



**NOTICE FOR EMPLOYERS AND UNIVERSITIES  
MANDATING COVID-19 VACCINES**

*April 23, 2021*

This serves as notice that the requirement for any individual to be vaccinated against COVID-19 for employment or attendance at a university violates federal law. All COVID-19 vaccines are merely authorized, not approved or licensed, by the federal government; they are Emergency Use Authorization (EUA) only. No court has ever upheld a mandate for an EUA vaccine. Federal law states:

Title 21 U.S.C. § 360bbb-3(e)(1)(A)(ii)(I-III) of the Federal Food, Drug, and Cosmetic Act states:

**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.

EUA products are by definition experimental and thus require the right to refuse. 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." A federal court held that the U.S. military could not mandate EUA vaccines to soldiers. *Doe #1 v. Rumsfeld*, 297 F.Supp.2d 119 (2003). The court held: "...the United States cannot demand that members of the armed forces also serve as guinea pigs for experimental drugs." *Id.* at 135.

The FDA [website](#) clearly states that EUA products require people to "have the option to accept or refuse the vaccine."

The liability for forced participation in a medical experiment may be incalculable, not to mention liability for injury or death from it. Medical and religious exemptions for a tiny minority will be insufficient to overcome the illegality of EUA vaccine mandates.

Children's Health Defense urges U.S. employers and universities to comply with federal law and respect and uphold the rights of individuals to refuse EUA COVID-19 vaccines.