

ធនាគារ ៧

กฏหมายอาหารยาลักษณะของประเทศไทย

ในผนวก ก นี้ จะแสดงกฎหมายอาหารยาสัตว์ของต่างประเทศ ซึ่งประกอบด้วยกฎหมายของประเทศต่างๆ ดังนี้

ประเทศไทยและอเมริกา ได้แก่

:- กฎหมายอาหารยาลักษณะของมลรัฐ NEW JERSEY

:- กฎหมายอาหารยาลากของมลรัฐ NEW JERSEY ในส่วนที่เกี่ยวกับคณะกรรมการคุ้มครองผู้บริโภคอาหารยาลากแก้ไขครั้งที่ 36 (รับร่าง)

:- กฎหมายอาหารยาจลของมลรัฐ NEW JERSEY ในส่วนที่เกี่ยวกับคณะกรรมการคุ้มครองผู้บริโภคอาหารยาจลแก้ไขครั้งที่ 37

:- กฏหมายอาหารยาจารของมรรฐ TEXAS

ประเทศไทย

:- กวัญชัยอาหารยาจลาจลของประเทศไทย

ประเทศน์รัฐอเมริกา

กฎหมายอาหารฮาลาลของมลรัฐ NEW JERSEY

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.

กฎหมายอาหารยาจารของมลรัฐ NEW JERSEY ในส่วนที่เกี่ยวกับคณะกรรมการคุ้มครอง

ผู้บริโภคอาหารยาจารแก้ไขครั้งที่ 36 (รับร่าง)

NEW JERSEY REGISTER
 VOLUME 36, NUMBER 17
 TUESDAY, SEPTEMBER 7, 2004
 RULE ADOPTION
 LAW AND PUBLIC SAFETY
 DIVISION OF CONSUMER AFFAIRS
 HALAL FOOD

Adopted New Rules: N.J.A.C. 13:45A-22.1, 22.2, 22.4 through 22.8, and 22.10

Proposed: August 18, 2003 at 35 N.J.R. 3754(a).

Adopted: August 2, 2004 by Reni Erdos, Director, Division of Consumer Affairs.

Filed: August 6, 2004 as R.2004 d.337, without change as to the rules adopted, but with proposed N.J.A.C. 13:45A-22.3 and 22.9 not adopted.

Authority: N.J.S.A. 56:8-1 et seq.

Effective Date: September 7, 2004.

Expiration Date: October 20, 2005.

Summary of Hearing Officer's Recommendations and Agency Responses:

A public hearing on the Halal Food proposal was held on September 18, 2003, at the Seton Hall Law School, 1 Newark Center, Newark, New Jersey. Eugene L. Brenycz, Esq., presided over the hearing. A copy of the transcript and the hearing officer report is available by contacting the Division of Consumer Affairs at P.O. Box

45027, Newark, NJ 07101. Based on the written and oral testimony, the hearing officer recommended that the Division not adopt N.J.A.C. 13:45A-22.3 and that the Division meet with members of the affected community to develop appropriate disclosure forms and statements.

The Director has considered the recommendations of the hearing officer and all of the public comments and has adopted proposed rules N.J.A.C. 13:45A-22.1, 22.2, 22.4 through 22.8, and 22.10, has not adopted N.J.A.C. 13:45A-22.9 and is reproposing N.J.A.C. 13:45A-22.3 with amendments in a separate proposal published elsewhere in this issue of the Register.

Summary of Changes on Adoption:

Upon adoption, the Division has elected not to adopt N.J.A.C. 13:45A-22.3 which concerns the halal disclosure statement. The Division has decided to substantively amend the rule in light of the halal disclosure statements which are being published separately in this issue of the Register. That proposal includes a revised version of N.J.A.C. 13:45A-22.3 which addresses the halal disclosure statements.

In addition, the Division is not adopting N.J.A.C. 13:45A-22.9, which deals with the marking of meat and poultry, as the Division appears to be preempted from regulating the marking of meat and poultry at Federally inspected plants. 21 U.S.C. §§ 601 et seq. (Federal Meat Inspection Act); 21 U.S.C. §§ 451 et seq. (Poultry and Poultry Products Inspection Act).

Federal Standards Statement

A Federal standards analysis is not required because the rules are not adopted under the authority of or in order to implement, comply with or participate in any program under Federal law. The rules are adopted under the authority of New Jersey law, N.J.S.A. 56:8-98 et seq., which does not incorporate or refer to Federal law,

standards or requirements. As the Division is not adopting N.J.A.C. 13:45A-22.9, the rules as adopted do not exceed any applicable Federal standards.

Full text of the adoption follows :

SUBCHAPTER 22. HALAL FOOD

<< NJ ADC 13:45A-22.1 >>

13:45A-22.1 Purpose and scope

(a) The rules in this subchapter implement the provisions of P.L. 2000, c.60 (N.J.S.A. 56:8-98 et seq.), which created the "Halal Food Consumer Protection Act" under the Division of Consumer Affairs.

(b) This subchapter shall apply to all dealers, as defined in N.J.A.C. 13:45A-22.2, who prepare, distribute, sell or expose for sale any food represented to be halal.

<< NJ ADC 13:45A-22.2 >>

13:45A-22.2 Definitions

The following words and terms, when used in this subchapter, shall have the following meanings, unless the context clearly indicates otherwise:

"Advertises, represents or holds itself out" means engaging, directly or indirectly, in promotional activities including, but not limited to, oral representations, newspaper, radio and television advertising, Internet and electronic media, telephone book listings, distribution of fliers and menus and any in-store signs or announcements.

"Dealer" means any establishment that advertises, represents or holds itself out as selling, preparing or maintaining food as halal, including, but not limited to,

persons, manufacturers, slaughterhouses, processors, wholesalers, stores, restaurants, hotels, caterers, catering facilities, butcher shops, summer camps, bakeries, delicatessens, supermarkets, grocery stores, nursing homes, freezer dealers and food plan companies. Such establishments may also deal in 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.

"Disclosure" means the form(s) provided by the Division and executed by a dealer for the purpose of disclosing to consumers and to the Division practices relating to the slaughter of animals, preparation, handling and sale of food represented to be halal.

"Division" means the Division of Consumer Affairs in the Department of Law and Public Safety.

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

"Meat" means animal and/or poultry meat, meat products or meat byproducts.

"Person" means an individual, corporation, business trust, trust, estate, partnership, association, two or more persons having a joint or common interest or any other legal or commercial entity. When used in this subchapter, "person" shall include, but not be limited to, all retail establishments, all dealers as defined above, and all others along the chain of commerce from the time a food is produced or, in the case of meat or poultry, from the time of slaughter to the time of its sale.

"Properly sealed packages" means those packages which bear a halal symbol sealed by the manufacturer, processor or wholesaler at its premises.

"Sell" means to offer for sale, expose for sale, serve or sell, directly or indirectly.

"Wholesaler" means any person selling food to another person where that food is intended for resale.

<< NJ ADC 13:45A-22.3 >>

13:45A-22.3 <<-Disclosure statement; posting of disclosure- >> <<+ (Reserved)+ >>

<<-(a) A dealer selling food at retail represented as halal shall post, in a location on the premises readily visible to the consumer, a completed halal disclosure statement provided by the Division. A dealer selling food represented as halal at wholesale shall make the disclosure available upon request.- >>

<<-(b) A dealer shall request a halal disclosure form from the Division.- >>

<<-(c) The dealer shall complete and return to the Division within 14 calendar days of receipt the halal disclosure form provided by the Division. A dealer who completes the halal disclosure shall conform its sales practices to those set forth on the disclosure statement by the dealer.- >>

<<-(d) In the event of any change in the practices posted on the halal disclosure, a dealer shall immediately amend the halal disclosure to reflect the change in the posted practices and shall inform the Director in writing and, if applicable, any party to a contract, within 14 calendar days of any change in the stated information.- >>

<<-(e) A person may sell both food represented as halal and food not represented as halal as long as the food is properly identified.- >>

<<-(f) A person whose sole representation of halal food is limited to the contents of food which is in properly sealed packages prepared by others who labeled the package halal shall be exempt from the requirements of this section.- >>

<<-(g) In addition to the posted disclosure statement required by this section, nursing homes, summer camps, caterers or other places which provide food pursuant to a contract shall furnish to the consumer or his or her legal representative a copy of the halal disclosure prior to the signing of the contract.- >>

<< NJ ADC 13:45A-22.4 >>

13:45A-22.4 Oral disclosure

In establishments such as hospitals or other places where representations that food is halal are not made until after the consumer has made a request for halal food, the disclosure may be orally provided to the consumer either prior to serving the food or together with the food when served.

<< NJ ADC 13:45A-22.5 >>

13:45A-22.5 Reliance on representation; good faith; defense

(a) A person subject to the requirements of N.J.A.C. 13:45A-22.3 and 22.4 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 that the food is halal made by the following:

1. A slaughterhouse;

2. A manufacturer;

3. A processor;

4. A packer; or

5. A distributor.

<< NJ ADC 13:45A-22.6 >>

13:45A-22.6 Recordkeeping requirements

(a) Dealers shall keep complete and accurate records of all food purchased as halal including:

1. The name and address of the slaughterhouse, wholesaler or other source from which the food is purchased;
2. The dates of purchase;
3. The quantities of food purchased;
4. The identity or nature of food; and
5. Copies of all invoices and bills of sale.

(b) In addition to the requirements of (a) above, dealers who are slaughterhouses shall maintain a record of:

1. The source of the animals;
2. The name(s) of the person who slaughters the animals;
3. The name(s) of the responsible supervisor, if any; and
4. The method of slaughter.

(c) A dealer shall retain such records on its premises for a two-year period following the date of purchase.

<< NJ ADC 13:45A-22.7 >>

13:45A-22.7 Presumptions

Possession by a dealer of any food which does not conform with the disclosure statement required by N.J.A.C. 13:45A-22.3 is presumptive evidence that the dealer possesses that food with the intent to sell it in nonconformance with the disclosure.

<< NJ ADC 13:45A-22.8 >>

13:45A-22.8 Inspection of dealers

(a) Inspections of dealers and dealers' premises shall be conducted by authorized inspectors of the Division.

(b) For purposes of conducting an inspection, an inspector shall have the right of entry to, upon and through the business premises of any dealer which represents food as halal.

<< NJ ADC 13:45A-22.9 >>

13:45A-22.9 <<-Marking of meat and poultry- >> <<+(Reserved)+ >>

<<-(a) All dealers who slaughter animals as halal, except as provided in (b) below, shall identify the animal by stamping or affixing not less than one tag to the animal to identify the animal as halal.- >>

<<-(b) All dealers who slaughter cows, steers, calves and bulls as halal shall either stamp or affix tags to each quarter section of the animal identifying the animal as halal.- >>

<< NJ ADC 13:45A-22.10 >>

13:45A-22.10 Unlawful practices

(a) In addition to any violation of any other statutes or regulations, the following shall constitute an unlawful practice by a dealer under the Consumer Fraud Act, N.J.S.A. 56:8-1 et seq.:

1. Failure to comply with the disclosure requirements of N.J.A.C. 13:45A-22.3;
2. Failure to request a halal disclosure statement form from the Division;
3. Failure to return the completed disclosure statement within 14 calendar days of receipt;
4. Failure to conform sales practices with the posted disclosures;
5. Failure to conform posted disclosures with the disclosure filed with the Division;
6. Failure to comply with the recordkeeping requirements of N.J.A.C. 13:45A-22.6;
7. Use by any person of a recognized halal food symbol without first obtaining written authorization by the person or agency representing that symbol;
8. Failure to permit an inspector entry upon the business premises of a dealer or to interfere in any way with an inspection;
9. Failure to respond in a timely fashion to an inquiry conducted by the Division;
10. Failure to attend any scheduled proceeding as directed by the Division. In the event that a person elects to retain counsel for the purpose of representation in any

such proceeding, it shall be the person's responsibility to do so in a timely fashion. The failure of a person to retain counsel, absent a showing of good cause for such failure, shall not require an adjournment of the proceeding;

11. Failure to answer any question pertinent to an inquiry made pursuant to N.J.S.A. 56:8-3, or other applicable law, unless the response is subject to a bona fide claim of privilege; or
12. Failure to make a proper and timely response by way of appearance and/or production of documents to any subpoena issued pursuant to N.J.S.A. 56:8-3 or as otherwise may be provided by law.

กฎหมายอาหารยาและของมลรัฐ NEW JERSEY ในส่วนที่เกี่ยวกับคณะกรรมการคุ้มครอง

ผู้บริโภคอาหารยาและแก้ไขครั้งที่ 37

NEW JERSEY REGISTER

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MONDAY, MAY 2, 2005

RULE ADOPTION

LAW AND PUBLIC SAFETY

DIVISION OF CONSUMER AFFAIRS

HALAL FOOD

DISCLOSURE STATEMENT; POSTING OF DISCLOSURE; RECORDKEEPING
REQUIREMENTS

Adopted New Rules: N.J.A.C. 13:45A-22.3 and 13:45A-22 Appendices A through D

Adopted Amendments: N.J.A.C. 13:45A-22.6

Proposed: September 7, 2004 at 36 N.J.R. 3992(a).

Adopted: March 28, 2005 by Jeffrey C. Burnstein, Acting Director, Division of Consumer Affairs.

Filed: April 1, 2005 as R.2005 d.133, with substantive and technical changes not requiring additional public notice and comment (see N.J.A.C. 1:30- 6.3).

Authority: N.J.S.A. 56:8-1 et seq.

Effective Date: May 2, 2005.

Expiration Date: October 20, 2005.

Summary of Agency-Initiated Changes:

Upon adoption, the Division has elected to make grammatical and technical corrections to Appendices A through D. The Division also has amended Appendix B upon adoption. The phrase "or seafood" has been deleted from the section of this appendix which states: "This establishment slaughters only poultry that have been fed feed which does not contain any animal by-products such as 100% vegetarian feed, organic feed, or Amish feed or seafood." This phrase should not have been included in this appendix, as evidenced by the fact that other references to feed fed to animals in this and other appendices do not include reference to "seafood" and refer only to vegetarian feed, organic feed or Amish feed.

Federal Standards Statement

A Federal standards analysis is not required because the rules and amendments are not adopted under the authority of or in order to implement, comply with or participate in any program under Federal law. The rules and amendments are adopted under the authority of New Jersey law, N.J.S.A. 56:8-98 et seq., which does not incorporate or refer to Federal law, standards or requirements.

The rules and amendments adopted do not exceed the Federal standards set by the Federal Meat Inspection Act, 21 U.S.C. §§ 607 et seq., the Poultry and Poultry Products Inspection Act, 21 U.S.C. §§ 457 et seq., and the Fair Packaging and Labeling Act, 15 U.S.C. §§ 1451 et seq. Further, as to meat and poultry, the adopted rules and amendments do not exceed the standards set by the United States Department of Agriculture in its "Food Standards and Labeling Policy Handbook" (Rev. May 2003).

Full text of the adoption follows :

<< NJ ADC 13:45A-22.3 >>

13:45A-22.3 Disclosure statement; posting of disclosure

(a) A dealer selling food represented as halal shall request in writing from the Division the halal disclosure form(s) and halal disclosure statement(s) applicable to its business. When making a request, the dealer shall identify its business type as a (or a combination of the following):

1. Slaughterhouse;
2. Retail establishment; or
3. Restaurant, nursing home, summer camp, caterer or other dealer who serves prepared food pursuant to a contract.

(b) A dealer shall complete and return to the Division within 14 calendar days of receipt the halal disclosure form(s) provided by the Division. A dealer who completes a halal disclosure form shall conform its sales practices to those it set forth on the halal disclosure form that it returns to the Division.

(c) A dealer selling food represented as halal shall complete and post, in a location on its premises readily visible to the consumer, the applicable halal disclosure statement provided by the Division as follows:

1. Slaughterhouses selling cattle, goats, sheep, and lambs represented as halal shall post the halal disclosure statement found at the end of this subchapter as Appendix A, which is incorporated into the rule by reference;
2. Slaughterhouses selling poultry represented as halal shall post the halal disclosure statement found at the end of this subchapter as Appendix B, which is incorporated into the rule by reference;

3. Retail establishments selling food represented as halal shall post the halal disclosure statement found at the end of this subchapter as Appendix C, which is incorporated into the rule by reference; and
4. Restaurants, nursing homes, summer camps, caterers or other dealers who serve prepared food pursuant to a contract that are serving food represented as halal shall post the halal disclosure statement found at the end of this subchapter as Appendix D, which is incorporated into the rule by reference.
 - (d) In the event of any change in the practices reported to the Division on the halal disclosure form and posted on the halal disclosure statement, a dealer shall immediately manually amend its posted halal disclosure statement to reflect the change in the posted practices and shall inform the Director in writing, and if applicable, any party to a contract, within 14 calendar days of any change in the stated information. The Division shall provide the dealer with a new halal disclosure form and a new halal disclosure statement. The dealer shall complete and return the new halal disclosure form to the Division within 14 calendar days and shall complete and post the new halal disclosure statement.
 - (e) A person may sell both food represented as halal and food not represented as halal as long as the food is properly identified and the fact is noted on the halal disclosure statement.
 - (f) A person whose sole representation of halal food is limited to the contents of food which is in properly sealed packages prepared by others who labeled the package halal shall be exempt from the requirements of this section.
 - (g) In addition to the posted halal disclosure statement required by this section, nursing homes, summer camps, caterers or other dealers who serve prepared food pursuant to a contract shall furnish to the consumer or his or her legal

representative a copy of the halal disclosure statement prior to the signing of the contract.

<< NJ ADC 13:45A-22.6 >>

13:45A-22.6 Recordkeeping requirements

(a)-(c) (No change.)

(d) A dealer shall turn over all the records required in (c) above upon the sale of the dealer's business to the purchaser of the business. The dealer may provide legible certified true copies of the records in lieu of originals.

ក្រសួងមានីការនាំការិយាល័យទៅលើរដ្ឋ TEXAS

BUSINESS & COMMERCE CODE

CHAPTER 17. DECEPTIVE TRADE PRACTICES

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 17.12. DECEPTIVE ADVERTISING.

(a) No person may disseminate a statement he knows materially misrepresents the cost or character of tangible personal property, a security, service, or anything he may offer for the purpose of

1) selling, contracting to sell, otherwise disposing of, or contracting to dispose of the tangible personal property, security, service, or anything he may offer; or

2) inducing a person to contract with regard to the tangible personal property, security, service, or anything he may offer.

(b) No person may solicit advertising in the name of a club, association, or organization without the written permission of such club, association, or organization or distribute any publication purporting to represent officially a club, association, or organization without the written authority of or a contract with such club, association, or organization and without listing in such publication the complete name and address of the club, association, or organization endorsing it.

(c) A person's proprietary mark appearing on or in a statement described in Subsection (a) of this section is *prima facie* evidence that the person disseminated the statement.

(d) A person who violates a provision of Subsection (a) or (b) of this Section is guilty of a misdemeanor and upon conviction is punishable by a fine of not less than \$10 nor more than \$200.

Acts 1967, 60th Leg., p. 2343, ch. 785, Sec. 1. Amended by Acts 1969, 61st Leg., p. 2045, ch. 701, Sec. 1, eff. June 12, 1969.

Sec. 17.50. RELIEF FOR CONSUMERS.

(a) A consumer may maintain an action where any of the following constitute a producing cause of economic damages or damages for mental anguish:

(1) the use or employment by any person of a false, misleading, or deceptive act or practice that is:

(A) specifically enumerated in a subdivision of

Subsection (b) of Section 17.46 of this subchapter; and

(B) relied on by a consumer to the consumer's detriment;

(2) breach of an express or implied warranty;

(3) any unconscionable action or course of action by any person; or

(4) the use or employment by any person of an act or practice in violation of Article 21.21, Insurance Code.

(b) In a suit filed under this section, each consumer who prevails may obtain:

(1) the amount of economic damages found by the trier of fact.

If the trier of fact finds that the conduct of the defendant was committed knowingly, the consumer may also recover damages for mental anguish, as found by the trier of fact, and the trier of fact may award not more than three times the amount of economic damages; or if the trier of fact finds the conduct was committed intentionally, the consumer may recover damages for mental anguish, as found by the trier of fact, and the trier of fact may award not more than three times the amount of damages for mental anguish and economic damages;

(2) an order enjoining such acts or failure to act;

(3) orders necessary to restore to any party to the suit any money or property, real or personal, which may have been acquired in violation of this subchapter; and

(4) any other relief which the court deems proper, including the

appointment of a receiver or the revocation of a license or certificate authorizing a person to engage in business in this state if the judgment has not been satisfied within three months of the date of the final judgment. The court may not revoke or suspend a license to do business in this state or appoint a receiver to take over the affairs of a person who has failed to satisfy a judgment if the person is a licensee of or regulated by a state agency which has statutory authority to revoke or suspend a license or to appoint a receiver or trustee. Costs and fees of such receivership or other relief shall be assessed against the defendant.

(c) On a finding by the court that an action under this section was groundless in fact or law or brought in bad faith, or brought for the purpose of harassment, the court shall award to the defendant reasonable and necessary attorneys' fees and court costs.

(d) Each consumer who prevails shall be awarded court costs and reasonable and necessary attorneys' fees.

(e) In computing additional damages under Subsection (b), attorneys' fees, costs, and prejudgment interest may not be considered.

(f) A court may not award prejudgment interest applicable to:

- (1) damages for future loss under this subchapter; or
- (2) additional damages under Subsection (b).

(g) Chapter 41, Civil Practice and Remedies Code, does not apply to a cause of action brought under this subchapter.

(h) Notwithstanding any other provision of this subchapter, if a claimant is granted the right to bring a cause of action under this subchapter by another law, the claimant is not limited to recovery of economic damages only, but may recover any actual damages incurred by the claimant, without regard to whether the conduct of the defendant was committed intentionally. For the purpose of the recovery of damages for a cause of action described by this subsection only, a reference in this subchapter to economic damages means actual damages. In applying Subsection (b)(1) to an award

of damages under this subsection, the trier of fact is authorized to award a total of not more than three times actual damages, in accordance with that subsection.

Added by Acts 1973, 63rd Leg., p. 322, ch. 143, Sec. 1, eff. May 21, 1973. Amended by Acts 1977, 65th Leg., p. 603, ch. 216, Sec. 5, eff. May 23, 1977; Acts 1979, 66th Leg., p. 1329, ch. 603, Sec. 4, eff. Aug. 27, 1979; Acts 1989, 71st Leg., ch. 380, Sec. 2, eff. Sept. 1, 1989; Acts 1995, 74th Leg., ch. 414, Sec. 5, eff. Sept. 1, 1995.

SUBCHAPTER I. LABELING, ADVERTISING, AND SALE OF HALAL FOODS

Sec. 17.881. DEFINITIONS. In this subchapter:

- (1) "Halal," as applied to food, means food prepared and served in conformity with Islamic religious requirements according to a recognized Islamic authority.
- (2) "Label" means a display of written, printed, or graphic matter on the immediate article or container of any food product.
- (3) "Person" includes an individual, corporation, or association.
- (4) "Restaurant" means a place where food is sold for on-premises consumption.
- (5) "Retail store" means a retail grocery store, delicatessen, butcher shop, or other place where food is sold for off-premises consumption.
- (6) "Sell" means to offer for sale, expose for sale, have in possession for sale, convey, exchange, barter, or trade.

Added by Acts 2003, 78th Leg., ch. 1013, Sec. 1, eff. Sept. 1, 2003.

Sec. 17.882. MEAT LABELING. (a) If a person sells both halal meat and nonhalal meat in the same retail store, the person shall clearly label each portion of halal meat with the word "halal." If an unwrapped or unpackaged meat product is displayed for sale, the display case or container in which the meat is displayed must be clearly labeled with the word "halal" or "nonhalal," as applicable.

(b) A person commits an offense if the person is required to label meat in accordance with this section and the person knowingly sells meat that is not labeled as provided in this section.

Added by Acts 2003, 78th Leg., ch. 1013, Sec. 1, eff. Sept. 1, 2003.

Sec. 17.883. **SALE OF NONHALAL FOOD.** A person commits an offense if the person knowingly or intentionally sells at a restaurant or a retail store a food product that is represented as halal food and is not halal food and the person either knows the food is not halal food or was reckless about determining whether or not the food is halal food.

Added by Acts 2003, 78th Leg., ch. 1013, Sec. 1, eff. Sept. 1, 2003.

Sec. 17.884. **CIVIL REMEDY.** A consumer aggrieved by a violation of this subchapter may maintain a cause of action for damages in accordance with Section 17.50.

Added by Acts 2003, 78th Leg., ch. 1013, Sec. 1, eff. Sept. 1, 2003.

Sec. 17.885. **CRIMINAL PENALTY.** An offense under this subchapter is punishable by the fine imposed for an offense under Section 17.12(d).

Added by Acts 2003, 78th Leg., ch. 1013, Sec. 1, eff. Sept. 1, 2003.

กฎหมายอาหารฮาลาลของประเทศไทย

Legislation under Muis Halal Certification Unit

Administration of the Muslim Law Act (Chapter 3)

An Act relating to Muslims and to make provision for regulating Muslim religious affairs and to constitute a council to advise on matters relating to the Muslim religion in Singapore and a Syariah Court

Sale of Food Act (Chapter 283)

An Act for securing wholesomeness and purity of food and fixing standards for the same; for preventing the sale or other disposition, or the use of articles dangerous or injurious to health; to provide for the regulation of food establishments

With the amendments to the AMLA (Administration of Muslim Law Act),

MUIS' powers will be further enhanced....

BEFORE	AFTER
CORPORATISATION	MUIS can focus on its core religious function. Activities that have legal and economic risks can now be assigned to its subsidiary. This will preserve MUIS' religious image and protect it from potentially damaging legal litigation.
HALAL	

<p>Those who breach the halal certification regulations can be fined up to \$5,000 or jailed for three months or both under the 1995 Sale of Food Act and Penal Code.</p>	<p>MUIS can prosecute those who breach the halal certification regulations up to \$10,000 or a jail sentence not more than 12 months or both.</p>
<p>HAJ</p> <p>MUIS has been managing pilgrimage matters since 1975 although it is not explicitly stated in the AMLA. It does not have the authority to take firm action such as in cases where the pilgrims' money was used for purposes other than haj management</p>	<p>Haj agents must place the pilgrims' money in a separate account so that it is not misused. MUIS can determine the number of pilgrims handled by haj agents. This will ensure that haj agents do not take on more pilgrims than they can cater for. Those who breach the regulations will be fined up to \$10,000 or jailed up to one year or both. In the near future, travel agents may be required to provide pilgrim guides accredited by MUIS.</p>
<p>ACCOUNT</p> <p>MUIS, mosque and wakaf accounts are consolidated and presented as one account.</p>	<p>MUIS, mosque and wakaf accounts will be maintained and audited separately. The audited mosque accounts will be displayed at the mosque premises.</p>

<p>DEVIANT TEACHINGS</p> <p>Spreading deviant teachings is a crime under the Penal Code where the offender can be fined up to \$500 and jailed up to six months or both.</p>	<p>Deviant teaching offenders will face heavier punishment, that is a fine up to \$2,000 or a prison sentence not more than 12 months or both.</p>
<p>MADRASAH</p> <p>Muslim religious schools are vested in MUIS. But without the rules, MUIS is unable to enforce the vested power. MUIS has the power to accept or reject applications to form a madrasah and to approve the administration of the madrasah.</p>	<p>MUIS has the power to "administer all mosques and Muslim religious schools in Singapore." This includes full-time madrasahs, mosque madrasahs and private institutions. MUIS may make rules to enhance the quality of madrasah education.</p>
<p>WAKAF</p> <p>The status of wakaf properties is unknown as there is no legislation requiring their registration as a wakaf.</p>	<p>The registration of wakaf by trustees will give MUIS the power to administer and supervise the wakaf properties more effectively. MUIS can prevent unauthorised sale of wakaf properties by trustees. It can plan on how best to enhance these properties for the benefit of the Muslim community. WK</p>