

Bureau of Kosher Meat and Food Control (cont'd)

"Possession of Non-Kosher meat and food, in any place of business advertising the sale of Kosher meat and food only is presumptive evidence that the person in possession exposes the same for sale with intent to defraud, in violation of the provisions of this section. In order to comply with the provisions of this section persons dealing with either Kosher meat, meat preparations, food and/or food products only, or persons dealing with both Kosher and Non-Kosher meat, meat preparations, food and/or food products must adhere to and abide by the orthodox Hebrew religious rules and regulations and the Dietary Laws; otherwise he shall be in violation of this section.

"Sec. 3. And be it further ordained, That any person, firm or corporation who with intent to defraud, serves, sells or exposes for sale in any Hotel, Inn, Restaurant, Boarding House, Eating House, Lunch Room, Caterers or Grocers or other place where food products or food are sold for human consumption on or off the premises, any meat, meat preparation, food or food products, and falsely represents the same to be Kosher, whether such meat, meat preparation, food or food product be raw or prepared, or as having been prepared under and/or of a product or products sanctioned by the orthodox Hebrew religious rules or requirements and/or Dietary Laws, either by direct or indirect statement, orally or in writing, which might reasonably be calculated to deceive or lead a reasonable man to believe that a representation is being made that such food is Kosher or prepared in accordance with the orthodox Hebrew religious rules or requirements and/or Dietary Laws, or falsely represents any food product or the contents of any package or containers to be so constituted and prepared, by having ~~it~~ ~~permitted~~ ~~to~~ ~~be~~ ~~inscribed~~ ~~thereon~~ ~~the~~ ~~word~~ ~~"Kosher"~~ in any language; or sells or exposes for sale in the same place of business both Kosher and Non-Kosher Meat Preparations, food or food products, either raw or prepared, and who fails to indicate on his window signs and all display signs and advertising in block letters of at least four inches in height "Kosher and Non-Kosher Food Sold Here", and who exposes for sale in any show window or place of business or who serves food off the premises both Kosher and Non-Kosher food or food products, either raw or prepared, and who fails to display over each kind of food or food preparation a sign in block letters of at least four inches in height reading "Kosher Food" or "Non-Kosher Food", as the case may be, or who displays on his window, door, or in place of business, or in hand bills or other printed matter or advertisement distributed in any manner or way, words or letters in Hebraic or other characters, or any sign, emblem, insignia, six pointed star, symbol or mark in simulation of same without displaying in conjunction therewith in English letters of at least the same size the words, "We Sell Kosher Food Only", or "We Sell Non-Kosher Food Only", or "We Sell Both Kosher and Non-Kosher Food", as the case may be, is guilty of a misdemeanor punishable by a fine of not less than Fifty Dollars (\$50.00) or more than Five Hundred Dollars (\$500.00), or by imprisonment of not less than thirty (30) days or more than one (1) year, or both, at the discretion of the Court."

Answering the above inquiries, it is, therefore, our opinion that an establishment that is advertised as "strictly kosher" is forbidden by the ordinance to sell products for off the premises consumption when said products may contain ingredients not sanctioned by Hebrew orthodox dietary laws. And further that in such an establishment, the seller is charged with the duty of selling only those products