

THE MICHIGAN PENAL CODE (EXCERPT)
Act 328 of 1931

750.297e Kosher food products; definition; sale; false representation; prohibited acts; evidence of fraud; inspection and supervision of sale of meat; rules; violation as misdemeanor.

Sec. 297e.

(1) As used in this section, "kosher" means prepared or processed in accordance with orthodox Hebrew religious requirements sanctioned by a recognized orthodox rabbinical council.

(2) A person who, with intent to defraud, sells or exposes for sale any meat or meat preparations, article of food or food products, and falsely represents the same to be kosher, whether such meat or meat preparations, article of food or food products are raw or prepared for human consumption, either by direct statement orally, or in writing, which might reasonably be calculated to deceive or lead a reasonable man to believe that a representation is being made that such food is kosher or falsely represents any food products or the contents of any package or container to be so constituted and prepared, by having or permitting to be inscribed thereon the word "kosher" in any language; or sells or exposes for sale in the same place of business both kosher and nonkosher meat or meat preparations, or both kosher and nonkosher food or food products, either raw or prepared for human consumption, and who fails to indicate on his window signs and all display advertising, in block letters at least 4 inches in height, "kosher and nonkosher meat sold here" or "kosher and nonkosher food sold here"; or who exposes for sale in any show window or place of business both kosher and nonkosher meat or meat preparations, or kosher and nonkosher food or food products, either raw or prepared for human consumption, and who fails to display over each kind of meat or meat preparation so exposed a sign in block letters at least 4 inches in height reading "kosher meat" or "nonkosher meat", or "kosher food" or "nonkosher food", or who displays on his window, door or in his place of business, or in handbills or other printed matter distributed in or outside of his place of business, words or letters in Hebraic characters other than the word "kosher", or any sign, emblem, insignia, 6-pointed star, symbol or mark in simulation of same, without displaying in conjunction therewith in English letters of at least the same size as such characters, signs, emblems, insignia, symbols or marks, the words "we sell kosher meat and food only" or "we sell nonkosher meat and food only", or "we sell both kosher and nonkosher meat and food" is guilty of a misdemeanor. Possession of nonkosher meat and food, in any place of business advertising the sale of kosher meat and food only, is presumptive evidence that the person in possession exposes the same for sale with intent to defraud, in violation of the provisions of this section.

(3) A person who, with intent to defraud, sells or exposes for sale in any hotel, restaurant or other place where food products are sold for consumption on or off the premises, any meat or meat preparations, article of food or food products, and falsely represents the same to be kosher, whether such meat or meat preparations, article of food or food products be raw or prepared for human consumption, either by direct statement orally, or in writing, which might reasonably be calculated to deceive or lead a reasonable man to believe that a representation is being made that such food is kosher or falsely represents any food product or the contents of any package or container to be so constituted and prepared, by having or permitting to be inscribed thereon the word "kosher" in any language; or sells or exposes for sale in the same place of business both kosher and nonkosher meat or meat preparations, or both kosher and nonkosher food or food products, either raw or prepared for human consumption, and who fails to indicate on his window signs and all display advertising, in block letters at least 4 inches in height, "kosher and nonkosher food sold here", or who exposes for sale in any show window or place of business both kosher and nonkosher food or food products, either raw or prepared for human consumption, and who fails to display over each kind of food or food preparation so exposed a sign in block letters at least 4 inches in height reading "kosher food" or "nonkosher food", or who displays on his window, door or in his place of business, or in handbills or other printed matter distributed in or outside of his place of business, words or letters in Hebraic characters other than the word "kosher", or any sign, emblem, insignia, 6-pointed star, symbol or mark in simulation of same, without displaying in conjunction therewith in English letters of at least the same size as such characters, signs, emblems, insignia, symbols or marks the words "we sell kosher food only" or "we sell nonkosher food only", or "we sell both kosher and nonkosher food", is guilty of a misdemeanor. Possession of nonkosher food, in any place of business advertising the sale of kosher food only, is presumptive evidence that the person in possession exposes the same for sale with intent to defraud, in violation of the provisions of this section.

(4) No person shall:

(a) Wilfully mark, stamp, tag, brand, label or in any other way or by any other means of identification represent or cause to be marked, stamped, tagged, branded, labeled or represented as kosher food or food products not kosher or not so prepared.

(b) Wilfully remove, deface, obliterate, cover, alter or destroy, or cause to be removed, defaced, obliterated, covered, altered or destroyed the original slaughterhouse plumba or any other mark, stamp, tag, brand, label or any other means of identification affixed to foods or food products to indicate that such foods or food products are

kosher.

(c) Knowingly sell, dispose of or have in his possession, for the purpose of resale to any person as kosher, any food or food products not having affixed thereto the original slaughterhouse plumba or any other mark, stamp, tag, brand, label or other means of identification employed to indicate that such food or food products are kosher or any food or food products to which such plumba, mark, stamp, tag, brand, label or other means of identification has or have been fraudulently affixed.

(5) The department of agriculture shall investigate, inspect and supervise the sale of meat and meat preparations and enforce the provisions of this act. The department may promulgate rules and regulations for the enforcement and administration of this act in accordance with the provisions of Act No. 88 of the Public Acts of 1943, as amended, being sections 24.71 to 24.80 of the Compiled Laws of 1948, and subject to Act No. 197 of the Public Acts of 1952, as amended, being sections 24.101 to 24.110 of the Compiled Laws of 1948.

(6) Any person who violates the provisions of this section is guilty of a misdemeanor.

History: Add. 1966, Act 78, Imd. Eff. June 10, 1966