



## Regulation of the "Kosher" Certification System in Israel

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*This paper extensively reviews the system for "kosher" certification in Israel and details its shortcomings and the issues that are in need of resolution, highlighting the operational and economic aspects of the system and outlining a detailed proposal to overhaul the system in a way that would resolve most issues. The proposed solution is based on diversifying the ways to obtain "kosher" certificates by adding the options of private "kosher" certification bodies under the supervision of the Rabbinate, and the employment of "corporate rabbis" in large companies or networks, while regulating the current "kosher" certification system with a government company.*

The **first chapter** details one by one all the issues extant in the current "kosher" certification system that must be addressed.

The **second chapter** outlines the proposal for creating competition and forming a new system for the overall regulation of the "kosher" certification.

### **Summary:**

The system in Israel for granting certification of "kosher" status or "kashrut" (meeting the standards of Jewish dietary laws), is largely viewed as a religious affair, and is handled primarily by the Chief Rabbinate of Israel and The Ministry of Religious Services. However, despite the religious nature of the Jewish laws regarding what can be certified "kosher", the organization and operation of the supervisory system is an administrative issue, one with implications for the Israeli economy as a whole. Public interest lies in the system's promotion of low cost of living; credibility; proper "kosher" certification; availability; equalization of kosher certificate prices across the country and the like. Political interests of involved parties include using the "kosher" certification system to entrench a religious worldview (stringent or liberal); economic gains; jobs for affiliates; and so on.

Despite the current system being at risk due to various legal challenges, it remains paralyzed and unable to resolve longstanding issues.

The chief issues with the current system are:

- 1) The Kosher certification system is comprised of several different actors - the Chief Rabbinate, The Ministry for Religious Services, municipal Rabbis, a national system for those municipalities with no religious council (including non-Jewish ones), kosher supervisors (who do the actual work of supervising businesses' adherence to kosher standards), and various business owners. This complicated system suffers from the lack of clearly defined roles and guidelines, the lack of professional management of the administrative and financial aspects, and from specific issues with some of its components, including disagreements between one or more of them.
- 2) The officials responsible for the system have no knowledge or skills in operational or financial management.
- 3) The legal foundations are too broad, and many questions of authority and internal guidelines are left unanswered, open to confusion and abuse.
- 4) The requirements for obtaining kosher certificates are not nationally uniform or definite.
- 5) The supervision and management of overseas ritual killing (*shchita*) is riddled with deficiencies.
- 6) The requirement for Israeli Kosher certification for all imported foodstuffs is an unnecessary encumbrance.
- 7) Lack of competition.

### **Recommendations:**

The regulatory overhaul of the system should include the following:

- A) **Legislation of a National Kashrut Law**, (alongside amendments to the laws governing the Rabbinate and religious services), **that would stipulate three ways to obtain a kosher certificate:**
  - (1) through the municipal Religious Councils,
  - (2) through "corporate Rabbis", i.e., Rabbis employed by corporations or store chains responsible for all kosher supervision in the business, under the authority and oversight of the Chief Rabbinate,
  - (3) through private Kosher certification companies supervised by the Chief Rabbinate and independent of the local Rabbinate.
- B) **Establishment of a nonprofit government company to manage the state's Kosher certification system**, headed by a professional administrator and a deputy administrator educated in Jewish law. The company would be further managed by four state employees (one of them a representative of the

Rabbinate) and three public representatives. The company would be charged with:

- (1) *Oversight of kosher supervisors' employment*: kosher supervisors would be hired by external human resources companies licensed by the government company according to standards set by the Ministries of Religious Services and Finance. The HR companies' job would be to monitor the supervisors' attendance, supply substitute supervisors when necessary and pay salaries according to a collective agreement.
- (2) *Oversight of the kosher supervisors' work*.
- (3) *Finance Management*: The differences among municipalities in terms of their geographical distribution and the variance in the types and number of businesses under their jurisdiction make it impossible to equalize costs without a national financial system. The government company would collect all (regular and exceptional) fees from businesses through the government payment system, according to a set scale of payment so that all similar businesses pay the same amount. The government company would use some of the funds for its own operations, transfer monies to the religious councils to engage human resources companies and provide for municipalities with no religious council.
- (4) *Establishment and Management of a database* of qualified kosher supervisors from which municipal Rabbis can choose, with supervisors added to the database through an ordered, public procedure.
- (5) *Establishment and Management of a training apparatus* for kosher supervisors.
- (6) *Provision of services for those municipalities that have no religious council*, as well as the *supervision of kosher certification in non-Jewish towns*, replacing the current Rabbinate mechanism of a national kashrut body.

In the future, the company would add to its duties the supervision of overseas ritual slaughter (*shkhita*); inspection services for food imports; and research and development.

C) Further Fixes:

- 1) **The Chief Rabbinate's** structure, employees and authorities should be **defined in law**, as well as the positions of "Chief Rabbinate Secretary" and "Chief Rabbinate Director", detailing their authorities, appointment and termination processes and professional subordination. Rabbinate employees should not handle any financial or operational aspects of the kosher certification system but rather counsel and supervise Rabbinical work, including that of the kosher

supervisors; oversee the Jewish law aspects of the training programs for kosher supervisors; conduct inspections of and find solutions for new materials and technologies; etc. The operational aspects of food importation and overseas ritual slaughter (*skhita*) should be transferred to the new government company.

- 2) **The Ministry of Religious Services** should handle all financial and operational aspects of the kosher supervision system, receiving a set sum for all things kashrut and working with the Chief Rabbinate and Chief Rabbi on all matters of Jewish law (*halacha*). A ministerial kashrut department shall regulate the religious councils' kashrut departments; set policies and supervise their implementation; and serve as liaison between them, other ministry departments (such as human resources) and the government company for Kashrut.
- 3) **The Kashrut departments in Religious Councils** should be structured and operated according to rules promulgated by the Ministry of Religious Services. They shall choose which certified company hire their kosher supervisors, choose kosher supervisors from the national database, determine the work schedule and update kosher supervisors' files in the national supervisor database with information about which businesses they supervise and notes on kosher supervisors' conduct, such as excellence, unusual incidents, etc.
- 4) **Local authorities with no religious council** can choose one of the following: (1) open a Kashrut department in their municipality, professionally subject to the Ministry of Religious Services' Kashrut department; (2) use the services of an adjacent Religious Council; or (3) pay the government company to employ kosher supervisors.

[For the full Hebrew paper](#)