

1 State of Arkansas
2 95th General Assembly
3 Regular Session, 2025
4

As Engrossed: S4/7/25

A Bill

SENATE BILL 255

5 By: Senators C. Penzo, J. Boyd, J. Bryant
6 By: Representatives C. Cooper, Rose, Long
7

For An Act To Be Entitled

9 AN ACT TO AMEND THE DEFINITION OF "DRUG" WITHIN THE
10 FOOD, DRUG, AND COSMETIC ACT; TO DECLARE AN
11 EMERGENCY; AND FOR OTHER PURPOSES.
12
13

Subtitle

15 TO AMEND THE DEFINITION OF "DRUG" WITHIN
16 THE FOOD, DRUG, AND COSMETIC ACT; AND TO
17 DECLARE AN EMERGENCY.
18

19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
20

21 SECTION 1. Arkansas Code § 20-56-202(9), concerning the definition of
22 "drug" within the Food, Drug, and Cosmetic Act, is amended to read as
23 follows:

24 (9) "Drug" means:

25 (A) Articles recognized in the official United States
26 Pharmacopoeia and National Formulary, the official Homeopathic Pharmacopoeia
27 of the United States, ~~the official National Formulary~~, or in any supplement
28 to any of them;

29 (B) Articles intended for use in diagnosis, cure,
30 mitigation, treatment, or prevention of disease in humans or other animals;

31 (C) Articles other than food intended to affect the
32 structure or any function of the bodies of humans or other animals; ~~and~~

33 (D) Articles intended for use as a component of any
34 article specified in subdivisions (9)(A)-(C) of this section, but does not
35 include devices or their components, parts, or accessories; and

36 (E) Food other than meat that contains a vaccine or



1 vaccine material;

2

3 SECTION 2. Arkansas Code § 20-56-202, concerning definitions within
4 the Food, Drug, and Cosmetic Act, is amended to add an additional subdivision
5 to read as follows:

6 (20) "Vaccine or vaccine material" means a substance intended
7 for use in humans to stimulate the production of antibodies and provide
8 immunity against disease, prepared from the causative agent of a disease, its
9 products, or a synthetic substitute, treated to act as an antigen without
10 inducing the disease, that is authorized or approved by the United States
11 Food and Drug Administration.

12

13 SECTION 3. EMERGENCY CLAUSE. It is found and determined by the
14 General Assembly of the State of Arkansas that universities and industries
15 are studying the possibility of turning edible plants into mRNA vaccines to
16 be sold to consumers; that with the increasing advancements in technology,
17 consumers in this state should be aware of any vaccine or vaccine material in
18 food; that medical labeling should be required for any food that contains a
19 vaccine or vaccine material; and that this act is immediately necessary to
20 protect the health and safety of the consumers in Arkansas and to ensure that
21 all products containing vaccines or vaccine materials are properly labeled.
22 Therefore, an emergency is declared to exist, and this act being immediately
23 necessary for the preservation of the public peace, health, and safety shall
24 become effective on:

25 (1) The date of its approval by the Governor;

26 (2) If the bill is neither approved nor vetoed by the Governor,
27 the expiration of the period of time during which the Governor may veto the
28 bill; or

29 (3) If the bill is vetoed by the Governor and the veto is
30 overridden, the date the last house overrides the veto.

31

32

/s/C. Penzo

33

34

35

36