



# ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature  
First Regular Session

## **HB 2762: agricultural vaccinations; disclosure; prohibition**

**Sponsor: Representative Gillette, LD 30**

**Committee on Land, Agriculture & Rural Affairs**

### **Overview**

Requires disclosure of all products made from aquaculture, livestock or poultry that received messenger ribonucleic acid (mRNA) vaccines and prohibits these products from being labelled as organic. Forbids the Arizona Department of Agriculture Director or State Veterinarian from requiring or administering an mRNA vaccine that has not received full approval from the U.S. Department of Agriculture or U.S. Food and Drug Administration.

### **History**

#### ***Messenger Ribonucleic Acid Vaccines***

Messenger ribonucleic acid (mRNA) vaccines rely on genetic information instead of a weakened virus to create an immune response. mRNA is a single-stranded molecule that carries information from a cell's DNA to other parts of the cell to build proteins. Although using mRNA for vaccines has been studied since the early 1990s, this approach was first used in the COVID-19 vaccines developed by Pfizer and Moderna. Specifically, these mRNA vaccines tell cells how to build a piece of the virus's spike protein, which enables them to better recognize and fight COVID-19.

The U.S. Food and Drug Administration (FDA) has given emergency authorization use for COVID-19 vaccines that rely on mRNA. This authorization allows medical countermeasures, including vaccines, to be made publicly available during public health emergencies. To issue this authorization, the FDA must determine that there is adequate manufacturing information to ensure quality and consistency and that the benefits outweigh the vaccine's known and potential risks. A request for this authorization can be submitted on final analysis of phase 3 clinical efficacy trials or interim analysis of this trial if the data meet certain criteria.

As of January 2023, the Center for Veterinary Biologics at the U.S. Department of Agriculture's (USDA) Animal and Plant Health Inspection Service Center does not have any vaccines approved or under trial to vaccinate livestock for COVID-19.

#### ***Organic Food Labeling Requirements***

Under the federal Organic Foods Production Act, a food product is considered organic if it was produced and handled without using synthetic chemicals (except as otherwise permitted), on land where prohibited substances have not been applied in the three years preceding harvest, and its production and handling complies with a plan approved by a certification body ([7 U.S.C. § 6504](#)). This plan must explain how an operation will comply with all federal regulatory requirements, including those for specific commodities ([7 C.F.R. § 205.200 et seq.](#)).

### **Provisions**

1. Requires all products made from aquaculture, livestock or poultry that received mRNA vaccines to:

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
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- a) Contain information on its labels or accompanying documents of sale indicating that the aquaculture, livestock or poultry from which the product was made received an mRNA vaccine and
  - b) Not be labelled or advertised as "organic". (Sec.1)
2. Prohibits the Arizona Department of Agriculture Director or State Veterinarian from requiring or administering an mRNA vaccine that has not received full approval from the USDA or FDA or their successor agencies. (Sec. 2)
  3. Clarifies that "full approval" of an mRNA vaccine does not include emergency approval. (Sec. 2)
  4. Defines *aquaculture, livestock and poultry*. (Sec. 1)
  5. Makes technical changes. (Sec. 2)