



United States Department of Agriculture

Food Safety and
Inspection Service

1400 Independence
Avenue, SW.
Washington, D.C.
20250

Mr. Abdul-Aziz Shaheed
Real Halal
812 Notley Road
Silver Spring, MD 20904

SEP 9 2016

Dear Mr. Shaheed:

We have completed our review of the petition you submitted on behalf of the Real Halal company, dated September 20, 2011, and assigned petition number 11-08. The petition requests that FSIS initiate rulemaking to require that the labels of meat and poultry products identified as "Halal" or "Zabiha Halal" disclose whether the source animals were hand-slaughtered or mechanically-slaughtered. According to the petition, some producers of Halal meat or poultry products are labeling products derived from animals slaughtered by mechanical methods as "Halal" or "Zabiha Halal" because these products meet the criteria of certain Halal certifying entities. The petition asserts that it is necessary to differentiate between the two methods of slaughter because many Muslims believe that they must only eat meat or poultry derived from hand-slaughtered animals. The petition asserts that the requested action is necessary to prevent labeling that is deceptive or untruthful, or that may cause consumer confusion in the marketplace.

To support the requested action, the petition includes articles and other materials that assert that mechanically-slaughtered animals are not universally recognized as a legitimate form of Halal or Zabiha Halal. FSIS also received 18 comments from private citizens in response to the petition. Of those, two commenters opposed the petition for reasons relating to differing interpretations of what is acceptable for Halal meat and poultry products. These commenters stated that mechanical slaughter is consistent with Halal ritual slaughter practices. The remaining commenters expressed support for the petition.

As discussed below, FSIS does not have the authority or expertise to determine whether an aspect of ritual slaughter adheres to every applicable religious dietary requirement. The Agency's role is to ensure that the labeling of meat and poultry products that include the term "Halal" or "Zabiha Halal" is truthful and not misleading. Therefore, we are denying your petition.

The Federal Meat Inspection Act (21 U.S.C. 601 *et seq.*) and Poultry Products Inspection Act (21 U.S.C. 451 *et seq.*) (the Acts) exempt establishments that slaughter livestock or poultry in accordance with recognized religious dietary requirements from certain provisions of the Acts (21 U.S.C. 603(b) and 464(a)(3)). The religious exemption is intended to prevent conflicts between religious dietary requirements and regulatory requirements that may hinder the exercise of religious freedom. FSIS inspectors assigned to establishments that produce products derived from ritually

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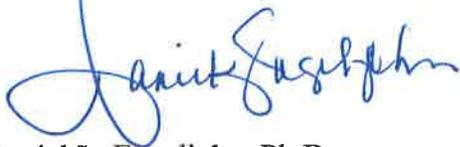
slaughtered animals verify that the establishment is meeting all requirements from which the establishment has not been exempted, including the adulteration and misbranding provisions of the Acts and implementing regulations. FSIS inspectors are not responsible for determining whether an exempted religious ritual (in this case, slaughter) adheres to applicable religious dietary requirements, and the Agency does not prescribe requirements for complying with religious dietary restrictions.

In evaluating ritual slaughter claims, FSIS defers to third-party entities with religious authority to define the requirements for a product to qualify for a religious ritual claim and verify that the product labeling meets the certifying entity's requirements. FSIS will approve a label that includes statements that refer to a religious ritual if the label identifies the certifying religious authority and the company preparing the product includes the certificate issued by the religious authority when the company submits its label approval request. If the ritual process complies with the certifying entity's requirements for "Halal" or "Zabiha Halal," the certification is truthful and not misleading, regardless of whether the certifying entity requires hand slaughter or allows the use of mechanical slaughter. As noted above, the comments submitted on the petition expressed differing views on whether mechanical slaughter is acceptable for Halal meat and poultry products.

If a certifying entity requires that animals be hand-slaughtered for meat or poultry products to qualify as "Halal," or "Zabiha Halal," FSIS will consider a label that voluntarily discloses this fact to be truthful and not misleading. Thus, companies that choose to disclose the method of slaughter, e.g., hand or mechanical, in the labeling of "Halal" or "Zabiha Halal" products are permitted to do so. However, certified "Halal" and "Zabiha Halal" labeling is also truthful and not misleading if a mechanical slaughter method meets the certifying entity's requirements. Consumers who wish to consume Halal products derived only from hand-slaughtered animals may review a certifying religious authority's requirements for products to be certified as "Halal" or "Zabiha Halal" and can choose to limit their purchases to products certified by authorities that require that the animals be hand-slaughtered. These consumers may also limit their purchases to "Halal" or "Zabiha Halal" products that voluntarily disclose the method of slaughter in their labeling.

For the reasons discussed above, we are denying your petition. In accordance with our regulations, we have posted your petition on the FSIS Web site (9 CFR 392.6). We intend to post this response as well.

Sincerely,



Daniel L. Engeljohn, Ph.D.
Assistant Administrator
Office of Policy and Program Development

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cc:

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