

1 AN ACT in relation to public health.

2 Be it enacted by the People of the State of Illinois,
3 represented in the General Assembly:

4 Section 1. Short title. This Act may be cited as the
5 Halal Food Act.

6 Section 5. Definitions. As used in this Act:

7 "Advertise" means to engage in promotional activities
8 including, but not limited to, newspaper, radio, Internet and
9 electronic media, and television advertising; the
10 distribution of fliers and circulars; and the display of
11 window and interior signs.

12 "Food", "food product", or "food commodity" means any
13 food or food product inspected as required by law, or any
14 food preparation from a source approved by the Department of
15 Agriculture, whether raw or prepared for human consumption,
16 and whether in a solid or liquid state, including, but not
17 limited to, any meat, meat product or meat preparation; any
18 milk, milk product or milk preparation; and any beverage.

19 "Food commodity in package form" means a food commodity
20 put up or packaged in any manner in advance of sale in units
21 suitable for retail sale and which is not intended for
22 consumption at the point of manufacture.

23 "Halal" means prepared under and maintained in strict
24 compliance with the laws and customs of the Islamic religion
25 including but not limited to those laws and customs of
26 zabiha/zabeeha (slaughtered according to appropriate Islamic
27 code), and as expressed by reliable recognized Islamic
28 entities and scholars.

29 Section 10. Deception prohibited.

30 (a) It is a Class B misdemeanor for any person to make

1 any oral or written statement that directly or indirectly
2 tends to deceive or otherwise lead a reasonable individual to
3 believe that a non-halal food or food product is halal.

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

10 (c) It shall be a complete defense to a prosecution
11 under subsection (a) that the defendant relied in good faith
12 upon the representations of an animals' farm, slaughterhouse,
13 manufacturer, processor, packer, or distributor, or any
14 person or organization which certifies or represents any food
15 or food product at issue to be halal or as having been
16 prepared under or sanctioned by Islamic religious
17 requirements.

18 Section 15. Other offenses concerning halal food. It is
19 a Class B misdemeanor for any person to:

20 (1) falsely represent any animal sold, grown, or
21 offered for sale to be grown in a halal way to become
22 food for human consumption;

23 (2) falsely represent any food sold, prepared,
24 served, or offered for sale to be halal;

25 (3) remove or destroy, or cause to be removed or
26 destroyed, the original means of identification affixed
27 to food commodities to indicate that the food commodities
28 are halal, except that this paragraph (3) may not be
29 construed to prevent the removal of the identification if
30 the commodity is offered for sale as non-halal;

31 (4) sell, dispose of, or have in his or her
32 possession for the purpose of resale as halal any food
33 commodity to which an animals' farm or slaughterhouse

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

3 (5) label or identify a food commodity in package
4 form to be halal or possess such labels or means of
5 identification, unless he or she is the manufacturer or
6 packer of the food commodity in package form;

7 (6) label or identify an article of food not in
8 package form to be halal or possess such labels or other
9 means of identification, unless he or she is the
10 manufacturer of the article of food;

11 (7) falsely label any food commodity in package
12 form as halal by having or permitting to be inscribed on
13 it, in any language, the words "halal" or "helal", or any
14 other words or symbols, not limited to characters in
15 Arabic writing, which would tend to deceive or otherwise
16 lead a reasonable individual to believe that the
17 commodity is halal;

18 (8) sell, offer for sale, prepare, or serve in or
19 from the same place of business both unpackaged non-halal
20 food and unpackaged food he or she represents to be halal
21 unless he or she posts a window sign at the entrance of
22 his or her establishment which states in block letters at
23 least 4 inches in height: "Halal and Non-Halal Foods Sold
24 Here", or "Halal and Non-Halal Foods Served Here", or a
25 statement of similar import;

26 (9) sell or have in his or her possession for the
27 purpose of resale as halal any food commodity not having
28 affixed thereto the original animals' farm or
29 slaughterhouse mark, stamp, tag, brand, label, or other
30 means of identification employed to indicate that the
31 food commodity is halal; or

32 (10) display for sale, in the same show window or
33 other location on or in his or her place of business,
34 both unpackaged food represented to be halal and

1 unpackaged non-halal food unless he or she:

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

7 (B) separates the halal food products from the
8 non-halal food products by keeping the products in
9 separate display cabinets, or by segregating halal
10 items from non-halal items by use of clearly visible
11 dividers; and

12 (C) slices or otherwise prepares the halal
13 food products for sale with utensils used solely for
14 halal food items.

15 Section 20. Federal law. Nothing in this Act shall be
16 construed to exempt halal food from any provisions of the
17 federal Humane Methods of Slaughter Act of 1978 that may be
18 applicable.

19 Section 90. The Consumer Fraud and Deceptive Business
20 Practices Act is amended by adding Section 2KK as follows:

21 (815 ILCS 505/2KK new)

22 Sec. 2KK. Halal food; disclosure.

23 (a) As used in this Section:

24 "Dealer" means any establishment that advertises,
25 represents, or holds itself out as growing animals in a halal
26 way or selling, preparing, or maintaining food as halal,
27 including, but not limited to, manufacturers, animals' farms,
28 slaughterhouses, wholesalers, stores, restaurants, hotels,
29 catering facilities, butcher shops, summer camps, bakeries,
30 delicatessens, supermarkets, grocery stores, licensed health
31 care facilities, freezer dealers, and food plan companies.

1 These establishments may also sell, prepare or maintain food
2 not represented as halal.

3 "Director" means the Director of Agriculture.

4 "Food" means an animal grown to become food for human
5 consumption, a food, a food product, a food ingredient, a
6 dietary supplement, or a beverage.

7 "Halal" means prepared under and maintained in strict
8 compliance with the laws and customs of the Islamic religion
9 including but not limited to those laws and customs of
10 zabiha/zebeeha (slaughtered according to appropriate Islamic
11 codes), and as expressed by reliable recognized Islamic
12 entities and scholars.

13 (b) Any dealer who grows animals represented to be grown
14 in a halal way or who prepares, distributes, sells, or
15 exposes for sale any food represented to be halal shall
16 disclose the basis upon which those representations are made
17 by posting the information required by the Director, in
18 accordance with rules adopted by the Director, on a sign of a
19 type and size specified by the Director, in a conspicuous
20 place upon the premises at which the food is sold or exposed
21 for sale, as required by the Director.

22 (c) Any person subject to the requirements of subsection
23 (b) does not commit an unlawful practice if the person shows
24 by a preponderance of the evidence that the person relied in
25 good faith upon the representations of an animals' farm,
26 slaughterhouse, manufacturer, processor, packer, or
27 distributor of any food represented to be halal.

28 (d) Possession by a dealer of any animal grown to become
29 food for consumption or any food not in conformance with the
30 disclosure required by subsection (b) with respect to that
31 food is presumptive evidence that the person is in possession
32 of that food with the intent to sell.

33 (e) Any dealer who grows animals represented to be grown
34 in a halal way or who prepares, distributes, sells, or

1 exposes for sale any food represented to be halal shall
2 comply with all requirements of the Director, including, but
3 not limited to, recordkeeping, labeling and filing, in
4 accordance with rules adopted by the Director.

5 (f) Neither an animal represented to be grown in a halal
6 way to become food for human consumption, nor a food
7 commodity represented as halal, may be offered for sale by a
8 dealer until the dealer has registered, with the Director,
9 documenting information of the certifying Islamic entity
10 specialized in halal food or the supervising Muslim Inspector
11 of Halal Food.

12 (g) The Director shall adopt rules to carry out this
13 Section in accordance with the Illinois Administrative
14 Procedure Act.

15 (h) It is an unlawful practice under this Act to violate
16 this Section or the rules adopted by the Director to carry
17 out this Section.