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Tobacco Industry Interference Index

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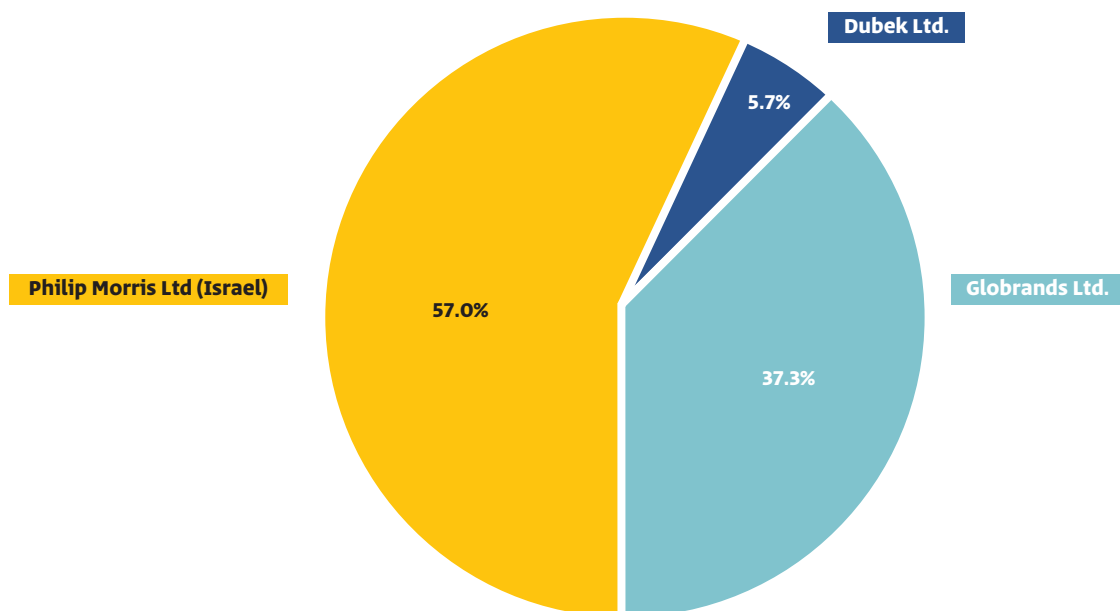
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Background and Introduction

The State of Israel was among the pioneers of advancing smoking prevention regulation as early as the 1980s, with initial legislation to restrict the advertising and marketing of tobacco products, and the prohibition of smoking in public places. In 2003, Israel signed the World Health Organization Framework Convention on Tobacco Control (FCTC) and ratified its adoption in 2005.

Despite this relatively early regulatory infrastructure, the fight against the tobacco and nicotine industry has lasted for over four decades - while the challenges set by the industry require an ongoing response, both with regards to past issues that have not yet been resolved, and new and ever-evolving challenges. One of the industry's main strategies is the development and marketing of new products, which by their very nature are intended to challenge health, finance, education, and legal systems, while bypassing existing regulation and creating new regulatory circumstances that require constant adaptation. At the same time, the industry has been enhancing its operation by penetrating regulatory entities, influencing public opinion, and advancing narratives that serve its financial interests.

Market Share of Top Tobacco Companies in Israel (2022)¹



¹ Euromonitor, Tobacco in Israel 2022: country report, June 2023. refer to Cigarettes only.

Throughout the report period (April 2023 - March 2025), changes have occurred in the government's function and its decision-making mechanism, which have directly affected the fight against the tobacco and nicotine industry. The Knesset has advanced almost no legislation unrelated to the war, and the government has failed to advance effective supervision and enforcement actions - even in areas where regulation exists, and where supplementary

actions are required for implementation. This situation created a window of opportunity for the tobacco and nicotine industry to expand the scope of its activity, influence the shaping of public opinion, and deepen its presence within the local market, while exploiting regulatory inconsistencies and the lack of systematic enforcement.

The period reviewed in this report is marked by an aggravation of the crisis of tobacco and nicotine product consumption among children, teens, and young adults, and the establishment of sophisticated patterns of influence by the industry. Such strategies include the exploitation of moments of systemic weakness, the penetration of regulatory spaces and action interfaces with enforcement entities, and the deepening of its hold on the market through indirect marketing and the continued distribution of a variety of new products. This comes following security conflicts, which have contributed to the suppression of smoking prevention to the margins of the government and the public agenda.

To conclude, the overall score of 53 points in the 2025 Index remains close to the 51 points of 2023, but the individual scores for some of the indicators have changed. Indicator 1, which addresses overt involvement of the industry in policy development, dropped by two points - partly due to parliamentary and regulatory paralysis stemming from Israel's political and security crisis over the past two years. In contrast, Indicator 3, which addresses regulatory implementation and de facto benefits to the industry, increased by two points, reflecting a consistent governmental failure to establish effective supervision and enforcement mechanisms. This shift illustrates a transition from direct interference to the preservation of industry advantages through implementation failures, which align with the interests of the tobacco and nicotine industry and grant it a significant market advantage. In addition, Indicator 6 (Conflict of Interest) increased due to political appointments, while Indicator 7 (Preventive Measures) decreased, following continued stagnation in the adoption of standards for official conduct in interactions with the industry.

Methodology

This report is based on a questionnaire developed by Southeast Asia Tobacco Control Alliance (SEATCA), which includes 20 questions based on the instructions of Article 5.3 of the FCTC. The information collected for the purpose of this report relies on public sources only. To estimate the level of industry interference, we implemented a ranking method in which each question receives a score on a scale of 0 to 5: a score of 5 indicates the highest level of interference, a score of 1 indicates a low level of interference, or no interference, and a score of 0 is given when no available evidence has been found or when the question is not applicable. In cases where several evidence has been found regarding the same question, the final score reflects an average. The lower the score, the better that country's response to the industry's interference.

Summary Findings

1 - INDUSTRY PARTICIPATION IN POLICY DEVELOPMENT

During the report period, evidence has indicated continued influence by the tobacco and nicotine industry on the processes shaping Israel's financial and regulatory policies.

In the area of taxation, a tax order was issued with regards to electronic cigarettes, which imposed tax only on the final product, while explicitly excluding the filling components from taxation. In early 2024, an additional order was issued equating tax burden on electronic cigarettes to that of regular cigarettes. This new taxation order did not allow for the amendment of the error, which was created due to pressures during the orders' formulation process, and to this day, allows for tax avoidance and causes damage to the efficiency of enforcement. Another example of such influence was noted in the context of duty-free stores: Following strong objection on the part of stakeholders, the taxation order intended to cancel the tax exemption on tobacco products in duty-free stores was not approved, and instead an outline was established for its gradual cancellation by 2028.

In the area of legislation, as early as 2018, during the legislation of Amendment no. 7 of the Prohibition of Advertising of Tobacco and Smoking Products Law, the industry successfully led to the removal of a section prohibiting the marketing of flavored smoking products, under the claim that this was a "new topic". Since then, despite legislative attempts, the advancement of the prohibition has not been completed.

In the area of policy development processes, it is evident that the industry is extensively using public participation mechanisms, which have allowed it to raise claims that might delay legislative processes. An additional attempt to influence regulation has been noted in Philip Morris's attempt to advance a dedicated Israeli standard for heated tobacco products, which was blocked by the Ministry of Health.

During the report period, public materials contained no evidence of tobacco and nicotine industry representatives being invited to participate in government inter-agency committees or advisory groups formulating any policy concerning smoking and smoking products.

2 - INDUSTRY CSR ACTIVITIES

During the report period, no evidence has been found of support, partnership or accepted contributions by the government, its agencies or officials from tobacco and nicotine industry entities. However, extensive activity was noted in the public sphere by Philip Morris, with the explicit goal of improving the company's image, but in actuality contributing to normalization, and providing public legitimacy to the tobacco and nicotine industry.

Philip Morris has taken measures intended to brand itself as a responsible company committed to sustainability, while emphasizing environmental achievements and ignoring the extensive health and social damages involved with its activity. In addition, the company advanced media initiatives emphasizing environmental activity, while attempting to obfuscate the gap between this green image and the health and social damages involved with its activity.

During this period, Philip Morris created direct contacts with health and science companies. In July 2023, it acquired Syqe, an Israeli developer of medical cannabis inhalers, as part of a transaction that included cooperation with the Ministry of Defense and Meuhedet Health Services. This move was presented as a contribution to medical innovation. In addition, we noted the recruitment of researchers and health care professionals to participate in advisory committees.

Under the limitations of the Prohibition of Advertising and Restriction of Marketing of Tobacco and Smoking Products Law, Philip Morris acted to advance its positions using promotional articles, marketing materials, interviews, and embedded marketing in general media venues and medical websites. This activity included the presentation of tobacco products as an alleged part of the “harm reduction” method, the timing of messages according to public debate around regulatory issues, the bypassing of legal provisions regarding smoking product preference, and attempts to brand the company as a scientific or health-related entity. These moves were intended to normalize the company's activity in public space and grant it public legitimacy.

3 - BENEFITS TO THE INDUSTRY

The report period has seen a continuation of the failure to establish supervision and enforcement mechanisms for the implementation of the Prohibition of Advertising and Restriction of Marketing of Tobacco and Smoking Products Law, in a way that benefited the tobacco and nicotine industry in practice. In addition, despite the Finance Committee's express demand to formulate a work plan for the enforcement of tax collection on electronic cigarettes by May 2024, as of this report's publication, no such plan has been submitted or implemented, allowing the continuation of enforcement gaps benefiting the industry.

We note actual provision of easements to the tobacco and nicotine industry in a number of areas: the inclusion of tobacco and nicotine products in the free trade deal signed with the United Arab Emirates; failure to implement the requirement to report the contents of smoking products as provided by law, which constitutes a significant easement for the companies; and the continued exclusion of print media from the prohibition to advertise smoking products under Amendment no. 8 of the law, while granting free advertising space to the Ministry of Health for a limited time.

4 - UNNECESSARY INTERACTION

The public material reviewed contains no evidence of joint meetings or events of senior government officials with tobacco and nicotine companies during the period between March 2023 and April 2025.

During the report period, there have been reports of cooperation between the tobacco and nicotine industry, the Israeli Federation for Intellectual Property, and Israeli government and enforcement entities, including the Tax Authority and the Israel Police. Beyond the financing of training, which has been documented in the past, evidence has been found for the participation of Federation supervisors in actual enforcement actions. However, Israel has not yet ratified its adoption of the Protocol to Eliminate Illicit Trade in Tobacco Products, which it had already signed in December 2013.

5 - TRANSPARENCY

As of 2016, the Minister of Health's Report on Smoking in Israel includes a dedicated chapter reporting on meetings with tobacco and nicotine product companies. This report includes meetings with Ministry of Health representatives only and does not include information about the meetings of other government officials.

As of right now, mandatory registration of lobbyists only applies to activities within the Knesset building, and does not apply to Ministers, public officials, or activities outside of the Knesset building.

6 - CONFLICT OF INTEREST

The Political Parties Financing Law in Israel prohibits the acceptance of contributions from corporations in general but does not explicitly mention tobacco and nicotine companies. In addition, there is no official and regulated registry of entities from the tobacco and nicotine industry or their representatives, which makes it more difficult to identify and monitor the industry's connections and potential influence in the areas of government, regulation, and politics.

No public cases have been identified of former senior officials at the ministerial level joining the tobacco and nicotine industry following their retirement, nor of current government officials or their relatives being employed by the industry. However, there is a trend of recruiting former advisors and officials with professional or political ties to the government and the ruling parties, to advance the interests of tobacco and nicotine companies. This indicates potential conflicts of interest, especially in the lack of any transparency mechanisms or sufficient cooling-off periods.

7 - PREVENTIVE MEASURES

The government has no procedure for disclosing interactions with the tobacco and nicotine industry. The Ministry of Health publishes an annual list of meetings with the industry's representatives; however, this information is partial, concerns one Ministry only, and does not include minutes or any material documentation.

There is no comprehensive government policy or code of conduct for public officials regulating their conduct when dealing with the tobacco and nicotine industry. Over the last two years, there have been certain advancements in the horizontal regulation of dealings with lobbyists in a number of government ministries, following a recommendation by the Deputy Attorney General. However, the regulations issued do not differentiate between interactions with the tobacco and nicotine industry and other commercial entities, and do not include any sanctions or preventative measures suitable for influence over public health policy.

The tobacco and nicotine industry is not required to submit systematic information about its activity, including production, marketing, or political influence. Even the existing obligations, such as reporting on advertising, are not implemented in practice. The government has no dedicated policy for the implementation of Article 5.3 of the FCTC, and the Knesset's existing Rules of Procedure do not include explicit restrictions on receiving assistance of any kind from the industry.

Recommendations

- **Establishing a regulated registry of entities from the tobacco and nicotine industry, or those representing its interests**

A regulated government registry should be established, to include all manufacturers, importers, marketers, and distributors of tobacco and nicotine products in Israel operating along the supply chain. This registry should also include the industry's representatives, including law firms, lobbying firms, media consultants, and organizations with ties to the industry. This registry is required for the operation of supervision, enforcement, and transparency mechanisms, in accordance with the principles of Article 5.3 of the FCTC.

- **Expanding mandatory reporting and transparency of meetings with tobacco and nicotine industry representatives**

A binding government procedure should be established for the documentation and publication of interactions with the industry's representatives in all government ministries and public authorities, to include details regarding the date of the meeting, the participants' identities, the subject of the meeting and its results, in accordance with the principles of Article 5.3 of the FCTC.

- **Updating the Rules of Ethics and implementing cooling-off periods**

The Rules of Ethics for the Members of the Knesset and the Government must include a prohibition on the acceptance of assistance, policy drafts, or contributions from the tobacco and nicotine industry. A cooling-off period of at least three years should be applied between the termination of a public position and the start of employment by the industry.

- **A government plan to implement Article 5.3**

A consistent inter-agency action plan should be formulated, including training for public officials, coordination mechanisms, practical guidelines for dealing with tobacco and nicotine industry representatives, and the broad implementation of the principles of Article 5.3 in all government branches.

- **Mechanism and sanctions against misleading information spread by the industry**

The tobacco and nicotine industry should bear direct liability in cases where false or misleading information is provided to government entities, especially by the industry's representatives during hearings and regulation processes. Specific sanctions should be determined in accordance with the principles of Rec. 5.4 of guideline for implementation of article 5.3 of the FCTC.

Results and Findings

INDICATOR	0	1	2	3	4	5
INDICATOR 1: Level of Industry Participation in Policy-Development						
1. The government ^a accepts, supports or endorses any offer for assistance by or in collaboration with the tobacco industry or any entity or person working to further its interests. ^b in setting or implementing public health policies in relation to tobacco control ^c (Rec 3.1)					4	

During the reporting period (April 2023 to March 2025), we have noted direct and indirect involvement by the tobacco and nicotine industry in shaping regulatory policy initiatives. We have also observed a high degree of government responsiveness - at times displaying undue flexibility - in the face of pressure from industry actors. In several cases, policy decisions were delayed or adopted in a lenient format, raising concerns about the influence of commercial interests on public health policymaking.

Electronic cigarette taxation

The report period has seen the continuation of a lax taxation policy regarding electronic cigarettes, which has provided these products with a significant economic advantage compared with regular cigarettes.² This was only corrected as part of the State Budget Balancing Plan of 2024, which included a tax increase on all tobacco and smoking products - regular cigarettes, RYO, HTP, and electronic cigarettes. This plan was formulated in light of the need to expand the state's sources of income following the war and was not necessarily driven by health-related reasons.³

This move led to vigorous public and political debate.⁴ In the Finance Committee's meeting of 21 February 2024, one of the importers described the market as follows:

"There is no import. What we have today is a black-market blossoming... An entire industry of factories in the Palestinian Authority... And kids importing by mail and selling to kiosks."
(Avi Cohen, owner of Smoking Requirements Center Ltd.).⁵

However, an analysis of the market indicates that simultaneously with the increase in taxation, changes have occurred in import and distribution patterns:⁶ After a tax was determined regarding the final product only (not including its components),⁷ some of the industry's players changed their operation pattern to one based on the separate import of components (such as flavor extracts, glycerin, and pure nicotine), while assembling them locally in Israel.

^a The term "government" refers to any public official whether or not acting within the scope of authority as long as cloaked with such authority or holding out to another as having such authority.

^b The term "tobacco industry" includes those representing its interests or working to further its interests, including the State-owned tobacco industry.

^c "Offer of assistance" may include draft legislation, technical input, recommendations, oversees study tour.

"Today a kid goes to the supermarket, gets flavor extracts... Mixes the two and you get vaping liquid. You get a personal import of pure nicotine... This is a product that's very easy to make at home (Shay Fertig, representative of the Israeli Vaporization Companies Forum).

"Today I only import the untaxed products, because I don't have the option of importing the taxed products... Even if there's no enforcement and no black market, I would not be able to sell with the existing tax" (Haim Lentzitzki, owner, vaping product importer, electronic cigarettes, iSmoke Plus).⁸

This illustrates how some of the industry's entities themselves helped bypass the tax regulation - not necessarily through a distinct black market, but rather through unsupervised routes for bypassing legislation. This is how an operation pattern was formed under the regulation's radar, avoiding taxation, supervision, and enforcement, while obfuscating the boundaries between legitimate activity and a systematic violation of the legislature's intent.

The tax exemption on tobacco and nicotine products in duty free stores

The State Budget Balancing Plan of 2024 included a proposal to cancel the tax exemption on tobacco and nicotine products sold in duty free stores.⁹ So far, the exemption applied, for example, on one packet of cigarettes purchased at a discounted price while entering Israel. The Ministry of Finance's Budget Department, with the support of the Ministry of Health, requested to equate the products' prices with their prices within Israel.¹⁰

Strong disagreements were raised in the Finance Committee's discussions. On the one hand, professional staff in the Ministry of Finance and the Ministry of Health emphasized the financial and health-related logic of canceling this exemption, arguing that this was a harmful incentive to purchase a lethal product for a subsidized price. On the other hand, the Israel Airports Authority, duty free store operators, and their legal representatives exerted significant pressure, warning against severe financial damage.¹¹ For example, here is the warning given by Amnon Cohen, the Israel Airports Authority's acting CEO:

"Imposing a tax on duty free stores will cause a reduction of almost ILS 2 billion for the State of Israel... The Israel Airports Authority has to serve the country's citizens, and I have to provide good service. I don't think canceling the exemption would make people stop smoking."

The operators' representatives reinforced this objection:

"This will cause serious damage to the business, stability, the business plan... If anyone believes that this will make people stop smoking - I don't believe it" (Amnon Tagori, James Richardson CEO).

"This order will require all passengers to declare at the red route, which cannot be enforced. Who would bid in a new tender seeing this kind of instability?" (Helena Beilin, Duty Free legal counsel).¹²

Eventually a compromise was reached, according to which the exemption's cancellation will be performed through a **gradual process until 2028**.¹³ The outline was included as part of the 2025 Arrangements Law;¹⁴ However, as of the writing of this report, the updated order issued by the Minister of Finance to implement the decision has not yet been approved by the Finance Committee, and the decision has therefore not yet entered into effect.

It is noted that in June 2024, the Israel Cancer Association filed a petition to the High Court of Justice,¹⁵ requesting the immediate cancellation of the tax exemption on tobacco and nicotine products in duty free stores.¹⁶ The petition was struck off after the Ministry of Finance guaranteed that the government intends to further investigate this issue in the near future.¹⁷

Delaying the actual cancellation for four years means the industry maintains the benefit, despite official recognition of the need to cancel it. The result illustrates the success of players affiliated with industrial interests - including the Israel Airports Authority, commercial entities, and duty-free store operators - **in exerting direct influence over a budgetary-legislative policy**, determining a new taxation order. This constitutes active involvement **in the shaping of policy**, rather than simple enjoyment of an existing benefit. This indicates the use of economic pressure, indirect threat to budgetary stability, and the operation of a large coalition of players from within and close to the government - with the goal of changing the original policy outline formulated by the professional staff.

Bills prohibiting flavors in tobacco and nicotine products

During the report period, two private bills have been introduced with the goal of prohibiting the import, marketing, and sale of tobacco and nicotine products containing characterising flavours other than tobacco. In 2023, MK Boaz Bismuth and other Members of Knesset suggested a prohibition on flavors in all tobacco and nicotine products;¹⁸ in 2025, MK Eli Dallal suggested a prohibition on characterising flavours other than tobacco in electronic cigarette liquids.¹⁹ Both bills were approved in preliminary reading and were approved by the Ministerial Committee for Legislation, indicating explicit support by the Ministry of Health - however, despite this, a date has not yet been scheduled for discussion in the Economic Affairs Committee in preparation for the first reading.

This stagnation is joined by a consistent pattern of delays in regulation in the area of flavors. In 2018, a section prohibiting flavors was included in the proposal for Amendment no. 7 of the Prohibition of Advertising Law;²⁰ however, it was removed in the last minute under the procedural claim that this was a "new topic".²¹

Internal email correspondence from JUUL, exposed as part of the UCSF document archive, indicates that the company was directly involved in this legislation's delay. The writer is Assaf Snir, CEO of JUUL Israel at the time.²² Among other things, it was stated:

"We have been working behind the scenes to ensure that the flavor ban does not pass. Our lobbying efforts have focused on framing the issue as a matter of personal freedom and economic impact, which has resonated with key legislators."

Regarding the tactic leading to the removal of the section from legislation:

"The discussion about banning flavors was defined as a new topic and was taken out of the current round of legislation - our fingerprints are there."

And finally, the correspondence demonstrated the **exertion of indirect pressure through foreign embassies**:

"We are trying to get Egypt and Jordan objecting to the bill through the embassy in Israel as they are the source for hookah which comes only in flavors. It's a cultural habit that may be gone from the market. Do we have any contacts that can help?"

JUUL's internal documents constitute unique evidence of planned strategic interference of the nicotine industry in shaping Israeli policy, while using lobbying with legislators, exploiting procedural mechanisms, and attempting to exert influence through diplomatic and cultural channels. Although this evidence, in and of itself, cannot explain the ongoing delay in the advancement of the prohibition on flavors, it demonstrates how significant regulatory action can be significantly delayed - and even blocked - as a result of such interference. It might be that the current delay is also affected by new pressures. However, the structured and documented pattern of influence by the industry indicates an ongoing systematic risk of delay and obstruction of public health policy.

INDICATOR	0	1	2	3	4	5
2. The government accepts, supports or endorses <u>policies or legislation drafted</u> by or in collaboration with the tobacco industry. (Rec 3.4)			2			

The FCTC stipulates in its main policy (Article 5.3) that the signatory states must actively restrict the influence of the tobacco industry on the determination of public health policy. The involvement of industry representatives in the decision-making process, even if informally, comprises an opening for external influence and a clear conflict of interests, risking the independence of regulatory procedures directly related to tobacco and nicotine companies' commercial interests. A central example illustrate how such involvement is permitted indirectly, but materially, through existing institutional channels.

Use of the public participation mechanism - a formal channel, unprotected against the industry's influence

During the report period, the “public participation” mechanism has been used widely by government ministries as a tool for receiving comments on regulatory measures concerning smoking prevention. This process operates through government online platforms, allowing any person or entity to submit comments - whether under their own name or confidentially, disclosed to the government entity only.²³

While this is a democratic mechanism intended to increase participation in decision-making processes, the lack of transparency regarding respondents' identities and the content of their comments creates an institutional route in which the tobacco and nicotine industry, or its representatives, can exert actual influence over regulation processes relating to it - while bypassing public and professional means of control.

During the report period, the main procedures that included a public participation mechanism were as follows:

- Draft taxation orders on smoking products (2023-2024)²⁴
- National Action Plan for Addressing the Harms of Electronic Cigarettes among Teens (2023)²⁵
- Draft order and regulations on graphic health warnings (2025)²⁶

It is known that in some of the cases, comments were submitted by industry entities and/or their affiliates. However, the failure to publicly document respondents' identity and the interests they represent **undermines the ability to maintain public oversight, to expose conflicts of interests, and to make sure that public health policy is shaped free of external influences.**

Furthermore, the very existence of a government mechanism allowing **entities affiliated with the industry to directly influence regulation concerning themselves - whether openly or under anonymous cover - is materially inconsistent with the provisions of Article 5.3 of the FCTC.** This Article calls on governments to “**act to protect these policies from commercial and other vested interests of the tobacco industry**”, and specifically to avoid any openings for the industry's active participation in shaping the policy itself.

INDICATOR	0	1	2	3	4	5
3. The government allows/invites the tobacco industry to sit in government interagency/ multi-sectoral committee/ advisory group body that sets public health policy. (Rec 4.8)		1				

During the report period, public materials contained no evidence of tobacco and nicotine industry representatives being invited to participate in government inter-agency committees or advisory groups formulating any policy concerning smoking and smoking products. Thus for example, the National task force for Addressing the Harms of Electronic Cigarettes²⁷ -

established by the Ministry of Health in May 2023 - no industry representatives were included, nor anyone on their behalf, despite attempts by industry entities to enter this task force.

This is also demonstrated by the Ministry of Health's conduct in a discussion held in the Knesset's Finance Committee on 4 May 2023. When the representative of a commercial entity in the field of tobacco and nicotine asked to take part in the task force, he was expressly refused.

Avi Cohen (owner of Smoking Requirements Center Ltd.): *"We want to be part of the task force. We think we can contribute to this discussion."*

Dr. Sharon Alroy-Preis (head of Public Health Services, the Ministry of Health): *"This has nothing to do with matters of public health, which is why the task force exists."*

Chair Moshe Gafni: *"There is a task force that we trust. It's a professional team. Make an effort to reach them."*

Avi Cohen (owner of Smoking Requirements Center Ltd.): *"I am trying. They won't agree to meet with me."*²⁸

In contrast, when it comes to Knesset committees - and particularly legislation processes - cases have been found where industry entities or their representatives were given a platform. For example, in a discussion at the Finance Committee in February 2024 regarding taxation orders on tobacco and nicotine products, the Chair of the committee, MK Moshe Gafni, with the recommendation of the committee's legal counsel, requested to invite representatives from electronic cigarette importers for a follow-up discussion, after not having attended the first session:

*"The Knesset is a place where everyone needs to be heard. You can't pass an order here that would bankrupt someone, and they won't be able to express their position. [...] In the next meeting, I ask to invite someone representing the importers and have them participate."*²⁹

On the level public debate and position, this issue received headlines in May 2023, when the Chair of the Special Committee for Combating Drug and Alcohol Abuse, MK Boaz Bismuth, removed the restriction on the participation of tobacco and nicotine industry representatives, and lobbyists on their behalf, in the committee's discussions.³⁰ This act raised broad public criticism, including health organizations calling to change this policy. At the same time, the Chair of the Knesset's Health Committee, MK Uriel Busso, clearly stated a few days later that he intends to continue enforcing the policy prohibiting tobacco company lobbyists' participation in committee discussions:

*"A decision was made that they would not be able to participate and enter the discussion. We'll conduct a professional and comprehensive and in-depth discussion without any pressure leverages."*³¹

Attempt to advance an Israeli standard for heated tobacco products - initiative blocked by the Ministry of Health

During the report period, an attempt was exposed by Philip Morris to advance the establishment of an Israeli standard for heated tobacco products (HTPs) through an attempted collaboration with the Standards Institution of Israel. Contact was first made with the Standards Institution without prior coordination with the Ministry of Health, while attempting to present the initiative as a technical standardization process, with the goal of determining the quality of the product and its components - despite the fact that such products have clear health ramifications. The Standards Institution, on its part, contacted the Ministry of Health for its position on the subject.

Purportedly, a binding standard is meant to improve a product's safety level. However, when concerning a product defined by law as a tobacco product - addictive, harmful, and lacking any health benefits - the very establishment of a standard might grant it regulatory and commercial legitimacy, and even convey a message of false reliability or quality to the public. The Ministry of Health identified the problem and opposed this move. Following its position, the Standards Institution's Professional Committee voted **against the standardization process**, and the request was rejected.

This action pattern is well known in the international field, and was exposed in a research document published by SEATCA in 2021. This document examined the industry's attempts to advance standards for heated tobacco products in various countries around the world. According to the report's findings:

*"By shifting this regulatory responsibility to the national standards body, the tobacco industry is shifting attention away from health harms to instead focus on the manufacturing quality of their products... the industry anticipates this will result in a policy that will make these products widely available."*³²

In addition, the report indicates that the industry acts globally to advance ISO and IEC standards through front organizations such as CORESTA, **with the goal of bypassing public health-based regulation and dictate technical frameworks that would benefit it.**

This case in Israel demonstrates a concrete attempt by the tobacco industry to influence policy outside of official health regulation routes, but rather through technical-industrial mechanisms - an attempt blocked early thanks to the Ministry of Health's strong position.

It should be noted that Article 5.3 of the WHO FCTC calls on states to act to restrict the influence of the tobacco and nicotine industry on public health policy across all government branches, in accordance with the state's Law. Therefore, parliamentary institutions are also obligated to examine ways to formulate supplementary ethics and regulation guidelines to assure transparency and prevent conflicts of interests.

INDICATOR	0	1	2	3	4	5
4. The government nominates or allows representatives from the tobacco industry (including State-owned) in the delegation to the COP or other subsidiary bodies or accepts their sponsorship for delegates. (i.e. COP 4 & 5, INB 4 5, WG) (Rec 4.9 & 8.3)		1				

During the report period, two parts have taken place of the WHO FCTC Conference of the Parties (COP) for smoking prevention. The first part, which was conducted as a de minimis virtual session in November 2023, was participated by representatives from the Ministry of Health only. No participation was recorded of representatives from the tobacco and nicotine industry or any person on their behalf.

The second part of the conference, held in Panama in February 2024, was intended to include an official Israeli delegation from Ministry of Health. However, due to the war in Israel, the Ministry of Health was unable to send representatives in actuality.

INDICATOR	0	1	2	3	4	5
INDICATOR 2: Industry CSR activities						
5. A. Government agencies or their officials endorse, support, form partnerships with or participates in activities of the tobacco industry described as socially responsible. For example, environmental programs. (Rec 6.2)						
B. The government (its agencies and officials) receives CSR contributions ^d (monetary or otherwise, including CSR contributions) from the tobacco industry or those working to further its interests (eg political, social, financial, educational, community or other contributions (Rec 6.4) including environmental or EPR activities (COP10 Dec).		1				

The report period has seen the continuation and even expansion of corporate activity presented as “socially beneficial” on part of Philip Morris International and its Israeli branch. This activity includes investments, donations, campaigns, professional training courses, and media exposure - with the declared purpose of advancing such goals as “sustainability,” “harm reduction,” and “community involvement”; however, in practice, such actions are intended to improve the company's image, and indirectly contribute to normalization and public legitimization of the tobacco and nicotine industry. This activity plays a central role in the company's image strategy, while attempting to paint itself as acting to improve public health - without ceasing the manufacture or marketing of addictive and harmful tobacco and nicotine products.

^d political, social financial, educations, community, technical expertise or training to counter smuggling or any other forms of contributions

Promoting a “responsible” and “sustainable” image

On 13 June 2023, a news item was published, according to which Philip Morris International's share was on its way to becoming an ESG sustainable share. This news was presented as an environmental achievement, while completely ignoring the extensive health and societal impacts of the company's products.³³

On 21 January 2024, a call for applications was published on the company's website, inviting associations to submit applications for donations under the title of “Social activism and community contribution”.³⁴ In this document, the company emphasized its commitment to a “smoke-free world”, while attempting to paint its branding moves as leading a positive change in the field of health, despite the fact that this was a marketing effort, and not an unbiased mechanism for advancing public health.

Penetration to the field of health and medical care

During the report period, Philip Morris has also acted to create direct ties with the field of health and science. In July 2023, the company acquired Syqe, an Israeli company engaged in the development of medical cannabis inhalers, in a transaction in the value of approximately \$650 million. As part of the agreement, cooperation agreements were signed with the Ministry of Defense and Meuhedet Health Services, and the entire move was presented as a contribution to medical innovation.³⁵ During September 2024, Philip Morris sold Vectura, an asthma inhaler manufacturer, which it acquired only three years beforehand, and which was used, among other things, as a subsidiary for Syqe's acquisition, under Molex Asia Holding.³⁶

In April 2024, it was exposed that Philip Morris funded courses on the medical website Medscape - a well-known international website used by medical professionals - which were presented as training courses for smoking cessation facilitators, but which in actuality were used to promote the “harm reduction” approach through the company's products. The courses were distributed in many countries, Israel included. Following the publication, efforts were made by health organizations to inform and warn against the courses' connection to the tobacco company. In response to the public pressure and criticism from international organizations, Medscape severed its ties with the company and removed the courses from the website.³⁷

Greenwashing

During 2024 and well into 2025, Philip Morris Israel has advanced a broad image campaign around the concepts of inclusion, diversity, equity and sustainability. The campaign included contents on the company's Israeli website, as well as advertisements in print media and online news and information websites.³⁸ Although they were not directly advertising smoking or nicotine products, they served to enhance the company's image as an entity - purportedly - committed to social values, while obfuscating its harmful impacts on public health. This is a clear instance of greenwashing, intended to normalize the tobacco and nicotine industry, create public deception, and grant it legitimacy.

Use of media messaging for normalization and branding (under the guide of public information)

Under the Prohibition of Advertising and Restriction of Marketing of Tobacco and Smoking Products Law 5743-1983, since Amendment No. 7 has entered into force in 2020, a blanket ban applies on the advertisement of smoking products in all channels, except for print media.³⁹ However, Philip Morris continues to promote its positions and products while bypassing the ban, through PR articles, marketing content, interviews, and embedded marketing in general media venues and medical websites. Such cases make use of the press as a channel for promoting corporate ideas, while intentionally misleading the public. Media plays a central role in the company's strategy to normalize its image and enhance its public legitimacy.

Examples of this include:

- **Image articles and “interviews” with the company's senior officers**, including claims that Philip Morris is aspiring towards a “smoke-free world,” while presenting heating tobacco products and nicotine pouches as purported “harm reduction” solutions. These articles were published in the general press (for example, *Israel Hayom*,⁴⁰ *YNET*,⁴¹ *Calcalist*,⁴² *ICE and The Jerusalem Post*^e), as well as medical websites (MedPage, Doctors Only).⁴³ In this way, the company has attempted to shape public opinion and discourse around the regulation of tobacco and nicotine products, while bypassing the law.
- **Timing articles to indirectly influence regulation**: Articles about “smoking alternatives”⁴⁴ were timed according to public or parliamentary discussions on regulatory issues, such as the taxation of electronic cigarettes or restrictions on marketing. This media tactic utilizes the public debate around initiatives to insert corporate messages and advance its products as alleged harm reduction solutions - while taking up the attention of the public and decision-makers and nudging public discourse in favor of commercial interests.
- **Bypassing legal provisions regarding preference of smoking products**: The Prohibition of Advertising and Restriction of Marketing of Tobacco and Smoking Products (Amendment No. 8)⁴⁵ expressly stipulates that any advertisement attributing preference to any type of smoking product is prohibited. Despite this, Philip Morris is exploiting the media status of articles and interviews - which are not classified as advertisements - to present the *alleged* benefits of its own products compared with other products. This is a regulatory gray area, allowing the company to convey marketing messages while misleading the public, while staying technically within the bounds of the law.⁴⁶

^e The articles in Jerusalem Post and ICE published in May 2024 and titled ‘The end of cigarette smoking in Israel? This is the product that will revolutionize the market,’ engaging with the launch of a heating tobacco brand, have been removed following complaints of prohibited/biased advertising.

- **Branding the company as a scientific or “health” organization:** Philip Morris attempts to present itself as a partner in the fight against smoking, while relying on “scientific” terms such as “harm reduction”, even while this position is rejected by official health organizations. Sometimes *purportedly* scientific articles are published in medical information websites, without disclaimer about their connection to the industry, as part of their normalization strategy, which is constantly promoted.⁴⁷

The public material published contains no indication of any activities such as support, partnership or acceptance of contributions - financial or other - by the government, its agencies or officials with the tobacco and nicotine industry or anyone acting to advance its interests, including as part of activities presented as corporate social responsibility.

INDICATOR	0	1	2	3	4	5
INDICATOR 3: Benefits to the Tobacco Industry						
6. The government accommodates requests from the tobacco industry for a longer time frame for implementation or postponement of tobacco control law. (e.g. 180 days is common for PHW, Tax increase can be implemented within 1 month) (Rec 7.1)						5

Failure to establish supervision and enforcement mechanisms for the Prohibition of Advertising Law

Amendment No. 7 of the Prohibition of Advertising of Tobacco and Smoking Products Law, approved by the Knesset in January 2019 (5779-2019),⁴⁸ serves as a cornerstone of the policy for minimizing exposure to- and marketing of- tobacco and nicotine products in Israel. However, five years following its enshrinement, this law’s implementation remains partial, and it lacks dedicated supervision and enforcement mechanisms to assure its effective implementation.

The source of the gap in the law’s implementation is the state’s conduct, from the very outset of the legislation of Amendment No. 7 of the Prohibition of Advertising Law. During the Knesset’s discussions in 2018, legal counsels and Members of Knesset warned that enforcement was a necessary condition for the law’s success. The industry’s representatives even claimed that they understand the need for this law and will adjust themselves accordingly, but emphasized that “what’s missing here is enforcement” - thus signaling their theoretical willingness to comply with the law, as long as the state would supervise and enforce its implementation.⁴⁹

According to Shay Fertig, CEO, Pipe Dream:

“The issue of teens and young adults, we’re absolutely saying that we have to fight it. A law should be passed and strictly enforced, like with alcohol products.”⁵⁰

The CEO of Yaeliq Liquids Ltd., Itzhak Rosenberg, also emphasized the need for clear and defined enforcement mechanisms, noting:

*"Where is enforcement and punishment from the State of Israel? 10 years in prison for whoever is caught selling to a minor and you're done with this whole thing."*⁵¹

Instead of formulating suitable enforcement mechanisms, the state focused on passing the law, while avoiding the creation of effective supervision and implementation mechanisms. The Minister of Health at the time, MK Yaakov Litzman, emphasized during discussions that *"I am also in favor of enforcement. Someone will have to give money to do that. I'm talking about enforcement. Money for positions. One billion, two billion."*⁵² However, in practice, although the law was passed, the demand for budgeting was not translated into a binding demand as a condition for the law's entry into force. In the lack of any coordinated act by the government ministries to arrange a supervision infrastructure, the law may have been enshrined, but in practice it remains without any dedicated enforcement mechanisms.

This gap was maintained in the following years as well, as it turned out in the Economic Affairs Committee's discussion during the preparation of Amendment No. 9 of the law - engaging with the application of graphic health warnings on smoking product packages.⁵³

In a discussion that took place in the Economic Affairs Committee on 19 March 2024, police representative, Yael Rosenkrantz clarified that *"when the law was made, the intention was for enforcement to be administrative [...] No administrative regulations were stipulated, so that right now there is no enforcement for this issue."* She emphasized the police's position, stating that *"it would be best to enforce them in an administrative manner through administrative fines by the relevant ministry, in this case the Ministry of Health."*⁵⁴

In response, the Chair of the Committee, MK David Bitan, was surprised that no regulations have been formulated thus far, noting: *"It's criminal - but because the threshold is so low, they don't end up filing indictments. So what's the point?"* His statements reflected a consensus among the professional and legal staff, according to which criminal enforcement was not effective, and administrative enforcement must be arranged - however, despite this, no actual practical steps were taken to arrange for such enforcement.

The discussion also referred to enforcement, which was performed only partially and through other government entities. According to Ministry of Justice representative, Adv. Shai Somekh: *"Enforcement, for example with regards to this provision, is done at the borders, by the customs tax [...] This is something that should be supervised by the Ministry of Health [...] This is certainly an act that needs to be considered and advanced."* This reflects an actual deferral of responsibility, while projecting it at the Ministry of Health, without defining any budgetary or regulatory framework for implementation.

Despite the long period of time since this law was passed, and in the lack of any dedicated supervision mechanism, the Smoke Free Israel Initiative filed a petition to the HCJ in June 2024 against the Ministry of Health and other government entities,⁵⁵ arguing that the omission of enforcement has turned the law into a dead letter, and severely damaged both public health and the rule of law.⁵⁶

Lack of collection and enforcement mechanisms for the tax on electronic cigarettes

In practice, despite the approval of the taxation orders on electronic cigarettes as of 2023, there is still activity in the black market, as well as tax avoidance. This is caused by a problem with the taxation structure, in which tax is only imposed on the finished product, allowing the legal import of the product's components and its assembly in Israel, without the payment of tax. This phenomenon doesn't only damage the state's income, but is also leading to the development of a market without effective regulation, which makes it harder to supervise the products' quality and compliance with the provisions of the law.

Although the need for effective collection and enforcement was pointed out in the Finance Committee,⁵⁷ and the Tax Authority was requested to present a work plan by May 2024, as of the publication of this report, no such plan has been submitted or implemented. This phenomenon provides the industry with an advantage, since it's enjoying the gap between the taxation order and the lack of actual enforcement. This allows it to avoid the payment of taxes, while the prices presented to the public include the cost of the taxes that were supposed to be collected.

Failure to implement mandatory reporting on the contents of tobacco and nicotine products - as an actual benefit for the industry

Although as of June 2020, manufacturers and marketers of tobacco and nicotine products in Israel are obligated by law to report their products' contents, their emissions, and any relevant toxicological information to the Ministry of Health⁵⁸ - so far no such data has been published in the Ministry of Health's website, as provided by law.

The failure to publish the information constitutes an actual benefit to the industry by preventing transparency from both the public and decision-makers with regards to the products' contents, and by reducing the potential for regulatory, legal, or consumer control. In addition, the failure to publish reports in practice allows non-compliant companies to avoid enforcement or sanctions, thus creating a competitive advantage for those violating the law.

This was discussed extensively in the Tobacco Industry Interference Index of 2023, which described systematic failures leading to a long delay in the implementation of the reporting section, including dependency on the classified information kept by the Tax Authority, the lack of any official registration mechanism for companies obligated to report, and the lack of effective enforcement authorities given to the Ministry of Health in this area.⁵⁹ In spite

of anecdotal progress in the transfer of information between government ministries, we have not yet seen any significant change leading to the law's actual implementation or data transparency to the general public.

What the three examples in this section share is a consistent governmental pattern of delay in the establishment of effective supervision and enforcement mechanisms - whether in legislation, taxation, or implementation of statutory obligations. Even though no direct requests were identified from the industry to delay the implementation of the law or the related orders, this persistent failure to implement them in practice aligns with the tobacco and nicotine industry's interests and, in effect, grants it a significant advantage. This benefits the industry by allowing it to continue operating without proper oversight — avoiding taxation, bypassing legal restrictions, and undermining the policy's intended objectives. As a result, a gap emerges between the policy as formally approved and its implementation on the ground, nearly eroding the regulation's impact and further entrenching the imbalance in the market.

INDICATOR	0	1	2	3	4	5
7. The government gives privileges, incentives, tax exemptions, subsidies, financial incentives, or benefits to the tobacco industry (Rec 7.3)					4	

Inclusion of tobacco and nicotine products in the free trade agreement with the United Arab Emirates

In May 2022, a free trade agreement was signed between Israel and the United Arab Emirates, which entered into force in April 2023.⁶⁰ Among other things, the agreement includes tobacco and nicotine products, despite the fact that both countries are signatories of the FCTC. The guideline Rec 7.3 recommends avoiding the provision of any financial incentives to the tobacco industry, including tax exemptions, investment incentives, or other commercial advantages within trade agreements.

The inclusion of tobacco and nicotine products in agreements of this kind is a benefit for the industry, by lowering trade barriers, lowering customs, and encouraging competition in that market, which may lead to a decrease in prices and an increase in consumption. This might damage the goals of public health policy, and limit the use of financial tools such as taxation to minimize the use of tobacco products.

Although this issue was brought to the attention of the Ministry of Health, the agreement was signed while including tobacco and nicotine products, and without including any dedicated protection mechanisms to guarantee the state's ability to regulate this area.

Exclusion of print media - Amendment No. 8 of the Restriction of Advertising and Marketing of Tobacco and Smoking Products Law

As mentioned in the Tobacco Industry Interference Index of 2023, Amendment No. 7 of the Restriction of Advertising and Marketing of Tobacco Products Law, which entered into force in March 2019, included a significant exclusion for the tobacco and nicotine industry - the exclusion of print media from the blanket ban on advertising. Under this Amendment, it was permitted to continue advertising tobacco and nicotine products in print media, constituting a direct benefit to the tobacco and nicotine industry.⁶¹

Following this, in 2021, Amendment No. 8 of the law was discussed.⁶² This Amendment started out as a bill intended to cancel the exclusion of print media from the blanket ban on advertising. However, the bill was not approved as suggested, and the agreement that was made enabled the continued advertising of tobacco and nicotine products in print media until 2029, under the terms stipulated in the arrangement.⁶³

The arrangement reached with Amendment No. 8 of the law, which allowed the continuation of tobacco and nicotine product advertising in print media, created a significant benefit for the Ministry of Health, by providing it with double advertising space for smoking prevention advertisements for the first three years, until April 2025. At the same time, the tobacco and nicotine industry proceeded to enjoy the exposure of its products' advertisements in print media, without any reduction. Following the termination of this benefit, which was valid until April 2025, the tobacco and nicotine industry will continue to enjoy exposure to advertisements in print media until 2029, despite the reduction formulated in the advertising space arrangement, which will be reduced by 25% every year.

In addition to the tax exemption granted to duty free stores, international travelers are allowed to bring into Israel, duty free, up to 200 cigarettes, 250 grams of tobacco, up to 10 ml of e-cigarette liquid (even if contained in a cartridge or cigarette), or up to 5 disposable e-cigarettes. This exemption, which has not been revised in recent years, constitutes an additional financial benefit that increases the accessibility of tobacco and nicotine products at reduced prices.

INDICATOR	0	1	2	3	4	5
INDICATOR 4: Forms of Unnecessary Interaction						
8. Top level government officials (such as President/ Prime Minister or Minister) meet with / foster relations with the tobacco companies such as attending social functions and other events sponsored or organized by the tobacco companies or those furthering its interests. (Rec 2.1)	0					

The public material published contains no indication for such activity from March 2023 until April 2025.

INDICATOR	0	1	2	3	4	5
9. The government accepts assistance/ offers of assistance from the tobacco industry on enforcement such as conducting raids on tobacco smuggling or enforcing smoke free policies or no sales to minors. (including monetary contribution for these activities) (Rec 4.3)					4	

Since April 2023, there have been reports of cooperation between the tobacco and nicotine industry, the Israeli Federation for Intellectual Property, and Israeli government and enforcement entities, including the Tax Authority and the Israel Police. These cooperations took place because of repeated complaints from the tobacco industry regarding large-scale smuggling and illicit trade of tobacco and nicotine products - complaints compatible with tobacco companies' global media strategy, as reviewed in detail by Ronny Linder in her TheMarker article of 29 March 2024.⁶⁴

The Tobacco Industry Interference Index of 2023 brought forth for the first time public documentation of cooperation between Philip Morris and the Israeli Federation for Intellectual Property, including the financing of dedicated training for Israeli law enforcement authorities.⁶⁵ There is clear evidence indicating the continuation of this cooperation since then: In September 2023, Philip Morris's website published marketing content containing a review of the company's efforts to prevent illicit trade, including quotes by Mr. Eran Guy, Director of Illicit Trade Prevention and Sustainability at Philip Morris Israel, and Mr. Yigal Wynne, CEO of the Israeli Federation for Intellectual Property, indicating their continued cooperation.⁶⁶ At the same time and following it, enforcement actions in the field were documented. These were led by government entities, performed in cooperation with the Federation's officers. Thus for example, in September 2024, it was published that an enforcement operation took place against suspected counterfeit cigarettes in Acre, led by the Acre Police and accompanied by officers from the licensing office, municipal police, the local authority, as well as officers from

the Federation for Intellectual Property.⁶⁷ This ongoing relationship raises a real suspicion of involvement from entities related the tobacco and nicotine industry within the enforcement mechanisms themselves - in a manner creating an embedded conflict of interest, wherein an entity supported by a tobacco corporation actually assists with the enforcement of state laws in that corporation's field.

Israel has not yet ratified its adoption of the International Protocol to Eliminate Illicit Trade in Tobacco Products,⁶⁸ which it had already signed in December 2013.⁶⁹

INDICATOR	0	1	2	3	4	5
10. The government accepts, supports, endorses, or enters into partnerships or non-binding agreements with the tobacco industry or any entity working to further its interests. (Rec 3.1)					4	

As noted in the Index of 2023, as part of Amendment No. 8 of the Prohibition of Advertising and Restriction of Marketing of Tobacco and Smoking Products Law 5743-1983,⁷⁰ which entered into force in 2022, print media was excluded from the blanket ban on the advertising of tobacco and nicotine products for a period of seven years - until 2029.⁷¹ In advancement of this legislation, the bill was attached with a *Commitment letter to the Members of Knesset* by the publishers of Haaretz and Yediot Aharonot newspapers, containing their agreement to the allocation of advertising space for three years (until March 2025) for smoking prevention advertisements, with double the space of advertisements promoting the products.⁷²

As of the writing of this report, the special arrangement involving double advertising space for counter-advertisement has ended. However, the benefit provided to the industry has been kept - the ability to keep advertising tobacco and nicotine products in print media, subject to the allocation of equivalent space for counter-advertisement in the same topic. This perpetuates the reality of a public advertising channel, relatively convenient to the tobacco and nicotine industry, in contrast with the essence of the law and the restrictions applying to all other advertising channels.

INDICATOR	0	1	2	3	4	5
INDICATOR 5: Transparency						
11. The government does not publicly disclose meetings/ interactions with the tobacco industry in cases where such interactions are strictly necessary for regulation. (Rec 2.2)					4	

Starting from the Minister of Health's Report on Smoking in Israel of 2016, in its amended version published in February 2018, the report has featured Chapter 10 - "Reporting on Meetings with Tobacco Product Companies," dedicated to reports on meetings conducted between the Ministry of Health's representatives and tobacco and nicotine companies. Throughout

the years, this report has focused on the Ministry of Health's representatives only, without including meetings with other government entities, if any.⁷³

The Minister of Health's Report on Smoking in Israel of 2022, published in July 2023, states that during 2022, no meetings were conducted between the Ministry of Health's representatives and tobacco and nicotine companies representatives.⁷⁴ The Minister of Health's Report on Smoking in Israel for 2023, published in January 2025, states that during 2023, a meeting was conducted with the representatives of a smoking product importer, as part of a hearing pursuant to the ruling in Administrative Petition 34076-08-22.⁷⁵ As of the writing of this report, the Minister of Health's Report on Smoking in Israel for 2024 has not yet been published.

The obligation to report meetings with persons representing the tobacco and nicotine industry is limited to the Ministry of Health only, and does not apply to all government entities.

INDICATOR	0	1	2	3	4	5
12. The government requires rules for the disclosure or registration of tobacco industry entities, affiliated organizations, and individuals acting on their behalf including lobbyists (Rec 5.3)				3		

The Knesset Law (Amendment No. 25), 5768-2008, which added Chapter 12 of the law - Lobbyists - includes mandatory registration of lobbyists and their customers, the wearing of mandatory orange identification badges during their stay in the Knesset building, and a prohibition on the provision of benefits or false information.⁷⁶ However, the law only applies to lobbying activities with Members of Knesset within the Knesset building, and does not apply to Ministers, public officials, or activities outside of the Knesset building.

Starting 2012, the Association for Progressive Democracy has been following the implementation of the law as part of their work on the Lobbyists Index published by the news site "Shakuf." The data published during the report period indicates that the number of active lobbyists has ranged between 126 in July 2023⁷⁷ and 116 in February 2024,⁷⁸ reaching 168 in February 2025⁷⁹ - a record number since the beginning of this information's collection.

During the report period, Philip Morris continued to be represented in the Knesset by lobbying firm Berdugo Consulting, though two lobbyists. In February 2025, it was documented that JUUL renewed its registration for representation by law firm Eitan Haezrachy & Co. This is despite the fact that in 2020, the company stated that it will be shutting down its activity in Israel. No other registered lobbyists were identified representing other tobacco or nicotine companies.⁸⁰ However there is no registry of industry allies and front groups who represent the interests of the industry.

INDICATOR	0	1	2	3	4	5
INDICATOR 6: Conflict of Interest						
13. The government does not prohibit contributions from the tobacco industry or any entity working to further its interests to political parties, candidates, or campaigns or to require full disclosure of such contributions. (Rec 4.11)		1				

The Political Parties Financing Law 5733-1973 prohibits the receipt of contributions from corporations in general, not necessarily from tobacco and nicotine companies.⁸¹

However, there exists no official, regulated and public registry that includes all entities acting in the field of the tobacco and nicotine industry in Israel - including manufacturers, importers, marketers, subsidiaries, branches, representatives, and anyone acting on their behalf, such as law firms, lobbying firms, or media consultants. Although the Tax Authority and other government entities hold certain information about active players in this field, this information is not centralized, nor is it open to the public. The absence of a public registry of this kind makes it harder for auditing entities, media entities and civil society organizations to identify and monitor the industry's potential scope of influence on political processes, including the issue of contributions to political parties. This reinforces the need for proactive regulation, in keeping with the principles of Section 5.3 of the FCTC and the recommendations for its implementation.

INDICATOR	0	1	2	3	4	5
14. Retired senior government officials form part of the tobacco industry (former Prime Minister, Minister, Attorney General) (Rec 4.4)				3		

During this report period, no public cases have been identified of retired senior government officials - and specifically a prime minister, ministers, deputy ministers, or the attorney general - who now work in the service of the tobacco and nicotine industry, or who have started advancing its interests after concluding their tenure in public office.

However, Israel has no dedicated regulation restricting public official's move into positions within the tobacco and nicotine industry following their retirements, beyond general cooling-off rules stipulated in the Civil Service Law (Post Departure Limitations), 5729-1969 Law.⁸² This law mostly focuses on state employees and directors, and does not include any dedicated instructions or control mechanism suitable for this industry's unique challenges regarding conflicts of interests, as recommended by the FCTC.

Simultaneously, a broader phenomenon continues wherein former government officials, even if they're not ministers or prime ministers, are appointed and involved in key positions in the

tobacco and nicotine industry or its activity relating to the State's authorities. Thus for example, Adv. Coral Aviram, a former consultant of the Minister of Labor and Social Services, continues to serve as the regulatory manager at Philip Morris Israel.⁸³ In addition, in September 2023, it was exposed that Philip Morris hired Adv. Ilan Bombach - an attorney with close political ties to the current government, and especially senior party members in Shas - in order to combat new regulation measures led by the Ministry of Health in the area of smoking prevention.⁸⁴ Bombach, who represented Shas Chair Aryeh Deri in the past in a variety of legal proceedings and sensitive HCJ cases, also served as a representative of the Likud and the Deputy Chair of the Elections Committee. This is joined by an ongoing pattern wherein government officials, consultants, and attorneys with clear ties to the government are recruited to advance the tobacco and nicotine industry's interests.

INDICATOR	0	1	2	3	4	5
15. <u>Current government officials</u> and relatives hold positions in the tobacco business including consultancy positions. (Rec 4.5, 4.8, 4.10)		1				

As of the report period, no documented cases have been identified where current government officials or their relatives hold positions in the tobacco and nicotine industry, including consultancy, management, or brokerage positions. However, as noted in Section 14, there is a trend in which former consultants and persons with political or professional ties to the government and the ruling parties are recruited to advance the interests of tobacco and nicotine companies. Even if this doesn't include current government officials, the trend indicates a real potential for conflicts of interest, especially in the lack of sufficient transparency or cooling-off mechanisms.

INDICATOR	0	1	2	3	4	5
INDICATOR 7: Preventive Measures						
16. The government has put in place a procedure for disclosing the records of the interaction (such as agenda, attendees, minutes and outcome) with the tobacco industry and its representatives. (Rec 5.1)			2			

By the date of this report's writing, no official government procedure has been adopted for the disclosure of records of interactions with tobacco and nicotine industry representatives with all government ministries, including minutes, agenda, attendees, or outcomes. However, starting from the 2018 version of the Minister of Health's Report on Smoking in Israel,⁸⁵ the report has included a dedicated chapter reporting on meetings of the Ministry of Health's representatives with tobacco and nicotine companies - a measure that remains in place, but has not been expanded to additional government ministries.

Israel has no binding or unified government procedure for disclosing the details of interactions between government representatives and the tobacco and nicotine industry. However, Chapter 10 of the Minister of Health's Report on Smoking, published once per year, includes a list of meetings conducted with tobacco and nicotine industry representatives. This summary list includes a date, the company representatives who contacted the Ministry, the topic of their inquiry, and the representatives who attended the meeting on behalf of the Ministry of Health. For example, it states as follows:

“The meetings were conducted in accordance with the instructions of the World Health Organization and the circular, according to which it is prohibited to cooperate with the tobacco industry, but when a meeting is necessary, it should be conducted with full transparency and documented. Below please see a summary of the meetings conducted with tobacco company representatives during 2023.”⁸⁶

However, this information is only published once per year, on hindsight, without minutes, summaries, or details regarding the process of setting the agenda. In addition, it only refers to meetings in which the Ministry of Health was a party and therefore contains no information about the scope of other government ministries' meetings with industry representatives. In the absence of any interagency procedure requiring full and regular public documentation, we can't rule out the possibility that some meetings are conducted without being reported.

In contrast, several EU member states have already adopted binding procedures requiring full transparency regarding all interactions between government representatives and the tobacco and nicotine industry. These procedures typically include proactive publication of agendas, attendees, meeting minutes, and outcomes. The absence of such a mechanism in Israel leaves a significant gap in transparency and undermines the country's ability to effectively implement Article 5.3 of the WHO FCTC.

INDICATOR	0	1	2	3	4	5
17. The government has formulated, adopted or implemented a code of conduct for public officials, prescribing the standards with which they should comply in their dealings with the tobacco industry. (Rec 4.2)			2			

As of the writing of this report, Israel has no dedicated, binding, or unified ethical code for public officials — including ministers, senior officials, and professional consultants — regulating their conduct with tobacco and nicotine industry representatives in accordance with the essence of the World Health Organization's FCTC.

Although the Ministry of Health complies with the rules of transparency and caution in dealings with the industry's representatives, this is an informal internal policy. It does not bind all authorities or ministries engaging in regulation concerning the tobacco and nicotine industry (such as the Tax Authority, the Ministry of Finance, the Standards Institution, the Trade Administration at the Ministry of Economy, and others).

However, the last two years have seen certain progress in the horizontal regulation of dealings with lobbyists, following recommendation by the Deputy Attorney General, Adv. Gil Limon, issued in October 2022.⁸⁷ The recommendation provides the principles of an internal procedure to apply to all government ministries with respect to meetings with lobbyists — including a requirement to coordinate meetings in advance, document the meeting's details, identify representatives and the clients' identities, and maintain periodical registration of the meetings.

Following this recommendation, a review by Adv. Elad Mann of the NGO "Hatzlaha" indicates that seven government ministries (including the Ministry of Finance and the Ministry of Environmental Protection) have already adopted a code of conduct for dealings with lobbyists, and nine other ministries were in the process of adopting a similar code in the near future (including the Ministry of Health).⁸⁸ However, there is a significant gap between the procedures, mainly around the definition of the term "lobbyis". Thus, for example, the Ministry of Immigrant Absorption adopted a broad definition which also includes "in-house lobbyists" — regular representatives of companies and business entities, while the Ministry of Construction and Housing adopted a narrow definition that excludes most lobbying activities involving it.⁸⁹

Moreover, not all procedures include mandatory appropriate documentation, and not all government ministries actually implement the procedures issued. Although it was recommended to also create a procedure in the Prime Minister's Office, as of now, there has been no response.⁹⁰ In addition, the regulations that were issued do not differentiate between interactions with the tobacco and nicotine industry and other commercial entities, and do not include any sanctions or preventative measures suitable for influence on public health policy.

INDICATOR	0	1	2	3	4	5
18. The government requires the tobacco industry to periodically submit information on tobacco production, manufacture, market share, marketing expenditures, revenues and any other activity, including lobbying, philanthropy, political contributions <i>and all other TAPS activities such as CSR or EPR (COP10), as well as on tobacco industry entities, affiliated organizations and individuals acting on their behalf, and tobacco industry funded groups and their research and marketing activities.</i> (Rec 5.2, 5.3, and COP9 and 10 Decision)					4	

As of report year 2025, there has been no progress in the State's requirement from the tobacco and nicotine industry to provide periodical information regarding its activity, in accordance with the recommendation of Article 5.2 of the FCTC. The Israeli government does not require the tobacco and nicotine industry to report data such as tobacco production, throughput, marketing expenses, income, activity, lobbying, political contributions, philanthropy or any other activity related to the formulation of public policy or influence on decision-makers.

The only requirement currently existing in the law is in accordance with Section 9a of the Prohibition of Advertising and Restriction of Marketing of Tobacco and Smoking Products Law 5743-1983, according to which tobacco and nicotine companies are obligated to report annually to the Ministry of Health on expenses related to advertising as permitted by law. This report must include details of the type of advertisements, their cost, their date of publication, and the medium of publication.⁹¹ However, in practice, this obligation is not consistently implemented: the Minister of Health's Report on Smoking of 2022 and 2023 did not include the chapter dedicated to such reporting.⁹² As such, the last time in which partial information was published on this issue was in the Minister of Health's Report on Smoking of 2021, which only included information as of 2020 and prior.⁹³ This information was made available by a small number of tobacco and nicotine companies, and did not include all data required by law. Among other things, this was caused by a lack of any regulated registry of all industry entities, and the tobacco and nicotine companies obligated to report.⁹⁴

In addition, no special obligation is prescribed in Israel for the tobacco and nicotine industry to report political contributions or philanthropic activity. Section 26(a)(4) of the National Health Insurance Law, 5754-1994 stipulates mandatory reporting by healthcare institutions on accepted donations exceeding ILS 2,500.⁹⁵ However, since 2011 and as of the most recent reports for 2023, no donations have been reported by tobacco or nicotine companies as part of this mechanism.⁹⁶

The absence of systematic reporting requirements by the State to the industry, and in particular the absence of regulatory tools for enforcement and control, prevent effective public supervision of the tobacco and nicotine industry's ties and influence in Israel, and constitute a significant barrier to the full implementation of the State's obligations pursuant to the FCTC.

INDICATOR	0	1	2	3	4	5
19. The government has a program / system/ plan to consistently^f raise awareness within its departments on policies relating to FCTC Article 5.3 Guidelines. (Rec 1.1, 1.2)						5

As of the date of the report, there is no consistent public policy, action plan, or official interagency mechanism providing guidelines to all government entities on how to conduct dealings with the tobacco and nicotine industry, in accordance with the instructions of Article 5.3 of the FCTC.

The information provided to the COP in a report from 2023 states that work has been expanded with the Ministry of Health's Committee on Investigating Public Deception.⁹⁷ However, this refers to internal Ministry of Health activity and does not comprise a broad government policy or coordinated mechanism between all authorities.

In addition, during the reporting period, two interagency task forces worked on issues related to the regulation of tobacco and nicotine products:

1. A national task force for addressing the harms of electronic cigarettes, which formulated an action outline for all tobacco and nicotine products — was active during 2023, led by the Ministry of Health;⁹⁸
2. A task force for the examining tax collection and enforcement processes regarding electronic cigarettes — began working in March 2024, at the Tax Authority's initiative.⁹⁹

Though this activity is not directly intended to implement Article 5.3 of the FCTC, these task forces display a first step for interagency cooperation on issues concerning smoking regulation. This activity might indicate certain progress in enhancing the coordination between government ministries in the area of tobacco and nicotine product regulation. However, this still doesn't constitute a consistent action plan for all ministries towards the broad implementation of Article 5.3.

^f For purposes of this question, "consistently" means: a. Each time the FCTC is discussed, 5.3 is explained. AND b. Whenever the opportunity arises such when the tobacco industry intervention is discovered or reported.

INDICATOR	0	1	2	3	4	5
20. The government has put in place a policy to disallow the acceptance of all forms of contributions/ gifts from the tobacco industry (monetary or otherwise) including offers of assistance, policy drafts, or study visit invitations given or offered to the government, its agencies, officials and their relatives. (3.4)			2			

As of the date of reporting, the Knesset Rules of Procedure and Rules of Ethics include a prohibition on accepting all types of contributions or gifts (financial or otherwise), as well as a requirement to receive an advance approval from the Ethics Committee to participate in study visits abroad.¹⁰⁰

However, the Knesset Rules of Procedure do not include any explicit reference to the prohibition of accepting assistance, policy drafts, or other proposals from the tobacco and nicotine industry and its representatives. Thus, there is still no official policy regulating the prohibition of such proposals, as recommended in Rec. 3.4 of the guideline of article 5.3 of the FCTC.

INDICATOR	0	1	2	3	4	5
TOTAL			53			

ADDITIONAL QUESTIONS

Based on COP9 and COP10 Decisions highlighting Article 5.3 recommendations

A. LIABILITY

Government has adopted or enforced mandatory penalties for the tobacco industry in case it provided false or misleading information. (Rec 5.4)

[5.4 Parties should impose mandatory penalties on the tobacco industry in case of the provision of false or misleading information in accordance with national law.]

Israel has regulation in place restricting the presentation of misleading information in tobacco and nicotine product advertisements, which in some cases also includes a penalty component. Among other things, Amendment No. 8 of the Prohibition of Advertising and Restriction of Marketing of Tobacco and smoking Products Law, which entered into force in 2019, prohibits the presentation of a smoking product as preferable to another, the inclusion of barcodes or references to the internet, and the product's presentation by means other than a simulation of the plain package only (Section 9(a)(2) of the law).¹⁰¹ In addition, penalty clauses were added with respect to permitted advertisements in print newspapers violating the terms provided by law (Section 5a of the law).¹⁰²

Simultaneously, the Ministry of Health's Committee on Investigating Public Deception regularly acts to identify and oppose misleading advertisements.¹⁰³ Thus for example, following a press interview by Philip Morris International CEO in June 2021, where he argued that HTP's (IQOS) products are the "lesser evil", the Ministry of Health issued a strong response, clarifying that it can't be argued that this product is less harmful, and emphasized its medical and environmental damages.¹⁰⁴

However, Israel has mainly focused on imposing sanctions following the provision of false or misleading information to the public — for example, in the context of smoking product advertisements, or misleading information about the product's contents. In contrast, currently, there is no mechanism or sanctions imposing punishment on the tobacco and nicotine industry in the event that false or misleading information is provided with respect to the advancement of public policy or as part of regulation procedures, such as during participation in public hearings, dealings with decision-makers, or the presentation of false data regarding the impact of regulation. This creates a regulatory gap, since influence on public policy while presenting partial, false, or distorted information might have more severe ramifications — in terms of damage to public health and public trust — compared with direct advertisements to consumers. Different countries have dedicated mechanisms in place restricting or regulating the information the tobacco industry may provide to governments, as part of the implementation of Recommendation 5.4 of the guidelines to article 5.3 of the FCTC, encouraging transparency and caution in any contact between governments and industry entities.

B. RESOURCE DATABASE

Government adopted and implemented measures to ensure public access to information on TI activities.

[5.5 Parties should adopt and implement effective legislative, executive, administrative and other measures to ensure public access, in accordance with Article 12(c) of the Convention, to a wide range of information on tobacco industry activities as relevant to the objectives of the Convention, such as in a public repository.]

Israel has a legislative framework designed to ensure public transparency regarding the prevalence of smoking and its health consequences. The Law on the Mandatory Disclosure of Health Damages Caused by Smoking Tobacco Products, 5761—2000,¹⁰⁵ requires the Minister of Health to submit an annual report to the Knesset by March 31st of each year.

This report includes up-to-date data on smoking rates in the population, broken down by age, gender, and sector; information on the health effects of smoking and exposure to tobacco smoke; an overview of the Ministry of Health's activities; the level of enforcement of existing legislation; and progress in implementing the National Plan for the Reduction of Smoking. The report is reviewed by the Knesset Health Committee within 60 days of its submission.

However, this law does not include mandatory reporting on the activity of the tobacco and nicotine industry itself, and does not respond to the recommendation of Rec. 5.5 of the guidelines to article 5.3 of the WHO FCTC, calling on states to adopt and implement measures to guarantee public access to a range of information on the industry's actions as relevant to the objective of the convention. Concurrently, Israel has no statutory mechanism in place guaranteeing systematic, full, and available public access to information about the industry's involvement with policy-making processes, dealings with decision-makers, lobbying, or any attempt to influence regulation in this area.

Annex A: Sources of Information

	TOP TOBACCO COMPANIES*	MARKET SHARE	BRANDS	BRANDS SOURCE
1	Philip Morris Ltd (Israel)	55.6%	Marlboro, L&M, Next, Parliament	Euromonitor, ¹ Tobacco in Israel: country report, June 2023.
2	Globrands Ltd.	36.4%	Pall Mall, Winston, Camel, LD, Vouge, Kent	Euromonitor, ¹ Tobacco in Israel: country report, June 2023.
3	Dubek Ltd.	5.6%	Time, Golf, Noblesse	Euromonitor, ¹ Tobacco in Israel: country report, June 2023.

*Note: Refer to Cigarettes only.

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