

Canada rules Israeli settlement wine labels violate law

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The wine produced by the Psagot Winery is made from grapes sourced from five other Israeli settlement colonies.

Debbie Hill UPI

In a legal defeat for Israeli settlement wineries, the Canadian Food Inspection Agency (CFIA) has ruled – once again – that wines produced in Israeli settlement colonies cannot be labeled “product of Israel.”

The agency upheld its original 2017 declaration that wines made inside illegal Israeli settlements in the occupied West Bank were falsely labeled.

But immediately following that ruling, Israel lobby groups pressured the agency to reverse its decision – which it did, about 24 hours later.

For years, science professor and activist David Kattenburg has been urging the Canadian government to require Israeli settlement wineries to label their bottles with an accurate geographic origin.

In 2017, he discovered that two wines on sale in Canada with “product of Israel” labels were actually produced in the Psagot and Shiloh settlements in the occupied West Bank.

“What this meant to me was that Israel was claiming sovereignty over Palestinian territory on Canadian store shelves, because that’s what the label means,” Kattenburg told The Electronic Intifada.

“It comes down to Israel’s claim, really, that all these lands west of the Jordan River all belong to Israel. And by allowing this on Canadian store shelves, Canada is effectively saying, ‘Sure, we agree,’ although the Canadian government would deny that its acceptance of ‘product of Israel’ labels is tantamount to endorsing Israeli annexation,” Kattenburg explained.

The wine produced by the Psagot Winery, near Ramallah, is made from grapes sourced from five other settlements.

It was served at US Vice President Kamala Harris' Passover seder on 15 April, drawing condemnation from human rights groups.

Huge yikes: Kamala Harris @VP served wine from Psagot at her Passover Seder. It is produced in an illegal Israeli settlement which is colonizing the occupied West Bank. This demonstrates serious contempt for Palestinians and int'l law.
<https://t.co/UvUMG7bEeI>

— Michael Bueckert (@mbueckert) April 16, 2022

Al-Haq calls on @VP @KamalaHarris to cease support of the Psagot Winery and end all business relations with actors operating in Israeli illegal settlements, in compliance with the U.S.' obligations to promote and respect human rights!@HadyAmr
#EndImpunity<https://t.co/9bfNM1gqOz> [pic.twitter.com/1YymwYZhuM](https://t.co/pic.twitter.com/1YymwYZhuM)

— Al-Haq الحق (@alhaq_org) April 25, 2022

The Canadian government, led by Prime Minister Justin Trudeau, considers the West Bank, Gaza Strip and Syria's Golan Heights to be occupied territories, not part of Israel. It maintains that Israel's settlement colonies in these areas violate international law. But Trudeau, like his counterparts in the US and Europe, has consistently blocked attempts to hold Israel accountable at the international legal level.

And Israel has yet to face economic or political consequences from those allies, including Canada, over its settlement policies.

@JustinTrudeau doesn't recognize Palestine's membership in the @IntlCrimCourt & therefore does not support the right of Palestinians to seek justice through the court. This needs to change. MPs from all parties need to pressure the gov to support the ICC.<https://t.co/OvIXn3oZQB>

— No Moral Cover 🇨🇦 (@NoMoralCover) January 24, 2022

“A crime”

After the Canadian Food Inspection Agency's reversal, Kattenburg and his lawyer, Dimitri Lascaris, appealed to the Federal Court of Canada.

The court agreed with the food agency's original decision, and ruled in July 2019 that the settlement wine labels were “false, misleading and deceptive.”

The Trudeau government, under heavy pressure from Israel lobby groups and Israeli government officials, soon appealed the ruling.

The federal appeals court dismissed the government's submission, but sent the matter back to the food inspection agency to review its decision with new submissions from both Kattenburg and the Psagot Winery.

Amongst the evidence Kattenburg then filed to the court were land deeds showing that Psagot Winery is on stolen Palestinian land in the occupied West Bank.

"All of those settlement wines from up and down [the West Bank] and in the Golan, they're all yielding grapes that are generating juice for wine, and those grapes were grown on lands seized from Palestinians who still, many of them, own legal title to that land. It's a crime," Kattenburg said.

Working toward a ban

Civil and human rights groups in Canada welcomed the food agency's 13 May ruling.

Press release: Canadian Jewish group applauds government agency for ruling "Product of Israel" labels on illegal settlement wines "false" <https://t.co/46qqgrUsQX>

— Independent Jewish Voices (@IndJewishVoices) May 16, 2022

Huge victory against illegal Israeli settlement goods, as the CFIA rules (again) that it is "false" to label them as products of Israel. Beyond accurate labelling, Canada should immediately remove all unlawful settlement goods from store shelves, and ban trade with settlements. pic.twitter.com/aPS59HFNBT

— Canadians for Justice and Peace in the Middle East (@CJPME) May 14, 2022

"It's a major victory," Lascaris told The Electronic Intifada. "What we have here right now is a clear cut, unequivocal decision that a product of Israel label standing alone – those are the key words, standing alone – is a violation of Canadian law."

But, he said, Palestine solidarity campaigners like Kattenburg must prepare for ongoing fights even when the courts rule in favor of international law.

"When you get a victory, you have to protect it because they'll try to claw it back. The defenders of the State of Israel tried to claw that victory back, and they're very good at doing that," he noted.

To that end, the food agency's ruling failed to explicitly clarify how the settlement wine labels should be altered – a point that has "pleased" the Psagot Winery's attorney, David Elmaleh.

Elmaleh told *Canadian Jewish News* that the agency's ruling "appears to leave open the possibility" that the wines can remain labeled as "Product of Israel" by simply adding "Made in the Indigenous Jewish homeland in the Israeli-administered West Bank" or "Made in the Shomron on land administered by the State of Israel."

Lascaris noted that although he and Kattenburg are preparing to fight Psagot's revised label, they won't have to go through another five years of litigation again since the food agency has already agreed with their complaint.

"If you're going to let them sell [the wines] in Canada, what you need to make sure consumers understand is that they're coming from occupied Palestinian territory and they're coming from a settlement," he said.

"Because only then will you know that you are buying a product that is produced by people who are violating international law, who are in fact committing a war crime. That's what consumers who act in accordance with their conscience need to know and deserve to know and want to know," Lascaris added.

He explained that there are three open questions that the Canadian Food Inspection Agency must resolve: "Will the CFIA require the word occupied to be on the label? Will the CFIA require the word settlement to be on the label? And will the CFIA require the word Palestinian to be on the label? I really don't know what they're going to do. I don't think we should make any assumptions."

"But really what we want to see is a ban," he said. "David [Kattenburg] and I are adamantly of the view that these products shouldn't be allowed into Canada at all."

Tags

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Comments

One of the absurd but serious arguments made by the Trudeau government was that the Canada-Israel 'free trade' agreement permitted the 'Made in Israel' label -- in other words that an agreement ostensibly about tariffs trumped the right of Canadians to accurate labelling of where their food and drink comes from, a right established in food laws and regulations. Clearly the Liberals will bend laws over backwards to protect apartheid Israel.

As the article says, the Zionist lobby needed only 24 hours to reverse the original ruling requiring honest labelling, but the appeal process took years. What won't Ottawa do to protect apartheid Israel from human rights conventions and international law, or even from Canadian laws that don't favour illegal occupations and war crimes?

Nora Barrows-Friedman



Nora Barrows-Friedman is a staff writer and associate editor at The Electronic Intifada, and is the author of *In Our Power: US Students Organize for Justice in Palestine* (Just World Books, 2014).