

REPRINT

SUBSTITUTE FOR

HOUSE BILL NO. 5480

(As passed the House, February 14, 2002)

A bill to amend 1931 PA 328, entitled
"The Michigan penal code,"
(MCL 750.1 to 750.568) by adding section 297f.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 297F. (1) AS USED IN THIS SECTION, "HALAL" MEANS PRE-
2 PARED OR PROCESSED IN ACCORDANCE WITH ISLAMIC RELIGIOUS
3 REQUIREMENTS.

4 (2) A PERSON WHO, WITH INTENT TO DEFRAUD, DOES ANY OF THE
5 FOLLOWING IS GUILTY OF A MISDEMEANOR:

6 (A) SELLS OR EXPOSES FOR SALE IN ANY PLACE WHERE FOOD PRO-
7 DUCTS ARE SOLD FOR CONSUMMATION ON OR OFF THE PREMISES ANY MEAT,
8 MEAT PREPARATION, ARTICLE OF FOOD, OR FOOD PRODUCT, AND FALSELY
9 REPRESENTS IT TO BE HALAL, WHETHER THE MEAT, OR MEAT PREPARATION,
10 ARTICLE OF FOOD, OR FOOD PRODUCT IS RAW OR PREPARED FOR HUMAN
11 CONSUMPTION, EITHER BY DIRECT STATEMENT ORALLY, OR IN WRITING,

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1 WHICH IS REASONABLY CALCULATED TO DECEIVE OR LEAD A REASONABLE
2 PERSON TO BELIEVE THAT A REPRESENTATION IS BEING MADE THAT THAT
3 FOOD IS HALAL.

4 (B) FALSELY REPRESENTS ANY FOOD PRODUCT OR THE CONTENTS OF
5 ANY PACKAGE OR CONTAINER TO BE SO CONSTITUTED AND PREPARED, BY
6 HAVING OR PERMITTING TO BE INSCRIBED ON THE PACKAGE OR CONTAINER
7 THE WORD "HALAL" IN ENGLISH.

8 (C) EXPOSES FOR SALE IN ANY SHOW WINDOW OR PLACE OF BUSINESS
9 BOTH HALAL AND NONHALAL MEAT OR MEAT PREPARATIONS, OR HALAL AND
10 NONHALAL FOOD OR FOOD PRODUCTS, EITHER RAW OR PREPARED FOR HUMAN
11 CONSUMPTION, AND WHO FAILS TO IDENTIFY EACH KIND OF MEAT OR MEAT
12 PREPARATION AS "HALAL MEAT" OR "HALAL FOOD".

13 (D) DISPLAYS ON HIS OR HER WINDOW, DOOR, OR IN HIS OR HER
14 PLACE OF BUSINESS, OR IN HANDBILLS OR OTHER PRINTED MATTER DIS-
15 TRIBUTED INSIDE OR OUTSIDE OF HIS OR HER PLACE OF BUSINESS, WORDS
16 OR LETTERS IN ARABIC CHARACTERS OTHER THAN THE WORD "HALAL", OR
17 ANY SIGN, EMBLEM, INSIGNIA, SYMBOL, OR MARK IN SIMULATION OF
18 SAME, WITHOUT ALSO DISPLAYING IN ENGLISH LETTERS OF AT LEAST THE
19 SAME SIZE AS SUCH CHARACTERS, SIGNS, EMBLEMS, INSIGNIA, SYMBOLS,
20 OR MARKS, THE WORDS "WE SELL HALAL MEAT AND FOOD ONLY" OR "WE
21 SELL NONHALAL MEAT AND FOOD ONLY", OR "WE SELL BOTH HALAL AND
22 NONHALAL MEAT AND FOOD".

23 (3) POSSESSION OF NONHALAL FOOD, IN ANY PLACE OF BUSINESS
24 ADVERTISING THE SALE OF HALAL FOOD ONLY, IS PRESUMPTIVE EVIDENCE
25 THAT THE PERSON IN POSSESSION EXPOSES THE NONHALAL MEAT AND FOOD
26 FOR SALE WITH INTENT TO DEFRAUD.

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1 (4) A PERSON WHO DOES ANY OF THE FOLLOWING IS GUILTY OF A
2 MISDEMEANOR:

3 (A) WILLFULLY MARKS, STAMPS, TAGS, BRANDS, LABELS, OR IN ANY
4 OTHER WAY OR BY ANY OTHER MEANS OF IDENTIFICATION REPRESENTS OR
5 CAUSES TO BE MARKED, STAMPED, TAGGED, BRANDED, LABELED, OR REPRE-
6 SENTED AS HALAL FOOD OR FOOD PRODUCTS NOT HALAL OR NOT SO
7 PREPARED.

8 (B) WILLFULLY REMOVES, DEFACES, OBLITERATES, COVERS, ALTERS,
9 OR DESTROYS, OR CAUSES TO BE REMOVED, DEFACED, OBLITERATED, COV-
10 ERED, ALTERED, OR DESTROYED THE ORIGINAL SLAUGHTERHOUSE PLUMBA OR
11 ANY OTHER MARK, STAMP, TAG, BRAND, LABEL, OR ANY OTHER MEANS OF
12 IDENTIFICATION AFFIXED TO FOODS OR FOOD PRODUCTS TO INDICATE THAT
13 THOSE FOODS OR FOOD PRODUCTS ARE HALAL.

14 (C) KNOWINGLY SELLS, DISPOSES OF, OR HAS IN HIS OR HER POS-
15 SESSION, FOR THE PURPOSE OF RESALE TO ANY PERSON AS HALAL, ANY
16 FOOD OR FOOD PRODUCTS NOT HAVING AFFIXED TO THE FOOD OR FOOD PRO-
17 DUCT THE ORIGINAL SLAUGHTERHOUSE PLUMBA OR ANY OTHER MARK, STAMP,
18 TAG, BRAND, LABEL, OR OTHER MEANS OF IDENTIFICATION EMPLOYED TO
19 INDICATE THAT THAT FOOD OR FOOD PRODUCT IS HALAL OR ANY FOOD OR
20 FOOD PRODUCTS TO WHICH SUCH PLUMBA, MARK, STAMP, TAG, BRAND,
21 LABEL, OR OTHER MEANS OF IDENTIFICATION HAS BEEN FRAUDULENTLY
22 AFFIXED.

23 (5) THE DEPARTMENT OF AGRICULTURE SHALL INVESTIGATE AND
24 INSPECT THE SALE OF HALAL FOOD PRODUCTS AND SHALL ENFORCE THIS
25 ACT. THE DEPARTMENT OF AGRICULTURE MAY PROMULGATE RULES FOR THE
26 ENFORCEMENT AND ADMINISTRATION OF THIS SECTION UNDER THE

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1 ADMINISTRATIVE PROCEDURES ACT OF 1969, 1969 PA 306, MCL 24.201 TO
2 24.328.