

**Annotated Code of Maryland - Commercial Law Article**

Title 14. Miscellaneous Consumer Protection Provisions

Subtitle 9. Kosher Products

**§ 14-901. Definitions**

(a) In this subtitle the following words have the meanings indicated.

(b) “Advertisement” has the meaning stated in § 13-101(b) of this article.

(c) “Disclosure statement” means the form provided by the Attorney General for the purpose of disclosing to consumers practices relating to the preparation, handling, and sale of any unpackaged food represented to be kosher, kosher for Passover, or prepared or maintained under rabbinical or other kosher supervision.

(d) “Division” means the Division of Consumer Protection of the Office of the Attorney General.

(e) (1) “Food” or “food product” means any food, food product, or food preparation, whether:

(i) Raw, solid or liquid; or

(ii) Prepared for human consumption.

(2) “Food” or “food product” includes:

(i) Any meat, meat product, or meat preparation;

(ii) Any milk, milk product, or milk preparation;

(iii) Any poultry or poultry product; and

(iv) Any alcoholic or nonalcoholic beverage.

(f) “Kosher” includes foods prepared for the festival of Passover and termed as “kosher for Passover”.

(g) “Meat” includes any meat product or meat preparation.

(h) (1) “Mezuzah” means the Jewish religious article that, according to Jewish law, is designed to be attached to the doorpost of a room in a home.

(2) “Mezuzah” includes:

(i) The parchment or other material on which passages from the Bible are to be written; and

(ii) The writing on that parchment or other material.

(i) “Person” includes an individual, corporation, business trust, statutory trust, estate, trust, partnership, association, two or more persons having a joint or common interest, or any other legal or commercial entity.

(j) “Poultry” includes any poultry product or poultry preparation.

(k) (1) “Represents to the public” means any direct or indirect statement, orally or written, and any letter, word, sign, emblem, insignia, or mark which could reasonably lead a consumer to believe that a representation is being made that the final food product sold to the consumer is kosher, kosher for Passover, or prepared or maintained under rabbinical or other kosher supervision.

(2) “Represents to the public” includes any advertisement.

(l) (1) “Tefillin” means the Jewish religious article, also known as “phylacteries”, that, according to Jewish law, is designed to be worn on the upper arm and head during morning prayers.

(2) “Tefillin” includes:

(i) The parchment or other material on which passages from the Bible are to be written;

- (ii) The writing on that parchment or other material;
- (iii) The capsules in which the parchment or other material is contained; and
- (iv) The straps attached to the capsules.

**§ 14-902. Selling kosher and nonkosher products**

(a) (1) A person that represents to the public that any unpackaged food that is sold or served is kosher, kosher for Passover, or under rabbinical or other kosher supervision shall prominently and conspicuously display on the premises on which the food is sold or served a complete disclosure statement.

(2) The Division shall develop a form for disclosure statements and shall make the form available to any person upon request.

(3) The disclosure statement shall:

(i) Be understandable and written in simple and readable plain language;

(ii) Disclose to the public the basis for a representation that any unpackaged food sold or served is kosher, kosher for Passover, or under rabbinical or other supervision, including a specification of practices relating to the preparation, handling, and sale of the food; and

(iii) Contain any additional information or conform to any additional requirements that the Division considers reasonable and necessary to carry out the provisions of this subtitle.

(4) (i) A person that displays a disclosure statement in accordance with this section shall retain a copy of the statement for at least:

1. 3 years after the date of the initial display of the disclosure statement; or
2. 3 years after the date of any amendment to the disclosure, whichever is longer.

(ii) A person that displays a disclosure statement in accordance with this section shall provide a copy of the statement to the Division within 2 business days of the person's receipt from the Division of a request for a copy of the disclosure statement.

(5) A person shall conform its practices with respect to the sale or serving of unpackaged food that is represented to the public as kosher, kosher for Passover, or under rabbinical or other kosher supervision.

(b) A person may not sell or offer for sale any unpackaged food represented to the public as kosher, whether for consumption in the person's place of business or elsewhere, if, in the same place of business, the person also offers for sale any unpackaged food, not represented to the public as kosher, unless the person includes on each window sign and each display advertisement in block letters at least 4 inches high the words "kosher and nonkosher food sold here" or, as to the sale of meat alone, "kosher and nonkosher meat and poultry sold here".

(c) A person may not display for sale any food represented to the public as kosher, whether for consumption in the person's place of business or elsewhere, if, in the same show window or other location on or in the place of business, the person also displays any unpackaged food not represented to the public as kosher, unless the person displays over the kosher and nonkosher food signs that read, in block letters at least 4 inches high, "kosher food" and "nonkosher food", respectively, or, as to the display of meat alone, "kosher meat" and "nonkosher meat", or "kosher poultry" or "nonkosher poultry", respectively.

(d) A person may not prepare or serve any food represented to the public as kosher, whether for consumption in the person's place of business or elsewhere, if, in the same place of business, the person also prepares or serves food not represented to the public as kosher, unless the person includes on each sign and display advertisement in or about the person's premises in block letters at least 4 inches high the words "kosher and nonkosher food prepared and sold here".

(e) (1) In this subsection, "Hebrew" symbol means:

(i) Any Hebrew word or letter; or

(ii) Any symbol, emblem, sign, insignia, or other mark that simulates a Hebrew word or letter.

(2) In connection with any place of business that sells or offers for sale any food, a person may not display, whether in a window, door, or other location on or in the place of business, in any handbill or other printed matter distributed in or outside of the place of business, or

otherwise in any advertisement, any Hebrew symbol, or any other representation to the public that the place of business is kosher, kosher for Passover, or under rabbinical or other kosher supervision, unless the person also displays in conjunction with the Hebrew symbol or such other representation, in English letters of at least the same size as the characters used in the Hebrew symbol, the words “we sell kosher meat and food only”, “we sell nonkosher meat and food only”, or “we sell both kosher and nonkosher meat and food”, as the appropriate representation may be.

(f) (1) In this subsection, “fresh” means unprocessed other than by salting or soaking.

(2) A person may not sell or offer for sale, as kosher, any fresh meat or poultry unless the words “soaked and salted” or “not soaked and salted”, as the appropriate case may be, is marked:

(i) On the package label; or

(ii) If the product is not packaged, on a sign prominently displayed in conjunction with the product.

#### **§ 14-903. Identification of supervisor or certifier**

A person may not advertise any food for sale or any place of business as being under rabbinical or other kosher supervision unless the advertisement identifies the name of the rabbi or other person that supervises or otherwise certifies the product or place of business as kosher.

#### **§ 14-904. Packaged food products**

(a) In this section, “packaged food product” means a food product that:

(1) In advance of sale, is put up or packaged, in any manner, in units suitable for retail sale; and

(2) Is not intended for consumption at its point of manufacture.

(b) A person may not sell or offer for sale, as kosher, kosher for Passover, or as being under rabbinical or other kosher supervision any packaged food product unless:

(1) It has a kosher identification securely attached to the outside of the package; and

(2) This identification was attached to the package by the producer or packer of the product at his place of business.

(c) Subsection (b) of this section applies to any packaged food product that is marked or identified with:

(1) In any language, the words “kosher”, “parve”, “glatt”, or “rabbinical supervision”;

(2) Any other word or symbol representing to the public that the product is kosher, kosher for Passover, or under rabbinical or other kosher supervision; or

(3) The English letters “K”, “KP”, “KD”, “KM”, “KF”, “KOS”, or “RS”, except as part of a registered trademark.