

Jewish Principles and Ethical Guidelines ("JPEG") for the Kosher Food Industry

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Section A: Introduction

Our Torah commands sanctity in the marketplace and workplace as in the home and synagogue. From biblical times to the present, Jewish tradition has summoned us to a life of ethical behavior and social responsibility, of fidelity to both ritual practice and the rule of civil law. This tradition acknowledges the legitimacy of property rights as well as business profit, but simultaneously challenges us to fulfill principles of just conduct. These principles include respect for just laws and conventions, treating all people with respect, and preserving and protecting God's creation.

It is thus the responsibility of Torah leaders to teach and promote ethical conduct in the workplace. As part of this responsibility, the RCA has decided to recommend guidelines for conduct in the kosher food industry. Given the active involvement of rabbis in supervising kosher food production, and the influence we have in this area, we believe it is incumbent on us to promote and enforce conduct consistent with Jewish values throughout the kosher food industry.

Section B: Formalizing ethical guidelines for kashruth supervision

Kashruth certifying agencies currently focus on Judaism's rules governing permitted and forbidden mixtures and ingredients, kosher slaughter, and similar ritual matters. As a result of generations of scrupulous and professional oversight, the various large kashruth certifying agencies enjoy a high degree of confidence on the part of both consumers and producers in these areas.

Historically, kashruth certifying agencies have not formally overseen legal and ethical compliance, though as a matter of conscience they have on many occasions refused to provide supervision due to reservations about misconduct. Their specific mandate and ability is to ensure that food adheres to the strict ritual demands of Jewish law and tradition, prescribed by the Creator for the Jewish people in order to sanctify us. Responsibility for regulating the business practices of the kosher food industry lies instead with a variety of specialized government agencies.

However, the close relationship between kashruth certifying agencies and kosher food producers, coupled with the requirements of Jewish law to conduct business in accordance with civil law, to protest serious moral wrongdoing, and to shun association with improper endeavors, have justifiably prompted broader expectations of those agencies. Beyond conducting their own affairs in a manner beyond legal and ethical reproach, agencies should explicitly inform clients that they require lawful conduct, and agencies should distance themselves from any producer whose conduct constitutes a gross affront to the ethical

demands of Jewish law and tradition. These, too, are a divine commandment to the Jewish people.

The rest of this document outlines appropriate steps to achieve this aim.

Section C: Ethics Policies for Kashruth Certifying Agencies

Exemplary Behavior of Kashruth Certifying Agencies

Kashruth certifying agencies should conduct their own affairs in a manner that reflects positively on the role of the Torah in promoting ethical and legal conduct.

Scope of Contracts of Supervised Companies

An agency should require companies seeking its certification to affirm in advance that they are committed to law-abiding conduct, and have implemented procedures to comply with legal norms as they understand them.

In its agreements with companies they supervise, an agency should stipulate that serious legal violations, as described in Section E of this document, will constitute grounds for sanctions including termination of kosher certification.

Transparent Procedures

An agency should have a practical, transparent policy for responding to allegations of serious violations of law at companies whose products it certifies. A designated individual or committee within the agency should be responsible for implementing this policy. In order to prevent a continued relationship with a company which violates the law, this policy should empower the agency to take prompt action.

Excessively burdensome guidelines will prove counterproductive. Each agency should adopt and publicize a policy that enables it to respond to violations without compromising its primary responsibility for guaranteeing the customer the highest kosher standards.

Implementation

An agency must ensure that administrators, supervisors and others who are responsible for enforcing its policy are adequately familiar with its details. Appropriate orientation procedures and materials, and periodic refreshers, are essential elements in this process.

Assessing Allegations

Practically, an agency cannot assume responsibility for monitoring a company for unethical or illegal behavior. However, an agency may sometimes encounter credible suspicions at a client company. Suspicions might stem from a variety of sources, including but not limited to criminal or regulatory investigations, on-site agency inspectors, or credible news reports or whistle-blowers.

Once suspicions are raised, an agency is not expected to initiate its own investigation; kashruth supervisors do not have expertise in investigating adherence to ethical or legal

standards. Instead, it should judge the presence and degree of company violation based on all evidence at its disposal. This may include the results of investigations from duly authorized bodies, including law enforcement and regulatory agencies, public statements from the producer, or first hand testimony from its own representatives.

Due Process

In assessing allegations, an agency must maintain an attitude of fairness and a policy of due process. It should not act hastily, and should give the accused company a fair opportunity to respond to allegations whenever possible.

Convincing Evidence of Wrongdoing

Once an agency has become convinced that serious legal violations are occurring at a company, it should act promptly and not remain, or even appear to remain, indifferent to such misconduct.

Section D: The Role of the RCA

The RCA will promote and assist the adoption of these ethical enforcement guidelines among kashruth supervising agencies. The RCA, together with agencies, will promote compliance with these guidelines.

When appropriate, and after discussion with an agency, the RCA may make public statements expressing its own judgment regarding any company which is deemed to have violated these guidelines, as described in Section E.

Section E: Specific Areas of Concern

Respect for the will of the people as embodied in legitimate laws is a requirement of Jewish law. Further, lack of commitment to legal obligations may be accompanied by a lack of commitment to kashruth standards. For these reasons and in accordance with Sections C and D above, the RCA and kashruth certifying agencies will respond to blatant disregard of such laws.

Although it is not possible to define in advance all of the types of misconduct that should be deemed serious, the following are some offenses of particular concern in the Jewish ethical tradition:

Integrity Towards the Consumer

The Torah prohibits deception, including any significant, willful attempt to mislead the consumer. These violations are of particular concern for a kashruth certifying agency, whose mandate includes advancing the interests of the consumer of kosher foods.

Honoring Commitments to Workers

Biblical and rabbinic tradition are replete with admonitions directing an employer to promptly fulfill his or her obligations to workers, and to free the employment relationship of any degree of servitude or duress.

Concern for Public Safety and Well-Being

Relevant civil laws and regulations dictate the appropriate balance between the needs of industry and the safety and cleanliness of the surrounding community and the greater environment.

Concern for Animal Welfare

Jewish law strictly forbids causing an animal to suffer, except in cases of legitimate human need or other unusual situations.

Conclusion

In accordance with Jewish law and tradition, the kosher status of food is determined by very specific requirements, as delineated in the Code of Jewish Law and related texts. Nonetheless, many other areas of Jewish law and ethics require that all Jews strive to facilitate correct business behavior far beyond the limited realm of kashruth itself, as we have outlined here.

To this end, with these guidelines, the RCA calls upon the Jewish community at large to assist in implementing these legal and ethical imperatives, for the good of society and the Jewish community.

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