

March 31, 2017

Canadian Food Inspection Agency
Food Labelling, Composition & Advertising
1124 Finch Avenue West – Unit 2
Toronto, Ontario, M3J 2E2

To Whom It May Concern:

I wish to lodge a formal complaint with the Canadian Food Inspection Agency regarding two wine products currently on sale by the Liquor Control Board of Ontario (LCBO). They are:

- 1) Shiloh Legend KP 2012 (<http://www.lcbo.com/lcbo/product/shiloh-legend-kp-2012/451484#.WEocjly1ODx>), and
- 2) Psâgot Winery M Series, Chardonnay KP 2014 (<http://www.lcbo.com/lcbo/product/psagot-winery-m-series-chardonnay-kp-2014/441675#.WGp101y1ODx>)

These two wine products are labeled “Made in Israel” at the LCBO website, and on LCBO store shelves, when in fact they were both produced from grapes grown entirely within Israeli settlements in the Occupied Palestinian Territories (OPT). The Canadian government – indeed, the highest UN authorities – have explicitly stated over many years that the OPT do *not* fall within sovereign Israeli borders, and that Israeli settlements are illegal under international law. Israel itself acknowledges that the settlements are not part of sovereign Israeli territory.

The longstanding policy of the Canadian government on the matter of Israeli borders and sovereignty within the OPT are to be found here: (http://www.international.gc.ca/name-anno/peace_process-processus_paix/canadian_policy-politique_canadienne.aspx?lang=eng)

As you are aware, in response to my original registered letter to the LCBO, dated January 6 of this year, the CFIA and LCBO are currently looking into this matter. A copy of my Jan. 6 letter was copied to the CFIA at the time.

The LCBO has now kindly provided me with bills of lading for these two wine products. Copies are attached. They indicate that Psâgot Winery M Series Chardonnay KP 2014 was shipped by Psâgot Winery Ltd. D.N. Mizrah Binyamin, Psâgot 9062400. This address is located within the Binyamin regional settlement council, east of Ramallah, in the heart of the northern West Bank/OPT (<http://www.psagotwines.com/en/arrival-directions>)

Likewise, Shiloh Legend KP 2012 was shipped by Shiloh Winery Ltd., Ma'ale Levona. The waybill for this product indicates that Ma'ale Levona is in Israel. This is flagrantly false (i.e. fraudulent). According to Wikipedia (and as everyone knows), "Ma'ale Levona is an Israeli settlement organized as a communal settlement in the West Bank. Located to the south-east of Ariel, it falls under the jurisdiction of Mateh Binyamin Regional Council."

CFIA regulations state: "A wine may claim to be wine of a country if: 1) the wine is made from at least 75 percent of the juice of grapes grown in that country and it is fermented, processed, blended and finished in that country; or 2) in the case of wines blended in that country, at least 75 percent of the finished wine is fermented and processed in that country from the juice of grapes grown in that country."

Given that Shiloh Legend KP 2012 and Psâgot Winery Chardonnay are produced from grapes apparently grown and processed entirely outside Israel's sovereign borders, and in keeping with CFIA regulations, they should *not* be labeled "Made in Judean Hills, Israel" – as is the case at the LCBO's website – but rather, more truthfully: "Made in Ma'ale Levona settlement, Occupied Palestinian Territories," and "Made in Psâgot settlement, Occupied Palestinian Territories."

To label these wines as Israeli in origin flagrantly violates CFIA regulations, and compromises the trust Canadian consumers have in product origin labeling. I therefore request that the CFIA instruct the LCBO to a) replace the indication of origin lines for these two wine products at its website ("Made in Judean Hills, Israel") with a more truthful origin in the OPT, and b) affix correct origin labels to all bottles of these two wine products on sale at LCBO outlets.

In a letter dated March 8, the LCBO informed me: “We are currently working in collaboration with the Canadian Food Inspection Agency (CFIA) to investigate the matter you have brought forward. As we are still in the process of consulting with the CFIA, we do not have a response to provide at this time. We will contact you as soon as we have a final resolution to your inquiry.” With all due respect to diligent, hard-working LCBO and CFIA personnel, my patience wears thin. Every day that goes by without a resolution to this matter is another day falsely labeled products sit on Canadian store shelves.

I therefore request that the CFIA take immediate action in this regard. Failing that, I will pursue alternative avenues to remedy this product labeling matter.

I appreciate your time and attention. Thank you for confirming receipt of this letter.

Sincerely ...

Dr. David Kattenburg

cc: Liquor Control Board of Ontario