

Stricken language would be deleted from and underlined language would be added to present law.

State of Arkansas
95th General Assembly
Regular Session, 2025

As Engrossed: S4/7/25

A Bill

SENATE BILL 255

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

For An Act To Be Entitled

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

Subtitle

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

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

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

(9) "Drug" means:

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

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

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

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

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



vaccine material;

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

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

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

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

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

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

/s/C. Penzo