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New state law to protect purity of Muslim food," 7-13-2000 Home News and Tribune, p.A3
"Whitman signs bill enforcing Islamic dietary law," 7-13-2000 The Record, p.A4
"Jersey law protects integrity of halal food," 7-13-2000 Star Ledger, p.20

SENATE, No. 460

STATE OF NEW JERSEY
209th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2000 SESSION

Sponsored by:
Senator JOHN A. GIRGENTI
District 35 (Passaic)

SYNOPSIS

Prevents consumer fraud in the preparation, distribution and sale of food represented as halal.

CURRENT VERSION OF TEXT

As Introduced.



S460 GIRGENTI

2

1 AN ACT preventing consumer fraud in the preparation, distribution
2 and sale of food represented as halal, amending the title and body
3 of P.L.1988, c.154, and supplementing P.L.1960, c.39 (C.56:8-1 et
4 seq.).

5

6 **BE IT ENACTED** by the Senate and General Assembly of the State
7 of New Jersey:

8

9 1. (New section) Sections 1 through 6 of this act shall be known
10 and may be cited as the "Halal Food Consumer Protection Act."

11

12 2. (New section) As used in this act:

13 "Dealer" means any establishment that advertises, represents or
14 holds itself out as selling, preparing or maintaining food as halal,
15 including, but not be limited to, manufacturers, slaughterhouses,
16 wholesalers, stores, restaurants, hotels, catering facilities, butcher
17 shops, summer camps, bakeries, delicatessens, supermarkets, grocery
18 stores, nursing homes, freezer dealers and food plan companies. These
19 establishments may also sell, prepare or maintain food not represented
20 as halal.

21 "Director" means the Director of the Division of Consumer Affairs
22 in the Department of Law and Public Safety or the director's designee.

23 "Food" means a food, food product, food ingredient, dietary
24 supplement or beverage.

25

26 3. (New section) a. Any dealer who prepares, distributes, sells or
27 exposes for sale any food represented to be halal, shall disclose the
28 basis upon which that representation is made by posting the
29 information required by the director, pursuant to regulations adopted
30 pursuant to the authority provided in section 4 of P.L.1960, c.39
31 (C.56:8-4), on a sign of a type and size specified by the director in a
32 conspicuous place upon the premises at which the food is sold or
33 exposed for sale as required by the director.

34 b. It shall be an unlawful practice for any person to violate the
35 requirements of subsection a. of this section.

36

37 4. (New section) Any person subject to the requirements of
38 section 3 of this act shall not have committed an unlawful practice if
39 it can be shown by a preponderance of the evidence that the person
40 relied in good faith upon the representations of a slaughterhouse,
41 manufacturer, processor, packer or distributor of any food represented
42 to be halal.

EXPLANATION - Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

1 5. (New section) Possession by a dealer of any food not in
2 conformance with the disclosure required by section 3 of this act with
3 respect to that food is presumptive evidence that the person is in
4 possession of that food with the intent to sell.

5
6 6. (New section) Any dealer who prepares, distributes, sells or
7 exposes for sale any food represented to be halal shall comply with all
8 requirements of the director, including, but not limited to,
9 recordkeeping, labeling and filing, pursuant to regulations adopted
10 pursuant to the authority provided in section 4 of P.L.1960, c.39
11 (C.56:8-4).

12
13 7. The title of P.L.1988, c.154 is amended to read as follows:
14 **AN ACT [to revise the kosher food law] concerning the preparation,**
15 **distribution and sale of various foods,** supplementing chapter 21 of
16 Title 2C of the New Jersey Statutes and repealing section 23B of
17 P.L.1981, c.290.

18 (cf: P.L.1988, c.154, title)

19
20 8. Section 1 of P.L.1988, c.154 (C.2C:21-7.2) is amended to read
21 as follows:

22 1. As used in this act:

23 a. "Advertise" means engaging in promotional activities including,
24 but not limited to, newspaper, radio and television advertising; the
25 distribution of fliers and circulars; and the display of window and
26 interior signs.

27 b. "Food," "food product," or "food commodity" means any food,
28 food product or food preparation, whether raw or prepared for human
29 consumption, and whether in a solid or liquid state, including, but not
30 limited to, any meat, meat product or meat preparation; any milk, milk
31 product or milk preparation; and any alcoholic or non-alcoholic
32 beverage.

33 c. "Food commodity in package form" means a food commodity
34 put up or packaged in any manner in advance of sale in units suitable
35 for retail sale and which is not intended for consumption at the point
36 of manufacture.

37 d. "Kosher" means prepared under and maintained in strict
38 compliance with the laws and customs of the Orthodox Jewish religion
39 and includes foods prepared for the festival of Passover and
40 represented to be "kosher for Passover."

41 e. "Halal" means prepared under and maintained in strict
42 compliance with the laws and customs of the Islamic religion.

43 (cf: P.L.1988, c.154, s.1)

44
45 9. Section 2 of P.L.1988, c.154 (C.2C:21-7.3) is amended to read
46 as follows:

1 2. a. A false representation prohibited by this act shall include any
2 oral or written statement that directly or indirectly tends to deceive or
3 otherwise lead a reasonable individual to believe that a non-kosher
4 food or food product is kosher.

5 b. The presence of any non-kosher food or food product in any
6 place of business that advertises or represents itself in any manner as
7 selling, offering for sale, preparing or serving kosher food or food
8 products only, is presumptive evidence that the person in possession
9 offers the same for sale in violation of this act.

10 c. It shall be a complete defense to a prosecution under this act
11 that the defendant relied in good faith upon the representations of a
12 slaughterhouse, manufacturer, processor, packer or distributor, or any
13 person or organization which certifies or represents any food or food
14 product at issue to be kosher, kosher for Passover, or as having been
15 prepared under or sanctioned by Orthodox Jewish religious
16 requirements.

17 d. A false representation prohibited by P.L.1988, c.154 (C.2C:21-
18 7.2 et seq.) shall include any oral or written statement that directly or
19 indirectly tends to deceive or otherwise lead a reasonable individual to
20 believe that a non-halal food or food product is halal.

21 e. The presence of any non-halal food or food product in any place
22 of business that advertises or represents itself in any manner as selling,
23 offering for sale, preparing or serving halal food or food products
24 only, is presumptive evidence that the person in possession offers the
25 same for sale in violation of P.L.1988, c.154 (C.2C:21-7.2 et seq.).

26 f. It shall be a complete defense to a prosecution under P.L.1988,
27 c.154 (C.2C:21-7.2 et seq.) that the defendant relied in good faith
28 upon the representations of a slaughterhouse, manufacturer, processor,
29 packer or distributor, or any person or organization which certifies or
30 represents any food or food product at issue to be halal or as having
31 been prepared under or sanctioned by Islamic religious requirements.

32 (cf: P.L.1988, c.154, s.2)

33
34 10. Section 3 of P.L.1988, c.154 (C.2C:21-7.4) is amended to read
35 as follows:

36 3. A person commits a disorderly persons offense if in the course
37 of business he:

38 a. (1) Falsely represents any food sold, prepared, served or offered
39 for sale to be kosher or kosher for Passover;

40 (2) Removes or destroys, or causes to be removed or destroyed,
41 the original means of identification affixed to food commodities to
42 indicate that same are kosher or kosher for Passover, except that this
43 paragraph shall not be construed to prevent the removal of the
44 identification if the commodity is offered for sale as non-kosher; or

45 (3) Sells, disposes of or has in his possession for the purpose of
46 resale as kosher any food commodity to which a slaughterhouse

1 plumba, mark, stamp, tag, brand, label or other means of identification
2 has been fraudulently attached.

3 b. (1) Labels or identifies a food commodity in package form to
4 be kosher or kosher for Passover or possesses such labels or means of
5 identification, unless he is the manufacturer or packer of the food
6 commodity in package form;

7 (2) Labels or identifies an article of food not in package form to be
8 kosher or kosher for Passover or possesses such labels or other means
9 of identification, unless he is the manufacturer of the article of food;

10 (3) Falsely labels any food commodity in package form as kosher
11 or kosher for Passover by having or permitting to be inscribed on it,
12 in any language, the words "kosher" or "kosher for Passover," "parve,"
13 "glatt," or any other words or symbols which would tend to deceive or
14 otherwise lead a reasonable individual to believe that the commodity
15 is kosher or kosher for Passover; or

16 (4) Labels any food commodity in package form by having or
17 permitting to be inscribed on it the words "kosher-style,"
18 "kosher-type," "Jewish," or "Jewish-style," unless the product label
19 also displays the word "non-kosher" in letters at least as large and in
20 close proximity.

21 c. (1) Sells, offers for sale, prepares, or serves in or from the same
22 place of business both unpackaged non-kosher food and unpackaged
23 food he represents to be kosher unless he posts a window sign at the
24 entrance of his establishment which states in block letters at least four
25 inches in height: "Kosher and Non-Kosher Foods Sold Here," or
26 "Kosher and Non-Kosher Foods Served Here," or a statement of
27 similar import; or

28 (2) Employs any Hebrew word or symbol in any advertising of any
29 food offered for sale or place of business in which food is prepared,
30 whether for on-premises or off-premises consumption, unless the
31 advertisement also sets forth in conjunction therewith and in English,
32 the words "We Sell Kosher Food Only," "We Sell Both Kosher and
33 Non-Kosher Foods," or words of similar import, in letters of at least
34 the same size as the characters used in Hebrew. For the purpose of
35 this paragraph, "Hebrew symbol" means any Hebrew word, or letter,
36 or any symbol, emblem, sign, insignia, or other mark that simulates a
37 Hebrew word or letter.

38 d. (1) Displays for sale in the same show window or other location
39 on or in his place of business, both unpackaged food represented to be
40 kosher and unpackaged non-kosher food, unless he:

41 (a) displays over the kosher and non-kosher food signs that read,
42 in clearly visible block letters, "kosher food" and "non-kosher food,"
43 respectively, or, as to the display of meat alone, "kosher meat" and
44 "non-kosher meat," respectively;

45 (b) separates the kosher food products from the non-kosher food
46 products by keeping the products in separate display cabinets, or by

- 1 segregating kosher items from non-kosher items by use of clearly
2 visible dividers; and
- 3 (c) slices or otherwise prepares the kosher food products for sale
4 with utensils used solely for kosher food items;
- 5 (2) Prepares or serves any food as kosher whether for consumption
6 in his place of business or elsewhere if in the same place of business he
7 also prepares or serves non-kosher food, unless he:
- 8 (a) uses and maintains separate and distinctly labeled or marked
9 dishes and utensils for each type of food; and
- 10 (b) includes in clearly visible block letters the statement "Kosher
11 and Non-Kosher Foods Prepared and Sold Here" in each menu or sign
12 used or posted on the premises or distributed or advertised off the
13 premises;
- 14 (3) Sells or has in his possession for the purpose of resale as
15 kosher any food commodity not having affixed thereto the original
16 slaughterhouse plumba, mark, stamp, tag, brand, label or other means
17 of identification employed to indicate that the food commodity is
18 kosher or kosher for Passover; or
- 19 (4) Sells or offers for sale, as kosher, any fresh meat or poultry that
20 is identified as "soaked and salted," unless (a) the product has in fact
21 been soaked and salted in a manner which makes it kosher; and (b) the
22 product is marked "soaked and salted" on the package label or, if the
23 product is not packaged, on a sign prominently displayed in
24 conjunction with the product. For the purpose of this paragraph, "fresh
25 meat or poultry" shall mean meat and poultry that has not been
26 processed except for salting and soaking.
- 27 e. (1) Falsely represents any food sold, prepared, served or offered
28 for sale to be halal;
- 29 (2) Removes or destroys, or causes to be removed or destroyed,
30 the original means of identification affixed to food commodities to
31 indicate that same are halal, except that this paragraph shall not be
32 construed to prevent the removal of the identification if the commodity
33 is offered for sale as non-halal; or
- 34 (3) Sells, disposes of or has in his possession for the purpose of
35 resale as halal any food commodity to which a slaughterhouse mark,
36 stamp, tag, brand, label or other means of identification has been
37 fraudulently attached.
- 38 f. (1) Labels or identifies a food commodity in package form to be
39 halal or possesses such labels or means of identification, unless he is
40 the manufacturer or packer of the food commodity in package form;
- 41 (2) Labels or identifies an article of food not in package form to be
42 halal or possesses such labels or other means of identification, unless
43 he is the manufacturer of the article of food;
- 44 (3) Falsely labels any food commodity in package form as halal by
45 having or permitting to be inscribed on it, in any language, the words
46 "halal" or "helal," or any other words or symbols, not limited to

1 characters in Arabic writing, which would tend to deceive or otherwise
2 lead a reasonable individual to believe that the commodity is halal; or
3 g. Sells, offers for sale, prepares, or serves in or from the same
4 place of business both unpackaged non-halal food and unpackaged
5 food he represents to be halal unless he posts a window sign at the
6 entrance of his establishment which states in block letters at least four
7 inches in height: "Halal and Non-Halal Foods Sold Here," or "Halal
8 and Non-Halal Foods Served Here," or a statement of similar import.
9 h. (1) Sells or has in his possession for the purpose of resale as
10 halal any food commodity not having affixed thereto the original
11 slaughterhouse mark, stamp, tag, brand, label or other means of
12 identification employed to indicate that the food commodity is halal;
13 or
14 (2) Displays for sale in the same show window or other location on
15 or in his place of business, both unpackaged food represented to be
16 halal and unpackaged non-halal food unless he:
17 (a) displays over the halal and non-halal food signs that read, in
18 clearly visible block letters, "halal food" and "non-halal food,"
19 respectively, or, as to the display of meat alone, "halal meat" and
20 "non-halal meat," respectively;
21 (b) separates the halal food products from the non-halal food
22 products by keeping the products in separate display cabinets, or by
23 segregating halal items from non-halal items by use of clearly visible
24 dividers; and
25 (c) slices or otherwise prepares the halal food products for sale
26 with utensils used solely for halal food items.
27 (cf: P.L.1988, c.154, s.3)

28
29 11. This act shall take effect on the 180th day following enactment.
30
31

32 STATEMENT
33

34 This bill requires any dealer who prepares, distributes, sells or
35 exposes for sale any food represented to be halal, to disclose the basis
36 upon which that representation is made. As defined in the bill, "halal"
37 means food prepared under and maintained in strict compliance with
38 the laws and customs of the Islamic religion. This disclosure is to be
39 accomplished by the dealer through the posting of information as
40 required by the Director of the Division of Consumer Affairs on a sign
41 of a type and size specified by the director in a conspicuous place upon
42 the premises at which the food is sold or exposed for sale as required
43 by the director. The bill makes it an unlawful practice under the
44 consumer fraud act to violate these disclosure requirements.

45 As defined in the bill, "dealer" means any establishment that
46 advertises, represents or holds itself out as selling, preparing or

1 maintaining food as halal. It includes, but is not limited to,
2 manufacturers, slaughterhouses, wholesalers, stores, restaurants,
3 hotels, catering facilities, butcher shops, summer camps, bakeries,
4 delicatessens, supermarkets, grocery stores, nursing homes, freezer
5 dealers and food plan companies. Such establishments may also sell,
6 prepare or maintain food not represented as halal.

7 The bill provides that any person subject to its disclosure provisions
8 shall not be deemed to have committed an unlawful practice if it can
9 be shown by a preponderance of the evidence that the person relied in
10 good faith upon the representations of a slaughterhouse, manufacturer,
11 processor, packer or distributor of any food represented to be halal.
12 It also provides that possession by a dealer of any food not in
13 conformance with its disclosure is presumptive evidence that the
14 person is in possession of that food with the intent to sell.

15 In addition, the bill stipulates that any dealer who prepares,
16 distributes, sells or exposes for sale any food represented to be halal
17 shall comply with all requirements of the director, including, but not
18 limited to, recordkeeping, labeling and filing, pursuant to regulations
19 adopted in accordance with the authority provided in section 4 of
20 P.L.1960, c.39 (C.56:8-4).

21 Furthermore, the bill amends the New Jersey Criminal Code
22 provisions regarding kosher food sales to define and delineate the
23 responsibilities of those who sell, prepare or package food represented
24 to be halal. Persons violating these provisions would be subject to the
25 penalties assessed for a disorderly persons offense.

SENATE LAW AND PUBLIC SAFETY COMMITTEE

STATEMENT TO

SENATE, No. 460

STATE OF NEW JERSEY

DATED: FEBRUARY 10, 2000

The Senate Law and Public Safety Committee reports favorably Senate Bill No. 460.

This bill requires any dealer who prepares, distributes, sells or exposes for sale any food represented to be halal, to disclose the basis upon which that representation is made. As defined in the bill, "halal" means food prepared under and maintained in strict compliance with the laws and customs of the Islamic religion. This disclosure is to be accomplished by the dealer through the posting of information as required by the Director of the Division of Consumer Affairs on a sign of a type and size specified by the director in a conspicuous place upon the premises at which the food is sold or exposed for sale as required by the director. The bill makes it an unlawful practice under the consumer fraud act to violate these disclosure requirements.

As defined in the bill, "dealer" means any establishment that advertises, represents or holds itself out as selling, preparing or maintaining food as halal. It includes, but is not limited to, manufacturers, slaughterhouses, wholesalers, stores, restaurants, hotels, catering facilities, butcher shops, summer camps, bakeries, delicatessens, supermarkets, grocery stores, nursing homes, freezer dealers and food plan companies. These establishments may also sell, prepare or maintain food not represented as halal.

The bill provides that any person subject to its disclosure provisions shall not be deemed to have committed an unlawful practice if it can be shown by a preponderance of the evidence that the person relied in good faith upon the representations of a slaughterhouse, manufacturer, processor, packer or distributor of any food represented to be halal. It also provides that possession by a dealer of any food not in conformance with its disclosure is presumptive evidence that the person is in possession of that food with the intent to sell.

In addition, the bill stipulates that any dealer who prepares, distributes, sells or exposes for sale any food represented to be halal must comply with all requirements of the director, including, but not limited to, recordkeeping, labeling and filing, pursuant to regulations adopted in accordance with the authority provided in section 4 of P.L.1960, c.39 (C.56:8-4).

Finally, the bill amends the New Jersey Criminal Code provisions

regarding kosher food sales to define and delineate the responsibilities of those who sell, prepare or package food represented to be halal. A person who violates these provisions is a disorderly person.

ASSEMBLY CONSUMER AFFAIRS AND REGULATED
PROFESSIONS COMMITTEE

STATEMENT TO

SENATE, No. 460

with committee amendments

STATE OF NEW JERSEY

DATED: MAY 22, 2000

The Assembly Consumer Affairs and Regulated Professions Committee reports favorably and with committee amendments Senate Bill No. 460.

As amended by the committee, this bill requires any dealer who prepares, distributes, sells or exposes for sale any food represented to be halal, to disclose the basis upon which that representation is made. This disclosure is to be accomplished by the dealer through the posting of information as required by the Director of the Division of Consumer Affairs on a sign of a type and size specified by the director in a conspicuous place upon the premises at which the food is sold or exposed for sale as required by the director. The bill makes it an unlawful practice under the consumer fraud act to violate these disclosure requirements.

As defined in the bill, "dealer" means any establishment that advertises, represents or holds itself out as selling, preparing or maintaining food as halal. It includes, but is not limited to, manufacturers, slaughterhouses, wholesalers, stores, restaurants, hotels, catering facilities, butcher shops, summer camps, bakeries, delicatessens, supermarkets, grocery stores, nursing homes, freezer dealers and food plan companies. These establishments may also sell, prepare or maintain food not represented as halal.

The bill provides that any person subject to its disclosure provisions shall not be deemed to have committed an unlawful practice if it can be shown by a preponderance of the evidence that the person relied in good faith upon the representations of a slaughterhouse, manufacturer, processor, packer or distributor of any food represented to be halal. It also provides that possession by a dealer of any food not in conformance with its disclosure is presumptive evidence that the person is in possession of that food with the intent to sell.

In addition, the bill stipulates that any dealer who prepares, distributes, sells or exposes for sale any food represented to be halal shall comply with all requirements of the director, including, but not

limited to, recordkeeping, labeling and filing, pursuant to regulations adopted in accordance with the authority provided in section 4 of P.L.1960, c.39 (C.56:8-4).

The bill was amended by the committee to avoid constitutional problems associated with the kosher food provisions of Title 2C of the New Jersey Statutes. As amended, the bill mirrors the kosher food law as currently enforced, by providing the Division of Consumer Affairs with responsibility for oversight and enforcement of halal food requirements under the consumer fraud law.

[First Reprint]

SENATE, No. 460

STATE OF NEW JERSEY
209th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2000 SESSION

Sponsored by:

Senator JOHN A. GIRGENTI

District 35 (Passaic)

Co-Sponsored by:

Assemblyman Steele

SYNOPSIS

Prevents consumer fraud in the preparation, distribution and sale of food represented as halal.

CURRENT VERSION OF TEXT

As reported by the Assembly Consumer Affairs and Regulated Professions Committee on May 22, 2000, with amendments.



(Sponsorship Updated As Of: 6/6/2000)

1 AN ACT preventing consumer fraud in the preparation, distribution
2 and sale of food represented as halal ¹[, amending the title and
3 body of P.L.1988, c.154,]¹ and supplementing P.L.1960, c.39
4 (C.56:8-1 et seq.).
5

6 **BE IT ENACTED** *by the Senate and General Assembly of the State*
7 *of New Jersey:*
8

9 1. (New section) Sections 1 through 6 of this act shall be known
10 and may be cited as the "Halal Food Consumer Protection Act."
11

12 2. (New section) As used in this act:

13 "Dealer" means any establishment that advertises, represents or
14 holds itself out as selling, preparing or maintaining food as halal,
15 including, but not be limited to, manufacturers, slaughterhouses,
16 wholesalers, stores, restaurants, hotels, catering facilities, butcher
17 shops, summer camps, bakeries, delicatessens, supermarkets, grocery
18 stores, nursing homes, freezer dealers and food plan companies. These
19 establishments may also sell, prepare or maintain food not represented
20 as halal.

21 "Director" means the Director of the Division of Consumer Affairs
22 in the Department of Law and Public Safety or the director's designee.

23 "Food" means a food, food product, food ingredient, dietary
24 supplement or beverage.
25

26 3. (New section) a. Any dealer who prepares, distributes, sells or
27 exposes for sale any food represented to be halal, shall disclose the
28 basis upon which that representation is made by posting the
29 information required by the director, pursuant to regulations adopted
30 pursuant to the authority provided in section 4 of P.L.1960, c.39
31 (C.56:8-4), on a sign of a type and size specified by the director in a
32 conspicuous place upon the premises at which the food is sold or
33 exposed for sale as required by the director.

34 b. It shall be an unlawful practice for any person to violate the
35 requirements of subsection a. of this section.
36

37 4. (New section) Any person subject to the requirements of
38 section 3 of this act shall not have committed an unlawful practice if
39 it can be shown by a preponderance of the evidence that the person
40 relied in good faith upon the representations of a slaughterhouse,
41 manufacturer, processor, packer or distributor of any food represented

EXPLANATION - Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹ Assembly ACP committee amendments adopted May 22, 2000.

1 to be halal.

2

3 5. (New section) Possession by a dealer of any food not in
4 conformance with the disclosure required by section 3 of this act with
5 respect to that food is presumptive evidence that the person is in
6 possession of that food with the intent to sell.

7

8 6. (New section) Any dealer who prepares, distributes, sells or
9 exposes for sale any food represented to be halal shall comply with all
10 requirements of the director, including, but not limited to,
11 recordkeeping, labeling and filing, pursuant to regulations adopted
12 pursuant to the authority provided in section 4 of P.L.1960, c.39
13 (C.56:8-4).

14

15 ¹[7. The title of P.L.1988, c.154 is amended to read as follows:
16 **AN ACT [to revise the kosher food law] concerning the preparation,**
17 **distribution and sale of various foods,** supplementing chapter 21 of
18 Title 2C of the New Jersey Statutes and repealing section 23B of
19 P.L.1981, c.290.

20 (cf: P.L.1988, c.154, title)]¹

21

22 ¹[8. Section 1 of P.L.1988, c.154 (C.2C:21-7.2) is amended to
23 read as follows:

24 1. As used in this act:

25 a. "Advertise" means engaging in promotional activities including,
26 but not limited to, newspaper, radio and television advertising; the
27 distribution of fliers and circulars; and the display of window and
28 interior signs.

29 b. "Food," "food product," or "food commodity" means any food,
30 food product or food preparation, whether raw or prepared for human
31 consumption, and whether in a solid or liquid state, including, but not
32 limited to, any meat, meat product or meat preparation; any milk, milk
33 product or milk preparation; and any alcoholic or non-alcoholic
34 beverage.

35 c. "Food commodity in package form" means a food commodity
36 put up or packaged in any manner in advance of sale in units suitable
37 for retail sale and which is not intended for consumption at the point
38 of manufacture.

39 d. "Kosher" means prepared under and maintained in strict
40 compliance with the laws and customs of the Orthodox Jewish religion
41 and includes foods prepared for the festival of Passover and
42 represented to be "kosher for Passover."

43 e. "Halal" means prepared under and maintained in strict
44 compliance with the laws and customs of the Islamic religion.

45 (cf: P.L.1988, c.154, s.1)]¹

1 ¹[9. Section 2 of P.L.1988, c.154 (C.2C:21-7.3) is amended to
2 read as follows:

3 2. a. A false representation prohibited by this act shall include any
4 oral or written statement that directly or indirectly tends to deceive or
5 otherwise lead a reasonable individual to believe that a non-kosher
6 food or food product is kosher.

7 b. The presence of any non-kosher food or food product in any
8 place of business that advertises or represents itself in any manner as
9 selling, offering for sale, preparing or serving kosher food or food
10 products only, is presumptive evidence that the person in possession
11 offers the same for sale in violation of this act.

12 c. It shall be a complete defense to a prosecution under this act
13 that the defendant relied in good faith upon the representations of a
14 slaughterhouse, manufacturer, processor, packer or distributor, or any
15 person or organization which certifies or represents any food or food
16 product at issue to be kosher, kosher for Passover, or as having been
17 prepared under or sanctioned by Orthodox Jewish religious
18 requirements.

19 d. A false representation prohibited by P.L.1988, c.154 (C.2C:21-
20 7.2 et seq.) shall include any oral or written statement that directly or
21 indirectly tends to deceive or otherwise lead a reasonable individual to
22 believe that a non-halal food or food product is halal.

23 e. The presence of any non-halal food or food product in any place
24 of business that advertises or represents itself in any manner as selling,
25 offering for sale, preparing or serving halal food or food products
26 only, is presumptive evidence that the person in possession offers the
27 same for sale in violation of P.L.1988, c.154 (C.2C:21-7.2 et seq.).

28 f. It shall be a complete defense to a prosecution under P.L.1988,
29 c.154 (C.2C:21-7.2 et seq.) that the defendant relied in good faith
30 upon the representations of a slaughterhouse, manufacturer, processor,
31 packer or distributor, or any person or organization which certifies or
32 represents any food or food product at issue to be halal or as having
33 been prepared under or sanctioned by Islamic religious requirements.

34 (cf: P.L.1988, c.154,]¹

35

36 ¹[10. Section 3 of P.L.1988, c.154 (C.2C:21-7.4) is amended to
37 read as follows:

38 3. A person commits a disorderly persons offense if in the course
39 of business he:

40 a. (1) Falsely represents any food sold, prepared, served or offered
41 for sale to be kosher or kosher for Passover;

42 (2) Removes or destroys, or causes to be removed or destroyed,
43 the original means of identification affixed to food commodities to
44 indicate that same are kosher or kosher for Passover, except that this
45 paragraph shall not be construed to prevent the removal of the
46 identification if the commodity is offered for sale as non-kosher; or

1 (3) Sells, disposes of or has in his possession for the purpose of
2 resale as kosher any food commodity to which a slaughterhouse
3 plumba, mark, stamp, tag, brand, label or other means of identification
4 has been fraudulently attached.

5 b. (1) Labels or identifies a food commodity in package form to
6 be kosher or kosher for Passover or possesses such labels or means of
7 identification, unless he is the manufacturer or packer of the food
8 commodity in package form;

9 (2) Labels or identifies an article of food not in package form to be
10 kosher or kosher for Passover or possesses such labels or other means
11 of identification, unless he is the manufacturer of the article of food;

12 (3) Falsely labels any food commodity in package form as kosher
13 or kosher for Passover by having or permitting to be inscribed on it,
14 in any language, the words "kosher" or "kosher for Passover," "parve,"
15 "glatt," or any other words or symbols which would tend to deceive or
16 otherwise lead a reasonable individual to believe that the commodity
17 is kosher or kosher for Passover; or

18 (4) Labels any food commodity in package form by having or
19 permitting to be inscribed on it the words "kosher-style,"
20 "kosher-type," "Jewish," or "Jewish-style," unless the product label
21 also displays the word "non-kosher" in letters at least as large and in
22 close proximity.

23 c. (1) Sells, offers for sale, prepares, or serves in or from the same
24 place of business both unpackaged non-kosher food and unpackaged
25 food he represents to be kosher unless he posts a window sign at the
26 entrance of his establishment which states in block letters at least four
27 inches in height: "Kosher and Non-Kosher Foods Sold Here," or
28 "Kosher and Non-Kosher Foods Served Here," or a statement of
29 similar import; or

30 (2) Employs any Hebrew word or symbol in any advertising of any
31 food offered for sale or place of business in which food is prepared,
32 whether for on-premises or off-premises consumption, unless the
33 advertisement also sets forth in conjunction therewith and in English,
34 the words "We Sell Kosher Food Only," "We Sell Both Kosher and
35 Non-Kosher Foods," or words of similar import, in letters of at least
36 the same size as the characters used in Hebrew. For the purpose of
37 this paragraph, "Hebrew symbol" means any Hebrew word, or letter,
38 or any symbol, emblem, sign, insignia, or other mark that simulates a
39 Hebrew word or letter.

40 d. (1) Displays for sale in the same show window or other location
41 on or in his place of business, both unpackaged food represented to be
42 kosher and unpackaged non-kosher food, unless he:

43 (a) displays over the kosher and non-kosher food signs that read,
44 in clearly visible block letters, "kosher food" and "non-kosher food,"
45 respectively, or, as to the display of meat alone, "kosher meat" and
46 "non-kosher meat," respectively;

1 (b) separates the kosher food products from the non-kosher food
2 products by keeping the products in separate display cabinets, or by
3 segregating kosher items from non-kosher items by use of clearly
4 visible dividers; and

5 (c) slices or otherwise prepares the kosher food products for sale
6 with utensils used solely for kosher food items;

7 (2) Prepares or serves any food as kosher whether for consumption
8 in his place of business or elsewhere if in the same place of business he
9 also prepares or serves non-kosher food, unless he:

10 (a) uses and maintains separate and distinctly labeled or marked
11 dishes and utensils for each type of food; and

12 (b) includes in clearly visible block letters the statement "Kosher
13 and Non-Kosher Foods Prepared and Sold Here" in each menu or sign
14 used or posted on the premises or distributed or advertised off the
15 premises;

16 (3) Sells or has in his possession for the purpose of resale as
17 kosher any food commodity not having affixed thereto the original
18 slaughterhouse plumba, mark, stamp, tag, brand, label or other means
19 of identification employed to indicate that the food commodity is
20 kosher or kosher for Passover; or

21 (4) Sells or offers for sale, as kosher, any fresh meat or poultry that
22 is identified as "soaked and salted," unless (a) the product has in fact
23 been soaked and salted in a manner which makes it kosher; and (b) the
24 product is marked "soaked and salted" on the package label or, if the
25 product is not packaged, on a sign prominently displayed in
26 conjunction with the product. For the purpose of this paragraph, "fresh
27 meat or poultry" shall mean meat and poultry that has not been
28 processed except for salting and soaking.

29 e. (1) Falsely represents any food sold, prepared, served or offered
30 for sale to be halal;

31 (2) Removes or destroys, or causes to be removed or destroyed,
32 the original means of identification affixed to food commodities to
33 indicate that same are halal, except that this paragraph shall not be
34 construed to prevent the removal of the identification if the commodity
35 is offered for sale as non-halal; or

36 (3) Sells, disposes of or has in his possession for the purpose of
37 resale as halal any food commodity to which a slaughterhouse mark,
38 stamp, tag, brand, label or other means of identification has been
39 fraudulently attached.

40 f. (1) Labels or identifies a food commodity in package form to be
41 halal or possesses such labels or means of identification, unless he is
42 the manufacturer or packer of the food commodity in package form;

43 (2) Labels or identifies an article of food not in package form to be
44 halal or possesses such labels or other means of identification, unless
45 he is the manufacturer of the article of food;

46 (3) Falsely labels any food commodity in package form as halal by

1 having or permitting to be inscribed on it, in any language, the words
2 "halal" or "helal," or any other words or symbols, not limited to
3 characters in Arabic writing, which would tend to deceive or otherwise
4 lead a reasonable individual to believe that the commodity is halal; or
5 g. Sells, offers for sale, prepares, or serves in or from the same
6 place of business both unpackaged non-halal food and unpackaged
7 food he represents to be halal unless he posts a window sign at the
8 entrance of his establishment which states in block letters at least four
9 inches in height: "Halal and Non-Halal Foods Sold Here," or "Halal
10 and Non-Halal Foods Served Here," or a statement of similar import.
11 h. (1) Sells or has in his possession for the purpose of resale as
12 halal any food commodity not having affixed thereto the original
13 slaughterhouse mark, stamp, tag, brand, label or other means of
14 identification employed to indicate that the food commodity is halal;
15 or
16 (2) Displays for sale in the same show window or other location on
17 or in his place of business, both unpackaged food represented to be
18 halal and unpackaged non-halal food unless he:
19 (a) displays over the halal and non-halal food signs that read, in
20 clearly visible block letters, "halal food" and "non-halal food,"
21 respectively, or, as to the display of meat alone, "halal meat" and
22 "non-halal meat," respectively;
23 (b) separates the halal food products from the non-halal food
24 products by keeping the products in separate display cabinets, or by
25 segregating halal items from non-halal items by use of clearly visible
26 dividers; and
27 (c) slices or otherwise prepares the halal food products for sale
28 with utensils used solely for halal food items.
29 (cf: P.L.1988, c.154, s.3)]¹
30
31 ¹[11.] 7.¹ This act shall take effect on the 180th day following
32 enactment.

§§1-6 -
C.56:8-98
to 56:8-103
§7 - Note to
§§1-6

P.L. 2000, CHAPTER 60, *approved July 12, 2000*
Senate, No. 460 (*First Reprint*)

1 **AN ACT** preventing consumer fraud in the preparation, distribution
2 and sale of food represented as halal ¹[, amending the title and
3 body of P.L.1988, c.154,]¹ and supplementing P.L.1960, c.39
4 (C.56:8-1 et seq.).
5

6 **BE IT ENACTED** by the Senate and General Assembly of the State
7 of New Jersey:
8

9 1. (New section) Sections 1 through 6 of this act shall be known
10 and may be cited as the "Halal Food Consumer Protection Act."
11

12 2. (New section) As used in this act:

13 "Dealer" means any establishment that advertises, represents or
14 holds itself out as selling, preparing or maintaining food as halal,
15 including, but not be limited to, manufacturers, slaughterhouses,
16 wholesalers, stores, restaurants, hotels, catering facilities, butcher
17 shops, summer camps, bakeries, delicatessens, supermarkets, grocery
18 stores, nursing homes, freezer dealers and food plan companies. These
19 establishments may also sell, prepare or maintain food not represented
20 as halal.

21 "Director" means the Director of the Division of Consumer Affairs
22 in the Department of Law and Public Safety or the director's designee.

23 "Food" means a food, food product, food ingredient, dietary
24 supplement or beverage.
25

26 3. (New section) a. Any dealer who prepares, distributes, sells or
27 exposes for sale any food represented to be halal, shall disclose the
28 basis upon which that representation is made by posting the
29 information required by the director, pursuant to regulations adopted
30 pursuant to the authority provided in section 4 of P.L.1960, c.39
31 (C.56:8-4), on a sign of a type and size specified by the director in a
32 conspicuous place upon the premises at which the food is sold or
33 exposed for sale as required by the director.

34 b. It shall be an unlawful practice for any person to violate the
35 requirements of subsection a. of this section.
36

37 4. (New section) Any person subject to the requirements of

EXPLANATION - Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹ Assembly ACP committee amendments adopted May 22, 2000.

1 section 3 of this act shall not have committed an unlawful practice if
2 it can be shown by a preponderance of the evidence that the person
3 relied in good faith upon the representations of a slaughterhouse,
4 manufacturer, processor, packer or distributor of any food represented
5 to be halal.

6
7 5. (New section) Possession by a dealer of any food not in
8 conformance with the disclosure required by section 3 of this act with
9 respect to that food is presumptive evidence that the person is in
10 possession of that food with the intent to sell.

11
12 6. (New section) Any dealer who prepares, distributes, sells or
13 exposes for sale any food represented to be halal shall comply with all
14 requirements of the director, including, but not limited to,
15 recordkeeping, labeling and filing, pursuant to regulations adopted
16 pursuant to the authority provided in section 4 of P.L.1960, c.39
17 (C.56:8-4).

18
19 ¹[7. The title of P.L.1988, c.154 is amended to read as follows:
20 **AN ACT [to revise the kosher food law] concerning the preparation,**
21 **distribution and sale of various foods, supplementing chapter 21 of**
22 **Title 2C of the New Jersey Statutes and repealing section 23B of**
23 **P.L.1981, c.290.**
24 (cf: P.L.1988, c.154, title)]¹

25
26 ¹[8. Section 1 of P.L.1988, c.154 (C.2C:21-7.2) is amended to
27 read as follows:

28 1. As used in this act:

29 a. "Advertise" means engaging in promotional activities including,
30 but not limited to, newspaper, radio and television advertising; the
31 distribution of fliers and circulars; and the display of window and
32 interior signs.

33 b. "Food," "food product," or "food commodity" means any food,
34 food product or food preparation, whether raw or prepared for human
35 consumption, and whether in a solid or liquid state, including, but not
36 limited to, any meat, meat product or meat preparation; any milk, milk
37 product or milk preparation; and any alcoholic or non-alcoholic
38 beverage.

39 c. "Food commodity in package form" means a food commodity
40 put up or packaged in any manner in advance of sale in units suitable
41 for retail sale and which is not intended for consumption at the point
42 of manufacture.

43 d. "Kosher" means prepared under and maintained in strict
44 compliance with the laws and customs of the Orthodox Jewish religion
45 and includes foods prepared for the festival of Passover and
46 represented to be "kosher for Passover."

1 e. "Halal" means prepared under and maintained in strict
2 compliance with the laws and customs of the Islamic religion.
3 (cf: P.L.1988, c.154, s.1)]¹

4
5 ¹[9. Section 2 of P.L.1988, c.154 (C.2C:21-7.3) is amended to
6 read as follows:

7 2. a. A false representation prohibited by this act shall include any
8 oral or written statement that directly or indirectly tends to deceive or
9 otherwise lead a reasonable individual to believe that a non-kosher
10 food or food product is kosher.

11 b. The presence of any non-kosher food or food product in any
12 place of business that advertises or represents itself in any manner as
13 selling, offering for sale, preparing or serving kosher food or food
14 products only, is presumptive evidence that the person in possession
15 offers the same for sale in violation of this act.

16 c. It shall be a complete defense to a prosecution under this act
17 that the defendant relied in good faith upon the representations of a
18 slaughterhouse, manufacturer, processor, packer or distributor, or any
19 person or organization which certifies or represents any food or food
20 product at issue to be kosher, kosher for Passover, or as having been
21 prepared under or sanctioned by Orthodox Jewish religious
22 requirements.

23 d. A false representation prohibited by P.L.1988, c.154 (C.2C:21-
24 7.2 et seq.) shall include any oral or written statement that directly or
25 indirectly tends to deceive or otherwise lead a reasonable individual to
26 believe that a non-halal food or food product is halal.

27 e. The presence of any non-halal food or food product in any place
28 of business that advertises or represents itself in any manner as selling,
29 offering for sale, preparing or serving halal food or food products
30 only, is presumptive evidence that the person in possession offers the
31 same for sale in violation of P.L.1988, c.154 (C.2C:21-7.2 et seq.).

32 f. It shall be a complete defense to a prosecution under P.L.1988,
33 c.154 (C.2C:21-7.2 et seq.) that the defendant relied in good faith
34 upon the representations of a slaughterhouse, manufacturer, processor,
35 packer or distributor, or any person or organization which certifies or
36 represents any food or food product at issue to be halal or as having
37 been prepared under or sanctioned by Islamic religious requirements.
38 (cf: P.L.1988, c.154,]¹

39
40 ¹[10. Section 3 of P.L.1988, c.154 (C.2C:21-7.4) is amended to
41 read as follows:

42 3. A person commits a disorderly persons offense if in the course
43 of business he:

44 a. (1) Falsely represents any food sold, prepared, served or offered
45 for sale to be kosher or kosher for Passover;

46 (2) Removes or destroys, or causes to be removed or destroyed,

1 the original means of identification affixed to food commodities to
2 indicate that same are kosher or kosher for Passover, except that this
3 paragraph shall not be construed to prevent the removal of the
4 identification if the commodity is offered for sale as non-kosher; or

5 (3) Sells, disposes of or has in his possession for the purpose of
6 resale as kosher any food commodity to which a slaughterhouse
7 plumba, mark, stamp, tag, brand, label or other means of identification
8 has been fraudulently attached.

9 b. (1) Labels or identifies a food commodity in package form to
10 be kosher or kosher for Passover or possesses such labels or means of
11 identification, unless he is the manufacturer or packer of the food
12 commodity in package form;

13 (2) Labels or identifies an article of food not in package form to be
14 kosher or kosher for Passover or possesses such labels or other means
15 of identification, unless he is the manufacturer of the article of food;

16 (3) Falsely labels any food commodity in package form as kosher
17 or kosher for Passover by having or permitting to be inscribed on it,
18 in any language, the words "kosher" or "kosher for Passover," "parve,"
19 "glatt," or any other words or symbols which would tend to deceive or
20 otherwise lead a reasonable individual to believe that the commodity
21 is kosher or kosher for Passover; or

22 (4) Labels any food commodity in package form by having or
23 permitting to be inscribed on it the words "kosher-style,"
24 "kosher-type," "Jewish," or "Jewish-style," unless the product label
25 also displays the word "non-kosher" in letters at least as large and in
26 close proximity.

27 c. (1) Sells, offers for sale, prepares, or serves in or from the same
28 place of business both unpackaged non-kosher food and unpackaged
29 food he represents to be kosher unless he posts a window sign at the
30 entrance of his establishment which states in block letters at least four
31 inches in height: "Kosher and Non-Kosher Foods Sold Here," or
32 "Kosher and Non-Kosher Foods Served Here," or a statement of
33 similar import; or

34 (2) Employs any Hebrew word or symbol in any advertising of any
35 food offered for sale or place of business in which food is prepared,
36 whether for on-premises or off-premises consumption, unless the
37 advertisement also sets forth in conjunction therewith and in English,
38 the words "We Sell Kosher Food Only," "We Sell Both Kosher and
39 Non-Kosher Foods," or words of similar import, in letters of at least
40 the same size as the characters used in Hebrew. For the purpose of
41 this paragraph, "Hebrew symbol" means any Hebrew word, or letter,
42 or any symbol, emblem, sign, insignia, or other mark that simulates a
43 Hebrew word or letter.

44 d. (1) Displays for sale in the same show window or other location
45 on or in his place of business, both unpackaged food represented to be
46 kosher and unpackaged non-kosher food, unless he:

1 (a) displays over the kosher and non-kosher food signs that read,
2 in clearly visible block letters, "kosher food" and "non-kosher food,"
3 respectively, or, as to the display of meat alone, "kosher meat" and
4 "non-kosher meat," respectively;

5 (b) separates the kosher food products from the non-kosher food
6 products by keeping the products in separate display cabinets, or by
7 segregating kosher items from non-kosher items by use of clearly
8 visible dividers; and

9 (c) slices or otherwise prepares the kosher food products for sale
10 with utensils used solely for kosher food items;

11 (2) Prepares or serves any food as kosher whether for consumption
12 in his place of business or elsewhere if in the same place of business he
13 also prepares or serves non-kosher food, unless he:

14 (a) uses and maintains separate and distinctly labeled or marked
15 dishes and utensils for each type of food; and

16 (b) includes in clearly visible block letters the statement "Kosher
17 and Non-Kosher Foods Prepared and Sold Here" in each menu or sign
18 used or posted on the premises or distributed or advertised off the
19 premises;

20 (3) Sells or has in his possession for the purpose of resale as
21 kosher any food commodity not having affixed thereto the original
22 slaughterhouse plumba, mark, stamp, tag, brand, label or other means
23 of identification employed to indicate that the food commodity is
24 kosher or kosher for Passover; or

25 (4) Sells or offers for sale, as kosher, any fresh meat or poultry that
26 is identified as "soaked and salted," unless (a) the product has in fact
27 been soaked and salted in a manner which makes it kosher; and (b) the
28 product is marked "soaked and salted" on the package label or, if the
29 product is not packaged, on a sign prominently displayed in
30 conjunction with the product. For the purpose of this paragraph, "fresh
31 meat or poultry" shall mean meat and poultry that has not been
32 processed except for salting and soaking.

33 e. (1) Falsely represents any food sold, prepared, served or offered
34 for sale to be halal;

35 (2) Removes or destroys, or causes to be removed or destroyed,
36 the original means of identification affixed to food commodities to
37 indicate that same are halal, except that this paragraph shall not be
38 construed to prevent the removal of the identification if the commodity
39 is offered for sale as non-halal; or

40 (3) Sells, disposes of or has in his possession for the purpose of
41 resale as halal any food commodity to which a slaughterhouse mark,
42 stamp, tag, brand, label or other means of identification has been
43 fraudulently attached.

44 f. (1) Labels or identifies a food commodity in package form to be
45 halal or possesses such labels or means of identification, unless he is
46 the manufacturer or packer of the food commodity in package form;

1 (2) Labels or identifies an article of food not in package form to be
2 halal or possesses such labels or other means of identification, unless
3 he is the manufacturer of the article of food;

4 (3) Falsely labels any food commodity in package form as halal by
5 having or permitting to be inscribed on it, in any language, the words
6 "halal" or "helal," or any other words or symbols, not limited to
7 characters in Arabic writing, which would tend to deceive or otherwise
8 lead a reasonable individual to believe that the commodity is halal; or
9 g. Sells, offers for sale, prepares, or serves in or from the same
10 place of business both unpackaged non-halal food and unpackaged
11 food he represents to be halal unless he posts a window sign at the
12 entrance of his establishment which states in block letters at least four
13 inches in height: "Halal and Non-Halal Foods Sold Here," or "Halal
14 and Non-Halal Foods Served Here," or a statement of similar import.

15 h. (1) Sells or has in his possession for the purpose of resale as
16 halal any food commodity not having affixed thereto the original
17 slaughterhouse mark, stamp, tag, brand, label or other means of
18 identification employed to indicate that the food commodity is halal;
19 or

20 (2) Displays for sale in the same show window or other location on
21 or in his place of business, both unpackaged food represented to be
22 halal and unpackaged non-halal food unless he:

23 (a) displays over the halal and non-halal food signs that read, in
24 clearly visible block letters, "halal food" and "non-halal food,"
25 respectively, or, as to the display of meat alone, "halal meat" and
26 "non-halal meat," respectively;

27 (b) separates the halal food products from the non-halal food
28 products by keeping the products in separate display cabinets, or by
29 segregating halal items from non-halal items by use of clearly visible
30 dividers; and

31 (c) slices or otherwise prepares the halal food products for sale
32 with utensils used solely for halal food items.

33 (cf: P.L.1988, c.154, s.3)]¹

34
35 ¹[11.] 7.¹ This act shall take effect on the 180th day following
36 enactment.

37

38

39

40

41 Prevents consumer fraud in the preparation, distribution and sale of
42 food represented as halal.

CHAPTER 60

AN ACT preventing consumer fraud in the preparation, distribution and sale of food represented as halal and supplementing P.L.1960, c.39 (C.56:8-1 et seq.).

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

C.56:8-98 Short title.

1. Sections 1 through 6 of this act shall be known and may be cited as the "Halal Food Consumer Protection Act."

C.56:8-99 Definitions relative to food represented as halal.

2. As used in this act:

"Dealer" means any establishment that advertises, represents or holds itself out as selling, preparing or maintaining food as halal, including, but not limited to, manufacturers, slaughterhouses, wholesalers, stores, restaurants, hotels, catering facilities, butcher shops, summer camps, bakeries, delicatessens, supermarkets, grocery stores, nursing homes, freezer dealers and food plan companies. These establishments may also sell, prepare or maintain food not represented as halal.

"Director" means the Director of the Division of Consumer Affairs in the Department of Law and Public Safety or the director's designee.

"Food" means a food, food product, food ingredient, dietary supplement or beverage.

C.56:8-100 Posting of information by dealer representing food to be halal.

3. a. Any dealer who prepares, distributes, sells or exposes for sale any food represented to be halal, shall disclose the basis upon which that representation is made by posting the information required by the director, pursuant to regulations adopted pursuant to the authority provided in section 4 of P.L.1960, c.39 (C.56:8-4), on a sign of a type and size specified by the director in a conspicuous place upon the premises at which the food is sold or exposed for sale as required by the director.

b. It shall be an unlawful practice for any person to violate the requirements of subsection a. of this section.

C.56:8-101 Reliance on representation, good faith, defense.

4. Any person subject to the requirements of section 3 of this act shall not have committed an unlawful practice if it can be shown by a preponderance of the evidence that the person relied in good faith upon the representations of a slaughterhouse, manufacturer, processor, packer or distributor of any food represented to be halal.

C.56:8-102 Possession of food implies intent to sell.

5. Possession by a dealer of any food not in conformance with the disclosure required by section 3 of this act with respect to that food is presumptive evidence that the person is in possession of that food with the intent to sell.

C.56:8-103 Compliance required by dealer in regard to food represented as halal.

6. Any dealer who prepares, distributes, sells or exposes for sale any food represented to be halal shall comply with all requirements of the director, including, but not limited to, recordkeeping, labeling and filing, pursuant to regulations adopted pursuant to the authority provided in section 4 of P.L.1960, c.39 (C.56:8-4).

7. This act shall take effect on the 180th day following enactment.

Approved July 12, 2000.

PO BOX 004
TRENTON, NJ 08625

Office of the Governor
NEWS RELEASE

CONTACT: Jayne O'Connor
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609-777-2600

RELEASE: July 12, 2000

Governor Signs Important Legislation for New Jersey's Muslim Community

Governor Christie Whitman today signed legislation at the United Islamic Center in Paterson to prevent consumer fraud in the preparation, distribution and sale of food represented as halal.

"We are concerned with the food we eat," said Gov. Whitman. "We want that food to meet high standards for purity and freshness. We also rely on government to ensure that those who prepare our food meet those standards. Of course, there are even higher standards to meet. Those are the laws that we follow as part of our religious faith."

The Al Quran instructs Muslims to eat "that which Allah hath bestowed...as food lawful and good," continued the Governor. "Today, we are taking a big step in ensuring that all food represented to be halal meet the standard of 'lawful and good'".

The bill, **S-460**, which was sponsored by Senator John A. Girgenti (D-Passaic) and Assemblyman Alfred E. Steele (D-Passaic) requires any dealer who prepares, distributes, or sells food designated halal, to post that fact conspicuously on the premises at which the food is sold.

The Governor explained in her remarks that the halal posting will be required by the Director of the Division of Community Affairs, who will specify the type and size of the sign that a dealer must display for all to see. A "dealer" means any establishment that advertises or presents itself as selling, preparing, or maintaining food as halal. That includes every food establishment, from a restaurant, butcher shop, or supermarket to a manufacturer, slaughterhouse, or wholesaler. Also included are summer camps, nursing homes, caterers, bakeries, and delicatessens. The bill, which mirrors the Kosher Food Consumer Protection Act, gives the Division authority to enforce halal food requirements under the consumer fraud law.

"I have said many times across this great state that we are truly many faces, but one family. We come from so many different backgrounds and cultures. We speak so many languages, carry on so many traditions, and celebrate so many faiths," said Gov. Whitman.

"Signing this legislation bolsters my belief that addressing the needs of one part of our family shows respect and strengthens us all. Every member and every community in our one family is important to making our New Jersey the best place in which to live, work, and raise a family," added the Governor.