

Federal Law Prohibits Mandates of Emergency Use COVID Vaccines, Tests, Masks – 3 Resources You Can Use to Inform Your School or Employer

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Under federal law, employers and universities cannot legally mandate COVID vaccines because they are unlicensed Emergency Use Authorization products which are, by definition, experimental.

by [Aimee Villella McBride](#) & [Stephanie Locricchio](#), The Defender

With more than [100 U.S. colleges](#) mandating [COVID vaccines](#) for in-person attendance and schools enforcing mask mandates, it's critical people understand their rights.

The bottom line is this: mandating products authorized for [Emergency Use Authorization status](#) (EUA) violates federal law as detailed in the following [legal notifications](#).

All COVID vaccines, [COVID PCR and antigen tests](#), and masks are merely EUA-authorized, not approved or licensed, by the federal government. Long-term safety and [efficacy](#) have not been proven.

EUA products are by definition [experimental](#), which requires

people be given the right to refuse them. Under the [Nuremberg Code](#), the foundation of ethical medicine, no one may be coerced to participate in a medical experiment. [Consent of the individual](#) is “absolutely essential.”

Earlier this year, Mary Holland, [Children’s Health Defense](#) president and general counsel, and attorney Greg Glaser [stated](#) that federal law prohibits employers from mandating EUA COVID vaccines (or EUA COVID-19 tests or masks).

Holland and Glaser wrote:

“If a vaccine has been issued EUA by the FDA, it is not fully licensed and must be voluntary. A private party, such as an employer, school or hospital cannot circumvent the EUA law, which prohibits mandates. Indeed, the EUA law preventing mandates is so explicit that there is only one precedent case regarding an attempt to mandate an EUA vaccine.”

What to do if your school or employer says you must get the COVID vaccine

The Children’s Health Defense legal team has written three legal notifications that anyone faced with a [COVID vaccine](#), [COVID test](#) or [mask mandate](#) can use to inform employers and universities that they are violating federal law. You can download the three notifications [here](#).

All of the notifications include this language:

“Federal law, [Title 21 U.S.C. § 360bbb-3\(e\)\(1\)\(A\)\(ii\)\(I-III\)](#) of the Federal Food, Drug, and Cosmetic Act, states the following about products granted emergency authorization usage:

Individuals to whom the product is administered are informed—

(I) that the Secretary has authorized the emergency use of the product;

(II) of the significant known and potential benefits and risks

of such use, and of the extent to which such benefits and risks are unknown; and

(III) of the option to accept or refuse administration of the product, of the consequences, if any, of refusing administration of the product, and of the alternatives to the product that are available and of their benefits and risks.

Any entity or organization that requires EUA COVID-19 vaccinations, COVID-19 tests or masks are in violation of federal law, and will likely face lawsuits if they don't allow exemptions or alternatives."

Submitting the notices prepared by Children's Health Defense is the first step prior to seeking an exemption or taking legal action.

Vaccine exemption laws vary by state. Go to the [National Vaccine Information Center](#) to learn more about your state exemptions.

It's critical to stand against mandates and preserve legally protected, fundamental human rights on issues related to health freedom. Don't fall prey to coercion and pressure, use the resources available to protect your legal rights.

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