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**CALIFORNIA SECRETARY OF AGRICULTURE REVEALS LBAM AERIAL  
SPRAY PROGRAM OVER POPULATED AREAS IS AN EXPERIMENT**  
*OUR 'BIG CHANCE' TO SHOW THE WORLD*

Monterey, California. During a breakfast in celebration of Ag Week yesterday morning with farmers at the Monterey Fairgrounds, Secretary A. G. Kawamura of the California Department of Food and Agriculture (CDFA) discussed the topic of aerial spraying to eradicate the Light Brown Apple Moth (LBAM). During a press conference afterwards, concerned residents filed inside along with reporters and questioned the program. It was here that Kawamura announced his vision to prove to the world the viability of aerial application of pheromone for pest eradication.

**Says Elsa Dooling**, the Pesticide Watch Community Organizer for Monterey and Santa Cruz Counties, "The most significant thing Sec. Kawamura said about the spray was 'even though the public does not like the aerial application, we should just tolerate it.' He also said this was our 'big chance' to show the world that pheromones can be used to eradicate pests. It's clear to me, and disturbing as well, that an example is being made of this eradication effort and it's going to be used to move a plan forward that likely has a global scope."

**Says John Russo**, resident in Monterey County and founder of StoptheSpray.ORG, "Proving the viability of aerial spray is an experiment. If this is his vision, then he is implementing a massive involuntary experiment on the population of California." John Russo, citing the Nuremberg Code, says "By admitting this today, Kawamura has essentially confessed to a crime."

The Nuremberg code was established after WWII to ensure civilians were never again used as unwilling subjects of experimentation. The first directive of the Nuremberg Code states that voluntary consent of the human subject is absolutely essential. It also states that subjects should be free to end participation at any time, and that the experimenter should be prepared to terminate the experiment if it is likely to result in injury. The Nuremberg Code has been accepted by the National Institutes for Health.

Russo is not alone in calling this an experiment. Residents have been logging their objections since the program was announced. On October 23<sup>rd</sup>, 2007, Theodora Kerry of California signed the petition to stop the spray on Russo's website and wrote: "How dare the government experiment on me without my consent, and not even be prepared to treat and track all citizens injured by the spray."

In response to State plans to resume aerial spraying this summer over a larger population in the Bay Area, Assembly Member Sandré Swanson (d-Oakland) has proposed bill AB 2892 which would require the Secretary of Food and Agriculture to obtain the consent of 2/3 of the registered voters of the cities and counties affected by aerial applications of pesticide if the pest eradication zone includes any urban areas. This bill would guarantee the human right of "voluntary consent" as defined in the Nuremberg Code and NIH directive.

**Background**

The Light-brown Apple Moth (LBAM) was officially discovered in California in 2007 although it may have been in residence in the state for up to 30 years. The State of California Department of Food and Agriculture declared an administrative emergency and established quarantine zones and an eradication program. This multi-million dollar campaign is at least in part motivated by international trade issues and includes residential and urban areas. Of particular concern is that the chemicals used are not tested for use on humans and have never before been applied on such a large scale and over human populations. Long-term effects on human health and the environment are unknown and highly controversial and over 640 health complaints have been identified. The CDFA aerial spray campaign is scheduled to resume and expand into the larger Bay Area in the summer of 2008 with monthly applications until the total eradication of the moth –deemed impossible by most experts –until at least 2010.

The complete regulations and ethical guidelines from the National Institutes of Health, relating to the Nuremberg Code can be found at:

<http://ohsr.od.nih.gov/guidelines/nuremberg.html>

The guidelines for conduct involving human research at the National Institute of Health can be found at: <http://ohsr.od.nih.gov/guidelines/GrayBooklet82404.pdf>

To view or sign the online petition opposing aerial spraying without consent and to read more about the issue please visit: [www.stopthespray.org](http://www.stopthespray.org)