

By: Hochberg

H.B. No. 470

A BILL TO BE ENTITLED

AN ACT

relating to the labeling, advertising, and sale of halal foods;  
providing a criminal penalty.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Chapter 17, Business & Commerce Code, is amended  
by adding Subchapter I to read as follows:

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.

Sec. 17.882. MEAT LABELING. (a) If a person sells both

1 halal meat and nonhalal meat in the same retail store, the person  
2 shall clearly label each portion of halal meat with the word  
3 "halal." If an unwrapped or unpackaged meat product is displayed  
4 for sale, the display case or container in which the meat is  
5 displayed must be clearly labeled with the word "halal" or  
6 "nonhalal," as applicable.

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

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

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

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

22 SECTION 2. This Act takes effect September 1, 2003.