

Notice to retailers concerning origin labelling of products from Israeli-occupied territories

Introduction

In 2012 the Foreign Affairs Council of the European Union expressed its commitment to full and effective implementation of existing EU legislation and bilateral arrangements applicable to settlements products.¹ This was intended to refer to settlements in the territories brought under Israeli administration in 1967.

Among importers and traders there is a lack of clarity about the legislation on the labelling of settlement products. The business community and civil society have requested to provide clarity on this issue.

Aim

This notice seeks to provide the desired clarity about the existing legislation on labelling of products from Israeli-occupied territories.

Origin labelling

The main principle behind labelling legislation is that the consumer has the right to an informed choice, and hence labelling must not be misleading.

When labelling is mandatory, the geographical origin must be correctly included in the label. When it is voluntary, traders are free to decide whether they want to display the origin on the label, unless omission of that information would mislead the consumer as to the true origin of the product². If the origin is indicated, the information must be correct so as not to mislead the consumer.³

For fresh fruit and vegetables,⁴ wine,⁵ honey,⁶ olive oil,⁷ fish,⁸ beef and veal,⁹ poultry from third countries,¹⁰ eggs,¹¹ organic products¹², and cosmetics¹³ origin labelling is compulsory.

¹ Conclusions of the Foreign Affairs Council meetings of 14 May 2012 and 10 December 2012.

² Directive 2000/13/EC of the European Parliament and of the Council on the labelling, presentation and advertising of foodstuffs and, starting from 13 December 2014, Council regulation (UE) No 1169/2011 on the provision of food information to consumers.

³ Directive 2005/29/EC of the European Parliament and of the Council concerning unfair business-to-consumer commercial practices.

⁴ Council Regulation (EU) No 1308/2013.

⁵ Council Regulation (EU) No 1308/2013 and Commission Regulation (EC) No 607/2009.

⁶ Council Directive 2001/110/EC.

Labelling will also become compulsory for fresh, chilled and frozen meat of swine, sheep, goats and poultry as of April 2015¹⁴

Since the Golan Heights and the West Bank (including East Jerusalem) are not part of the Israeli territory according to international law, labelling goods originating from these territories as ‘product from Israel’ is considered to be misleading in the sense of the referenced legislation.

Labelling goods originating from Israeli settlements in the Golan Heights and the West Bank (including East Jerusalem) without indicating that these originate from a settlement is considered to be equally misleading.

In order to clarify that these products originate from an Israeli settlement, the following labels are recommended:

- ‘Product from the Golan Heights (Israeli settlement)’
- ‘Product from the West Bank (Israeli settlement)’.

For products from the West Bank that do not originate from settlements, the label ‘product from the West Bank (Palestinian product)’ is recommended.

⁷ Council Regulation (EU) No 1308/2013 and Commission Implementing Regulation (EU) No 29/2012.

⁸ Council Regulation (EU) No 1379/2013.

⁹ Commission Regulation (EC) No 1760/2000.

¹⁰ Council Regulation (EU) No 1308/2013 and Commission Regulation (EC) No 543/2008.

¹¹ Council Regulation (EU) No 1308/2013 and Commission Regulation (EC) No 589/2008.

¹² Council Regulation (EC) No 834/2007 and Commission Regulation (EC) No 1235/2008.

¹³ Regulation (EC) No 1223/2009 of the European Parliament and of the Council.

¹⁴ Council Regulation (UE) No 1337/2013