

FINAL BILL REPORT

SB 5799

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Synopsis as Enacted

Brief Description: Concerning the sale of halal foods.

Sponsors: Senators Wilson, C., Trudeau, Dhingra, Hasegawa, Liias, Nobles, Salomon, Shewmake, Van De Wege and Wellman.

Senate Committee on Agriculture, Water, Natural Resources & Parks
Senate Committee on Ways & Means
House Committee on Agriculture & Natural Resources

Background: Food Safety. The Washington Department of Agriculture (WSDA) inspects and analyzes food products; inspects food processing, handling, and storage establishments and practices; inspects dairy farms and plants; inspects eggs for quality and weight standards; sets and enforces sanitary standards for egg graders; inspects refrigerated locker plants; inspects custom farm slaughterers and custom meat facilities; and licenses and supervises dairy technicians.

The WSDA Food Safety Program:

- protects and reduces public health risk by assuring the safety of the state's food supply;
- facilitates the movement of Washington agricultural products in domestic and international markets; and
- issues export certificates of sanitation and free sale for food products manufactured in Washington State.

Food businesses licensed by the State of Washington to produce, warehouse, process, market, sell and distribute product are required to follow the safe food production, management, and handling practice specified in the Washington Food, Drug and Cosmetic Act and other applicable federal and state food safety laws and regulations depending on the type of activity the food business performs.

Washington Consumer Protection Act. The Consumer Protection Act (CPA) prohibits

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unfair methods of competition, or unfair or deceptive practices in the conduct of any trade or commerce. The attorney general is authorized to investigate and prosecute claims under the CPA on behalf of the state or individuals in the state. A person injured by a violation of the CPA may bring a civil action for injunctive relief, recovery of actual damages, and reasonable attorneys' fees.

Maximum civil penalties for violation of the CPA are set out as follows:

- violation of any injunction issued under the CPA—\$25,000;
- any contract, trust, or conspiracy in restraint of trade or commerce or monopolization or attempt to monopolize any part of trade or commerce—\$100,000 for an individual or \$500,000 for a corporation; and
- unfair methods of competition and unfair or deceptive acts or practices in trade or commerce—\$2,000 for each violation.

When the attorney general brings an action in the name of the state or on behalf of a private citizen to restrain a person from engaging in unlawful acts under the CPA, the court may award costs, including reasonable attorneys' fees, to the prevailing party.

Halal. Halal is a dietary law derived from Islamic teachings, meaning “lawful or permitted.” Foods not considered halal are considered haram or “not permitted.” Certified halal foods are products that are not only acceptable but have been processed in a facility that maintains the integrity of the halal certification.

Summary: No person may knowingly sell or offer for sale any food product marked, stamped, tagged, branded, labeled, or represented as halal when that person knows the food product is not halal and the representation is likely to cause the purchaser to believe the product is halal. The representation may be made in any language, orally or in writing, or by display of a sign, mark, insignia, or simulation. Violating this provision constitutes a violation of the Consumer Protection Act.

The Food Safety and Security Act is not applicable to halal food to the extent necessary to produce halal food.

Halal food is defined as a food product prepared, processed, and maintained in strict accordance with the requisites of Islamic principles and customs including, but not limited to, the slaughter of an animal and preparation of the animal for human consumption.

Votes on Final Passage:

Senate	48	0
House	96	0

Effective: June 6, 2024