

ASSEMBLY BILL

No. 1828

Introduced by Assembly Member Bill Campbell

January 22, 2002

An act to add Section 383c to the Penal Code, relating to crime.

LEGISLATIVE COUNSEL'S DIGEST

AB 1828, as introduced, Bill Campbell. Halal food.

Existing law provides that every person who, with intent to defraud, sells any meat or meat preparations falsely representing them to be kosher or prepared in compliance with Hebrew orthodox religious requirements, or who fails to indicate that both kosher and nonkosher meat is for sale in the same place of business, as specified, is punishable by a fine of not less than \$100 nor more than \$600, or imprisonment in a county jail for not less than 30 days nor more than 90 days, or by both that fine and imprisonment.

This bill would provide that a person who, with intent to defraud, sells any meat or meat preparations falsely representing them to be halal or prepared in compliance with Islamic orthodox religious requirements, or who fails to indicate that both halal and nonhalal meat is for sale in the same place of business, as specified, is punishable by the same imprisonment and fine. By creating a new crime, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 383c is added to the Penal Code, to read:
2 383c. Every person who with intent to defraud, sells or
3 exposes for sale any meat or meat preparations, and falsely
4 represents the same to be halal, whether such meat or meat
5 preparations be raw or prepared for human consumption, or as
6 having been prepared under and from a product or products
7 sanctioned by the orthodox Islamic religious requirements; or
8 falsely represents any food product, or the contents of any package
9 or container, to be so constituted and prepared, by having or
10 permitting to be inscribed thereon the words “halal” in any
11 language; or sells or exposes for sale in the same place of business
12 both halal and nonhalal meat or meat preparations, either raw or
13 prepared for human consumption, who fails to indicate on his
14 window signs in all display advertising in block letters at least four
15 inches in height “halal and nonhalal meats sold here;” or who
16 exposes for sale in any show window or place of business as both
17 halal and nonhalal meat preparations, either raw or prepared for
18 human consumption, who fails to display over each kind of meat
19 or meat preparation so exposed a sign in block letters at least four
20 inches in height, reading “halal meat” or “nonhalal meat” as the
21 case may be; or sells or exposes for sale in any restaurant or any
22 other place where food products are sold for consumption on the
23 premises, any article of food or food preparations and falsely
24 represents the same to be halal, or as having been prepared in
25 accordance with the orthodox Islamic religious requirements; or
26 sells or exposes for sale in such restaurant, or such other place, both
27 halal and nonhalal food or food preparations for consumption on
28 the premises, not prepared in accordance with the Islamic ritual,
29 or not sanctioned by orthodox Islamic religious requirements, and
30 who fails to display on his window signs in all display advertising,
31 in block letters at least four inches in height “halal and nonhalal
32 food served here” is guilty of a misdemeanor and upon conviction
33 thereof be punishable by a fine of not less than one hundred dollars
34 (\$100), nor more than six hundred dollars (\$600), or imprisonment



1 in a county jail of not less than 30 days, nor more than 90 days, or
2 both such fine and imprisonment.

3 The word “halal” is here defined to mean a strict compliance
4 with every Islamic law and custom pertaining and relating to the
5 killing of the animal or fowl from which the meat is taken or
6 extracted, the dressing, treatment and preparation thereof for
7 human consumption, and the manufacture, production, treatment,
8 and preparation of such other food or foods in connection
9 wherewith Islamic laws and customs obtain and to the use of tools,
10 implements, vessels, utensils, dishes, and containers that are used
11 in connection with the killing of such animals and fowls and the
12 dressing, preparation, production, manufacture, and treatment of
13 such meats and other products, foods, and food stuffs.

14 SEC. 2. No reimbursement is required by this act pursuant to
15 Section 6 of Article XIII B of the California Constitution because
16 the only costs that may be incurred by a local agency or school
17 district will be incurred because this act creates a new crime or
18 infraction, eliminates a crime or infraction, or changes the penalty
19 for a crime or infraction, within the meaning of Section 17556 of
20 the Government Code, or changes the definition of a crime within
21 the meaning of Section 6 of Article XIII B of the California
22 Constitution.

