms, gardens, forests, and homes — nonselective chemicals that have the power to kill every insect, the “good” and the “bad,” to still the song of birds and the leaping of fish in the streams, to coat the leaves with a deadly film, and to linger on in soil -- all this though the intended target may be only a few weeds or insects. Can anyone believe it is possible to lay down such a barrage of poisons on the surface of the earth without making it unfit for all life? They should not be called “insecticides,” but “biocides.”

Along with the possibility of the extinction of mankind by nuclear war, the central problem of our age has therefore become the contamination of man's total environment with such substances of incredible potential for harm — substances that accumulate in the tissues of plants and animals and even penetrate the germ cells to shatter or alter the very material of heredity upon which the shape of the future depends.

— Rachel Carson, "Silent Spring"