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Keeping Bugs IN Check

Insect Infestation Revisited

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Shattered Dreams

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I. INTRODUCTION

Over the past number of years, there has been much discussion regarding insect infestation and the procedures used to check fruits and vegetables. Many guides have been published, many lectures and demonstrations have been given, *L'Hagdil Torah Ul'hadira*. However, infestation can and does change over time,¹ so it is worthwhile to step back from time to time and review the facts.

The Biblical prohibition of eating insects is extremely severe. Depending upon the type of insect eaten, a person can violate as many as six Biblical prohibitions² for each insect ingested. Furthermore, the negative spiritual effect that eating *shratzim*, insects, can have on a person is particularly detrimental.³

Insect infestation is not a recent phenomenon. Since the times of *chaza"l* until today, *poskim* have been dealing with this issue.⁴ The bottom line is that the fact remains that many species of produce have infestation issues and it is not possible to simply ignore the issue and pretend it doesn't exist.⁵ While the USDA is aware of the existence of insects in produce, their guidelines are hardly a consideration from a *halacha* standpoint.⁶ Unquestionably, if we are to enjoy our vegetables, we have to find effective ways to control or address infestation.

As we know, the *Torah* was "not given to angels,"⁸ and we are not expected to be able to avoid eating something which we can't see. In truth, the insects we are discussing are all considered by *halacha* to be visible to the naked eye, *Nireh LEinayim*. This means that they are able to be seen without the aid of any special magnification or tools. A jeweler's loupe or light box may be used to make identification easier, quicker, and more efficient, but they are not used to find insects that otherwise would not be visible due to their size.⁹ The fact that bugs can hide in the crevices of a leaf or inside a broccoli floret does NOT make them invisible to the naked eye.¹⁰

Insect inspection is a skill that requires proper training and decent vision, as well as a lot of practice and patience. What at first glance may appear to be a piece of dirt, may actually be an insect. All Star-K *mashgichim* who inspect produce are personally trained, tested and specially certified to check for infestation. It is worthwhile to point out that as in all areas of *Torah*, personal lesson is preferred. Glossy color guides are excellent resources for reference and further knowledge but should not replace a personal lesson.

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1. וכן ע"פ ד"ר סי' פד סק כב.
2. There are three types of insects: 1) ארבעת סו"ק which is four insects; 2) חמשת סו"ק which is five insects; 3) ששת סו"ק which is six insects.
The insects are listed in ויקרא פרק יא and ויקרא פרק יב.
3. ע"ש ודברית במ (מקום של חרוד פנימיתן שליסות) סקן ר"י וכן ע"פ בספר בדיקת המזון הלכות סו"ק ח"ב מה"א ושל"ת ש"י וישועה פרק א' שט"א' ב"ח.
4. ע' חולקין ס"ז ע"ב, סוטה ג' ע"ב.
5. ע"פ במ"ר ח"ט סי' פד סק כב וע"פ בספר בדיקת המזון הלכות פרק ג'
6. ע' שו"ת ודברית במ ח"ב.
7. For example, the *USDA Food Defect Level Handbook* allows up to 60 aphids, thrips, or mites per 100 grams of frozen broccoli. A standard 32 oz bag of frozen broccoli is over 900 grams.
8. רמב"ם דף כ"ה ע"ב ס"ב.
9. ע' אגרות משה ע"ד סק"ב.
10. חמ"ת אדם כ"ל כ"ה סי' ה', שו"ת סי' פד סק"ג ל"ז.
11. For a more comprehensive guide, which includes instructions for home and other non-industrial use, please visit the STAR-K website (www.star-k.org) to view or download the STAR-K Guide to Checking for Insect Infestation.

One of the most popular articles in *Kashrus Kurrents*, dating back to my days in *kollel*, was the article entitled, "Preparing the Home for Pesach". It was written by *Rav Heinemann shlita*, Rabbinic Administrator of Star-K, and appeared in one of the earliest *Pesach* editions.

Over the years, the *Kashrus Kurrents Pesach* edition evolved into the "Star-K Passover Guide", replete with a wealth of practical information for *Pesach* in particular, as well as the laws of *kashrus* in general. Some 33 years later, the lead-off article in our Passover Guide is still "Preparing the Home for Pesach". The title, however, is not altogether accurate. It is true that it includes the *halachos* of *kashering* the home for *Pesach*, however, this article also provides the reader with a more general and more clear understanding of *kasherization*.

As new technologies and novelties are introduced to the consumer, a clear *halachic* understanding of each innovation is needed in order to keep a *halabusta's* dream from turning into a *halachic* nightmare. New innovations do not come without problems. Ovens with 12-hour shut off, refrigerators with Frostguard, warming drawers, Corian countertops, double drawer dishwashers, and refrigerators converting into ovens are some of the issues that can be resolved; others are just ...problematic.

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Shattered Dreams

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RABBI TZVI ROSEN
EDITOR, KASHRUS KURRENTS

One of the earliest innovations that is well over 25 years old is the introduction of the glass cooktop. The smooth glass cooktop is much sleeker than the conventional porcelain cooktop. In a glasstop cooktop, the electric burners are located under the glass. When the burners are turned on, the glass glows to a beautiful orange hue. This heat treated glass ceramic can sustain extreme changes in temperatures of up to 1000° F. Of course, this new sleek and attractive cooktop was a 'Must-Buy' for the *Yiddishe balabusta*, whose kitchen serves as the main room in the house. The obvious *Pesach kashering* questions facing the *balabusta* were: Do you have to *kasher* glass? Can you *kasher* a glass cooktop? How would you go about it? Well, the answer to the first question is yes. Since there can be absorption into the glasstop from cooking spills, the entire cooktop needs to be *kashered*. How do you *kasher* the cooktop? Years ago, when the question was posed to me, I told the consumer to simply put a *blech* over all of the burners and let the heat radiate over the entire surface. Bad move – the cooktop shattered! We now had firsthand evidence that you **do not cover glass cooktops**. Luckily, the oven was new and the company replaced the cooktop. Suffice it to say, the cooktop was now kosher for Passover.

Consequently, we have been instructing consumers that the only way to *kasher* a glass cooktop outside the burner area is with a blowtorch. However, blowtorching can be extremely dangerous and risky. Even though ceramic glass is supposed to withstand temperatures far beyond what it would take to heat the glass (hot enough to singe a tissue), manufacturers warn consumers that the cooktop could still crack if heated. For this reason, when consumers inquire we discourage them from *kashering* a glass cooktop.¹

Many consumers have questioned the Star-K's policy and ask: Isn't glass supposed to be resistant to absorption? Indeed, glass is one of *Hashem's* great wonders. What is glass? The term 'glass' comes from the Latin term *glesum*, which means a lustrous and transparent substance. The basic ingredient of this amazing creation is sand, silica. Other substances like limestone are added to the silica, which is heated to temperatures exceeding 2100°F, and forms the clear resilient material called glass. The glass is then toughened through annealing. A variety of substances can be added to produce numerous glass compositions from delicate crystal to bulletproof glass.

When the *Shulchan Aruch* speaks about glass, the *Mechaber*² states that glass is not absorbent. The *Mishna Brura* explains why glass doesn't absorb – "L'fi shechalakim ukashim heim",³ because glass is a material that is "smooth and hard", making it impervious to absorption. The *Rema*⁴ argues and says that since the base material of glass is sand, it shares the same properties of '*klei cheres*', earthenware, which is extremely absorbent. Due to its high absorption properties and fragile composition, earthenware cannot be *kashered*; hence, according to the *Rema*, glass would have no *kashering* recourse.⁵ The *Rema* concludes that if glass is used with cold or ambient liquids, the glass would not be absorbent; if it would be used with '*chamin*', hot liquids, the glass utensil should be treated like earthenware.

What is the '*chamin*' criteria? According to *Horav Moshe Heinemann*, *shlit"a*, if the glass utensil was used in the oven or on the cooktop, i.e., directly on the fire, that glass utensil is considered a '*kli rishon*'.⁶ An example of this is a Pyrex casserole dish that was heated in the oven or a Corning Visions glass pot heated on a burner,

where the food *blios* (absorption) would be absorbed into the walls of the glass utensil. However, hot soup poured into a Duralex soup bowl, a '*kli sheini*',⁷ would not fulfill the '*chamin*' criteria, and the glass would not absorb the hot liquid.

How does the *halacha* view a ceramic glass cooktop? Since the burners are directly under the glass and heat the cooktop, as well as the utensil on top of the cooktop, the entire cooktop is considered to be a '*kli rishon*'. Any hot spillage from a pot or frying pan onto the cooktop, be it on the burner area or beyond, would be considered cooked into the cooktop, which is a glass *kli rishon*.

As stated in the "Preparing the House for Pesach" article, there are various methods of *kasherization*. One method is known as *hagola*, purging with hot water; the other is *libbun*, incinerating with fire. *Hagola* is ineffective for '*klei cheres*', earthenware, because it does not expel the *blios* that have been absorbed into the walls of the earthenware utensil.⁸ The *halacha* also discourages *kashering* with *libbun* because the intense heat of *libbun* risks the life of the earthenware vessel, which may shatter.⁹ Logically, if you don't run that risk you could use *libbun*. Technically, a glass cooktop should be able to withstand *libbun* temperatures, even though customer service says that it may crack.

With the advent of induction cooking, however, one is afforded an alternative method of *kasherization*. What is induction cooking? Induction cooking is a revolutionary energy efficient way of cooking without heat. How do you cook without heat? The answer is with electro-magnetic energy. The conventional burner is replaced with a coil of tightly wound copper wire under the glass cooktop. Turning on the "burner" sends electro-magnetic energy through the coil. If you placed your hand on the coil area, you would feel nothing. If you placed an aluminum pan on the same area you would still feel nothing. However, by placing an iron skillet or a pot with an iron core or magnetized stainless steel on the cooktop, the magnetized skillet completes the magnetic connection and the electro-magnetic field of energy transfers directly into the pan. This causes the iron molecules to move very rapidly, giving off heat. In turn, the cookware cooks the food. Lifting the pan off the cooktop breaks the magnetic connection, and stops the cooking process. The cooktop will be heated by the "magnetic" pot or pan, but it does not get hot from the coil. Consequently, any spill onto the ceramic cooktop surface will be a result of an *irui kli rishon*, spillage from a hot pot, not a heated cooktop as you would have in conventional cooking. Hence, if one would want to *kasher* the cooktop, it could be accomplished by a lesser means of *kasherization*, *irui kli rishon*.¹⁰

Although induction cooking offers a *koshering* benefit, the cooktop cannot be used on *Shabbos* or *Yom Tov* because the cooking connection is made once the pot is put onto the coil area. Similarly, one would not be able to remove the pot from the cooktop on *Shabbos* or *Yom Tov*, because one would be "disconnecting" the magnetic field by removing the pot. While the ability to *kasher* an induction cooktop is an advantage, the disadvantage of not being able to use it on *Shabbos* or *Yom Tov* makes this cooktop impractical, unless one has more than one cooktop in the kitchen (an induction for during the week, and a non-induction for *Shabbos* and *Yom Tov*).

As with every new advent of technology, one *balabusta's* dream is another *balabusta's* nightmare.

1. For those households that own glasstop ovens, the Star-K recommends that the burner areas be *kashered* and trivets should be placed on the non-*kashered* area, so that pots or cooking utensils will not be placed directly on the cooktop.
2. *Orach Chaim* 451:26
3. O.C. 451; *Mishna Brura* 153
4. O.C. 451:26, *Rema*
5. *Ibid*
6. O.C. 451:5

7. *Ibid*
8. O.C. 451:22
9. *Ibid*, M.B. 135
10. O.C. 451:5





STAR-K HOSTS EIGHTH ANNUAL *Kashrus Training Program*

ATTENDEES FROM PANAMA TO PENNSYLVANIA

BY MARGIE PENSAK

In the beginning of 2009, Rabbi Haim Levy moved from Israel to Panama to continue the work of his then recently deceased father, Chief Rabbi Sion Levy, z"l, *rav* of Congregation Shevet Ahim. When his father arrived in Panama City from Israel in 1951, the country was affluent, yet spiritually poor. Building the community from scratch, it is to the late Rabbi Levy's credit that of the approximately 10,000-12,000 Jews living in Panama today, about 90% have a kosher home (of which a large percentage eat only kosher outside the home, as well), and *Shabbos* observance is on the rise. Presently, Panama boasts one of the largest and strongest Jewish communities in Central America.

STAR-K was honored to have Rabbi Haim Levy, *shlit"a*, participate in its Eighth Annual *Kashrus* Training Program July 25-29, in its Baltimore offices. "Because of my position, I have the responsibility that all *halachic* issues should flow and be at their best; that includes *kashrut*," said Rabbi Levy. "We have expert *shochtim* -- about 600 heads of cattle and about 25,000 chickens are *shechted* every month. We have two big, modern kosher supermarkets, more than a dozen kosher restaurants, about 20 caterers, and a fleet of 20 *mashgichim*. All of this is relatively new in Panama, and that is the main reason I wanted to visit STAR-K when I heard they had a program. We need to know about kosher products and how a kosher *Vaad* organizes itself. The program met my expectations by showing in detail the various challenges that a *hashgacha* has and how to go about solving them.

"I am thankful for having the opportunity to have met a staff of *rabbonim* who are experts, each in their own subject, and together under the leadership of *Hagaon Harav* Heinemann, *shlit"a*, who is an example of *yashrus*, *chochma* and a very high level of *middos*," continues Rabbi Levy. "With G-d's help, I plan on contacting them in the future in order to have a share of their expertise."

STAR-K's *Kashrus* Training Program also had the privilege of hosting Rabbi Eli Reingold, a *rebbe* and *Rosh Kollel* in the Yeshiva of Greater Washington, located in Silver Spring, Maryland, who is also involved in *psak* for the *yeshiva* and the community. The *Rosh Kollel's* interest in attending the program was based on the information offered in the classes, and the feedback he heard about the program from those who had attended over the years.

"I viewed it as an opportunity to really understand *halachos* which I may be familiar with from the *halacha* end, but not really understand how to apply it *lemaaseh*," explains Rabbi Reingold. "The program met my expectations very much. Obviously, there is always so much more to learn, but every opportunity is very important. They did an excellent job, presenting intelligent and informed speakers, *talmidei chachamim*, on many different issues. I am very grateful to the STAR-K for developing and implementing such an important seminar, allowing us to interact and learn from individuals with significant experience in many different fields of *Kashrus*. The experience was extremely enlightening, and the connections made are invaluable."

Rabbi Shaul Rapoport, *rav* of Congregation Ohev Sholom in Williamsport, Pennsylvania, a town of only a few hundred Jews, had his own reasons for attending the STAR-K program.

"A lot of what I learned is very relevant to me, as the only rabbi in the region," says Rabbi Rapoport. "Being able to hear firsthand from people who share their professional *kashrus* expertise is very helpful. I am grateful for the opportunity to learn from some of the most knowledgeable people in the industry. It was a delight to meet both the other participants and all the presenters."

By the way, STAR-K is no stranger to Rabbi Rapoport, a native Australian. "I recall the big to-do in town as a young boy, when STAR-K came all the way to Australia to train *mashgichim* that would work in the Far East. I knew all the STAR-K people well, and I remember the very interesting stories they told us about their adventures in China and India."

How does STAR-K recap this year's program? "After presenting the course for eight years, one might think that the STAR-K rabbis find it somewhat monotonous," says Rabbi Zvi Goldberg, STAR-K *Kashrus* Administrator and coordinator of the seminar, "but it's really not so. They find it invigorating to teach the participants who listen and participate fully in the sessions, and sometimes question our approaches. As *chazal* point out, '*mitalmidai yoser mikulam*'--one can learn more from his students than anyone else."



Keeping Bugs IN Check

Insect Infestation Revisited



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A complete discussion of this topic is beyond the scope of this article. However, we will provide a general overview of what needs to be accomplished from a *halacha* perspective and explore the practical application primarily in an industrial setting.¹¹

II. HALACHA OVERVIEW

There are three categories defined by *halacha* regarding what needs to be checked: 1) *Rov* - something that is infested a majority of the time (over 50%); 2) *Miyut HaMatzui* - something that contains a significant percentage of infestation, although less than a *rov*; 3) *Miyut ShEino Matzui* - something that is infested only rarely or infrequently.

How one defines what constitutes a *Miyut HaMatzui* or *ShEino Matzui* is a lengthy discussion amongst the *poskim*.¹² The generally accepted guideline¹³ is to follow the opinion of the *Mishkinos Yaakov*,¹⁴ that *Miyut HaMatzui* is anything infested between 10-50% of the time and *Eino Matzui* is anything which is infested less than 10% of the time.

How are these percentages determined? Do we look at each species or each harvest or each field or each serving, etc.? *Rav Moshe Heinemann, shlit"a, paskens*¹⁵ the percentages are determined by serving or portion size.¹⁶ This means that if one insect is found in ten inspected portions, one will have a 10% infestation rate. This is determined after one washes the produce.¹⁷

It is also important to have an understanding of the mechanics of the requirement to check for infestation, *chiyuv bedika*. Each individual has an obligation to check food which may be infested before he is permitted to eat it. If the produce passes inspection, it may be eaten; if it fails, it may not. There is no pre-existing prohibition, *issur*, on any one particular lot of lettuce; each lot is evaluated on its own merits. In classic *Yeshiva* terminology, there is no prohibition on the *cheftza* (lettuce), rather an obligation on the *gavra* (to check and/or remove any insects from his food).

The requirement for checking fruits or vegetables with an established *rov* of infestation is *M'dioraysa*.¹⁸ This means that the *Torah* requires inspection of fruits and vegetables that are infested a majority of the time (a *rov*). The requirement for inspecting vegetables whose infestation is less prevalent, *Miyut HaMatzui*, is *Midirabanan*.¹⁹ These requirements may be fulfilled by either checking each item and removing the insects²⁰ or subjecting the produce to a process that effectively removes the insects.²¹

Having said this, with the increasing popularity of pre-washed bagged salads, the time needed for preparing salads has dramatically decreased. The question, however, begs to be asked: How can produce be effectively cleaned to a degree that avoids leaf by leaf inspection? How can massive amounts of vegetables be processed and verified as "free from further inspection"?

Before we address these questions, we need to familiarize ourselves with the 'facts on the ground' regarding crop dynamics.

III. FACT CHECK

Fact number one: Infestation can and does vary greatly by region, country, and continent. Produce that may be very infested in *Eretz Yisroel* or other countries may not be as infested in North America.²² All of the information presented in this article applies only to produce found in North American markets.

Fact number two: Crops can vary from one section of a field to another. This includes variances in taste, color and ripeness, as well as infestation. The reason for this is the various factors which contribute to the finished product, which include but are not limited to sun, water, wind, and soil conditions. These factors can vary for each area of the field. An area where there is more moisture, less wind, and warmer weather is a more inviting environment for insects. Due to these factors, farmers will generally harvest each section of the field separately²³ and assign unique lot numbers which follow that section all the way through to production.²⁴

IV. FACTORY SETTINGS

In large production facilities, head lettuces such as romaine or iceberg lettuce and cabbage, arrive daily on large pallets, each with its own unique lot number. The heads are cored and topped, and the outer leaves removed, either in the field or the washing facility. The lettuce is then sized and sent into a wash system, which can use either a long flume or triple wash systems. The lettuce is vigorously agitated and washed in 36°F chlorinated (or other anti-bacterial chemical) water, and is placed on a vibrating screen to remove any residual water. It then enters into a large spinner, which dries the lettuce more thoroughly so it will retain shelf life. From there it is fed into a hopper, where it is packed into bags.

Star-K requires that every single lot of romaine lettuce be checked by a *mashgiach* before it can be certified.²⁵ A large sample is taken from each lot and is checked using a lightbox. If no insects are found in the sample, that particular lot can be certified.²⁶ If even one insect is found, the lot is rejected and will not be certified. Since each lot is uniform and undergoes the same

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12. עי שרת הריבוי שמן קורא, שרת שבת חלוי חד שמן סא, שרת דרבית בס סי ר"ד.
13. סקט על חז"ל שלמה זלמן אייבנאך זצ"ל.
14. השבות חלק שרת רש"י שמן ר"ד.
15. יען בחדש תלמי יד סי ר"ד.
16. This is still difficult to determine definitively, as lettuce can vary greatly by season. It is worthwhile, however, to quote the words of the *Shema Shel* פוסקת דעתה ע"ל.
17. יען בחדש תלמי יד סי ר"ד.
18. עי ע"ד יד שמן ר"ד סי ר"ד.
19. עי ע"ד יד סי ר"ד סי ר"ד.
20. רמא סי ר"ד סי ר"ד.

21. יען סי ר"ד סי ר"ד.
22. One example of this is strawberries. In *Eretz Yisroel*, all the leading experts require peeling or soaking strawberries for numerous extended periods of time. In North America, all that is required is soaking one time in a strong solution and then rinsing. See Star-K guide for more detailed instructions.
23. For quality purposes.
24. This is a USDA requirement for traceability, in case a recall becomes necessary.



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washing process, the test sample serves as a clear indication of the cleanliness of that particular lot.

When a lot of romaine passes, the Star-K symbol is added to the date code. When there is no Star-K symbol on a product, it is an indication that the lot failed inspection. Consumers should be aware that some produce companies attach stickers to their product, implying that it has been kosher certified. At times, these stickered bags do not bear the Star-K symbol by the date code. The absence of the Star-K symbol by the date code means that particular lot failed inspection or was never checked. Other stickers caution the consumer in Hebrew, and state that inspection is required before rinsing the lettuce. Consumers are urged to look for a reputable kosher symbol to be sure that no further checking is necessary.

The above mentioned washing system is used exclusively for fresh romaine lettuce, and is not designed for other leafy vegetables such as spinach, broccoli, or herbs. The only available options for these products (fresh or frozen), if you don't want to check them yourself, are those varieties grown in greenhouses and certified with reliable kosher certification.

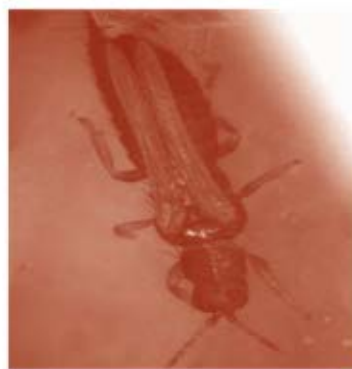
V. STRAWBERRIES

Strawberries are more difficult to check than lettuce. The prevalent culprits are mites and baby thrips or nymphs (also known as thrips larvae). These thrips are small and white (but still very visible), resembling a strawberry seed but merely a quarter of the size. They tend to hide either around the base of the top green area of the strawberry, or in the crevices next to the seeds. It can take a considerable amount of time to check even one strawberry. Additionally, wet strawberries are even more difficult to check since water droplets can easily hide these insects. Fortunately, strawberry insects are significantly easier to remove, and if the prescribed washing method²⁵ is followed correctly no checking is necessary.

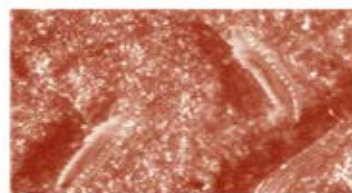
Industrially produced strawberries pose an unusual challenge. Strawberries are a very sensitive fruit, and companies are afraid to subject them to an aggressive washing procedure since it may damage the fruit and reduce the quality and shelf life of the finished product. For most companies (and the USDA), a quick rinse or mist spray using an edible anti-bacterial solution is enough. From a *kashrus* perspective however, this is far from adequate. At a recent inspection at two different strawberry facilities, a 40-50% infestation rate was found after the washing process was completed.

Star-K requires that strawberry companies use a strong (food

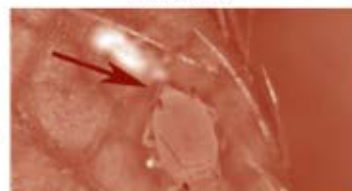
grade) solution²⁶ in the washing process. The solution is tested until acceptable water/chemical proportions are found, and then the solution is subsequently metered in to the wash using a computer. This ensures a consistently insect-free product, without the need to check every lot.²⁹ Star-K recommends that consumers only purchase retail packaged strawberries bearing the *hechsher* of a reliable certification that has adequately addressed this issue. Consumers can enjoy fresh strawberries by using the same washing method employed in an industrial setting. The Star-K recommends vigorously agitating the strawberries in at least two tablespoons of liquid detergent per gallon of water, let them soak for approximately one minute and then rinsing them off thoroughly before eating.³⁰ No further checking is required.



Adult thrip



Immature stages of thrips commonly found in strawberries



An aphid on a piece of lettuce

VI. CHECKING ON SHABBOS

There is a Biblical prohibition of *Borer*, selecting, on *Shabbos*. This involves removing any unwanted item from a mixture of other items. This would also include washing produce that is subject to infestation.³¹ If there is no requirement to check this item,³² one is permitted to wash it as long as the intent is solely for cleanliness.³³ One may however, check produce and use it if it is found to be insect-free.³⁴ If an insect is found, it may not be removed;³⁵ however, one may remove the insect together with a piece of the fruit.³⁶

There is much written about the tremendous rewards and holiness that we merit by avoiding forbidden foods.³⁷ May our heightened awareness of these issues bring much *Kedusha* into our lives, and may we always merit Divine assistance and protection. *K'svia v'chasha tova.*

25. The washing process is not effective enough to be able to create any sort of *chazalu* for cleaning romaine lettuce properly on a consistent basis; therefore, every lot is checked. For iceberg lettuce and cabbage, however, the industrial washing processes (at least in STAR-K certified facilities) has consistently been proven to effectively clean the lettuce completely. Iceberg lettuce and cabbage are closed heads (as opposed to romaine, which is open) and, therefore, they are less prone to infestation. Additionally, the leaves are much stiffer and smoother and insects tend to wash off much more easily than on romaine. Therefore, *hushgocho temidis* is not needed for iceberg lettuce or cabbage.

26. There are two reasons for this. First, Rav Aharon Kotler, zt"l, posited that since there is always reason to believe that this lot may be from the majority that is not infested, one may take three servings and check them. If they are clean, we may consider the rest of this lot not infested and it need not be checked. See *Sefer Hachinuch* (vol. 1, p. 107) and *Sefer Hachinuch* (vol. 2, p. 107). Second, even without using a *chazalu* if the sample would be divided into ten portions and one insect is found then the rest of the lot must be considered *Matzui*, so, too, if no insects are found then the rest of the lot may be considered *Eino Matzui*.

27. See *STAR-K Guide to Checking for Insect Infestation*.

28. An alternate process that one company uses is a system of brushes that scrub each berry, thereby effectively removing all insects.

29. If one is going to *paree* the strawberries, there are those who are lenient due to the fact that any insects will be crushed and *batal/mulified* in the rest of the *paree*. Each person should consult their own rabbinic authority for guidance on relying on this *Ichatzila*.

30. As an extra assurance, it is preferable to remove the top green area.

31. *ענין אורח ים שריט טענין ח, שפירות שבת כחכמת פרק ב' אות יח.*

32. For instance, if it is something known to be *Chazalu*.

33. *אברות משה אורח ים סי' קכח.*

34. *שפירות שבת כחכמת פרק ב' אות יח.*

35. *שפירות שבת כחכמת פרק ב' אות יח.*

36. *שפירות שבת כחכמת פרק ב' אות יח.*

37. *ענין אורח ים שריט טענין ח, שפירות שבת כחכמת פרק ב' אות יח.*



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RABBI MORDECHAI FRANKEL
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Q: Which *brocha* should be recited when eating the following foods? (i) Hearts of palm; (ii) Cranberries; (iii) Sushi; (iv) Ezekiel bread; and (v) Rice cakes.

A: **I) HEARTS OF PALM:** In order to clarify the correct *brocha* for hearts of palm, it is instructive to first consider the guidelines that Chazal gave regarding the *brocha* on the products of the caper bush. The *Talmud* cites a discussion concerning the correct *brocha* to recite prior to consuming the berries, shoots and edible leaves of the caper bush.¹ The *halacha* follows the opinion that one should recite *Ha'eitz* on the berries and *Ha'adama* on the shoots and leaves.² This is because caper bushes are primarily planted for the berries, whereas the production of shoots and leaves are a secondary consideration.³ At first glance, it would appear to follow that the *brocha* on hearts of palm would be *Ha'adama*, as palm trees are primarily planted for the dates, with the hearts being a secondary consideration.⁴ Some *Poskim* do, in fact, conclude that the *brocha* on hearts of palm is *Ha'adama*.⁵ However, the truth is that date palm trees are generally not used in commercial production of hearts of palm. The variety of palm tree which is most widely used for canning hearts of palm is the peach palm.⁶ Although the peach palm does produce an edible fruit, the peach palms which are used in commercial heart of palm production are specifically planted for the hearts and not for the fruit. For this reason, **Rabbi Heinemann, *shlit"u*, paskens that the hearts should be considered the primary fruit of the peach palm, and the *brocha* on hearts of palm is *Ha'eitz*.**

(II) CRANBERRIES: Generally, the correct *brocha* for fruit which grows on a bush is *Ha'eitz*.⁸ Some are of the opinion that this is true even for a low hanging bush, where the fruit grows less than three *tefachim* above the ground.⁹ However, the custom is not to recite *Ha'eitz* on such fruit. Rather, it is customary to recite *Ha'adama* on fruit which generally grows within three *tefachim* of the ground.¹⁰ Three *tefachim* is approximately 9½ inches according to *Rav Chaim Noeh*, and 11½ inches according to the *Chazon Ish*. *Rav Moshe Feinstein* states that if there is uncertainty as to the typical height of a certain type of bush, and a person does not know whether it grows higher or lower than three *tefachim*, one should recite *Ha'eitz*.¹¹ One contemporary *Posek* writes that cranberry plants may reach a height of twelve inches when fully grown and, therefore, require the *brocha* of *Ha'eitz*.¹² Others dispute this and state that cranberries typically grow within nine inches of the ground, such that the correct *brocha* is *Ha'adama*.¹³ It seems that this is generally true. The Cranberry Institute (yes, there is such a thing) describes cranberry growth as follows: "The plant produces stolons (horizontal stems) up to 6 feet (2 m) long. Short vertical branches, or uprights, 2 to 8 inches (5 to 20 cm) in height, grow from buds on the stolons."¹⁴ Since the cranberries grow within 9 inches of the ground, **the *brocha* on cranberries is *Ha'adama*.**

(III) SUSHI: Sushi is a Japanese delicacy which has become popular worldwide, consisting of cooked vinegared rice combined with other ingredients. Maki is a type of sushi in which the rice is formed into a cylindrical roll and wrapped in nori, an edible seaweed; the other ingredients are used as a filling. Popular fillings include raw fish, such as salmon or tuna. The increasing popularity of maki sushi has resulted

in varieties of fillings found primarily in America and Europe, but rarely in Japan. Depending upon the filling, the roll will have a specific name by which it is commonly referred. Some examples are Tekka roll – tuna filling; Tekkyu roll – tuna and sliced cucumber; Kappa roll – cucumber; Avocado roll – avocado; Alaska roll – salmon, avocado and cucumber filling.¹⁵ Regarding the appropriate *brocha*, the general rule for a dish with numerous ingredients is to make a *brocha* on the primary ingredient (the *ikkar*), and not to make a *brocha* on the secondary ingredients (the *taffel*).¹⁶ The varieties of maki have different names depending upon the filling, which is generally not considered by the consumer to be secondary to the rice. Irrespective of the filling, the food is known as sushi due to the rice; it appears that the rice is not secondary to the filling, either. Furthermore, the filling and the rice are not cooked together, and remain distinct. Therefore, both the filling and rice are primary ingredients, and both necessitate a *brocha*.¹⁷ For this reason, ***Rav Heinemann paskens that one should recite *Mezonos* on the rice, as well as the appropriate *brocha* on the filling. The nori is secondary to the rice and other ingredients, and does not require a *brocha*.***¹⁸

(IV) EZEKIEL BREAD: In *Yechezkel, Perik 4 Possuk 9*, the *navi* is instructed to make bread from wheat, barley, spelt, millet, lentils and beans. Due to its alleged health benefits, bread made from these ingredients has recently become popular. Since the bread contains some of the five types of grain, the *brocha* for this bread is *Hamotzi*. There is also a company called "Food For Life" which has trademarked the term "Ezekiel 4:9" bread.¹⁹ This bread contains the above ingredients, has a reliable *hechsher*, and is made from sprouted grain. This is just one of a number of varieties of sprouted grain breads available. These breads are produced by taking whole wheat berries and soaking them in water until they sprout and begin to grow. The sprouts are then ground into dough.²⁰ Some have suggested that as the kernel starts to decompose in the sprouting process, it loses its status of wheat; therefore, bread made from the resulting dough is not *Hamotzi*.²¹ Others dispute this and maintain that the *brocha* remains *Hamotzi*.²² *Rav Heinemann* feels that a portion of the regular wheat kernel typically remains in sprouted wheat, and sprouted wheat does not lose the status of wheat. Therefore, **the *brocha* on sprouted grain bread is *Hamotzi*.**²³

(V) RICE CAKES: The correct *brocha* recited when eating whole rice grains, which are not stuck together, is *Ha'adama*.²⁴ However, if the rice has been cooked so that it sticks together, one would recite '*Borei Minei Mezonos*'.²⁵ Even if the rice does not stick together, the custom is to recite '*Borei Minei Mezonos*' if the outer layer of the rice grains was removed before cooking.²⁶ This is generally the case with rice that is sold in stores. There are various methods of manufacturing rice cakes. They can be made from rice flour, ground rice, or whole grains of rice compressed together or combined with some other binding substance.²⁷ Some *Poskim* suggest that rice cakes made from whole grains of rice should be considered equivalent to raw rice grains, and the correct *brocha*, therefore, would be *Ha'adama*.²⁸ Others feel that, as the rice grains are compressed together so that they stick, the correct *brocha* would be '*Borei Minei Mezonos*'.²⁹ *Rav Heinemann, shlit"u*, concurs that as the rice sticks together, rice cakes are *halachically* equivalent to cooked rice. Therefore, **the correct *brocha* on rice cakes is '*Borei Minei Mezonos*'.**³⁰

17. כעין שזכר בשו"ת אגרות שם אורח חיים סי' 30 לגבי כריסוס דקיס טל וילוח.
18. שם שו"ת סי' 30 חיינומקן שליט"א.
19. <http://foodforlife.com/our-products/organic-grain-cakes.html>.
20. See http://www.davesdinnerhistory.com/faq_sub.html.
21. <http://www.org.org/wrds/07166vayigshilpizim.htm>.
22. <http://www.kol.k.org/Psaki.php>.
23. שו"ת סי' 30 חיינומקן שליט"א.
24. שו"ת סי' 30 חיינומקן שליט"א.
25. שו"ת סי' 30 חיינומקן שליט"א.
26. שו"ת סי' 30 חיינומקן שליט"א.
27. http://www.wikipedia.org/wiki/rice_cake.
28. הרי"ד אורח חיים סי' 30 חיינומקן שליט"א.
29. הרי"ד אורח חיים סי' 30 חיינומקן שליט"א.
30. שו"ת סי' 30 חיינומקן שליט"א.

1. גרמא דף לו ע"א.
2. שו"ת אורח חיים סי' 30 חיינומקן שליט"א.
3. מ"ב ע"ב סי' 30.
4. א"ת שו"ת גרמא סי' 30 חיינומקן שליט"א.
5. שו"ת דעת הברכה סי' 30 חיינומקן שליט"א.
6. <http://www.wikipedia.org/wiki/hamotzi>.
7. שו"ת סי' 30 חיינומקן שליט"א.
8. רמ"א סי' 30 חיינומקן שליט"א.
9. גרמא ע"ב סי' 30.
10. מ"ב ע"ב סי' 30.
11. שו"ת אגרות שם אורח חיים סי' 30.
12. שו"ת חתם סופר על הל' גרמא סי' 30 חיינומקן שליט"א.
13. שו"ת חתם סופר על הל' גרמא סי' 30 חיינומקן שליט"א.
14. http://www.cranberryinstitute.org/about_cranberry.htm.
15. http://www.davesdinnerhistory.com/faq_sub.html.
16. שו"ת אורח חיים סי' 30 חיינומקן שליט"א.

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STAR-K's first Mashgicha Enrichment Program, held in November 2009, attracted veteran mashgichos from around the U.S. and as far away as Israel. It was so successful that STAR-K is planning its second all-women conference to be held November 14-15, 2011. The two-day program will be held at its Baltimore headquarters and is open to a limited number of women who are currently employed as mashgichos worldwide. The curriculum will include kashrus procedures, insect checking, and visits to local food service establishments.

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