

Introduced by Senator Miriam Defensor Santiago

EXPLANATORY NOTE

Muslims use two major terms to describe food: *Halal* and *Haram*. *Halal* is an Arabic word which means permitted or lawful. There are no restrictions on consumption or use of *Halal* food. *Haram* is an Arabic word which means forbidden or unlawful. There are prohibitions on consumption and use of *Haram* food. Other terms used are *makrooh*, *mashbooh* and *dhabiha*. *Makrooh* is an Arabic word meaning 'religiously discouraged' or 'disliked'. It covers any food and liquid which are disguised or harmful to the body. *Mashbooh* is also Arabic word meaning 'suspected'. It covers the gray area between *Halal* and *Haram*. *Dhabiha* is another Arabic word meaning 'slaughtered' according to Islamic method.¹

Muslim dietary law is clear. As outlined in the Qur'an, Muslims are forbidden from consuming pork, alcohol, blood, meat dedicated to false gods. It is easy to avoid these basic ingredients, but what about when the ingredients are disguised as something else? Modern food production allows manufacturers to start out with one basic product, then cook it, boil it, and process it, until they can call it something else. However, if its original source was a forbidden food, then it is still forbidden to Muslims.²

Today's manufacturing and food production has made it difficult to know what goes into the food people eat. Food labeling is the first step, but not everything that is used in food manufacturing and production is listed. In other instances, what is listed is unknown or unfamiliar to the consumers. Most Muslims, for example, know to look out for pork, alcohol, and gelatin. But can we eat products that contain ingredients such as *glycerol stearate*?

¹ <http://www.icbcs.org/halal.htm>

² <http://islam.about.com/cs/dietarylaw/a/halalfood.htm>

This bill seeks to promote the welfare of our Muslim brothers and sisters and their need for permissible food by regulating the advertisement, packaging, labeling, display, sale, preparation, and serving of halal food.*

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* This bill was originally filed during the Thirteenth Congress, First Regular Session.

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1 AN ACT
2 REGULATING THE ADVERTISEMENT, PACKAGING, LABELING, DISPLAY, SALE,
3 PREPARATION, AND SERVING OF HALAL FOOD

Be it enacted by the Senate and the House of Representatives of the Philippines in Congress assembled:

4 SECTION 1. *Short Title.* – This Act shall be known as the “Halal Food Act.”

5 SECTION 2. *Declaration of Policy.* – It is the policy of the State to promote the general
6 welfare of the people. Pursuant to this policy, this Act shall regulate the advertisement,
7 packaging, labeling, display, sale, preparation, and serving of halal food.

8 SECTION 3. *Definition of Terms.* – For purposes of this Act, the term:

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

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

17 (C) “Food commodity in package form” means a food commodity put up or packaged
18 in any manner in advance of sale in units suitable for retail sale and which is not intended for
19 consumption at the point of manufacture.

1 (D) "Halal" means prepared under and maintained in strict compliance with the laws
2 and customs of the Islamic religion including but not limited to those laws and customs of
3 zabiha/zabeeha (slaughtered according to appropriate Islamic code), and as expressed by reliable
4 recognized Islamic entities and scholars.

5 SECTION 4. *Prohibited Acts.* – It shall be unlawful for any person to make any oral or
6 written statement that directly or indirectly tends to deceive or otherwise lead a reasonable
7 individual to believe that a non-halal food or food product is halal.

8 The presence of any non-halal food or food product in any place of business that
9 advertises or represents itself in any manner as selling, offering for sale, preparing, or serving
10 halal food or food products only, is presumptive evidence that the person in possession offers the
11 food or food product for sale under this Section.

12 It shall likewise be unlawful for any person to:

13 (A) Falsely represent any animal sold, grown, or offered for sale to be grown in a
14 halal way to become food for human consumption;

15 (B) Falsely represent any food sold, prepared, served, or offered for sale to be halal;

16 (C) Remove or destroy, or cause to be removed or destroyed, the original means of
17 identification affixed to food commodities to indicate that the food commodities are halal, except
18 that this paragraph may not be construed to prevent the removal of the identification if the
19 commodity is offered for sale as non-halal;

20 (D) Sell, dispose of, or have in his or her possession for the purpose of resale as halal
21 any food commodity to which an animals' farm or slaughterhouse mark, stamp, tag, brand, label,
22 or other means of identification has been fraudulently attached;

23 (E) Label or identify a food commodity in package form to be halal or possess such
24 labels or means of identification, unless he or she is the manufacturer or packer of the food
25 commodity in package form;

26 (F) Label or identify an article of food not in package form to be halal or possess such
27 labels or other means of identification, unless he or she is the manufacturer of the article of food;

1 (G) Falsely label any food commodity in package form as halal by having or
2 permitting to be inscribed on it, in any language, the words “halal” or “helal”, or any other words
3 or symbols, not limited to characters in Arabic writing, which would tend to deceive or otherwise
4 lead a reasonable individual to believe that the commodity is halal;

5 (H) Sell, offer for sale, prepare, or serve in or from the same place of business both
6 unpackaged non-halal food and unpackaged food he or she represents to be halal unless he or she
7 posts a window sign at the entrance of his or her establishment which states in block letters at
8 least four (4) inches in height: “Halal and Non-Halal Foods Sold Here”, or “Halal and Non-Halal
9 Foods Served Here”, or a statement of similar import;

10 (I) Sell or have in his or her possession for the purpose of resale as halal any food
11 commodity not having affixed thereto the original animals' farm or slaughterhouse mark, stamp,
12 tag, brand, label, or other means of identification employed to indicate that the food commodity
13 is halal; or

14 (J) Display for sale, in the same show window or other location on or in his or her
15 place of business, both unpackaged food represented to be halal and unpackaged non-halal food
16 unless he or she:

17 (1) Displays over the halal and non-halal food signs that read, in clearly
18 visible block letters, “halal food” and “non-halal food”, respectively, or, as
19 to the display of meat alone, “halal meat” and “non-halal meat”,
20 respectively;

21 (2) Separates the halal food products from the non-halal food products by
22 keeping the products in separate display cabinets, or by segregating halal
23 items from non-halal items by use of clearly visible dividers; and

24 (3) Slices or otherwise prepares the halal food products for sale with utensils
25 used solely for halal food items.

26 SECTION 5. *Penalties.* – Any establishment found guilty of violating Section 4 shall be
27 fined an amount not more than One Hundred Thousand Pesos (P100,000.00).

1 In addition, a penalty of imprisonment of *arresto mayor* may be imposed on the entity's
2 responsible officers, including, but not limited to, the president, vice-president, chief executive
3 officer, general manager, managing director or officer directly responsible therefore, if any of
4 them are found to have knowingly consented to such sale or possession with intent to sell for
5 human consumption any food which has not been processed, transported, or sold in compliance
6 with the provisions of this Act and the rules and regulations adopted in accordance with this Act.

7 In both in cases, the court shall take into consideration all attending circumstances.

8 SECTION 6. *Defenses Available.* – It shall be a complete defense to prosecution for an
9 offense under Section 4 that the defendant relied in good faith upon the representations of an
10 animals' farm, slaughterhouse, manufacturer, processor, packer, or distributor, or any person

11 SECTION 7. *Separability Clause.* – If any provision or part thereof is held invalid or
12 unconstitutional, the remainder of the law or the provision not otherwise affected shall remain
13 valid and subsisting.

14 SECTION 8. *Repealing Clause.* – Any law, presidential decree or issuance, executive
15 order, letter of instruction, administrative order, rule, or regulation contrary to or inconsistent
16 with the provisions of this Act is hereby repealed, modified, or amended accordingly.

17 SECTION 9. *Effectivity Clause.* – This Act shall take effect fifteen (15) days after its
18 publication in at least two (2) newspapers of general circulation.

Approved,