

The Pakistan Halal Authority Act, 2016

ACT NO. VIII OF 2016

[1st March, 2016]

An Act to establish the Pakistan Halal Authority to promote trade and commerce in Halal articles and processes.

WHEREAS it is expedient to establish the Pakistan Halal Authority to promote imports and exports, trade and commerce with foreign countries and inter-provincial trade and commerce in Halal articles and processes.

It is hereby enacted as follows:---

1. Short title, extent and commencement. — (1) This Act may be called the Pakistan Halal Authority Act, 2016.

(2) It extends to,---

(a) the whole of Pakistan, for purposes of imports and exports, trade and commerce with foreign countries and inter-provincial trade and commerce in all such articles and processes which are described or represented as being Halal; and

(b) Islamabad Capital Territory, for all other purposes envisaged under this Act.

(3) It shall come into force at once except sections 17, 18, 19 and 20 which shall come into force in whole or in part, on such date or dates as the Federal Government may, by notification in the official Gazette, direct.

2. Definitions. — In this Act, unless there is anything repugnant in the subject or context,---

(a) "Accredited Halal Certification Body" means a firm or company which has been certified by the National Accreditation Body as being competent and authorized to carry out Halal Certification;

(b) "article" means any substance, artificial or natural, or partly artificial or partly natural, whether partly or wholly processed or manufactured product, and any service or financial product offered to the public;

(c) "Authority" means the Pakistan Halal Authority established under section 3;

(d) "Board" means the Board of Governors constituted under section 5;

(e) "chairperson" means the chairperson of the Board of Governors;

(f) "Director General" means the Director General of the Authority;

(g) "Government" means the Federal Government;

(h) "Halal" means anything permitted by the laws of Islam;

(i) "Halal Certificate" means the certificate issued by an Accredited Halal Certification Body to the effect that an article or process is in conformity with the Halal Standard pertaining thereto, and authorizing use of the Halal logo in respect thereof;

(j) "Halal Certification" means the entire process of conformity assessment including audit, inspection, testing, and evaluation to establish that an article or process is in conformity with the Halal Standard, resulting in issue of a Halal Certificate;

(k) "Halal logo" means the logo approved by the Authority for a Halal article or process signifying that the same is in conformity with the Halal Standard pertaining thereto;

(l) "Halal Standard" means the Pakistan Halal Standard for an article or process notified by the National Standards Body;

(m) "member" means a member of the Board of Governors;

(n) "National Accreditation Body" means the Pakistan National Accreditation Council or such other body as may be notified for the purpose by the Government;

(o) "National Standards Body" means the Pakistan Standards and Quality Control Authority or such other body as may be notified for the purpose by the Government;

(p) "OIC Guidelines" means the guidelines, specified in Schedule - I, issued by the Organization of the Islamic Cooperation from time to time relating to Halal food and other articles or processes;

(q) "prescribed" means prescribed by rules or regulations;

(r) "process" means a series of steps for the production, manufacture or development of any article or system;

(s) "regulations" means regulations made under this Act; and

(t) "rules" means rules made under this Act.

3. Establishment of the Authority. — (1) The Government may, by notification in the official Gazette, establish the Pakistan Halal Authority for carrying out the purposes of this Act.

(2) The Authority shall be a body corporate having perpetual succession and a common seal, with powers, subject to the provisions of this Act, to acquire and hold property, both movable and immovable, and shall by the said name sue and be sued.

(3) The headquarters of the Authority shall be at Islamabad and it may, with the prior approval of the Government, set up offices at other places as, when and where required.

4. Management. — (1) The general direction and administration of the Authority and its affairs shall vest in the Board, which may exercise all powers and do all acts and things which may be exercised or done by the Authority.

(2) The Board shall, in the discharge of its functions, be guided on questions of policy by such directions as the Government may give from time to time.

(3) If any question arises as to whether any matter is a matter of policy or not, the decision of the Government in respect thereof shall be final.

5. Composition of the Board of Governors. — The Board of Governors shall consist of the following members, namely:---

(a) Minister for Science and Technology	Chairperson
(b) Two Members of the Parliament. One each from National Assembly and Senate	Members
(c) Secretary, Ministry of Commerce	Member

(d) Secretary, Ministry of Finance	Member
(e) Secretary, Ministry of Industries and Production	Member
(f) Secretary, Ministry of Interior	Member
(g) Secretary, Ministry of National Food Security and Research	Member
(h) Secretary, Ministry of Religious Affairs	Member
(i) Secretary, Ministry of Science and Technology	Member
(j) Chief Secretaries of the Provincial Governments Azad Jamu & Kashmir and Gilgit-Baltistan	Member
(k) Director General, Pakistan Standards and Quality Control Authority	Member
(l) Director General, Pakistan National Accreditation Council	Member
(m) President, Federation of Pakistan Chambers of Commerce and Industry	Member
(n) Chairman, Islamic Chamber of Commerce and Industry (Pakistan Representative)	Member
(o) Three well-reputed Shariah Scholars to be nominated by Ministry of Religious Affairs, including one from the Council of Islamic Ideology.	Member
(p) One representative to be nominated by the Rector International Islamic University, Islamabad	Member
(q) Food Technologist nominated by Pakistan Agriculture Research Council	Member
(r) Director-General, Pakistan Halal Authority	Member/ Secretary

(2) In case of non-availability of the Minister for Science and Technology for any reason, the Government may designate any other Minister as Chairperson.

(3) The Authority may, with the prior approval of the Government, co-opt any other person as member.

(4) No act or proceeding of the Board shall be invalid merely on the ground of the existence of any vacancy, or any defect, in the constitution of the Board.

6. Terms of office of members. — (1) A member, other than an ex-officio member, shall hold office for a period of three years from the date of entering upon the office, but may be re-nominated for a second, and final, term of three years.

(2) A person who is or is nominated to be, a member by virtue of his holding an office shall cease to be a member when he ceases to hold that office.

(3) A member other than an ex-officio member, may at any time resign his office by writing under his hand addressed to the Chairman.

7. Removal of members. — (1) The Government may remove from office a member, other than an ex-officio member, if he,---

(a) has been adjudged an un-discharged insolvent; or

(b) has been convicted of an offence which involves moral turpitude; or

(c) has become physically or mentally incapable of acting as a member; or

(d) has abused his position and rendered his continuance in the office prejudicial to public interest.

(2) A member shall not be removed from office unless he has been afforded a reasonable opportunity of being heard.

8. Constitution of the Executive Committee. — (1) The Government may constitute an Executive Committee for carrying out day-to-day matters of the Authority and for exercising such powers and doing such acts and things as may be delegated to it by the Board.

(2) The executive committee under sub-section (1) shall consist of the following members, namely:---

(a) Secretary, Ministry of Science and Technology;	Convener
(b) Director General of the Authority;	Member
(c) A representative of Ministry of Interior; and	Member
(d) Four members nominated by the Board, one of whom shall be a Shariah Scholar and one a Food Technologist.	Members

9. Director General. — (1) There shall be a Director General of the Authority who shall be the chief executive of the Authority and shall be appointed by the Government.

(2) The Director General shall discharge such duties and perform such functions as are assigned to him by the Board, or by the Government.

(3) Until the Board is duly constituted, the Director General shall, subject to such directions as the Government may give from time to time, exercise the powers, and perform the functions of

the Board.

(4) The officers of the Authority shall have such powers and shall perform such functions as may be assigned to them by the Director General.

10. Powers and functions of the Authority. — (1) Powers and functions of the Authority shall be to,---

(a) develop and implement strategies, plans and programmes for promotion of imports and exports, trade and commerce with foreign countries and inter-provincial trade and commerce in Halal articles and processes;

(b) recommend the Halal Standards developed for articles and processes, to be notified in the official Gazette by the Federal Government for adoption and notification by the National Standards Body;

In this context, the Authority may consider the OIC Guidelines in schedule-I, relating to Halal food and other articles or processes, as modified by the Organization of the Islamic Cooperation from time to time, as a reference point;

(c) recommend mechanism for the Accreditation of Halal Certification Bodies and adoption of Halal Certification systems;

(d) develop policies, plans and programmes for ensuring compliance of Halal articles and processes with the Halal Standards;

(e) develop and authorize use of Halal logo for Halal articles and processes;

(f) may operate as a certification body after obtaining due accreditation from the National Accreditation Body;

(g) levy fees for issue or renewal of the Halal certificate and / or authorizing the use of Halal Logo;

(h) maintain a register of all persons, firms and companies authorized to use the Halal logo;

(i) inspect and test Halal products and processes for their quality, specification and characteristics with relation to the Halal standards, for purposes of imports and exports, trade and commerce with foreign countries and inter-provincial trade and commerce;

(j) prohibit production, storage and sale in the Islamabad Capital Territory of such Halal products as do not conform to the Halal standards;

(k) arrange and conduct public awareness campaigns in relation to the Halal sector in general and to Halal products and processes in particular;

(l) secure international recognition of the Halal logo to build confidence in the Halal Certification system and Pakistani Halal products abroad;

(m) co-ordinate with national and international organizations for strengthening the Halal sector;

(n) promote and encourage establishment of libraries and laboratories for the purpose of developing the Halal sector;

(o) collect and circulate statistical and other information relating to the Halal sector; and

(p) any other function assigned by the Government for development of the Halal sector and promotion of Halal products and processes for purposes of the Act.

(2) In exercising its powers and performing its functions, the Authority shall follow such procedure as may be prescribed.

11. Meetings. — Meetings of the Board and the Executive Committee shall be in accordance with such procedure as may be prescribed.

12. Authentication of orders and other instruments of the Authority. — All orders, decisions and other instruments issued by the Authority shall be authenticated only by the signatures of such officer or officers as are authorized by the Authority in this behalf.

13. Disclosure of ingredients, etc. — The Halal Standard for a food or non-food article or product shall require that the ingredients, dates of manufacture and expiry and complete name and address of its manufacturer, exporter or supplier be clearly mentioned on the box, wrapper or other packaging in which it is contained, or on the label, tag or sticker affixed to it.

14. Prohibition of improper use of Halal logo. — No person shall use, in relation to any article, product or process or in the title of any patent or in any trademark or design, the Halal logo except under the terms of a Halal Certificate, issued under this Act.

15. Prohibition of use of certain name, mark or logo. — No person shall without the previous permission of the Authority and subject to such conditions as it may impose, use in any manner whatsoever, any name, mark or logo which may resemble the name, mark or logo of the Authority or contain the Authority's recognized expressions relating to Halal standards or any abbreviation of such expressions.

16. Prohibition of registration in certain cases. — (1) Notwithstanding anything contained in any law for the time being in force, no registering body shall register any company, firm or any body of persons or a trademark or design or grant a patent in respect of an article which bears a title containing any name or mark or logo in contravention of the provisions of sections 14 or 15.

(2) Where any question arises before a registering authority whether the use of any name or mark or logo is in contravention of the provisions of sections 14 or 15 the registering authority may refer the question to the Government, whose decision thereon shall be final.

17. Export of Halal articles and processes. — No article or process shall be exported from Pakistan with the description or representation of being a Halal article or process unless it bears the Halal logo of the Authority, having been affixed after the requisite certification by a duly accredited Halal certification body.

18. Import of Halal articles and processes. — No article or process shall be imported into Pakistan with the description of being a Halal article or process unless it has been certified as such by an Accredited Halal Certification Body in Pakistan or the exporting country, recognized by the National Accreditation Body.

19. Marketing of Halal products. — No food or non-food product shall be marketed or offered for sale with the description or representation of being a Halal article or product within the Islamabad Capital Territory unless it bears the Halal logo of the Authority or is certified to be Halal by a duly accredited Halal certification body.

20. Penalty for improper use of Authority name, mark or logo. — (1) Any person who contravenes the provisions of sections 14, 15, 16, 17, 18 or 19 shall be punishable with imprisonment of either description for a term which may extend to three years, or with a fine upto one million rupees but not less than one hundred thousand rupees, or with both.

(2) A Court convicting a person under this section may direct that any articles in respect of which the contravention was made shall be forfeited to the Government.

21. Inspectors. — (1) The Authority may appoint Inspectors, in accordance with such procedure as may be prescribed, for the purpose of enforcement of this Act or rules or regulations made there under in the Islamabad Capital Territory.

(2) Subject to any rules made under this Act, an Inspector appointed under sub-section (1) shall be empowered to,---

(a) inspect any operation carried on in connection with any article or product or action or process in relation to Halal Certification;

(b) take samples of any article, or of any material or substances used in any article or process, in relation to which Halal logo has been used;

(c) seize and detain for such time as may be necessary any article in respect of which he believes any provision of this Act has been contravened; and

(d) stop, search or seize any transport vehicle in which he believes on reasonable ground that any article subject to the provisions of this Act, is being transported thereon does not conform to Halal standards and certification.

(3) Every Inspector shall be issued by the Authority a certificate of appointment which shall be produced by the Inspector on demand.

(4) Any person who obstructs or impedes performance of duties of an Inspector or any other authorized officer shall be guilty of an offence punishable under section 22.

(5) Any article seized under this Act may, at the option of the Inspector, be kept or stored in the premises where it was seized or may at the direction of the Inspector be removed to any other place or appropriately disposed of, in case it is a perishable item.

(6) The Inspector shall release any article seized by him under this Act when he is satisfied that all the requirements of the Act with the respect thereto have been complied with.

(7) son who, without the authority of an Inspector, removes, alters, or interferes in any way with any article seized under this Act, shall be guilty of an offence punishable under section 22.

(8) Any person who knowingly makes any false or misleading statements either verbally or in writing to any inspector engaged in carrying out his duties under this Act shall be guilty of an offence punishable under section 22.

(9) Any person aggrieved by the actions of an Inspector / officer may file a representation to the DG of Authority, who shall decide the same after giving such person an opportunity of being heard.

22. Penalty for other contraventions. — Whoever contravenes any of the provisions of this Act other than sections 14, 15, 16, 17, 18 or 19, or any rule made or notification issued thereunder shall, be punishable with imprisonment of either description for a term which may extend to six months, or with a fine upto five hundred thousand rupees but not less than fifty thousand rupees, or with both.

23. Cognizance of offences by courts. — (1) No court inferior to that of a Judicial Magistrate, first class shall try any offence punishable under this Act.

(2) All offences under this Act shall be bailable and compoundable.

24. Appeals. — (1) Any person aggrieved by an order passed by the Authority including a decision of the Director General under sub-section (9) of section 21 may prefer an appeal to the Court of Session within thirty days of the date of the order.

(2) The appeal shall be presented in such form and manner and within such time as may be prescribed.

(3) The Court of Session shall, in dealing with appeals under this section, follow such procedure as is specified in the Code of Criminal Procedure, 1898 (Act V of 1898).

25. Appointment of officers, staff, etc., by the Authority. — (1) The Authority may create posts and appoint such officers, staff, experts or consultants, in accordance with Government policy, on such terms and conditions as may be prescribed:---

Provided that appointment to the posts in Basic Pay Scale 20 or above shall not be made except with the previous approval in writing of the Government.

(2) Subject to sub-section (1), the Director General may, in cases of urgency, appoint such officers, staff, experts or consultants and on such terms and conditions as may be recommended by a selection committee, constituted under the rules:---

Provided that every appointment made under this sub-section shall be reported to the Board, without unreasonable delay, for approval.

26. Members and officers etc. to be public servants. — The Director General, members, officers, staff, experts and consultants of the Authority shall, when acting or purporting to act in pursuance of any of the provisions of this Act, be deemed to be public servants within the meaning of section 21 of the Pakistan Penal Code (Act XLV of 1860).

27. Delegation of powers to the Director General etc. — (1) The Authority may, by general or special order and subject to such conditions as it may think fit to impose, delegate to the Director General or a member, or an officer of the Authority, all or any of its powers or functions under this Act.

(2) The Government may, by notification in the official Gazette, delegate all or any of the Authority's powers under this Act and the rules and regulations made thereunder to any other agency or department of the Government or to a provincial government with the consent of such government.

28. Pakistan Halal Authority Fund. — (1) There shall be created a fund to be known as the Pakistan Halal Authority Fund which shall vest in the Authority and shall be utilized by the Authority to meet charges in connection with its functions under this Act including the payment of salaries and other remuneration to the Director General, members, officers, staff, experts and consultants of the Authority.

(2) The Pakistan Halal Authority Fund shall be financed from the following sources:---

(a) grants made or loans advanced by the Government or Provincial Governments;

(b) loans, aid and donations received from foreign governments, national or international agencies and non-governmental organizations; and

(c) contributions from private organizations and other persons.

(3) All sums payable to the Authority may be recovered as arrears of land revenue.

29. Budget. — The Authority shall, in respect of each financial year, submit for approval of the Government, on such date as may be prescribed, a statement of the estimated receipts and expenditure, including requirements of foreign exchange for the next financial year.

30. Audit and accounts. — (1) The accounts of the Authority shall be audited every year by the Auditor General of Pakistan in such manner as may be prescribed.

(2) Copies of the audit reports shall be sent to the Government along with the comments of the Authority.

(3) The audit report shall be available for public inspection.

(4) The Government may issue directions to the Authority for rectification of any item objected to by the Auditor General of Pakistan and the Authority shall comply with such directions.

31. Protection of actions taken in good faith under this Act. — No suit, prosecution or other legal proceeding shall lie against the Government or the Authority or any person acting under the authority of the Government or the Authority for anything which is in good faith done or intended to be done in pursuance of this Act or any rule or regulation made thereunder.

32. Submission of yearly reports and returns. — (1) As soon as possible after the end of every financial year but before the last day of the month of December of that year, the Authority shall submit to the Government a report on the conduct of its affairs for that year.

(2) The Government may, after giving sufficient notice to the Authority, require it to furnish:---

(a) any return, statement, estimate, statistics, or other information regarding any matter under the control of the Authority;

(b) a report on any subject with which the Authority is concerned; and

(c) a copy of any document in the charge of the Authority.

33. Power to make rules. — The Government may, by notification in the official Gazette, make rules to carry out the purposes of this Act.

34. Power to make regulations. — The Authority may, with the previous approval of the Government, by notification in the official Gazette, make regulations not inconsistent with this Act or the rules to carry out the purposes of this Act.

35. Power to exempt. — The Government may, by notification in the official Gazette, exempt any article or process or class of articles or processes from the operation of all or any of the provisions of this Act.

36. Power to obtain information. — Every holder of a Halal Certificate shall supply to the Authority such information and such samples of any article or material or substance used in relation to any article or process as the Authority may require.

to any article or process as the Authority may require.

37. Act to override other laws. – The provisions of this Act shall have effect notwithstanding anything inconsistent therewith in any other law for the time being in force.

38. Amendment of Schedule. – The Government may, by notification in the official Gazette, add to, delete or otherwise amend Schedule-I in accordance with decisions of the OIC.

SCHEDULE – I

[see sections 2(p) and 10(1)(b)]

OIC Guidelines for Halal Food

FOREWORD

This standard was developed by the Standardization Expert Group (SEG) of the Organisation of the Islamic Conference (OIC).

In this standard, Islamic Rules refer to those commonly accepted rules and beliefs of the Islam, regardless of variations in different countries.

Given the fact that non safe foods would not be considered halal, therefore the quality standards including food safety and traceability (to guarantee the claims), should be made prerequisite of this standard (See Normative References).

GENERAL GUIDELINES ON HALAL FOOD

1. SCOPE

This standard defines the basic requirements that shall be followed at any stage of food chain including, receiving, preparation, processing, sorting, determination, packaging, labelling, marking, controlling, handling, transportation, distribution, storage and service of halal food and its products based on Islamic rules.

All requirements of this standard are generic and are intended to be applicable to all organizations in the food chain regardless of size and complexity. This includes organizations directly involved in one or more steps of the food chain.

Guidelines on the application of this standard in all organizations are contained in the standard for halal Food certification rules.

2. NORMATIVE REFERENCES

The following referenced documents are indispensable for the application of this standard. The latest edition of the referenced document (including any amendments) applies.

- CODEX STAN 1, General standard for the labeling of prepacked foods,
- CAC/RCP 1, Recommended international code of practice general principles of food hygiene,
- CAC/RCP 58, Code of hygienic practice for meat,
- ISO 22000, Food safety management systems - Requirements for any organization in the food chain,
- ISO 22005, Traceability in the feed and food chain - General principles and basic requirements for system design and implementation.

3. TERMS AND DEFINITIONS

For the purposes of this standard, the following terms and definitions apply. For terms and definitions not used herein, those found in the normative references (See Clause 2) shall apply.

3.1. Islamic rules

It means what ALLAH legislates for Muslims which derive its rules from the Holy Quran, and the honourable Prophet Mohammed(peace be upon him), practices (Sunnah).

3.2. Halal food

Halal food is the food including drinks, which is allowed to be consumed according to Islamic rules and that comply with the requirements mentioned in this standard.

3.3. Prerequisite programmes (PRPs)

Basic conditions and activities that are necessary to maintain a hygienic environment throughout the food chain suitable for production, handling and provision of safe final products and safe food for human consumption.

3.3.1. Good manufacturing practice (GMP)

Actions regarding personnel and building hygiene in order to ensure safe and healthy production, storage and distribution of food.

3.3.2. Good hygiene practice (GHP)

Measures taken in stages of food chain to ensure the provision of safe food for consumption.

3.4. Food safety

Concept that food will not cause harm to the consumer when it is prepared and/or eaten according to its intended use.

3.5. Food chain

All stages involved in the production of food including processing, production, packaging, storage, transportation, distribution and supply to the market, from raw material and its origin to consumption.

3.6. Food additives

Substances added to food to preserve or improve taste, smell, appearance or use as solvent during the preparation, sorting, processing, production, packaging, transport, storage for use as raw material or supplementary material; which may or may not have nutritional value; residue and derivatives of which may be found in the final product depending on the chosen technology.

3.7. Cold chain

A series of chilled and freezing storage, distribution and similar activities that are obligatory in order for food products that require cold chain to preserve its original qualities through food chain.

3.8. Genetically modified food (GMF)

Food and drinks containing products (and/or by-products) of genetically modified organisms (GMO).

The transfer of gene of other living species to a plant, animal and microbiological source by genetic modification technologies and the modifications which are made in DNA of the food.

3.9. Aquatic animals

Aquatic animals are those which live in water and cannot survive outside.

3.10. Amphibious animals

Animals that live both on land and in water.

4. PRODUCTS/SERVICES

The following products and services are covered by this standard.

4.1. Meat and meat products

4.2. Milk and dairy products

4.3. Egg and egg products

4.4. Cereal and cereal products

4.5. Vegetable and animal oils and fats

4.6. Fruit and vegetables and their products

4.7. Sugar and confectionery products

4.8. Beverages (soft drinks)

4.9. Honey and its by products

4.10. Dietary supplements

4.11. Genetically modified food (GMF)

4.12. Food additives

4.13. Enzymes

4.14. Micro organisms

4.15. Packaging materials

4.16. Food service and premises

4.17. Fish and fish products

4.18. Water

4.19. Others

5. REQUIREMENTS

5.1. Sources of food

5.1.1. Food of animal origin

5.1.1.1. Halal animals

The followings are considered as halal animals:---

(a) Domesticated animals such as cattle, buffalos, sheep, goats, camels, chickens, geese, ducks, and turkeys.

(b) Non-predatory wild animals such as deer, antelope, chamois, wild cattle.

(c) Non-predatory birds such as pigeons, sparrows, quails, starlings, and ostriches.

5.1.1.2. Non-halal animals

The followings are considered as non-halal animals:

(a) Pigs, dogs and their descendants.

(b) Animals not slaughtered in the name of Allah.

(c) Animals not slaughtered according to Islamic rules.

(d) Animals that died by themselves.

(e) Animals with long pointed teeth or tusks which are used to kill prey or defend themselves such as bears, elephants, monkeys, wolves, lions, tigers, panthers, cats, jackals, foxes, squirrels, martens, weasels, and moles, crocodiles and alligators etc.

(f) Predatory birds with sharp claws such as hawks, falcons, eagles, vultures, ravens, crows, kites, owls.

(g) Pests and venomous animals such as rats, centipedes, scorpions, snake, wasps, mouse and other similar animals.

(h) Animals which are considered repulsive like lizards, snails, insects and their larva stages and other similar animals.

(i) Animals that are forbidden to be killed in Islam such as honeybees and hoopoe.

(j) Donkeys and mules.

(k) Any ingredient derived from the non-halal animals is not halal.

(l) Farmed halal animals which are intentionally and continually fed with non-halal food.

5.1.2. Aquatic animals

(a) All kinds of fish with scales, shrimp and fish egg of fish with scales including their by products are halal. All other aquatic animals including their by products are halal (See Clause 12.1.2.1 m).

(b) All poisonous water animals that are harmful to health are non-halal.

5.1.3. Amphibious animals

All amphibious animals are non-halal.

5.1.4. Food of plant origin

Plants and their products are halal except poisonous and harmful plants, unless the poisonous and harmful materials are removed.

5.1.5. Blood and other materials of human or animal origin

All types of blood and its by products are non-halal.

Any liquid and objects discharged from the orifices of human beings or animals such as urine, placenta, excrement, vomit, pus, sperm and ova are not halal. Any parts of human are non-halal to be consumed.

5.2. Rules of slaughtering

5.2.1. Requirements of the animals to be slaughtered:

- (a) The animal to be slaughtered has to be an animal that is halal.
- (b) A certificate must be issued by a veterinary authority which attests that animals to be slaughtered are healthy.
- (c) The animal to be slaughtered shall be alive at the time of slaughter. The slaughtering procedure should not cause torture to animals.
- (d) Only animals fed on halal feed are permitted for slaughtering following the standard veterinary procedure.
- (e) If animals have arrived from long distance, they should first be allowed to rest before slaughtering.

5.2.2. Slaughterer

- (a) The slaughterer shall be an adult Muslim who is mentally sound and fully understands the fundamental rules and conditions related to the slaughter of animals.
- (b) The slaughterer shall have a certificate of halal slaughtering issued by a competent authority supervising matters relating to health, hygiene, sanitation and rules of halal slaughtering.

5.2.3. Slaughtering tools and utensils

- (a) Slaughtering lines, food grade tools and utensils shall be clean and used for the purpose of halal slaughter only.
- (b) Slaughtering tools used for beheading shall be sharp and made of steel (stainless steel).
- (c) Slaughtering tools shall cut by their edge, not by weight.
- (d) Bones, nails and teeth shall not be used as slaughtering tools.

5.2.4. Slaughtering places

Slaughter places shall be dedicated to halal animals and halal slaughter only and shall satisfy the requirements of prerequisite programmes as defined in Codex CAC/RCP 1 or ISO 22000. Physical conditions of slaughtering places shall fulfill the national legal requirements. The following shall be provided:---

- (a) Landing area which allows convenient space for health checks.
- (b) At the entrance a special slaughtering area, electrically operated automatic or manually operated roller chain system that is used to raise the animal.
- (c) Automatic, movable or manually operated rail system equipped with roller chain, which sequences flow of work.
- (d) Fixed or movable loading platform and landing area specially designed for cattle and sheep - goats, which help workers, handle skinning and carcass preparation with ease and efficiency.
- (e) Weighing facilities.
- (f) Carcass washing facilities (pressure water, preferably automatic)
- (g) Vessel which contains hot water at all times for the purpose of washing, disinfecting or sterilizing dirty tools (knives, hanger etc.), cuvettes holding antiseptic liquid and for hands sink fitted with a tap operated by foot or knee or by photocell.
- (h) Clean and pressure water supply should be made available at all times.
- (i) All disinfectant and antiseptic liquids shall be suitable for the use in halal food sector.

5.2.5. Stunning

(a) All forms of stunning and concussion (loss of consciousness) shall be prohibited. However when the use of the electric shock becomes necessary and expedient (such as calming down or resisting violence by the animal), the allowed period and the electric current value for stunning shall be in accordance with Annex A of this standard.

(b) Stunning (loss of consciousness) of poultry is prohibited, however if it is necessary and expedient the following conditions shall be met:---

- i. Poultry shall be alive and in stable condition during and after stunning (loss of consciousness) and upon slaughtering,
- ii. The current and duration of the electric shock, if it is used, shall be as specified in Annex A,
- iii. Any poultry that die before the act of slaughtering shall be considered as dead and unlawful,
- iv. Shall be proven to be humane,
- v. Shall not reduce the amount of blood after slaughtering.

5.2.6.. Slaughtering procedure

5.2.6.1. Slaughtering procedure of animals

In addition to Clause 5.2.1, the following requirements are applied.

5.2.6.1.1. Health checks of animals before slaughtering

In addition to ante mortem control, the following requirements are also applied.

- (a) Animals to be slaughtered should be checked by a qualified veterinarian following the standard inspection methodologies.

(b) Animals which have completed 1/3 of their pregnancy shall not be slaughtered.

5.2.6.1.2. Cleaning and washing of animals

Animals sent for slaughter should be free of faeces, urine and mud. Dirty animals should be cleaned in paddocks where available or in areas set aside for washing purposes. It is important to refrain from slaughtering animals when they are still wet.

5.2.6.1.3. Prevention of mixing of different animals

Special care should be taken to avoid mixing of different group of animals during their transfer to paddocks, cleaning and transfer to slaughter area.

5.2.6.1.4. Leading animals to slaughtering area

Animals to be slaughtered shall be led into the slaughter area by qualified personnel through a corridor using humane methods.

At the end of the corridor that animals are led through for slaughtering, it should be ensured that animals waiting in the line are prevented from seeing those being slaughtered, with the help of a movable curtain or a partition system.

5.2.6.1.5. Procedure

(a) The animal shall be slaughtered, after having been raised or laid on its left side facing Kiblah (the direction of Mecca). Care shall be given to reduce suffering of the animal while it is being raised or laid and not to be kept waiting much in that position.

(b) At the time of slaughtering the animals, the slaughterer shall utter tasmiyah “BISMILLAH” which means “In the Name of Allah” and he shall not mention any name other than Allah otherwise this make it non-halal. Mentioning the name of Allah shall be on each and every carcass “Zabiha” (slaughtered animal).

(c) Slaughtering shall be done only once to each animal. The “sawing action” of the slaughtering is permitted as long as the slaughtering knife shall not be lifted off the animal during the slaughter.

(d) The act of halal slaughter shall begin with an incision on the neck at some point just below the glottis (Adams apple) and after the glottis for long necked animals.

(e) The slaughter act shall sever the trachea (halqum), oesophagus (mari) and both the carotid arteries and jugular veins (wadajain) to enhance the bleeding and death of the animals. The bleeding shall be spontaneous and complete. The bleeding time shall be sufficient to ensure full bleeding and complete death of animal.

5.2.6.1.6. Post mortem inspection of carcass and giblets

Post mortem inspection shall be carried out by a qualified veterinarian. Judgement on the carcass or parts of carcass shall be made as stated in the CAC/RCP 58 to meet safety and hygiene requirements.

5.2.6.1.7. Washing and stamping the carcass

Washing, drying, chilling and freezing shall be done with suitable tools or equipment. Stamping shall be done using food grade ink containing halal ingredients. Chilling room temperature shall be maximum 4°C.

5.2.6.2. Slaughtering procedure of poultry

In addition to Clause 5.2.1, the following requirements are also applied.

5.2.6.2.1. Reception of the poultry at the slaughterhouse and transfer for slaughter

Poultry received at the slaughterhouse shall be transferred for slaughtering in the shortest time possible.

5.2.6.2.2. Health checks of poultry before slaughtering

In addition to ante mortem control, the following requirements are also applied.

(a) Poultry to be slaughtered should be checked by a qualified veterinarian following the standard inspection methodologies. Those poultries which are found sick or suspected to be sick or dead shall immediately be removed or segregated in an isolation area and legal formalities should be fulfilled.

(b) Received poultry shall be inspected to ensure already dead or dying poultries are not entering the line.

5.2.6.2.3. Procedure

(a) Slaughterer should grab the head by one hand, stretching it down tightly and shall cut the throat by a sharp slaughtering knife held in the other hand according to Islamic rules.

(b) Additionally, religious rules set out in Clause 5.2.6.1.5 shall be complied with.

5.2.6.2.3.1. Mechanical slaughter

Mechanical slaughtering could be used with existence of a validation system. Proper labelling shall be applied on the product showing that it is mechanical slaughtered.

(a) The operator of the mechanical knife shall be an adult Muslim,

(b) The slaughterer shall recite tasmiyah “BISMILLAH” prior to switching on the mechanical knife and shall not leave the slaughter area,

(c) Should the slaughterer leave the slaughter area, he shall stop the machine line and switch off the mechanical knife. To restart the operation he or another Muslim slaughterer shall recite tasmiyah “BISMILLAH” before switching on the line and mechanical knife,

(d) The slaughterer shall repeat the tasmiyah “BISMILLAH” during each slaughtering operation as long as it is possible and not only at the time of operating the machine. It is not also allowed to use a recording device.

(e) The knife used shall be of single blade type and shall be sharp, and be made of steel (stainless steel),

(f) The slaughter act shall sever the trachea (halqum), oesophagus (mari) and both of the carotid arteries and jugular veins (wadajain) to hasten the bleeding and death of the animals,

(g) The slaughterer is required to check that each poultry is properly slaughtered and any poultry that missed the mechanical knife shall be slaughtered manually,

(h) If the heads are removed completely by the mechanical blade, the poultry and their heads shall be considered non-halal,

(i) Bleeding period shall be minimum 180 seconds.

5.2.6.2.3.2. Hand slaughtering on automated poultry processing plants

Hand slaughtering could be used with existence of a validation system. Proper labelling shall be applied on the product showing that it is hand slaughtered.

(a) The slaughterer shall be an adult Muslim.

(b) The slaughterer shall recite tasmiyah “BISMILLAH” for each bird.

(c) The knife used shall be of single blade type and shall be sharp and be made of steel (stainless steel). The knife shall be moved horizontally and shall cut by their edge not by weight.

(d) The slaughter act shall sever the trachea (halqum), oesophagus (marl) and both the carotid arteries and jugular veins (wadajain) to enhance the bleeding and death of the poultry.

(e) The slaughterer is required to check that each poultry is properly slaughtered.

(f) Bleeding period shall be minimum 180 seconds.

5.2.6.2.4. Plucking

The carcass shall be scalded to ease the plucking (defeathering) process. Use of hot water and hot air are acceptable as scalding methods.

5.2.6.2.5. Health inspection of carcass

In addition to post mortem control, the following actions are required:

(a) Each carcass, after having been washed, shall be inspected. The inspection shall be done according the meat inspection regulations or standards of veterinary services of the member states.

(b) In cases where physical examination does not suffice to reach a diagnosis, suspected substance or sample shall be sent to the laboratory while the carcass is kept in an area at an appropriate temperature. A decision should be made in accordance with laboratory testing results.

5.2.6.3. Slaughtering of other than poultry

5.2.6.3.1. Fish do not need to be slaughtered. They should be taken from water while still are alive and death should happen outside the water.

5.2.6.3.2. Halal animals that are hunted and killed properly after reciting tasmiyah "BISMILLAH" are regarded as being slaughtered. Those animals captured alive shall be slaughtered according to the Islamic rules. Those animals captured dead by hunting animals or birds during hunting are considered halal unless parts of the dead animal has been eaten by the hunting animals or birds then it should be Considered as non-halal.

5.3. Meat and meat products

(a) Meat derived from carcasses of halal animals defined in Clause 5.1 .1 .1 in conformance to Clause 5.2.6.1 and 5.2.6.2 shall satisfy the legal requirements laid down in Clause 13.

(b) Food Additives such as preservatives used in meat and meat products shall not contain any non-halal ingredients or using any processing including processing aids which is not according to Islamic Rules.

5.4. Milk and dairy products

(a) Milk and dairy products. derived from animals defined in Clause 5.1.1.1 are halal.

(b) Food Additives such as rennet and gelatine shall not be produced from non- halal products.

5.5. Eggs and egg products

(a) Eggs and egg products obtained from halal animals as defined in Clause 5.1.1.1 and 5.1.2 are halal.

(b) Egg products shall not contain non-halal ingredients.

(c) Eggs derived from animals like fish which do not need to be slaughtered are halal as long as they are safe to be consumed.

5.6. Cereal and cereal products, vegetable and animal oils and fats, fruit and vegetables and their products, sugar and confectionery products

All food shall be produced from halal origin using halal processes.

5.7. Beverages

(a) All kinds of water and non-alcoholic beverages are halal except those that are poisonous, intoxicating or hazardous to health.

(b) All products or beverages containing alcohol are prohibited according to the Islamic rules even for cooking purposes or in filling in candies.

(c) Food additives such as colorants, preservatives, etc used in beverages shall not have been produced from non food grade and non-halal ingredients.

5.8. Honey and its by products

(a) Bee keeping products (honey, bee pollen, royal jelly) derived from excrements collected by honey bees from plants that are not harmful to health are halal.

(b) The honeybees falling parts in the honey and the non avoidable parts are considered to be halal.

5.9. Dietary supplements

Dietary supplements shall be produced or originated from halal sources such as plant or animals and shall not contain any non-halal ingredients.

5.10. Genetically modified food (GMF)

5.10.1. Genetically modified organisms (GMO) or ingredients or products containing GMOs shall not be made by the use of genetic material which is non- halal.

5.10.2. GMFs which are produced by the transfer of gene of other living species to a plant, animal and microbiological source by genetic modification technologies and the modifications which are made in DNA of the food are used for the production of halal food.

5.11. Food additives

Food additives are regarded as food. Food additives which are derived from non-halal ingredients are not halal.

5.12. Enzymes

Enzymes used as raw material, processing aid or final product shall be originated from halal sources and shall be listed on the label.

5.13. Microorganisms

Microorganisms such as bacteria, fungi, yeast are halal except those that are poisonous and/or hazardous to health (pathogenic and toxicogenic to human). Microorganisms used in food or food production shall be produced using halal culture medium. The yeast extract or other derived products from them shall not be made from brewer's yeast.

5.14. Packaging materials

(a) The packaging materials shall not be made from any materials that are non- halal.

(b) The packaging materials shall not be prepared, processed or manufactured using equipment that is contaminated with non-halal materials.

(c) During its preparation, processing, storage or transportation, it shall be physically separated from any other food that does not meet the requirements stated in item (a) or (b) or any other

non-halal materials.

(d) The packaging Materials shall not contain any materials that are considered hazardous to human health.

5.15. Other products

Products which are not included in the above sub-articles (Clause 5.3 to 5.14) shall not have been produced from non-halal ingredients and shall not be processed with alcohol and alcohol products.

5.16. Food service and facilities

All food services and facilities are halal if they meet the following requirements:

(a) If they deal with only those products and product groups and materials which satisfy the provisions of Clause 5.

(b) If the tools and utensils used during the service and sale of products are in total isolation and only be in use for halal food.

(c) If a plant normally produces non-halal, but intends to switch to halal production, it should go through cleaning process according to Islamic rules (Annex B) before commencing halal production. Repetition in converting the production to non-halal and back to halal production shall not be permitted.

(d) They are not allowed to serve alcoholic beverages at all.

6. FOOD PROCESSING

All processed food is halal if it meets the following requirements:

(a) the products or ingredients do not contain any sources that are non-halal by Islamic rules.

(b) the products do not contain anything in any quantity that is decreed as non-halal by Islamic rules.

(c) the product or its ingredients shall be safe.

(d) the product is prepared, processed or manufactured using equipment and facilities that are free from contamination with non-halal materials.

(e) during its preparation, processing, packaging, storage or transportation it shall be physically separated from any other food that does not meet the requirements specified in items (a), (b), (c) and (d) or any other materials that are described as non-halal by Islamic rules.

7. MACHINERY, UTENSILS, PRODUCTION LINES

(a) Machinery, utensils, production lines used for processing halal food shall not be made of or contain any materials that are decreed as non-halal by Islamic rules and shall be used only for halal food.

(b) In case of converting any processing line contaminated by any non-halal product into halal production line, it should be washed and cleaned according to hygiene and sanitary rules. Upon conversion, the line shall be operated for halal food only. Repetition in converting the line to non-halal and back to halal line shall not be permitted.

(c) Oils used in the maintenance of machines and devices that come into contact with the food shall be food grade oil and shall not contain any ingredients that are non-halal.

(d) Measuring and testing devices used in the process that affect the product quality or health should be calibrated.

8. STORAGE, DISPLAY, SERVICE AND TRANSPORT

(a) All halal food that are stored, displayed, sold or served and during transport shall be categorized and labelled as halal and segregated at every stage so as to prevent them from being mixed or contaminated with materials that are not halal.

(b) Transport should be compatible with the nature of the product. Transport vehicles should satisfy hygiene and sanitation rules.

9. HYGIENE, SANITATION AND FOOD SAFETY

(a) Hygiene, sanitation and food safety are prerequisites in the preparation of halal food.

(b) Halal food shall be prepared, processed, packaged, transported and stored in such a manner that they are in compliance with hygiene and sanitary requirements of Codex CAC/RCP 1 and other relevant Codex and other international standards.

(c) Chemicals and materials used in hygiene and sanitation shall be suitable for use in halal food sector.

(d) All food safety measures shall be suitable for use in halal food sector.

10. VALIDATION AND VERIFICATION

10.1. Validation and verification of methods

Inspections and testing conducted for the purposes of assessing non-halal sources and content shall be carried out in accordance with inspection and testing methods that are based on validated and verified methods recognised at national or international level.

10.2. Validation of processes and verification of product

(a) Halal food production processes shall be validated as specified in relevant international standards and halal food products shall be verified by methods defined in Clause 10.1

(b) Packaging shall be in conformity with labelling conditions identified in Clause 12.1.2

11. IDENTIFICATION AND TRACEABILITY

(a) Where appropriate, the halal food shall be identified by suitable means throughout the entire production process. The halal food status shall be identified with respect to monitoring and measurement requirements.

(b) Where traceability is a requirement, the product shall be controlled and the unique identification of the product shall be recorded.

(c) ISO 22000, ISO 22005 or Codex CAC/RCP 1 gives the principles and specifies basic requirements for the design and implementation of a food traceability system for halal food. It can be applied by an organization operating at any step in the food chain.

12. PRESENTATION FOR THE MARKET

(a) All halal food that are stored, displayed, sold or served shall be categorized and labelled halal.

(b) Halal food shall be segregated at every stage so as to prevent them from being mixed or contaminated with non-halal materials.

12.1. Packaging and labeling

12.1.1. Packaging

- (a) Halal food shall be suitably packed using packaging materials that fulfil the Clause 5.14.
- (b) Packaging process shall be carried out in a clean and hygienic manner and in sound sanitary conditions and temperature satisfies safety and quality of the product.
- (c) Carcass shall be appropriately packed in clean, new, sound, odourless packages that shall in no way adversely affect the quality and safety of meat.

12.1.2. Labeling

12.1.2.1. In addition to requirements specified in ISO 22000 or Codex CAC/RCP 1 and CODEX STAN 1 each package shall be marked legibly and indelibly or a label shall be attached to the package with the following information:

- (a) name of product,
- (b) list of ingredients,
- (c) date of expiry,
- (d) net content expressed in metric system (SI units),
- (e) name and address of the manufacturer, importer and/or distributor and trademark,
- (f) code number identifying date and/or batch number of manufacture for traceability,
- (g) country of origin,
- (h) instruction of use, where applicable,
- (i) If any food product contains fats, meat derivatives or extracts such as gelatine and rennet, these animal originated content should be declared on the product label,
- (j) If a food product contains GMO, this fact shall be explicitly stated,
- (k) when halal mark is used, the authority and certificate number should be placed on the product,
- (l) the nature of product (dried, fresh, frozen, smoked etc.),
- (m) All kinds of fish with scales, shrimp and fish egg of fish with scales including their by products shall be properly labeled as “scaled fish”. All other aquatic animals including their by products shall be properly labeled as “non scaled fish and others”.

12.1.2.2. For primary meat products, in addition to requirements specified in ISO 22000 or Codex CAC/RCP 1 the label or mark shall also include the following information:

- (a) date of slaughter,
- (b) date of processing,
- (c) number of veterinary health report/certificate carrying the corresponding information on carcass,
- (d) the stamp shall be tamper proof and the branding ink shall be stable and of food grade,
- (e) each carcass (chilled or frozen) final packages of special meat cuts shall be branded by authorized organizations’ official stamp, and by the authorized person to indicate that slaughter has been carried out under the supervision of that competent authority,
- (f) when halal mark is used, the authorization and certificate number should be placed on the product.

13. LEGAL REQUIREMENTS

The product shall in other aspects comply with the legislation including any relevant requirements currently in force in the country other than the requirements of this standard.

ANNEX A
(Normative)

Table 1 - Guideline parameters for electrical stunning

Type of animal	Current (Ampere)	Duration (second)
Chicken	0.25-0.50	3.00-5.00
Lamb	0.50-0.90	2.00-3.00
Goat	0.70-1.00	2.00-3.00
Sheep	0.70-1.20	2.00-3.00
Calf	0.50-1.50	3.00
Steer	1.50-2.50	2.00-3.00
Cow	2.00-3.00	2.50-3.50
Bull	2.50-3.50	3.00-4.00
Buffalo	2.50-3.50	3.00-4.00
Ostrich	0.75	10.00

Note: Electrical current and duration shall be validated and determined by the organization, taking into account the type and weight of the animal and other varying factors.

ANNEX B
(Normative)

Method of cleaning according to Islamic Rules

B1. General requirements

The najis, whether visible (, ainiah) or invisible (disappeared or dried up etc.) is named hukmiah. To cleanse najis:

- (a) it is required to wash seven times, one of which shall be water mixed with soil;
- (b) the first wash shall be to clear the existence of najis, even if a few washes are needed. The water from first cleaning shall not remain behind and the next wash shall be counted as the second wash;
- (c) the amount of soil used is just enough to make a suspension; and
- (d) the usage of product containing soil is permitted.

B2. Conditions of the soil

The conditions of the soil are:-

- (a) free from najis;
- (b) not musta’mal soil. [which had been used for thy ablution (tayammum)] except after subject to heavy rain.

B3. Conditions of the water

The conditions of the water are:

- (a) shall be natural (mutlaq);
- (b) not musta mal ; and
- (c) free from najis.

1Musta’mal water is the water that is less than twoquallah (approximately 192 L) that had been used for cleansing.

Bibliography

1. Food Hygiene Basic Texts. Food and Agricultural Organization of the United Nations, World Health Organization, Rome, 2001 The Codex
2. General Guidelines for use of the term Halal CAC/GL 24-1997, The Codex
3. Gulf Standard Specification GSO 0000/2008, Halal Food Part (1) General Requirement
4. Halal Food Pbd 24:2007, Brunei Darussalam Standard
5. Halal Industrial Production Standards - Published by JM Food Products Company Illinois
6. Halal Standard Requirements and Measures for Halal Quality BAS 1049:2007, Bosnia and Herzegovina
7. ISO 9001:2005, Quality management systems - Requirements
8. MS 1500:2004 Halal Food-Production, Preparation, Handling, and Storage- General Guidelines, Malaysia
9. Guideline for use of the Brunei Halal Brand - Ministry of Industry and Primary Resources Brunei Darussalam
10. ES:4249/2003 “Requirements and Provision for Labelling Halal Food - Arab Republic of Egypt Egyptian Organization for Standardization and Quality”
11. SASO 2172 “General Requirements for Halal Food”, Saudi Arabia.
12. GSO 993/1998 “Animal Slaughtering requirements according to Islamic law”
13. The Presidency of Religious Affairs of the Republic of Turkey, Library-Catechism II “Islam and Society”
14. TS 5273:1987 “Butchery Animals-Rules for Slaughtering and Carcass Preparation”, Turkish Standard
15. TS 5925:1988 “Poultry-Rules for Slaughtering and Carcass Preparing”, Turkish Standard
16. TS 668:2007 “Beef- Carcasses”, Turkish Standard
17. YS 794/2004, “Animal Slaughtering requirements according to Islamic law”, Yemeni Standard

Acknowledgement of contributions:

This guidelines has been prepared by the representative of following OIC-SEG Member Countries and the OIC and its Organs

I-	
Islamic Republic of Afghanistan	Malaysia
Republic of Albania	Arab Republic of Egypt
Republic Azerbaijan	Federal Republic of Nigeria
Peoples Republic of Bangladesh	Kingdom of Oman
United Arab Emirates	Republic of Uzbekistan
The Government of Brunei Darussalam	Islamic Republic of Pakistan
People’s Democratic Republic of Algeria	Republic of Senegal

Republic of Indonesia	Democratic Republic of Somalia
Kingdom of Morocco	Republic of Sudan
Palestinian Government	Syrian Arab Republic
Republic of Gabon	Kingdom of Saudi Arabia
Republic of Iraq	Republic of Tajikistan
Islamic Republic of Iran	Tunisian Republic
Republic of Cameroon	Republic of Turkey
Qatar Government	Turkmenistan
Republic of Kyrgyzstan	Republic of Uganda Hashemite
Government of Kuwait	Kingdom of Jordan
Great Socialist People's Libyan	Republic of Yemen
Arab Jamahiriya Lebanese Republic	
Republic of Maldives	Bosnia and Herzegovina
II-	
The Organization of the Islamic Conference (OIC)	COMCEC Coordination Office
Islamic Chamber of Commerce and Industry (ICCI)	Statistical, Economic and Social Research and Training Centre for Islamic Countries (SESRIC)
Islamic Centre for Development of Trade (ICDT)	The SEG Secretariat nt

Go to [Index](#) | [LL.B. - I](#) | [LL.B. - II](#) | [LL.B. - III](#) | [LL.B. Directory](#) | [Home](#)