

REFERENCE TITLE: disclosure; agricultural vaccinations; prohibition

State of Arizona
Senate
Fifty-sixth Legislature
Second Regular Session
2024

SB 1146

Introduced by
Senators Kern: Rogers, Wadsack; Representatives Heap, Hendrix, Jones,
McGarr

AN ACT

AMENDING TITLE 3, CHAPTER 2, ARTICLE 4, ARIZONA REVISED STATUTES, BY
ADDING SECTION 3-302; AMENDING SECTION 3-1203, ARIZONA REVISED STATUTES;
RELATING TO AGRICULTURE.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Title 3, chapter 2, article 4, Arizona Revised Statutes,
3 is amended by adding section 3-302, to read:

4 3-302. Organic labeling; disclosure; prohibition; definitions

5 A. ALL AQUACULTURE, LIVESTOCK OR POULTRY PRODUCTS MADE FROM
6 AQUACULTURE, LIVESTOCK OR POULTRY THAT RECEIVED A MESSENGER RIBONUCLEIC
7 ACID VACCINATION SHALL:

8 1. BE LABELED TO STATE THAT THE AQUACULTURE, LIVESTOCK OR POULTRY
9 FROM WHICH THE PRODUCT WAS MADE RECEIVED A MESSENGER RIBONUCLEIC ACID
10 VACCINATION ON THE PRODUCT'S LABEL OR ACCOMPANYING DOCUMENTS OF SALE.

11 2. NOT BE LABELED OR ADVERTISED AS "ORGANIC".

12 B. FOR THE PURPOSES OF THIS SECTION, "AQUACULTURE", "LIVESTOCK" AND
13 "POULTRY" HAVE THE SAME MEANINGS PRESCRIBED IN SECTION 3-1201.

14 Sec. 2. Section 3-1203, Arizona Revised Statutes, is amended to
15 read:

16 3-1203. General powers and duties; self-inspection program;
17 civil penalties; central investigation group

18 A. The director or the director's authorized representative shall
19 exercise general supervision over the livestock interests of ~~the~~ THIS
20 state, protect the livestock industry from theft and the livestock and
21 poultry industries from contagious and infectious diseases and protect the
22 public from diseased and unwholesome meat products.

23 B. The director, with the advice of the state veterinarian, may
24 make rules to control and govern:

25 1. THE importation of animals and poultry into ~~the~~ THIS state,
26 establishment of quarantine and its boundaries, notice of quarantine and
27 accomplishment of all things necessary to effect the object of the
28 quarantine and to protect the livestock and poultry industries from and
29 prevent the spread of contagious or infectious diseases.

30 2. THE slaughter of animals and poultry affected by contagious or
31 infectious diseases and THE disposition of carcasses of animals and
32 poultry so slaughtered, ~~when~~ when the action appears necessary to prevent the
33 spread of contagion or infection among livestock and poultry.

34 3. THE importation, manufacture, sale, distribution or use within
35 ~~the~~ THIS state of serums, vaccines and other biologics intended for
36 diagnostic or therapeutic treatment of animals and poultry, and the
37 importation, manufacture or use of virulent blood or living virus of
38 diseases affecting animals and poultry. THIS PARAGRAPH DOES NOT AUTHORIZE
39 THE DIRECTOR OR THE STATE VETERINARIAN TO REQUIRE OR ADMINISTER A
40 MESSENGER RIBONUCLEIC ACID VACCINE THAT HAS NOT RECEIVED FULL APPROVAL
41 FROM EITHER THE UNITED STATES DEPARTMENT OF AGRICULTURE OR THE UNITED
42 STATES FOOD AND DRUG ADMINISTRATION, OR THEIR SUCCESSOR AGENCIES. FOR THE
43 PURPOSES OF THIS SECTION, FULL APPROVAL DOES NOT INCLUDE EMERGENCY
44 APPROVAL.

1 C. The director may:

2 1. Enter into agreements with neighboring states, including
3 agreements regarding the use of livestock officers or livestock inspectors
4 or other agency resources for the purpose of enforcement of livestock laws
5 within this state or within border areas of neighboring states.

6 2. Waive inspections, service charges or inspection fees under this
7 chapter in cases the director deems advisable.

8 3. Direct employees or peace officers to execute the director's
9 orders under this chapter.

10 D. The director may adopt by rule a mandatory self-inspection
11 program for moving livestock from one location to another, and may
12 provide for the private treaty sale of self-inspected livestock. The
13 associate director shall monitor compliance with the requirements of the
14 self-inspection program and shall periodically examine self-inspection
15 records, including livestock inventory records that verify the origin,
16 shipment or sale of livestock. For just cause the director may suspend or
17 modify the self-inspection authorization of feedlots, dairies and
18 producers. A person who knowingly violates the requirements of the
19 self-inspection program shall be placed on administrative probation by the
20 director for a period of one year. If a subsequent violation occurs
21 during the period of probation, the person shall be brought before an
22 administrative law judge and is subject to a civil penalty of ~~two hundred~~
23 ~~dollars~~ \$200 per violation, and the self-inspection authorization shall be
24 revoked for a period of three years. The director may review any order of
25 the administrative law judge and shall review each order involving
26 subsequent violations during a period of probation pursuant to title 41,
27 chapter 6, article 10. The period of a sanction imposed under this
28 subsection begins on the date of THE determination of the violation at a
29 hearing. Civil penalties imposed under this subsection shall be
30 deposited, pursuant to sections 35-146 and 35-147, in the state general
31 fund.

32 E. The director may establish a central investigation group to
33 investigate reports of crimes related to livestock and other violations of
34 this title and rules adopted pursuant to this title. Livestock officers
35 and other employees of the department shall report all cases of apparent
36 crimes related to livestock to the associate director. The investigation
37 group shall cooperate and coordinate its activities with appropriate
38 federal, state and local law enforcement agencies in apprehending and
39 prosecuting violators of livestock laws.