

HOUSE BILL No. 5480

December 6, 2001, Introduced by Reps. Woronchak, Raczkowski, Pappageorge, Clark, Clarke, Cassis and DeWeese and referred to the Committee on Agriculture and Resource Management.

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,

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 ANY LANGUAGE.

8 (C) SELLS OR EXPOSES FOR SALE IN THE SAME PLACE OF BUSINESS
9 BOTH HALAL AND NONHALAL MEAT OR MEAT PREPARATIONS, OR BOTH HALAL
10 AND NONHALAL FOOD OR FOOD PRODUCTS, EITHER RAW OR PREPARED FOR
11 HUMAN CONSUMPTION, AND FAILS TO INDICATE ON HIS OR HER WINDOW
12 SIGNS AND ALL DISPLAY ADVERTISING, IN BLOCK LETTERS AT LEAST 4
13 INCHES IN HEIGHT, "HALAL AND NONHALAL MEAT SOLD HERE" OR "HALAL
14 AND NONHALAL FOOD SOLD HERE".

15 (D) EXPOSES FOR SALE IN ANY SHOW WINDOW OR PLACE OF BUSINESS
16 BOTH HALAL AND NONHALAL MEAT OR MEAT PREPARATIONS, OR HALAL AND
17 NONHALAL FOOD OR FOOD PRODUCTS, EITHER RAW OR PREPARED FOR HUMAN
18 CONSUMPTION, AND WHO FAILS TO DISPLAY OVER EACH KIND OF MEAT OR
19 MEAT PREPARATION SO EXPOSED A SIGN IN BLOCK LETTERS AT LEAST 4
20 INCHES IN HEIGHT READING "HALAL MEAT" OR "NONHALAL MEAT", OR
21 "HALAL FOOD" OR "NONHALAL FOOD".

22 (E) DISPLAYS ON HIS OR HER WINDOW, DOOR, OR IN HIS OR HER
23 PLACE OF BUSINESS, OR IN HANDBILLS OR OTHER PRINTED MATTER DIS-
24 TRIBUTED INSIDE OR OUTSIDE OF HIS OR HER PLACE OF BUSINESS, WORDS
25 OR LETTERS IN ARABIC CHARACTERS OTHER THAN THE WORD "HALAL", OR
26 ANY SIGN, EMBLEM, INSIGNIA, SYMBOL, OR MARK IN SIMULATION OF
27 SAME, WITHOUT ALSO DISPLAYING IN ENGLISH LETTERS OF AT LEAST THE

1 SAME SIZE AS SUCH CHARACTERS, SIGNS, EMBLEMS, INSIGNIA, SYMBOLS,
2 OR MARKS, THE WORDS "WE SELL HALAL MEAT AND FOOD ONLY" OR "WE
3 SELL NONHALAL MEAT AND FOOD ONLY", OR "WE SELL BOTH HALAL AND
4 NONHALAL MEAT AND FOOD".

5 (3) POSSESSION OF NONHALAL FOOD, IN ANY PLACE OF BUSINESS
6 ADVERTISING THE SALE OF HALAL FOOD ONLY, IS PRESUMPTIVE EVIDENCE
7 THAT THE PERSON IN POSSESSION EXPOSES THE NONHALAL MEAT AND FOOD
8 FOR SALE WITH INTENT TO DEFRAUD.

9 (4) A PERSON WHO DOES ANY OF THE FOLLOWING IS GUILTY OF A
10 MISDEMEANOR:

11 (A) WILLFULLY MARKS, STAMPS, TAGS, BRANDS, LABELS, OR IN ANY
12 OTHER WAY OR BY ANY OTHER MEANS OF IDENTIFICATION REPRESENTS OR
13 CAUSES TO BE MARKED, STAMPED, TAGGED, BRANDED, LABELED, OR REPRE-
14 SENTED AS HALAL FOOD OR FOOD PRODUCTS NOT HALAL OR NOT SO
15 PREPARED.

16 (B) WILLFULLY REMOVES, DEFACES, OBLITERATES, COVERS, ALTERS,
17 OR DESTROYS, OR CAUSES TO BE REMOVED, DEFACED, OBLITERATED, COV-
18 ERED, ALTERED, OR DESTROYED THE ORIGINAL SLAUGHTERHOUSE PLUMBA OR
19 ANY OTHER MARK, STAMP, TAG, BRAND, LABEL, OR ANY OTHER MEANS OF
20 IDENTIFICATION AFFIXED TO FOODS OR FOOD PRODUCTS TO INDICATE THAT
21 THOSE FOODS OR FOOD PRODUCTS ARE HALAL.

22 (C) KNOWINGLY SELLS, DISPOSES OF, OR HAS IN HIS OR HER POS-
23 SESSION, FOR THE PURPOSE OF RESALE TO ANY PERSON AS HALAL, ANY
24 FOOD OR FOOD PRODUCTS NOT HAVING AFFIXED TO THE FOOD OR FOOD PRO-
25 DUCT THE ORIGINAL SLAUGHTERHOUSE PLUMBA OR ANY OTHER MARK, STAMP,
26 TAG, BRAND, LABEL, OR OTHER MEANS OF IDENTIFICATION EMPLOYED TO
27 INDICATE THAT THAT FOOD OR FOOD PRODUCT IS HALAL OR ANY FOOD OR

1 FOOD PRODUCTS TO WHICH SUCH PLUMBA, MARK, STAMP, TAG, BRAND,
2 LABEL, OR OTHER MEANS OF IDENTIFICATION HAS BEEN FRAUDULENTLY
3 AFFIXED.

4 (5) THE DEPARTMENT OF AGRICULTURE SHALL INVESTIGATE,
5 INSPECT, AND SUPERVISE THE SALE OF HALAL MEAT AND MEAT PREPARA-
6 TIONS AND SHALL ENFORCE THIS ACT. THE DEPARTMENT OF AGRICULTURE
7 MAY PROMULGATE RULES FOR THE ENFORCEMENT AND ADMINISTRATION OF
8 THIS SECTION UNDER THE ADMINISTRATIVE PROCEDURES ACT OF 1969,
9 1969 PA 306, MCL 24.201 TO 24.328.