

THIRTEENTH CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)
Third Regular Session)

6 JUL 31 2015

SENATE
S. B. No. **2418**

RECEIVED BY

JMF

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.icbes.org/halal.htm>

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

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

Miriam Defensor Santiago
MIRIAM DEFENSOR SANTIAGO

THIRTEENTH CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)
Third Regular Session)

6 JUL 31 25 3

SENATE
S. B. No. 2418

RECEIVED BY: JAY

Introduced by Senator Miriam Defensor Santiago

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

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

SECTION 1. *Short Title.* – This Act shall be known as the “Halal Food Act of 2006”.

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

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

- (A) “Advertise” means to engage in promotional activities including, but not limited to, newspaper, radio, Internet and electronic media, and television advertising; the distribution of fliers and circulars; and the display of window and interior signs.
- (B) “Food”, “food product”, or “food commodity” means any food or food product inspected as required by law, or any food preparation from a source approved by the Department of Agriculture, whether raw or prepared for human consumption, and whether in a solid or liquid state, including, but not limited to, any meat, meat product or meat preparation; any milk, milk product or milk preparation; and any beverage.
- (C) “Food commodity in package form” means a food commodity put up or packaged in any manner in advance of sale in units suitable for retail sale and which is not intended for consumption at the point of manufacture.

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

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

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

It shall likewise be unlawful for any person to:

- (A) Falsely represent any animal sold, grown, or offered for sale to be grown in a halal way to become food for human consumption;
- (B) Falsely represent any food sold, prepared, served, or offered for sale to be halal;
- (C) Remove or destroy, or cause to be removed or destroyed, the original means of identification affixed to food commodities to indicate that the food commodities are halal, except that this paragraph may not be construed to prevent the removal of the identification if the commodity is offered for sale as non-halal;
- (D) Sell, dispose of, or have in his or her possession for the purpose of resale as halal any food commodity to which an animals' farm or slaughterhouse mark, stamp, tag, brand, label, or other means of identification has been fraudulently attached;
- (E) Label or identify a food commodity in package form to be halal or possess such labels or means of identification, unless he or she is the manufacturer or packer of the food commodity in package form;
- (F) Label or identify an article of food not in package form to be halal or possess such labels or other means of identification, unless he or she is the manufacturer of the article of food;

- (G) Falsely label any food commodity in package form as halal by having or permitting to be inscribed on it, in any language, the words “halal” or “helal”, or any other words or symbols, not limited to characters in Arabic writing, which would tend to deceive or otherwise lead a reasonable individual to believe that the commodity is halal;
- (H) Sell, offer for sale, prepare, or serve in or from the same place of business both unpackaged non-halal food and unpackaged food he or she represents to be halal unless he or she posts a window sign at the entrance of his or her establishment which states in block letters at least four (4) inches in height: “Halal and Non-Halal Foods Sold Here”, or “Halal and Non-Halal Foods Served Here”, or a statement of similar import;
- (I) Sell or have in his or her possession for the purpose of resale as halal any food commodity not having affixed thereto the original animals' farm or slaughterhouse mark, stamp, tag, brand, label, or other means of identification employed to indicate that the food commodity is halal; or
- (J) Display for sale, in the same show window or other location on or in his or her place of business, both unpackaged food represented to be halal and unpackaged non-halal food unless he or she:
- (1) Displays over the halal and non-halal food signs that read, in clearly visible block letters, “halal food” and “non-halal food”, respectively, or, as to the display of meat alone, “halal meat” and “non-halal meat”, respectively;
 - (2) Separates the halal food products from the non-halal food products by keeping the products in separate display cabinets, or by segregating halal items from non-halal items by use of clearly visible dividers; and
 - (3) Slices or otherwise prepares the halal food products for sale with utensils used solely for halal food items.

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

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

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

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

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

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

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

Approved,

/rgs