

Voluntary Report – Voluntary - Public Distribution

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Report Name: Israel Passes Amendments to Ease Food Imports-
Updates

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Report Highlights:

Israel adopts EU regulations, stating the requirements in Europe in terms of chemical and biological contaminants (excluding listeria and salmonella) and pesticide residues, with certain exceptions.

This report presents the four EU regulations Israel has decided to adopt and a comprehensive review of the reform.

Adoption of EU Regulations

Israel has decided to adopt four EU regulations stating the requirements in Europe in terms of chemical and biological contaminants (excluding listeria and salmonella) and pesticide residues, with certain exceptions.

The adopted EU regulations are the following:

EU Regulations	Terms and Exceptions	Excluded Food Type
(1) EC Regulation 1881/2006 Setting Maximum Levels of Certain Contaminants in Foodstuffs;	(1) Sections 7 to 9 of the EC Regulation 1881/2006 do not apply;	The provisions of the regulations shall not apply to raw meat, raw milk, honey, fresh eggs in their shells
(2) EC Regulation 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 shells
(3) EC Regulation 2073/2005 on Microbiological Criteria for Foodstuffs;	(3) EC Regulation 2073/2005 do not apply to Listeria and Salmonella pathogens;	The provisions of the regulations shall not apply to raw meat, raw milk, honey, fresh eggs in their shells
(4) EC Regulation 396/2005 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 18, 19, and 20, and Annexes II on Maximum Residue Levels, Annexes III on Maximum Residue Levels Permitted Temporally, Annexes V on Maximum Residue Levels Permitted for Residues for which a Default Value was not set.		The provisions of the regulations shall not apply to raw meat, raw milk, honey, fresh eggs in their shells

Review of the Main Amendments to the Protection of Public Health Law (Food)

The Federation of Israeli Chambers of Commerce (FICC) published a comprehensive review of the main amendments to the Protection of Public Health Law (Food). The FICC's review of the main amendments to the Protection of Public Health Law (Food) is presented below.



The Public Health Protection Law (food) was amended according to the following basic principles. The reform is expected to include a number of updates for the importer:

- Adoption of EU regulations stating the requirements in Europe in terms of chemical and biological contaminants (excluding listeria and salmonella) and pesticide residues (with certain exceptions).
- Definition of "GIP – good importer practice" – this is a new definition for an importer who has HACCP-based procedures in regards to food quality and safety.
- New import route for the GIP – the “European Track.” Enables the import of food based on the declaration even for some of the products that are “sensitive” food products such as pasteurized dairy products, honey products, gelatin and collagen based products, low-level acidity canned food, products that needs to be stored or delivered in a temperatures lower than 8 Celsius, drinking and mineral water in bottles, food coloring, and others.
- Removing trade barriers in Israeli food standards.
- The reform is expected to include a comprehensive enforcement plan with a separate memorandum to be approved later, with stringent criteria and the authority to impose significant financial sanctions for violations.

Valid as of January 1, 2023 with a 9-month postponement option.

As part of the import reform, there is also a very significant reform in food regulation in general and import requirements and procedures in particular. The following is a review of the main points of this part of the reform:

Adoption of the European Union Regulations

One of the toughest issues that food business operators face is the differences between the regulatory requirements in Israel and those acceptable in other developed countries. For years,

the chamber's food sector has been working towards cancellation of requirements so that the Israeli importer and his supplier could speak the same language.

As part of the reform, the FICC's position was accepted and the law included a direct adoption of the European regulatory requirements in aspects of chemical and biological contaminants (excluding Listeria and Salmonella that will be established separately), residues of mercury compounds and pesticides residues, with the legislative infrastructure offers a future possibility to adopt additional European regulatory requirements. The law determined that in case of a conflict between the adopted requirements and those appearing in an official Israeli standard, the adopted ones will prevail.

Regarding raw meat, raw milk, fresh eggs in their shell and honey, the adopted European requirements regarding contaminants and pesticide residues will not apply and in addition, the European regulation of pesticide residues will not apply to fresh fruits and vegetables. Those issues will be discussed in an inter-ministerial health and agriculture team that is expected to operate intensively in the coming months.

The binding version will be the English one and the Ministry of Health is also required to present a Hebrew version for public review. This part of the reform is scheduled to enter into force in January 2023, however, the FICC is working with the Ministry of Health in an attempt to facilitate an earlier implementation of these adopted requirements as an alternative to the current regulation and to allow an appropriate transition period, during which both requirements will be in effect in parallel.

The law also regulated a mechanism that is expected to enable swift and efficient procedure of updates to the adopted European regulations to prevent emergence of gaps between Israel and Europe. If the European regulations will be updated and the Ministry of Health will opt to reject the update, the ministry will be required to go through an Exceptions Committee, intended to make it difficult for the ministry to refrain from adopting updates made in Europe.

“Good Importer Practice” and the “European Track”:

- A. Definition of a "good importer practice" - This is a new definition of an importer that will enable extending specific easements to importers who will comply with the included requirements, thus promoting an increase of the professional level of importers and reducing the workload imposed on National Food Service inspectors. Importers who wish to do so should register as "good importer practice" at the Food Service. Applications to be registered as a "good importer practice" - GIP can be submitted as of July 2022.
- B. A new importation track designed for use of GIP - a declaration-based “European Track” that will also apply to some of the food products that are defined as sensitive, including pasteurized dairy products, honey and honey products,

products that contain either gelatin or collagen, low-acidity preserved food, food products that are defined as sensitive only because they are required to be conveyed or stored in temperatures below 8 Celsius, mushrooms and mushroom mixtures, microorganisms for use in food industries, bottled drinking and mineral water, and food coloring for retail marketing.

What are the sensitive products that cannot be imported in the “European Track”?

Food for special medical purposes (FSMP)

Food supplements

Spirits

Non-pasteurized dairy products

Meat and derived products

Eggs and egg products

Food products that are intended to be consumed by infants and toddlers, including formulas and supplementing food marked with such designation.

Winepress leaves Fish and fish products, including shellfish, crabs and echinoderms

- C. It is noteworthy that strict requirements were defined in relation to importation of food in the European Track, not just in relation to the importers, but also in reference to the imported food and its producer; for instance, it is required:

Either of the following:

- A certificate attesting that the food production is overseen by an entity authorized to do so in the country of production, issued by this competent entity (should be from the EU);
- Free trade certificate - this is relevant only for a free trade certificate deals with a sale within the EU and issued by a competent European entity.
- Health certificate issued by an entity authorized to do so in the country of production (should be from the EU);
- A certificate mentioned in article 52 (of the Protection of Public Health Law - Food), attesting that the food was produced following Good Manufacturing Practice in the country of production.

In addition, either of the following:

- Sale invoice from or to a European retailer;
- Shipping certificate to a European retailer;
- Free trade certificate issued by a competent authority within an EU country.

- In the matter of a manufacturer, for which the importer presented a health certificate from a competent authority within the EU or one issued by a competent authority within the EU overseeing the production of the food, there is another alternative, which is a food producer declaration of compliance of the food with the EU regulatory requirements;

In addition, the third (b) annex to the law includes documents and details in the application for a release certificate for food in the “European Track” and also has individual requirements regarding a variety of products such as dairy food, low acidity preserved food, mushrooms, products that contain gelatin, etc.

Handling unnecessary barrier in Israeli food standards

This is a process that is expected to lead to the revocation of a long line of local food standards and articles in food standards. Entering into effect on January 1, 2023 with an optional deferment of up to 9 months.

Update of validity of a sensitive food import certificate to 6 years

As part of the attempt to reduce the extended wait period for sensitive food import certificates, the FICC introduced into the version approved by the Economy Committee an amendment that would allow extending the validity of a previously issued sensitive food certificate from the currently issued 4 years to 6 years.

Application for releasing food shipments after leaving for Israel

Another amendment that should ease the importation process is the possibility to submit an application to release a food shipment after this shipment left the country of origin to Israel (instead of filing such an application close to the arrival of the shipment to Israel, and not a day earlier than the business day before the day of the shipment's arrival).

Obligating local food manufacturers to have quality control systems by 2026

As part of the law, by 2026 all food producers in Israel will be required to have a quality control system. Regarding some of the foods, a stricter requirement of GMP was defined: novel food, FSMP, food supplements, food marked as not containing gluten, food intended to be consumed by infants and toddlers, including formulas and supplementing food marked with such designation.

Enforcement

In order to counterbalance the easements, the reform is expected to include a comprehensive enforcement program and a separate memorandum (that is expected to be approved later) to define additional enforcement authorities. The enforcement program is expected to include labor

quotas and strict enforcement measures, including the authority to impose substantial financial sanctions for violations.

Extending the temperature range for chilling unprocessed fresh meat

It was decided to amend article 9 of the Protection of Public Health Law - Food in context of "fresh meat" in such a way that the temperature range in which unprocessed meat would be chilled would be from (-1) to 4 Celcius (instead of 0 to 4 as it is presently).

Attachments:

No Attachments.