

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 598 Session of 2011

INTRODUCED BY COSTA, TARTAGLIONE, BOSCOLA, FONTANA, BREWSTER,  
YUDICHAK, LEACH, FERLO AND WASHINGTON, FEBRUARY 18, 2011

REFERRED TO AGRICULTURE AND RURAL AFFAIRS, FEBRUARY 18, 2011

AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania  
2 Consolidated Statutes, further providing for offenses  
3 relating to food products.

4 The General Assembly of the Commonwealth of Pennsylvania  
5 hereby enacts as follows:

6 Section 1. Section 4107.1 of Title 18 of the Pennsylvania  
7 Consolidated Statutes is amended to read:

8 § 4107.1. Deception relating to [kosher] food products.

9 (a) Offense relating to kosher food defined.--A person  
10 commits a misdemeanor of the third degree if in the course of  
11 business, he knowingly sells or exposes for sale any food  
12 product represented as kosher or kosher style when such food  
13 product is not kosher, said representation having been made  
14 orally, in writing or by display on the premises of such sign,  
15 mark, insignia or simulation reasonably calculated to induce an  
16 individual to believe that said food product is kosher.

17 (a.1) Offense relating to organic food defined.--A person  
18 commits a misdemeanor of the third degree if in the course of

1 business, he knowingly sells or exposes for sale any food  
2 product represented as organic when the food product is not  
3 organically produced, the representation having been made  
4 orally, in writing or by display on the premises of the sign,  
5 mark, insignia or simulation reasonably calculated to induce an  
6 individual to believe that the food product is organically  
7 produced.

8 (a.2) Department of Agriculture.--It shall be the  
9 responsibility of the Department of Agriculture to enforce this  
10 subsection. A violation of this subsection may be reported to  
11 the Department of Agriculture at a toll-free number established  
12 and staffed by the department.

13 (b) Definitions.--As used in this section the following  
14 words and phrases shall have the meanings given to them in this  
15 subsection:

16 "Food product." Any article whether in raw or prepared form  
17 which is utilized in human consumption.

18 "Kosher" or "kosher style." A food product having been  
19 prepared, processed, manufactured, maintained and vended in  
20 accordance with the requisites of traditional Jewish Law.

21 "Organically produced." Foods certified as organically  
22 produced under the Organic Foods Production Act of 1990 (Public  
23 Law 101-624, 104 Stat. 3935) or other laws of the United States.

24 Section 2. This act shall take effect in 60 days.