

PROTECTION OF PUBLIC HEALTH (FOOD) LAW, 5776-2015

CHAPTER A: OBJECTIVE AND INTERPRETATION

Objective

1. This law is intended to –
 - (1) Regulate the responsibilities of food manufacturers and food importers, the supervision of food manufacturing and its importation, and all to ensure that the food is provided at an adequate level of quality, integrity and safety, including under adequate good manufacturing practices, which correspond to the standards established in the food legislation;
 - (2) Regulate the responsibilities of a food marketer and his duties at every stage of the food transfer stages (from its manufacturing, through its import to the point of sale directly to the consumer and to monitor compliance with these, and all to ensure that the food sold is manufactured by an entity authorized to do so, and if it is imported – that the importer has a registered importer's certificate, and to ensure that the food is marketed at an adequate level of quality, integrity and safety pursuant to the standards established in the food legislation;
 - (3) Establish standards for the quality, integrity and safety of food in Israel, in accordance with the accepted regulations in developed countries, including accepted international standards and for supervision based on risk management for the implementation of the principles of the regulations as established by this law;
And all with the aim of enabling the availability and accessibility of a variety of food at reasonable costs to the public at large, while maintaining public health.

Definitions

2. In this law –
 - "Territory" – the Territory as well as the territories of the Palestinian Council, as defined in the Schedule to the Law for the Amendment and Extension of the Validity of the Emergency Regulations (Judea and Samaria – Adjudication of Offenses and Legal Assistance), 5767-2007;
 - "Good Manufacturing Certification" – certification pursuant to Section 41 given to the holder of a manufacturing license;
 - "Prior approval for importation" – approval pursuant to Section 64 for the importation of certain sensitive food given to a registered importer;
 - "Free sale certificate" – a certificate that allows free sale in food in a country where the food is sold, issued by an

authority permitted to issue said certificate in that country, even if named (free sale certificate) is differently;

"Confirmation of receipt of a declaration" – online confirmation pursuant to Section 78 regarding receipt of a declaration on importation of regular food, given to a registered importer;

"Confirmation of receipt of a declaration from a proper importer" – online confirmation pursuant to Section 79E regarding receipt of a declaration on food imports via the European route;

"Packaging" – a wrapper or container in which the food is packed, in whole or in part, or into which food is given;

"Website" – the Food Services web page on the Ministry of Health website;

"European Union directives" – binding directives applicable in the European Union listed in Column A in Second Schedule A;

"Manufacturer's instructions" – the conditions marked on the food or its packaging by the manufacturing licensee or the registered importer's certificate holder, as applicable, including with respect to storage, transport and a specified temperature;

"The adopted directives" – within their meaning in Section 3A (a);

"Declaration regarding the import of regular food" – a declaration pursuant to Section 74 given by a registered importer to the Registrar about his intention to import a certain regular food;

"The Committee" – the Knesset Health Committee;

"The Exceptions Committee" – the Exceptions Committee established pursuant to Section 2R of the Import and Export Ordinance, and operating pursuant to the provisions under Section 313A;

"Flavoring" – a substance that is not consumed as food in itself, that is added to food to give it a certain taste or smell or to change them, with the exception of substances that have an exclusive sweet, sour or salty taste and spices;

"Production aid" – a substance that is not generally consumed as food in itself, that is used intentionally to achieve a technological purpose in the production process of food or of a food component, and when use thereof may result in the unintentional and unavoidable presence of the remains of the substance or its derivatives in the final food product, provided that it, its residues or its derivatives, do not constitute a health risk and that it, its residues or its derivatives in themselves, do not have any technological purpose in the final product;

"Shelf life" – a period for which it can be assumed, according to accepted tests, that the properties of the food will be preserved;

"Raw milk" – liquid, with the exception of colostrum, obtained by milking an animal, provided it has not undergone a processing process, including the packaging of said liquid, addition to it or subtraction therefrom;

"Consumer Protection Law" – the Consumer Protection Law, 5741-1981;

"Control of Exports of Animals Law" – the Control of Exports of Animals and Animal Product Law, 5717-1957;

"Licensing of Businesses Law" – the Licensing of Businesses Law, 5728-1968;

"Standards Law" – the Standards Law, 5713-1953;

"Food legislation" – legislation detailed below:

(1) This law, regulations or orders promulgated thereunder or the instructions of the Food Services Director below:

- (a) Instruction pursuant to Section 11, concerning food leftovers;
- (b) Instruction pursuant to Section 86(b), concerning the performance of special tests as a condition for issuing a certificate of release;
- (c) Instruction pursuant to Section 157, concerning keeping at a controlled temperature;
- (d) Instruction pursuant to Section 163, concerning the prevention of danger from certain food;

(1A) The adopted directives;

(2) Official standards pursuant to the Standards Law applicable to food, including substances or products that come into contact with food;

(3) Orders pursuant to the Control of Commodities and Services Law, 5717-1957, applicable to food, including substances or products that come into contact with food;

(4) Regulations or orders promulgated in consultation with the Minister of Health or with his consent, pursuant to Section 37(b) of the Consumer Protection Law;

(5) Regulations promulgated by the Minister of Health pursuant to Section 10(a) of the Licensing of Businesses Law;

"Treatment of raw meat" – the sorting, dismantling, slicing, filleting, preparation, rendering, grinding without adding substances, washing, disinfecting, cooling and freezing that are done to meat as defined in Section 9 after the killing of

the animal, as well as packaging or marking accompanying these actions;

"Controlled temperature" – a defined temperature determined pursuant to the food legislation;

"Specified temperature" – a temperature defined regarding food production, storage and transport conditions, including a definition that the temperature of a certain food will not exceed a certain temperature or not fall below a certain temperature or a definition of a temperature range for a certain food, and a different temperature may be defined for production, storage or transportation, as well as for the food itself or its surroundings;

"Importer" – a person engaged in importing food;

"Proper importer" – an importer registered in the Proper Importers Registry pursuant to Section 115(b);

"Registered importer" – an importer who has a valid registered importer's certificate attesting to his registration in the Importers Registry pursuant to Section 102;

"Manufacturing" – an activity of the types of activities listed in paragraphs 1 to 6, and everything whether it is done for the purposes of sale or not, and with the exception of the agricultural produce treatment activity –

- (1) food preparation;
- (2) Processing food or treating it in any way, including freezing food and thawing it, and adding a food additive, flavoring or a production aid, as well as processing as defined in Section 9;
- (3) Changing food in terms of form, quality, composition, color or in any other respect;
- (4) Packaging of food, with the exception of joining together, in a wrapper or in another way, several packages of food products, marked and prepackaged by the manufacturer, provided that they do not require keeping at a specified temperature;
- (5) Food labeling, with the exception of labeling on the food packaging, for which there are no provisions in the food legislation;
- (6) Storage or transportation at a controlled temperature, provided that it is performed by the party carrying out an activity from the activities listed in paragraphs 1 to 5, as an integral part of the production activity;

"Manufacturer" – a person engaged in food manufacturing;

"District Health Bureau" – a Health Bureau of the Ministry of Health responsible for a district, as well as the Ashkelon Regional Health Bureau;

"Food" – any substance, processed, semi-processed or unprocessed, intended for human consumption through swallowing, chewing or drinking, or any substance used in the production, preparation or processing of food, including chewing gum, beverages and drinking water as defined in Section 52A of the Public Health Ordinance, 1940, and with the exception of -

- (1) A cosmetic product, preparation or medicinal drug, as defined in the Pharmacists' Ordinance;
- (2) Tobacco products as defined in the Restriction on Advertising and Marketing of Tobacco Products Law, 5743-1983;
- (3) A device used for medical treatment, as defined in paragraph (1) of the definition of "medical equipment" in the Medical Equipment Law, 5722-2012;
- (4) A dangerous drug as defined in the Dangerous Drugs Ordinance [New Version], 5733-1973 and a substance prohibited for distribution as defined in the Fight against the Phenomenon of the Use of Dangerous Substances Law, 5773-2013, including when the dangerous drug or substance prohibited for distribution are used in the production process of other food;

"Food on the European track" – food imported pursuant to the provisions of Section 54A, and not listed in the Twelfth Schedule;

"Novel food" – food or a food component in which one of the conditions listed in paragraphs 1 to 4 is met and which is not a nutritional supplement or a component of a nutritional supplement or a food supplement that the Minister has determined in respect thereof that they are permitted for use and in accordance with the conditions he determined, as well as a production aid or flavoring –

- (1) It has a new primary structure at the molecular level or has undergone a deliberate change in the primary structure at the molecular level and which in respect thereof there is not much experience of safe consumption for humans, in Israel before February 2006;
- (2) It contains an organism that has been modified by way of genetic engineering (Genetically Modified Organism), or a part thereof;
- (3) It contains a plant, animal, microorganism, fungus or algae or is isolated from them, and which in respect thereof there is not much experience of safe consumption for humans, in Israel, with the exception of enzymes;

(4) It is produced in a production process, with the exception of a cleaning and disinfection process, which is not used in Israel, with regard to the particular food or food component, and the process caused a significant change in the composition of the food, its structure or its components, and affected its nutritional value, its properties in relation to the body's metabolism or the level of the unwanted substances in food;

"Unique food" – a nutritional supplement, novel food and designated food;

"Designated food" – food adapted to special health or nutritional needs according to age, gender and morbidity, which must be used under medical or nutritional supervision and indication, and intended for full or partial nutrition of those who suffer from physical or metabolic problems or disorders of the digestive system, including absorption, chewing or swallowing disorders, and everything whether consumed through swallowing or chewing or in another way, except for intravenous feeding;

"Regular food" – food that is not sensitive food;

"Sensitive food" – food that the Minister has declared to be sensitive food pursuant to the provisions of Section 59 or food that the Director of Food Services has declared to be a sensitive food in a temporary declaration pursuant to the provisions of Section 62;

"Disease-causing agent" – a bacterium, virus, fungus, prion and a toxin or a product thereof, that may cause health impairment in humans;

"Sale" – wholesale or retail, online, through peddling or in any other way, whether for no consideration or for consideration, including direct, indirect, conditional or deferred consideration, including –

(1) Offer to sell;

(2) Advertising and presentation;

(3) Exchange or conversion;

(4) Storage or holding;

(5) Distribution, supply or delivery;

(6) Transportation, shipping or transfer;

"The Director" – the Director General of the Ministry of Health or the civil servant he so authorized;

"Director of the Veterinary Unit" – the Director of the Veterinary Unit in the Food Services, or a veterinarian employed by the Ministry of Health authorized with respect to the provisions of Chapter H, all or part thereof;

"Director of Veterinary Services" – the Director of Veterinary Services at the Ministry of Agriculture and Rural Development or a veterinarian working at the Ministry of Agriculture and Rural Development authorized with respect to the provisions of Chapter H, all or part thereof;

"Laboratory in Israel" – a public health laboratory of the Ministry of Health or a recognized laboratory;

"Recognized laboratory" – a laboratory that has been recognized as a certified food testing laboratory pursuant to Section 170;

"Inspector" – anyone authorized by the Minister pursuant to Section 244;

"Importers Registry" – the Importers Registry kept pursuant to Section 102(b);

"Marketer" – one who is engaged in the sale of food;

"Large marketer" – a large supplier or a large retailer, as defined in the Promotion of Competition in the Food Sector Law, 5774-2014;

"Intoxicating beverage" – a sparkling or alcoholic beverage intended for human consumption and containing, upon testing a sample thereof, two percent or more alcohol by volume; If the alcohol content of the drink in the container has been indicated, this indication will serve as prima facie proof of the degree of content;

"Officer in a corporation" – the director of the corporation, director of quality assurance in the corporation or any similar position even if their title is different, as well as any senior official in the corporation in the field of food quality and safety, including a controlling shareholder in the corporation; For this matter, "control" – as defined in the Securities Law, 5728-1968;

"Manufacturing licensor" – the Director of the Food Services or a district doctor;

"Risk management" – accepted risk management in the field of food safety in developed countries that refers to the risk posed by food;

"Port" – seaport, airport or land crossing;

"Food labeling" – information about food, either through a label or in another way, including its title, designation, indication or description in any other way, including warnings, as well as anything printed, drawn or described in any other way, and everything whether it appears on food, or is attached to it, tied to it, packaged with it, appears on a container of the food or an integral part of its packaging;

"Good manufacturing practices symbol" – a symbol determined by the Minister pursuant to Section 48;

"Food business operator" – one whose occupation is food;

"Food business" – production, import or sale of food;

"Traceability" – the ability to locate and track food and raw materials that were used for its production or other material intended or expected to be incorporated into food, and everything at each of the stages of production, import or sale, including the ability to track tests, specifications and approvals, from parties in Israel and abroad, and parties that held, stored, transported or processed in any way the raw materials or the food;

"Agricultural produce treatment activity" – any of the following:

- (1) Collection, sorting and packaging of fresh eggs in their shells, as well as marking on such eggs; For this matter "fresh" – after the laying, without any treatment, except washing, greasing or coating;
- (2) Breeding and nurturing of animals whose meat or produce is intended for human consumption, their killing and their slaughter;
- (3) Growing, picking, collecting, sorting, packing and labeling of agricultural produce from plants, fresh after picking or collecting and without processing, as well as actions of trimming or cutting that are carried out in a vegetable or fruit packing house according to the Supervision of Plant Production and Marketing Law, 5771-2011;
- (4) Fishing and sorting of fish, including crabs and molluscs, soon after the fishing;
- (5) Hunting;
- (6) Milking, storing raw milk and transporting it to the dairy gate;
- (7) All stages of honey production in the hive until its harvesting from the hive;
- (8) Treatment of raw meat carried out in a raw meat factory as defined in Section 177;

"Public Health Ordinance (Food)" – the Public Health Ordinance (Food) [New Version], 5743-1983;

"Quarantine Ordinance" – the Quarantine Ordinance [New Version], 5741-1981;

"Import and Export Ordinance" – the Import and Export Ordinance [New Version], 5739-1979;

"Animal Diseases Ordinance" – the Animal Diseases Ordinance [New Version], 5745-1985;

"Pharmacists Ordinance" – the Pharmacists Ordinance [New Version], 5741-1981;

"District doctor" – a doctor in charge of a district health bureau, including a regional doctor in the Ashkelon Regional Health Bureau, and if no such regional doctor is appointed, a sub-district doctor in the Ashkelon Regional Health Bureau;

"Government doctor" – any of the following:

- (1) A district doctor, his supervising doctor and doctors subordinate to him in the district or sub-district;
- (2) A veterinarian certified as a government doctor by the Director of the Veterinary Unit, and is one of the following: a state employee, a local authority employee, or an employee of the corporation; For the purpose of this paragraph, "Corporation" – as defined in Section 177;
- (3) During the transition period as defined in Section 223 – also a veterinarian who is an employee of a local authority or a veterinarian as stated in Section 230(a)(2);

"Storage license" – a license for storage at a controlled temperature pursuant to Section 150(a)(1);

"Transportation license" – a license for temperature-controlled transportation issued pursuant to Section 149(1);

"Manufacturing license" – a license for food manufacturing issued pursuant to Section 29;

"Business license" – a license, permit, including a temporary permit or approval pursuant to the Licensing of Businesses Law, related to food, including food transportation or food storage;

"Local authority" – a municipality or local council, or an association of cities including an association of cities for veterinary services;

"Registrar" – a registrar of food importers appointed pursuant to Section 102(a);

"Retail marketing" – the sale of a product directly to consumers;

"Quarantine Service" – as defined in Section 1 of the Quarantine Ordinance;

"The Food Services" – the National Food Services in the Ministry of Health;

"Spice" – a plant or parts of plants that are added to food to improve its taste or smell only, whether they have undergone a process of physical processing such as drying or whether they have not undergone such a process, provided that they have not undergone a process of chemical breakdown;

"Label" – marking appearing on food, adjacent to it, connected to it, packaged with it or as an integral part of the packaging and referring to the food or to the container containing it;

"Food additive" – a substance that is not generally consumed as food per se, and is not used as a typical component of the food, whether it has nutritional value or not, and its addition to food is for a technological purpose in production, transportation or storage, and it, its by-products or its breakdown products, are intended, expected or become an ingredient in the food, directly or indirectly, or remain in the food in a way that affects the properties of the food in another way, with the exception of pollutant, flavoring and substance added to food as a nutritional ingredient;

"Nutritional supplement" – a vitamin, mineral, amino acid, plant or other food, including an extract, extraction, component, breakdown product, derivative or mixture of any of these, and their accepted way of consumption and their purpose are to supplement nutrition through a concentrated source of nutrients, with the exception of –

- (1) A registered preparation as registered in the Preparations Registry maintained pursuant to Section 47A of the Pharmacists Ordinance;
- (2) A medicinal plant pursuant to the Pharmacists Ordinance, provided that it is not consumed as a routine food;

"Quarantine station" – a place in or near a port that has a quarantine service, as defined in Section 1 of the Quarantine Ordinance;

"Good manufacturing practices" – control conditions, including quality and safety control, pursuant to accepted international standards designed to ensure the existence of the essential conditions, standards or instructions applicable to the production and marketing of food, including according to the instructions and conditions instructed by the manufacturer on these matters;

"Certificates" – any of the following:

- (1) Prior approval for importation;
- (2) Confirmation of receipt of a declaration;
- (3) Registered importer's certificate;

(4) Certificate of release;

"Registered importer certificate" – as defined in Section 102;

"Certificate of release" – a certificate issued by the quarantine service to the importer for the release of a food shipment from a quarantine station, pursuant to the provisions of Section 81;

"Accepted international standards" – standards in the field of food safety listed below, which include a structured and regular procedure for identifying failures in the production, import and transportation processes of the food, risk analysis for critical control points (HACCP – Hazard Analysis Critical Control Points), and measures to maintain the traceability of the products and their proactive collection from the market:

- (1) Standards of the International Organization for Standardization (ISO);
- (2) The Food Hygiene Basic Texts of the Codex Alimentarius;
- (3) Any international standard or other international arrangement accepted among the developed countries, determined by the Minister for this matter;

"The Minister" – the Minister of Health.

CHAPTER B: ENSURING FOOD INTEGRITY AND QUALITY

Preventing public health hazards and ensuring food integrity and quality

3. (a) The Minister, with the approval of the Committee, may establish regulations to protect public health, including provisions regarding taking measures to prevent a public health hazard from food or food business, to prevent fear of a public health hazard as mentioned or to prevent an act or omission that could lead to such fear.
- (b) The Minister may, with the approval of the Committee, establish in the regulations provisions for maintaining the safety, quality and integrity of food, including provisions on the following matters:
 - (1) The safety, quality, nature and properties of food, including detailing of requirements or standards to be applied regarding the food;
 - (2) Adequate labeling of food, including nutritional labeling of sugars in the food, the presence of gluten in the food, the obligation to indicate a choking hazard warning on the packaging of certain products and a warning on a sign at the place of sale in addition to a warning on product

packaging, including by means of advertising, as well as with respect to the language of the label;

- (3) Taking food samples and testing them;
 - (4) Food packaging and materials that come in contact with food.
- (c) Regulations pursuant to this section may be general or in relation to an area or place that will be specified, and may be general or for different groups or types of food or for a specific food, including the population for which the food is intended, and may prohibit, restrict or permit marking or advertising regarding a certain matter explicitly stated therein.
- (d) In the event of a conflict between regulations pursuant to this law, on the topics detailed below, and between provisions of an official standard that applies to food or substances that come into contact with it, the provisions of the regulations will prevail:
- (1) Chemical pollutants;
 - (2) Biological pollutants;
 - (3) Pesticide residues;
 - (4) Food supplements;
 - (5) Flavoring;
 - (6) Production aids;
 - (7) Controlled temperature;
 - (8) Maximum shelf life;
 - (9) Food labeling related to the composition of the food, its use or consumption, required for food safety and public health;
 - (10) Unique food.
- (e) Regulations regarding the treatment of raw meat carried out in a raw meat factory as defined in Section 177, require consultation with the Minister of Agriculture and Rural Development, unless the regulations regulate the marketing of meat or regulate the production process of a certain food or a certain type of food, and the activity is part of the marketing of the meat or the production process, as applicable.
- (f) The Minister of Health's authority pursuant to this section and pursuant to Section 5(a)(3) and (4) regarding maximum permitted levels of pesticide residues in food, biological pollutants in food, chemical pollutants in food and maximum levels mercury compounds residue, including regarding regulations and orders that are considered pursuant to Section 325 as having been enacted pursuant to this law, in matters

for which provisions were applied in Column A of Second Schedule A, will only apply to food that was excluded according to Column C of said Schedule or regarding the conditions and exclusions set forth in Column B of said Schedule.

Application of the European Union directives

- 3A. (a) The directives of the European Union shall apply in Israel under the conditions and exclusions set forth in Column 3B of Second Schedule A and the exclusions regarding types of food set forth in Column C of said Schedule, as well as the updates to such directives established in the order pursuant to Subsection (d)(1) or (7) (in this law – the adopted directives).
- (b) The binding version of the European Union directives will be the version in the English language; The text in the English language as well as its translation into Hebrew will be made available for public reviewing on the website in a way that will also allow documentation and accessibility to monitor the date of their application in Israel, including the date of application of each of their updates; In the aforementioned publication, the conditions and exclusions to the directives of the European Union set forth in Column B or Column C of Second Schedule A will also be detailed.
- (c) In the event that the European Union directives (in this section – the amendment) have been amended, the Minister will publish on the website a notice of the amendment and the way to submit comments regarding its application in Israel, including the deadline for submitting these comments which will be 14 days from the date of publication of the notice; The notice will include a reference to the amendment text in the English language and its main points.
- (d) (1) After the deadline for receiving public comments pursuant to Subsection (c) has passed, the Minister will prescribe in an order the application of the amendment in Israel (in this section – the update) specifying the date of the update's entry into force; A Hebrew translation of the amendment text will be published on the website no later than the date of publication of the order;
- (2) The effective date of the update's entry into force will be on the effective date of the amendment's entry into force, but not before the day of publication of the order in the Official Gazette, or at a later date as prescribed by the Minister in said order, regarding the amendment or a part thereof, for the sake of convenience of food business operators or for the preparation of a laboratory in Israel, provided that such later date shall be determined no later than six months from the date the amendment enters into force or from

the date of publication of the order in the Official Gazette, the later of the dates, and regarding provisions regarding food labeling – no later than one year from that date;

(3) In the order as stated in paragraph 1, the Minister may –

(a) Set different dates for the update's entry into force of regarding the production, import or sale of food;

(b) Establish a transition period during which it will be possible to continue marketing products that were imported or manufactured before the update's entry into force.

(e) Notwithstanding the provisions in Subsection (d), in the event the Minister has decided not to apply the amendment, in whole or in part, or to apply it under conditions, he will apply for the recommendation of the Exceptions Committee pursuant to Section 313A, and if the Exceptions Committee's recommendation supports the Minister's decision, the Minister shall determine in an order the exclusion of the amendment, in whole or in part, or the conditions under which the amendment will apply, as applicable.

(f) The Minister may, by order –

(1) Add to the adopted directives a binding provision applicable in the European Union; The provisions of Subsections (b) to (e) shall apply to an order under this paragraph, *mutatis mutandis*;

(2) Establish conditions and exceptions to the adopted directives, in Column B or Column C of Second Schedule A, after receiving the recommendation of the Exceptions Committee pursuant to Section 313A.

(g) An order pursuant to Subsections (e), (f), (h) or (i)(a) or (2) applying in Israel a mandatory provision applicable in the European Union or applying it with conditions or exceptions or amending a provision from the adopted directives or establishing or amending a condition or exclusion, and all in a manner that amends Column A, Column B or Column C to Second Schedule A, is also subject to the approval of the Committee, and said order will amend accordingly Second Schedule A, as stated in the provisions of Section 313.

(h) (1) Order to amend Second Schedule A concerning items 1 to 4 in said Schedule, with respect to food that is raw meat, raw milk, honey or fresh eggs in their shells, or concerning item 4 with respect to fresh fruits or fresh vegetables and the order applying in Israel a

mandatory directive applicable in the European Union regarding residues of chemical preparations for use on animals and in facilities for animals or residues of veterinary drugs, so that it applies to raw meat, raw milk, honey or fresh eggs in the shell, also require the consent of the Minister of Agriculture and Rural Development; The Prime Minister may, at the request of the Minister or the Minister of Agriculture and Rural Development, determine, in an order, an amendment as mentioned and the provisions of Subsections (a) to (g) shall apply to said order, *mutatis mutandis*;

(2) An order applying in Israel a mandatory directive that came into effect in the European Union regarding food labeling, so that it applies to raw meat and fresh eggs in the shell, requires consultation with the Minister of Agriculture and Rural Development.

- (i) The Prime Minister may issue an order as detailed in paragraphs (1) to (3) below regarding an amendment to the adopted directives on a subject as stated in Subsection (h)(1), provided that the Minister of Agriculture and Rural Development so requests within three months from the date of issuing the order as stated in paragraph (1) or (2), or within six months from the date of publication of the amendment as stated in paragraph (3) for public comments, as applicable:

(1) To revoke an order issued by the Minister pursuant to the provisions of Subsection (d);

(2) To establish conditions or exceptions regarding an order given by the Minister pursuant to the provisions of Subsection (d);

(3) If the Minister decided not to apply an amendment pursuant to the provisions of Subsection (e) – to issue an order for an update regarding the said amendment;

The provisions of Subsections (a) through (g) shall apply to the Prime Minister's order pursuant to this subsection, *mutatis mutandis*, as applicable.

- (j) In the event of a contradiction between the adopted directives, and between the provisions of an official standard applicable to food or substances that come into contact with it or regulations pursuant to this law, in the matters listed in section 3(d), the adopted directives will prevail.
- (k) No offenses, punishments or violations for which an administrative sanction can be imposed due to the adopted directives shall be established, and no criminal liability or administrative sanction will be imposed on

those who violated a provision of the adopted directives.

Production, import or sale of food in contravention of legislation

4. A food business operator shall not produce, import or sell food in contravention of the legislation listed in paragraph (1) of the definition of "food legislation", unless explicitly stated otherwise in said legislation.

Production, import or sale of food in contravention of the adopted directives

- 4A. A food business operator shall not produce, import or sell food in contravention of the legislation listed in paragraph (1A) of the definition of "food legislation", unless explicitly stated otherwise in said legislation.

Production, importation or sale of improper food

5. (a) A food business operator shall not produce, import or sell food for which one of the following applies:
- (1) The food is not suitable for human consumption;
 - (2) The food is produced, imported or sold under inadequate sanitary conditions;
 - (3) The food contains a toxic or harmful substance, of the types detailed in the First Schedule, unless this is permitted by the regulations and to the extent so permitted;
 - (4) The food contains a substance that is a disease-causing agent for humans, unless this is permitted by the regulations and to the extent permitted;
 - (5) A foreign body is found in the food that is not part of the materials used in a systematic way in the production of that food;
 - (6) The food packaging was damaged in a way that could expose the food inside to contamination, environmental risk factors or rot;
 - (7) The food has spoiled, provided that the spoilage is not due to the nature and composition of the food, including each of the following:
 - (a) Its packaging has swelled;
 - (b) It has visible mold;
 - (c) A component therein fermented or soured.
- (b) The food is manufactured, imported or sold not in accordance with the provisions applying thereto, as applicable, pursuant to Section 10(a) of the Licensing of Businesses Law.
- (c) The provisions in Subsection (a)(3) and (4) shall not prevent manufacturing, importation or marketing pursuant to the adopted directives.

Production, import or sale of food that has a defect that may harm the integrity of the food or its quality

6. A food business operator will not manufacture, import or sell food that has any of the defects listed below to the extent that it may cause harm to the integrity of the food or its safety:
- (1) The food is rotten or has rot in it;
 - (2) The food underwent an uncharacteristic change of color, texture, smell or taste other than as a systematic part of its production process;
 - (3) The food was spoiled;
 - (4) A toxic or harmful substance, or anything else that should not be therein, or a pollutant, including a biological or chemical pollutant, is found in the food or has been added to it or to its packaging;
 - (5) It lacks an ingredient or substance that should be present in it, all or part thereof, and all of it whether the ingredient or the substance appears in the food ingredients on the label or not.

Offering food to the public that may harm its health

7. A person shall not offer to the public food that is unfit for human consumption or that is damaged due to rot, contamination or any other reason, and all if it may harm a person's health.

Adding substances to food

8. (a) A food business operator shall not manufacture, import or sell food that includes a food additive or a flavoring, unless the Minister has determined that the additive or substance is permitted for use and under the conditions he determined.
- (b) (1) A food manufacturer shall not manufacture food using a production aid for which provisions have been in regulations, except in accordance with those provisions;
- (2) An importer shall not import or a marketer shall not sell food that includes material as stated in paragraph 1 except in accordance with the provisions as stated in that paragraph.
- (c) The Minister may establish provisions regarding the manufacturing, importation and marketing of food additives, flavorings and production aids or their use in food manufacturing.

Meat processing

9. (a) In this section –
- "Livestock" – the list of livestock as detailed in the First Schedule of the Animal Diseases Ordinance;
- "Aquatic animals" – fish, including crustaceans and molluscs;

"Meat" – edible parts of animals, poultry and aquatic animals, with or without bones and with or without skin;

"Fresh meat" – meat that has not been processed in any way, with the exception of cooling at a temperature that did not exceed four degrees Celsius and did not fall below minus one degree Celsius, provided that the natural taste, color, smell and texture of the meat were preserved;

"Aged meat" – skeletal muscles of fresh animal meat that underwent a process of natural aging at a temperature that did not exceed two degrees Celsius and did not fall below minus one degree Celsius for at least fourteen consecutive days;

"Frozen aged meat" – aged meat that was frozen after the curing process;

"Frozen meat" – meat that has not been processed in any way, with the exception of freezing at an internal temperature that did not exceed minus 18 degrees Celsius;

"Processed meat product" – a product made from fresh meat or frozen meat that has been processed, and which is not ready to eat, including a product containing meat;

"Poultry" – the list of poultry as detailed in the First Schedule to the Animal Diseases Ordinance;

"Processing" – processing of any type of meat, including the addition of water, spices, pickling materials or other materials, as well as thawing and pickling, with the exception of treatment of raw meat.

- (b) A food business operator shall not manufacture, import or sell meat as fresh meat, as aged meat, as frozen aged meat or as frozen meat, unless it is fresh meat, aged meat, frozen aged meat or frozen meat, respectively.
- (c) A food business operator shall not add any material of any kind to a processed meat product during its processing, in respect of which the Minister has established restrictions or prohibitions pursuant to the provisions of Subsection (f)(1).
- (d) A food business operator shall not manufacture, import or sell a processed meat product unless it is labeled with the words "processed meat product", "processed chicken product" or "processed fish product", respectively, unless the Minister has determined otherwise regarding the labeling of such a product that

the meat rate it contains is lower than an amount to be determined.

- (e) A food business operator shall not manufacture, import or sell a thawed frozen meat product unless it is prepackaged and labeled with the words "thawed processed meat product".
- (f) The Minister, with the approval of the Committee, will establish all of these in regulations, and may establish general provisions or provisions for different types of processed meat product:
 - (1) Types of substances that may not be added to a processed meat product and restrictions on adding substances to said product and the way it is marketed;
 - (2) The manner of indicating the amount of water contained in a processed meat product that has not undergone heat treatment, and methods of calculating the amount of added water in a certain processed meat product;
 - (3) The manner of indicating a fresh meat, processed meat, aged meat, frozen aged meat, and frozen meat product, including the manner of indicating the ingredients and the water added during processing, the size of the letters, and other rules regarding packaging.
- (g) The provisions of this section do not detract from the scope of the provisions of Section 8.

Regulation of substances that come into contact with food 10.

A manufacturer shall not manufacture and an importer shall import food whose packaging, the materials from which it is made, its properties or the methods of keeping it, as well as an object or material accompanying the food within its packaging, were prohibited or regulated by the food legislation, except as stated in said legislation.

Regulating the use of food leftovers 11.

- (a) In this section, "leftovers" – food that was abandoned, discarded or thrown away, including what is left of food that was placed in a dining establishment for human consumption.
- (b) A food business operator shall not manufacture, import or sell leftover food, including food that contains or was made of leftovers, except in the cases ordered by the Director of the Food Services and published in the Official Gazette.
- (c) The Director of the Food Services may order, in an order to be published in a notice in the Official Gazette and on the website, that what remains of food after its processing will be considered leftovers for the purposes of this section; An instruction pursuant to this

section may be, *inter alia*, regarding a certain food or regarding a certain method of processing.

A use-by date or recommended use-by date for food

12. (a) An importer will not import and a marketer will not sell food whose use-by date or recommended use-by date, as determined by the manufacturer, has passed.
- (b) A manufacturer shall not use food whose use-by date, as determined by the manufacturer of that food, has passed.
- (c) A manufacturer shall not use food for which the recommended use-by date, as determined by the said food manufacturer, has passed, but a manufacturing licensee may use, in a production process, a raw material that is not a sensitive food or a designated food and for which the recommended use-by date has passed, if all of the following have been met by the manufacturer:
- (1) He has Good Manufacturing Certification or a food safety plan pursuant to Section 178 (a) or (c);
 - (2) He received the written approval of the raw material manufacturer for the extension of the use-by date period beyond the recommended use-by date as determined, provided that the approval was given before that date, or he has a procedure for extending shelf life as part of such approval or plan, as stated in paragraph (1);
 - (3) Deleted;
 - (4) He keeps every document required pursuant to paragraph (2), as long as the food manufactured has not been transferred to another.
- (d) Notwithstanding the provisions of Subsections (a) to (c), the storage or transportation of food whose use-by date or whose recommended use-by date has passed, shall not be deemed a violation of the provisions of this section, if the aforementioned food is stored in a warehouse or in the means of transport separately from the rest of the food and marked clearly and prominently as not intended for sale but for destruction or return to the manufacturer or importer, as applicable.
- (e) Notwithstanding the provisions in this section, the Minister may, with the approval of the Committee, establish conditions regarding the use of food whose recommended use-by date has passed, or its sale, and he may establish different provisions with respect to different types of food and with respect to different food business operators.

Prohibition of attributing

13. No person may attribute to food a virtue of strengthening or healing the body or any of its organs or systems, or of

**medicinal
properties
food** **to**

preventing a disease, curing it, alleviating or assisting in coping with it or its symptoms, by means of marking, or advertising, unless permitted under this law.

**Adapting
labeling
documents
food** **the
and
to** 14.

(a) A manufacturer will not market and an importer will import food marked with labeling that does not match the food, unless permitted in the food legislation.

(b) A manufacturer or importer shall not provide or publish information relating to the food it manufactures or imports, as applicable, which is incompatible with the food, including information relating to the food production process, its nature, components or properties.

(c) A marketer will not provide or publish information –

(1) Regarding food that is not prepackaged by the manufacturer – if the information does not match the food;

(2) Regarding food prepackaged by the manufacturer – if the information does not match the food in an essential detail that may endanger public health.

Food labeling 15.

(a) A manufacturer or importer shall label the food or its packaging, as applicable, in accordance with these legislations and no later than the times set in Subsection (b) or in Section 90, as applicable:

(1) Instructions regarding labeling established in the regulations pursuant to this law;

(2) Labeling as prescribed in one or more of these:

(a) Official standards pursuant to the Standards Law applicable to food, including materials or products that come into contact with food;

(b) Regulations or orders, enacted in consultation with the Minister of Health or with his consent, pursuant to Section 37(b) of the Consumer Protection Law;

(c) Orders pursuant to the Control of Commodities and Services Law that apply to food, including materials or products that come into contact with food;

(d) Labeling provisions pursuant to the adopted directives;

(3) Instructions pursuant to paragraph (1) to the definition of "food legislation", concerning food labeling.

(b) A manufacturer shall complete his compliance with the labeling pursuant to Subsection (a) before transporting the food to a warehouse located outside the

production site or to the marketer, unless otherwise stipulated in his manufacturing license.

(c) An importer shall complete his compliance with the labeling pursuant to Subsection (a), pursuant to the provisions of Section 90.

(d) A marketer shall label the food or its packaging pursuant to the provisions as stated in Subsection (a) that apply to his activity as a marketer or relate to the place where the food is sold.

**Prohibition
labeling
alterations**

of 16.

(a) A person will not alter a label that is required by the food legislation and indicated on food, including, hide it, remove it, add to it, nor delete it, unless permitted pursuant to the food legislation.

(b) The provisions of Subsection (a) do not preclude the addition of labeling that is required by another law or labeling in respect of which there are no provisions in the food legislation, provided that the addition of the labeling does not violate the provisions of Subsection (a).

(c) (1) Notwithstanding the provisions of Subsections (a) and (b), the Director of the Food Services or anyone he authorized to that end may permit the manufacturer or the importer, in writing, at his request, to alter the labeling as stated in Subsection (a), pursuant to the provisions of the permit, even if no provision regarding said change in labeling has been established in the food legislation;

(2) The permit may be granted in cases of a mistake in the labeling, in cases of concern that an existing labeling may mislead the public or if it has been ascertained, for special reasons, that it is necessary to ensure the conformity of the information in the labeling to the food;

(3) The permit will be published on the website omitting the details of the applicant or the product, unless the Director of the Food Services believes that it is a permit that is of no interest to the public or other food business operators.

**Prohibition of 17.
deception the
regarding the
nature or quality
of food**

A food business operator shall not do any of the following with the aim of misleading the recipient of the food regarding the nature or quality of food:

(1) Regarding a manufacturer – adding a substance or component to food during its manufacturing or preparation, the treatment of the food or processing thereof in any way, in a way that changes or disguises its nature or quality, or increases the volume, weight or size of the food;

Regulating the production, import and sale of unique food and recognition of the food as novel food

- (2) Regarding a manufacturer, importer or marketer – labeling food contrary to the provisions of Sections 15 and 16, or describing food through a label, document, advertisement or other presentation of information in a way that does not match the food or its properties;
- (3) Regarding a marketer – the sale of food to which a substance or component has been added or that has been treated or processed as stated in paragraph (1), or food that has been labeled or described as stated in paragraph (2).

18. (a) A food business operator shall not manufacture, import or sell unique food, unless permitted pursuant to this law and under the conditions permitted.
- (b) A manufacturer or importer may submit an application for recognition of the food as novel food to the Director of the Food Services or to anyone he authorized to that end.
- (c) A list of foods recognized as novel foods pursuant to this section will be published in a notice in the Official Gazette and on the website.
- (d) The Minister may establish provisions regarding the manufacturing, import and sale of unique food, including provisions regarding the following matters:
- (1) Applications for recognition of food types as novel food as stated in Subsection (b), conditions for their approval, and fees for applications for such recognition;
 - (2) Labeling of unique food, its production, import or sale.

Regulations regarding intoxicating beverages

19. (a) The Minister may establish provisions regarding the application of the provisions of this law to the manufacturing, importation, marketing, and exportation of intoxicating beverages, including the requirement for the absence of a criminal record, with the changes and conditions as he may determine.
- (b) The Minister, in consultation with the Minister of Finance, may establish provisions regarding the requirement that a manufacturer of intoxicating beverages hold the duly required permits for tax purposes.
- (c) Provisions pursuant to this section regarding the export of intoxicating beverages will be determined in consultation with the Minister of Economy.

CHAPTER C: REGULATION OF FOOD MANUFACTURING

TITLE A: MANUFACTURER'S OBLIGATIONS

- Manufacturer's Obligations** 20. A person shall manufacture food, except in accordance with the requirements of the food legislation and the provisions of this law.
- Manufacturing license and its conditions** 21. (a) A person shall not manufacture food, unless he has a valid manufacturing license for the food manufacturing site.
(b) A person shall not manufacture food except according to the type of manufacturing activity or the type of food he was allowed to manufacture in the manufacturing license.
- Good Manufacturing Certification and its conditions** 22. (a) A person shall not manufacture food for which an obligation to obtain good manufacturing certification has been established pursuant to Section 41, unless he holds a good manufacturing certification.
(b) A person who is required to obtain good manufacturing certification as stated in Section 41, or who has received a permit for using a good manufacturing practices symbol pursuant to Section 46, shall not manufacture food except in accordance with the conditions of the good manufacturing certification.
- Mandatory food labeling** 23. (a) A food manufacturer shall label the food he manufactures in accordance with the requirements of the food legislation applicable to that food; However, this does not derogate from his obligation to comply with labeling requirements according to any other law.
(b) In the event that the food legislation stipulates a provision regarding shelf life, a food manufacturer shall label the food he manufactures in accordance with this provision; In the event that the food legislation did not stipulate a provision as mentioned above – the food manufacturer shall determine the shelf life of the food he has manufactured and label it unless the food legislation exempts him.
(c) Without derogating from the provisions of Section 15 and 23(a), in the event a food manufacturer has determined that the food must be kept at a specified temperature for the purpose of maintaining the food's safety, he shall indicate it on the food.
- Approval of a manufacturing activity which is an activity of preparation or packaging of food in preparation for** 24. (a) Notwithstanding the provisions of Section 21, the performance of a food manufacturing activity which is preparation or packaging activity in preparation for its sale to the consumer, by the marketer at the consumer sales site (in this section – manufacturing activity at the consumer sales site) does not require a manufacturing license, however a person shall not perform such activity unless he was given a permit for

its sale to the consumer

manufacturing activity at the site of the sale to the consumer and in accordance with its conditions.

- (b) The provisions of Title B of this chapter shall apply to the granting of a permit for manufacturing activity at the consumer sales site, *mutatis mutandis*, and with additional changes the Minister may determine.
- (c) The Director of the Food Services will publish a notice in the Official Gazette about –
 - (1) Manufacturing activity at the consumer sales site that does not require approval for manufacturing activity at the consumer sales site, and he may establish conditions in a notice regarding the performance of activity without such approval; Such notice will also be published on the website;
 - (2) Types of activities that under the circumstances mentioned in the notice will be considered manufacturing activity at the consumer sales site.

Exemption for preparing food in a dining establishment

- 25.
- (a) Notwithstanding the provisions of Section 21, preparing food in a dining establishment does not require obtaining a manufacturing license, provided that no more than 30% of the food prepared there, on average, per week, is intended for supply to other entities other than the diners, for consumption outside the dining establishment.
 - (b) In this section, "dining establishment" – a business where food is prepared and served that is generally intended to be eaten at the place of business and near the time of its preparation, including a cafe, restaurant, cafeteria and fast food business.

Exemption for the preparation of food in an institutional kitchen

- 26.
- (a) Notwithstanding the provisions of Section 21, food preparation in an institutional kitchen does not require obtaining a manufacturing license, provided that no more than 30% of the food prepared in it, on average, per week, is intended for supply to entities other than the diners, for consumption outside the institution or business, or if it provides other entities as mentioned with at least 1,000 meals on average, per workday.
 - (b) Notwithstanding the provisions of Subsection (a), in the event the Minister deems it necessary to protect public health, he may, with the approval of the Committee, determine that an institutional kitchen will be required to have an institutional kitchen license in accordance with the conditions he will determine; Such a determination can be made according to the type of institutional kitchen, the types of food prepared in it, the scope of its activity or the quality control systems it employs, and he may establish as stated provisions regarding an application for a license

or its renewal, including the way of submitting such an application, the documents that must be attached thereto, the manner in which it is processed, the validity of the license and the circumstances and the way for revoking said license, its suspension or restriction.

- (c) Regulations pursuant to Subsection (b) shall be determined –
 - (1) Regarding an institutional kitchen in a hotel – in consultation with the Minister of Tourism;
 - (2) Regarding an educational institution or a day care center – in consultation with the Minister of Education or Minister of the Economy, as applicable.
- (d) In the event the Minister determined that an institutional kitchen requires an institutional kitchen license, a person will not manufacture food in an institutional kitchen unless he has received such a license and in accordance with its conditions.
- (e) In this section, "institutional kitchen" – a dining establishment in an institution or business, where food is prepared and served intended for the consumption of the employees employed in that institution or business or for the consumption of a defined group of people staying in that institution or business, including the kitchen of an event garden, event hall, hotel, medical institution, educational institution or nursing home.

**Exemption in 27.
regulations from
a
manufacturer's
obligations**

The minister, with the approval of the Committee, may establish the following exemption provisions:

- (1) Exemption from the obligation to obtain a manufacturing license or from the obligation to obtain good manufacturing certification for certain purposes as well as for certain types of manufacturing activity or of food, and he may set conditions for such exemption, including compliance by the person entitled to the exemption with the conditions established pursuant to this chapter;
- (2) Exemption or relief from obligations pursuant to this chapter in food manufacturing as part of research and development of food, provided that it is not intended for sale.

TITLE B: MANUFACTURING LICENSE

**Submittal of an 28.
application for a**

- (a) The applicant requesting a manufacturing license or the renewal of a manufacturing license shall submit to the District Health Bureau in the district where the

**manufacturing
license**

manufacturing site for which the license is requested is located, an application together with documents, details and forms (in this section – documents), in accordance with the regulations pursuant to Section 49.

- (b) Anyone manufacturing food at more than one manufacturing site, shall submit a separate application for each of the food manufacturing sites, subject to the provision of Subsection (c).
- (c) A different condition will not be determined for two manufacturing sites that do not have a substantial difference between them, taking into account the type of food manufactured there, their size, manufacturing processes and scope, except with the approval of the Director of the Food Services.
- (d) The manufacturing licensor may demand from the applicant asking for the manufacturing license or its renewal additional documents required for a decision regarding the applicant's compliance with the conditions pursuant to Section 30.
- (e) A decision on the application for the granting of a manufacturing license or its renewal will be given within 90 days from the date on which the complete application was submitted to the District Health Bureau as stated in Subsection (a), including all the documents whose enclosing with the application is required; In this regard, the submission of an application after a decision on the denial of an application for the granting of a license and in which documents attesting to the completion of the requirements given in said decision will be considered as the submission of a new application, and a decision on the new application will be given within 45 days from the date of its submission, except in exceptional circumstances where the manufacturing licensor believes that supplements are required, the nature of which does not enable the completion of the examination within the aforementioned period.
- (f) An application for renewal of a manufacturing license pursuant to Subsection (a) shall be submitted no later than 90 days before the date of expiration of the license; If the application was submitted on the aforementioned date along with the documents required for the decision and a decision was not made on the application by the date of its expiration, the license will be considered as if its validity had been extended until the date of the decision on the application.

Issuance of a manufacturing license

29. (a) A manufacturing licensor shall grant a manufacturing license to the applicant after finding that –
- (1) He complies with the conditions for food manufacturing according to this title and pursuant to Section 3;
 - (2) he complies with the instructions pursuant to Section 10(a) of the Licensing of Businesses Law;
 - (3) He, and in the corporation – he or an officer in the corporation, has not been convicted of an offense or was not indicted of an offense that, in the opinion of the manufacturing licensor, due to its nature, severity or circumstances, he is not fit to hold a license for reasons of the protection of public health; The Director of the Food Services may instruct the manufacturing licensors with respect to this section.
- (b) A manufacturing license shall indicate the type of manufacturing activity and the types of food that the holder of the manufacturing license may manufacture.
- (c) The Director of the Food Services will publish on the website a list of valid manufacturing licensees, according to the type of manufacturing activity and the type of food for which the license was issued.

Setting conditions in a manufacturing license

30. (a) A manufacturing licensor may stipulate a manufacturing license on conditions, including special conditions that are required for the manufacturing of the food for which the license is granted, to the extent that they have not been determined pursuant to Sections 3 or 49 or pursuant to Subsection (b), and subject to the provisions of Section 28(c).
- (b) The Director of the Food Services may establish guidelines regarding the conditions to be determined in a manufacturing license according to the type of food manufactured; If such guidelines are established, the manufacturing license will not stipulate conditions contrary to these guidelines, except with the approval of the Director of the Food Services.
- (c) In the event that guidelines pursuant to Subsection (b) have been established regarding a certain type of food and the manufacturing licensors wishes to stipulate the manufacturing license of the particular food on an additional condition not for a specific licensee, he will do so only with the approval of the Director of the Food Services.
- (d) Nothing in Subsections (b) and (c) shall derogate from the authority of the manufacturing licensor to determine additional conditions in the license in accordance with Subsection (a) in cases where this is

required for a specific manufacturing site according to its characteristics.

- Validity period of a manufacturing license** 31.
- (e) Additional conditions regarding an existing manufacturing license will be determined in a reasoned decision in writing, after the licensee has been given an opportunity to assert his claims.
 - (a) The validity of a manufacturing license will be two years, however, when renewing a license, the marketing licensor may renew it for a period of three to five years, and all taking into account, *inter alia*, the type of food manufactured, the type of manufacturing activity, the scope of manufacturing, the question of whether he holds good manufacturing certification or a permit for using a good manufacturing practices symbol, the quality control systems he employs, the period during which the licensee holds the license and his adherence to compliance with provisions pursuant to the food legislation during this period.
 - (b) Notwithstanding the provisions in Subsection (a), the manufacturing licensor may, in a reasoned decision, determine that the period of the license or a renewed license, as applicable, will be shorter than what is stated in Subsection (a), but that will be no less than three months, if he deems it necessary for the protection of public health.
 - (c) The Director of the Food Services may instruct the manufacturing licensor on decisions pursuant to this section.
 - (d) The Minister may establish provisions regarding the validity period of licenses renewed pursuant to Subsection (a), including according to the type of food or the type of manufacturing activity.
- Record keeping by a manufacturer for traceability purposed** 32.
- (a) The Minister, with the approval of the Committee, may determine the documents and the details of the documents, including tests, specifications and certificates, required for the traceability of the food, to be kept by the manufacturer from the stage of raw materials used to manufacture the food at all stages of manufacturing and the stages when the food is in his possession and as long as the food has not been transported for sale; Such regulations may establish different requirements regarding certain types of food, taking into account, *inter alia*, the conditions of their manufacturing, transportation and storage.
 - (b) A manufacturer shall keep the documents required pursuant to Subsection (a), regarding all batches of food he manufactured, for a period of no less than one year from the date of the end of the shelf life of the food or, in the absence of an indication of such a date

– one year from the date of transfer of the food to another as specified in the shipping certificate.

Duty to report changes in documents 33.

In the event of a change in the documents included in the application for a manufacturing license as defined in Section 28, the applicant or the manufacturing licensee, as applicable, shall report the change to the District Health Bureau in which he submitted the application for a manufacturing license, as soon as possible and no later than 14 workdays.

Restriction of a manufacturing license, its suspension, revocation, refusal to renew it or reduction of the activity permitted thereunder 34.

- (a) A manufacturing licensor may restrict a manufacturing license, suspend it, revoke it, refuse to renew it if he finds that one of the following has occurred:
- (1) The license was granted on the basis of false information;
 - (2) The license was granted on the basis of partial, incorrect or misleading information, which had the manufacturing licensor seen it at the time the license was granted, he would not have granted the license;
 - (3) One of the conditions for obtaining the license is no longer met;
 - (4) The applicant asking for the manufacturing license or its renewal, the manufacturing licensee or an officer in a corporation that is the applicant or licensee, has violated any of the terms of the license, including an obligation, restriction or condition established pursuant to this chapter, or a provision pursuant to the food legislation;
 - (5) The manufacturing licensee or an authorized person on his behalf refused to cooperate with an investigation of a suspicion as stated in Section 36;
 - (6) The manufacturing licensee or an authorized person on his behalf, has shown a lack of competence, deficient skills or lack of professional knowledge in food legislation in a way that could lead to a public health hazard (in this paragraph – deficiency); However, the licensor shall not order the revoking of a manufacturing license, the refusal to renew it or its suspension according to this paragraph, unless he is convinced that it is not possible to establish conditions in respect thereof, the compliance with which will lead to the correction of the deficiency, including a requirement that the licensee or at least one of his senior employees undergo an appropriate training course on food quality and safety assurance, as determined by the Minister;

(7) In the event a detail has changed in the documents, forms or information provided pursuant to Section 28 which had the manufacturing licensor seen at the time the license was granted, he would not have granted the license pursuant to this title.

(b) The Director of the Food Services may instruct the manufacturing licensor on decisions pursuant to this section.

(c) Notwithstanding the provisions in Subsection (a), the manufacturing licensor may stipulate his decision on the correction of the violation within a time period to be determined, in appropriate cases, and on conditions to be determined.

The suspension period of a manufacturing license

35. An order on the suspension of a manufacturing license pursuant to Section 34 will be given for a period not exceeding three months, however, the manufacturing licensor, with the approval of the Director of the Food Services, may extend said suspension for additional periods not to exceed a total of three additional months, and he may set conditions for the termination of the suspension.

The suspension or restriction of a manufacturing license due to suspicion of non-compliance with the provisions of the food legislation

36. (a) In the event the manufacturing licensor suspects that the food for which the license was granted does not comply with the provisions established in the food legislation or the provisions established pursuant to this law, he may suspend or restrict the license until the aforementioned suspicion is clarified if this is necessary due to a fear of harm to public health or food safety.

(b) Suspension or restriction as stated in Subsection (a) will be until clarification of the suspicion, but its effect shall not exceed one month; However, the Director of the Food Services may, under special circumstances, extend this period by additional periods that shall not exceed, in total, one additional month.

Opportunity to assert claims before the suspension, revocation or restriction of a manufacturing license

37. The licensor will not make a decision pursuant to Sections 34, 25 or 36, unless after the licensee was given an opportunity to assert his claims.

The immediate suspension of a manufacturing license due to fear of a serious

38. Notwithstanding the provisions in Section 37 and without derogating from the generality of the provisions in Section 34, in the event the manufacturing licensor had a reasonable basis to assume that in respect of the manufacturing licensee, one of the reasons specified in

public health hazard

Sections 34 or 36(a) are found, and believed that there was an urgent and immediate need to suspend his license after he was convinced that there was fear of a serious public health hazard, he may suspend the license immediately, with a reasoned decision, provided that he gives the licensee an opportunity to assert his claims as soon as possible after the suspension, and no later than 14 days from the date of the decision.

Delivery of notice to the manufacturing licensee

39. (a) A reasoned notice of the decision of the manufacturing licensor pursuant to Sections 34, 35, 36 or 38 will be delivered to the licensee in writing.
- (b) The Director of the Food Services may publish on the website a decision on the revocation of a manufacturing license.

Granting a manufacturing license after its revocation

40. If a manufacturing license has been revoked for the reasons detailed in Section 34, the application of the revoked manufacturing license to grant a new manufacturing license will not be considered until the end of a period of 12 months from the date of revocation; However, the manufacturing licensor may shorten this period, at the licensee's request, for reasons to be recorded.

TITLE C: GOOD MANUFACTURING CERTIFICATION

Obligation to receive good manufacturing certification

- 41.¹ (a) The Minister, subject to the provisions of Title H, may establish in the regulations that the manufacturing of a certain food or a certain type of food requires that the manufacturer obtain good manufacturing certification from the Director of the Food Services, in addition to obtaining a manufacturing license, and he may prescribe, among other things, additional conditions to the provisions of Section 42, concerning the control and supervision of the manufacturing and sale of the food or the type of food; Such regulations will be prescribed according to the recommendation of the Director of the Food Services which will be given based on risk management.
- (b) The Minister may establish instructions regarding an application for good manufacturing certification or its renewal, including the method of submitting the application, the documents that must be attached thereto, the manner of its processing, the method of revoking the certification and instructions that will apply when the certification is revoked or suspended.
- (c) The Director of the Food Services will publish on the website a list of good manufacturing certification

¹ Section 41 is replaced as of August 1, 2026. The version effective on the aforementioned date appears at the end of this document.

holders and the holders of a permit for using a good manufacturing practices symbol.

Good manufacturing certification as a condition for receiving good manufacturing certification

42. (a) The Director of the Food Services will not grant good manufacturing certification until after the applicant has submitted an application to him pursuant to Section 41, and after seeing that the additional conditions established under that section, to the extent established, are met.
- (b) A certificate from one of the entities listed below shall be attached to the application as stated in Subsection (a), indicating that the manufacturing of the food in its factory is done in accordance with accepted international standards on the basis of which the Director of the Food Services has published on the website that good manufacturing certification can be issued:
- (1) An accreditation body that has received recognition from one of the bodies listed as members of IAF - International Accreditation Forum – as being authorized to issue such certification;
 - (2) A governmental authority in Israel authorized by law to issue such certification.
- (c) The Minister will establish regulations regarding control and supervision of the bodies as stated in Subsection (b)(1) in accordance with the regulation of the European Union.

Validity of good manufacturing certification

43. The validity of good manufacturing certification will be for two years, however, when renewing the certification, the Director of the Food Services may renew it for a period of three to five years, and all taking into account, *inter alia*, the type of food manufactured, the type of manufacturing activity, the scope of manufacturing, the period during which the licensee holds the certification, the period set for the manufacturing license he holds and his adherence to compliance with provisions pursuant to the food legislation during this period.

Revocation, suspension or refusal to renew good manufacturing certification

44. (a) The Director of the Food Services revoke, suspend or refuse to renew good manufacturing certification if he finds that one of the following has occurred:
- (1) The certification was granted on the basis of false information;
 - (2) The certification was granted on the basis of partial, incorrect or misleading information, which had the Director of the Food Services seen it at the time the certification was granted, he would not have granted the certification;
 - (3) One of the conditions for obtaining the certification is no longer met;

- (4) The applicant asking for the certification or its renewal, the certification holder or an officer in a corporation that is the applicant or the certification holder, has violated any of the terms of the certification, or a provision pursuant to the food legislation or has ceased from complying with said term or provision;
 - (5) The manufacturing licensee or an authorized person on his behalf in charge of manufacturing, has shown a lack of competence, deficient skills or lack of professional knowledge in food legislation in a way that could lead to a public health hazard (in this paragraph – deficiency); However, the Director of the Food Services shall not order the revoking of certification, the refusal to renew it or its suspension according to this paragraph, unless he is convinced that it is not possible to establish conditions in respect thereof, the compliance with which will lead to the correction of the deficiency, including a requirement that the certification holder or at least one of his senior employees undergo an appropriate training course on food quality and safety assurance, as determined by the Minister;
 - (6) In the event a detail has changed in the application for receipt of the certification or in the documents attached thereto, which had the Director of the Food Services seen at the time the certification was granted, he would not have granted the certification.
- (b) Notwithstanding the provisions in Subsection (a), the Director of the Food Services may stipulate his decision on the correction of the violation within a time period to be determined, in appropriate cases, and on conditions to be determined.
 - (c) The provisions of Sections 35 and 37 to 40 shall apply to the revoking, suspension or refusal to renew certification as stated in Subsection (a), *mutatis mutandis*.

Reporting to the Director on changes in details 45.

If any of the details in the application for good manufacturing certification or in the documents attached thereto have changed, including the revoking of certification attached to the application as stated in Section 42, the holder of the good manufacturing certification shall report the matter to the Director of the Food Services as soon as possible and no later than within 14 workdays.

Permit labeling with a food good 46.

(a) A manufacturing licensee may request the Director of the Food Services for a permit to label food with the good manufacturing practices symbol, even if the food he manufactures does not require the obtaining of

manufacturing practices symbol

good manufacturing certification pursuant to Section 41.

- (b) Certification pursuant to this section can only be granted after the conditions specified in Section 42 have been met.
- (c) The provisions of Sections 42 to 45 shall apply, *mutatis mutandis*, to an application submitted pursuant to Subsection (a) and the certification granted pursuant thereto.

Use of a good manufacturing practices symbol

47. A person shall not label food with the good manufacturing practices symbol, unless he has good manufacturing certification pursuant to Section 41 or has a permit to use the good manufacturing practices symbol pursuant to Section 46.

Good manufacturing practices symbol

48. The Minister will determine the appearance of the good manufacturing practices symbol, and he may determine instructions regarding its shape, size, content, characteristics and method of marking.

TITLE D: REGULATIONS CONCERNING THE MANUFACTURING OF FOOD

Regulations concerning the manufacturing of food

49. The Minister, with the approval of the Committee, may prescribe regulations regarding –

- (1) An application for a manufacturing license or its renewal, including the manner in which it is submitted, the documents that must be attached thereto and the manner in which it is processed;
- (2) Determining conditions for the granting of a license and conditions in the license, and the aforementioned determination may take into account the classification of licenses according to the types of food manufactured or according to the types of manufacturing activity;
- (3) Conditions regarding the joining together, in a wrapper or in another way, several packages of food products, marked and prepackaged by the manufacturer, provided that they do not require keeping at a controlled temperature;
- (4) Conditions regarding the manufacturing of unique food and its labeling;
- (5) Conditions for receiving good manufacturing certification, submitting an application for good manufacturing certification or renewing it (including the matter of the method of submitting the application, the documents that must be attached thereto, the manner of its processing, rules and conditions regarding the revoking of the certification and the method of its revoking, and provisions that will apply when the

certification is revoked or suspended, as well as regarding the provisions concerning control and supervision of the manufacturing and sale of the food by those with good manufacturing certification.

CHAPTER D: REGULATION THE IMPORT OF FOOD

TITLE A: IMPORTER'S OBLIGATIONS

- | | | |
|---|--------|--|
| Importer's obligations | 50. | No person shall import food, unless the requirements pursuant to the food legislation are met and the provisions of this law are met. |
| Holding registered importer certificate and compliance with its conditions | a 51. | (a) A person shall not import food, unless he holds a valid registered importer certificate.
(b) A person shall not import food, unless the food he imports meets the conditions set forth in the registered importer certificate. |
| Importing food whose manufacturing requires good manufacturing certification | 52. | (a) A person shall not import food whose manufacturing is determined, pursuant to Section 41, as requiring good manufacturing certification, unless he holds a certificate indicating that the food was manufactured under good manufacturing practices.
(b) Certification for the manufacturing of the imported food as mentioned in Subsection (a), can be given by any one of the following:
(1) One of the entities listed in Section 42(b);
(2) A governmental authority outside of Israel that is authorized by law in Israel to issue such certification, which the Director of the Food Services recognized with respect to this matter.
(3) The Director of the Food Services shall enact rules for the recognition of a government authority outside of Israel as stated in Subsection (b)(2) in accordance with custom in developed countries, including rules regarding the areas in which said authority will be recognized for the purpose of granting approval, and bearing in mind developed countries that allow imports into their territory based on the certification of said government authority; A list of bodies recognized according to the aforementioned subsection will be published on the website. |
| Import regular food | of 53. | A person shall not import regular food, unless –
(1) He has confirmation of receipt of a declaration;
(2) He imports the food in accordance with the provisions regarding regular food in this chapter. |

Import of sensitive food 54.

- (a) A person shall not import sensitive food unless –
- (1) He has prior approval for importation of the sensitive food, and he meets the requirements specified in the prior approval for importation;
 - (2) He imports the food in accordance with the provisions regarding sensitive food in this chapter.
- (b) The Minister, in consultation with the Minister of the Economy, may establish obligations, reliefs, restrictions and additional conditions that will apply to importers of sensitive food, all while paying attention to the need to ensure the safety, integrity and quality of food and to maintain public health; Regulations regarding this subsection may be established with respect to certain sensitive food or types of sensitive food, and all on the basis of risk management regarding said food.

Importing food on the European track 54A.

- (a) A proper importer may import food, with the exception of the food listed in the Twelfth Schedule, other than pursuant to the provisions of Sections 53 or 54, as applicable, provided that he has confirmation of receipt of a declaration from a proper importer regarding the import of food on the European track according to Title D1 and he imports the food in accordance with the provisions regarding food on the European track in this chapter.
- (b) A proper importer importing food on the European track must comply with all of the following, regarding the aforementioned food:
- (1) Maintain quality control and self-safety processes in accordance with international standards (accepted in developed countries);
 - (2) Digitally store a product file for each food shipment, for a period of no less than seven years from the date of release of the last shipment of said food; For this purpose, "product file" – the documents and details required pursuant to Sections 79D, 84 and Title F of this chapter;
 - (3) Digitally store a list of the food business operators to whom he delivered the food (directly), for a period of no less than seven years;
 - (4) Document complaints he received regarding harm or fear of harm to human health from food on the European track he imported and keep the documentation digitally for a period of no less than seven years from the date of receipt of the complaint;

- (5) Keep digital records on the performance of his duties pursuant to Section 164 regarding harmful food, for a period of no less than seven years;
- (6) Notify the Director of the Food Services without delay, through the website, of any case as stated in Section 164(b), and take the necessary measures according to the provisions of Title C of Chapter G regarding the prevention of a public health hazard from the food.

Importing food prohibited or restricted for import, under personal importation

55. No person shall import through personal importation food that the Director of the Food Services has prohibited from importing through personal importation pursuant to the Import and Export Ordinance or in violation of the restrictions established I respect thereof, including restrictions on the amount of said food that can be imported through personal importation, to the extent established; The Director of the Food Services will publish in the official Gazette and on the website a list of certain foods or types of food that are prohibited or restricted for personal importation, and of the established restrictions.

Exemption for the importation of a specific food

56. The provisions of this chapter shall not apply to the importation of any of the following types of food, which requires an import permit pursuant to the Animal Diseases Ordinance, and all without derogating from the provisions of the food legislation with respect thereof:

- (1) Fresh eggs and in their shells, which have not yet undergone x-ray screening, stamping or packaging for marketing in Israel;
- (2) Raw milk.

Regulations concerning exemption for importation for a specific purpose

57. The Minister, in consultation with the Minister of the Economy, may establish conditions for granting an exemption from the requirements of this chapter, in whole or in part, including regarding certain types of use, scope or purpose and regarding the duration of the exemption, regarding the following:

- (1) Importing food for non-commercial purposes or importing food for the manufacturing of food that is not intended for commercial purposes, including food samples;
- (2) Importing food other than for human consumption;
- (3) Importing food for the purpose of any of the following:
 - (a) Export;
 - (b) Its manufacturing for export;
- (4) Importing food as part of the return of a food shipment that was exported and returned for reasons other than public health.

Breach of trust

58. (a) The Director of the Food Services or anyone he authorized to that end (in this section – the Director of the Food Services) may determine that a person who imports food or seeks to import food is in breach of trust, for a period to be determined and not to exceed one year, if it is found that one or more of the following have occurred:
- (1) He imported food or sought to import food on the basis of false or incorrect information, including using false or incorrect documents; For this matter – "documents" including a declaration regarding the importation of regular food pursuant to Section 74, an undertaking attached to such declaration pursuant to Section 77(a), confirmation pursuant to Section 84(a)(4), declaration regarding food import through the European track pursuant to Section 79A and documents pursuant to Sections 79D and 84(b1);
 - (2) He violated any of the conditions established in the regulations pursuant to Section 116 or ceased to fulfill a condition as stated and the Director of the Food Services believed that due to the nature, severity or circumstances of the violation there is a reasonable basis to determine that he is in breach of trust;
 - (2A) He breached one of the obligations applicable to him pursuant to Section 54A(b);
 - (3) A judicial or administrative proceeding is being conducted against him due to a violation of any of the provisions under this law or according to another applicable legislation regarding the importation of food and the Director of the Food Services believes that due to the nature, severity or circumstances of the violation there is a reasonable basis to determine that he is in breach of trust; For the purposes of this paragraph, "judicial or administrative proceeding" – a judicial or administrative proceeding according to law, including the imposition of an administrative sanction or an administrative warning pursuant to Chapter K, the issuing of an administrative restriction order pursuant to Section 290, or the exercise of a power listed in Sections 164(c), 166 and 167;
 - (4) He re-registered as an importer, after his previous registered importer certificate was revoked pursuant to Section 114.
- (b) The Director of the Food Services will not determine that a person who imports food or seeks to import

food is in breach of trust as stated in Subsection (a) except after giving him an opportunity to assert his claims; The decision of the Director of the Food Services will be reasoned in writing.

- (b1) In the event the Director of the Food Services determined that a person importing food or seeking to import food is in breach of trust, he will publish a notice to that effect on the website.
- (c) The Director of the Food Services may impose on the party in breach of trust additional requirements on top of the requirements of this chapter regarding the presentation of documents and the conducting of inspections, which will also apply to future shipments during the period in which he is in breach of trust, including determining the number of inspections and requiring a guarantee.
- (d) The Minister, in consultation with the Minister of the Economy –
 - (1) Shall establish, with the Committee's approval, instructions regarding the requirement of a guarantee from one who is in breach of trust according to this section and Section 93, and among other things, instructions regarding the type of guarantee, its conditions, its amount and the conditions for forfeiture;
 - (2) May establish instructions regarding the types of inspections, their frequency and number that will apply to one who is in breach of trust.

TITLE B: DECLARATION CONCERNING SENSITIVE FOOD

Declaration concerning sensitive food

- 59.
- (a) The Minister may declare a certain food or type of food, including food imported from or manufactured in a certain area, or food containing a certain component or substance, as a sensitive food (in this law – declaration regarding sensitive food), and he may set conditions for such declaration; The aforementioned declaration will be given pursuant to the recommendation of the Director of the Food Services, based on risk management.
 - (b) The declaration concerning sensitive food will be published in the Official Gazette and on the website, and will be sent via e-mail to registered importer certificate holders whose address is listed in the Importers Registry or to members of the public who have registered on the website to receive updates on declarations concerning sensitive food via e-mail (in this title – electronic distribution list of stakeholders).

Notice of an intent to declare a food as being sensitive food

60. (a) At least 60 days prior to the declaration concerning sensitive food, the Minister will publish a notice of intention to declare food as being sensitive food pursuant to Section 59(a).
- (b) Notice as stated in Subsection (a) shall include the main reasons for the declaration, and the way to submit comments regarding said declaration, including an e-mail address for submitting comments; The notice will be published on the website and sent to the electronic distribution list of stakeholders.

Entry into force of the declaration

61. A declaration concerning sensitive food will enter into force at the end of 60 days from the date of its publication in the Official Gazette, unless one of the following has occurred:
- (1) An earlier date of entry into force is established in the declaration, in exceptional circumstances that will be recorded, provided that it is not before the date of publication of the declaration in the Official Gazette;
- (2) In the event that a temporary declaration regarding sensitive food was given in respect of food pursuant to Section 62, immediately before the declaration according to this section, the declaration pursuant to this section will enter into force continuously immediately after the end of the temporary declaration, unless otherwise stipulated in the aforementioned declaration;
- (3) A later date of entry into force is determined in the declaration.

Temporary declaration regarding sensitive food

62. (a) Notwithstanding the provisions of Sections 59 to 61, the Director of the Food Services may declare, temporarily, that food is a sensitive food (in this section – temporary declaration), in cases where he believes that there is an urgent need for such declaration due to fear of harm to public health and he may set conditions for a temporary declaration.
- (b) A temporary declaration will be for a period not exceeding three months, and the Director of the Food Services may extend the effect of the temporary declaration for additional periods if he believes that the need for the declaration requires it, provided that the total additional periods do not exceed six months.
- (c) A temporary declaration will be published by the Director of the Food Services in the Official Gazette and on the website, and will be sent to the electronic distribution list of stakeholders.
- (d) A notice on the extension of a temporary declaration will be published in the Official Gazette three weeks before the end of the previous temporary declaration,

and will be sent to the electronic distribution list of stakeholders.

- (e) The temporary declaration will enter into force upon its publication in the Official Gazette or at a later date determined therein, however, the Director of the Food Services may give the quarantine station instructions according to which the food must be treated as sensitive food from the moment of a decision on the matter, even before publication in the Official Gazette, provided that the temporary declaration was published on the website pursuant to Subsection (c).

TITLE C: PRIOR APPROVAL FOR THE IMPORTATION OF SENSITIVE FOOD

Request for the issue of prior approval for importation

- 63. (a) In order to obtain prior approval for importation, or to renew said approval, a registered importer shall submit to the Director of the Food Services or the Food Services employee he authorized to that end (in this title – the approval grantor) a request in accordance with the provisions of Section 64.
- (b) A decision on a request for prior approval for importation will be given within 45 days from the date on which the request was submitted together with all the required documents and the details required pursuant to Section 64(a)(2) (in this section – the documents).
- (c) An application for the renewal of prior approval for importation was submitted at least 45 days before the expiration of the approval but not earlier than 90 days before its expiration, along with the documents, and no decision was made until the expiration date, the prior approval will be considered as if its effect has been extended until the date of a decision on the application.
- (d) Notwithstanding the provisions of Subsections (b) and (c), the approval grantor may delay processing the request if he finds that all the documents have not been attached, until they are attached within a deadline to be determined, and if they are not attached by the aforementioned date – he may deny the request.

The conditions for receipt of prior approval for importation

- 64. (a) Prior approval for importation will be given to the applicant who meets all of the following:
 - (1) He is a registered importer, unless he is exempt pursuant to Section 57;
 - (2) He provided all the documents and details determined according to Section 116(3) that attest to the sensitive food's compliance with the

requirements according to the food legislation and the connection to the food manufacturer;

(3) He paid the fee specified in the Tenth Schedule for the submittal of the application.

(b) No prior approval for importation will be given, and no such approval will be renewed, for food that does not meet the requirements according to the food legislation.

Duty to notify changes in the documents

64. In the event of a change in any of the documents or details provided by the importer pursuant to Section 64(a)(2), the importer shall report the change to the approval grantor in writing, as soon as possible and no later than within seven workdays.

Determining professional obligations in the prior approval for importation

66. The approval grantor may order in the prior approval for importation that the food shipment be tested in a laboratory in Israel upon arrival at the quarantine station, with the types of tests detailed in the approval, and that an organoleptic test be performed thereon, and he may also determine additional professional instructions required for a certain type of sensitive food, taking into account, among other things, the accepted arrangements in developed countries in the field of food; For this matter, "organoleptic test" – test of smell, appearance, texture and taste.

The effect of a prior approval for importation

(a) The effect of a prior approval for importation will be for a period of one to six years, according to the importer's request.

(b) Notwithstanding the provisions in Subsection (a), the approval grantor may grant the approval for a period shorter than that requested, which shall be no less than one year except in exceptional circumstances, taking into account, among other things, the type of food, the scope of the importation by the importer, the period during which he holds the approval and his adherence to compliance with provisions pursuant to the food legislation during this period.

Restricting, suspending, revoking or refusal to renew a prior approval for importation

68. The approval grantor may restrict, suspend, revoke, or refuse to renew prior approval for the importation of sensitive food, after giving the approval holder an opportunity to assert his claims, if he finds that one of the following has occurred:

(1) The approval was granted on the basis of false information;

(2) The approval was granted on the basis of partial, incorrect or misleading information, which had the approval grantor seen it at the time the approval was granted, he would not have granted the approval;

- (3) One of the conditions for obtaining the approval is no longer met;
- (4) The approval holder has violated any of the terms of the approval, or a provision pursuant to the food legislation, including an obligation, restriction or condition for use of the approval established pursuant to this chapter;
- (5) The approval holder or an authorized person on his behalf refused to cooperate with an investigation of a suspicion as stated in Section 70(a);
- (6) The approval holder is in breach of trust pursuant to Section 58;
- (7) The approval holder or an authorized person on his behalf in charge of the import, has shown a lack of competence, deficient skills or lack of professional knowledge in food legislation in a way that could lead to a public health hazard (in this paragraph – deficiency); However, the approval grantor shall not order the revoking of a prior approval for importation, the refusal to renew it or its suspension according to this paragraph, unless he is convinced that it is not possible to establish conditions in respect thereof, the compliance with which will lead to the correction of the deficiency, including a requirement that the approval holder or at least one of his senior employees undergo an appropriate training course on food quality and safety assurance, as determined by the Minister;
- (8) In the event a detail has changed in the documents or information provided pursuant to Section 64(a)(2) which had the approval grantor seen at the time the approval was granted, he would not have granted the approval.
- (9) One of the following is met:
 - (a) The approval holder has been convicted of an offense which, due to its nature, severity or circumstances, he does not deserve, in the opinion of the approval grantor, to receive prior approval for importation, for reasons of protection of public health;
 - (b) The approval holder, and if it is a corporation – it or an officer thereof, has been convicted of an offense related to his occupation and which due to its nature, severity, or circumstances, do not deserve, in the opinion of the approval grantor, to receive prior approval for importation, or an indictment has been filed against any of them for such an offense.

- Suspension of period of prior approval for importation** 69. An instruction on the suspension of an approval pursuant to Section 68 will be given for a period not exceeding three months, but the approval grantor may, in special circumstances, extend the suspension for additional periods not exceeding a total of three additional months, and he may stipulate conditions for the termination of the suspension.
- Suspension or restriction of a prior approval for importation due to suspicion of non-compliance with food legislation** 70. (a) In the event the approval grantor suspects that the food for which prior approval for importation was given does not comply with the requirements set forth in the food legislation as stated in Section 68(4), he may, after giving the approval holder an opportunity to assert his claims, suspend or restrict the prior approval for importation until the aforementioned suspicion is clarified, but for no more than a month, if it is necessary due to fear of harm to public health or food safety.
- (b) Notwithstanding the provisions of Subsection (a), the approval grantor may, in special circumstances, extend the period as stated in that subsection for clarifying the suspicion by additional periods that will not exceed a total of one additional month.
- Immediate suspension of prior approval for importation to prevent serious public health hazards** 71. In the event the approval grantor had a reasonable basis for assuming that any of the grounds mentioned in Sections 68 or 70 are met by the prior approval for importation holder, and he believes that there is an urgent need to suspend the approval in order to prevent serious public health hazard, he may suspend the approval immediately, provided that he gives the approval holder an opportunity to assert his claims as soon as possible after the suspension, and no later than 14 days from the date of the suspension.
- Giving notice to a holder of a prior approval for importation** 72. A reasoned notice on the decision of the approval grantor pursuant to Sections 68, 69, 70 or 71, shall be given in writing to the relevant prior approval for importation holder.
- Granting prior approval for importation after its revoking** 73. If a prior approval for importation has been revoked for the reasons detailed in Section 68, the request of the holder of the revoked approval for granting prior approval for a new import after the revoking will not be considered, except after the lapsing of 12 months from the date of revoking; However, the approval grantor may shorten this period, at the request of the approval holder, for reasons to be recorded.

Submitting declaration regarding the import of regular food	a 74.	<p>(a) A registered importer who intends to import a certain regular food shall submit to the Registrar a declaration regarding the import of regular food pursuant to the provisions of this title.</p> <p>(b) A declaration regarding the import of regular food shall be submitted by a registered importer, through the website, pursuant to the provisions of Section 76.</p>
Refusal to issue confirmation of receipt of a declaration	75.	Confirmation of receipt of a declaration shall not be issued for food that does not comply with the requirements under the food legislation.
Declaration details	76.	<p>The declaration regarding the import of regular food shall include the following details:</p> <p>(1) The importer's name, address and registered importer's certificate number;</p> <p>(2) The name of the regular food that he intends to import in Hebrew and English, and the commercial name, only if it exists, and everything as it appears on the food label;</p> <p>(3) Designation of the food for one or more of these purposes: food manufacturing by a manufacturer, retail or other marketing, such as marketing to an institutional kitchen, or a purpose pursuant to Section 57 if an exemption does not apply in respect thereof;</p> <p>(4) Weight of a food unit and description of the food packaging, and if there is a variety of weights or types of packaging – details about each of them;</p> <p>(5) The name of the food manufacturer, including the country of manufacturing and the address of the food manufacturing site in the said country, and if the said food is imported through a supplier – also the name of the supplier, including the supplier's country; For the purposes of this chapter, "supplier" – a person with whom an importer enters into a contract for the supply of food for the purpose of import and who is not the manufacturer;</p> <p>(6) Whether he holds at least one of the documents mentioned in Section 97 or not.</p>
Attaching documents to a declaration	77.	<p>(a) The importer's undertaking, in the form in the Third Schedule shall be attached to the declaration regarding the import of regular food.</p> <p>(b) The submitter will attach to the declaration regarding the import of regular food documents and details determined by the Minister pursuant to Section 116(2).</p>
Online confirmation of	78.	A registered importer who submitted a declaration regarding the import of regular food pursuant to Section

receipt of a declaration

74, and paid a fee as detailed in the Tenth Schedule, will receive online the confirmation of receipt of the declaration.

The scope of the declaration

- 79.
- (a) A declaration regarding the import of regular food pursuant to Section 74 shall apply to all shipments of the food specified in the declaration, from the date of confirmation of receipt of the declaration onwards, provided that none of the following has changed:
 - (1) Any of the details pursuant to Section 76 provided by the registered importer in the declaration regarding the import of regular food;
 - (2) The composition of the food as it was at the time the declaration was submitted; In this regard, the "composition of the food" – according to a document signed by the food manufacturer regarding the composition of the food, however in the case of importing food prepackaged by the manufacturer, by an importer who has no relationship with the manufacturer as defined in Section 96, the composition of the food will be determined according to the composition marked on the original label of the food as sold in the country from which it was imported.
 - (b) If one of these occurs, the importer will submit a new declaration pursuant to the provisions of Section 76 -
 - (1) Any of the details as mentioned in paragraphs (1) or (2) of Subsection (a) has changed, with the exception of a detail pursuant to Section 76(4); However, in the event a detail has changed pursuant to Section 76(4), the importer shall submit to the Registrar a report on said change in the manner mentioned in Section 175;
 - (2) The importer has not imported a shipment of the particular food in the declaration for a period of at least two years.

TITLE D1: DECLARATION REGARDING THE IMPORT OF FOOD ON THE EUROPEAN TRACK

Submittal of a declaration regarding the import of food on the European track

- 79A.
- (a) A proper importer who intends to import food on a certain European track shall submit to the Registrar a declaration regarding the import of food on the European track according to the provisions of this title.
 - (b) A declaration regarding the import of food on the European track will be submitted through the website, pursuant to the provisions of Sections 79C and 79D.

Condition for confirmation of

- 79B. No confirmation will be issued of receipt of a declaration submitted by a proper importer of food on the European

receipt of a declaration submitted by a proper importer

track that does not meet the requirements pursuant to the food legislation.

The details to be included in the declaration

79C. The declaration regarding the import of food on the European track will include the details listed in Section 76(1) to (5).

The documents to be attached to the declaration

79D. The importer will attach all of the following to a declaration regarding the import of food on the European track:

- (1) The importer's undertaking in the form appearing in Third Schedule A;
- (2) Undertaking that the importer is carrying out all of the actions required as specified in Section 54A(b);
- (3) One or more of the documents listed in paragraphs (1), (2), (3) or (5) of Section 97, however, the authorized body in the matter of the said documents, including in the matter of free sale certificate, will be the authorized body in the country in the European Union;
- (4) One of these regarding the food:
 - (a) A sales invoice to a European retailer or from a European retailer;
 - (b) A delivery note to a European retailer;
 - (c) Free sale certificate issued by a competent authority in a country in the European Union;
 - (d) Regarding the person who attached pursuant to paragraph (3) any of the documents as mentioned in Section 97(1) to (3) – the food manufacturer's declaration about the food's compliance with the requirements of the European Union regulation.
- (5) Any additional document determined by the Minister by order on the recommendation of the Exceptions Committee pursuant to Section 313A.

Online confirmation of receipt of a declaration from a proper importer

79E. A proper importer who submitted a declaration regarding the import of food on the European track pursuant to Section 79A, and paid a fee as detailed in the Tenth Schedule, will receive online the confirmation of receipt of declaration of a proper importer.

The scope of the declaration regarding the import of food on the European track

79F. (a) A declaration regarding the import of food on the European track pursuant to Section 79A shall apply to all shipments of the food specified in the declaration, from the date of confirmation of receipt of the declaration onwards, provided that none of the following has changed:

- (1) Any of the details pursuant to Section 79C provided by the proper importer in the declaration regarding

the import of food on the European track, except for a detail pursuant to Section 76(4);

- (2) The composition of the food as it was at the time the declaration was submitted; In this regard, the "composition of the food" – according to a document signed by the food manufacturer regarding the composition of the food.
- (b) If one of these occurs, the importer will submit a new declaration pursuant to the provisions of Section 79A:
- (1) Any of the details as mentioned in paragraphs (1) or (2) of Subsection (a) has changed, with the exception of a detail pursuant to Section 76(4); In the event a detail has changed pursuant to Section 76(4), the importer shall submit to the Registrar a report on said change in the manner mentioned in Section 175;
 - (2) The importer has not imported a shipment of the particular food in the declaration for a period of at least two years.

TITLE E: CERTIFICATE OF RELEASE OF FOOD FROM A QUARANTINE STATION

- | | | |
|---|-----|---|
| Prohibition on the release of food shipments from a port without a quarantine station | 80. | <ol style="list-style-type: none">(a) A food shipment will not be released from a port that does not have a quarantine station.(b) Detailing of the ports that have a quarantine station will be published on the website. |
| Certificate of release of food from a quarantine station | 81. | An importer shall not remove a food shipment from a quarantine station unless he has received a certificate of release. |
| Prohibition on the granting of a certificate of release for food that does not comply with requirements under the food legislation | 82. | A certificate of release shall not be issued for food that does not comply with requirements under the food legislation. |
| Request for the receipt of a certificate of release | 83. | After the food shipment leaves the country from which it was imported to Israel, a registered importer will submit an online request through the website for a certificate of release, stating, among other things, that – |

Details of the request for the receipt of a certificate of release

- 84.
- (1) Regarding sensitive food – he has a prior approval for the import that he received in respect of that food prior to the submission of the request;
 - (2) Regarding regular food – he has confirmation of receipt of a declaration that he received regarding that food prior to the submission of the request;
 - (3) Regarding food on the European track – he has confirmation of receipt of a declaration from a proper importer that he received in respect of that food prior to the submission of the request.
- (a) A request for a certificate of release for regular food will include the following details:
- (1) Details of the registered importer certificate of the importer submitting the request;
 - (2) Details of the food shipment, including the details of the shipment account, the port of arrival and the means of transport in which the shipment will arrive;
 - (3) Confirmation number of receipt of the declaration and details regarding the food in the shipment;
 - (4) Confirmation that the food in the shipment was included in the declaration regarding the importation of regular food whose details of confirmation of its receipt were provided pursuant to paragraph (3) and that the declaration's contents are true regarding the food in the shipment at the time of the shipment's arrival.
- (b) A request for a certificate of release for sensitive food shall include the details mentioned in Subsection (a)(1) and (2), as well as any additional details stipulated in the regulations pursuant to section 116(8).
- (b1) A request for a certificate of release for food on the European track will include the following details and documents:
- (1) The details of the applicant's registration certificate as a proper importer;
 - (2) The details of the food shipment, including the details of the shipment account, the port of arrival and the means of transport in which the shipment will arrive;
 - (3) Confirmation number of the receipt of the statement from a proper importer regarding food on the European track and details regarding the food in the shipment;
 - (4) Confirmation that the food in the shipment was included in the declaration whose details of

confirmation of its receipt were provided pursuant to paragraph (3) and that the declaration's contents are true regarding the food in the shipment at the time of the shipment's arrival;

(5) The details and documents listed in Third schedule B.

(c) For the submittal of a request for a certificate of release, a fee will be paid as detailed in the Tenth Schedule, and in the case of food that is a meat product – pursuant to the provisions of Section 216(b).

Issue of a certificate of release for regular food and food on the European track

85. A certificate of release for a shipment of regular food or a food shipment on the European track, as applicable, shall be given online no later than the workday following the day of receipt of the request, unless –

(1) During a period when the online system is not active or working properly, then the certificate will be issued as soon as possible;

(2) With respect to a food shipment requiring inspection pursuant to Section 86 or 87.

Inspection of a food shipment at a quarantine station as a condition for the issue of a certificate of release

86. (a) A food shipment will be inspected, in whole or in part, by an inspector at the quarantine station, as a condition for issuing a certificate of release, if one of the following occurs:

(1) The shipment, in whole or in part, includes sensitive food that is not food on the European track;

(2) The importer stated in the declaration regarding the import of regular food pursuant to Section 74 that he does not have a document from among the documents listed in Section 97 or did not provide the full address of the manufacturing site, pursuant to Section 76(5);

(3) A proactive inspection is required in accordance with the instructions of the Director of the Food Services pursuant to Subsection (b);

(4) A random inspection is conducted, which will not exceed five percent of all shipments, on an annual basis.

(b) The Director of the Food Services may order –

(1) A proactive inspection of a food shipment according to his professional judgment based, among other things, on risk management and data in his possession regarding the importer, the food manufacturer, the country of origin or the particular food, including the disqualification of the food shipment for import or export by another country, or based on the receipt of information from another

country or from an international organization in the field of food on preventing the marketing of the food, or on the receipt of information in any other way about a defect in the food or a violation of the food legislation in respect thereof, or about fear of a defect or violation in respect thereof;

(2) In a notice to be published on the website, on special proactive tests for a type of food, based on risk management, in exceptional circumstances, and for the purpose of preventing risks to public health, for a period to be determined, not to exceed six months, as a condition for issuing a certificate of release.

(c) In this section, "inspection" – as stated in Section 66 or in the instructions pursuant to Section 116(6).

Delay in the issue of a certificate of release due to the need to carry out inspection of the food 87.

A certificate of release will not be issued if the inspector at the quarantine station ordered an inspection pursuant to Section 86 and said inspection has not yet been carried out; However, an inspector may order the inspection to be carried out after issuing a certificate of release and subject to the conditions set forth in the certificate of release, including regarding the performance of the inspection.

Delay in the issue of a certificate of release for food whose import is prohibited under another law 88.

If the Director of the Food Services, the person authorized by him or an inspector at the quarantine station, learns that a request has been submitted for a certificate of release regarding food that is in the quarantine station and a suspicion has arisen in respect thereof that it is food that is prohibited from being imported by virtue of enactment that is not pursuant to the food legislation, he will notify the fact to a customs official as defined in the Customs Ordinance, as soon as He will be informed of this, without delay, and he may, in exceptional cases, delay the processing of the request until confirmation from the customs official that the party responsible for the relevant enactment has agreed to it.

Issue of certificates for food in which a non-material and rectifiable defect has been found 89.

Notwithstanding the provisions of Sections 64(b), 75 and 79(b), the Director of the Food Services or anyone he has authorized to that end, may approve the issuance of a certificate, with the exception of a registered importer's certificate, for food that is found to have an immaterial defect that can be rectified at the discretion of the Director of the Food Services in a manner that does not endanger the public health and food safety, provided that the certificate stipulates conditions guaranteeing the rectifying of the defect in the aforementioned manner.

Issue of a certificate of release provided requirements 90.

(a) An importer may complete the requirements of the provisions on adjusting the labeling and documents to the food (as detailed below), before removing the food

are met prior to removal of the food from the warehouse

from the warehouse listed in his registered importer's certificate, and subject to the conditions below:

- (1) Regarding regular food, unless stipulated otherwise in the said certificate – the provisions of Sections 15, 95 and 96, and regarding regular food that was imported via the European track – the provisions of Section 15;
 - (2) Regarding sensitive food, including sensitive food that was imported via the European track, if he received permission to do so in the said certificate – the provisions of Section 15.
- (b) The provisions of this section do not detract from the importer's obligation to comply with labeling requirements that are not pursuant to the food legislation.

The powers of the Director of the Food Services to issue a certificate of release for food that does not comply with certain requirements

91. Notwithstanding the provisions of Section 82, the Director of the Food Services or anyone he authorized to that end may –

- (1) Issue a certificate of release for the food shipment, even though it does not meet the requirements pursuant to the food legislation regarding labeling or packaging, if the violations are spelling or typographical errors or minor matters, do not relate to the material properties of the food, its identification or the identification of the food manufacturer, and do not pose a danger the public health or create a fear of significantly misleading the consumer, and the rectifying of the violation will place a significant burden on the importer, and he may stipulate conditions in the aforementioned approval;
- (2) Issue a certificate of release for the shipment in which the food does not meet the requirements pursuant to the food legislation regarding marking, packaging, keeping documents or laboratory test results, provided that he stipulates conditions in the certificate of release to ensure that the aforementioned requirements are met before the shipment is removed from the warehouse specified in the registered importer's certificate;
- (3) Issue a certificate of release for a food shipment that was exported and returned for reasons other than public health, as stated in Section 57(4), and he may stipulate conditions in the certificate.

An inspector's powers at a quarantine station regarding food

92. In the event a certificate of release for food was not issued due to non-compliance with the requirements as mentioned in Section 82, the following instructions will apply:

in which a non-material and rectifiable defect has been found

- (1) If an inspector finds that the defect in the food is non-material and can be rectified in a way that does not endanger the public's health or the safety of the food, he may, with the approval of the Director of the Food Services or anyone he has authorized to that end, give the importer instructions on how to rectify the defect before releasing it; If the defect is rectified in accordance with the aforementioned instructions, the importer will report the fact to the inspector, and the inspector may issue a certificate of release if he finds that after the rectifying the food meets the conditions for issuing a release certificate;
- (2) If an inspector finds a defect as stated in paragraph (1) and believes that the defect can be rectified in the manner stated in that paragraph, and subject to conditions he shall stipulate that the defect will be rectified in the importer's warehouse, he may stipulate the issuance of the certificate of release on the conditions he determines, including a requirement that the food be made available for inspection after the rectifying, before the shipment is removed from the warehouse;
- (3) If an inspector finds that the defect in the food is material or cannot be rectified, he may allow the shipment to be returned to the port of origin or to be sent to another destination outside of Israel, at the importer's choice, according to the conditions he shall instruct; This does not derogate from the powers under this law to order the destruction of the food.

Guarantee for fulfilment of conditions or requirements 93.

Conditions pursuant to Sections 87 to 92 may include, inter alia, a demand for a guarantee for fulfilment of the requirements and compliance with the conditions.

TITLE F: RECORD KEEPING BY THE IMPORTER

Record keeping by the importer 94.

- (a) An importer shall keep the documents and details as stipulated in Section 116(4) and the documents and the details specified according to this title, for each food shipment for which a certificate of release has been issued, for a period of no less than one year from the date of the end of the shelf life of the food, and in the absence of a labeling of such a date – one year from the date of the transfer of the food to another, as indicated on the date of the food delivery note.
- (b) Notwithstanding the provisions of Subsection (a), regarding record keeping with respect to food on the European track, the provisions of Section 54A(b) shall apply, in the period mentioned in that section.

Keeping packaging and labels with respect to prepackaged food

95. (a) An importer of prepackaged food shall keep a photocopy or a computerized scan of the food packaging as it is sold outside of Israel, and as it will be marketed in Israel in accordance with the requirements of the food legislation.
- (b) If the label was not part of the food packaging as stated in Subsection (a), the importer shall keep the manufacturer's original label as marked by the manufacturer, on the food as it was sold outside of Israel, in the manner stated in Subsection (a), and if the aforementioned label was not in Hebrew – also the label in Hebrew as indicated by the importer on the food for the purpose of marketing it in Israel.

C. An obligation has been established according to this law to mark the food packaging with a code, the importer shall also keep a document () detailing the decoding of the code.

Laboratory tests

96. (a) A food importer shall check with respect to each of the batches in the shipment that an inspection has been carried out indicating that the food complies with the requirements applicable to it according to the food legislation and according to the instructions given by the Director of the Food Services under this chapter.
- (b) A food importer shall retain, for each of the batches in the food shipment, the results of an inspection conducted as stated in Subsection (a).
- (c) Notwithstanding the provisions of Subsections (a) and (b), an importer who has a relationship with the food manufacturer, either directly or through a supplier who has a direct relationship with the food manufacturer, may check the food's compliance with the requirements applicable to it according to the food legislation and according to instructions given by the Director of the Food Services under this chapter through documents pursuant to paragraphs (1) and (2) below, and will keep these documents:
- (1) A document signed by the manufacturer indicating the composition of the food; Regarding food that is manufactured with a different composition especially for the purpose of sale in Israel, the document will also include a confirmation by the manufacturer that the food is manufactured specifically for the purpose of export to Israel;
- (2) A document signed by the manufacturer, declaring that the batches in the shipment comply with the specifications of the food in the shipment, as determined by the manufacturer, or test results as stated in Subsection (a) regarding at least one of the batches in the shipment.

(d) Notwithstanding the provisions of Subsection (a), an importer of regular food or food on the European track that is fresh agricultural produce, or a product listed in the Fourth Schedule, which is marketed in bulk and is not intended for retail marketing, may keep, regarding the food in the shipment, specifications from the marketer from which he received the food, instead of the test results pursuant to Subsection (a).

(e) In this section – "testing" – a test conducted by the food manufacturer, a laboratory in Israel or a laboratory approved or recognized by one of the bodies as stated in Sections 42(b) or 52(b)(2)

"Specification" – a document describing the quality and safety features of the food and its composition, in accordance with the requirements pursuant to the food legislation that apply to the food in these matters or the instructions of the Director of the Food Services pursuant to Section 101.

**Keeping records
pertaining to the
manufacturer** 97.

A food importer who stated in a declaration regarding the importation of regular food pursuant to Section 74 that he has one of the documents below, shall keep at least one of them:

- (1) Confirmation that the manufacturing of the food is supervised by an authorized party in the country of manufacturing, issued by that authorized party;
- (2) Free sale certificate;
- (3) A health certificate issued by an authority authorized to issue such a certificate in the manufacturing country even if it is called by a different name;
- (4) (Deleted);
- (5) Certification as stated in Section 52 indicating that the food was manufactured under adequate manufacturing conditions in the country of manufacturing.

**Keeping
translation
of
documents** a 98.

- (a) If a document that the importer is required to keep pursuant to the provisions of this chapter is not in Hebrew or English, the importer shall also keep a translation of said document into one of the said languages.
- (b) Notwithstanding the provisions of Subsection (a), regarding a label pursuant to Section 95 that is not in Hebrew or English, the importer shall retain a notarized translation, unless he has a Hebrew or English translation of the label by the manufacturer, and a statement by the manufacturer that said translation corresponds to the content of the original label.
- (c) Notwithstanding the provisions of this section, an inspector may require a notarized translation of a

document, if he deems that this is required to complete an audit he conducted.

Retaining a list of food business operators to whom the food was transferred directly 99. A food importer shall retain a list of food business operators to whom the food was transferred directly.

Retaining shipping documents 100. An importer shall retain the following documents, with respect to each shipment:

- (1) Sales invoice;
- (2) Import declaration as defined in the Customs Ordinance;
- (3) A delivery note, within its meaning in Section 18 of the Customs Ordinance;
- (4) Confirmation of receipt of a declaration regarding regular food, confirmation of receipt of a declaration from a proper importer or prior approval for import, as applicable.
- (5) Certificate of release.

Retaining additional documents 101. The Director of the Food Services may order the importer of a certain type of food to keep additional documents required to prove that the food and its packaging meet the requirements pursuant to the food legislation, provided that no requirements have been established for this type of food for retaining additional documents pursuant to Section 116(4).

TITLE G: REGISTERING OF IMPORTERS

Registering of importers 102. (a) The Director of the Food Services will appoint, from among the Food Services employees, a food importers registrar.

(b) The Registrar will manage an Importers Registry, in which he will register food importers.

(c) The Registrar will issue a registered importer certificate to those who are registered in the Importers Registry.

Application for registration of an importer 103. (a) An applicant wishing to register or renew registration in the Importers Registry shall submit to the Registrar an application pursuant to Subsection (b), together with the documents and details detailed in this section.

(b) The application will include all of the following:

- (1) The applicant's full name, address, contact methods, including his e-mail address;

- (2) A copy of his identification certificate and his authorized dealer certificate, if he is an individual or a copy of his certificate of incorporation under Israeli law, if he is a corporation;
- (3) The address of the warehouse where the food will be stored pursuant to Section 104 and its details, together with one of the following, as applicable: a copy of the warehouse's business license, a copy of the warehouse owner's storage license, a copy of the manufacturing license containing a permit for storage or a copy of the engagement with the warehouse owner or licensee as stated, and all pursuant to the provisions of Section 104.

Threshold conditions for registration in the Importers Registry – compliance with provisions regarding food storage

104. A condition for registering an applicant in the Importers Registry is that one of the following is met with respect to the storage of the food he is applying to import:
- (1) The applicant holds one of these licenses, at least:
 - (a) A business license for food storage pursuant to the Licensing of Businesses Law, who has a warehouse suitable for the type of food he wishes to import (in this section – a licensed warehouse) and if he wishes to store food in refrigeration or freezing – he also holds a storage license pursuant to this law;
 - (b) A manufacturing license pursuant to this law which includes storage at a controlled temperature pursuant to paragraph (6) of the definition of "manufacturing", and he holds a warehouse suitable for the type of food he wishes to import;
 - (2) He presented an engagement with the owner of a licensed warehouse for the storage of the food products he wishes to import, who holds at least one of the required licenses as stated in paragraph (1), and if the owner of the warehouse with whom he entered into an engagement does not hold a storage license or a manufacturing license that includes storage at a controlled temperature pursuant to paragraph (6) of the definition of "manufacturing" – he received consent from the district health bureau in whose area the warehouse is located, on its lack of objection to the storage of the food products he wishes to import in the warehouse whose owner is the owner of the licensed warehouse, even though he does not hold the aforementioned license.

Special provisions regarding an application for the registration

105. (a) An importer who wishes to import food into the Territory only, is exempt from the provision of Section 104 regarding a warehouse within the Territory, and will attach to his request an undertaking to import into the Territory only.

of an importer importing into the Territories

- (b) The registered importer certificate of an importer as mentioned in Subsection (a) shall note that he is prohibited from marketing food in Israel, and the importer shall be required, as a condition for issuing a certificate of release, to present a certificate from the authorized party to confirm that a previous shipment of food to be imported, if any, was delivered to the Territory.
- (c) A registered importer who has a registered importer certificate pursuant to this section, will not be able to import food into an area other than the Territory.

Demand for additional information to examine the request for registration

106. The Registrar may demand additional documents or details to examine the compliance of the application for the registration of an importer with the conditions stipulated under this title.

Reservation to the registration of an importer

107. The Registrar will not register in the Importers Registry applicants who, and if it is a corporation – it or an officer of the corporation, has been convicted of an offense which, in the Registrar's opinion, due to its nature, severity or circumstances, he does not deserve to be registered in the Registry for reasons of safeguarding public health or if an indictment has been filed for the said offense against any of these.

Refusal to register in the Importers Registry

108. The Registrar's decision to refuse to register a person in the Importers Registry shall be reasoned.

Permit to affix labels at the warehouse in the registered importer certificate

- 109.
- (a) Notwithstanding the provisions of Section 21, the Registrar may give a registered importer a permit to affix labels on imported prepackaged food in a warehouse, if the importer has a warehouse that meets the conditions required for carrying out such affixing or if the importer has entered into an engagement with a storage licensee whose license includes a permit for affixing labels pursuant to Section 152; The importer's permit will be indicated on the registered importer certificate.
 - (b) If a permit for labeling as stated in Subsection (a) is granted, the registered importer will not be required to obtain a manufacturing license to execute said labeling.

Permit for transportation and storage at a controlled temperature

110. (a) Notwithstanding the provisions of Sections 149 and 150, the Registrar may give a registered importer a permit for transportation or storage at a controlled temperature of food requiring transportation or storage

at a controlled temperature; The permit will be indicated on the registered importer certificate.

- (b) If a permit as stated in Subsection (a) is granted, the registered importer will not be required to obtain a transportation license or a storage license, as applicable.

Stipulating conditions in the registered importer certificate

- 111. (a) The Registrar may stipulate conditions to be recorded in the registered importer certificate, change them, add thereto or detract therefrom, and all after giving the registered importer an opportunity to assert his claims.
- (b) The Registrar may instruct that professional instructions, required for a certain type of food, which the Director of the Food Services has ordered, among other things while taking into consideration the accepted arrangements in developed countries in the field of food, shall apply as conditions in the registered importer certificate of the importer importing that particular type of food.

Duty to report a change in documents

- 112. In the event of a change in the documents or details provided by the importer under Section 103, the importer shall report the change to the Registrar in writing, as soon as possible and not later than within 14 workdays.

Validity period of a registered importer certificate

- 113. (a) The validity of a registered importer certificate will be two years, and the Registrar may extend its validity for a period of three to five years, while taking into account, *inter alia*, the type of food imported, the scope of import, the question of whether the importer imports food in respect of which good manufacturing certification is required, the quality control systems he employs, the period during which he holds the certificate and his adherence to compliance with provisions pursuant to the food legislation during this period.
- (b) A request to renew a registered importer certificate pursuant to Subsection (a) shall be submitted no later than 90-days before the certificate's expiration date; If the application was submitted on the aforementioned date along with the documents required for the decision and no decision was made on the application by the expiration date of the certificate, the certificate will be considered as if its validity had been extended until the date of the decision on the application.

Restriction, suspension, revocation or refusal to renew registration in

- 114. (1) The Registrar may restrict registration in the Importers Registry, suspend it until fulfilment with conditions he shall set or for a period not exceeding one year, the earlier of the dates, revoke it or refuse to renew it if he finds that one of the following has occurred:

**the Importers
Registry**

- (1) One or more of the circumstances specified in Section 68, *mutatis mutandis*, have occurred;
 - (2) Conditions or undertakings included in the undertaking given by the importer pursuant to Section 77(a), or in the approval pursuant to Section 84(a)(4), have been violated;
 - (3) The importer's importing activity poses danger to public health;
 - (4) Conditions or undertakings included in the undertaking given by the importer pursuant to Section 79D(1) and (2), or in the approval pursuant to Section 84(a)(4), have been violated.
- (2) The provisions of Sections 71 to 73 shall apply to the Registrar's decision pursuant to this section, *mutatis mutandis*.

TITLE H: REGISTRATION AS A PROPER IMPORTER

**Registration of a
proper importer**

115. (a) The Director of the Food Services or anyone he authorized to that end (in this section – the Director of the Food Services) will register a registered importer as a proper importer and renew the registration of a registered importer as a proper importer if he finds that the importer has submitted to him all of the following:
- (1) A quality and safety control plan that the registered importer maintains, for each specific type of food he wishes to import, which includes procedures and a risk survey, with reference to the manufacturer's quality system, the composition of the food, its safety, its labeling, the conditions of its transportation, storage and sale, to ensuring traceability and to taking corrective measures to rectify defects and prevent their recurrence, and all in accordance with the quality and safety control processes set forth in accepted international standards;
 - (2) An undertaking that he will implement the plan as stated in paragraph (1) for each food shipment he imports.
- (b) The Director of the Food Services will maintain a registry of proper importers pursuant to this section (in this section – the registry) and will publish it on the website; If the Director of the Food Services entered the importer in the aforementioned registry, he will issue him a certificate of registration as a proper importer.
- (c) The decision of the Director of the Food Services will be given within ten days from the date on which the

request was submitted together with all the documents required pursuant to Subsection (a); If the decision was not made within said period, the importer will be registered as a proper importer in the registry and will be given a certificate of registration as a proper importer.

- (d) The provisions of Sections 112 to 114 will apply to the matter of a certificate of registration as a proper importer, *mutatis mutandis*, and with the following change: "the Registrar" will be replaced by "the Director of the Food Services or anyone he has authorized".

TITLE I: REGULATIONS CONCERNING THE IMPORTING OF FOOD

Regulations concerning the importing of food

116. The Minister, in consultation with the Minister of the Economy, may enact regulations in these matters concerning the importing of food, however such regulations applicable to a proper importer importing food on the European track shall be enacted with the approval of the Committee:

- (1) Additional conditions for registration in the Importers Registry, circumstances and conditions under which it will be possible to register importers in the Importers Registry, even if they do not meet the registration conditions pursuant to Section 104, and all for the sake of maintaining public health and food safety;
- (2) The required documents and conditions, in addition to the provisions of paragraph (1), for the receipt of certificates or approvals pursuant to this chapter, including –
 - (a) The documents and details that must be attached to the application for registration in the Importers Registry, to a declaration regarding the import of regular food or to a request to receive certificates or approvals pursuant to this chapter, including from the competent authorities in the country from which the food is imported;
 - (b) The conditions for issuing the certificates or approvals, as well as the conditions for their revoking, refusal to issue them, their restriction or refusal to renew them, their wording or manners of their issue;
 - (c) Regulations pursuant to this paragraph may establish requirements regarding certain types of food and their places of manufacturing, including regarding their manufacturing under good manufacturing practices, their transportation and

storage conditions, provided that any distinction between countries is made for reasons of safeguarding public health;

- (3) The documents and details that an importer must submit as an attachment to a request for prior approval for import pursuant to Section 64(a)(2) that indicate that the sensitive food complies with the requirements according to the food legislation and the connection to the food manufacturer;
- (3A) Documents that an importer must attach to the declaration regarding food import through the European track according to section 79(d)(4), which attest to the marketing of the food in a European Union country;
- (4) The documents or details required, among other things, for the purpose of tracking food or issuing a certificate of release, to be kept by the registered importer, and the methods of keeping them from the food production stage outside Israel, through the stages of its transportation and storage until its sale by the registered importer to the marketers to whom he sold the food;
- (5) The wording of the declarations and undertakings pursuant according to this chapter;
- (6) Ways of inspecting food shipments, including inspection of documents that the importer is required to keep pursuant to this law, as a condition for issuing a certificate of release, and their frequency, taking into account, among other things, the type of food imported, the scope of imports by the importer, the period during which he is registered as an importer and his adherence to compliance with provisions pursuant to the food legislation during this period;
- (7) With the approval of the Committee – conditions for importing certain types of food from certain countries as well as prohibition on the importing of certain types of food from the aforementioned countries, provided that any distinction between countries is made for reasons of maintaining public health;
- (8) Instructions regarding applications for a certificate of release, including instructions as detailed below, and he may establish different requirements regarding food groups in the shipment, different places of manufacturing or certain countries of manufacturing, provided that any distinction between countries is made for reasons of safeguarding public health:
 - (a) Special instructions regarding requests to receive a certificate of release for food from the quarantine

station, including regarding food exported from Israel and was returned to it or was disqualified for import in another country or was disqualified for export from Israel;

- (b) Ways of submitting a request to receive a certificate of release for food from the quarantine station, the details and documents that must be attached to the request, conditions under which the request can be stipulated, including regarding the manner of marketing the food, the ways of refusing to issue the certificate, providing a guarantee as security for the fulfillment of the conditions or a permit for release from the quarantine station pursuant to Sections 89 to 93;
- (9) Instructions regarding food sampling in the import process;
- (10) Conditions regarding the importing of designated food and its labeling;
- (11) Instructions regarding the obligation of a registered importer to provide information on a certain food, including the specifications of a certain food as well as test results relating to the quality and safety of food or a certain food, its transportation and storage conditions;
- (12) (Deleted).

CHAPTER D1: FOOD DESIGNATED FOR EXPORT ONLY

Conditions concerning food designated for export only

- 117. (a) Notwithstanding the provisions of Sections 4 and 20, and without derogating from the provisions of any other law, the holder of a manufacturing license may manufacture food intended for export only, which does not meet the requirements pursuant to the food legislation (in this chapter – food designated for export only), provided that the food is suitable for human consumption, and that all of the following are met:
 - (1) The food complies with the regulation in the field of food in force in the country of destination or the food was ordered by a food business operator in the country of destination;
 - (2) The licensee has provided in advance to the Director of the Food Services an export declaration pursuant to the provisions of Subsection (b);
 - (3) Without derogating from the provisions of Section 32, he keeps for the period specified in Section 32(b) the export declaration and the documents that attest to its content, and if he is a

manufacturer implementing a quality control system – also documents that prove the conditions in Subsection (b) and the implementation of a quality control system;

(4) He complies with the provisions of Sections 126 to 128.

(b) (1) The export declaration will be in accordance with the wording that will be published on the website, in which the manufacturing licenses will declare his intention to export food designated for export only, and his undertaking to take steps to ensure the separation of the food designated for export only from the rest of the food manufactured in the factory and to ensure preventing its sale in Israel;

(2) A manufacturing licensee who does not implement a quality control system shall also include the following in the export declaration:

(a) The type of food intended for export only;

(b) The changes in the specification of the food designated for export only compared to the specification of food of the same type that it manufactures and designated for sale in Israel, and if it does not manufacture food of the same type designated for sale in Israel – the specification of the food designated for export only in accordance with the order issued by the food business operator in the destination country;

(c) The measures taken at the manufacturing factory to ensure the separation of the food designated for export only from the rest of the food manufactured in the factory, to ensure the prevention of its sale in Israel, and to document the manufacturing of the food designated for export only;

(3) The export declaration will be given –

(a) With respect to a manufacturing licensee who implements a quality control system – before the start of manufacturing of food designated for export only, and at the time of renewing the said food manufacturing license;

(b) With respect to a manufacturing licensee who does not implement a quality control system – at least seven workdays before any time when he intends to start manufacturing a certain food that does not meet the requirements pursuant to the food

legislation, and for any certain food as mentioned.

(c) In this section –

"Regulation" – including enactment, standard, and directive;

"Manufacturer who implements a quality control system" – a manufacturer who has a certificate from one of the entities listed in Section 42(b), stating that he implements one of the following:

(1) ISO-22000;

(2) ISO 9001 together with HACCP;

(3) Additional accepted international standards, as will be published by the Director of the Food Services on the website.

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| Manufacturing of food designated for export only not meeting requirements concerning labeling | 118. | Notwithstanding the provisions of Section 23 and without derogating from the provisions of any other law, a manufacturing licensee may manufacture food designated for export only, even if the food does not meet the requirements according to the food legislation concerning the labeling of the food, its contents or its packaging, provided that it meets the other requirements pursuant to the food legislation. |
| Marketing of food designated for export only | 119. | A marketer may export food manufactured as stated in Sections 117 or 118, if he has taken measures to prevent the sale of said food in Israel. |
| Instructions of the Director of the Food Services concerning food designated for export only | 120. | The Director of the Food Services or anyone he has authorized to that end, at any time, even if the exporting of the food has begun, may give specific instructions to the manufacturer or marketer regarding the method of manufacturing of the food as stated in this chapter, or its sale, as applicable, and the method of separating the food from the rest of the food manufactured in the factory or sold by a marketer and preventing its sale in Israel, if he deems that this is necessary to ensure public health in Israel, and if instructions are established pursuant to Section 121(4), a separate instruction will be given pursuant to this section subject to their content. |
| Regulations concerning food designated for export only | 121. | The Minister, in consultation with the Minister of the Economy and with the approval of the Committee, may enact instructions on the following matters:
<ol style="list-style-type: none">(1) Conditions or requirements for the granting of permits, certificates or licenses by the licensor, as requested by destination countries for the purpose of export;(2) Conditions regarding export, arising from international obligations of the State of Israel; |

- (3) Exemption from duties pursuant to Chapter C or exemption for certain types of manufacturing activity or certain food, designated for export only, subject to the conditions to be established, including conditions regarding the fact that the manufacturing is for the purpose of export only;
- (4) Instructions required to ensure public health in Israel, regarding the manner of manufacturing of food designated for export only and the sale of food designated for export only, including the matter of separating food designated for export only from the rest of the food manufactured in the factory or sold by a marketer and regarding the prevention of its sale in Israel;
- (5) Instructions regarding the preservation of documents regarding the export of food designated for export only and its sale.

Reservation for fresh agricultural produce and food of animal origin 122. The provisions of this title shall not apply to fresh agricultural produce and food of animal origin and shall not derogate from the provisions of the Control of Exports of Animals Law or the Control of Exports of Plants and Plants Products Law, 5714-1954.

Retention of powers 123. The provisions of this title do not derogate from any authority given pursuant to this law in the matter of granting a manufacturing license, and from the authority given to the Director of the Food Services in the event of a danger to public health in Israel.

CHAPTER E: REGULATING THE SALE OF FOOD

Title A: Marketer's obligations

Marketer's obligations 124. A marketer shall not engage in the sale of food, unless he complies with the provisions of the food legislation applicable to the sale activity he carries out, and with the provisions of this law.

Holding a business license and compliance with its terms 125. A marketer shall not sell food unless one of the following is met:

- (1) If a business license is required – he holds a valid business license and operates in accordance with its terms;
- (2) If a business license is not required – he is registered as a corporation or operates as an authorized dealer.

Receipt of food from manufacturer holding 126. (a) A marketer will not accept food from a manufacturer who does not have a valid manufacturing license or from an importer who does not have valid registration as a registered importer.

manufacturing license or from a registered importer

- (b) The provision of Subsection (a) shall not apply to a marketer who is a registered importer regarding food that he imports to Israel; The aforementioned does not derogate from the obligations of such a marketer as an importer.
- (c) Notwithstanding the provisions of Subsection (a), a marketer may also receive food from a manufacturer or importer whose license or certificate has been revoked, suspended, or whose request for renewal has been refused, if, in the decision regarding the revoking, suspension, or refusal to renew as stated, a permit is granted for the sale of food stocks that was legally manufactured or imported before the date set in the decision, and the food that the marketer receives is part of the aforementioned stock.

Verifying the validity of a manufacturing license or an importer certificate

127. (a) A marketer will verify the validity of a manufacturer's manufacturing license or the registered importer's certificate of an importer with whom he enters into an engagement, at the following times:
- (1) At the time of the first engagement between them;
 - (2) Once a year from the date of the first engagement, unless the marketer has registered in advance on the website to receive updates on changes in the validity of manufacturing licenses or registered importer certificates, including updates on decisions regarding a permit to continue marketing stock of manufacturers or importers whose licenses or certificates have been revoked, suspended or that a request to renew them was refused.
- (b) Verification of the validity of a license or certificate pursuant to Subsection (a) shall be done by applying for confirmation from the Food Services, in one of the following ways:
- (1) Obtaining confirmation via the website, after the marketer has entered the manufacturing license number or the registered importer's certificate number, in the dealer's details as defined in Section 133;
 - (2) Obtaining written confirmation, after the marketer has sent a request to the Food Services by mail or e-mail, which includes the manufacturing license number or the registered importer's certificate number, in the dealer's details as defined in Section 133.

Receipt of food exempt from proving the existence of a

128. (a) Notwithstanding the provisions of Section 127, a marketer who has received exempt food shall keep a copy of a certificate or other valid record from the authority in charge of the type of exempt food, and

**manufacturing
license or a
registered
importer
certificate**

in the absence of said authority – shall keep other proof that the party from whom the food was received has a valid business license or is registered as a corporation or as an authorized dealer.

- (b) In this section, "exempt food" – each of the following types of food:
- (1) Food whose manufacturing is exempt from the obligation to obtain a manufacturing license;
 - (2) Food that is not the result of manufacturing activity;
 - (3) Food whose importing is exempt from the obligation to obtain a registered importer certificate.

**Duty to examine
labeling**

129. Without derogating from the provisions of Section 15(d), a marketer is responsible for ensuring the existence of the labeling details listed in the Fifth Schedule regarding prepackaged food he is selling.

**Compliance with
re requirements
of sale
regulations**

130. A marketer shall not sell food unless he complies with requirements stipulated by the Minister pursuant to Section 138.

**Exemption in
regulations from
marketer's
obligations**

131. The Minister, in consultation with the Minister of the Economy and with the approval of the Committee, may establish an exemption or relief from the provisions of this title, including for types of marketers, while noting their size, the type of sales activity they carry out and the type of food sold by them.

**Presumption
regarding
certain
provisions
applicable to a
marketer**

132. (a) It is presumed that a marketer has not violated the provisions of Sections 5(a)(1), (3) to (5) and (7)(c), 6, 7, 8, 9)b_, (d) and (e), 14(c)(2) and 18, regarding food prepackaged by a manufacturer, or imported as such by an importer, if all of the following are met:

- (1) The marketer implements a quality control system of a type listed in the list published by the Director of the Food Services on the website, or he has taken reasonable measures to ensure that the food he markets was received from a legally operating food business operator and that said food meets the requirements pursuant to the food legislation;
- (2) The marketer has taken all the measures within his control required by law to preserve the food in accordance with the other provisions of the food legislation applicable to him with respect to holding of the food, its handling and its sale;
- (3) The violation was a result of an act or omission of another, which is not under the marketer's control, or due to reliance on information provided to him

by another as mentioned, under circumstances where it was reasonable to rely on such information;

- (4) The marketer did not know and should not have known of the existence of a violation regarding the food;
 - (5) The defect in the food was not a visible defect or detectable by touch or smell.
- (b) The provisions of this section shall not apply to the matter of –
- (1) A manufacturer, importer or marketer from the Territory when marketing the food they manufactured, imported or marketed from the Territory, as applicable;
 - (2) A marketer regarding a private label product as defined in the Promotion of Competition in the Food Sector Law, 5774-2014, which is identified with it.

TITLE C: ENSURING THE TRACEABILITY OF FOOD DURING ITS TRANSPORT

Definitions

133. In this title –

"Identification of transferred food" – in accordance with the instructions established pursuant to Section 137(1);

"Food transfer" – the transfer of food between food business operators, with the exception of the following:

- (1) Transfer to or from a food business operator who is a transporter only, for the purpose of its transporting between food business operators;
- (2) Transfer of food samples for research and development purposes that are not intended for sale to consumers;
- (3) Transfer of food to a party outside of Israel as part of an export;
- (4) Transfer of food outside of Israel to an importer as part of an import;

"Exempt food" – as defined in Section 128(b);

"Operator's details" – the name of the manufacturer and his manufacturing license number or the name of the importer and his registered importer certificate number, as they appear in one of these documents, and if they did not appear in these documents – one of the documents with information that allows for an immediate linking between the document and the name of the manufacturer or importer and his license or certificate numbers:

- (1) Shipping certificate, if any, and in the case of a meat product – a shipping certificate for a meat product, as defined in Chapter H;
- (2) A transaction invoice, tax invoice or other document used for a similar purpose, even if named differently;
- (3) Regarding exempt food – one of the documents required in Section 128(a).

Regulating food traceability by the food carrier

- 134.
- (a) When transferring food, a food business operator transferring food will receive from the recipient of the food details as detailed in Subsection (b) and documents determined by the Minister pursuant to Section 137, he will record these details along with details that allow the identification of the food transferred, and will provide the recipient of the food with details as stated in Section 135.
 - (b) A food business operator transferring food will keep a copy of the shipping certificate that he gave the recipient of the food, which includes the details of the recipient of the food, including his full name, place of business, and identification number; If the delivery note does not include such identification number, the food business operator will keep the certificate along with information that allows for an immediate linking between the document and the identity of the recipient of the food; In this regard, "Identification number" – one of the following: manufacturing license number, registered importer certificate number, business license number or authorized dealer number.
 - (c) The provisions of this section shall not apply to a food business operator in retail marketing if another food business operator purchased the food from him as a consumer, without his knowledge.

Regulating food traceability by the food recipient

- 135.
- (a) When transferring food, the food recipient will receive from the food carrier his full name, place of business and his dealer details and documents determined by the Minister pursuant to Section 137, he will record these details along with details that enable the identification of the transferred food, and will provide the food carrier with details as stated in Section 134.
 - (b) If the food recipient had more than one site to which the food is intended, the food recipient must document the sites where the food he received is found, according to the identification of the food, and update the documentation if there have been changes in the location of the food; In this subsection, "documentation" – including through an inventory management system or other computerized system.

Documenting the details of the food carrier and the food recipient

136. (a) A food business operator who is required to keep documents according to this title shall keep the details and documents required pursuant to Sections 134, 135, 136 and 137, regarding each food shipment, for a period of no less than one year from the date of the end of the shelf life of the food or, in the absence of indication of such a date – one year from the date of the transfer of the food in accordance for the date on the shipping certificate and in the absence of a shipping certificate – in another document as stated in paragraph (2) in the definition of "operator's details".
- (b) Notwithstanding the provisions of Subsection (a), if a veterinary shipping certificate has been issued for the shipment of meat products, said documentation will be kept for a period of no less than six months only from the date of transfer of the food.
- (c) A large marketer will keep the documents required pursuant to Subsection (a) with respect to the inventory he holds at that time, at the place of business or in a way that allows quick access thereto.

Regulations regarding food traceability

137. The Minister, with the approval of the Committee, may establish instructions in these matters, noting the type of food business operators to which the instructions will apply:
- (1) The details required to identify the food according to this title;
- (2) Additional documents or details that must be received and kept to ensure traceability according to this title;
- (3) Relief in the requirements of Section 136 and paragraphs (1) and (2) of this section, according to types of business operators, noting their size and the type of food transferred or received by them;
- (4) Types of food to which the provisions of Sections 134 and 135 will apply even if they are transferred to someone who is not a food business operator, provided that it is required to protect public health.

TITLE C: REGULATIONS CONCERNING THE SALE OF FOOD

Regulations concerning the sale of food

138. The Minister, with the approval of the Committee, may establish instructions in the following matters:
- (1) The conditions for the sale of food, including in the matter of adequate conditions of sale, and the Minister may establish such instructions according to types of marketers, paying attention to their size and the type of food sold by them;

- (2) Duties of a marketer regarding the sale of food, including the imposition of a labeling obligation regarding certain foods determined by the Minister, including food that is not prepackaged by the manufacturer and a labeling obligation at the point of sale;
- (3) Withdrawals initiated by a marketer pursuant to Section 164;
- (4) Obligations and instructions regarding a certain type of sensitive food, including the determination that in special circumstances and with a reasoned decision, taking into account the danger to public health and food safety, proof is required regarding compliance with the requirements of the law applicable to its manufacturing and that it may not be marketed without such proof; If the Minister determined as stated, he shall determine the means of proof and the documents required for proof as stated, and he may set requirements as stated according to types of marketers;
- (5) Obligations and instructions regarding a certain type of regular food, including a determination that proof is required as stated in paragraph (4) for the period he determined, not to exceed six months;
- (6) Conditions regarding the sale of designated food.

TITLE D: OBLIGATIONS OF A MARKETER FROM THE TERRITORY

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| Definitions | 139. In this title –

"Registry of marketers from the Territory" – as defined in Section 146;

"Marketer from the Territory" – a person engaged in bringing food from the Territory to Israel;

"Registered marketer from the Territory" – a person with a valid registration in the registry of marketers from the Territory. |
| Application of the provisions on bringing food from the Territory to Israel to safeguard public health | 140. (a) A marketer from the Territory and the bringing of food from the Territory to Israel are subject to the provisions of Chapters B, D and E and the regulations thereunder, <i>mutatis mutandis</i> and with the changes detailed in this title.

(b) The Minister, in consultation with the Minister of the Economy, may determine additional changes regarding the application of the provisions as stated in Subsection (a), as well as additional provisions that will apply to a |

marketer from the Territory, and all as required to safeguard public health.

Application of provisions on a marketer from the Territory

141. (a) Notwithstanding the provisions of Chapters D and E as applied in Section 140 on bringing food from the Territory, regarding provisions applicable to a marketer from the Territory –

- (1) Registration as a marketer from the Territory shall be in lieu of registration as a registered importer;
- (2) A special permit pursuant to Section 143 shall be in lieu of a prior permit for import pursuant to Section 64;
- (3) Approval from the competent authority in the Territory regarding the supervision required over the food according to Chapter D, shall be in lieu of approval from a competent authority in the country of manufacturing, to the extent that such approval is required.

(b) Section 57 shall be applied, *mutatis mutandis*.

- (1) The provisions of paragraph (3)(b) shall be replaced by "its manufacturing for export or for return to the Territory";
- (2) The provisions of paragraph (4) shall be replaced by "Return of a food shipment that was exported or was transferred to the Territory and was returned for reasons other than public health".

(c) The provisions of this title shall not apply to the importation from the Territory of food manufactured by a manufacturing licensee or imported by a registered importer pursuant to this law.

Bringing food from the Territory to Israel

142. A person may not bring food from the Territory to Israel unless the following are met:

- (1) He is a registered marketer from the Territory;
- (2) He received the food from a person who has a valid permit to transfer the food from the competent authority in the Territory;
- (3) He brought the food to Israel in accordance with the conditions stipulated in the permit mentioned in paragraph (2).

Special permit for the sale of sensitive food in Israel

143. A marketer from the Territory will not bring sensitive food to Israel unless he has received a special permit to do so from the Director of the Food Services or anyone he has authorized to that end, which will be given pursuant to Section 64, *mutatis mutandis*, and in accordance with the conditions of the permit.

- Compliance with food labeling provisions** 144. A marketer from the Territory will not bring food to Israel unless the labeling of the food includes the name of the marketer from the Territory, in accordance with the provisions applicable to an importer with respect to labeling according to the food legislation, *mutatis mutandis*.
- Compliance with the provisions of the regulations** 145. A marketer from the Territory will not bring food to Israel in contravention of the regulations enacted by the Minister pursuant to Section 140(b).
- Registration of a marketer from the Territory** 146. The Registrar will maintain a registry, in which he will register those who are engaged in bringing food from the Territory to Israel and who meet the conditions in Section 147.
- Conditions for registration in the registry of marketers from the Territory** 147. (a) An applicant wishing to be registered in the registry of marketers from the Territory shall submit an application pursuant to the provisions of Section 103.
- (b) The Registrar will not register an applicant in the registry of marketers from the Territory, unless all of the following are met:
- (1) He is a resident of Israel or an Israeli citizen or is registered as a corporation according to the law in Israel;
 - (2) He submitted a declaration that includes the following:
 - (a) Details of the food manufacturer, including a copy of the manufacturer's identification certificate, or a copy of its certificate of incorporation according to Israeli law, if it is a corporation;
 - (b) Details of his place of business, including a license or permit issued to his place of business, insofar as such a license or permit is required.

CHAPTER F: REGULATING THE TRANSPORT AND STORAGE OF FOOD UNDER CONTROLLED TEMPERATURES

- Licensing obligation for transporting or storing food at a specified temperature** 148. A person shall not transport food requiring temperature-controlled transportation, nor shall a person store food requiring temperature-controlled storage unless he meets the requirements applicable to him according to the food legislation and the provisions of this law are met in respect thereof.
- Transportation license** 149. In the event it is established in the food legislation that food requires transport at a controlled temperature, a person shall not transport said food, unless he holds one of the following licenses, at least, and in accordance with

the conditions of the aforementioned license, including in accordance with the type of food he wishes to transport:

- (1) A transportation license according to this chapter, issued by a manufacturing licensor;
- (2) A manufacturing license that includes transport activity at a controlled temperature pursuant to paragraph (6) of the definition "manufacturing";
- (3) A permit for transportation in the registered importer's certificate pursuant to Section 110(a).

Storage license 150.

In the event it is established in the food legislation that food requires storage at a controlled temperature, a person shall not store said food, unless he holds one of the following licenses, at least, and in accordance with the conditions of the aforementioned license, including in accordance with the type of food he wishes to store:

- (1) A storage license according to this chapter, issued by a manufacturing licensor;
- (2) A manufacturing license that includes storage activity at a controlled temperature pursuant to paragraph (6) of the definition "manufacturing";
- (3) A permit for storage in the registered importer's certificate pursuant to Section 110(a).

Exemption from a storage license 151.

Notwithstanding the provisions of Section 150, a storage license will not be required for the following:

- (1) Storage at a controlled temperature by a marketer at the site of the sale to the consumer;
- (2) Storage at a controlled temperature in a dining establishment or institutional kitchen that is not required for a manufacturing license pursuant to Section 25 or 26.

Permit for labeling in the storage license 152.

Notwithstanding the provisions of Section 21, the manufacturing licensor may establish in the storage license a permit for the affixing of labels on prepackaged food or for labeling pursuant to Section 90.

Application for a transportation license or a storage license 153.

- (a) An applicant requesting a transportation license or a storage license (in this chapter – license) or a license renewal shall submit an application along with documents and details, as required by the regulations pursuant to Section 155.
- (b) An application for a license shall be submitted to the district health office, in the district where the applicant submitted his application for a business license or in any of the districts where he has a business license, as per his choice.

- Application of provisions on a license** 154. (a) The provisions of Sections 28(d) to (f) and 29 to 40 shall apply to a transportation license, *mutatis mutandis* and with this change: the validity of a transportation license will be for five years.
- (b) The provisions of Sections 28 to 40 shall apply to the storage license, *mutatis mutandis*.
- Regulations concerning a license** 155. The Minister may establish provisions in the following matters:
- (1) An application for obtaining a license or its renewal, including the way of submitting such an application, the documents that must be attached to the application and the manner in which it is processed;
- (2) Determining conditions for the granting of the license and conditions in the license, and the aforementioned determination may be while taking into account the classification of licenses according to the groups of foods transported or stored or according to the types of transportation and storage activity, as applicable;
- (3) Conditions regarding warehouses in which storage does not require a storage license, including the equipment required in them and the manner in which food is kept therein.

CHAPTER G: GENERAL PROVISIONS REGARDING A MANUFACTURER, IMPORTER AND MARKETER

TITLE A: PROVISIONS REGARDING THE HOLDING OF FOOD

- Compliance with the manufacturer's instructions** 156. (a) A food business operator will store and keep the food and transport it according to the manufacturer's instructions, without derogating from the obligation to comply with the provisions of the food legislation.
- (b) Notwithstanding the provisions of Subsection (a), a food business operator may store and keep food or transport it at a controlled temperature determined according to the food legislation, even if the manufacturer's instructions establish a specified temperature that is stricter than the food legislation, but if the manufacturer's instructions as stated stipulate an obligation to keep the food at a stricter specified temperature as stated, and mark this instruction with the word "only", he will store, keep or transport the food in accordance with the manufacturer's instructions.
- Food for which no controlled temperature has been set** 157. (a) In the event that no provision has been set in the food legislation for keeping certain food at a controlled temperature, the Director of the Food Services may issue in respect thereof instructions for it to be held at

a controlled temperature, for a period not exceeding one month, and in special circumstances for an additional month.

- (b) An instruction pursuant to this section will be published in the Official Gazette and on the website.
- (c) A food business operator shall keep food in accordance with the instructions of the Director of the Food Services pursuant to Subsection (a).

Regulations regarding specified temperature

158. a The Minister may establish provisions regarding the manufacturing of food, its storage, transportation or import at a specified temperature, according to the type of food and its characteristics.

TITLE B: FOOD DISTRIBUTION ORGANIZATIONS

Exemptions for food distribution organizations

159. (a) A food distribution organization is exempt from a manufacturing license, transportation license and storage license pursuant to this law; In this title –
- "Food distribution organization" – a corporation that provides food to the needy or to soup kitchens, without compensation or for a nominal payment, provided that all of the following are met:
- (1) If the corporation provides food for a nominal fee – the corporation does not refuse to provide a meal to a needy person who does not pay the nominal fee;
 - (2) The corporation operates for non-profit purposes, and is incorporated and registered as a non-profit organization pursuant to the Non-Profit Organizations Law, 5740-1980, or is a public endowment registered with the Endowments Registrar pursuant to the Endowments Law, 5749-1979, or is a public benefit company registered with the Endowments Registrar pursuant to The Companies Law, 5759-1999, which were recognized as non-profit organizations pursuant to the Value Added Tax Law, 5736-1975;
 - (3) One of the purposes of the corporation listed in its bylaws or articles of incorporation is the provision of food to the needy;
 - (4) The corporation does not engage in the sale of food that is not for the purpose of providing food to the needy;
 - (5) The corporation does not operate as part of a body obligated to supply food to diners or as part of a body whose supply of food is incidental to another service it provides to diners;

(6) The corporation is registered on the website as a food distribution organization that meets the conditions in paragraphs (1) to (4), detailing the addresses where it operates as of the registration date, and specifying whether the food that is distributed or delivered is for no consideration or for a nominal payment;

"Nominal payment" – a payment for food or the supply of food to a soup kitchen, in an amount that does not exceed an amount determined by the Minister, and in the absence of such a determination – in an amount that does not exceed the maximum payment that can be collected according to tests established for eligibility for support for this activity pursuant to Section 3A of the Budgetary Principles Law, 5745-1985.

(b) A corporation that supplies food to a food distribution organization and complies with the provisions of paragraphs (2) to (5) if the definition "food distribution organization" shall be considered a food distribution organization pursuant to this section.

160. (Repealed).

Regulations concerning food distribution organizations

161. The Minister shall establish provisions regarding the application of the provisions of Chapters C to G on food distribution organizations.

Permit for using food was recommended use-by date has passed by food distribution organizations

162. Notwithstanding the provisions of Section 12, a food distribution organization may use food that is not sensitive food or designated food and whose recommended use-by date use has passed, and for some of it, if it has received written approval from the manufacturer to use the food beyond the recommended use-by date for a limited period, provided that the approval was given before that date and that the aforementioned use or distribution will be done within that period.

TITLE C: PREVENTING PUBLIC HEALTH HAZARDS FROM FOOD

The Director's instructions to food business operators for the prevention of hazards from a specific food

163. (a) If the Director of the Food Services, and in his absence – anyone he authorized to that end, learns that a serious and immediate public health hazard is caused or that such a hazard may be caused due to a certain food or due to the use thereof, he may issue instructions to prevent the hazard that will apply to all food business operators, including instructions regarding the method of manufacturing, packaging, transportation, storage and sale of the food (in this

section – the Director's instructions), provided that they are published in all of the following:

- (1) On the website, prominently, and in a location designated for the Director's instructions, with the main reasons for giving the instruction, in Hebrew and Arabic and in any other language that the Director of the Food Services or anyone he has authorized finds necessary for that matter;
 - (2) In at least two daily newspapers, with national circulation, one of them in the Arabic language;
 - (3) In the Official Gazette.
- (b) The Director's instructions will be given for a period not exceeding six months, but the Director of the Food Services may extend it for additional periods not exceeding a year in total, if he sees that the reasons justifying their issuing continue to exist.
- (c) The Director's instructions will enter into force upon their publication in the Official Gazette; Notwithstanding the foregoing, in exceptional circumstances concerning the immediacy of the danger to public health and its severity, the Director of the Food Services may stipulate in the instructions to be published on the website that they will enter into force on the date of publication on the aforementioned website, provided that the publication in the Official Gazette is carried out as soon as possible, and no later than the end of two workdays from the date of publication on the website.
- (d) The Director's instructions will be sent by e-mail to food business operators who have registered to receive updates on instructions pursuant to this section in an electronic distribution list.

Liability of a manufacturer, importer and marketer with respect to harmful food

164. (a) In this section, "harmful food" – food that has harmed or may harm human health, including food for which laboratory test results indicate the food's non-compliance with the requirements according to the food legislation, which has the potential to harm or cause fear of said harm.
- (b) A food business operator that he learns that food he manufactured, imported or sold, as applicable, is harmful food, shall act according to the following provisions:
- (1) He will take, as soon as possible, reasonable measures to prevent the use of the food, including measures from among the following, as applicable, and all in order to prevent the danger to health or the fear of danger to health from the consumption of the food:

- (a) An update of the manufacturer or importer, and for food that is fresh agricultural produce – of the party from whom he received the food;
 - (b) In coordination with the Director of the Food Services or anyone he authorized to that end, to take the food out of the marketing channels by way of an initiated return (withdrawal); Notwithstanding the aforementioned, an instruction on an initiated withdrawal of food by a marketer will be given only with regard to food that he sells, and in accordance with the regulations to be established pursuant to Section 138(3);
 - (c) In coordination with the Director of the Food Services – issuing a notice (recall) to the public of the danger posed by the food, if such notice was not issued by the manufacturer or the importer, as applicable;
- (2) A food business operator shall report to the Director of the Food Services or anyone he authorized to that end on the details of the measures he has taken pursuant to paragraph (1), if he has made withdrawal or given a recall notice to the public, pursuant to paragraph (1)(b) or (c) and in any other case for which the Minister, with the approval of the Committee, has established a reporting obligation for this matter, and if the Director of the Food Services gave an instruction to the food business operator following the report, the food business operator will comply with his instructions.
- (c) If the Director of the Food Services has given an instruction to a food business operator pursuant to Subsection (b)(2), the Director of the Food Services or anyone he authorized to that end may act to carry out the instruction in circumstances where the food business operator has refused to carry out the instruction or in circumstances of special urgency.
 - (d) If the Director of the Food Services or anyone he authorized to that end becomes aware that food is harmful food, he may, in urgent circumstances or in circumstances where it is difficult to locate the food owners, act pursuant to the provisions of Subsection (b)(1)(b) even before giving an instruction as stated in Section (b)(2) or at the same time as giving instruction as mentioned.
 - (e) The food business operator shall bear the expenses of actions taken pursuant to subsection (c) or (d), unless

the Director of the Food Services or anyone he authorized to that end has determined otherwise.

- (f) The Director of the Food Services or anyone he authorized to that end may order a withdrawal, if the circumstances mentioned in Subsection (b) have occurred, even if this was not brought to his attention through a food business operator, after giving the food business operator an opportunity to assert his claims, unless he deems that there is an urgent need, for the sake of protecting public health, to order the aforementioned withdrawal without hearing his claims.
- (g) A food business operator shall record, including by keeping a copy, complaints regarding harm or fear of harm to human health from food he manufactured, imported or sold, as applicable, for a period of at least three years from the date of receipt of the complaint, however, the provisions of Section 54A(b)(4) shall apply to an importer of food on the European track with respect to food on the European track he has imported.

**Notice
concerning the
danger of food**

165. Without derogating from the provisions of Section 164, the Director of the Food Services or anyone he authorized to that end may do any of the following:

- (1) Instruct a food business operator to advertise, or to notify any person concerned, that a food or work process does not meet the requirements according to the food legislation applicable to it, and that the food or work process poses a hazard to the health or safety of the person consuming the food, or that there is a real probability of said danger; The publication or notification will be in a manner as directed by the Director of the Food Services or anyone he authorized to that end; An instruction pursuant to this paragraph will not be given until after the business operator has been given an opportunity to assert his claims;
- (2) Publish, or give a notice on his behalf if he is aware that the business operator refused to publish, or to give notification in the manner instructed as stated in paragraph (1), or if he believed that there was a real concern for the safety or health of a person, provided that he gave the business operator an opportunity to assert his claims, and he may –
 - (a) Notify or publish a notice on his behalf even without giving the business operator a reasonable opportunity to assert his claims if he believed that there was an immediate concern as stated, provided that he gave him such an opportunity as soon as possible thereafter;

- (b) Obligate the business operator to bear the expenses of the notification or publication, all or part thereof;
- (3) Order any business operator to notify or publish, or to notify or publish a notice on his behalf, on the findings of tests he conducted in accordance with his authority under this law, if it appears that harm has been caused to a person's well-being, health, or safety, or there is a real probability that said harm will be caused, provided that he has given the business operator an opportunity assert his claims before the notification or publication as mentioned; If the party issuing the instruction believes that there is an immediate concern for the well-being, health or safety of a person, he may publish as stated without giving the business operator an opportunity to assert his claims as stated, provided that he gives him such an opportunity as soon as possible thereafter.

Instructions to suspend the activity of a food business operator, to collect the food and to prevent the transferring of the food to an offending party

- 166.
- (a) If the Director of the Food Services or a district doctor finds that food does not meet the requirements according to the food legislation applicable to it or that there is a concern for the safety and health of a person, or there may be such concern due to the food, he may give written instructions to the food business operator, including instructions to stop the manufacturing of the food, its importation or sale, as well as to order the collection of the food to the place he has determined or its return to the food business operator from whom he received the food, and all in the manner prescribed, after giving the food business operator an opportunity to assert his claims.
 - (b) If the Director of the Food Services or a district doctor believes that there is an immediate concern for the well-being, health, or safety of a person, or that such concern may exist, he may give the food business operator an instruction pursuant to Subsection (a), without giving him an opportunity to assert his claims, provided that he has given him the opportunity as stated as soon as possible thereafter.
 - (c) If the Director of the Food Services deems that a food business operator is in violation of an instruction according to the food legislation and that there is a concern for the safety and health of a person, or that such concern may exist because of this, he may issue instructions to a manufacturer, importer, or marketer, and with regard to fresh agricultural produce or animal food – also to the grower, in order to prevent the transfer of food related to the aforementioned concern to the offending party.

**Disqualifying
food and its
destruction**

167. (a) The Director of the Food Services or a government doctor who finds that food intended for sale may harm human health or is unfit for human consumption, may disqualify the food and order its destruction or otherwise prevent its use for food; For the purposes of this section, any product presented for sale and any food for which a certificate of release has not yet been issued shall also be considered as food intended for sale.
- (b) The Director of the Food Services or a government doctor shall not order the disqualification of food, its destruction, or the prevention of its use pursuant to Subsection (a), unless he has notified the manufacturer, importer, or marketer who is in possession thereof, a reasonable time before issuing the instruction, and has given him an opportunity to assert the his claims before him, in writing or orally; A decision pursuant to this section will be made no later than seven workdays after the date on which the assertions were made.
- (c) If the Director of the Food Services or a government doctor ordered the destruction of food pursuant to Subsection (a), the manufacturer, importer, or marketer, as applicable, may petition an administrative affairs court within 14 days from the date of the decision; The destruction of the food in accordance with the aforementioned decision will not be carried out unless the deadline for submitting the petition has passed, unless the manufacturer, importer or marketer has agreed, in writing, to carry out the destruction before the aforementioned deadline.
- (d) Until a decision is made as stated in Subsection (a) or until a court decision is made pursuant to Subsection (c), the Director of the Food Services or anyone authorized by him to that end or the government doctor or anyone authorized by him to that end, as applicable, may take the food from the party who is in possession thereof and store it in a place of their choosing, including at a port or under Customs supervision, or order the party who is in possession thereof to move the food to a storage place as instructed; In addition, the Director of the Food Services or anyone authorized by him to that end may demand a guarantee in the amount determined by the Minister to guarantee the financing of the storage expenses until the claims are heard and a decision is made in respect thereof.
- (e) If the Director of the Food Services or a government doctor finds that one of the following is true, he may issue an order on the destruction of food pursuant to

Subsection (a) even if he did not notify the food business operator beforehand and without giving him an opportunity to assert claims pursuant to Subsection (b):

- (1) The food for which a destruction order is required to be issued is sensitive food;
 - (2) The food for which a destruction order is required to be issued is regular food, but the Director of the Food Services or the government doctor is aware that there is an immediate concern for a person's health, or there may be such concern, if the destruction order is not given even before hearing the assertions;
 - (3) It is not possible to transfer the food to storage without destroying it, or if this imposes an unreasonable burden;
 - (4) A guarantee was not given pursuant to Subsection (d), at the time stipulated in the aforementioned requirement;
 - (5) The manufacturer, importer or marketer who is in possession of the food cannot be located with a reasonable effort.
- (f) The manufacturer, importer or marketer who is in possession of the food will bear the cost of the expenses for the preservation, transportation, maintenance and destruction of food pursuant to this section.
- (g) If an order has been given for the destruction of food pursuant to this section, the Director of the Food Services or a government doctor shall order the transfer of the food to a certain location for the execution of the destruction, and he is authorized to order the methods of destruction.

Suspension of a license due to a serious health incident

- 168.
- (a) If a manufacturing licensee, a registered importer, a storage license holder, a transportation license holder or another license holder pursuant to this law is involved due to his engagement in food with serious harm to the health of people, and in the opinion of the licensor or the party granting the certificate the suspension of his license or certificate, as applicable, is necessary to prevent a real danger to public health, until the incident is investigated, may, after giving the licensee or certificate holder an opportunity to assert his claims, suspend his license or certificate; This does not derogate from any other authority given under this law regarding the license or certificate.
 - (b) The period of suspension pursuant to Subsection (a) will end no later than 45 days from the date of

completion of the investigation of the incident by the Director of the Food Services or anyone he has authorized to that end, or at an earlier date that he decides, provided that the period of suspension does not exceed one year.

TITLE D: VARIOUS PROVISIONS CONCERNING
MANUFACTURER, IMPORTER AND MARKETER

- | | | |
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| Obligation to conduct testing | 169. | An importer or manufacturer, and any other business operator in respect of whom it has been stipulated, in this law or pursuant thereto, that he must test food in a recognized laboratory, will fulfill the obligation as stipulated and bear the costs of the test. |
| Recognition of a laboratory for food testing | 170. | <p>(a) The Director of Public Health Services at the Ministry of Health may recognize a laboratory as a certified laboratory for food testing, after finding that it meets the conditions set forth in Subsection (c).</p> <p>(b) The list of recognized laboratories will be published on the website.</p> <p>(c) The Minister may establish instructions in the following matters:</p> <p>(1) With the Committee's approval, conditions for the recognition of laboratories, including regarding the criminal record of officials in the laboratory and their training;</p> <p>(2) Equipment and technologies that will be required in a recognized laboratory;</p> <p>(3) The types of tests and the ways and dates for conducting them, the validity of recognition as well as conditions for recognition and grounds and conditions for its revoking.</p> |
| Testing certificate | 171. | A recognized laboratory conducting a test submitted to it by an inspector shall furnish him with the test results according to the form in the Eighth Schedule (in this law – testing certificate). |
| Duty to report an abnormal result | 172. | <p>(a) If a recognized laboratory finds an abnormal result that poses a danger to public health, including a biological or chemical contaminant, in a sample of food that it received for testing from a party that is not an inspector according to this law, it shall submit a notice of the fact in the form as stated in Section 171.</p> <p>(b) The Director of the food Services shall instruct in a procedure that will be published on the website and will be forwarded to the recognized laboratories on the parties to whom the notification as stated in Subsection (a) will be provided, and he may determine</p> |

circumstances in which the obligation to give the notification will not apply.

- (c) The Director of Public Health Services at the Ministry of Health may revoke recognition as stated in Section 170(a) from a recognized laboratory, if he finds that it has not met the obligation to report an abnormal result in a food sample as stated in Subsection (a).

Testing certificate evidence

173. (a) In proceedings according to this law, a food testing certificate issued by a recognized laboratory will serve as evidence as to its contents, as long as nothing to the contrary has been proven.
- (b) A testing certificate will not be admissible in court unless its results were given to the food business operator whose food was inspected, by registered mail or in another way determined by the Minister in the regulations, within 21 days from the date specified in it as the date of completion of the inspection; The court may extend this period for special reasons.

Retaining documents

174. (a) Documents and details that a food business operator must retain pursuant to the provisions of this law, including for the purpose of food traceability (in this section – information) can be stored digitally, unless otherwise stated, provided that the storage of information digitally is done so that the information is stored in a reliable, clear and legible manner, and periodically backed up.
- (b) The Minister may establish instructions regarding the manner of storing the information digitally, the ways to back it up and the manner of access to it for supervision, and he may establish different provisions taking into account the size of the business operator and the nature of his business.

Reporting by a business operator

175. A report that a food business operator must submit pursuant to the provisions of this law can be sent by e-mail to an address published on the website signed with an electronic signature or when including a computer scan of a signed written report, and the report will be considered as if it was submitted from the moment confirmation of delivery was received.

Appeal

176. (a) A decision of an authority as detailed below, can be appealed in writing by the party in whose case the decision was given, in accordance with the following instructions:
- (1) A decision of an authority pursuant to Chapters C and F that was made by someone who is not the Director of the Food Services – before the Director of the Food Services or before the party authorized by the Director of the Food Services to that end,

and provided that the aforementioned authorization was published on the website, and the authorization may be to hear appeals of types of decisions or decisions according to the identity of the party making the decision;

- (2) A decision of an authority pursuant to Chapters C and F that was made by the Director of the Food Services – before the Director of Public Health Services at the Ministry of Health;
 - (3) A decision of the Importers' Registrar pursuant to Chapter D – before the Director of the Food Services;
 - (4) A decision of an authority pursuant to Chapter D that is not as stated in paragraph (3) and is not a decision of the Director of the Food Services – before an entity as stated in paragraph (1); The entity making a decision on the appeal pursuant to this paragraph will not make a decision, unless in consultation with the supervisor of the entity making the decision on which the appeal is submitted;
 - (5) A decision other than that of the Director of the Food Services pursuant to Chapter D1 – before the Director of the Food Services;
 - (6) A decision other than that of the Director of the Food Services, pursuant to Sections 164, 165 or 166 – before a party as stated in paragraph (1).
- (b) A decision on an appeal pursuant to this section shall be given within 30 days from the date of its submission, however, an appeal pursuant to Subsection (a)(4) on a decision regarding the granting of a certificate of release shall be given within 15 days from the day of its submission, unless the competent authority authorized to decide on the appeal has extended the deadline for its decision, provided that it is not extended by more than 15 additional days.
- (c) The submission of an appeal under this section does not stay the decision for which it was submitted or derogate from its validity, however, the party submitting the appeal may request that the implementation of the decision be delayed; If a stay is requested as mentioned, a decision on the stay will be given within 10 days from the date of its submission.

CHAPTER H: REGULATING THE VETERINARY SUPERVISION

TITLE A: DEFINITIONS

Definitions

177. In this chapter –

"Refrigeration facility" – a place used to store food, including meat products, when refrigerated or frozen;

"Holder of an operating permit" – the holder of a permit pursuant to the Animal Diseases Ordinance to operate a raw meat factory, or anyone whose business requires such a permit;

"Veterinary Surgeons Law" – the Veterinary Surgeons Law, 5751-1991;

"Manufacturer", "Manufacturer of a meat product" – a person engaged in the manufacturing of a meat product, or a holder of a storage license as stated in Section 150(1) with respect to a meat product or anyone whose business requires such license, with the exception of –

- (1) One transporting a meat product at a controlled temperature pursuant to paragraph (6) of the definition of "Manufacturing";
- (2) One manufacturing a meat product as part of manufacturing activity at the site of the sale to the consumer pursuant to Section 24;
- (3) Anyone exempt from a manufacturing license pursuant to Sections 25, 26 or 27(1) or (2);
- (4) Food distribution organization pursuant to Section 159;

"Meat product" – meat as defined in Section 9(a) and its products;

"Meat factory" – a meat manufacturing business for which a manufacturing license has been issued or when the operation of the business requires such a license;

"Raw meat factory" - any of the following:

- (1) Meat slaughter factory, except if processing is carried out therein;
- (2) A factory only treating raw meat;
- (3) An establishment as specified in Section 190(2).

"Meat slaughter factory" – a factory that is one of the following:

- (1) Slaughterhouse – a factory designated for the killing of animals and their slaughter;
- (2) Poultry slaughterhouse – a factory intended for designated for the slaughter of poultry;
- (3) Fish sorting station – a factory designated for sorting and packaging fish intended for consumption;

"Factory approved for export" – a factory that received approval for export pursuant to the Control of Exports of Animals Law;

"Processing" – as defined in Section 9(a);

"Veterinarian" – as defined in the Veterinary Surgeons Law;

"Certified veterinarian" – a certified veterinarian in the factory or a certified veterinarian in the markets;

"Certified veterinarian", in the factory – a veterinarian certified pursuant to Section 191 or 193;

"Certified veterinarian", in the markets – a veterinarian certified pursuant to Section 194 or 195;

"Transport vehicle" – means of transport in which a meat product is transported;

"Corporation for Veterinary Supervision", "Corporation" – the Corporation for Veterinary Supervision established pursuant to Chapter F1 of the Veterinary Surgeons Law;

"Food safety plan" – a plan that includes at least all of the following:

- (1) A structured and fixed procedure for identifying failures in the manufacturing, packaging and transportation processes of the meat product (HACCP – Hazard Analysis Critical Control Points);
- (2) Means for maintaining the traceability of the meat products and their raw materials and removing them from the marketing channels by means of a withdrawal;

"Delivery note for a meat product" – a delivery note for a meat product issued by a manufacturer of a meat product; or by the holder of an operating permit, and includes the details stated in Section 181;

"Veterinary certificate" – a certificate signed by a certified veterinarian in a meat factory or a raw meat factory, which was given to a meat product before it was removed from the factory;

"Certificates" – delivery note for meat product and a veterinary certificate.

TITLE B: OBLIGATIONS OF A MEAT PRODUCT MANUFACTURER AND MARKETER

SUB-TITLE A: GOOD MANUFACTURING PRACTICES FOR MEAT PRODUCTS

Obligation to receive Good manufacturing certification

178. (a) A manufacturer of a meat product will not manufacture such a product unless he has good manufacturing certification from the Director of the Food Services.
- (b) The provisions of Title C in Chapter C shall apply to the granting of good manufacturing certification pursuant to this section.
- (c) Notwithstanding the provisions of Subsection (a), the Director of the Food Services may order that an establishment for the manufacturing of meat of a certain type will not be required to obtain good manufacturing certification if he finds that a food safety plan is implemented in respect thereof; Instructions pursuant to this subsection will be given in accordance with risk management and taking into account, among other things, the type of factory, the scope of manufacturing in the factory, its past adherence to compliance with instructions pursuant to the food legislation, the type of food manufactured there and the technological complexity of the manufacturing.

SUB-TITLE B: CONDITIONS FOR THE SHIPMENT OF A MEAT PRODUCT, ITS ACCEPTANCE AND ITS TRANSFER

Attaching a delivery note and a veterinary certificate to a meat product

179. A manufacturer of a meat product, holder of an operating permit or an importer shall not make a shipment of a meat product from a meat factory, a raw meat factory, a refrigeration facility or a quarantine station, as applicable, except after he has issued a delivery note for meat products and attached it to the shipment and also attached a veterinary certificate to the shipment, if its issuance is required pursuant to the provisions of Section 206 or pursuant to the Animal Diseases Ordinance.

Prohibition on the issue of a delivery note for a meat product

180. Notwithstanding the provisions of Section 179, a manufacturer of a meat product, holder of an operating permit or an importer shall not issue a delivery note for a meat product, if any of the following occurs:
- (1) The certified veterinarian at the factory –
- (a) Announced an intention to conduct an inspection of the shipment or found that one of the circumstances mentioned in Section 205 has occurred;
- (b) Refused to sign a veterinary certificate required by law, including a veterinary certificate as stated in Section 206;
- (2) The computerized system prohibits the issue of the delivery note regarding the sales site to which the meat product is intended or regarding the vehicle

transporting the meat product, as stated in Section 205(4);

- (3) The computerized system prohibits the issue of the delivery note since the manufacturer, the owner of the operating permit or the importer has not paid the required fee as stated in Section 205(5)(a) or (b).

Details of the delivery note for a meat product

181. A manufacturer of a meat product, holder of an operating permit or importer shall include in the delivery note for a meat product all of the following:

- (1) Details of the manufacturer, holder of the operating permit or importer, including his address and contact details;
- (2) Details regarding the meat product, including the name of the meat product, the number of packages in the shipment, the weight of the shipment and the batch number;
- (3) The day and time when the transport vehicle leaves the factory;
- (4) The destination of the meat product, including the name of the business and its address, and if it is not a business – the name of the place and its address;
- (5) Details of the transport vehicle in which the meat product is transported, including the license number and the required temperature in the vehicle;
- (6) The mobile phone number of the driver of the transport vehicle as well as the mobile phone number of the employee of the manufacturer, holder of the operating permit or the importer, who serves as a contact person with respect to the provisions of this paragraph.

Sending a copy of the certificates

182. When a shipment of meat products leaves a meat factory, a raw meat factory, a refrigeration facility, or a quarantine station, the manufacturer, the owner of the operating permit, or the importer, as applicable, will send to the computerized system the details of the shipment, the destination of the shipment, the details of the transport vehicle and the name of the certified veterinarian in the factory, according to the instructions of the Director of the Veterinary Unit.

Transport conditions from a meat factory, a raw meat factory, a refrigeration facility or a quarantine station

183. A manufacturer of a meat product, holder of an operating permit or an importer, will not remove a meat product from a meat factory, a raw meat factory, a refrigeration facility, or a quarantine station, unless he finds that all of the following have been met regarding the transport vehicle in which it is transported:

- (1) The temperature in the vehicle complies with the rules established pursuant to Section 155;
- (2) A temperature control system is installed in the vehicle;

- (3) The vehicle has a system for documenting faults in the temperature;
- (4) There is a system that warns in real time about temperature faults in the vehicle; The Minister may establish concessions, exemptions and adjustments regarding the implementation of the aforementioned system with respect to a manufacturer, holder of an operating permit or an importer, according to the scope of the factory's manufacturing and the type of food manufactured therein, and he may take into account the small number of vehicles used by them.

Prohibition on the acceptance of a meat product

184. A manufacturer of a meat product or a holder of an operating permit, shall not accept a meat product unless the following conditions with respect to the shipment of the meat product have been met:

- (1) Attached to the shipment in which the meat product arrived is a delivery note for the meat product that includes the details specified in Section 181, and if a veterinary certificate must also be attached to the delivery note, as stated in Section 206 or according to the Animal Diseases Ordinance – a certificate was attached as stated;
- (2) The delivery note of the meat product was issued in the 24 hours preceding the arrival of the shipment;
- (3) The products in the shipment match the delivery note for the meat products regarding the details pursuant to Section 181, and if a veterinary certificate was attached – the veterinary certificate matches the delivery note.

Prohibition on the sale of a meat product

185. A marketer will not sell a meat product, unless the conditions listed in paragraphs (1) to (3) in Section 184 with respect to a delivery note for the meat product he received, have been met.

Conditions of transport from a sales site

186. A marketer of meat products shall not ship meat products from a sales site to another sales site, to a manufacturer or to an operating permit holder and shall not transport a meat product, unless the provisions of Section 183, *mutatis mutandis*, have been met regarding the transport vehicle.

Shipping of meat products to another sales site, manufacturer or holder of an operating permit

- 187. (a) A marketer of a meat product will not ship meat products from a sales site to another sales site, manufacturer or holder of an operating permit, unless after attaching to the meat product a new delivery note for the meat product that was issued by the manufacturer of the meat product or the holder of the operating permit, stating that it was approved by the certified veterinarian in the factory.
- (b) For the approval as stated in Subsection (a), the certified veterinarian in the factory may be assisted by a certified veterinarian in the markets, supervising in

the jurisdiction of the local authority where the sales site is located.

- (c) The provisions regarding sending a copy of the delivery note as stated in Section 182 shall apply to a manufacturer or to a holder of an operating permit who issued a new delivery note as stated in Subsection (a).

Regulations concerning the transfer and sale of a meat product

188. The Minister, with the approval of the Committee, may establish in regulations rules and conditions in the following matters:

- (1) The transfer of a meat product by way of transport from a food marketer in retail marketing to a consumer;
- (2) The operation of marketers of meat products who keep the meat product in the transport vehicle only, starting from them purchasing the meat product until its marketing, including conditions and limitations on the length of time during which it is allowed to keep the meat product in the transport vehicle.

SUB-TITLE C: VARIOUS PROVISIONS – OBLIGATIONS OF A MANUFACTURER AND MARKETER OF A MEAT PRODUCT

Reservation to applicability to a manufacturer of ready-to-eat meals for catering

189. The provisions of this chapter concerning a manufacturer shall not apply to one who manufactures ready-to-eat meals for catering from meat products, which is not a restaurant as defined in Section 25(b), unless the Minister has determined that all or part of the provisions of this chapter shall apply to him.

Obligations for a manufacturing license or operating permit in factories that process and treat raw meat

190. Notwithstanding the provisions of this law and of the Animal Diseases Ordinance, an establishment where raw meat treatment and processing are carried out in the same building –

- (1) Will be required to obtain a manufacturing license and exemption from obtaining an operating permit pursuant to the Animal Diseases Ordinance, if among the meat products that it markets, the weight of the meat products that underwent processing exceeds the weight of the meat products that have only undergone treatment of raw meat;
- (2) Will be required to obtain an operating permit pursuant to the Animal Diseases Ordinance and an exemption from obtaining a manufacturing license, if among the meat products it markets, the weight of the meat products that have only undergone treatment of raw meat exceeds the weight of the meat products that underwent processing.

TITLE C: SUPERVISION BY VETERINARIANS
SUB-TITLE A: CERTIFICATION OF CERTIFIED
VETERINARIANS IN A FACTORY

- Certifying veterinarians for supervision in a factory** 191. The Director of the Veterinary Unit will certify veterinarians, from amongst the Corporation employees, to carry out veterinarian supervision in a meat factory, refrigeration facility and transport vehicle.
- Scope of supervision required at a meat factory or a refrigeration facility** 192. The Director of the Veterinary Unit will instruct on the scope of the veterinary supervision required in every meat factory and refrigeration facility, after consulting with the veterinarian in the factory, if any, and will certify the veterinarians accordingly; The Director of the Veterinary Unit will instruct on the extent of the supervision required as stated, in accordance with risk management and taking into account, among other things, the type of factory, the extent of manufacturing in the factory or the extent of storage in the refrigeration facility, the past adherence of the factory or the refrigeration facility to compliance with instructions pursuant to the food legislation, and the type of food manufactured or stored therein.
- Certifying a veterinarian for supervision at a raw meat factory** 193. (a) For supervision at a raw meat factory, the Director of the Veterinary Unit may certify pursuant to Section 191 veterinarians appointed by the Director of Veterinary Services pursuant to the Animal Diseases Ordinance who meet the conditions for qualification and training required for the certification of a certified veterinarian in the factory, with the powers of veterinary supervision over the issue of certificates in the factory.
- (b) The provisions of this section do not derogate from the supervisory powers of a certified veterinarian pursuant Subsection (a), given to him under the Animal Diseases Ordinance.

SUB-TITLE B: CERTIFICATION OF CERTIFIED
VETERINARIANS IN THE MARKETS

- Certifying veterinarians for supervision in the markets, from amongst the local authority employees** 194. The Director of the Veterinary Unit will certify veterinarians, from amongst the local authority employees, who will have the authority to carry out veterinarian supervision on sales sites of meat products in the local authority (in this chapter – markets), including on the transport of meat products.
- Certifying veterinarians for supervision in the markets, from amongst** 195. (a) (1) Notwithstanding the provisions of Section 194, a local authority where the certified veterinarians in the markets are among the authority's employees, may, with the approval of its Council, notify the Director in writing that it wishes that all the veterinarians

the Corporation employees

authorized to perform veterinary supervision in the markets under its jurisdiction will not be from among the local authority's employees;

(2) If a local authority has sent notification as mentioned in paragraph (1), the Director of the Veterinary Unit will certify veterinarians from among the Corporation's employees who will be authorized to perform veterinary supervision in the markets under its jurisdiction beginning on the date specified in its notification, provided that the date will be no less than four months after the date of delivery of the notification.

- (b) Notwithstanding the provisions of Section 194, if the Director finds that the local authority does not offer enough candidates for certified veterinarians qualified to supervise the markets under its jurisdiction or that it offers candidates who do not meet the conditions of qualification and training for their certification as certified veterinarians in the markets, he may order, according to the recommendation of the Director of the Veterinary Unit and after the local authority has been given an opportunity to voice its claims, that veterinarians from among the Corporation's employees will be certified to supervise in the markets under the jurisdiction of the local authority.
- (c) If a local authority whose certified veterinarians in the markets under its jurisdiction be among the Corporation's employees, requested from the Director, in writing, with the approval of its Council, that the veterinarians qualified to perform veterinary supervision in the markets under its jurisdiction be from among its employees, and the Director, according to the recommendation of the Director of the Veterinary Unit, agreed to the request, the Director of the Veterinary Unit will certify the aforementioned certified veterinarians from among the local authority's employees.

The number of certified veterinarians required in the markets

- 196.
- (a) The Director of the Veterinary Unit will instruct on the number of certified veterinarians in the markets required in the country, in accordance with risk management and taking into account the number of sales sites in the country for which periodic audits are required, the type of meat products they sell, and the frequency of the audit he shall instruct, among other things, depending on the risk posed by the food to public health.
 - (b) The Director of the Veterinary Unit will instruct on the number of certified veterinarians in the markets in each local authority, taking into account the relative share of the number of sales sites in the local authority for

which a periodic audit is required, and the frequency of the audit he shall instruct as mentioned in Subsection (a).

- (c) For the purpose of issuing a first instruction pursuant to Subsection (b) and for the establishment of the computerized system, a local authority shall provide, within six months from the time it was requested to do so by the Director of the Veterinary Unit, data as detailed below, to the extent that it has, on businesses where meat is sold within its jurisdiction, including businesses that have not been granted a business license, broken down into types of businesses, if so requested: the name of the business, the business' address and telephone number, and the name of the business owner, and if it is a corporation – its registration number.

SUB-TITLE C: CERTIFICATION OF CERTIFIED VETERINARIANS – GENERAL PROVISIONS

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| Certification regulations for certified veterinarians | 197. | The Minister may enact regulations concerning the manner of certification of certified veterinarians, including with respect to a change in the certification. |
| Conditions of competence and qualification of a certified veterinarian | 198. | All veterinarians certified pursuant to this title must meet the competence conditions established pursuant to Section 32-41 of the Veterinary Surgeons Law, and participate in training and professional continuing studies pursuant to Section 32-42 of the said law. |
| Professional instruction | 199. | The veterinarians certified pursuant to this title will act in accordance with the professional instructions of the Director of the Veterinary Unit or the Director of the Veterinary Services, as applicable. |
| Revocation or suspension of certification of a certified veterinarian | 200. | <p>(a) The Director of the Veterinary Unit may, after giving the certified veterinarian an opportunity to voice his claims, in writing or orally, revoke or suspend the certification of a certified veterinarian, if he finds that the certified veterinarian does not fulfill his duties pursuant to this law or that he has acted in a manner that has caused danger to public health or does not meet the conditions of competence and training established pursuant to Section 32-41 of the Veterinary Surgeons Law, and after being convinced that it is not possible to determine in his respect conditions of appropriate qualification that will lead to the correction of the defect in his supervision activity.</p> <p>(b) Notwithstanding the provisions of Subsection (a), if the Director of the Veterinary Unit finds that there is an urgent need to revoke or suspend the certification as</p> |

stated in that subsection in order to prevent an immediate danger to public health, he may revoke or suspend the certification as stated immediately, provided that he gives the certified veterinarian an opportunity to assert his claims as soon as possible after the revocation or suspension, and no later than seven days from the date of his decision.

Appointment of a certified veterinarian from amongst the state or the local authority employees

201. (a) Notwithstanding the provisions regarding the certification of certified veterinarians, among the Corporation's employees, in the factory or in the markets as stated in Sections 191 and 195(b) or (c), if the Minister finds that it is necessary to certify additional veterinarians, he may, with the approval of the Minister of Finance, permit the Director of the Veterinary Unit to certify pursuant to the said sections, for a period to be determined, certified veterinarians in the factory or in the markets from among the employees of a local authority in whose jurisdiction the factory or the markets are found, if the local authority's consent was given, according to the council's decision, or among the state employees.
- (b) Notwithstanding the provisions of Sections 214 and 215, if the Minister has permitted as stated in Subsection (a), the fee as stated in those sections will be paid to the local authority or the Ministry of Health, as applicable; If the Corporation for Veterinary Supervision collected the fee, it will transfer it to the Ministry of Health or the local authority, in accordance with the provisions of Section 218(a), *mutatis mutandis*.

SUB-TITLE D: SUPERVISION DUTIES AND POWERS OF A CERTIFIED VETERINARIAN IN A FACTORY

Taking supervisory actions in a factory

202. A certified veterinarian in a factory will ensure the implementation of the food safety plan the factory, including supervise the following:
- (1) The sanitation conditions in the factory;
 - (2) The safety of meat products and raw materials;
 - (3) The integrity of the packaging and compliance with the food labeling processes;
 - (4) Storage of meat products;
 - (5) Transporting the meat products from the manufacturing site to the marketing channels.

Presence at the factory

203. A certified veterinarian at the factory will be present at the factory as often as instructed by the Director of the Veterinary Unit, in accordance with risk management and, among other things, in accordance with the analysis of the

existing risks to public health from that factory and that type of food.

Taking samples and the execution of tests

204. A certified veterinarian at the factory will take samples of food and perform tests, inform the factory of the results of the tests and maintain a record of the results of the tests he performed, and all according to the instructions of the Director of the Veterinary Unit that will be published on the website; The factory will bear the costs of the tests and the taking of the samples will be free of charge.

Supervising the issue of a delivery note for a meat product

205. A certified veterinarian in the factory may decide that a manufacturer of a meat product, who has an operating permit or an importer will not issue a delivery note for a meat product, in a particular case or in general, if he wishes to carry out an inspection of the shipment, or if he found that one of the following occurred:

- (1) The meat product is unfit for human consumption or does not meet the requirements of the food legislation;
- (2) There is a non-compliance with the food safety plan, in a way that may harm the safety of the meat product;
- (3) The transport vehicle does not meet the requirements of Section 183 or the requirements according to the food legislation;
- (4) The computerized system prohibits the issue of the delivery note as stated in Section 211(b) regarding the sales site to which the meat product is intended or regarding the vehicle that transports the meat product;
- (5) The computerized system prohibits the issue of the delivery note since the manufacturer or the owner of the operating permit did not pay the required fee according to the provisions of these sections:
 - (a) Regarding a manufacturer who does not have an operating permit – pursuant to Section 214;
 - (b) Regarding the holder of an operating permit – pursuant to the Animal Diseases Ordinance or pursuant to Section 215.

Issue of a veterinary certificate

206. (a) The Minister, with the approval of the Committee, may determine that the shipping of a certain type of meat product from a meat factory requires the receipt of a veterinary certificate as stated in Subsection (b), as well as conditions for providing such a certificate.

(b) A certified veterinarian supervising the factory as stated in Subsection (a), will inspect the meat product and if he finds that it is fit for human consumption, he will sign, before shipping the meat product from said factory, a certificate attesting to the inspection and its results.

- (c) A certified veterinarian in a factory in respect on whom Subsection (a) was applied, will refuse to sign a veterinary certificate if one of the circumstances exists that precludes the issuance of a delivery note for meat products as stated in Section 180 or if a condition for signing the veterinary certificate established in the order as stated in Subsection (a) regarding a meat factory has not been met.

Reporting to the Director of the Veterinary Unit

207. A certified veterinarian in the factory will report in writing to the Director of the Veterinary Unit on the findings of the tests in accordance with the provisions of Section 204, on the deficiencies and irregularities in the factory, on the corrective actions carried out there, as well as on any other information concerning the matter that the Director of the Veterinary Unit may require.

SUB-TITLE E: SUPERVISION DUTIES AND POWERS OF A CERTIFIED VETERINARIAN IN THE MARKETS

Taking supervisory actions in the markets

208. A certified veterinarian in the markets will supervise the following, pursuant to the provisions of food legislation:
- (1) The sanitation conditions;
 - (2) The safety of meat products;
 - (3) The integrity of the packaging and compliance with the food labeling processes;
 - (4) Storage of meat products;
 - (5) Transporting the meat products and their unloading from a transport vehicle;
 - (6) Work processes;
 - (7) Traceability;
 - (8) Shelf life.

Execution of audits

209. A certified veterinarian at the markets will carry out audits at a frequency instructed by the Director of the Veterinary Unit, including according to the analysis of the risks to public health from that sales site and from that type of food.

Taking samples and the execution of tests

201. A certified veterinarian at the markets will take samples of food and perform tests, and maintain a record of the results of the tests he performed, and all according to the instructions of the Director of the Veterinary Unit.

Supervision of the transfer of food to a sales site

211. (a) A certified veterinarian in the markets will not allow a meat product to be transferred to a sales site, in the following cases:
- (1) A cease and desist order pursuant to Section 16, 17 or 20 of the Licensing of Businesses Law or an

order to prevent operations pursuant to Section 22A of the aforementioned law is given regarding the sales site;

(2) The aforementioned veterinarian found that the transfer of the meat product could endanger public health.

(b) If a certified veterinarian in the markets did not allow a meat product to be transferred to a sales site as stated in Subsection (a), he shall immediately provide an update on the matter through the computerized system established pursuant to Section 220, and shall state therein that such transfer is prohibited.

(c) An instruction of a certified veterinarian in the markets as stated in Subsection (a)(2) will be for a period not exceeding 48 hours and will be given only after the certified veterinarian has given the owner of the sales site an opportunity to voice his claims; However, if the certified veterinarian finds that delaying the instruction may endanger public health, he may issue it immediately, provided that he gives the owner of the sale site an opportunity to assert his claims at the first opportunity thereafter.

(d) A person shall not transfer a meat product to a sales site contrary to the instructions of a certified veterinarian in the markets pursuant to this section.

Reporting audits and tests to the Director of the Veterinary Unit

212. (a) A certified veterinarian in the market will report through the computerized system to the Director of the Veterinary Unit on the findings of the audits and tests pursuant to Section 209, on the deficiencies and irregularities, on the corrective actions carried out there, as well as on any other information concerning the matter that the Director of the Veterinary Unit may require.

(b) A certified veterinarian in the markets will deliver the report as stated in Subsection (a) to the Director of the Veterinary Unit, as per his instructions, and the Director of the Veterinary Unit may order the delivery of different reports by different types of inspectors, to different parties, provided that a report concerning an employee of a local authority will also be delivered to the Director of the Veterinary Department in that authority, and in the absence of a department director as stated – to someone who fulfills a similar position in the local authority.

TITLE D: FEES

The amount

213. (a) In this title, the "basic fee amount" – NIS 34,000.

**concerning a
supervision fee**

- (b) The Minister, with the consent of the Minister of Finance and the approval of the Committee, may change the amount of the basic fee as stated in Subsection (a), taking into account, among other things, the cost of employing a certified veterinarian and the overhead associated with the employment.

**Fee for 214.
veterinary supervision at a
factory**

- (a) For veterinary supervision in the factory, a manufacturer of a food product shall pay a monthly fee to the Corporation in an amount equal to the multiplication of the basic fee amount by the scope of the employment of the certified veterinarians required in that factory, as instructed by the Director of the Veterinary Unit as mentioned in Section 192.
- (b) For veterinary supervision at the factory during hours outside of normal working hours, an addition to the monthly fee mentioned in Subsection (a) will be paid, in an amount determined by the Minister, with the approval of the Minister of Finance and the approval of the Committee.

**Fee for 215.
veterinary supervision in
the markets**

- (a) The holder of an operating permit for a meat slaughter factory or an importer of meat products shall pay the Corporation, for veterinary supervision in the markets, a monthly fee in the amount of NIS 0.08 for each kilogram of meat product marketed in Israel from the factory or imported, as applicable.
- (b) The Minister, with the consent of the Minister of Finance and with the approval of the Committee, may change the fee amount as stated in Subsection (a) for each kilogram of meat product, taking into account the scope of the required supervision as instructed by the Director of the Veterinary Unit as stated in Section 196, the weight of the meat manufactured or imported, and the cost of employing a certified veterinarian and the overhead associated with the employment.

**Time of payment 216.
of the fees**

- (a) Fees according to this title shall be paid no later than 14 days after the end of the month for which the fee is paid.
- (b) Notwithstanding the provisions of Subsection (a), a fee pursuant to Section 215(a) paid by an importer shall be paid as a condition for the processing of the application for a certificate of release.

**Collection of the 217.
fees**

- (a) The Corporation will collect the fees according to this title.
- (b) Notwithstanding the provisions of Subsection (a), the Minister of Finance, in consultation with the Minister and the Minister of Agriculture and Rural Development,

may determine by order that the fees will be collected by the Ministry of Health.

- (c) On the collection of fees according to this title, with the exception of fees collected by the Ministry of Health pursuant to Subsection (b), the Collection of Fines, Fees and Expenses Law, 5755-1995, shall apply.

Allocation of the market inspection fee to local authorities

218. (a) The Corporation will transfer to the local authorities that employ certified veterinarians in the markets, a payment equal to the multiplication of the basic fee amount by the number of certified veterinarians in the markets employed by that authority; Said payment will be transferred within 60 days from the due date for payment of the fee pursuant to Section 216(a).
- (b) The number of veterinarians that will be taken into account for the purposes of Subsection (a), shall not exceed the number of certified veterinarians in the markets whose employment is required according to the scope of supervision that the Director of the Veterinary Unit ordered as stated in Section 196.

Allocation of fees collected by the Ministry of Health

219. If it was determined in an order pursuant to Section 217(b) that the Ministry of Health will collect the inspection fees, the following provisions will apply:
- (1) The Ministry of Health will transfer to the Corporation a payment equal to the multiplication of the amount of the basic fee by the number of certified veterinarians employed by the Corporation, but not more than the number of certified veterinarians that the Corporation is required to employ as stated in Section 196;
- (2) The Ministry of Health will transfer to a local authority whose veterinary supervision in the markets within its jurisdiction is performed by its employees as stated in Section 194 or 195, a payment in the amount as stated in Section 218(a).

TITLE E: VARIOUS PROVISIONS CONCERNING VETERINARY SUPERVISION

Establishment of a computerized system

220. The Minister will establish a computerized system for registering operating permit holders, manufacturers, importers and marketers, including transporters and warehousemen, of meat products as well as for receiving details in respect thereof concerning the implementation of the provisions of this chapter, including the type of food manufactured, its quantity, decisions to supervise the sales sites and the payment of the supervision fees.

Canceling secondary inspection and payment of a fee

- a 221. (a) In this section, "secondary inspection" – an inspection conducted by a veterinarian of a local authority for meat products or for a transporter or transport vehicle for meat products and its contents, by virtue of

in respect thereof

instructions pursuant to a by-law, pursuant to the Animal Diseases Ordinance or pursuant to the Public Health (Food) Ordinance, as it was on the eve of the commencement of this law.

(b) Notwithstanding the provisions of any law –

- (1) A transporter of a meat product and a transport vehicle of a meat product does not have to undergo a secondary inspection;
- (2) The holder of an operating permit, a manufacturer of a meat product, or a marketer of a meat product, including a transporter of a meat product, is not required to pay a fee for a secondary inspection, or a fee according to a by-law for a veterinary inspection or inspection that is not a secondary inspection made in connection with a meat product;
- (3) There will be no validity to the instructions established pursuant to Section 3 of the Public Health (Food) Ordinance as it was on the eve of the commencement of this law, which prohibit the sale, transfer or export of fish without an inspection by a veterinarian of a local authority and without the issuance of a delivery note by him.

Retention powers of 222.

The provisions of this chapter do not derogate from supervisory powers or other powers granted under this law.

TITLE F: TEMPORARY PROVISIONS REGARDING VETERINARY SUPERVISION

SUB-TITLE A: DEFINITIONS AND APPLICABILITY

Definitions

223. In this title –

"Secondary inspection" – an inspection conducted by a veterinarian of a local authority for the transporter of a meat product or the transport vehicle and its contents, which is carried out at an inspection station; In this matter, "local authority" – the local authority to which the meat product in transport is transferred, provided that the product was not slaughtered, manufactured or stored in its domain prior thereto;

"Holder of an operating permit" – the holder of a permit pursuant to the Animal Diseases Ordinance to operate a meat slaughter factory, or anyone whose business requires such a permit;

"Poultry meat after slaughter" – meat product after it has been slaughtered or disassembled in a poultry slaughterhouse;

"Poultry meat on which manufacturing activity was carried out" – poultry meat after slaughter, which, after leaving the poultry slaughterhouse, was subjected to one of the activities specified in paragraphs (1) to (4) of the definition of "manufacturing";

"Dealer exempt from secondary inspections" – each of the following:

- (1) The holder of an operating permit for an industrial slaughterhouse that is exempt from undergoing secondary inspections pursuant to the Animal Diseases Ordinance;
- (2) An importer of a frozen meat product, which is exempted from undergoing secondary inspections pursuant to the Animal Diseases Ordinance;

"Veterinary certificate" – a certificate signed by the veterinarian who supervised the slaughtering or killing or the manufacturing in the factory, duly issued to a meat product, before it is shipped from the factory;

"Transition period" – a period of four years beginning on the 1st of the month following the expiration of three months from the date of publication of this law.

Applicability 224. The provisions of this title, with the exception of the provisions of Section 243, shall apply during the transition period.

SUB-TITLE B: SECONDARY INSPECTIONS DURING THE TRANSITION PERIOD

Secondary inspections for poultry meat after slaughtering

- (a) A transporter of poultry meat after slaughter, with the exception of poultry meat on which manufacturing activity was carried out and poultry meat intended for export, will be required to undergo only one secondary inspection; If the aforementioned transporter has an obligation to undergo a secondary inspection according to the by-law, he will not be obligated to undergo it and will not be obligated to pay a fee for it according to the by-law.
- (b) A transporter of poultry meat on which a manufacturing activity was carried out will be required to undergo a secondary inspection if he is subject to the aforementioned obligation according to a by-law, but will not be liable for a fee in respect thereof according to the said by-law.

Documenting the secondary inspections in the 226. A veterinarian of a local authority who performed a secondary inspection pursuant to Section 225 or according to another law requiring the performance of a secondary inspection, will report the performance of the inspection

computerized system

and its results to the computerized system as stated in Section 235, immediately after it is performed.

SUB-TITLE C: EXEMPTION FROM SECONDARY INSPECTIONS DURING THE TRANSITION PERIOD

Exemption from secondary inspections

227. A transporter of a meat product for which an obligation to undergo secondary inspections pursuant to Section 225 or according to another law has been established, does not have to undergo secondary inspections as mentioned, with the exception of random secondary inspections pursuant to Sub-title D, if the Director of the Veterinary Unit has confirmed that the conditions stated in paragraph (1) or (2) below are met and as long as the conditions are met (in this title – exemption from secondary inspections):

- (1) In the factory whose products he transports, a food safety plan is implemented, and veterinary supervision is carried out by a veterinarian in accordance with the regulations under this law, pursuant to the Animal Diseases Ordinance, pursuant to the law for the Control of Exports of Animals Law or pursuant to section 230(a)(2), and if he cannot be authorized or appointed in accordance with the aforementioned legislation – by a veterinarian certified by the Director of the Veterinary Unit pursuant to Section 230(a)(1);
- (2) The factory whose products he transports is a meat slaughter factory or a factory approved for export and the Director of the Veterinary Services has informed the Director of the Veterinary Unit that the conditions in paragraph (1) have been met.

Publication of the list of exemption holders

228. The list of recipients of the exemption from secondary inspections as well as business operators who are exempt from secondary inspections, will be published on the website; Such publication is not a condition for the validity of the exemption.

Obligations of exemption holders concerning transport and shipping

229. A factory that received an exemption from secondary inspections, a business operator exempt from secondary inspections –

- (1) Shall not ship a meat product from a meat factory, a meat slaughter factory, a refrigeration facility, or a quarantine station, unless he has found that all of the following have been met regarding the temperature of the vehicle in which it is transported:
 - (a) The temperature in the vehicle meets the requirements of the law;
 - (b) A temperature control system is installed in the vehicle;

- (c) The vehicle has a system for documenting faults in the temperature;
 - (d) There is a system that warns in real time about temperature faults in the vehicle; The Minister may establish concessions, exemptions and adjustments regarding the implementation of the aforementioned system with respect to a factory or such business operator, according to the scope of the factory's manufacturing and the type of food manufactured therein, and he may take into account the small number of vehicles used by them;
- (2) A meat product shall not be shipped from a meat factory, a meat slaughter factory, a refrigeration facility or a quarantine station, unless all of these have been met:
- (a) Attached to the meat product shipment is a delivery note for the meat product that includes the details specified in Section 181; The provisions of Section 182 shall apply, *mutatis mutandis*, to the issuance of the delivery note;
 - (b) Regarding a meat slaughtering factory, a factory approved for export and a factory for the manufacturing of fish products – a veterinary certificate is attached to the delivery note as stated in Subparagraph (a);
 - (c) The manufacturer or the holder of the operating permit shall transmit, electronically, the details of the delivery note to the computerized system as stated in Section 235 according to instructions as ordered by the Director of the Veterinary Unit, and shall also transmit them to the municipal veterinarian; Said certificate will be delivered at the time the transporter leaves the premises of the factory.

Certifying a veterinarian at the factory for the receipt on an exemption from secondary inspections

230. (a) If a manufacturer of a meat product has requested to be exempted from secondary inspections as mentioned in Section 227, the Director of the Veterinary Unit and in the case of a meat slaughter factory – the Director of Veterinary Services, may certify for the purpose of veterinary supervision in his factory –
- (1) A veterinarian who is an employee of the local authority under whose jurisdiction the manufacturer operates, according to an agreement between the manufacturer or the holder of an operating permit and the local authority or a veterinarian who is an employee of the Egg and

Poultry Board – until the day the Corporation begins operations;

(2) A veterinarian who is an employee of the Corporation – from the date determined in the order pursuant to Section 320(c), on the day the Corporation's activity begins regarding the certification of veterinarians.

(b) Notwithstanding the provisions of any law, with regard to a manufacturer in whose factory a veterinarian has been certified from among the employees of the Corporation as stated in Subsection (a)(2), there will be no validity to the provision stating that inspection of the factory, including the issuance of a veterinary certificate, shall be done by a veterinarian of a local authority.

(c) The Minister may certify a veterinarian who has been certified pursuant to this section with the powers of an inspector and the provisions of Chapter I shall apply with respect to such certification.

Fee for supervision at a factory by a veterinarian that is an employee of the Corporation

231. A manufacturer in whose factory a veterinarian has been certified from among the Corporation's employees as stated in Section 230(a)(2) shall pay the Corporation a fee as stated in Section 214, or according to Section 23(a1) of the Animal Diseases Ordinance, as applicable, in accordance with the scope of the supervision instructed by the Director of the Veterinary Unit, and the payment of the fee shall be subject to the provisions of Section 239, *mutatis mutandis*.

Duties of a veterinarian at a factory

232. If a veterinarian at a factory has been certified, as stated in Section 230, he shall be subject, notwithstanding the provisions of Section 320, to the duties and powers as stated in Sib-title D to Chapter H, *mutatis mutandis*.

Revoking the exemption from secondary inspections

233. (a) If the Director of the Veterinary Unit finds that an obligation from the obligations specified in Section 229 or Sub-title D has not been fulfilled, and that the failure to fulfil the obligation endangered or could endanger in practice the public health, or that it is a repeated violation of the obligation, he may revoke the exemption from secondary inspections, for a period he shall determine, after giving the manufacturer or the owner of the operating permit an opportunity to voice his claims.

(b) With regard to a meat slaughter factory and a factory approved for export, before revoking the exemption as stated in Subsection (a), the Director of the Veterinary Unit will consult with the Director of Veterinary Services; If the Director of the Veterinary Unit sent a notice to the Director of Veterinary Services of his intention to revoke the exemption, and the Director of

Veterinary Services did not convey his opinion regarding the intention to revoke the approval within seven workdays from the date of receipt of the notification, the consultation shall be considered as having taken place.

SUB-TITLE D: OBLIGATION TO UNDERGO RANDOM SECONDARY INSPECTIONS DURING THE TRANSITION PERIOD

Obligation to undergo random secondary inspections

234. (a) A transporter of a meat product manufactured in a factory that received an exemption from secondary inspections pursuant to the provisions of Section 227, will be required to undergo random secondary inspections.
- (b) The Director of the Veterinary Unit will summon a transporter as stated in Subsection (a), for a secondary inspection of the meat product transported in the transport vehicle, in accordance with the data of the computerized system as stated in Section 235 according to these instructions:
- (1) Arrival for the secondary inspections at the inspection location will not cause a noticeable deviation from the travel route;
 - (2) Arrival at the inspection location will be at during the transporter's working hours for that trip and will not cause a significant delay in the trip time;
 - (3) A transport vehicle of a transporter of a manufacturer or holder of an operating permit, will be summoned to 12 secondary inspections per year according to the provisions of this section, and if the provisions of this section apply during part of the year – the transporter will be summoned to random secondary inspections according to the provisions of this section, in a number equal to the number of months in which the provisions of this section will apply.

SUB-TITLE E: COMPUTERIZED SYSTEM FOR THE TRANSITION PERIOD

Establishment of a computerized system

235. The Minister and the Minister of Agriculture and Rural Development will establish a computerized system to implement the provisions of this title, including to assist in the selection of the transports for which the secondary inspection will be performed, to obtain a delivery note for meat products and to receive notifications of the performance of secondary inspections from veterinarians of the local authority.

SUB-TITLE F: VETERINARY SUPERVISION AT SALES
SITES

Prohibition on the sale and holding of a meat product

236. A marketer will not sell a meat product that is manufactured or imported by a person who received an exemption from secondary inspections or by a business operator who is exempt from secondary inspections, and a manufacturer will not hold a meat product that came into his possession from one who received such an exemption or from one who is so exempt, unless the following conditions were met regarding the shipping of the meat product:

- (1) A delivery note for meat products is attached to the shipment of the food, which includes the details mentioned in Section 181, and if a veterinary certificate as stated in Section 206 must also be attached to the delivery note – such a certificate is attached;
- (2) If the delivery note states that there is an obligation to undergo a random secondary inspection as stated in Section 234 – the delivery notes states that the secondary inspection has been carried out;
- (3) The delivery note was issued 24-hours prior to the shipment's arrival;
- (4) The products in the shipment match the delivery note for meat products with respect to the details pursuant to Section 181, and if a veterinary certificate is attached – the veterinary certificate matches the aforementioned delivery note.

Provisions concerning a transport vehicle

237. (a) A marketer of meat products shall not ship a meat product from a sales site to another sales site or to a manufacturer or to the holder of an operating permit and shall not transport a meat product from a sales site unless he has found that the provisions of Section 183 (1) to (3) and Section 217, *mutatis mutandis*, have been met, with respect to the vehicle in which it is transported.

(b) The provision of Subsection (a) shall also apply to the matter of the obligation to verify that the provisions of Section 183 (4), *mutatis mutandis*, have been met, regarding the vehicle in which the meat is transported starting from the end of six months from the date of the commencement of the transition period, unless the Minister has determined, with the approval of the Committee, that the commencement of this provision will be from the end of one year from the date of the commencement of the aforementioned transition period.

- (c) The Minister may establish concessions, exemptions and adjustments regarding the implementation of a system as mentioned in Section 183 (4) regarding a marketer according to the scope of his activity and the type of food sold by him.

SUB-TITLE G: FEES FOR SECONDARY INSPECTIONS
DURING THE TRANSITION PERIOD

- | | | |
|--|-------|---|
| Fee for secondary inspection of poultry meat after slaughter | 238. | (a) A poultry slaughterhouse, with the exception of a factory that received an exemption from secondary inspections as stated in Section 237, shall pay the local authority a monthly fee for performing the secondary inspections regarding poultry meat after slaughter, with the exception of poultry meat products intended for export. |
| | | (b) The amount of the monthly fee as stated in Subsection (a) will be a multiplication of NIS 0.1 per kilogram of poultry meat after slaughter that left the poultry slaughterhouse that month, with the exception of poultry meat intended for export, by the rate of residents in the local authority to which the food was marketed; In this subsection, the "rate of resident" – the ratio between the number of residents in the local authority and the total number of residents in all local authorities, according to the data of the Central Bureau of Statistics recently published on the eve of the commencement of the transition period. |
| Payment of fees by one exempt from obligation to undergo secondary inspections or by one required to undergo random secondary inspections | 239. | (a) A business operation exempt from secondary inspections, and a meat slaughtering factory that received an exemption from secondary inspections as stated in Section 227, shall pay the local authority a monthly fee for veterinary supervision performed by veterinarians in the markets under the jurisdiction of that local authority. |
| | | (b) The amount of the monthly fee as stated in Subsection (a) will be a multiplication of NIS 0.1 per kilogram of meat product after slaughter and killing, manufactured by the party liable to pay the fee, and marketed in all the local authorities in Israel that month, with the exception of poultry meat intended for export, by the rate of residents. |
| Cancellation of the collection of fees | 239A. | A local authority will not collect a fee under the by-laws for the performance of the secondary inspections under this law. |
| Refusal to issue a veterinary certificate due to | 240. | A veterinarian as stated in Section 230 shall not issue a veterinary certificate to a factory that has received approval for an exemption from secondary inspections and to the holder of an operating permit as stated in paragraph |

failure to pay a fee

(1) of the definition "business operator exempt from secondary inspections", who have not paid the fee pursuant to this subsection within 14 days of the end of the month for which they were required to pay it as stated in Section 239(a).

Using another entity to collect the fee

241. (a) Until the eve of the commencement of the Corporation's activity with respect to the collection of fees as stipulated in the order pursuant to Section 320(c)(2), a local authority may use another entity for the purpose of collecting the fee.
- (b) From the day of the commencement of the Corporation's activity with respect to the collection of fees as stipulated in the order pursuant to Subsection (a), a local authority may only use the Corporation for the purpose of collecting the fee.
- (c) A body as stated in Subsection (a) and the Corporation shall be subject to the Minister's instructions and shall report to the Minister every month or upon request on their activities with regard to the collection of the fees and their payment to the local authorities.

A common system for secondary inspections

242. Local authorities may cooperate in order to establish and operate the system of secondary inspections according to any law.

Sub-title h: settling of accounts with local authorities – temporary provision

Settling of accounts with local authorities regarding cost of salary that differs from the basic fee – temporary provision

243. (a) During a period of two years from the end of the transition period, a local authority, whose actual monthly salary cost for the certified veterinarians in the markets it employs is different from the basic fee amount, will be entitled to a supplement to the payment specified in Section 218(a) or 219(2), or the payment due to it will be reduced pursuant to the said sections, as applicable, by the amount of the difference between the amount of the actual monthly salary cost and the basic fee amount.

(b) In this section – "actual monthly salary cost" – the cost of the average monthly salary duly paid subject to restrictive provisions in 2015 to veterinarians employed by the local authority in veterinary supervision of food, as well as supplements that the local authority is obliged to pay pursuant to a collective agreement that are owed after January 1, 2016, and which it actually paid;

"Restrictive provisions" – any of the following:

- (1) The provisions of Section 29 of the Budgetary Principles Law, 5745-1985;

- (2) The provisions of Section 23 of the Budget for the Fiscal Year 1982 Law, 5742-1982;
- (3) The provisions of Section 24 of the Budget for the Fiscal Year 1983 Law, 5743-1983;
- (4) The provisions of Section 24 of the Budget for the Fiscal Year 1984 Law, 5744-1984.

CHAPTER I: SUPERVISION AND ENFORCEMENT POWERS

TITLE A: CERTIFICATION OF INSPECTORS

Certification of inspectors 244. The Minister may certify inspectors for the purpose of supervision over compliance with the provisions of his law, in whole or in part, from amongst the following:

- (1) An employee of the Minister of Health;
- (2) A civil servant in another government office – with the consent of the minister in charge of that office;
- (3) A government doctor who is an employee of a local authority – with the consent of the head of the local authority;
- (4) A veterinarian certified pursuant to Sections 194 or 195;
- (5) A veterinarian certified pursuant to Section 191
- (5) [2] A sanitation inspector or an inspector, who is an employee of the local authority – with the consent of the head of the local authority, and with respect to the authority's area.

Conditions for the certification of inspectors 245. An inspector will not be certified pursuant to Section 244, unless all of the following are met:

- (1) The Israel Police announced, no later than three months from the date of receiving his details, that it does not object to his certification for reasons of public security, including due to his criminal record;
- (2) He received appropriate training in the area of the powers that will be given to him pursuant to this law, as ordered by the Minister, with the consent of the Minister of Public Security;
- (3) He meets additional eligibility conditions as instructed by the Minister, in consultation with the Minister of Public Security.

TITLE B: POWERS OF INSPECTORS

Supervisory powers

246. For the purpose of supervision over the execution of provisions under this law, an inspector may, with the exception of an inspector as stated in Section 244(5) –

- (1) Demand from any person to disclose his name and address and present him with an identity card or other official document that identifies him;
- (2) Demand from any person concerned to provide him with any information and document he needs to fulfill his duties; In this paragraph, "document" – including output, as defined in the Computer Law; 5755-1995;
- (3) Conduct measurements and tests or take samples of food or of materials that in his opinion may be used as an ingredient in food or used in its manufacturing, contaminate food or affect its quality in another way, including its packaging and materials that come into contact with it, as well as deliver the measurements, tests and samples to the laboratory for testing, keep them or use them in another way; Said sample will be taken free of charge;
- (4) Enter any place where food is manufactured or sold, including a place used to store food or a means of transportation when it is stationary, as well as a quarantine station or a port or another place where food is kept, in order to inspect it and the processes of its manufacturing, importation or sale, however, an inspector shall not enter a place used only for residence, except pursuant to a court order;
- (5) (a) Check compliance with the conditions according to Section 155(2), in the transport license – to summon a food transporter who has submitted an application for a transport license or for its renewal to report to the place and on the date he orders or to oblige a certain food transporter to report for inspection with the transport vehicle at a place that is not a fixed inspection station at the time he so orders;

(b) An inspection according to this paragraph will be carried out at a place where reaching it will not cause a significant deviation from the route of travel and at a time that will be during the driver's working hours for that trip and will not cause a significant delay in the trip time;

(c) An inspector shall not exercise powers under this paragraph unless the Director of the Food Services has authorized him to do so.

Delivery of test results and samples by an inspector who is

247. Without derogating from his authority pursuant to Section 246(3), an inspector who is not an employee of the Ministry of Health, shall present to the relevant district doctor and the Director of the Food Services or to anyone

**not an employee
of the Ministry of
Health**

**Enforcement
powers**

- he has authorized to that end, any laboratory test result or sample which raise suspicion of the commission of an offense according to the provisions of this law.
248. If a suspicion of the commission of an offense has arisen under this law, an inspector may, with the exception of an inspector as stated in Section 244(5) –
- (1) Investigate any person who in his opinion is related to the aforementioned offense, or who may have information concerning the aforementioned offense; The provisions of Sections 2 and 3 of the Criminal Procedure (Evidence) Ordinance will apply to an investigation according to this paragraph, *mutatis mutandis*;
 - (2) Seize any object related to the offense or that may be used as evidence for the commission of said offense; Seizures according to this paragraph shall be subject to the provisions of the Chapter D of the Criminal Law Procedure Ordinance (Arrest and Search) [New Version] 5729-1969 (hereinafter – Arrest and Search Ordinance), *mutatis mutandis*; For this purpose, "object" – including a document, food, vehicles transporting food, means of manufacturing food and packaging materials;
 - (3) Request a search warrant from a court pursuant to Section 23 of the Arrest and Search Ordinance and execute it; A search according to this paragraph will be subject to the provisions of Sections 24(a)(1), 26 to 28 and 45 to the Arrest and Search Ordinance, *mutatis mutandis*.

**Supervisory
powers
regarding
provisions under
other legislation**

249. The Minister may authorize an inspector certified under this law to use supervisory powers under the laws below, regarding compliance with these provisions:
- (1) The Standards Law with respect to the provisions of official standards pursuant to the Standards Law applicable to food, including materials or products that come into contact with food – with the consent of the Standardization Officer;
 - (2) The Consumer Protection Law with respect to provisions pursuant to Sections 17 or 37 of the Consumer Protection Law regarding food labeling, which were established in consultation with the Minister of Health – with the consent of the Commissioner for Consumer Protection;
 - (3) Licensing of Businesses Law regarding the provisions established by the Minister by virtue of the Licensing of Businesses Law, applicable to food business operators.

Supervision procedures

250. (a) The exercise of the powers of an inspector according to Sections 246, 248 and 249, but with the exception of the exercise of the powers of supervision pursuant to Chapter H, will be done in accordance with the instructions to be given by the Director of the Food Services in a procedure, paying attention to the need for uniformity in the exercise of powers and in fulfilling the objectives of this law; Such procedures will be established, among other things, in accordance with accepted risk management in the food industry in developed countries for the implementation of the principles of the arrangements as established in this law.
- (b) Establishing procedures as stated in this section does not derogate from the duty of a local authority in the matter of safeguarding public health in accordance with its powers and duties pursuant to law.

Reporting obligation

251. (a) The Director of the Food Services may order in a procedure that the duty of an inspector according to this law is to report to an entity as instructed by the Director about the exercise of his powers pursuant to this law.
- (b) A local authority shall notify the Director of the Food Services of an investigation of an offense under this law that has been initiated and of an indictment filed as a result of said investigation, no later than 14 days from the date of the initiation of the investigation or the filing of the indictment, as applicable.
- (c) An inspector shall be obliged to report to an entity as instructed by the Director of the Food Services, in a procedure.

Obligation of identification

252. An inspector will not make use of the powers given to him according to this law, except when fulfilling his duties, and when all of these are met, as applicable:
- (1) He visibly wears a badge that identifies him and his position;
- (2) When exercising his powers pursuant to Section 248 – he wears an inspector's uniform in the color and form as instructed by the Minister for this matter, provided that the aforementioned uniform does not appear to be a police uniform;
- (3) He holds a certificate signed by the Minister, attesting to his position and powers, which he will present upon request.

Exemption from obligation of identification

253. The obligation to identify oneself pursuant to Section 252 shall not apply if compliance therewith may result in harm to the safety of the inspector or to the safety of another person, provided that if the circumstance that caused the

inspector to not comply with the obligation of identification as stated in this section has passed, the inspector shall comply with the said obligation as early as possible.

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| Powers to veterinarian inspector | a | 254. | For the purpose of supervision over the execution of instructions according to this law in a factory for which an inspector has been certified as specified in Section 244(5), he shall be given the powers pursuant to Section 246, provided that the powers pursuant to Section 246(4) shall not be exercised in a place where food is sold. |
| Designation of fines | of | 255. | Notwithstanding the provisions in any law, a fine imposed by the court due to the exercise of the authority of an inspector who is an employee of the local authority and submitted through a municipal prosecutor, will be paid to the local authority coffers. |

CHAPTER J: PENALTIES

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| Penalties | | 256. | (a) Whoever commits one of the following, his penalty shall be - one year imprisonment or double the fine as stated in Section 61(a)(3) of the Penal Law, 5737-1977 (hereinafter – the Penal Law), and if the offense was committed by a corporation, its penalty shall be – double the fine applicable to an individual as stated: <ul style="list-style-type: none">(1) Manufactures, imports or sells food in contravention of the regulations listed in Part A of the Second Schedule, in contravention of the provisions of Section 4;(2) Manufactures, imports or sells food, in contravention of the provisions of Section 5(a)(5);(3) Manufactures, imports or sells meat as fresh meat, as aged meat, as frozen aged meat or as frozen meat not in compliance with its nature, in contravention of the provisions of Section 9(b);(4) Manufactures, imports or sells processed meat, which is not labeled as per its type, in contravention of the provisions of Section 9(d);(5) Imports or sells food whose use-by date or its recommended use-by date has passed, in contravention of the provisions of Section 12(a);(6) Makes use of food whose use-by date has passed, in contravention of the provisions of Section 12(b);(7) Attributes to food, by means of labeling or advertising, the virtue of strengthening or healing the body or one of its organs or |
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systems or of preventing a disease, curing it, alleviating or assisting in dealing with it or its symptoms, in contravention of the provisions of Section 13;

- (8) Manufactures or imports food marked with labeling that does not match the food, in contravention of the provisions of Section 14(a);
- (9) Submits information concerning the food that he manufactures or imports, which is not compatible with the food, in contravention of the provisions of Section 14(b);
- (10) Gives or publishes information regarding food that he sells that does not match the food, and regarding food prepackaged by the manufacturer – that does not match the food in a material detail that may endanger public health, in contravention of the provisions of Section 14(c);
- (11) Does not keep a document, detail, permit or certificate, in contravention of the provisions of Sections 32, 94, 128 or 136;
- (12) Does not report a change in documents or details in contravention of the provisions of Sections 33, 65 or 112;
- (12A) Does not digitally save a product file, a list of food business operators, documentation of complaints, or documentation of the performance of his duties pursuant to Section 164, in contravention of the provisions of Section 54A (b)(2), (3), (4) or (5);
- (12B) An importer on the European track who does not submit the documents and details listed in Third Schedule B as part of the application for a certificate of release, in contravention of the provisions of Section 84(b1);
- (13) Does not keep test results, in contravention of the provisions of Section 96(b);
- (14) Does not verify the validity of a manufacturing license or a registered importer's certificate, as applicable, in contravention of the provisions of Section 127(a);
- (15) Transfers food to a food business operator, without receiving details from him and documenting them, in contravention of the provisions of Section 134(a);

- (16) Receives food without receiving from the party who delivered the food details and documents and documenting them, in contravention of the provisions of Section 135(a);
 - (17) Does not keep or record complaints received, in contravention of the provisions of Section 164(g);
 - (18) Issues a delivery note for a meat product that does not include the required details, in contravention of the provisions of Section 181;
 - (19) Ships a meat product out of a meat factory, a raw meat factory, a refrigeration facility or a quarantine station in a transport vehicle that does not have a temperature control system, documentation and warning of malfunctions in the temperature in the vehicle, in contravention of the provisions of Section 183;
 - (20) Ships a meat product from a sales site to another sales site, to a manufacturer or to an operating permit holder, in a transport vehicle that does not have temperature control systems, documentation and warning of temperature malfunctions in the vehicle, or transports a meat product in such a vehicle, in contravention of the provisions of Section 186;
 - (21) Ships a meat product from a meat factory, a meat slaughter factory, a refrigeration facility or a quarantine station, during the transit period, in a transport vehicle that does not have temperature control systems, documentation and warning of temperature malfunctions, in contravention of the provisions of Section 229;
 - (22) Ships a meat product from a sales site to another sales site, to a manufacturer or to the holder of an operating permit, during the transition period, in a transport vehicle that does not have temperature control systems, documentation and warning of temperature malfunctions or transports a meat product during the transition period, in such a vehicle, in contravention of the provisions of Section 237;
 - (23) Interferes with the inspector in the performance of his duties under this law.
- (b) Anyone committing one of the following, shall be sentenced to - two years imprisonment or double the fine as stated in Section 61(a)(4) of the Penal Law,

and if the offense was committed by a corporation, shall be sentenced to – double the fine applicable to an individual as stated:

- (1) Manufactures, imports or sells food contrary to the regulations listed in Part B of the Second Schedule, in contravention of the provisions of Section 4;
- (2) Manufactures, imports or sells food, in contravention of the provisions of Section 5(a)(1) to (4), (6) and (7);
- (3) Manufactures, imports or sells food that has a defect to an extent that may harm the integrity of the food or its safety, in contravention of the provisions of Section 6;
- (4) Offers the public food that is unfit for human consumption or that is damaged, and may harm a person's health, in contravention of the provisions of Section 7;
- (5) Manufactures, imports or sells food that includes a food additive or a flavoring agent, in contravention of the provisions of Section 8(a);
- (6) Manufactures food while using a production aid that is not according to the regulations, in contravention of the provisions of Section 8(b)(1), or imports or sells food that includes said substance, in contravention of the provisions of Section 8(b)(2);
- (7) Adds to a processed meat product during its processing a material for which restrictions or prohibitions have been established, in contravention of the provisions of Section 9(c);
- (8) Manufactures, imports or sells a thawed frozen meat product, which is not pre-packaged and labeled accordingly, in contravention of the provisions of Section 9(e);
- (9) Manufactures or imports food in violation of the regulations established according to this law regarding its packaging, the materials from which it is made, its properties or methods of keeping it, as well as regarding an object or material accompanying the food inside its packaging, in contravention of the provisions of Section 10;
- (10) Manufactures, imports or sells leftover food, including food that contains or was made of

leftovers, in contravention of the provisions of Section 11(b);

- (11) Does not label food in accordance with the regulations, in contravention of the provisions of Section 15(a)(1), or does not label food in accordance with the regulations imposed on a marketer or relating to a place selling food, in contravention of the provisions of Section 15(d);
- (12) Alters a marking indicated on the food, in contravention of the provisions of Section 16(a);
- (13) Adds a substance or component to food, treats food or processes it, labels or describes food, or sells food to which a substance or component has been added or that has been treated, processed, labeled or described, and all with the aim of misleading the recipient of the food regarding the nature or quality of the food, in contravention of the provisions of Section 17;
- (14) Manufactures, imports or sells unique food, in contravention of the provisions of Section 18(a);
- (15) Manufactures food without a manufacturing license for the site where the food is manufactured or not according to the type of manufacturing activity or according to the type of food he was allowed to manufacture, in contravention of the provisions of Section 21;
- (16) Manufactures food for which obtaining good manufacturing certification is required, without having such permit in his possession, in contravention of the provisions of Section 22(a);
- (17) Manufactures food that does not comply with the conditions of good manufacturing certification, in contravention of the provisions of Section 22(b);
- (18) Indicates the duration of shelf life in violation of the regulations according to this law or manufactures food without determining and indicating the duration of the food's shelf life, in contravention of the provisions of Section 23(b);
- (19) Carries out food preparation or packaging activity for sale to a consumer on the site of

the sale to the consumer without permit for manufacturing activity on the site of sale to the consumer, or not in accordance with its conditions, in contravention of the provisions of Section 24(a);

- (20) Manufactures food in an institutional kitchen that requires an institutional kitchen license according to the regulations, without having such a license or not in accordance with its conditions, in contravention of Section 26(d);
- (21) Labels food with the good manufacturing practices symbol, without good manufacturing certification and without a permit, in contravention of the provisions of Section 47;
- (22) Imports food without a valid registered importer's certificate or contrary to the conditions stipulated in the registered importer's certificate, in contravention of the provisions of Section 51;
- (23) Imports food whose manufacturing is subject to good manufacturing certification, without having a certificate indicating that the food was manufactured under good manufacturing practices, in contravention of the provisions of Section 52(a);
- (24) Imports regular food without confirmation of receipt of a declaration, in contravention of the provisions of Section 53(1);
- (24A) Imports food through the European track without being a proper importer, in contravention of the provisions of Section 54A(a);
- (24B) Imports food on the European track without confirmation of receipt of a declaration from a proper importer regarding the import of food on the European track, in contravention of the provisions of Section 54A(a);
- (25) Imports sensitive food without prior approval for importation or not in accordance with the requirements of said approval, in contravention of the provisions of Section 54(a)(1);
- (26) Imports via personal importation food that is prohibited for personal importation or contrary to the restrictions established for it, in contravention of the provisions of Section 55;

- (27) An importer of food for which he provided incorrect information in one of the following:
- (a) In the document or in the detail provided in the attachment to the request for obtaining prior approval for the importation of sensitive food, as stated in Section 64(a)(2);
 - (b) In a declaration regarding the importation of regular food, in contravention of the provisions of Section 76;
 - (b1) In the declaration regarding the import of food on the European track pursuant to Section 79C;
 - (c) In the document or in the detail provided in the attachment to the declaration regarding the importation of regular food, in contravention of the provisions of Section 77(b);
 - (c1) In sections (3) and (5) of the importer's undertaking in Third Schedule A as stated in Section 79D(1) or in the documents detailed in Section 79D(3) and (4)(a) to (c);
 - (d) In a request to receive a certificate of release, in contravention of the provisions of Section 83 or 84, except for the details and documents specified in Third Schedule B;
 - (e) In the application for registration as an importer, in contravention of the provisions of Section 103;
- (28) Issues a shipment of food imported from the quarantine station without receiving a certificate of release, in contravention of the provisions of Section 81;
- (29) Does not check the existence and appropriateness of tests according to the provisions of Section 96(a);
- (30) Manufactures food intended for export only when providing incorrect details in an export declaration, in contravention of the provisions of Section 117(a), or does not comply with the provisions of Sections 126 to 128 in contravention of the provisions of Section 117(a)(4);

- (31) Manufactures or markets food intended for export only, in contravention of a specific instruction given pursuant to Section 120;
- (32) Sells food without being registered as a corporation or operating as an authorized dealer in contravention of the provisions of Section 125(2);
- (33) Receives food from a manufacturer who does not have a manufacturing license or from an importer who is not a registered importer, in contravention of the provisions of Section 126(a);
- (34) Sells prepackaged food without complying with the labeling details detailed in the Fifth Schedule, in contravention of the provisions of Section 129;
- (35) Sells food without complying with the provisions of the regulations listed in the Sixth Schedule regarding the conditions for the sale of food, established pursuant to Section 138, in contravention of the provisions of Section 130;
- (36) Brings food from the Territory into Israel without being a registered marketer from the Territory, or brings food as stated that he received from a person who does not have a valid permit to export the food or contrary to the conditions of the said permit, in contravention of the provisions of Section 142;
- (37) Brings sensitive food from the territory to Israel without receiving a special permit for this or contrary to its conditions, in contravention of the provisions of Section 143;
- (38) Brings food from the Territory to Israel without labeling it with his name, in contravention of the provisions of Section 144;
- (39) Brings food from the Territory to Israel that is not in accordance with the regulations established under Section 140(b), listed in the Seventh Schedule, in contravention of the provisions of Section 145;
- (40) Transports food requiring transportation at a controlled temperature without a transport license, a manufacturing license for transport activity at a controlled temperature or a

permit for transport in the registered importer's certificate, or contrary to the terms of the license or permit as mentioned, in contravention of the provisions of Section 149;

- (41) Stores food that is subject to temperature-controlled storage without a storage license, a manufacturing license for temperature-controlled storage activity, or a permit for storage in the registered importer's certificate, or contrary to the terms of the license or permit as stated, in contravention of the provisions of Section 150;
- (42) A food business operator that does not store, hold or transport food according to the manufacturer's instructions, in contravention of the provisions of Section 156(a);
- (43) A food business operator that stores, holds or transports food not in accordance with the conditions according to the manufacturer's instructions regarding a specified temperature, in contravention of the provisions of Section 156(b);
- (44) Keeps food not in accordance with the instructions of the Director of the Food Services, in contravention of the provisions of Section 157(c);
- (45) Does not comply with the instructions of the Director of the Food Services pursuant to Section 163;
- (46) Does not take reasonable measures to prevent the use of harmful food or does not report to the Director of the Food Services, in contravention of the provisions of Section 164(b);
- (47) Does not comply with an instruction of Director of the Food Services or a district doctor pursuant to Section 166(a) or an instruction of the Director of the Food Services pursuant to Section 166(c);
- (48) Does not comply with any of the instructions of an order of the Director of the Food Services or a government doctor, as applicable, issued pursuant to Section 167;
- (49) Manufactures a meat product without having good manufacturing certification, in contravention of the provisions of Section 178(a);

- (50) Issues a shipment of meat products from a meat factory, a raw meat factory, a refrigeration facility, or a quarantine station, without attaching to the shipment a delivery note for meat products or without attaching a required veterinary certificate, in contravention of the provisions of Section 179;
 - (51) Issues a delivery note for a meat product, in contravention of the provisions of Section 180;
 - (52) Receives a meat product without meeting the required conditions regarding the delivery note of the meat product, in contravention of the provisions of Section 184;
 - (53) Sells a meat product without meeting the required conditions regarding the delivery note of the meat product, in contravention of the provisions of Section 185;
 - (54) Ships a meat product from a sales site to another sales site, to the manufacturer or to the holder of an operating permit, without a new delivery note for the meat product being attached to the shipment of the meat product, in contravention of the provisions of Section 187;
 - (55) Transfers a meat product to a sales site, contrary to the instructions of a certified veterinarian pursuant to Section 211(d);
 - (56) Ships a meat product from a meat factory, a meat slaughter factory, a refrigeration facility, or a quarantine station, during the transition period, without a meat product delivery note being attached to the shipment of the meat product, in contravention of the provisions of Section 229(2)(a), or without a veterinary certificate being attached, in contravention of the provisions of Section 229(2)(b);
 - (57) Sells or holds, as applicable, during the transition period, a meat product that is manufactured or imported by one who is exempt from secondary inspections without having met the required conditions regarding the delivery note of the meat product, in contravention of the provisions of Section 236;
- (c) A marketer from the Territory who commits one of the offenses listed in Subsection (a), in contravention of

the sections listed therein, as applied to him in Section 140, his penalty shall be – one year imprisonment or double the fine as stated in Section 61(a)(3) of the Penal Law, and if the offense was committed by a corporation, its penalty shall be – double the fine applicable to an individual as stated.

- (d) A marketer from the Territory who commits one of the offenses listed in Subsection (b), in contravention of the sections listed therein, as applied to him in Section 140, his penalty shall be – two years imprisonment or double the fine as stated in Section 61(a)(4) of the Penal Law, and if the offense was committed by a corporation, its penalty shall be – double the fine applicable to an individual as stated.
- (e) If the offense was a continuing offense, the court may impose an additional fine, at a rate of five percent of the amount of the fixed fine for that offense, for each day that the offense continues.

**The liability of
an employer and
officer in a
corporation**

257. (a) An employer and an officer in a corporation must supervise and do everything possible to prevent the commission of an offense as stated in Section 256, with the exception of an offense pursuant to Section 256(a)(23), by any of his employees, the corporation or an employee of the corporation, as applicable; Whoever violates the provision of this section, his penalty shall be – half the fixed fine for the offense; For the purposes of this section, "officer in a corporation" – with the exception of a controlling shareholder.
- (b) If an offense as stated in Subsection (a) was committed by an employee, a corporation or an employee of the corporation, the presumption is that the employer or the officer in the corporation, as applicable, violated his duty pursuant to Subsection (a), unless he proved that he did everything possible to fulfill his duty.

**The court's
powers from the
time of filing an
indictment**

258. (a) If an indictment has been filed for an offense according to this law, a court may issue a mandatory injunction, an injunction, and any other order, as it deems appropriate under the circumstances before it, and all to prevent, stop or mitigate the offense.
- (b) The court will not issue an order as stated in Subsection (a), except after giving the defendant an opportunity to voice his claims; If the defendant did not appear for the motion hearing even though he was duly summoned, the court may decide on the motion in his absence.

- (c) The validity of an order given as stated in Subsection (s) shall be for the period ordered by the court and at the latest until the end of the proceedings.
- (d) A defendant or a plaintiff as defined in Section 12 of the Criminal Procedure Law (Consolidated Version), 5742-1982, may apply to the court for reconsideration of the decision it gave regarding the motion for an order as stated in Subsection (a), if new facts are discovered or the circumstances have changed, and the fact may change the court's previous decision.
- (e) The defendant or plaintiff may appeal a decision regarding a motion for an order as stated in Subsection (a), or the court's decision on a motion for reconsideration as stated in Subsection (d); The court of appeals will hear the appeal in a panel of one judge.
- (f) The court hearing the appeal may confirm the decision appealed against, amend it, cancel it and make another decision in its place or return the matter with instructions to the party that gave the decision.

The court's powers when sentencing

259. (a) A court that has convicted a person of an offense according to this law may in the sentence, in addition to any punishment it imposes –
- (1) Instruct he take action to remove food from the marketing channels by way of withdrawal and to store it;
 - (2) Oblige him to pay the necessary expenses incurred to withdraw the food from the marketing channels and store it if a request has been submitted to the court by the person who withdrew it; If more than one person has been convicted of an offense, the court may, in the aforementioned decision, impose the payment of expenses on all or part of them, together or separately, or divide this amount between them, as it deems appropriate under the circumstances of the matter;
 - (3) Order the revocation of a license or certificate permanently or for a period to be determined.
- (b) Anyone believing themselves harmed by an order or decision issued pursuant to the provisions of Subsection (a) may appeal them as part of the appeal on the sentence.

CHAPTER K: ADMINISTRATIVE ENFORCEMENT

TITLE A: IMPOSITION OF AN ADMINISTRATIVE SANCTION

"The Commissioner" – the Director of the Food Services or the employee of the office subordinate to him in charge of administrative sanctions, which he has authorized with respect to this chapter;

"The basic amount" – an amount as detailed below, whether the violation is in one product or in more than one, as applicable:

- (1) Regarding an individual holding a manufacturing license, a registered importer's certificate or a marketer – NIS 8,000;
- (2) Regarding a corporation that in the year preceding the fiscal year in which the violation was committed, its annual sales turnover is up to NIS 100 million – NIS 20,000;
- (3) Regarding a corporation that in the year preceding the financial year in which the violation was committed, its annual turnover exceeds NIS 100 million – NIS 40,000.

For this matter, "corporation" – including its controlling shareholder.

**Administrative
sanction in an
amount equal to
the basic
amount**

261. If a manufacturer, importer or marketer violates any of the provisions under this law, as detailed below, the Commissioner may impose on him an administrative sanction according to the provisions of this chapter, in the basic amount, as applicable:

- (1) Manufactures, imports or sells food in violation of the regulations listed in Part A of the Second Schedule, in contravention of the provisions of Section 4;
- (2) Manufactures, imports or sells meat as fresh meat, as aged meat, as frozen aged meat or as frozen meat, not in accordance with its nature, in contravention of the provisions of Section 9(b);
- (3) Manufactures, imports or sells a processed meat product, which is not labeled according to its type, in contravention of the provisions of Section 9(d);
- (4) Imports or sells food whose use-by date or its recommended use-by date has passed, in contravention of the provisions of Section 12(a);
- (5) Makes use of food whose use-by date has passed, in contravention of the provisions of Section 12(b);
- (6) Attributes to food, by means of labeling or advertising, the virtue of strengthening or healing the body or one of its organs or systems or of preventing a disease, curing it, alleviating or assisting in dealing with it or its symptoms, in contravention of the provisions of Section 13;

- (7) Manufactures or imports food marked with labeling that does not match the food, in contravention of the provisions of Section 14(a);
- (8) Submits information concerning the food that he manufactures or imports, which is not compatible with the food, in contravention of the provisions of Section 14(b);
- (9) Gives or publishes information regarding food that he sells that does not match the food, and regarding food prepackaged by the manufacturer – that does not match the food in a material detail that may endanger public health, in contravention of the provisions of Section 14(c);
- (10) Does not label food in accordance with the regulations, in contravention of the provisions of Section 15(a)(1), or does not label food in accordance with the regulations imposed on a marketer or relating to a place selling food, in contravention of the provisions of Section 15(d);
- (11) Does not report a change in documents or details in contravention of the provisions of Sections 33, 65 or 112;
- (11A) Does not digitally save a product file, a list of food business operators, documentation of complaints, or documentation of the performance of his duties pursuant to Section 164, in contravention of the provisions of Section 54A (b)(2), (3), (4) or (5);
- (11B) An importer on the European track who does not submit the documents and details listed in Third Schedule B as part of the application for a certificate of release, in contravention of the provisions of Section 84(b1);
- (12) Does not keep or record complaints received, in contravention of the provisions of Section 164(g);
- (13) Issues a delivery note for a meat product that does not include the required details, in contravention of the provisions of Section 181;
- (14) Ships a meat product out of a meat factory, a raw meat factory, a refrigeration facility or a quarantine station in a transport vehicle that does not have a temperature control system, documentation and warning of malfunctions in the temperature in the vehicle, in contravention of the provisions of Section 183;

- (15) Ships a meat product from a sales site to another sales site, to a manufacturer or to an operating permit holder, in a transport vehicle that does not have temperature control systems, documentation and warning of temperature malfunctions in the vehicle, or transports a meat product in such a vehicle, in contravention of the provisions of Section 186;
- (16) Ships a meat product from a meat factory, a meat slaughter factory, a refrigeration facility or a quarantine station, during the transit period, in a transport vehicle that does not have temperature control systems, documentation and warning of temperature malfunctions, in contravention of the provisions of Section 229;
- (17) Ships a meat product from a sales site to another sales site, to a manufacturer or to the holder of an operating permit, during the transition period, in a transport vehicle that does not have temperature control systems, documentation and warning of temperature malfunctions or transports a meat product during the transition period, in such a vehicle, in contravention of the provisions of Section 237;
- (18) Manufactures, sells or imports food that does not meet the requirements regarding the labeling of the food in an official standard applicable to it, in contravention of the provisions of Subsections (a)(2)(a) and (c) of Section 15 and the provisions of Section 9(a) of the Standards Law;
- (19) Does not document or does not keep the required documentation, in contravention of the provisions of Sections 134, 135 or 136.

Administrative sanction equal to 1.5 times the basic amount 262.

If a manufacturer, importer or marketer violates any of the provisions under this law, as detailed below, the Commissioner may impose a on him an administrative sanction according to the provisions of this chapter, in an amount equal to 1.5 times the basic amount, as applicable:

- (1) Manufactures, imports or sells food contrary to the regulations listed in Part B of the Second Schedule, in contravention of the provisions of Section 4;
- (2) Manufactures, imports or sells food, in contravention of the provisions of Section 5(a)(3), (6) or (7)(a) to (c);
- (3) Manufactures, imports or sells food that has a defect to an extent that may harm the integrity of

the food or its safety, in contravention of the provisions of Section 6(1), (3), (4) or (5);

- (4) Manufactures food or transports it under conditions that are not according to the instructions established pursuant to Section 10(a) of the Licensing of Businesses Law, in contravention of the provisions of Section 5(b);
- (5) Manufactures, imports or sells food that includes a food additive or a flavoring agent, in contravention of the provisions of Section 8(a);
- (6) Manufactures food while using a production aid that is not according to the regulations, in contravention of the provisions of Section 8(b)(1), or imports or sells food that includes said substance, in contravention of the provisions of Section 8(b)(2);
- (7) Adds to a processed meat product during its processing a material for which restrictions or prohibitions have been established, in contravention of the provisions of Section 9(c);
- (8) Manufactures, imports or sells a thawed frozen meat product, which is not pre-packaged and labeled accordingly, in contravention of the provisions of Section 9(e);
- (9) Manufactures or imports food in violation of the regulations established according to this law regarding its packaging, the materials from which it is made, its properties or methods of keeping it, as well as regarding an object or material accompanying the food inside its packaging, in contravention of the provisions of Section 10;
- (10) Manufactures, imports or sells leftover food, including food that contains or was made of leftovers, in contravention of the provisions of Section 11(b);
- (11) Alters a marking indicated on the food, in contravention of the provisions of Section 16(a);
- (12) Manufactures, imports or sells unique food, in contravention of the provisions of Section 18(a);
- (13) Manufactures food without a manufacturing license for the site where the food is manufactured or not according to the type of manufacturing activity or according to the type of food he was allowed to manufacture, in contravention of the provisions of Section 21;
- (14) Manufactures food for which obtaining good manufacturing certification is required, without

having such permit in his possession, in contravention of the provisions of Section 22(a);

- (15) Manufactures food that does not comply with the conditions of good manufacturing certification, in contravention of the provisions of Section 22(b);
- (16) Carries out food preparation or packaging activity for sale to a consumer on the site of the sale to the consumer without permit for manufacturing activity on the site of sale to the consumer, or not in accordance with its conditions, in contravention of the provisions of Section 24(a);
- (17) Manufactures food in an institutional kitchen that requires an institutional kitchen license according to the regulations, without having such a license or not in accordance with its conditions, in contravention of Section 26(d);
- (18) Labels food with the good manufacturing practices symbol, without good manufacturing certification and without a permit, in contravention of the provisions of Section 47;
- (19) Imports food without a valid registered importer's certificate or contrary to the conditions stipulated in the registered importer's certificate, in contravention of the provisions of Section 51;
- (20) Imports food whose manufacturing is subject to good manufacturing certification, without having a certificate indicating that the food was manufactured under good manufacturing practices, in contravention of the provisions of Section 52(a);
- (21) Imports regular food without confirmation of receipt of a declaration, in contravention of the provisions of Section 53(1);
- (22) Imports sensitive food without prior approval for importation or not in accordance with the requirements of said approval, in contravention of the provisions of Section 54(a)(1);
- (22A) Imports food through the European track without being a proper importer, in contravention of the provisions of Section 54A(a);
- (22B) Imports food on the European track without confirmation of receipt of a declaration from a proper importer regarding the import of food on the European track, in contravention of the provisions of Section 54A(a);

- (23) Imports food for which he provided incorrect information in one of the following:
 - (a) In the document or in the detail provided in the attachment to the request for obtaining prior approval for the importation of sensitive food, as stated in Section 64(a)(2);
 - (b) In a declaration regarding the importation of regular food, in contravention of the provisions of Section 76;
 - (b1) In the declaration regarding the import of food on the European track pursuant to Section 79C;
 - (c) In the document or in the detail provided in the attachment to the declaration regarding the importation of regular food, in contravention of the provisions of Section 77(b);
 - (c1) In sections (3) and (5) of the importer's undertaking in Third Schedule A as stated in Section 79D(1) or in the documents detailed in Section 79D(3) and (4)(a) to (c);
 - (d) In a request to receive a certificate of release, in contravention of the provisions of Section 83 or 84, except for the details and documents specified in Third Schedule B;
 - (e) In the application for registration as an importer, in contravention of the provisions of Section 103;
- (24) Issues a shipment of food imported from the quarantine station without receiving a certificate of release, in contravention of the provisions of Section 81;
- (25) Takes out food from storage registered in the importer's registration certificate, in contravention of the provisions of Section 90;
- (26) Does not check the existence and appropriateness of tests according to the provisions of Section 96(a);
- (27) Manufactures food intended for export only when providing incorrect details in an export declaration, in contravention of the provisions of Section 117(a), or does not comply with the

provisions of Sections 126 to 128 in contravention of the provisions of Section 117(a)(4);

- (28) Manufactures or markets food intended for export only, in contravention of a specific instruction given pursuant to Section 120;
- (29) Sells food without being registered as a corporation or operating as an authorized dealer in contravention of the provisions of Section 125(2);
- (30) Receives food from a manufacturer who does not have a manufacturing license or from an importer who is not a registered importer, in contravention of the provisions of Section 126(a);
- (31) Sells prepackaged food without complying with the labeling details detailed in the Fifth Schedule, in contravention of the provisions of Section 129;
- (32) Does not keep a document, detail, permit or certificate, in contravention of the provisions of Sections 32, 94, 128 or 136;
- (33) Sells food without complying with the provisions of the regulations listed in the Sixth Schedule regarding the conditions for the sale of food, established pursuant to Section 138, in contravention of the provisions of Section 130;
- (34) Brings food from the Territory into Israel without being a registered marketer from the Territory, or brings food as stated that he received from a person who does not have a valid permit to export the food or contrary to the conditions of the said permit, in contravention of the provisions of Section 142;
- (35) Brings sensitive food from the territory to Israel without receiving a special permit for this or contrary to its conditions, in contravention of the provisions of Section 143;
- (36) Brings food from the Territory to Israel without labeling it with his name, in contravention of the provisions of Section 144;
- (37) Brings food from the Territory to Israel that is not in accordance with the regulations established under Section 140(b), listed in the Seventh Schedule, in contravention of the provisions of Section 145;
- (38) Transports food requiring transportation at a controlled temperature without a transport license, a manufacturing license for transport activity at a controlled temperature or a permit for

transport in the registered importer's certificate, or contrary to the terms of the license or permit as mentioned, in contravention of the provisions of Section 149;

- (39) Stores food that is subject to temperature-controlled storage without a storage license, a manufacturing license for temperature-controlled storage activity, or a permit for storage in the registered importer's certificate, or contrary to the terms of the license or permit as stated, in contravention of the provisions of Section 150;
- (40) A food business operator that does not store, hold or transport food according to the manufacturer's instructions, in contravention of the provisions of Section 156(a);
- (41) A food business operator that stores, holds or transports food not in accordance with the conditions according to the manufacturer's instructions regarding a specified temperature, in contravention of the provisions of Section 156(b);
- (42) Keeps food not in accordance with the instructions of the Director of the Food Services, in contravention of the provisions of Section 157(c);
- (43) Does not comply with the instructions of the Director of the Food Services pursuant to Section 163;
- (44) Does not take reasonable measures to prevent the use of harmful food or does not report to the Director of the Food Services, in contravention of the provisions of Section 164(b);
- (45) Does not comply with an instruction of Director of the Food Services or a district doctor pursuant to Section 166(a) or an instruction of the Director of the Food Services pursuant to Section 166(c);
- (46) Does not comply with any of the instructions of an order of the Director of the Food Services or a government doctor, as applicable, issued pursuant to Section 167;
- (47) Manufactures a meat product without having good manufacturing certification, in contravention of the provisions of Section 178(a);
- (48) Issues a shipment of meat products from a meat factory, a raw meat factory, a refrigeration facility, or a quarantine station, without attaching to the shipment a delivery note for meat products or without attaching a required veterinary

certificate, in contravention of the provisions of Section 179;

- (49) Issues a delivery note for a meat product, in contravention of the provisions of Section 180;
- (50) Receives a meat product without meeting the required conditions regarding the delivery note of the meat product, in contravention of the provisions of Section 184;
- (51) Sells a meat product without meeting the required conditions regarding the delivery note of the meat product, in contravention of the provisions of Section 185;
- (52) Ships a meat product from a sales site to another sales site, to the manufacturer or to the holder of an operating permit, without a new delivery note for the meat product being attached to the shipment of the meat product, in contravention of the provisions of Section 187;
- (53) Transfers a meat product to a sales site, contrary to the instructions of a certified veterinarian pursuant to Section 211(d);
- (54) Ships a meat product from a meat factory, a meat slaughter factory, a refrigeration facility, or a quarantine station, during the transition period, without a meat product delivery note being attached to the shipment of the meat product, in contravention of the provisions of Section 229(2)(a), or without a veterinary certificate being attached, in contravention of the provisions of Section 229(2)(b);
- (55) Sells or holds, as applicable, during the transition period, a meat product that is manufactured or imported by one who is exempt from secondary inspections without having met the required conditions regarding the delivery note of the meat product, in contravention of the provisions of Section 236;
- (56) Manufactures, sells or imports food that does not meet the requirements in an official standard applicable to it, with the exception of requirements concerning the labeling of the food, or carries out any action pertaining to the food when the rules for carrying it out do not comply with the requirements of the official standard, in contravention of the provisions of Section 9(a) of the Standards Law, subject to the provisions of this law.

Administrative sanction for violations of the provisions concerning food labeling

263. (a) Notwithstanding the provisions of Sections 260 to 262, for violations according to the said sections that concern labeling, the Commissioner may impose an administrative sanction of NIS 100 for each product in which such a violation is discovered, provided that the amount of the administrative sanction to be imposed shall be no less than half of the basic amount pursuant to Section 260 and shall not exceed twice the said basic amount.
- (b) Notwithstanding the provisions of Subsection (a), in a violation of the labeling provision in the Ninth Schedule, the amount of the sanction that will be imposed shall be no less than the basic amount pursuant to Section 260, and shall not exceed twice the aforementioned basic amount.

Administrative sanction for violations of the provisions concerning a foreign body

264. (a) The Commissioner may impose an administrative sanction according to the provisions of this chapter on anyone who manufactures or imports food that contains a foreign body in contravention of the provisions of Section 5(a)(5), unless the foreign body was added to the food in an unavoidable manner as part of the manufacturing process; In this regard, the basic amount will be NIS 500 for each product in which such a violation is discovered, provided that the amount of the administrative sanction to be imposed shall be no less than half of the basic amount pursuant to Section 260 and shall not exceed twice the said basic amount.
- (b) Notwithstanding the provisions of Subsection (a), if the aforementioned violation may affect the safety of the food, the amount of the sanction that will be imposed shall be no less than the basic amount pursuant to Section 260, and shall not exceed twice the aforementioned basic amount.

Administrative sanction on a marketer from the Territory

265. A marketer from the Territory who commits one of the violations listed in Sections 261 and 262, contrary to the sections listed in the aforementioned sections as applied to him in Section 140, the Commissioner may impose on him an administrative sanction pursuant to the provisions of this chapter, at the rate of the basic amount for a violation pursuant to Section 261 or 1.5 times the basic amount for to a violation pursuant to Section 262; However, if Sections 263 or 264 apply to such violations, the Commissioner may impose an administrative sanction on the offender at the rate determined in those sections; The provisions of this chapter, with the exception of the aforementioned sections, shall apply to the violation as stated in this section, as if the violation was pursuant to those sections.

Administrative sanction under aggravated circumstances	266.	If the Commissioner has reasonable grounds to assume that a manufacturer, importer or marketer has violated any of the provisions under this law, detailed in Sections 261 and 262, under aggravated circumstances, he may impose on him an administrative sanction equal to twice the amount that could have been imposed for that violation; In this section, "aggravated circumstances" – a violation that may cause a risk to public health or food safety.
Reservation to the imposition of an administrative sanction concerning compliance with an official standard	267.	Notwithstanding the provisions of Sections 261(18) and 262(56), the Commissioner shall not impose an administrative sanction pursuant to these provisions on a marketer who is not a manufacturer or importer of the food to which an official standard applies and who has confirmation from the manufacturer or importer, as applicable, regarding the compliance of the commodity with the requirements of the official standard or if the commodity has been labeled with a standards association stamp.
Notification of intent to impose a charge	268.	<p>(a) If the Commissioner had reasonable grounds to assume that a person violated any of the provisions under this law, as stated in Sections 261 to 264 (in this chapter – the offender), and he intends to impose an administrative sanction on him pursuant to those sections, he shall give the offender a notice of the intention to impose an administrative sanction on him (in this chapter – notification of intent to impose a charge).</p> <p>(b) In the notification of intent to impose a charge, the Commissioner shall state, among other things, the following:</p> <ol style="list-style-type: none"> (1) The act or omission (in this chapter – the act), which constitutes the violation; (2) The amount of the administrative sanction and the period for its payment; (3) The offender's right to assert his claims before the Commissioner pursuant to the provisions of Section 269; (4) The authority to add to the amount of the administrative sanction for a continuing violation or repeated violation pursuant to the provisions of Section 271 and the date from which a violation will be considered a continuing violation for the purposes of the said section.
Right argument	269.	An offender who has been notified of the intent to impose a charge pursuant to the provisions of Section 268 may state his claims before the Commissioner, in writing or orally, as directed by the Commissioner, regarding the intent to impose an administrative sanction on him and

regarding its amount, within 45 days from the date of delivery of the notification, and the Commissioner may extend the aforementioned period for an additional period not to exceed 30 days.

**The
Commissioner's
decision and
payment
demand**

270. (a) The Commissioner will decide, after considering the arguments made pursuant to Section 269, whether to impose an administrative sanction on the offender, and he may reduce the amount of the administrative sanction pursuant to the provisions of Section 272.
- (b) If the Commissioner decided pursuant to the provisions of Subsection (a)
- (1) To impose an administrative sanction on the offender – he will give him a demand, in writing, to pay the administrative sanction (in this chapter – a payment demand), in which he will state, among other things, the updated amount of the administrative sanction and the period for its payment;
- (2) Not to impose an administrative sanction on the offender – he will notify him of the fact, in writing.
- (c) In the payment demand or in the notice, pursuant to Subsection (b), the Commissioner will specify the reasons for his decision.
- (d) If the offender did not assert his claims pursuant to the provisions of Section 269 within the period stated in that section, the notification of intent to impose a charge, at the end of that period, shall be considered a payment demand delivered to the offender on the said date.

**Repeated
violation and
continuing
violation**

271. (a) In the event of a continuing violation, for each day that the violation continues one fiftieth (1/50) thereof will be added to the administrative sanction set for that violation; For this matter, "continuing violation" – violation of any of the provisions of this law as stated in Sections 261 and 262, after the offender has been served with a payment demand due to that provision or after an administrative notice as defined in Section 277 has been served to the offender, due to the violation of that provision and the notice has not been canceled as stated in Section 278;
- (b) In the event of a repeated violation, an amount equal to the aforementioned administrative sanction will be added to the administrative sanction set for that violation; For this matter, "repeated violation" – a violation of any of the provisions pursuant to this part as stated in Sections 261 and 262 within two years of a previous violation of that provision for which an administrative sanction was imposed on the offender

or for which he was convicted, and in the event of a violation as stated in Section 263 or 264 – within one year of a previous violation as stated.

Reduced amounts

272. (a) The Commissioner may not impose an administrative sanction in an amount lower than the amounts specified in this title, except pursuant to the provisions of Subsection (b).
- (b) The Minister, with the consent of the Minister of Justice and with the approval of the Committee, may determine cases, circumstances and considerations due to which it will be possible to impose an administrative sanction in an amount lower than the amounts established in this chapter, and at the rates he will determine.

Updated administrative sanction amounts

273. (a) The administrative sanction will be according to its updated amount on the day of delivery of the payment demand, and for an offender who did not assert his claims before the Commissioner as stated in Section 269 – on the day of delivery of the notification of intent to impose a charge; If an appeal was filed to a court pursuant to Section 286 and the payment of the administrative sanction was delayed by the Commissioner or the court – the administrative sanction will be according to its updated amount on the day of the decision on the appeal.
- (b) The basic amount stipulated in Section 260 will be updated on January 1 of each year (in this subsection – the day of the update), according to the rate of increase of the index known on the day of the update compared to the index that was known on January 1 of the previous year; The said amount will be rounded to the nearest amount which is a multiple of NIS 10; For this matter, "index" – the consumer price index published by the Central Bureau of Statistics.
- (c) The Commissioner will publish in the Official Gazette a notice of the updated basic amount pursuant to Subsection (b).

The due date of the administrative sanction

274. The offender shall pay the administrative sanction within 45 days from the date of delivery of the payment demand as stated in Section 270.

Linkage and interest differentials

275. In the event the offender did not pay an administrative sanction on time, the linkage and interest differentials as defined in the Adjudication of Interest and Linkage Law, 5721-1961 (in this chapter – linkage and interest differentials), will be added to the administrative sanction, for the period of arrears, until its payment.

Collection 276. An administrative sanction will be collected to the state treasury, and its collection will be subject to the Center of Fines, Fees and Expenditure Law, 5744-1995.

TITLE B: ADMINISTRATIVE NOTICE

Administrative notice 277. (a) If the Commissioner had reasonable grounds to assume that a person violated any of the provisions under this law, as stated in Sections 261 to 264, and the circumstances listed in the procedures instructed by the Commissioner, with the approval of the Attorney General, and published on the website, were met, he may issue the offender, in lieu of a notification of intent to impose a charge, an administrative notice pursuant to the provisions of this title; In this chapter, the "Attorney General" – including a deputy to the Attorney General authorized by him to that end.

(b) In an administrative notice, the Commissioner will indicate what the act constitutes the violation, will inform the offender that he must stop the violation, and that if he continues the violation or repeats it, he will be subject to an administrative sanction due to a continuing violation or repeated violation, as applicable, as stated in Section 271, and will also indicate the offender's right to request the withdrawal of the notice pursuant to the provisions of Section 278.

Request to withdraw an administrative notice 278. (a) If the offender is given an administrative notice as stated in Section 277, he may contact the Commissioner in writing, within 45 days, with a request to withdraw the notice due to any of the following reasons:

- (1) The offender did not commit the violation;
- (2) The act committed by the offender, detailed in the notice, does not constitute a violation.

(b) If the Commissioner received a request to withdraw an administrative notice, pursuant to the provisions of Subsection (a), he may withdraw the notice or deny the request and leave the notice unchanged; The Commissioner's decision will be given in writing, and will be delivered to the offender along with reasonings.

Continuing violation and repeated violation after a notice 279. (a) If an administrative notice was given to the offender pursuant to the provisions of this title and the offender continued to violate the provision for which the notice was issued to him, the Commissioner will give him a payment demand for the continuing violation as stated in Section 271(a); An offender who has been given a payment demand as mentioned above may

plead his case before the Commissioner, regarding the continuation of the violation and the amount of the administrative sanction, and the provisions of Sections 269 and 270 will apply, *mutatis mutandis*.

- (b) If an administrative notice was given to the offender pursuant to the provisions of this title and the offender repeated the violation of the provision for which the notice was issued, within two years from the date of service of the notice, and in the case of a violation pursuant to Section 263 or 264 – within one year from the date of service of the notice, the aforementioned additional violation will be considered a repeated violation with regard to Section 271(b), and the Commissioner will issue the offender a notification of intent to impose a charge due to the repeated violation; An offender who has been notified of the intention to impose a charge pursuant to Section 268 for the repeated violation, may plead his case before the Commissioner and Sections 269 and 270 will apply, *mutatis mutandis*.

TITLE C: UNDERTAKING TO REFRAIN FROM A VIOLATION

Notice on the possibility to submit an undertaking and guarantee

280. If the Commissioner had reasonable grounds to assume that a person violated any of the provisions under this law, as stated in Sections 261 to 264, and the circumstances listed in the procedures instructed by the Commissioner, with the approval of the Attorney General, and published on the website, were met, he may issue the offender, in lieu of a notification of intent to impose a charge, a notice according to which he may submit to the Commissioner a letter of undertaking and guarantee pursuant to the provisions of this title, in lieu of the administrative sanction that could have been imposed on him for committing the said violation pursuant to the provisions of Title A.

Terms of the undertaking and the guarantee amount

281. (a) In the letter of undertaking, the offender shall undertake to stop the violation of the provision as stated in Section 280 and to refrain from further violation of that provision within a period determined by the Commissioner and which begins on the day of delivery of the letter of undertaking, provided that the said period does not exceed two years (in this title – the period of the undertaking).
- (b) The Commissioner may demand that the letter of undertaking stipulate additional conditions that the offender must comply with during the period of the undertaking in order to mitigate the harm caused by the offender or to prevent its recurrence.

- (c) In addition to the letter of undertaking, the offender shall deposit with the Commissioner a guarantee in the amount of the administrative sanction that the Commissioner was entitled to impose on the offender for that violation, taking into account the existence of mitigating circumstances determined pursuant to Section 272(b).

**Outcome of the
submittal of an
undertaking and
guarantee or of
failure to submit
them**

282. If the offender submits to the Commissioner a letter of undertaking and guarantee according to this title within 30 days from the date of delivery of the notice as stated in Section 280, no administrative sanction will be imposed on him for that violation; If the offender did not submit to the Commissioner a letter of undertaking and guarantee within the aforementioned period, the Commissioner will issue him a notification of intent to impose a charge due to that violation, pursuant to Section 268.

**Breach of the
undertaking**

283. (a) If the offender submitted a letter of undertaking and guarantee according to this title and violated any of the conditions of the undertaking, as detailed in the paragraphs below, the provisions detailed in those paragraphs will apply, as applicable:

(1) If the offender, during the period of the undertaking, continued to violate the provision for which he gave the letter of the undertaking – the Commissioner will forfeit the guarantee and present the offender with a payment demand for the continued violation, as stated in Section 271(a);

(2) If the violator violates again, during the period of the undertaking, the provision for which he gave the letter of undertaking – the additional violation as mentioned above will be considered a repeated violation for the purposes of Section 271(b) and the following provisions will apply:

(a) The Commissioner will issue the offender a notification of intent to impose a charge due to the repeated violation;

(b) If the Commissioner sent a payment demand for the repeated violation pursuant to the provisions of Section 270(b)(1) or if the offender did not assert his claims before the Commissioner regarding that violation as stated in Section 270(d), the Commissioner will forfeit the guarantee in addition to the imposition of the administrative sanction due to the repeated violation;

(3) If the offender violates any of the additional conditions stipulated in the letter of undertaking as

stated in Section 281(b) – the Commissioner will forfeit the guarantee, after giving the offender an opportunity to assert his claims in writing in this regard.

- (b) For the purposes of this chapter, the forfeiture of the guarantee according to the provisions of this section shall be considered as the imposition of an administrative sanction on the offender due to the violation for which the guarantee was given.
- (c) If any of the terms of the undertaking as mentioned in this section has been violated, and the offender violates again the provision for which he gave the letter of undertaking, the Commissioner will not allow him to submit another letter of undertaking pursuant to the provisions of this title, in respect of that violation.

Return of guarantee 284. If the offender has complied with the terms of the letter of undertaking he gave pursuant to this title, the guarantee that he deposited will be returned to him, at the end of the period of the undertaking, together with linkage and interest differentials from the day of its deposit until the day of its return.

TITLE D: VARIOUS PROVISIONS – ADMINISTRATIVE ENFORCEMENT

Administrative sanction for a violation under this law and under another law 285. For one act that constitutes a violation of any of the provisions of this law listed in Sections 261 to 264 and of any of the provisions under another law, no more than one administrative sanction shall be imposed.

Appeal 286. (a) A final decision of the Commissioner pursuant to this chapter can be appealed to the Magistrate's Court where the President of the Magistrate's Court sits; Said appeal shall be filed within 30 days from the day the offender was notified of the decision via registered mail.

(b) Filing an appeal pursuant to Subsection (a) does not delay the payment of the administrative sanction, unless the Commissioner agreed to it or the court ordered it.

(c) If the court decided, after the administrative sanction was paid or a guarantee was deposited pursuant to the provisions of this chapter, to accept an appeal filed pursuant to Subsection (a), and ordered the return of the amount of the administrative sanction paid or the reduction of the administrative sanction or the return of the guarantee, the amount paid or any part thereof that was reduced or the guarantee, as applicable, will

be returned together with linkage and interest differentials from the day of its payment or deposit, until the day of its return.

Publication

287. (a) If the Commissioner imposed an administrative sanction pursuant to this chapter, he will publish on the website, as well as in another way if he decided to do so, the details below, in a way that will ensure transparency regarding the exercise of his discretion in making the decision to impose an administrative sanction:
- (1) The fact of the imposition of the administrative sanction;
 - (2) The nature of the violation for which the administrative sanction was imposed and the circumstances of the violation;
 - (3) The amount of the administrative sanction imposed;
 - (4) If the administrative sanction was reduced – the circumstances due to which the amount of the sanction was reduced and the rates of the reduction;
 - (5) Details about the offender, relevant to the matter;
 - (6) The name of the offender – If it is a corporation.
- (b) If an appeal has been filed pursuant to Section 286, the Commissioner shall publish the fact of the filing of the appeal and its outcome, in the same way as he published the notice of the imposition of the administrative sanction.
- (c) Notwithstanding the provisions of Subsection (a)(6), the Commissioner may publish the name of an individual offender if he believes that this is necessary for the purpose of warning the public.
- (d) Notwithstanding the provisions of this section, the Commissioner shall not publish details that constitute information that a public authority is prohibited from providing pursuant to Section 9(a) of the Freedom of Information Law, 5758-1998, and he may also not publish details pursuant to this section that constitute information that a public authority is not required to provide pursuant to Section 9(b) of said law.
- (e) Publication on the website as stated in Subsection (a), regarding an administrative sanction imposed on a corporation shall be for a period of four years, and regarding an administrative sanction imposed on an individual – two and a half years.

**Preserving
criminal liability**

288. (a) Paying an administrative sanction, issuing an administrative notice or providing a letter of undertaking and guarantee, pursuant to this chapter, will not derogate from a person's criminal liability for violating any of the provisions listed in Sections 261 to 264, which constitutes an offense.
- (b) If the Commissioner gave the offender a notification of intent to impose a charge or issued him an administrative notice or a notice on the possibility to submit an undertaking and guarantee, due to a violation that constitutes an offense as stated in Subsection (a), no indictment will be filed against him for that violation, unless new facts or evidence have been discovered that justify it.
- (c) If an indictment has been filed against a person for a violation that constitutes an offense as stated in Subsection (a), the Commissioner shall not initiate proceedings against him pursuant to this chapter for that violation, and if the indictment was filed under the circumstances stated in Subsection (b) after the offender has paid an administrative sanction or deposited a guarantee, the amount paid or the guarantee deposited, as applicable, shall be returned to him, together with linkage and interest differentials from the day the amount is paid or the day the guarantee is deposited until the day it is returned.

**Regulations
concerning
administrative
enforcement**

289. The Minister, with the consent of the Minister of Justice, may establish regulations to carry out the provisions of this chapter.

**CHAPTER L: ADMINISTRATIVE AND JUDICIAL
RESTRICTION ORDERS**

**Notice and
administrative
restriction order**

290. (a) If the manufacturing licensor or the Registrar (in this section – the issuer of the notice) has reasonable grounds for suspecting that any of the conditions for granting a manufacturing license pursuant to Section 29(a) or for issuing a registered importer's certificate pursuant to Section 102 is no longer being met, or that any of the conditions of the manufacturing license or the registered importer's certificate has been violated, or that any of the instructions according to this law has been violated by a manufacturer or importer, and that as a result there is a danger to public health, he may demand, in writing, from the manufacturer or the importer, as applicable, to comply with the condition or instruction that has ceased to exist or has been violated as stated (in this chapter – notice), in the manner and within the time specified in the notice.

- (b) Upon the occurrence of circumstances as mentioned in Subsection (a), the issuer of the notice may give an instruction to mitigate or prevent a danger to public health due to the said circumstances, also to a transporter, storer or marketer.
- (c) The Director of the Food Services may also issue a notice as stated in Subsection (a) to a marketer, if he had a reasonable basis for suspecting that the marketer has violated provisions according to this law applicable to him or that any of the conditions for marketing food by him according to this law is no longer being met resulting in a danger to public health.
- (d) If a notice has been issued in accordance with the provisions of Subsections (a) through (c), and its instructions have not been complied with in the manner and at the time stipulated therein, the issuer of the notice may instruct, in an order, the manufacturer, importer, marketer, or the holder of the license or certificate, as applicable, to not engage in any food manufacturing, food importation, food marketing, or any other activity involving food, or to carry out such activities only within the limits and conditions set forth in the order, and all to the extent that does not exceed requirements under the circumstances (in this chapter – an administrative restriction order), and may determine in the administrative restriction order provisions regarding those responsible for its execution and ways of ensuring its fulfillment.
- (e) Notwithstanding the provisions of Subsections (a) through (d), the party authorized pursuant to those subsections to issue an administrative restriction order (in this section – the issuer of the order), may issue such an order even without previously giving notice, if one of the following occurs:
 - (1) The food is manufactured without a manufacturing license and no application for a manufacturing license or for its renewal has been submitted pursuant to the provisions of Section 28 or the food is imported by an importer who is not a registered importer pursuant to Section 102, or without prior approval for importation pursuant to Section 64 or without a certificate of release pursuant to the provisions of Section 81;
 - (2) There is a real possibility of immediate harm to public health as a result of food manufacturing activities or as a result of importing the food.
- (f) an administrative restriction order will not be issued unless the party to whom the order is addressed has

been given an opportunity to assert his claims, unless he cannot be located with reasonable diligence.

- (g) Notwithstanding the provisions of Subsection (f), the issuer of the order may issue an administrative restriction order pursuant to Subsection (2) even without giving an opportunity to assert claims as stated in that subsection, if he believed that giving this opportunity would frustrate the purpose of issuing the order, provided that said opportunity is given as soon as possible thereafter.
- (h) A copy of an administrative restriction order will be displayed at the place for which it is issued or at the place of business of the party importing the food, and will be delivered to the owner of the place or to the person who manages it, or to the party importing the food, if they can be located with reasonable diligence.
- (i) If the provisions of an administrative restriction order have not been complied with, in the circumstances stated in Subsection (e)(2), the licensor may take any reasonable measure necessary for its execution and, if necessary, may receive the assistance of a police officer, including for the use of reasonable force required to implement the order.
- (j) An administrative restriction order will remain in effect for the period determined therein, and the issuer of the order may extend its validity for additional periods, provided that the total of all periods does not exceed 60 days from the date of issue; A Magistrate's court may extend the validity of such an order for additional periods not to exceed 30 days each; However, if an indictment was filed for the offense in connection with which the administrative restriction order was issued, the court will not extend the validity of the order pursuant to this section beyond 30 days after the indictment was filed.
- (k) The provisions of this section do not derogate from the possibility of issuing a judicial restriction order pursuant to Section 292.

Motion for cancellation of an administrative restriction order 291.

- (a) Anyone considering himself harmed by an administrative restriction order issued pursuant to the provisions of Section 290 may submit to the Magistrate's Court a motion for its cancellation.
- (b) Submitting a motion to cancel an administrative restriction order pursuant to Subsection (a), does not suspend the validity of the order, as long as the court has not decided otherwise.

Judicial restriction order 292.

- (a) If the prosecutor, the Director of the Food Services, or the licensor according to this law has reasonable

grounds to believe that an offense is being committed according to this law or that such an offense is about to be committed, he may apply to the court competent to hear said offense, with a motion for an order to prohibit the further commission of said offense or to prohibit its commission.

- (b) The court may issue an ex parte order pursuant to this section; If such an ex parte order is issued, the hearing with both parties will be held as soon as possible and no later than seven days from the date of issuing the order.
- (c) If a hearing has been scheduled as stated in Subsection (b), the court may extend the validity of the order, cancel it or make amendments thereto, even if the party against whom the order was issued and duly summoned, did not appear for the hearing; If the court has given an ex parte decision as stated in this subsection, the party against whom the decision was given may request its cancellation or amendment, within seven days from the date of its service and the court may cancel or amend it, under the conditions it sees fit.
- (d) The validity of an order according to this section, even if extended, shall not exceed one year.
- (e) The court may stipulate the granting of an order according to this section on conditions or a guarantee.
- (f) The party in respect of whom an order was issued according to this section may apply to the court that issued the order with a motion for reconsideration if new facts were discovered that were not before the court when the order was issued or if the circumstances have changed, and this may change the previous decision.
- (g) A decision pursuant to Subsections (a), (c) and (f) can be appealed to the court of appeals, which will hear the appeal in a panel of one judge.
- (h) In this section, "prosecutor" – as defined in Section 12 of the Criminal Procedure Law (Consolidated Version), 5742-1982.

CHAPTER M: INDIRECT AMENDMENTS

**Amendment of 293.
the Control of
Exports of Plants
and Plants
Products Law**

In the Control of Exports of Plants and Plants Products Law, 5714-1954 –

- (1) In Section 1, in the definition "plant", "the Minister of Agriculture" will be replaced by "the Minister of Health, in consultation with the Minister of the Economy,";
- (2) In Section 6, Subsection (a), will be followed by:

"(a1) Notwithstanding the provisions of Subsection (a), the enactment of regulations regarding the export of preserved plants and products manufactured from plants according to this law, which are food as defined in the Protection of Public Health (Food) Law, 5776-2015, shall be carried out by the Minister of Economy, with the consent of the Minister of Health.";

(3) In section 9, the following will be added at the end, "however, the Minister of Economy is in charge of the execution of the powers concerning conservation of plants and products manufactured from plants according to this law".

Amendment of 294. the Control of Exports of Animals Law

In the Control of Exports of Animals and Animal Product Law, 5717-1957 –

(1) In section 15, its contents will be marked "A" followed by:

"(b) The Minister of Agriculture and Rural Development, with the approval of the Knesset Labor, Welfare and Health Committee, may set fees for veterinary supervision in facilities for the manufacturing of animal products, and may set different fees for such supervision during normal working hours and for supervision during hours beyond normal working hours; Fees pursuant to this subsection for supervision during normal working hours will be determined in accordance with the basic fee amount as defined in Section 213 of the Protection of Public Health (Food) Law, 5776-2015; The provisions of Sections 217 and 219(1) of the aforementioned law shall apply to the collection of fees according to this subsection, *mutatis mutandis*;"

(2) Section 25 there will be followed by:

"Provisions regarding a meat factory exporting meat and a factory exporting animal products

25A. With regard to a meat factory as defined in Section 177 of the Protection of Public Health (Food) Law, 5776-2015, exporting meat and with regard to a factory exporting animal products, the provisions under this law shall apply, however –

(1) Everywhere, instead of "Minister of Agriculture" shall read "Minister of Health";

(2) Regulations, orders, administrative instructions, notices and conditions for granting export permits issued according to this law on the eve of the commencement of Chapter H of said law (hereinafter – on the eve of the commencement), will continue to apply and act according thereto with regard to a meat factory exporting meat and

with regard to a factory exporting animal products, until instructions are established or instructions are given, as applicable, to replace them according to the said law; Export permits issued on the eve of the commencement will continue to apply until they expire."

- Amendment of the Poultry (Production and Marketing) Board Law – No. 16** 295. In the Poultry (Production and Marketing) Board Law, 5724-1963 –
- (1) In Section 3, paragraph 7 – will be deleted;
 - (2) In Section 50A(a)(1), "3(2), (6) and (7)" will be replaced by "3(2) and (6)".
- Amendment of the Licensing of Businesses Law – No. 30** 296. In the Licensing of Businesses Law, 5728-1968, Section 25 will be followed by:
- "Notice to the National Food Service at the Ministry of Health on the issuing of a cease and desist order to a food business operator**
- 25A. (a) If an administrative cease and desist order has been issued to a food business operator, the issuer of the order shall immediately notify the National Food Service at the Ministry of Health of the fact.
- (b) If a cease and desist order is issued to a food business operator pursuant to Sections 16 or 17 or an order to prevent operations pursuant to Section 22A, the applicant for the order shall immediately notify the National Food Service at the Ministry of Health of the fact.
- (c) In this section, "food business operator" – as defined in the Protection of Public Health (Food) Law, 5776-2015."
- Amendment of the quarantine Ordinance** 297. In the Quarantine Ordinance [New Version], 5741-1981, in Section 1, "in Israel to prevent" shall be replaced by "for the protection of public health and food safety, including by way of preventing".
- Amendment of the Pharmacists Ordinance No. 23** 298. In the Pharmacists Ordinance [New Version], 5741-1981 –
- (1) In Section 1 –
 - (a) In the definition "preparation", the words "and medicinal food preparation" – will be deleted;
 - (b) The definition "medicinal food preparation" – will be deleted;
 - (2) In Section 47A(a)(2), everywhere, the words "or medicinal food preparation" – will be deleted.
- Amendment of the Animal Diseases Ordinance – No. 8** 299. In the Animal Diseases Ordinance [New Version], 5745-1985 –
- (1) In Section 22(a), paragraph 15, will be followed by:
 - "(16) Determination and regulation regarding the action as stated in paragraph 8 for the definition of

"treatment of agricultural products" in the Protection of Public Health (Food) Law, 5776-2015 (hereinafter – the Protection of Public Health (Food) Law), including the obligation to implement a food safety plan and the granting of an operation and veterinary supervision permit; Regulations pursuant to this paragraph require consultation with the Minister of Health.";

(2) In Section 23, Subsection (a), will be followed by:

"(A1) (1) The Minister of Agriculture and Rural Development, with the consent of the Minister of Finance and with the approval of the Knesset Labor, Welfare and Health Committee, may establish fees for veterinary supervision in raw meat factories as defined in Section 177 of the Protection of Public Health (Food) Law, or in facilities where operations are performed as stated in paragraph 1 of the definition of "agricultural produce treatment activity" in said law, and may establish different fees for such supervision during normal working hours and for supervision during hours beyond normal working hours;

(2) Fees according to this subsection regarding veterinary supervision during normal working hours will be determined in accordance with the basic fee amount as defined in Section 213 of the Protection of Public Health (Food) Law;

(3) The provisions of Sections 217 and 219(1) of the Protection of Public Health (Food) Law shall apply to the collection of the fees according to this subsection, *mutatis mutandis*.";

(3) Section 33 will be followed by:

"Transitional provisions concerning administrative instructions

33A. Administrative instructions, notices and conditions for the granting of manufacturing licenses or good manufacturing certification issued pursuant to the Control of the Commodities and Services Order (Trade in Food, its Manufacturing and Storage), and pursuant to the Protection of Public Health (Food) Law on the eve of the commencement of Chapter H of said law (hereinafter – on the eve of the commencement), will continue to apply and act according thereto with regard to an action as stated in paragraph (8) of the definition of "agricultural produce treatment activity" in the aforementioned law, until instructions are established or instructions are given, as applicable, to replace them according to the said law; manufacturing licenses or good manufacturing certification issued on the eve of the commencement will continue to apply until they

expire or until the period specified in Section 321(a)(1) of the said law, the later of the dates."

- Amendment of the Criminal Procedure Law – No. 72** 300. In the Criminal Procedure Law (Consolidated Version), 5742-1982, in the First Schedule, in Item 2, "the Public Health Ordinance (Food), 1935" will be replaced by "the Protection of Public Health (Food) Law, 5776-2015".
- Amendment of the Courts Law – No, 81** 301. In the Courts Law [Consolidated Version], 5744-1984, in the Third Schedule, in Item 6, "the Public Health Ordinance (Food) [New Version], 5743-1983" will be replaced by "the Protection of Public Health (Food) Law, 5776-2015".
- Amendment of the Administrative Offenses Law – No. 19** 302. In the Administrative Offenses Law, 5745-1985, in the First Schedule, in column A, everywhere, the words "the Public Health Ordinance (Food) [New Version], 5743-1983" – shall be deleted.
- Amendment to the Veterinary Surgeons Law** 303. The Veterinary Surgeons Law, 5751-1991 underwent an extensive amendment.
- Amendment to the National Parks, Nature Reserves, National Sites and Memorial Sites Law – No. 13** 304. In the National Parks, Nature Reserves, National Sites and Memorial Sites Law, 5758-1998, in the Schedule, in Item 28, the words "the Public Health Ordinance (Food) [New Version], 5743-1983" shall be replaced by "the Protection of Public Health (Food) Law, 5776-2015".
- Amendment to the Administrative Affairs Court – No. 93** 305. In the Administrative Affairs Courts Law, 5760-2000, in the First Schedule, in Item 33, under the heading "Health", its contents will be marked "1" followed by:
"(2) A decision of an authority pursuant to the Protection of Public Health (Food) Law, 5776-2015."
- Amendment to the Restriction of the Advertisement and Marketing of Alcoholic Beverages Law** 306. In the Restriction of the Advertisement and Marketing of Alcoholic Beverages Law 5772-2012 –
(1) Everywhere, the "Minister of Health" will be replaced by the "Minister";
(2) In Section 1, the definition "marketing" will be followed by:
""The Minister" – the Minister of Health;";
(3) In Section 4(12), "the Minister of Industry, Trade and Employment" will be replaced by "the Minister";
(4) In Section 11(e), "the Minister of Industry, Trade and Employment" will be replaced by "the Minister";
(5) In Section 12(b), the words "and the Minister of Industry, Trade and Employment" – will be deleted.

- Amendment to the Dairy Sector Planning Law – No. 2** 307. In the Dairy Sector Planning Law, 5751-2011, in Section 37, the words "the Public Health Ordinance (Food) [New Version], 5743-1983" shall be replaced by "the Protection of Public Health (Food) Law, 5776-2015".
- Amendment to the Fight Against the Phenomenon of the Use of Dangerous Substances Law** 308. In the Fight Against the Phenomenon of the Use of Dangerous Substances Law, 5773-2013, in Section 2(a)(1), the words "the Public Health Ordinance (Food) [New Version], 5743-1983" shall be replaced by "the Protection of Public Health (Food) Law, 5776-2015".
- Amendment to the Control of Animal Feed Law** 309. In the Control of Animal Feed Law, 5774-2014 –
- (1) In Section 2 –
- (a) In the definition of "food for a person", the words "in the Public Health Ordinance (Food)" shall be replaced by "in the Protection of Public Health (Food) Law, 5776-2015".
- (b) The definition "Public Health Ordinance (Food)" – will be deleted;
- (2) In Section 38, the words "the Public Health Ordinance (Food)" shall be replaced by "the Protection of Public Health (Food) Law, 5776-2015".

CHAPTER N: VARIOUS PROVISIONS

- Preservation of laws** 310. (a) The provisions of this law are meant to add to every law, including the Customs Ordinance, the Import and Export Ordinance, the Licensing of Businesses Law, and the Quarantine Ordinance.
- (b) The granting of approvals, licenses, permits, certificates or documents and obligations to retain documents, according to this law, do not derogate from the obligation to obtain approvals, licenses, permits, certificates or other documents, or from the obligations to retain documents, according to any other legislation.
- (c) The provisions of this law do not derogate from the provisions of any law concerning kosher food.
- Publication of supervision outputs** 311. The Director of the Food Services will publish every year, no later than April 1st, on the website, the outputs of supervision under this law.
- Implementation and regulations** 312. (a) The Minister is in charge of the implementation of this law and may establish regulations for its implementation.
- (b) In establishing regulations according to this law, the Minister will examine the possibility of adopting international standards or arrangements used among

developed countries, or establishing arrangements in the spirit of such standards or arrangements.

Amendment of the schedules

313. (a) The minister, with the approval of the Committee, may, by order, amend the schedules, however, amending the Third Schedule does not require the approval of the Committee.
- (b) Notwithstanding the provisions of Subsection (a), regarding the amendment of Third Schedule A, Third Schedule B and the twelfth Schedule, the following provisions shall apply:
- (1) (Deleted);
 - (2) The amendment also requires receiving the Exceptions Committee's recommendation pursuant to Section 313(a).
- (c) Notwithstanding the provisions of Subsection (a), the provisions of Section 3A shall apply to the amendment of Second Schedule A; Adding conditions or exceptions to Column B or Column C in said schedule requires also receiving the Exceptions Committee's recommendation pursuant to Section 313(a).
- (d) (Repealed).

The Exceptions Committee

- 313A. (a) The Exceptions Committee according to the provisions of Section 28 of the Import and Export Ordinance will also act in relation to this law, and its role is to give the Minister its recommendation on the following matters (in this section – the actions):
- (1) Non-applicability of an update to an amendment to the adopted instructions, in whole or in part, or its application to conditions or exclusions as stated in Section 3A, and the amendment of Second Schedule A accordingly, pursuant to the provisions of Section 313;
 - (2) Addition of conditions or exclusions to Column B or Column C of Second Schedule A pursuant to the provisions of Section 313;
 - (3) Requirement to attach an additional document to the declaration regarding the import of food on the European track, pursuant to the provisions of Section 79D(5);
 - (4) Amendment of Third Schedule A, the Third Schedule B and the Twelfth Schedule.
- (b) The provisions of Section 2-R of the Import and Export Ordinance shall apply to the operations of the Exceptions Committee under this law *mutatis mutandis* and the changes detailed in this section.

- (c) The Director General of the Ministry of Health or an employee of the Ministry of Health whom he appoints to that end will serve as a member of the Committee in lieu of the Standardization Officer.
- (d) The powers given to the Minister of Economy and Industry shall be given to the Minister.
- (e) The Minister will refer to the Exceptions Committee in order to receive its recommendation regarding the actions; Attached to the request will be the details of the document the Minister wishes to add to the declaration regarding food imports via the European track, the amendment to the Schedule which the Minister wishes to establish, the details of the reasons for not applying an update of the amendment applicable to the adopted provisions, in whole or in part, or applying it under conditions or exceptions as stated in Section 3A, together with the wording of the amendment, as applicable, as well as an opinion from the Director General of the Ministry of Health regarding the existence of a fear of harm to public health, or the environment and to consumer protection; The opinion will also include reference to competition considerations and reducing the cost of living.
- (f) The Exceptions Committee will forward its recommendation to the Minister within 60 days from the date of receipt of the request and will detail its reasoning in its decision; If the Exceptions Committee did not pass its recommendation during said period or announced during said period that it does not intend to hear the request, it will be deemed as recommending the actions according to the Minister's request.
- (g) If the Exceptions Committee recommended the actions to the Minister, the Minister may do so, in accordance with the provisions of this Law.
- (h) If the Exceptions Committee recommended to the Minister contrary to the actions, he may turn to the government to obtain its approval for the actions.
- (i) The Minister's request to the government to obtain its approval for the actions, shall be accompanied by the details of the document the Minister wishes to add to the declaration regarding food imports via the European track, the amendment to the Schedule that the Minister wishes to establish, the details of the reasons for not applying an update of the amendment applicable to the adopted provisions, in whole or in part, or its application under conditions or exceptions as stated in Section 3A, together with the wording of the amendment, as applicable, as well as the recommendation of the Exceptions Committee and the Minister's position

detailing his reasons for not adopting the Exceptions Committee's recommendation.

- (j) If the Minister turns to the government pursuant to Subsection (h), he will notify the Exceptions Committee of the fact, and he may determine in an order, the validity of which shall not exceed three months from the date of delivery of the notice to the Exceptions Committee, the additional document that must be attached to the declaration regarding the import of food via the European track, or to issue an order to apply the said amendment in part or to the conditions and exceptions, or to amend Second Schedule A, Third Schedule A, Third Schedule B, or the Twelfth Schedule, as applicable (in this section – a temporary order), provided that an order pursuant to this subsection and an order issued pursuant to Subsection (o) shall not apply at the same time and to the same matter.
- (k) The government will make a decision regarding the Minister's request as stated in Subsection (h) within 21 days from the date of the Minister's request to the government, and it may extend the period by additional periods, provided that the total additional period does not exceed 42 days; The government may exercise its authority under this section through a committee of ministers, as it decides.
- (l) If the government decided not to approve the Minister's request and the Minister established a temporary order pursuant to Subsection (j) and the order is in effect at the time of the government's decision, the Minister will repeal the order as soon as possible.
- (m) If the government has not reached a decision within the period set forth in Subsection (k), the Minister's request regarding the operations shall be considered as having been approved by it, unless the Minister has withdrawn his request pursuant to Subsection (h) before the end of the said period.
- (n) If the government has decided to approve the Minister's request or the Minister's request has been approved due to the expiration of the period stipulated in Subsection (k), the Minister may determine, by order, the additional document that must be attached to the declaration regarding food imports via the European track or with the approval of the Committee and subject to the provisions of Section 3A(h), issue an order to apply an amendment in part or to the conditions and exceptions or amend Second Schedule A, Third Schedule A, Third Schedule B or the Twelfth Schedule, as applicable; If such an order was submitted for approval by the Committee and the Minister established a temporary order, he may extend the validity of the

temporary order as long as the Committee has not decided whether or not to approve the order.

- (o) (1) Notwithstanding the provisions of this section, if the Minister, including following a request from the public, deems that there is an immediate fear of harm to public health or public safety or that there is another material need, he may determine by order the additional document that must be attached to the declaration regarding food imports via the European track or issue an order to apply an amendment in part or to the conditions and exceptions or to amend Second Schedule A, Third Schedule A, Third Schedule B or the Twelfth Schedule, even without receiving the recommendation of the Exceptions Committee; Said order will be valid for a period not exceeding three months;

(2) If the Minister requested that an order he determined pursuant to paragraph (1) be in effect for a period exceeding three months, he will turn to the Exceptions Committee as soon as possible, and the provisions of Subsections (e) to (n) shall apply to said application, *mutatis Mutandis*.

- (p) In this section –

"The Joint Committee" – (deleted);

"The Minister" – the Minister of Health, and in the case of an order pursuant to Section 3A(h) or (i) – also the Prime Minister.

**Repealing
declaration of
officialdom of
standards
concerning food**

- 313B. (a) Notwithstanding the provisions of Chapter C of the Standards Law, the Minister of Economy and Industry will announce, in a proclamation to be published in the Official Gazette, the repealing of the officialdom of official standards concerning food, with the exception of the following:

(1) Israel Standard 1145;

(2) A standard or part thereof, which the Director General of the Ministry of Health (hereinafter – the Director), with the approval of the Committee for the Examination of Food Standards, informed him by Friday, October 1, 2022, that the declaration of its officialdom should not be repealed, for reasons of public health, and due to one of the following:

(a) Its provisions are not regulated in the adopted provisions;

(b) Its provisions apply to a type of food or to a subject to which the adopted provisions do not apply;

(c) Its provisions apply to all types of food;

- (d) Considering the practice in developed countries.
 - (b) If a decision was not made by the Committee for the Examination of Food Standards within 90 days from the date of the Director's request to it as stated in Subsection (a), it shall be deemed as if the Committee approved the Director's notice.
 - (c) The repealing of the declaration pursuant to this section does not require an additional procedure, including a procedure pursuant to Section 8 of the Standards Law.
 - (d) The provisions of this section do not derogate from the powers of the Minister of Economy and Industry pursuant to the Standards Law.
 - (e) In this section, the "Committee for the Examination of Food Standards" – a committee whose members are members of the Exceptions Committee and the Standardization Officer at the Ministry of Economy and Industry.
- Fees**
314. (a) Applicants for a manufacturing license, transportation license, storage license, good manufacturing certification, importer registration, prior approval for importation, certificate of release for regular food or sensitive food or certificates and approvals regarding export, or their renewal, or anyone submitting a declaration regarding the importation of regular food, shall pay fees as specified in the Tenth Schedule.
- (b) The Minister, with the approval of the Committee, may determine in the Tenth Schedule –
- (1) To establish fees for the service provided according to this law and instructions regarding their update, including regarding the granting of licenses, permits, certificates and approvals, including laboratory approvals, and for requests to provide said service, established pursuant to this law, and he may establish different fees taking into account, among other things, the size of the business, the type of food and food groups in the shipment, including whether the food is sensitive food or regular food;
 - (2) To determine additional fees, as well as to amend fee amounts and to establish conditions for exemption or discount from fees.
- (c) The collection of fees pursuant to this law, with the exception of collection as mentioned in Section 217(a), shall be subject to the Tax (Collection) Ordinance.
- (d) The fee for submitting an application or delivering a declaration regarding the import of regular food shall

be paid upon submission of the application or upon delivery of the declaration, as applicable; The fee for a certificate will be paid as a condition for processing the application, for providing a declaration or for receiving a certificate, as applicable.

- (e) The fee amounts stated in this law will be updated on January 1 of each year (in this section – the day of update), according to the rate of change of the new index known at that time compared to the basic index; The fee amounts after their update will be published on the website; In this regard -

"The index" – the consumer price index published by the Central Bureau of Statistics;

"The basic index" – the most recently published index before the previous day of update;

"The new index" – the most recently published index before the day of update.

- (f) The fee amounts determined according to this law will be rounded in accordance with the Rounding of Amounts Law, 5746-1985, however, an amount stated in Agorot or part of an Agora will be rounded to the nearest Agora.

Inapplicability 315. Provisions pursuant to this law shall not apply to the manufacturing of food, its import, export or sale by an individual for his family or private needs, with the exception of the restriction on import as stated in Section 5.

Applicability on the State 316. The provisions of this law will also apply to the State.

Applicability on the defense agencies 317. (a) Without derogating from the provisions of Section 316, the minister in charge, with the consent of the Minister, may order in the procedure adjustments in the application of the provisions of this law to a defense agency.

- (b) Notwithstanding the provisions of Subsection (a), the provisions of Sections 208 to 212 and 244 to 255 shall not apply to food manufactured, supplied or served at a defense agency, and a defense agency shall establish instructions regarding supervision and enforcement by the defense agency regarding said food; However, the minister in charge, with the consent of the Minister, may determine, by order, that the provisions of these sections, all or part thereof, will apply to any of the defense agencies, to the extent so determined.

- (c) The procedure as specified in Subsection (a), will determine, among other things, the way of processing cases of suspicion of an offense being committed in contravention of the provisions of this law and the

manner of reporting said offense to the body authorized by law to conduct investigations with respect to the defense agency.

(d) A defense agency will provide the Director of the Food Services with a report on a serious health incident related to food, subject to information security rules and in accordance with the instructions in the procedure to be determined by the Minister, with the consent of the minister in charge.

(e) In this section –

"Defense agency" – any of the bodies listed in the definition "the defense system";

"The minister in charge" and "the defense system" – as defined in the Environmental Protection (Supervision and Enforcement Powers) Law, 5771-2011.

Reporting to the Knesset Temporary Provision

318.

(a) The Minister shall report to the Committee once every Knesset session, on the implementation of the provisions of this law, with the exception of Chapter H, during a period of five years from the date of its publication.

(b) The Minister will report to the Committee on the implementation of the provisions of Chapter H, during a period of six years from the date of its publication – once for each Knesset session, and during a period of four additional years – once a year.

(c) The Minister and the Minister of Agriculture and Rural Development will report to the Committee by the end of June 2022, and by the end of December 2022, on their actions to regulate the field of pesticide residues in accordance with the requirements of the European Union and the field of chemical and biological pollutants in accordance with the requirements customary in developed countries regarding types of food set forth in Column C of Second Schedule A.

(d) The Minister and the Minister of Economy and Industry will report to the Joint Committee by the end of February 2023 on the food standards whose officialdom has not been revoked pursuant to the provisions of Section 313B.

(e) The Minister will report to the Committee on January 1 of each year, until 2026, on the application of administrative sanctions according to this law, in the year preceding it.

(f) The Minister will report to the Committee by the end of October 2022 on the preparation for the implementation of the provisions of this law regarding the import of food via the European track.

Reporting to the Knesset

318A. (a) The Minister shall report to the Committee, by December 31 of each year, on all of the following:

- (1) Amendments to the provisions adopted that year, including the subject of the amendment, the date of its publication and the date of its commencement in the European Union;
- (2) Updates that applied amendments to the adopted provisions that year, including the date of publication for public comments, the number of comments received, the date of publication of an order regarding the update and the commencement date of the amendment;
- (3) Applications to the Exceptions Committee regarding amendments in the adopted provisions that year.

(b) Without derogating from the provision of Subsection (a), the Minister shall report to the Committee, no later than December 31 of each year, on an amendment in the Schedule as defined in Section 3A(d1), in the same year, for which one of the following has occurred, and shall list the reasons for the delay in issuing the order and the steps he has taken to prevent the recurrence of delays as mentioned:

- (1) The Minister gave an order to update the amendment after more than 60 days had passed from the date of publication for public comments as stated in Section 3A(c);
- (2) An order to apply the amendment has not been published even though more than 60 days have passed from the date of publication for public comments as stated in Section 3A(c), unless a notice was given in said publication regarding the intention not to apply the update or to apply it with exceptions or restrictions or a request was submitted to the Exceptions Committee pursuant to Section 313A, as stated in Section 3A(e).

CHAPTER O: COMMENCEMENT AND TRANSITIONAL PROVISIONS

Commencement and applicability – general provisions

319. (a) Subject to the provisions of Subsections (b) and (c) and Section 320, the commencement of this law is six months from the date of its publication; The Minister, with the approval of the Committee, may, by order, postpone the commencement date by one additional period not to exceed six months.

(b) The commencement of Sections 293 and 297 is on the day of publication of this law (hereinafter – the day of publication).

- (c) The commencement of Chapter K is the day of entry into force of regulations promulgated pursuant to Section 272(b), and the provisions of the aforementioned title shall apply to violations committed on the aforementioned date and thereafter.
- (d) The provisions of Section 13, regarding the attribution of a virtue of strengthening the body or one of its organs or systems or of alleviating and assisting in the symptoms of an illness, will apply from the end of 18 months from the day of publication; First regulations pursuant to Section 13 regarding the attribution of said virtue will be submitted for the Committee's approval by December 31, 2024.
- (e) (1) The provisions of this law, regarding the manufacturing, importation, manufacturing and marketing of intoxicating beverages, will apply from the end of 18 months from the day of publication or at an earlier date determined in the regulations pursuant to Section 19; However, the Minister, with the consent of the Minister of Economy and the approval of the Committee, may extend, by order, said period for additional periods not to exceed six months each, provided that the total of all extension periods do not exceed 24 months;

(2) Until the date of application of the provisions as stated in paragraph (1), the provisions in this regard shall apply to the matter of import, export, manufacturing and marketing of intoxicating beverages as they were in effect on the eve of the commencement day.

Commencement, applicability and first regulations regarding veterinary supervision

- 320.
- (a) In this chapter, the "transition period" – as defined in Section 223;
 - (b) The commencement of the following provisions is at the end of the transition period:
 - (1) Chapter H, however, the commencement of Title F of the aforementioned chapter and of Sections 177, 196(c) and 222 is on the day of commencement of the transition period, and the commencement of Section 195(a) – two years after the end of the transition period; First regulations pursuant to Section 188(2) will be submitted for the approval of the Committee by the day of commencement of Chapter H;
 - (2) Section 136(b);
 - (3) Paragraph 8 of the definition "agricultural produce treatment activity";
 - (4) Section 3(e).

- (c) The commencement of Chapter F1 of the Veterinary Surgeons Law, as worded in this law, on the day the commencement of the transition period, however the start of the Corporation's operation will be at the end of the transition period, unless the Minister of Health and the Minister of Agriculture and Rural Development, with the consent of the Minister of Finance and the approval of the Committee, have determined by order, an earlier date as detailed below:
 - (1) A date from which a veterinarian who is an employee of the Corporation can be certified;
 - (2) A date from which the Corporation may collect fees for local authorities, as stated in Section 241(b), provided that it is not before the end of two years from the commencement of the transition period.
- (d) Within 18 months from the date of commencement of this law, the Minister of Health and the Minister of Agriculture and Rural Development will appoint the Board of the Corporation for Veterinary Supervision pursuant to the provisions of Chapter F1 of the Veterinary Surgeons Law; If the ministers did not appoint the Board within the said period – the Prime Minister will appoint it.
- (e) The commencement of the Animal Diseases Ordinance and of the Control of Exports of Animals Law as worded in this law, at the end of the transition period, however the commencement of Section 23(a1) of the said ordinance and of Section 15(b) of the said law, will be at the end of the transition period or at the time the Corporation begins its activities as stated in Subsection (c)(1), the earlier of the dates.
- (f) The commencement of the Poultry (Production and Marketing) Board Law, 5724-1963, as worded in this law, is at the end of the transition period or four months from the date of the start of the Corporation's activities as stated in Subsection (c)(1), the earlier of the dates.
- (g) The provisions of Sections 256(a)(21) and (22), 256(b)(56 and (57), 261(16) and (17), and 262(54) and (56), shall apply to offenses and violations committed during the transition period.

**General
transitional
provisions**

- 321. (a) (1) A license issued pursuant to the Control of Commodities and Services (Food Trade, its Manufacturing and Storage) Order, 5721-1960, which was valid on the day of commencement of this law shall be considered as if it had been granted pursuant to Section 29 of this law, for a period of two years from the date of expiration of said license;

- (2) The provision of Section 29(a)(3) shall not apply with regard to offenses committed prior to the day of publication by anyone holding a license pursuant to the Control of Commodities and Services (Food Trade, its Manufacturing and Storage) Order, 5721-1960, at least ten years before the day of publication.
- (b) (1) Anyone who was registered with the National Food Service as an importer, on the eve of the commencement of this law, will be considered, for a period of two years from the date of expiration of said registration, as if he had been registered pursuant to Section 102;
- (2) The provision of Section 107 shall not apply to offenses committed before the day of publication by anyone registered with the National Food Service as an importer, at least ten years before the day of publication.
- (c) A sensitive food that, on the eve of the commencement of this law, was listed on the list of sensitive foods that is published on the website, will be considered as if it had been declared to be a sensitive food pursuant to Section 59, for a period of three years from the date of commencement of this law or until it is re-declared as a sensitive food pursuant to the said section, the earlier of the two.
- (d) Guidelines and instructions of the procedure of the Food Service that establish requirements for food safety and quality, including regarding novel food, published on the website on the eve of the commencement of this law, will continue to apply and will be complied with, and will be considered as listed in the regulations pursuant to paragraph (1) of the definition of "food legislation", until instructions are established to replace them pursuant to this law, or until December 31, 2024, the earlier of the two; The Minister, with the approval of the Committee, may extend, by order, the said period for additional periods not to exceed 12 months each.
- (e) Approvals and decisions of the Food Services issued on the eve of the commencement of this law for the purpose of importing food and releasing it from the quarantine station, will continue to apply to the matter for which they were issued, until they expire or until another decision is made; The obligations of an importer to retain documents pursuant to Chapter D will not apply to the matter of food that has arrived at the quarantine station and has not yet been released from it until the day of the commencement of this law.

- (f) Guidelines and instructions of the procedure of the Food Services that were published on the eve of the commencement of this law regarding the importation of food and its release from the quarantine station, will continue to apply and will be complied with until regulations are adopted to replace them or until December 31, 2024, the earlier of the two; The Minister, with the approval of the Committee, may extend, by order, the said period for additional periods not to exceed 12 months each.
- (g) Notwithstanding the provisions of the Health Fees Regulations, 5849-1989 (in this subsection – the Fee Regulations) regarding the fee amounts with respect to the Quarantine Regulations, 1933, listed in Item 13 to the First Schedule and Item 13(6) to the Second Schedule of the Fee Regulations, from the date of publication until the date of commencement of this law the fee amounts for a certificate of prior approval for importation that is valid for one year, a certificate of early registration for importation that is valid for one year and a certificate of release from the quarantine station for sensitive food or for regular food, will be NIS 384; Such certificates will be granted pursuant to the Public Health (Food) Ordinance and pursuant to the Quarantine Ordinance, and in accordance with the guidelines and instructions of the procedure on the eve of the publication day.
- (h) Anyone exporting food intended for export only as defined in Section 117(a) on the eve of the commencement of this law, shall submit a first export declaration pursuant to the said section no later than one month before the day of commencement of this law, or by the end of one month from the date of publication of the wording of the export declaration as mentioned in that section, the later of the dates.
- (i) Notwithstanding the provisions of Section 149, anyone who, on the eve of the day of publication, was engaged in the transportation of food for which it was determined in the food legislation that it must be transported at a controlled temperature, will be considered as having received a transportation license pursuant to Section 149 which will remain valid until the end of three years from the date of commencement of this law or until the end of one year from the date entry into force of regulations regarding transportation pursuant to Section 155, the earlier of the two.
- (j) Anyone who, prior to the commencement of this law, was certified as an inspector under the Public Health (Food) Ordinance, or under the Control of Commodities and Services Law, 5717-1957, shall be considered an

inspector certified by the Minister pursuant to Section 244 of this law, until the end of three years from the commencement of the law.

- (k) A laboratory that, prior to the commencement of this law, was listed on the list of recognized laboratories published on the Ministry of Health website, shall be considered a laboratory in Israel recognized pursuant to Section 170, with regard to the tests for which it was recognized, until the end of three years from the date of entry into force of regulations pursuant to Section 170.

Transitional provisions concerning the transition of employees to the veterinary supervision corporation

322. (a) In this section –

"Restrictive provisions" - as defined in Section 243;

"Budgetary pension arrangement" – an arrangement of payments made every month continuously to those who retired from a local authority, according to an agreement, from the local authority's coffers, throughout the rest of their lives, and after their death – to their survivors, all subject to restrictive provisions;

"A Poultry Board Employee" – anyone who on the eve of the publication was an employee of the Board established pursuant to the Poultry (Production and Marketing) Board Law, 5724-1963, engaged at that time in veterinary supervision, and his appointment was approved by the Director of Veterinary Services at the Ministry of Agriculture and Rural Development;

"Local authority employee" – a veterinarian who, on the eve of the publication day, was a local authority employee and met at that time one of the following:

- (1) He performed veterinary supervision over a slaughterhouse, a poultry slaughterhouse, a factory approved for export or a refrigeration facility, and his appointment was approved by the Director of Veterinary Services at the Ministry of Agriculture and Rural Development, or he performed veterinary supervision at a meat factory or a refrigeration facility (in this subsection – a local authority employee in factories);

- (2) Performed veterinary supervision in the markets (in this subsection – a local authority employee in the markets).

- (b) With respect to Chapter F1 of the Veterinary Surgeons Law, as worded in this law –

- (1) Within three months from the date of his appointment, the first Director General of the Corporation will propose to the employees of the Poultry Board and the employees of a local

authority in the factories, to transfer to the Corporation as employees of the Corporation;

- (2) If a local authority notified the Director General of the Ministry of Health that it wishes all the veterinarians who will be certified to perform veterinary supervision in the markets under its jurisdiction to not be from among the employees of the local authority, as stated in Section 195(1), the Director General of the Corporation will propose, within 60 days from the date of the notification, to a local authority employee in the markets in respect of whose activities a notification was given as stated, to transfer to the Corporation as an employee of the Corporation;
- (3) Notwithstanding the provisions of Section 195 and paragraph (2), a local authority that employs a veterinarian who is a local authority employee in the markets, must, as a condition of its notification pursuant to Section 195(a), notify the Director General of the Corporation of its intention to give a notification pursuant to Section 195(a); If notice of said intention was given, and an employee who is expected to be transferred to the Corporation has informed the Director General of his intention to agree to transfer to the Corporation, the Director General of the Corporation will inform the authority of the total value of the rights to be transferred pursuant to paragraph (13); Payment of said amount will be a condition for the delivery of the authority's notice pursuant to Section 195(a), and it will be returned to the local authority if the employee has not transferred to work for the Corporation;
- (4) An employee as stated in paragraphs (1) or (2) whom the Director General of the Corporation has proposed transfer to work in the Corporation according to the provisions of the said paragraphs, will respond to the offer within 21 days of receiving it; If the employee does not consent to the offer within the said period, he will be considered as having refused the offer, and the scope of his position in the local authority or in the Poultry Board, as applicable, will be reduced accordingly and will be the scope of the position corresponding to the activity that will remain with the local authority or the Poultry Board;
- (5) If an employee as stated in paragraphs (1) or (2) consented to the offer of the Director General of the Corporation as stated in those paragraphs, he will transfer to work in the Corporation;

- (6) Notwithstanding the provisions of paragraph (5), an employee of a local authority as stated in that paragraph whose work relationship with the local authority has not ended, will transfer to the Corporation in a part-time position, in the scope of a position as follows (in this subsection – the scope of the position in the Corporation), and his position in the local authority will be reduced accordingly:
 - (a) Regarding a Poultry Board employee and a local authority employee in factories – according to the scope of his employment on the eve of the publication day;
 - (b) Regarding a local authority employee in the markets – as determined by the Director of the Veterinary Unit;
- (7) If an employee has transferred to the Corporation according to paragraphs (5) or (6), will be subject to the salary and working conditions that legally applied to him, prior to his acceptance into the Corporation, as a Poultry Board employee or as a local authority employee, as applicable, and in accordance with the scope of the position in the Corporation;
- (8) Notwithstanding the provisions of paragraph (7), a special collective agreement, as defined in the Collective Agreements Law, 5717-1957, was signed between the Corporation and the representative employee organization in the Corporation, which regulates their wages and working conditions, and the said collective agreement was approved pursuant to Section 29 of the Budgetary Principles Law, 5745-1985, the provisions of this collective agreement shall apply;
- (9) Notwithstanding the provisions of any law, an employee who has transferred to the Corporation pursuant to paragraph (5) will not be entitled to any retirement benefits due to the termination of his employment with the Poultry Board or the local authority, as applicable, unless in connection with the termination of his employment as stated above, retirement benefits pursuant to Section 29 of the Budgetary Principles Law, 5745-1985 were approved for said employee.
- (10) Without derogating from the provisions of paragraph (7), the rights of a Poultry Board employee or an employee of a local authority who transferred to work in the Corporation pursuant to paragraphs (5) or (6), as applicable, arising from his work as a Poultry Board employee or as an

employee of the local authority, as applicable, with the exception of rights to benefits arising from the budgetary pension arrangement, will be considered rights arising from work in the service of the Corporation, according to the scope of the position in the Corporation;

- (11) Notwithstanding the provisions of paragraph (7), the period of work in the Corporation of an employee who transferred to work in the Corporation pursuant to paragraphs (5) or (6), and during whose employment with the local authority a budgetary pension arrangement applied, shall be subject to the provisions set forth in the Civil Service (Pensions) Law [Consolidated Version], 5730-1975, and the authorities operating pursuant to said law, are authorized to operate with respect to such employees of the Corporation as if they were civil servants, provided that the Civil Service Commissioner will not decide on the retirement of such an employee of the Corporation who has not reached the mandatory retirement age, as defined in the Retirement Age Law, 5764-2004, unless according to the recommendation of the party authorized to appoint the employees of the Corporation; The pensions for said employees of the Corporation will be paid from the Corporation's coffers; The provisions of this paragraph and paragraph (12) do not confer on the aforementioned employee rights to a budgetary pension that exceed the rights to which he was entitled pursuant to the budgetary pension arrangement as an employee of the local authority, or lesser rights;
- (12) The previous periods of employment of a local authority employee who transferred to work in the Corporation pursuant to paragraph (5), and during whose employment with the local authority a budgetary pension arrangement applied, the provisions of the pension rights continuity agreement between the government and the Federation of Local Authorities dated the July 22, 1976 shall apply, *mutatis mutandis*; The Corporation, the Federation of Local Authorities and the representative employee organization in the Corporation may, with the approval of the Minister of Finance, determine another rights continuity agreement that shall apply to such an employee;
- (13) Without derogating from the provisions of paragraphs (1) to (12), the Poultry Board or the local authority, as applicable, will transfer to the

Corporation the total value of the rights accrued by the Board or the authority for the employee transferring to work in the Corporation pursuant to paragraphs (5) or (6), with the exception of rights as stated in paragraph (12), in accordance with a formula determined by a party to be agreed between the Ministry of Finance and the representative body of most of the local authorities, for the salary development and the value of the expected redemption of the rights at the time of retirement from the Corporation; The aforementioned amount will be paid in respect of a Poultry Board employee and a local authority employee in the factories – at the time of the transition to the Corporation, and in respect of a local authority employee in the markets – in accordance with the provisions of paragraph (3);

(14) The transfer of a local authority employee and a Poultry Board employee to the Corporation according to this subsection shall be made despite the provisions of Section 32 of the Veterinary Surgeons Law;

(15) If the Poultry Board or a local authority did not transfer the amounts according to paragraph (13), all or part thereof, at the rates and times determined according to the said paragraph, for whatever reason, the Accountant General at the Ministry of Finance will deduct from the allocations transferred from the state budget to the Poultry Board or the local authority, to the extent that they are transferred, amounts equal to the amounts that the Poultry Board or the local authority, applicable, must transfer pursuant to this law, and will transfer said amounts to the Corporation;

(16) (a) The provisions of this subsection, in and of themselves, do not confer on an employee who has transferred to the Corporation as mentioned in paragraph (5) or (6) rights that exceed the rights to which he would have been entitled had he not transferred to the Corporation or lesser rights;

(b) Notwithstanding the provisions of subparagraph (a) and paragraphs (6), (7) and (10), with regard to an employee who transferred to the Corporation pursuant to paragraph (6), and during whose work in a local authority a budgetary pension arrangement applied to him, the scope of the position in the Corporation and the scope of his remaining position in the local authority shall be no less than one-third of a position for each such position.

Transitional provisions regarding competence and qualification of a certified veterinarian

323. (a) Notwithstanding the provisions of Section 32-41 of the Veterinary Surgeons Law, as worded in this law (in this section – the Veterinary Surgeons Law), anyone appointed on the eve of the day of publication, to carry out veterinary supervision of food of animal origin pursuant to the legislation in the First Schedule to the said law, will not be required to successfully complete a background course in public health pursuant to part A of the Second Schedule to the aforementioned law.
- (b) Regarding Section 32-41 of the Veterinary Surgeons Law, a veterinarian who has successfully completed a background course in public health on the eve of the commencement of Chapter F1 of the aforementioned law, shall be considered as having met the requirements regarding the background course set forth in the Second Schedule to the aforementioned law.
- (c) A veterinarian who is employed on the eve of the day of publication by a local authority, and has performed veterinary supervision in the markets, including secondary inspections on the eve of the commencement of the transition period, will be considered as if he met the competence conditions pursuant to Section 32-41 of the Veterinary Surgeons Law.
- (d) A veterinarian who was authorized to carry out veterinary supervision in factories on the eve of the publication day, will be considered as having met the competence conditions pursuant to Section 32-41 of the Veterinary Surgeons Law and was authorized by the Director of the Veterinary Unit for the purposes of Section 193.

Transitional provisions regarding veterinarians in a meat factory

324. Notwithstanding the provisions of Section 191, the Director of the Veterinary Unit or the Director of the Veterinary Services, as applicable, may, in special cases, certify a veterinarian from among the employees of a local authority who will be authorized to perform veterinary supervision in meat factories or raw meat factories, within the jurisdiction of the local authority, if all the conditions as detailed below are met, and the provisions of Section 218 or 219, as applicable, will apply *mutatis mutandis* to a veterinarian who has been so certified:
- (1) On the eve of the day of publication, the veterinarian was an employee of the local authority and performed veterinary supervision both in a meat factory or meat slaughter factory and in the markets;
- (2) The veterinary supervision in the markets is carried out by the employees of the local authority;

**Preservation of
the effect of
orders and
regulations**

325. (3) The local authority has agreed to employ the veterinarian in a meat factory or raw meat factory within its jurisdiction and the veterinarian has given his consent to certification pursuant to this subsection.
- (a) The orders detailed below will remain in force, as long as no regulations have entered into force to replace them and as long as they have not been repealed by the Minister or another minister authorized to repeal them by law, and they will be considered as if they were established by virtue of this law:
- (1) Control of Commodities and Services (Product Labeling) Order, 5710-1950;
 - (2) Protection (Removal of Meat and Fish from a Refrigeration Facility) Order, 5715-1955;
 - (3) Protection (Milk Transport) Order, 5716-1956;
 - (4) Control of Commodities and Services (Food Quality) Order, 5718-1958;
 - (5) Control of Commodities and Services (Milk Quality) Order, 5718-1958;
 - (6) Control of Commodities and Services (Cow Milk) Order, 5720-1959;
 - (7) Control of the Commodities and Services Order (Trade in Food, its Manufacturing and Storage), 5720-1960;
 - (8) Control of the Commodities and Services Order (Transport of Bread), 5720-1960;
 - (9) Control of the Commodities and Services Order (Honey Substitute), 5720-1960;
 - (10) Control of the Commodities and Services Order (Production and Sale of Ice Cream), 5723-1963;
 - (11) Control of the Commodities and Services Order (Minced Meat), 5736-1975;
 - (12) Control of the Commodities and Services Order (Raw Seasoned Minced Meat), 5736-1975;
 - (13) Control of the Commodities and Services Order (Sausage and Sausages), 5736-1975;
 - (14) Control of the Commodities and Services Order (Code Marking Pre-Packaged Food), 5744-1983;
 - (15) Control of the Commodities and Services Order (Date Marking Meat and Fish Products), 5744-1984;
- (b) The regulations detailed below will remain in force as long as no regulations to replace them enter into force and as long as they are not repealed by the Minister or

another minister authorized to repeal them by law and they will be considered as if they were established by virtue of this law only:

- (1) The Public Health (Inspection of Imported Food) Regulations, 5738-1978;
 - (2) The Public Health (Prohibition of Attributing a Healing Property to a Food Product) Regulations, 5738-1978;
 - (3) The Public Health (Food Needs) (Egg Pasteurization, their Drying, Freezing and Use thereof) Regulations, 5739-1979;
 - (4) The Public Health (Prohibition of the Use of Food Leftovers) Regulations, 5739-1979;
 - (5) The Public Health (Food) (Mercury Content in Fish) Regulations, 5739-1979;
 - (6) The Public Health (Food) (Histamine Content in Fish) Regulations, 5743-1983;
- (c) Regulations promulgated pursuant to the Public Health (Food) Ordinance (in this subsection – the existing regulations), shall remain in force as they were drafted on the eve of commencement and shall be considered for the purposes of this law, including for the purposes of Chapters J and K, as if they had been established pursuant to the sections of this law granting authority to establish regulations in said matters, and everything unless provisions were established in this law in their place on matters regulated in any of the existing regulations, or if no authority was granted in this law to establish provisions in matters regulated in the existing regulations, and as long as the existing regulations were not amended or repealed pursuant to this law.

FIRST SCHEDULE

(Section 5(3))

Types of toxic or harmful substances

1. Pesticide residues.
2. Heavy metals.
3. Toxins.
4. Dioxins.
5. Polychlorinated biphenyl.
6. Radionuclides.
7. Aromatic hydrocarbons.
8. Drug residues.
9. Melamine.
10. Cosmetics.

SECOND SCHEDULE

(Section 3, with respect to offenses and violations pursuant to Sections 256(a)(1) and (b)(1), 261(1) and 262(1))

A list of regulations regarding the manufacturing, import or sale of food in contravention of the provisions therein

Part A

The Public Health (Food) (Ground Fish, their Products, their Processing and Marketing) Regulations, 5746-1985	Regulation 14
The Public Health (Food) (Marketing of Edible Eggs) Regulations, 5755-1994	Regulation 2 with respect to Regulation 4
The Public Health (Food) (Inspection of Fish) Regulations, 5741-1981	Regulation 2A
The Public Health (Food) (Choking Hazard Warning Labeling) Regulations, 5766-2006	Regulation 5

Part B

The Public Health (Food) (Processed Meat) Regulations, 5753-1993	Regulation 2 with respect to Regulation 3
The Public Health (Food) (Inspection of Fish) Regulations, 5741-1981	Regulations 2, 2B, 3, 3A
The Public Health (Food) (Deboning Meat) Regulations, 5744-1984	Regulation 2 with respect to Regulations 3, 4, 5, 7, 8, 9, 10
The Public Health (Food) (Ground Fish, their Products, their Processing and Marketing) Regulations, 5746-1985	Regulations 2, 3(c), 4, 5, 8
The Public Health (Food) (Marketing of Edible Eggs) Regulations, 5755-1994	Regulation 2 with respect to Regulations 3, 8, 9
The Public Health (Food) (Food Preservation By Radiation) Regulations, 5746-1985	Regulation 2(a)

SECOND SCHEDULE A

(Section 3A)

European Union directives adopted in Israel

Column A Directives of the European Union	Column B Conditions and Exclusion to the Directives	Column C Food Type Excluded from the Directives
(1) Commission Regulation (EC) 1881/2006 Setting Maximum Levels of certain contaminants in foodstuffs	(1) Sections 7 to 9 of Regulation 1881/2006 of the European Union will not apply *	The provisions of the regulations shall not apply to raw meat, raw milk, honey, fresh eggs in their shell
(2) Commission Regulation (EU) 73/2018 Amending Annexes II and III to Regulation 396/2005 of the European Parliament and of the Council as regards maximum residue levels for mercury compounds in or on certain products	(2) None *	The provisions of the regulations shall not apply to raw meat, raw milk, honey, fresh eggs in their shell
(3) EC Regulation 2073/2005 on Microbiological Criteria for Foodstuffs	(3) The European Union regulations shall apply subject to the conditions and exclusions as detailed below: (a) In Section 5 of the Regulations, Subsection 2, at the end, "processing areas and equipment for Listeria monocytogenes" will be replaced by "processing areas and equipment for Listeria (spp)"; (b) The provisions of Section 6 to the Regulations shall not apply; (c) In Section 7 of the Regulations, Subsection 2, "Article 19 of Regulation (EC) No.	The provisions of the regulations shall not apply to raw meat, raw milk, honey, fresh eggs in their shell

Column A Directives of the European Union	Column B Conditions and Exclusion to the Directives	Column C Food Type Excluded from the Directives
	<p>178/2002" will be replaced by "Article 164 of Public Health Protection Law (food) 2015";</p> <p>(d) In Chapter 1 of Annex I to the Regulations, in Items 1.2 and 1.3, in the "Limits" column, "100 cfu/g" will be replaced by "Absence in 25g";</p> <p>(e) In Chapter 1 of Annex I to the Regulations, Item 1.18 will be deemed to also apply to foods of the tahini type, nuts and spices, however only to these types of foods, in the "Sampling plan" column, in sub-column "n", "5" will be read in respect thereof as "30";</p> <p>(f) The provisions of the Regulations with respect to process hygiene criteria, including Chapter 2 in Annex I of the Regulations, shall apply only to the manufacturing of food that requires a manufacturing license or approval of a manufacturing activity at the site of the sale to the consumer pursuant to Chapter C of the law;</p> <p>(g) The provisions of the Regulations do not derogate from obligations established under any law regarding pasteurization and sterilization of food, including milk, dairy products, fruit or</p>	

Column A Directives of the European Union	Column B Conditions and Exclusion to the Directives	Column C Food Type Excluded from the Directives
	<p>vegetable juices, and egg products;</p> <p>(h) Notwithstanding the provisions of subparagraph (f), the provisions of the Regulations regarding process hygiene criteria in the manufacturing process to the regulations, including Chapter 2 in Annex I of the Regulations, shall apply only to the manufacturing of food that requires a manufacturing license or approval of a manufacturing activity at the site of the sale to the consumer pursuant to Chapter C of the law, and does not have a valid good manufacturing certification pursuant to the said chapter, however, regarding Items 2.2.5 and 22.7 in Chapter 2 in Annex I of the Regulations, the provisions of subparagraph (f) * will apply</p>	
<p>(4) Regulation (EC) 396/2005 of the European Parliament and of the Council of 23 February 2005 on maximum residue levels of pesticides in or on food and feed of plant and animal origin and amending Council Directive 91/414/EEC – Sections 1, 2, 3, 5, 18, 19 and 20, as well as</p>	<p>(4) None *</p>	<p>The provisions of the regulations shall not apply to fresh fruit, fresh vegetables, raw meat, raw milk, honey, fresh eggs in their shell</p>

Column A Directives of the European Union	Column B Conditions and Exclusion to the Directives	Column C Food Type Excluded from the Directives
Schedule I, Schedule II, Schedule III, Schedule IV and Schedule V		

- * (1) A food manufacturer or importer, with the exception of a proper importer importing food on the European track – with respect to food that he imports on the aforementioned track, which he will notify, in an online form that he will submit through the website to the manufacturing licensor or to the Registrar, respectively (hereinafter – the notification), regarding the compliance of a certain food product with the law as it came into effect on December 31, 2022, the provisions of the regulations as stated in Column A will not apply to the food product stated in the notification as being manufactured in Israel or imported to it, and this until a date to be specified in the notification, provided that it is no later than December 31, 2023; For this matter, the date of submission of the application for receipt of a certificate of release from the quarantine station shall be considered as the date of importation;
- (2) If a manufacturer or importer as stated in paragraph (1) submitted a notification pursuant to the note following the table in Second Schedule A to the law, as worded in Section 1(4) of the Protection of Public Health (Food) (Application of the Provisions of the European Union and the Setting of Conditions and Exclusions (Temporary Order) Order, 5783-2022, and did not specify in his notification an end date that is earlier than March 31, 2023, he will be deemed to have submitted a notification pursuant to paragraph (1) and to have specified in the same notification the date of December 31, 2023, however he may specify an earlier date in the notification he will deliver pursuant to the provisions of paragraph (1).

THIRD SCHEDULE

(Section 77)

Importer's undertaking attached to a declaration regarding the import of regular food

I, the undersigned, having completed all the details required pursuant to Section 76 of the Protection of Public Health (Food) Law, 5776-2015 (hereinafter – the Law), hereby undertake that –

- (1) The details I provided in the declaration are correct, and it applies to all future shipments of the particular regular food in the declaration;
- (2) Any future shipment of the food that is the subject of the declaration will comply with the requirements of the food legislation, which apply in Israel to the food at the time of its entry into Israel, and subject to the provisions of Section 90 of the Law;
- (3) I received from the supplier who supplied the food an undertaking to inform me in the event that he becomes aware of a notification to the public concerning a defect in the food (recall) or an instruction concerning the removal of the food from the marketing channels by way of a withdrawal.
- (4) I have/ do not have (*delete the unnecessary) one of the documents listed in Section 97 of the Law.

Registered importer
number

Date

Signature and seal of the
importer

THIRD SCHEDULE A

(Section 79D(1))

Importer's undertaking attached to a declaration regarding the import of food on the European track

I, the undersigned, having completed all the details required pursuant to Section 79C of the Protection of Public Health (Food) Law, 5776-2015 (hereinafter – the Law), hereby undertake that –

- (1) The details I provided in the declaration regarding import of food on the European track and the documents attached to the declaration are correct, and they apply to all future shipments of the specific food on the European track in the declaration;
- (2) Any future shipment of the food that is the subject of the declaration will comply with the requirements of the food legislation, at the time of its entry into Israel, and subject to the provisions of Section 90 of the Law;
- (3) I have a relationship with the food manufacturer, directly or through a supplier who has a direct relationship with the food manufacturer;
- (4) I will perform the actions required of a food importer on the European track as specified in Section 54A(b) of the Law;
- (5) I received from the food manufacturer or from the supplier who supplied the food an undertaking to inform me in the event that he becomes aware of a notification to the public concerning a defect in the food (recall) or an instruction concerning the removal of the food from the marketing channels by way of a withdrawal.

Proper importer
registration number

Date

Signature and seal of the
importer

THIRD SCHEDULE B

(Section 84(b1)(5))

Additional documents and details in an application for receipt of a certificate of release for food imported on the European track

- (1) Invoice;
- (2) Packing list;
- (3) Bill of lading;
- (4) Specification, within its meaning in Section 96(e), of the food manufacturer or test results, within its meaning in said section, for any specific food in the shipment, attesting that the food complies with requirements under the food legislation;
- (5) Regarding food that is required to be transported at a specified or controlled temperature – the temperature graph during transportation;
- (6) Regarding dairy products – a document from the manufacturer attesting to the pasteurization process of the product and a veterinary certificate;
- (7) Regarding honey and its products – a veterinary certificate;
- (8) Regarding products containing gelatin or collagen – a veterinary certificate
- (9) Regarding mushrooms or their mixtures, including products where a mushroom is a main component – the scientific name of the mushroom in the food must be specified in the specification;
- (10) Regarding microorganisms for use in the food industry or as a finished product – the full scientific name of the microorganisms;
- (11) Regarding canned foods with low acidity $\text{pH} > 4.5$ – all of the following:
 - (a) Certificate of Thermal Treatment of Low Acid Canned Food;
 - (b) (Deleted);
 - (c) A certificate attesting to the results of a commercial sterility test conducted by the manufacturer or a certificate of preservation capability test.

FOURTH SCHEDULE

(Section 96(d))

A product for which specification can be kept

Sugar

Green coffee beans

Soybeans

Wheat

FIFTH SCHEDULE

(Section 129, Sections 256(b)(34) and 262(31))

Labeling details that must be checked

1. The name of the manufacturer, importer or marketer from the Territory, as applicable.
2. Use-by date or recommended use-by date.
3. Warnings regarding choking, to the extent they are required.

SIXTH SCHEDULE

(Section 138 regarding an offense pursuant to Section 256(b)(35) and a violation pursuant to Section 262(33))

List of regulations that determine conditions regarding the sale of food

1. The Public Health (Food) (Choking Hazard Warning Labeling) Regulations, 5766-2006.

SEVENTH SCHEDULE

(Section 145, regarding an offense pursuant to Section 256(b)(39) and a violation pursuant to Section 262(37))

List of regulations that apply to marketers from the Territory

EIGHTH SCHEDULE

(Section 171)

Testing certificate

Description of the tested sample: _____

I, the undersigned, hereby confirm that I have tested the sample described above and I declare that the result of my test is as follows: _____

In witness whereof, I have hereunto set my hand

Day _____ Month _____ Year _____

Name and signature of the laboratory worker _____

NINTH SCHEDULE

(Section 263)

Labeling provisions

1. The Public Health (Food) (Choking Hazard Warning Labeling) Regulations, 5766-2006.
2. The Public Health (Food) (Gluten Labeling) Regulations, 5756-1996

TENTH SCHEDULE

(Section 314)

Fees

- (1) In order to process an application for a license or its renewal, on the dates specified below, a fee will be paid in the amount in new shekels as specified below:

Column A License type	Column B Processing of an application to receive a new license	Column C Processing of an application to renew a license, submitted at least 90 days prior to the expiration date, for every year	Column D Processing of an application to renew a license, submitted after the date on Column C, for every year
1. Storage license	780	390	448
2. Transportation license	275	275	316
3. Manufacturing license for a flour mill	930	465	535
4. Manufacturing license for a manufacturer that is not a flour mill -			
(a) Employing up to 10 employees	550	275	316
(b) Employing 11 to 50 employees	780	390	448
(c) Employing more than 50 employees	930	465	535

- (2) For processing an application for good manufacturing certification or for its renewal or for an application for a proper importer registration certificate or for the renewal of the registration, a fee of NIS 250 will be paid for each year for which the certificate is granted.

- (3) A fee of NIS 384 will be paid for the submitting of a declaration regarding the importation of regular food.
- (3a) For the submitting of an application for prior approval for importation or for its renewal, a fee in the amount of NIS 384 will be paid for each year for which the approval is granted.
- (3b) A fee of NIS 384 will be paid for the submitting a declaration regarding food importation via the European track.
- (4) For the submitting of an application for a certificate of release of a food shipment, on all types of food therein, including food on the European track, a fee will be paid according to the food groups in the shipment, as detailed below:
 - (a) For regular food – a total of NIS 384 for all groups of regular food in the shipment;
 - (b) For sensitive food – a total of NIS 384 for each sensitive food group in the shipment, including canned meat and fish, with the exception of meat products as defined in Chapter H and eggs that have not undergone heat treatment, according to the food groups as detailed below:
 - (1) Dairy products and their analogues, with the exception of such products that are associated with the group of fats and oils and fat emulsions;
 - (2) Fats and oils and fat emulsions;
 - (3) Ices, including sherbet and sorbet;
 - (4) Fruits and vegetables (including mushrooms, roots and tubers, legumes and aloe vera), seaweeds, nuts and seeds including legumes and excluding soybeans and grains;
 - (5) Candy;
 - (6) Grains and their products made from grain kernels, roots and tubers and legumes, with the exception of baked goods in the group of baked goods, mixtures for their preparation and doughs;
 - (7) Baked goods, mixtures for their preparation and doughs;
 - (8) Canned meat and its products;
 - (9) Canned fish and preserved fish products including shellfish, crustaceans and animals from the echinoderms group (sea urchins, sea cucumbers, etc.);
 - (10) Thermally treated eggs and egg products;
 - (11) Sweeteners including honey;
 - (12) Salt, spices, soups, sauces, salads, protein-based products (including protein and soybean products);
 - (13) Designated food and nutritional supplements;
 - (14) Beverages, excluding dairy products;
 - (15) Ready-to-eat snacks;
 - (16) Food supplements and production aids;

- (17) Foods intended for consumption by infants and young children including food compounds and complementary foods marked with the aforementioned designation.
- (4a) For the submitting of an application for a certificate of release for the part of the food shipment that is requested to be released, a fee will be paid according to the groups of food in the shipment that are requested to be released, as detailed in paragraphs (a) and (b) of Item (4).
- (5) For a certificate or approval regarding food manufacturing, a fee of NIS 150 will be paid.

ELEVENTH SCHEDULE

(Section 41 and 52)

Food requiring good manufacturing certification

- (1) Novel food;
- (2) Designated food;
- (3) Foods intended for consumption by infants and young children, including food compounds and complementary foods marked with the aforementioned designation;
- (4) Nutritional supplement;
- (5) Food labeled "gluten-free".

TWELFTH SCHEDULE

(Section 54A(a))

Food that cannot be imported through the European track

- (1) Designated food;
- (2) Nutritional supplement;
- (3) Foods intended for consumption by infants and young children, including food compounds and complementary foods marked with the aforementioned designation;
- (4) Meat and its products, except for preserved meat and preserved meat products;
- (5) Fish and fish products including molluscs, crustaceans and animals from the echinoderms group, with the exception of canned fish and canned fish products;
- (6) Eggs and egg products;
- (7) Intoxicating beverages;
- (8) Dairy products from unpasteurized milk;
- (9) Leaves of the Catha plant.

The wording of Section 41 of the Law entered into force on August 1, 2026

Obligation to receive good manufacturing certification

41. (a) Without derogating from his obligation to obtain a manufacturing license, a food manufacturer shall not manufacture food unless he has good manufacturing certification from the Director of the Food Services.
- (b) (1) Notwithstanding the provisions of Subsection (a), a food manufacturing factory is not required to obtain a good manufacturing certification for food that is not listed in the Eleventh Schedule, if the Director found that a self-monitoring food safety plan is being implemented in respect thereof pursuant to the provisions of this subsection and gave him confirmation of the fact.
- (2) A request for confirmation regarding the implementation of a self-monitoring food safety program pursuant to paragraph (1) shall be submitted to the district health bureau in the district where the manufacturing site for which the confirmation was requested is located, together with all of the following:
- (a) A food safety plan based on the principles of HACCP (Hazard Analysis Critical Control Points) for each specific type of food it manufactures, which includes procedures for identifying and assessing the risks related to the aforementioned food manufacturing process, control measures for critical points in the manufacturing process, a risk survey with reference to the composition of the food, its safety, its labeling, the conditions of its transportation, storage and sale, for ensuring traceability and for taking rectifying actions to correct defects and prevent their recurrence, and all in accordance with the quality and safety control processes set forth in accepted international standards;
- (b) An undertaking that he implements the food safety plan as stated in sub-paragraph (a) for food manufactured at the manufacturing site.
- (3) If a request for confirmation regarding the implementation of a self-monitoring food safety program pursuant to paragraph (2) is submitted, the Director will decide on the request within 30 days; If the Director has not decided on the request within the said period, the manufacturer will be considered as having been given confirmation as stated in paragraph (1).
- (c) The Director of the Food Services will publish on the website lists of good manufacturing certification

holders and holders of permit for using a good manufacturing practices symbol and of holders of confirmation regarding the implementation of a food safety and self-control plan.

Benjamin Netanyahu Prime Minister	Moshe Kahlon Minister of Finance	Reuven Rivlin President	Yuli Yoel Edelstein Speaker of the Knesset
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