



ARIZONA STATE SENATE
Fifty-Sixth Legislature, Second Regular Session

VETOED
AMENDED

FACT SHEET FOR S.B. 1146

disclosure; agricultural vaccinations; prohibition

Purpose

Prohibits the Director of the Arizona Department of Agriculture (AZDA) and State Veterinarian from requiring or administering a messenger ribonucleic acid (mRNA vaccine) that has not received full approval from either the U.S. Department of Agriculture or the U.S. Food and Drug Administration (FDA), or their successor agencies, and allows all aquaculture, livestock or poultry products that did not receive an mRNA vaccination to be labeled as such.

Background

The Director of the AZDA, with the advice of the State Veterinarian, may make rules to control and govern the: 1) importation of animals and poultry into Arizona, establishment of quarantine and its boundaries, notice of quarantine and accomplishment of all things necessary to effect the object of the quarantine and to protect the livestock and poultry industries from and prevent the spread of contagious or infectious diseases; 2) slaughter of animals and poultry affected by contagious or infectious diseases and the disposition of carcasses of animals and poultry so slaughtered when the action appears necessary to prevent the spread of contagion or infection among livestock and poultry; and 3) importation, manufacture, sale, distribution or use within Arizona of serums, vaccines and other biologics intended for diagnostic or therapeutic treatment of animals and poultry, and the importation, manufacture or use of virulent blood or living virus of diseases affecting animals and poultry ([A.R.S. § 3-1203](#)).

Aquaculture is the controlled propagation, growth and harvest of aquatic animals or plants, including fish, amphibians, shellfish, mollusks, crustaceans, algae and vascular plants. *Livestock* means cattle, equine, sheep, goats and swine, except feral pigs. *Poultry* is any domesticated bird, whether live or dead, and includes chickens, turkeys, ducks, geese, guineas, ratites and squabs ([A.R.S. § 3-1201](#)).

There is no anticipated fiscal impact to the state General Fund associated with this legislation.

Provisions

1. Allows all aquaculture, livestock or poultry products made from aquaculture, livestock or poultry that has not received an mRNA vaccination to be labelled to state that the aquaculture, livestock or poultry from which the product was made did not receive an mRNA vaccination.
2. Specifies that the label must state *mRNA free* in black text on an orange background and may not be larger than one-quarter inch in height.

3. Prohibits the Director of the AZDA and State Veterinarian from requiring or administering an mRNA vaccine that has not received full approval from either the U.S. Department of Agriculture or the U.S. FDA, or their successor agencies.
4. Specifies that, for the purposes of the prohibition, full approval of an mRNA vaccine does not include emergency approval.
5. Defines *aquaculture*, *livestock* and *poultry*.
6. Makes technical changes.
7. Becomes effective on the general effective date.

Amendments Adopted by Committee of the Whole

1. Allows all aquaculture, livestock or poultry products made from aquaculture, livestock or poultry that has not received an mRNA vaccination to be labelled to state that the aquaculture, livestock or poultry from which the product was made did not receive an mRNA vaccination, rather than requiring products made from aquaculture, livestock or poultry that received an mRNA vaccination to be labelled as such.
2. Specifies that the label must state *mRNA free* in black text on an orange background and may not be larger than one-quarter inch in height.
3. Removes the prohibition that products made from aquaculture, livestock or poultry that received an mRNA vaccination be labeled or advertised as *organic*.

Governor's Veto Message

The Governor indicates in her [veto message](#) that, if the AZDA needs to rely on the use of mRNA vaccines in the future to mitigate disease outbreaks, S.B. 1146 would pose a risk to the health and safety of Arizonans, as well as the vitality of cattle ranchers and farmers.

Senate Action

NREW 2/15/24 DP 4-2-1
3rd Read 2/22/24 16-12-2

House Action

LARA 3/11/24 DP 5-4-0-0
3rd Read 4/4/24 31-27-2

Vetoed by the Governor 4/16/24

Prepared by Senate Research

April 17, 2024

RA/SDR/slp