

**NEW JERSEY REGISTER
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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.

APPENDIX A
Slaughterhouse Disclosure Statement
(Cattle, goats, sheep, and lambs)

Please check all that apply (A checked box means "yes."):

A. Raising of Animals

- This establishment slaughters only cattle, goats, sheep, and lambs that have been fed only 100% vegetarian feed, organic feed, or Amish feed, none of which contain any animal by-products.
- The cattle, goats, sheep, and lambs slaughtered here were not treated with hormones.

B. Origin of Animals Slaughtered

- Animals are raised on the premises. Animals are purchased from the following farms:

Animals are purchased from the following auctions:

C. Slaughter

The U.S.D.A. Plant Number of this slaughterhouse is _____.

The slaughter of animals is performed in the following manner:

- The animal is alive at the time of slaughter.
- The animal is not stunned before slaughter.
- The animal is hand-slaughtered with a sharp knife.
- The knife used during the slaughter is sharpened/cleaned after each use.
- The animal is facing Mecca when slaughtered.
- The animal is slaughtered by a person who represents him/herself as a Muslim.
- The slaughterer pronounces an Islamic benediction while performing the slaughter.
- The animal is slaughtered with a swift, deep incision on the neck which cuts the jugular veins and carotid arteries on both sides and also the trachea and esophagus.
- The spinal cord is not severed at the time of slaughter.
- If any additional steps or procedures are performed, they are:

- Pigs are slaughtered in this slaughterhouse.

If the box above is checked, answer the following:

- Pigs are slaughtered on separate equipment.
- Pigs are slaughtered on the same day as animals that are slaughtered to be sold as halal.

D. Post-Slaughter

- Only non-animal derived/non-alcohol based cleansers and sanitizers are used to wash/clean the equipment.
- The animal is drained of blood following slaughter.
- The animal slaughtered to be sold as halal is stored in a cooler or freezer which contains only meat or poultry to be sold as halal.
- Animals are labeled as halal or zabiha halal consistent with the Food Standards and Labeling Policy Book of the U.S.D.A.

If the slaughterhouse fabricates meat to be sold as halal, food packaging materials have been certified as halal by a halal certifying agency.

If the slaughterhouse fabricates meat to be sold as halal, the meat has not been co-mingled with any food or food product not represented to be halal.

APPENDIX B
Slaughterhouse Disclosure Statement (Poultry)

Please check all that apply (A checked box means "yes."):

A. Raising of Poultry

This establishment slaughters only poultry that have been fed only 100% vegetarian feed, organic feed, or Amish feed, none of which contain any animal by-products.

The poultry slaughtered here were not treated with hormones.

B. Origin of Poultry Slaughtered

Poultry is raised on the premises.

Poultry is purchased from the following farms:

Poultry is purchased from the following auctions:

C. Slaughter

The U.S.D.A. Plant Number of this slaughterhouse is _____.

The slaughter of poultry is performed in the following manner:

The poultry is alive at the time of slaughter.

The poultry is not stunned before slaughter.

The poultry is slaughtered by mechanical means.

The poultry is hand-slaughtered with a sharp knife.

The knife used during the slaughter is sharpened/cleaned after each use.

The poultry is facing Mecca when slaughtered.

The poultry is slaughtered by a person who represents him/herself as a Muslim.

The slaughterer pronounces an Islamic benediction while performing the slaughter.

The poultry is slaughtered with a swift, deep incision on the neck which cuts the jugular veins and carotid arteries on both sides and also the trachea and esophagus.

The spinal cord is not severed at the time of slaughter.

If any additional steps or procedures are performed, they are:

Pigs are slaughtered in this slaughterhouse.

If the box above is checked, answer the following:

Pigs are slaughtered on separate equipment.

Pigs are slaughtered on the same day as animals that are slaughtered to be sold as halal.

D. Post-Slaughter

Only non-animal derived/non-alcohol based cleansers and sanitizers are used to wash/clean the equipment.

- The poultry is drained of blood following slaughter.
- The poultry slaughtered to be sold as halal is stored in a cooler or freezer which contains only meat or poultry to be sold as halal.
- Poultry is labeled as halal or zabiha halal consistent with the Food Standards and Labeling Policy Book of the U.S.D.A.
- If the slaughterhouse fabricates poultry to be sold as halal, food packaging materials have been certified as halal by a halal certifying agency.
- If the slaughterhouse fabricates poultry to be sold as halal, the poultry has not been co-mingled with any food or food product not represented to be halal.

APPENDIX C
Retail Disclosure Statement

A. General Disclosure

For purposes of this disclosure, non-halal means food that this establishment does not represent to be halal.

Please check all that apply (A checked box means "yes."):

- This establishment sells only halal foods.
- This establishment sells both halal and non-halal foods.
- This establishment sells only meat and poultry as halal.
- This establishment sells dairy goods as halal.
- This establishment sells bakery products as halal.
- This establishment makes no representation as to the halal status of its foods other than that which appears on the package label of prepackaged food.
- Meat sold at this establishment is under the supervision of a halal certifying agency. This name, address and telephone number of the halal certifying agency is:

- Dairy products sold at this establishment are under the supervision of a halal certifying agency. The name, address and telephone number of the halal certifying agency is:

- Bakery goods sold at this establishment are under the supervision of a halal certifying agency. The name, address and telephone number of the halal certifying agency is:

- This establishment uses separate utensils, cutting boards, machine slicers, meat grinders, knives and other equipment for halal and non-halal foods which are identified as such.
- This establishment uses separate refrigerators, freezers, and storage areas for halal and non-halal food.
- Non-halal food products are not mixed with halal food products.

B. Meat and Poultry

Meat offered for sale at this establishment has been purchased from the vendor(s) listed below who made the following representations:

- The animal was fed only 100% vegetarian feed, organic feed, or Amish feed, none of which contain any animal by-products.
- The animal was not treated with hormones.
- The animal was alive at the time of slaughter.
- The animal was not stunned before slaughter.
- The animal was hand-slaughtered with a sharp knife.

- The knife used during the slaughter was sharpened/cleaned after each use.
- The animal was facing Mecca when slaughtered.
- The animal was slaughtered by a person who represents him/herself as a Muslim.
- The slaughterer pronounced an Islamic benediction while performing the slaughter. The animal was slaughtered with a swift, deep incision on the neck which cuts the jugular veins and carotid arteries on both sides and also the trachea and esophagus.
- The spinal cord was not severed at the time of slaughter.
- Only non-animal derived/non- alcohol based cleansers and sanitizers were used to wash/clean the equipment.
- The animal was drained of blood following slaughter.
- The animal slaughtered to be sold as halal was stored in a cooler or freezer which contains only meat or poultry to be sold as halal.
- If any additional steps or procedures were performed, they were:

The name, address and telephone number of the vendor(s) from whom the meat referred to above was purchased:

The poultry offered for sale at this establishment has been purchased from the vendor(s) listed below who made the following representations:

- The poultry was fed only 100% vegetarian feed, organic feed, or Amish feed, none of which contain any animal by-products.
- The poultry was not treated with hormones.
- The poultry was alive at the time of slaughter.
- The poultry was not stunned before slaughter.
- The poultry was slaughtered by mechanical means.
- The poultry was hand-slaughtered with a sharp knife.
- The knife used during the slaughter was sharpened/cleaned after each use.
- The poultry was facing Mecca when slaughtered.
- The poultry was slaughtered by a person who represents him/herself as a Muslim.
- The slaughterer pronounced an Islamic benediction while performing the slaughter.
- The poultry was slaughtered with a swift, deep incision on the neck which cuts the jugular veins and carotid arteries on both sides and also the trachea and esophagus.
- The spinal cord was not severed at the time of slaughter.
- Only non-animal derived/non-alcohol based cleansers and sanitizers were used to wash/clean the equipment.
- The poultry was drained of blood following slaughter.
- The poultry slaughtered to be sold as halal was stored in a cooler or freezer which contains only meat or poultry to be sold as halal. If any additional steps or procedures were performed, they were:

The name, address and telephone number of the vendor(s) from whom the poultry referred to above was purchased:

- This establishment purchases only meat or poultry labeled halal or zabiha halal from a federally inspected meat packaging plant.
- This establishment sells meat or poultry which has not been identified as halal or zabiha halal by the slaughterhouse.
- Pork or pork products are not sold at this establishment.

C. Bakery Products

- Bakery products sold here do not contain any alcohol.
- Bakery products sold here do not contain any pork, animal fat or lard.
- Bakery products sold here do not contain any non-halal beef gelatin.
- Bakery products sold here contain only gelatin derived from plants.
- Bakery products sold here contain only gum derived from plants.

D. Milk and Dairy Products

- All cheese sold here is certified as halal.

If the box above is checked, the name, address and telephone number of the halal certifying agency is:

- All milk sold here is certified as halal.

If the box above is checked, the name, address and telephone number of the halal certifying agency is:

E. Food Products Prepared On Site

- Prepared food labeled or represented as halal does not contain or use any ingredients from an animal not represented as halal by the slaughterhouse.
- Prepared food labeled or represented as halal does not contain any product containing pork.
- Prepared food labeled or represented as halal does not contain any alcohol.
- No alcohol is used in the preparation of any prepared food represented as halal.

F. Food Packaging

- Food packaging materials have been certified as halal by a halal certifying agency. The name, address and telephone number of the halal certifying agency is:

G. Cleaners and Sanitizers

- Only non-animal derived/non-alcohol based cleansers and sanitizers are used to wash/clean the equipment.

APPENDIX D

Restaurant, nursing home, summer camp,
 caterer or other dealer who serves prepared food
 Disclosure Statement

Please check all that apply (A checked box means "yes."):

A. General Disclosures

- This establishment sells only food represented as halal as described in this notice.
- This establishment sells both food represented as halal and food not represented as halal.
- This establishment is under the supervision of a halal certifying agency. The name, address and telephone number of the halal certifying agency is:

- All food sold does not contain pork or pork products.
- All food sold does not contain blood as an ingredient.
- All food sold does not contain alcohol.

- All cheese used is certified as halal.
- All milk used is certified as halal.
- This establishment uses separate utensils, cutting boards, cooking utensils, ovens, microwaves and knives for halal and non-halal foods which are identified as such.
- This establishment uses separate refrigerators, freezers and storage areas for food represented as halal and food not represented as halal.
- All food served as halal is not mixed with any non-halal food.
- Alcohol is not used in the preparation of food.

B. Meat and Poultry

Meat offered for sale at this establishment has been purchased from the vendor(s) listed below who made the following representations:

- The animal was fed only 100% vegetarian feed, organic feed, or Amish feed, none of which contain any animal by-products.
- The animal was not treated with hormones.
- The animal was alive at the time of slaughter.
- The animal was not stunned before slaughter.
- The animal was hand-slaughtered with a sharp knife.
- The knife used during the slaughter was sharpened/cleaned after each use.
- The animal was facing Mecca when slaughtered.
- The animal was slaughtered by a person who represents him/herself as a Muslim.
- The slaughterer pronounced an Islamic benediction while performing the slaughter.
- The animal was slaughtered with a swift, deep incision on the neck which cuts the jugular veins and carotid arteries on both sides and also the trachea and esophagus.
- The spinal cord was not severed at the time of slaughter.
- Only non-animal derived/non-alcohol based cleansers and sanitizers were used to wash/clean the equipment.
- The animal was drained of blood following slaughter.
- The animal slaughtered to be sold as halal was stored in a cooler or freezer which contains only meat or poultry to be sold as halal.
- If any additional steps or procedures were performed, they were:

The name, address and telephone number of the vendor(s) from whom the meat referred to above was purchased:

The poultry offered for sale at this establishment has been purchased from the vendor(s) listed below who made the following representations:

- The poultry was fed only 100% vegetarian feed, organic feed, or Amish feed, none of which contain any animal by-products.
- The poultry was not treated with hormones.
- The poultry was alive at the time of slaughter.
- The poultry was not stunned before slaughter.
- The poultry was slaughtered by mechanical means.
- The poultry was hand-slaughtered with a sharp knife.
- The knife used during the slaughter was sharpened/cleaned after each use.
- The poultry was facing Mecca when slaughtered.
- The poultry was slaughtered by a person who represents him/herself as a Muslim.
- The slaughterer pronounced an Islamic benediction while performing the slaughter.
- The poultry was slaughtered with a swift, deep incision on the neck which cuts the jugular veins and carotid arteries on both sides and also the trachea and esophagus.
- The spinal cord was not severed at the time of slaughter.

- Only non-animal derived/non-alcohol based cleansers and sanitizers were used to wash/clean the equipment.
- The poultry was drained of blood following slaughter.
- The poultry slaughtered to be sold as halal was stored in a cooler or freezer which contains only meat or poultry to be sold as halal.
- If any additional steps or procedures were performed, they were:

The name, address and telephone number of the vendor(s) from whom the poultry referred to above was purchased:

- Meat and poultry offered for sale have been slaughtered as halal or zabiha halal and identified as such at the slaughterhouse consistent with Federal labeling guidelines.
- This establishment purchases only meat or poultry labeled halal or zabiha halal from a federally inspected meat packing plant.
- Pork or pork products are not sold at this establishment.
- This establishment sells meat or poultry which has not been identified as halal or zabiha halal by the slaughterhouse.

C. Food Packaging

- Food packaging materials have been certified as halal by a halal certifying agency. The name, address and telephone number of the halal certifying agency is:

D. Cleaners and Sanitizers

- Only non-animal derived/non- alcohol based cleansers and sanitizers are used to wash/clean the equipment.