

ACTION ALERT from Greater Philadelphia ZOA

Make sure that the Commonwealth of Pennsylvania enforces its existing anti-BDS law against Unilever.

ALERT: As you know, Unilever subsidiary Ben & Jerry's has announced that its products will no longer be sold in Judea, Samaria and the eastern neighborhoods in Jerusalem. It has deemed the areas "Occupied Palestinian Territories." Pennsylvania has a statute: Act 163 of 2016 -- that prohibits commonwealth agencies for entering into contacts with companies that boycott Israel, nor can it be part of an existing contract with a company that boycotts Israel.

It is ZOA's position that since Unilever has not countermanded Ben & Jerry's decision, nor has it even condemned or announced opposition to Ben & Jerry's decision, and since it is the owner and corporate parent of Ben & Jerry's – therefore the Pennsylvania law should be applied to Unilever and not just Ben & Jerry's. Greater Philadelphia ZOA and Pittsburgh ZOA have jointly sent a letter to Governor Tom Wolf, Attorney General Josh Shapiro and Treasurer Stacy Garrity to this effect.

ACTION: Please call and email Gov. Wolf, Attorney General Shapiro and Treasurer Garrity to encourage that: A: Pennsylvania law Act 163 of 2016 be enforced to the fullest extent, and B: That it be applied to all Unilever products and not merely Ben & Jerry's. Please share this action alert with your email contacts and on social media. Let friends and family know this as well.

Also: If you do not live in Pennsylvania or have contacts in another state where there are anti-BDS laws: Please ask state government and agencies to enforce their anti-boycott laws against Unilever.

Contact information:

Gov. Tom Wolf:

Phone: 717-787-2500. Online form:
<https://www.governor.pa.gov/contact/>

Attorney General Josh Shapiro:

Phone: 717-787-3391. Contact form:
<https://www.attorneygeneral.gov/contact/>

Treasurer Stacy Garrity:

Phone: (717) 787 2465. Contact form:
<https://www.patreasury.gov/contact/>

Please note: There is a recording (as of Friday) on the phone line of the Treasurer's Office that they are not answering calls. We were unsuccessful in finding an alternate phone number.

BACKGROUND: Greater Philadelphia ZOA contacted **State Rep. Aaron Kaufer** when we were apprised that he was taking the lead on getting state officials to enforce the anti-BDS law. Kaufer apprised us of the situation and prompted the statement by Shapiro.

The statute states:

"§ 3604. Prohibition.

Notwithstanding any other provision of law and except as provided under section 516 (relating to emergency procurement), a purchasing agency may not contract with a company to acquire or dispose of supplies, services or construction that exceed the applicable small purchase threshold unless the company certifies that:

(1) the company is not currently engaged in a boycott of a person or an entity based in or doing business with a jurisdiction which the Commonwealth is not prohibited by Congressional statute from engaging in trade or commerce; and

(2) the company will not during the duration of the contract engage in a boycott of a person or an entity based in or doing business with a jurisdiction where the Commonwealth is not prohibited by Congressional statute from engaging in trade or commerce.

§ 3605. Certification.

The department shall make available a certification form indicating that a company is eligible to contract with the department under section 3604 (relating to prohibition). The company shall provide a certification form to the department when registering to do business as a vendor with the Commonwealth.”

The statute also notes that:

“The General Assembly finds and declares as follows:

(1) Pennsylvania is privileged to engage in international trade and commercial activities.

(2) Israel is America's dependable, democratic ally in the Middle East, an area of paramount strategic importance to the United States.

(3) It is in the interest of the United States and the Commonwealth to stand with Israel and other countries by promoting trade and commercial activities and to discourage policies that disregard that interest.”

Earlier this week, Pennsylvania Attorney General Josh Shapiro stated: “Moreover, as Attorney General Shapiro correctly noted: “BDS is rooted in antisemitism. The stated goal of this amorphous movement is the

removal of Jewish citizens from the region and I strongly oppose their efforts. Governor Wolf rightfully signed a bill 5 years ago which passed with broad bipartisan support to prevent the stain of BDS from taking hold in Pennsylvania. I expect Commonwealth agencies with jurisdiction to enforce the Act.”

In our letter, Greater Philadelphia ZOA and Pittsburgh ZOA noted: “The Zionist Organization of America, through its two chapters in the commonwealth, could not agree more. We urge each of you to vigorously enforce Pennsylvania’s anti-BDS law and send the message to Unilever and any other company that might be considering following Unilever’s lead that such conduct will not be tolerated in our commonwealth, and that there will be serious consequences for engaging in it.”