

Buying Kosher Food



consumer**brief**

It is a fact that kosher food products are frequently more expensive than other foods because of the special handling requirements involved in producing them. This, in turn, increases the opportunity for misrepresentation or outright fraud in the sale of kosher foods. To deal with these potential problems, a special section was established within the Division of Consumer Affairs (Division). The Bureau of Kosher Enforcement is dedicated to the protection of consumers who buy kosher foods.

Regulations Governing the Sale of Food Represented as Kosher (*N.J.A.C. 13:45A-21.1 et seq.*)

The regulations for the Bureau of Kosher Enforcement are considered to be the most comprehensive and broad-based in the nation. These regulations were developed under and derive their authority from New Jersey's Consumer Fraud Act (*N.J.S.A. 56:8-1 et seq.*). The Act prohibits misrepresentation in the advertisement or sale of consumer goods. This statutory protection is at the heart of the kosher food regulations which were established to ensure that purchasers of kosher food which has been represented as such by the purveyor, get the product for which they are paying.

Retailers are permitted to post their own signs regarding the products they sell that are kosher. However, retailers should understand that misrepresentations are strictly prohibited. They are required to post a sign, provided by the Division, which details the Division's understanding of the term "kosher." The sign must be visible to all consumers. Additionally, if the retailer has rabbinical certification, a second sign must be posted which identifies the supervising rabbi and the number of visits that have been made. The Bureau investigates and enforces only the claims made by the retailer.

This approach to kosher enforcement, which has been duplicated in various states, offers consumers a new level of assurance when shopping for kosher food.

The information provided by the retailer enables consumers to make informed decisions when buying foods represented as kosher. Please keep in mind that although the Bureau of Kosher Enforcement works to enforce representations made, you are the one to decide if those claims meet your standards.

FREQUENTLY ASKED QUESTIONS

- Q. May a store advertise "kosher-style" food and serve nonkosher?**
- A. No.** Any advertisement stating kosher-style, Jewish, Hebrew, Holiday (Jewish) or other similar terms must contain a clear and conspicuous disclaimer stating that the advertised items are not kosher.
- Q. Can a retailer circumvent the state's kosher rules by stating orally, but not in writing, that the food offered for sale is kosher?**
- A. No.** The regulations clearly state that statements made orally are as binding as those made in writing. However, remember that in regard to oral statements, it might be your word against the store's. Therefore, whenever possible, try to get some form of written statement which would support your claim.

Continued

800-242-5846 • New Jersey Division of Consumer Affairs
www.NJConsumerAffairs.gov



Q. Is a market allowed to mix kosher and nonkosher pre-packaged foods together?

A. Yes. If the foods were sent to the store packaged and they are sold in their original wrapping and are not otherwise handled, kosher and nonkosher foods may be kept together in the same display. However, if there is a sign that specifically identifies a section as being for kosher foods, all food in that section must be kosher.

Q. Is an establishment selling food as kosher always required to post disclosures?

A. Any place selling food that is handled, that is not in a package, must place the necessary disclosures in a clear and conspicuous place. If all of the food sold as kosher is in its original package, disclosures are not needed.

Q. Do caterers have to post disclosures?

A. Yes. Caterers serving food at any location, except a private home, must post the disclosures required by the regulations.

The full text of New Jersey's regulations governing the sale of food represented as kosher is available upon request. Please write to:

Division of Consumer Affairs
Office of Consumer Protection (OCP)
Bureau of Kosher Enforcement
124 Halsey Street, P.O. Box 45025
Newark, NJ 07101

or call: **973-273-8028.**

If you have a question and/or complaint concerning a consumer-related issue, or would like to check the license or complaint history of any professional or business, you may contact the **New Jersey Division of Consumer Affairs** by mail, phone or online.

Consumer Service Center
124 Halsey Street
P.O. Box 45025
Newark, NJ 07101

1-973-504-6200
1-800-242-5846

E-Mail:
AskConsumerAffairs@dca.lps.state.nj.us

800-242-5846 › New Jersey Division of Consumer Affairs
www.NJConsumerAffairs.gov

