

KASHRUS KURRENTS

SPRING 5781 - 2021 | VOLUME 44 NO. 2

On the Tip of Your Tongue

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"If there is any doubt, ask!" is a mantra that behooves any pulpit rabbi to convey to his *kehila* regarding kitchen mix-up issues. This is especially true concerning those *shailos* that involve the erroneous use of uncertified products whose only *kashrus* concern is that it contains mysterious "natural and artificial flavors". However, all too often the food is thrown into the garbage before a *shaila* is asked. Surprising to most, when consumers in this predicament call into the STAR-K hotline, more often than not we can be the bearer of good news.

Before I delve into why, let me share a watershed story that will carry us to the essence of the matter

Where Is The Beef?

In April, 2001, a high profile article entitled, "Where's the Beef? It Is In Your Fries!" appeared in *India West*, a popular newspaper and internet site for the North American Indian community.¹ The article described the discovery by a vegetarian named Hitesh Shah, who contacted McDonald's headquarters to inquire about the oil used to cook their world-famous French fries. Mr. Shah was told that although the company switched from using animal tallow to vegetable oil in 1990 due to cholesterol concerns, natural flavoring made from beef extract was added to McDonald's French fries when they were par-fried in their corporate production facility – before being sent to their individual stores. However, McDonald's publicly declared that their French

1. www.mespotlight.org/media/press/meds/indiawest090401.html

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הנה לא ינום ולא ישן שומר חלב ישראל

The *Chaliva* Mashgiach Neither Slumbers nor Sleeps!

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10:00 AM, 6:00 PM, 2:00 AM, 10:00 AM, 6:00 PM, 2:00 AM – a virtual 'dairy-go-round' on an actual carousel for 1700 satisfied participants, seven days a week, 365 days a year. This scenario bears no resemblance to my Mother's, ע"ה, family cow that she milked in the shtetl about 90 years ago. What do both scenarios have in common? Both produce *Cholov Yisroel* milk but, oh, how times have changed! There is so much more that must meet the keen eye of a contemporary *Cholov Yisroel* mashgiach.

When I grew up in Washington, D.C., *Cholov Yisroel* was a totally unknown term, an unknown entity, and certainly an unknown milk bottle in the refrigerator. But times have changed. Today, *Cholov Yisroel* is a burgeoning industry, ranging from ice cream novelties to energy bars. However, some things never change. Whether you are milking the family cow in Sarnick or overseeing a major milking of a herd of 25,000 cows on a mega farm on the west coast, Halacha is uncompromising.

Implementing the Halacha is far more challenging and far more daunting for a mashgiach who oversees a major dairy farm operation. It requires understanding milking procedures, computer systems, inventory control, dedication, a lot of stamina and, above all, *yiras Shamayim*. In order to understand the responsibilities of a contemporary *chaliva* mashgiach, let's take a *Cholov Yisroel* refresher course.

Introduction

There is a general *halachic* principle governing milk coming from a kosher mammal, כל היוצא מן הטהור טהור כל היוצא מן הטמא טמא. Milk coming from a

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Wishing Our Readers a
Chag Kosher Vesame'ach!

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LEADERSHIP IN KASHRUS EDUCATION

הנה לא ינום ולא ישן שומר חלב ישראל



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“pure” kosher species is kosher; milk coming from a “non-pure” non-kosher species is not. Hence, milk coming from cows, goats and sheep are kosher while milk coming from camels, horses and pigs is not. The principle is clear: A mashgiach certainly knows how to discern between a cow and a horse. However, what requirements did our *chachomim* implement to ensure that the carton of milk in your refrigerator is 100% kosher and unadulterated cow’s milk?

Since it was a known practice amongst farmers years ago to mix non-kosher milk with kosher milk, *Chazal* forbade the use of unsupervised milk. Even in a situation where adulteration was slim to far-fetched, the *gezeira* of our *chachomim* had to be upheld.

How does Halacha define supervised milk? What safeguards or, in contemporary terms, what kosher quality controls were instituted? The *Cholov Yisroel* criteria is two-fold: 1) the cleanliness of the *keilim* and 2) the presence of the mashgiach at the onset of the milking (החליבה והתחלת). In the olden days, prior to the milking, a mashgiach had to make sure the *keili* (milk pail) was perfectly clean and he had to witness the beginning of the milking. In the event that many cows were being milked at the same time, the mashgiach had to make intermittent inspections throughout the milking session. At the completion of the milking, to ensure the integrity of the milk, the collection pail was sealed. Even if there weren’t any non-kosher animals on the farm, this standard could not be compromised. The milk that has been supervised following these protocols is called “*Cholov Yisroel*”.

On a modern dairy farm, the milk pail has been replaced with pumps, lines, hoses and chillers leading into large holding tanks. Furthermore, the logistics of maintaining *Cholov Yisroel* on large dairy operations with thousands of cattle requires meticulous oversight and record keeping.

In many cases, the bottling facility and the milking parlor are designated to the same location. The milk is then transported from the milking parlor to a bottling facility. It is the mashgiach’s duty to ensure that the tanker is clean and has been properly sealed with the mashgiach’s personal *chasima* (seal) during transport to the bottling facility, where another mashgiach receives the *Cholov Yisroel* milk tanker for further processing.

When a dairy tanker arrives at the bottling facility, the mashgiach must be present for the offloading. Milk is offloaded to a holding tank dedicated to *Cholov Yisroel*. Obviously, the kosher cleanliness has to be approved by the mashgiach, and the port of the holding tank must be sealed with the mashgiach’s kosher seals.

In rare instances, the fluid milk production and the bottling facility are in the same location. Those dairies are known as

Producer Packagers. There are only a few producer packagers in the U.S.; Pride of the Farm *Cholov Yisroel* is fortunate to be produced in such a facility. Furthermore, Pride of the Farm’s Producer Packager exclusively produces and bottles *Cholov Yisroel*. Most bottling facilities are not exclusive to *Cholov Yisroel*. In a common bottling facility, a mashgiach will have to be trained to follow lines, track tanks, *kasher* equipment and institute a system whereby the *Cholov Yisroel* products will be properly segregated.

“Bottle” B’Rov

Prior to bottling, the raw milk has to travel through a complex network of pasteurization, separation and homogenization. The raw milk is separated into skim milk and fresh cream, which are stored in dedicated holding tanks. Fluid milk is bottled in a sequence: Skim milk, 1%, 2% and Whole. The appropriate percentage of cream is added back into the milk to create the various varieties of fluid milk. The remaining cream is used to make heavy cream, or ice cream or whipping cream and can also be churned into butter. In addition, a dairy can produce chocolate and flavored milks, buttermilk, liquid yogurt shakes, yogurt, and sour cream as well as juices and drinks.

Therefore, a contemporary *Cholov Yisroel* mashgiach has to be a heads-up supervisor as well as a skilled quality control manager. In a labyrinth of pipes and holding tanks, a mashgiach must have a clear picture of the kosher lay of the land. The mashgiach must also be skilled in ingredient recognition of stabilizers, emulsifiers, flavors and cultures. Not only do these ingredients have to be kosher, they also have to be *Cholov Yisroel* or *Cholov Yisroel*-compatible. There is much more to bottled milk than meets the eye.

Programmed for Success

A typical bottling facility is not a 9 to 5 operation; bottling conceivably takes place at all hours of the day. What safeguards have been implemented assuring that a mashgiach is present at the beginning of the *Cholov Yisroel* bottling? Years ago, my dear *chaver*, Rabbi Mordechai Ungar, hit on a great idea. Milk used to be sold in paper containers. The ‘Sell By’ date was manually stamped on the gable at the top of the carton. Rabbi Ungar’s suggestion for kosher quality control was the addition of Hebrew characters into the ‘Sell By’ block of letters and numbers. The Hebrew characters represented the Hebrew date that corresponded to the ‘Sell By’ date. These characters were in the possession of the mashgiach, who placed *simanim* next to the “Sell By” date. This ingenious *siman* assured that the bottling was supervised by the mashgiach and has stood the test of time.

Today, stamping gables have been replaced by inkjetted plastic bottles. The stamper has been replaced by a sophisticated computer

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fries were fried in pure vegetable oil. In their stores and on their website “natural flavor” was the only “hint” at the rest of the story. This revelation was a bombshell to the vegetarian community and, soon after, a class action suit was filed on behalf of vegetarians and members of various religions whose principles were compromised. About a year later, McDonald’s agreed to a \$10 million dollar settlement.

After my conversation with Dr. William L. Baugher, Ph.D, founder of STAR-K certified Blue Mountain Flavors, it was clear that such a conflict could have been avoided. As a highly trained flavor chemist, Dr. Baugher made it very clear to me that an expert food scientist can formulate any flavor to be kosher and *pareve*. Once one fully understands the science of flavors, little stands in the way of imitating any desired flavor. Dr. Baugher explained that in the case of McDonald’s, all that was required was the utilization of a compatible *pareve* beef flavor from a flavor reaction that uses palm oil. This could produce a flavor that would have a taste 50X stronger than real beef. A small amount of that reaction flavor could be used in lieu of the tallow, which would provide the “real” beef flavor without the needless cholesterol (and a needless \$10 million settlement). The same process could be followed by using sunflower oil to produce a chicken flavor, or sesame oil to produce a pork flavor!

In addition to reaction flavors, kosher-sensitive flavor components such as glycerin, fatty acids and alcohol or butter flavor can be derived from kosher *pareve*, non-kosher or dairy components. Thus, there is the real possibility that any given questionable flavor could contain kosher and non-kosher ingredients.²

Since a flavor is made up of multiple source materials, I will try to explain how a non-kosher ingredient found in a flavor may not necessarily cause the end-product to be considered *treif*.

Ingredients With A Strong Taste

One of the most common questions that arises in the *kashrus* of flavors revolves around the concept of מידוי דעבידי לטעמא - a flavor component imparting a strong taste.

The רמ”א states:³

כל האיסורים הנוהגין בזמן הזה כולם מתבטלים בששים מלבד חמץ בפסח ויין נסך (טור)... ובלבד שהאיסור אינו נותן טעם בקדירה אבל אם נותן טעם באותה קדירה והוא אסור מצד עצמו אפילו באלף לא בטיל כל זמן שמרגישין טעמו ולכן מלח ותבלין מדברים דעבידי לטעמא אם אסורים מחמת עצמן אינן בטילים בששים (בארור כלל כ”ה עין ס”ק כ”ז וע”ל סוף סימן ק”ה):

“Everything that is prohibited in our day is nullified in a combination of 1-to-60 ratio of non-kosher to kosher, except for *chometz* on Pesach and wine that was libated for an idol ... just as long as the 1-to-60 ratio doesn’t impart taste to the dish. However, if it imparts a discernible taste and it is forbidden in and of itself,

nullification even in one thousand does not apply. Therefore, since salt and spices are substances that impart strong taste, if they are forbidden in and of themselves they are not nullified in sixty.”

“Everything that is prohibited in our day is nullified in a combination of 1-to-60 ratio of non-kosher to kosher, except for *chometz* on Pesach and wine that was libated for an idol ... just as long as the 1-to-60 ratio doesn’t impart taste to the dish.”

Clearly, the רמ”א is telling us that although ingredients like flour, sugar and eggs contribute a taste to the foods into which they are added, nevertheless they do not possess strong flavors. *Chazal* presume that their taste is בטל (nullified), at the most, in the standard ששים; however, salt and spices are different. They are highly concentrated in their flavor and can contribute their taste well beyond ששים. Thus, they are not בטל unless we know that their taste can no longer be sensed.⁴

Two Categories for Flavor Ingredients

Before we apply the רמ”א’s explanation of לטעמא דעבידי, categorizing flavor components will be helpful.

The first category is comprised of the primary components of a flavor that are introduced to contribute taste and smell. (Ingredients that are specifically added for their smell component are called aroma chemicals e.g., methyl anthranilate – grape, furanone – strawberry, methyl butonate – pineapple, etc.). Although these components are the primary forces in the making of a specific flavor, usually they are very concentrated and consequently used in very small percentages in the final product.

The second category includes thickeners (e.g., starch), preservatives (e.g., citric acid), dispersing agents (e.g., glycerin), carriers (e.g., ethyl alcohol), diluents (e.g., propylene glycol), mouthfeel ingredients (e.g., maltodextrin) and second-tier flavor contributors (e.g., cane sugar). These are some of the essential components in a quality flavor that might also contribute a taste, but do not fall into the category of “salt and spices” mentioned by the רמ”א

General Application of the Principle: מידוי דעבידי לטעמא

How do we apply the Halacha that was previously quoted from the רמ”א?

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2. מס' חולין קט: "אמרה לה ילתא לרב נחמן".

3. שו"ע יו"ד סימן צ"ח סעיף ח.

4. תוס' מס' ע"ז סו. ד"ה תבלין.

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program. The Hebrew characters have been replaced by a Hebrew program that was specially written for this labeling system. The mashgiach is the only person who has access to the program. Unquestionably, computer skills are a 'must' for the contemporary *chaliva* mashgiach.

Maintaining The Kosher Integrity of the Herd

Approximately 25 years ago, a serious revelation that affected the entire dairy industry was brought to the fore concerning a condition that occasionally occurs in certain dairy cows on a dairy farm. At times, due to poor diet, a cow's stomach can produce gas and twist and dislodge which creates a blockage of the intestinal tract. If left alone and not rectified, the cow will die. This displacement condition is known as a 'Displaced Abomasum' or, simply put, a D.A. What are the *halachic* implications of corrective surgery? In order to understand the problems associated with corrective surgery, let's take a short lesson in kosher anatomy.

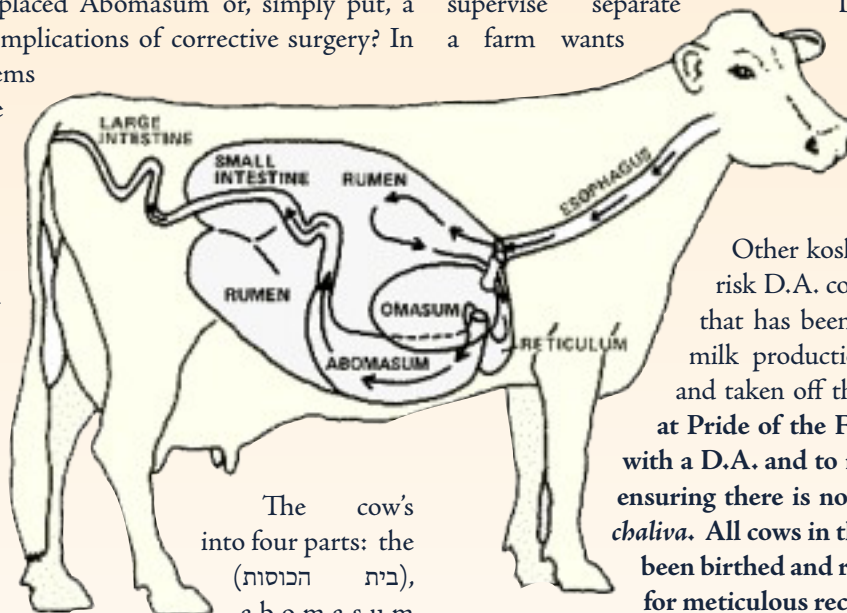
Parshas Shemini clearly defines the kosher criteria for a cow. The cow must have a split cloven hoof (שסע שסע) and chew its cud (מעלת גרא). A species that chews its cud is known as a ruminant. We have been taught that a cow has four stomachs. The cow's stomach is actually divided into four parts: the rumen (כרס), the reticulum (בית הכוסות), the omasum (המסס), and the abomasum (קיבה). The food enters the כרס (rumen) from the esophagus (ושט) and exits the קיבה (abomasum) into the small intestine (דקיון). In the event that a cow develops a digestive blockage, the bloat can twist the קיבה (abomasum) and displace it. The cow will then require medical treatment to correct the displacement.

A veterinarian employs different methods to correct the displaced abomasum (D.A.), some invasive and some non-invasive. All too often, the veterinarian will have to puncture the קיבה (abomasum) to release the gas build-up and to relieve the cow. This puncture results in what the *Shulchan Aruch* calls a נקב (puncture, hole) in the קיבה (abomasum). Even if the veterinarian untwists the abomasum manually, the abomasum (קיבה) is often sutured into place to anchor it

so it will not become displaced again. Suturing the קיבה (abomasum) can potentially puncture the abomasum. The *Shulchan Aruch* lists the puncturing of the קיבה as a disqualification for a *treifa*.

Although the cow has been saved and recovers quite quickly, becoming a great milker, the נקיבת היקבה (a puncture in the קיבה or *safek* in the נקיבת היקבה), albeit healed, is viewed by *Cholov Yisroel* certifiers as a *s'fek treifa* and the cow is disqualified for milk production.

If the D.A. cow remains in the herd, tracking it is a daunting task for the mashgiach. Systems have to be set up along with special tagging and separate milking to isolate these cows so that they do not come with the rest of the herd. *Cholov Yisroel* productions supervise separate a farm wants



D.A. milking. Moreover, when to qualify for *Cholov Yisroel* production the mashgiach has to delve into the history of each cow to assure that no post-operative D.A. cow has been integrated into the herd.

Other kosher certifications do not want to risk D.A. comingling. To that end, any cow that has been diagnosed with a D.A. (when milk production drops) is immediately sold and taken off the farm. It is STAR-K's policy at Pride of the Farm to sell any cow diagnosed with a D.A. and to remove the cow from the herd, ensuring there is no inadvertent comingling at the *chaliva*. All cows in the Pride of the Farm herd have been birthed and raised on the premises, allowing for meticulous record keeping and assurance that no D.A. cow has been integrated into the herd.

Tracking the Mashgiach

We live in an age of transparency, accountability and instant messaging. It has been a longstanding *minhag* for the mashgiach to call the *rabbonim* prior to התחלת החליבה – the start of the milking. However, yesterday's calls from the 'breakroom' telephone have given way to cell phone pictures, texting, and timeclock apps with GPS positioning so there is real-time accountability and verification that the mashgiach is present at all times.

Indeed, times have changed from milking the family cow in Sarnick. Undoubtedly, today's *chaliva* mashgiach is the ultimate pride of the farm. ☆





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INSIGHTS FROM THE INSTITUTE

Stable Manners: The Basics of *Tzaar Baalei Chayim*

The prohibition to gratuitously cause pain to an animal is known as *tzaar baalei chayim*. The *Gemara* presents a debate as to whether this is a Torah or a Rabbinic obligation.¹ Most *Rishonim pasken* that it is forbidden *mideoraissa*,² although some *Rishonim pasken* that it only prohibited *midrabonon*.³ The *Nimukei Yosef* suggests that the Torah forbids one to cause an animal significant pain, and the *rabonnon* extended this and forbade causing less substantial pain as well.⁴

There is some uncertainty as to the view of the *Rambam*. The *Kesef Mishna* states that the *Rambam* considers *tzaar baalei chayim* to be a Torah command,⁵ whereas the *Ohr Sameach* opines that the *Rambam* regards it to be a Rabbinic prohibition.⁶ The *Netziv* offers a unique resolution of the *Rambam's* position. He suggests that the *Rambam paskens* that it is *asur mideoraissa* to cause pain to one's own animals and *asur midrabonon* to cause pain to other animals, as well.⁷

The consensus of the *Achronim* is that *tzaar baalei chayim* is a Torah prohibition.⁸ It is for this reason that the Torah instructs a person to assist in unloading an overladen animal; the Torah is commanding us to relieve the animal's suffering.⁹ The *Rambam* in the *Moreh Nevuchim* offers an alternative source for this rule. He suggests that it can be deduced from the fact that the angel berated *Bilaam* for hitting his donkey.¹⁰ As we have mentioned, the *Ohr Sameach* contends that the *Rambam* regards *tzaar baalei chayim* to be a Rabbinic prohibition, but he adds that the *Rambam* acknowledges that it is a Torah violation to strike an animal in the manner of *Bilaam*.

The *Chasam Sofer* offers an alternative source for the concept of *tzaar baalei chayim*.¹¹ He notes that *Hashem* is described as being merciful to all his creations,¹² and a person is instructed to imitate *Hashem's middos*. As such, he is also obligated to be merciful to *Hashem's* creations and not cause them undue suffering.¹³ This is corroborated by the *Gemara* which tells us that *Reb Yehudah HaNassi* once instructed his maid not to disturb young weasels, and he quoted to her the *possuk* stating that *Hashem's* mercy extends to all animals.¹⁴

There is another *mitzvah* in the Torah to send away a mother bird before taking an egg or hatchling from the nest.¹⁵ This would seem to be an example of the Torah's concern for the bird's suffering. However, *Chazal* instruct us that it is incorrect to feel this way.¹⁶ Evidently, were it not for this unique prohibition, it would be acceptable to remove the egg without concern for the mother bird.¹⁷ This is due to the fact that the person has a need for the egg; he would like to eat it. *Tzaar baalei chayim* forbids causing an animal pain for no reason, but allows doing so when it is for a person's benefit. Thus, one is allowed to slaughter an animal and eat it, even though this pains the animal.¹⁸ Similarly, one is allowed to work an animal, even though this causes the animal discomfort.¹⁹

We do find limitations to this *heter*. For example, the *Rema* states that it is permissible to pluck quills from live geese, but he notes that is customary not to do so as it is considered overly cruel.²⁰

Famously, the *Nodah BiYehuda* was asked whether foxhunting is permissible, and he responded that it is technically permissible but strongly inadvisable. He contends that hunting is the cruel sport of the descendants of Nimrod and Esav, and not the conduct of descendants of Avrohom, Yitzchok and Yaakov.²¹

There is discussion in the *Poskim* regarding *tzaar baalei chayim* of small creatures. *Rav Yaakov Emden* believes that the prohibition does not apply to insects.²² However, *Rav Moshe Feinstein* disagrees and states that it is forbidden to hurt or kill insects unnecessarily. *Rav Moshe* concurs that it is perfectly acceptable to kill them if they are bothersome in any way, but he states that it is preferable to kill them indirectly with insect repellent rather than swat them directly, if possible.²³ All agree that one is allowed to kill any animal that is dangerous or destructive.²⁴ However, even a dangerous animal should be left alone if it is in the wild and not affecting or scaring anyone in any way.²⁵ ☆



1. בבא מציעא דף לב ע"א וע"ב 2. הגאונים והרי"ף הובאו בנמוקי יוסף ב"מ דף יז ע"ב בדפי הרי"ף, רמב"ן שבת דף קנד ע"ב ופי' הרמב"ן על בראשית א, כט, רא"ש ב"מ פ"ב ס' כט 3. ספר יראים ס' קמב 4. נמוקי יוסף שם 5. כסף משנה פי"ג מהל' רוצח ושמירת נפש הל' ט ובית יוסף חו"מ ס' רעב 6. אור שמח פכ"ה מהל' שבת הל' כו 7. נצי"ב הרחב דבר דברים כב, ד 8. חיי אדם הל' שבת כלל נט סעי' י, שו"ע הגר"ז חו"מ הל' עוברי דרכים וצער בעלי חיים סעי' ז, מ"ב ס' שה ס"ק סט 9. בבא מציעא דף לב 10. מורה נבוכים ח"ג פי"ז 11. הגהות חת"ס ב"מ דף לב ע"ב (נדפס לאחר המהרש"א מהדורא בתרא), וכע"ז בחי' חת"ס שבת דף קנד ע"ב 12. תהלים קמה, ט "ורחמיו על כל מעשיו" 13. כן נראה לפרש דברי החת"ס שהוא מצד הדין של "מה הוא רחום אף אתה רחום" 14. ב"מ דף פה ע"א, אמנם ע"י בשו"ת אג"מ חו"מ ח"ב ס' מז שכתב שזה היה מדת חסידות 15. דברים כב, ו 16. ברכות פ"ה מ"ג 17. ע"י תוס' יו"ט שם בשם הר"ן ורמב"ן, אמנם ע"י תוס' מגילה דף כה ע"א (ד"ה מפני) מה שהביא מהקליר 18. ע"י ברמב"ן בראשית א, כט ובספר החינוך מצוה תנא ושו"ת חת"ס אר"ח ס' נד שאחד מהטעמים של מצות שחיטה הוא למעט בצער בעלי חיים, אמנם ע"י בשו"ת נודע ביהודה קמא יו"ד יס' פג ותנינא יו"ד ס' י וסי' יג דס"ל דליכא איסור צער בעלי חיים להמית בהמה 19. וע"י בחת"ס ב"מ דף לב ע"ב שעל זה כתיב (בראשית א, כח) ורדו בדגת הים ובעוף השמים ובכל חיה וגו' 20. רמ"א אהע"ז ס' ה סעי' יד, ומקורו בשו"ת תרומת הדשן פסקים ס' קה 21. שו"ת נודע ביהודה תנינא יו"ד ס' י 22. שו"ת יעב"ץ ח"א ס' קי 23. שו"ת אגרות משה חו"מ ח"ב ס' מז, וע"י בשו"ת יעב"ץ שם ובשו"ת תורה לשמה סי' שצז בשם האריז"ל ל"ש למנוע מהריגת כנים וכדומה 24. ע"י בשו"ע מו"מ ס' רסו סעי' ד שחתול רע שמויק לקטנים כל המוצאו הורגו, וע"י בט"ז יו"ד ס' קטו ס"ק ו שמותר להמית כלב מויק ומפסיד המאכל. וע"י במו"ק פ"א מ"ד "צדין את האישות ואת העכברים משדה האילן (מפני שמפסידין - רש"י) ומשדה הלבן" וכו'. 25. ע"י זוהר ח"ב דף סח ע"ב וקב הישר פרק פג ולדיני סירוס בהמה, ע"י באתר <https://www.star-k.org/articles/articles/6709/insights-from-the-institute-pet/>

On the Tip of Your Tongue

CONTINUED FROM PAGE 5

All of the ingredients in the second group are not considered to be עבדי לטעמא. They are either tasteless or contribute a significant, but limited taste relative to the מלח ותבלין – salt and spices – mentioned by the רמ"א. If a prohibited substance from this group would be present in a flavor, it would be בטל in the standard ששים.

If one of the first group's components turned out to be אסור (forbidden), in most cases it would not be nullified, even in one thousand, if it could still be tasted. This is because it is similar to מלח ותבלין in its purpose and power to influence the flavor. Now we can relate the principle of לטעמא דעבדי to a practical application.

Case Study

A flavor containing *treif* glycerin derived from animal tallow was a component of a flavor used in prune hamantashen filling.

Prune Filling Formula – (by volume): 60% prunes, 15% water, 15% corn syrup, 8.5% sugar, 1% pectin, 0.5% lemon flavor.

Lemon Flavor Formula (by volume): 10% glycerin & 90% including water, propylene glycol, citric acid lemon oil, limonene, sodium benzoate, and FD&C colors.

The hamantashen and baking sheets would retain their kosher status for the following reason: Since the glycerin comprises 10% of the lemon flavor it is not בטל in the flavor. The lemon flavor is absolutely forbidden. Nonetheless, we do not say that the lemon flavor isn't nullified in the prune filling for the following reason: If we look back at the רמ"א that was quoted earlier, we will notice that he said,

ולכן מלח ותבלין מדברים דעבדי לטעמא אם אסורים מחמת עצמן אינן בטילים בששים

"Therefore, salt and spices which are meant to flavor, if they are forbidden in and of themselves, they are not nullified in sixty."

What does the רמ"א mean when he stated, "If they are forbidden in and of themselves they are not nullified in sixty"?

The רמ"א means to exclude a case like ours where the איסור is not לטעמא. In our case, only the lemon oil and limonene are לטעמא עבדי. The glycerin, while sweet, contains only 60% of the sweetness

of sugar. It is used as an emulsifier in the flavor to help evenly distribute the flavor components. We can then invoke the principle brought by the רמ"א.⁵

אין הנאסר אוסר יותר מן האוסרו

"That which becomes forbidden cannot forbid more than which made it prohibited."

In our case the lemon flavor becomes forbidden because it contains 10% glycerin. However, the lemon flavor cannot forbid "more than which made it prohibited", which is the glycerin.

In our application, that would mean that since the glycerin is not עבדי לטעמא and the glycerin itself would be בטל in the prune filling recipe, the lemon flavor that the glycerin prohibits can't be any more stringent than the source of its prohibition. We do not say that the lemon flavor is not nullified, even in one thousand.

In other words, we can conclude that while the glycerin renders the lemon flavor forbidden since it comprises 10% of the flavor, the prune filling remains permitted since we only need the filling to be sixty times the prohibited lemon flavor. Since the lemon flavor is only 0.5% of the prune filling (1/200th), it is בטל and the hamantashen and the baking sheets remain kosher.

Prudence Pays Off

While there are some exceptions, similar *halachic* considerations would allow us to conclude that flavors whose kosher status is unknown often can be presumed not to affect the status of the end product.

Despite this likelihood, it is always prudent to check every product we purchase - even products that we have purchased for years - to ensure that it currently bears a proper kosher certification. By doing so, we will avoid many headaches and need not call the STAR-K hotline to say, "I am so embarrassed. I bought such-and-such a product without checking for a *hechsher* and used it in a recipe. Is there any chance ...?"

Editor's note: STAR-K does not rely on *bitul* when certifying food products. ☆



5. שו"ע יו"ד סימן ק"ה סעיף יד.

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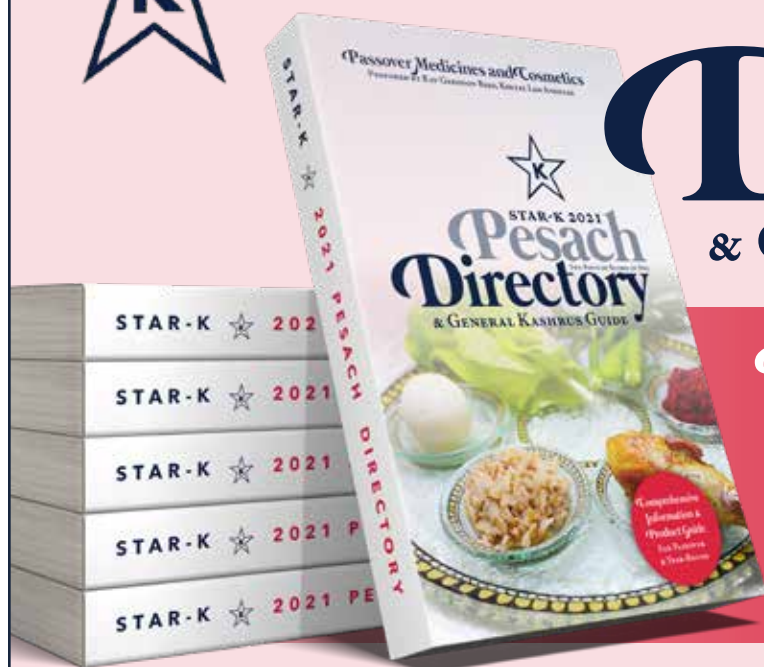
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A non-profit agency representing the Kosher consumer in promoting Kashrus through Education, Research and Supervision.

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This publication is
dedicated to the
memory of
M. Leo Storch,
of blessed memory,
through a grant from
Mrs. M. Leo Storch,
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Subscriptions

\$10(USD) annually for 4 issues -US & Canada
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