

Kashrus Kurrents

VOLUME 30 NO. 2

Summer 5770-2010

Opening Up A Can of Worms:

THE Anisakis Controversy

RABBI TZVI ROSEN
EDITOR, KASHRUS KURRENTS

Toloyim - the name strikes fear in the hearts of the G-d fearing *balabusta*. It seems that *toloyim* abound in the supermarket produce section in romaine lettuce, broccoli florets, fresh dill and cilantro, strawberries, raspberries; the list is seemingly endless. From nuts to flour and from pasta to raisins, *kinim* in *Mitzrayim* seems to pale in comparison to what the kosher consumers are confronting today. The presence of insects in leafy greens, fruits, grains, and flour is nothing new. In fact, there is a complete section in *Shulchan Aruch* dedicated exclusively to the *halachos* of parasites found in produce and other food items a/k/a *Hilchos Toloyim*.¹

It is remarkable that *Shlomo Hamelech's* wise statement, אין כל חדש תחת השמש,² "there is nothing new under the sun," comes to life when one reads about the *Shulchan Aruch's* treatment of insect infestation. Copepods, flour beetles, thrips, aphids, flies and worms are all discussed and analyzed, as well as the parameters of the prevalence of infestation and techniques for insect checking.

What is an amazing true *halachic* fact is that not all *toloyim* are created equal. There are criteria that have to be met in order for a parasite to be deemed forbidden. In circumstances where a parasite grows in the flesh of its host and does not see the light of day, the fish with the worm in its flesh would be *muttar* (permitted). If the parasite was found in the host's intestine, that parasite would be *assur* (forbidden).

Recently, an age-old question resurfaced regarding a very active marine fish parasite that can find its way into many hosts during its active life cycle, including human beings! The parasite in question is a round worm called *Anisakis*. The *anisakis* is a parasitic nematode, meaning a round worm that lives in or off a host fish. The origins of the *anisakis* are fascinating and tumultuous.

Throughout the life cycle of an *anisakis*, it can literally "worm" its way into many different types of sea creatures and fish (see chart #4, #5, #6). The *anisakis* can also infect a human through the eating of raw fish (see chart #7) that contains an *anisakis* buried in its flesh (one of the pitfalls of eating sushi, and a real concern of the FDA). Among the kosher fish that can host the *anisakis* are wild salmon, halibut, sea bass and scrod.

According to the literal explanation of the *Shulchan Aruch*, if a parasite that is microscopic in size³ finds its way into the host's flesh and begins to grow, the

CONTINUED ON PAGE 2

¹ Yoreh Deah 84
² Koheles 1:9
³ אינו נראה לעינים

KOSHER CERTIFICATION:

Food Safety & Quality's Eyes & Ears

AVROM POLLAK
PRESIDENT, KASHRUS KURRENTS

Earlier this year, a couple of items in the secular media caught my attention. I was particularly interested in them because they brought to mind how those who are not kosher observant view Kosher.

The first item was a *New York Times* article which started out by mentioning the fact that this year, for the first time, glatt kosher food (actually STAR-K certified!) will be sold at the Super Bowl. "In an era of heightened concern over food contamination, allergies and the provenance of ingredients, the market for kosher food among non-Jews is setting records," it said. It then quoted a consumer market research company spokesperson as saying, "It's keyed into the issues of food safety and consumer fear. The reputation of kosher is stretching beyond chicken, whether there is truth to it or not."

The second item was a National Public Radio (NPR) broadcast which did not specifically mention Kosher; however, it did have implications for the conception of Kosher in the secular global world. The host interviewed two high school students who, with the help of researchers, recently spent four months testing the DNA of various foods. The results revealed that of the 66 food items tested, the

CONTINUED ON PAGE 4

Inside this issue

Opening Up A Can of Worms:
The Anisakis Controversy Page 1
Kosher Certification:
Food Safety & Quality's Eyes and Ears Page 1
New Under Star-K Certification Page 5
Insights from the Institute Page 6
Star-K 7th Annual Kashrus Training Program Page 8
Know Thy Insects Page 8



Opening Up A Can of Worms:



THE Anisakis Controversy

RABBI TZVI ROSEN
EDITOR, KASHRUS KURRENTS



CONTINUED FROM PAGE 1

halacha states that those *toloyim* would be permitted based on the principle of *ג לי ב מינה ג* or *קא גדליהנימד*,⁴ it grew from the host. If the nematode was found in the intestine, it would be forbidden because of *עלמא קארנומ*,⁵ “it came from the outside.” This means that if the parasitic worm migrated from the ocean and was visible prior to being swallowed by its first host (i.e. a crustacean such as a krill, see chart #4), and then entered an intermediate host (e.g. halibut or salmon, see chart #5), then the parasite is forbidden because the worm has previously had the status of a *שרץ המים*, “a crawling marine creature.”

However, with the advent of scientific research, there are *poskim* who question if this *heter* applies with regard to the anisakis. There has been concrete scientific evidence attesting to the fact that the anisakis is over 0.4 mm in size when swallowed by the krill. When the krill is then swallowed by a kosher host fish, the krill is digested and the parasite remains intact in the viscera (intestines of the fish). If the fish is caught and is not gutted immediately, the worm can and does migrate and penetrate into the flesh of the fish. This means that the anisakis, which has already taken on the status of a *שרץ המים*, even though it was spotted in the flesh of the salmon and was assumed to be permitted, would in fact be forbidden.

The anisakis question is not new but has recently caused quite a stir in the *halachic* community. The *gedolei haposkim* in Eretz Yisroel, Rav Eliyashiv *shlit”a*; Rav Wozner, *shlit”a*; Rav Nisin Karelitz *shlit”a*; Rav Chaim Kanievsky *shlit”a*; and Rav Moshe Sternbuch *shlit”a* among others, have all forbidden fish that may possibly contain the presence of the anisakis. They feel that the fish is forbidden *min HaTorah*, unless it has been checked.

Many distinguished *חוקי לארץ poskim* (located outside of Eretz Yisroel) maintain that the *Shulchan Aruch’s* criteria for permitting these types of fish is that as long as the anisakis is generated in the flesh, the fish is permitted. This is because we have the right to assume that it spawned in the flesh of the fish. Therefore, if one

has found an anisakis in the flesh of a halibut or salmon, the fish is permissible.

Practically speaking, how will this controversy be resolved? This is a question of an *אסור דאורייתא*. I believe that just as *kashrus* has been vigilant regarding *b’dikas toloyim* on land, so too it will be vigilant in the sea. Kosher fish market *mashgichim* will be trained to spot worms on a lightbox or under ultraviolet light. *Kashrus* will be more alert and attentive in supervising the immediate gutting of the fish at the catch before canning, in order to effect a precipitous reduction in this problem.

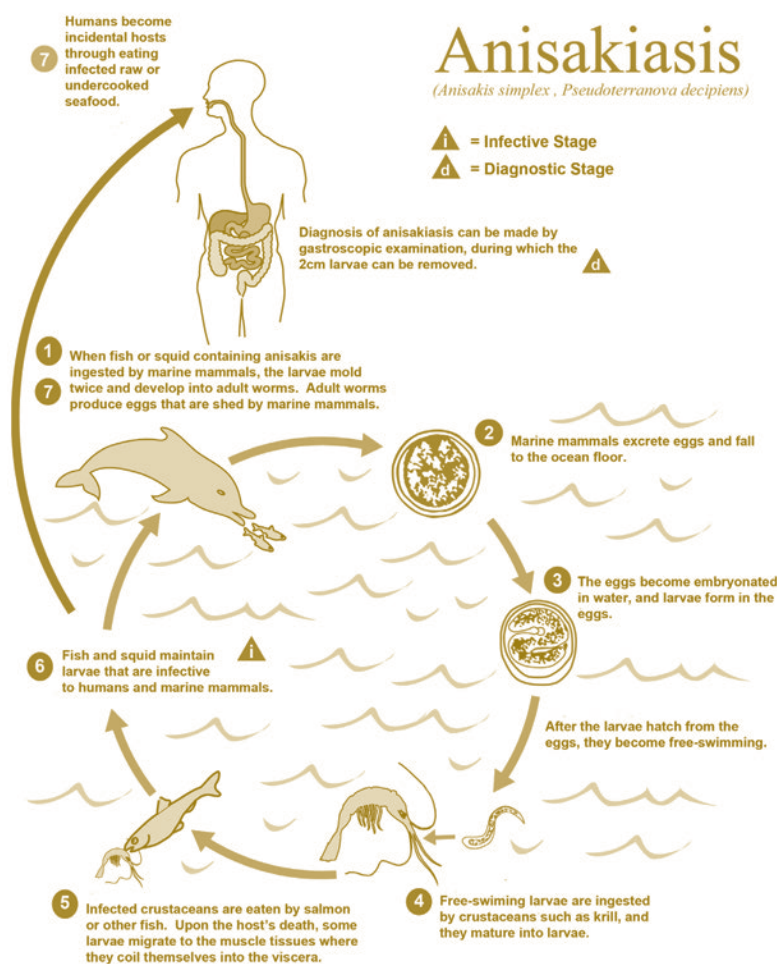
It is interesting to note that Rav Moshe Feinstein *zt”l* was queried regarding this issue 35 years ago. Rav Moshe said unequivocally that checking the fish is not necessary. Upon hearing the response, Rav Moshe was asked if he could write this in a *Teshuva*, response. Rav Moshe replied that he didn’t want to commit this to writing because, “If I do, people might think there is a question. There is no question. No checking is required.” But, Rav Dovid Feinstein *shlit”a* said that we have to analyze the contemporary facts. When the shail was raised 35 years ago, it was not known at that time that the anisakis migrated from the viscera to the flesh.

Responsible *kashrus* has and will be in a constant state of *tikun*, improvement, as our knowledge of the food industry has grown. To that end, we have identified the latest *kashrus* issues and implemented a system of checks and balances to

deal with and resolve these new challenges, the most recent of which is the anisakis.

One should not lose perspective regarding recent updates in *kashrus* standards, when done so with the proper motivation. Our intent has never been to harm the kosher consumer, but rather to educate and save him from spiritual harm.

Kashrus Kurrents would like to thank the CDC, Centers for Disease Control, for permission to reprint their chart.



⁴ Y.D. 84:16, Aruch Hashulchan Y.D. 84:89, Chulin 67B

⁵ Y.D. 84:16, Aruch Hashulchan Y.D. 84:89, Chulin 67B



7-Eleven Slurpee List*

The following list is for consumer information only and is accurate at the time of printing. The flavors listed are not certified by Star-K. 7-Eleven Slurpee flavors are certified by the kosher certifications listed next to the flavor heading. The Star-K does not certify individual 7-Eleven locations. Since the kosher status of flavors can change at any time, the Star-K takes no responsibility. Consumers are urged to use their discretion with each individual 7-Eleven store.

THE FOLLOWING 7-ELEVEN SLURPEES ARE KOSHER PAREVE UNLESS OTHERWISE INDICATED:

BARQ's (OU)

Root Beer
Creme

COCA COLA (OU)

Black Cherry Vanilla
Cherry Coke
Coca Cola Classic

CRYSTAL LIGHT (OK)

Apple Mango
Berry Pomegranate
Cherry Limeade
Lemonade
Lemon Lime
Orange Pineapple Ice
Passionfruit
Peach Mango
Raspberry Ice
Raspberry Lemonade
Strawberry Kiwi
Strawberry Banana
Tangerine Lime
Wild Strawberry

DR. PEPPER (cRc)

Dr. Pepper
Cherry Vanilla
Ironman Invincible Orange
Sour Patch Kids

FANTA (OU)

Apocalyptic Ice
Banana
Banana Split
(Dairy, non-Cholov Yisroel)
Battle Berry
Birch Beer
Blackberry
Blue Cherry
Blue Raspberry
Blue Vanilla *(The Slurpee is pareve. The soda is Dairy, non-Cholov Yisroel.)*
Cherry
Dragonfruit
Fuji Frost
Ginger Ale
Grape
Green Lemon Lime
Green Melon
Kiwi Strawberry
Liquid Armor
Mandarin Tangerine
Mango Melon
Mango Passionfruit
Orange
Orange Cream
Pineapple
Purple Berry Cherry
Radiation Rush
Red Licorice
Sour Apple
Strawberry Banana
Strawberry Creme
Super Sour Apple
Super Sour Cherry
Super Sour Watermelon
Super Watermelon
Vanilla
White Cherry
Wild Cherry
Wild Cherry-
Reduced Calorie

FRUITWORKS (RABBI CHARLOP)

Blue Raspberry Freeze
Melon Berry Blast
Orange Cream
Red Cherry Freeze
Strawberry Melon Freeze
White Cherry

FULL THROTTLE (OU)

Blue Demon
Frozen Blast
Frozen Fury
Iron Man
RPM

HAWAIIAN PUNCH (cRc)

Berry Limeade Blast
Fruit Juicy Red
Green Berry Rush
Lemon Berry Squeeze
Mazin Melon
Mutant Berry

MANGO BANGO (OU)

Tea
Totally Wild Cherry

MASTER CHILL (OU)

Bruisin Berry
Cafe Latte (pareve)
Cherry Limeade
Purple Vanilla S'Creme
Raspberry Acai
Red Licorice
Sour Blue Raspberry
Sour Green
Sour Strawberry
Strawberry Creme
Vanilla Creme
White Plum Grape

MINUTE MAID (OU)

Blue Cherry
Blueberry
Cherry
Grape
Lemonade
Orange
Peach
Pineapple
Raspberry Lemonade
Strawberry

MOUNTAIN DEW (RABBI CHARLOP)

All flavors are Kosher

PEPSI (RABBI CHARLOP)

Blackberry Lime
Orange Cream
Pepsi
Sugar Rush Vanilla Cream
Vanilla Cream

SLURPUCCINO (OU)

Hazelnut

SPRITE (OU)

Remix
Tropical Remix

SUNKIST (cRc)

Orange
Orange Float
(only recommended as a slurpee)

Slurpee Alert

- Twizzler Strawberry, Gatorade Grid Iron Ice, and Gatorade Grid X Ice are not kosher certified until further notice.
- Monster Black is not kosher certified.
- Pina Colada and Tropicana Grape Wild Strawberry are not kosher certified.

* This list only includes flavors that are widely available. The complete list is available online at www.star-k.org/cons-appr-slurpee.htm.



Food Safety & Quality's Eyes & Ears



AVROM POLLAK
PRESIDENT, KASHRUS KURRENTS

CONTINUED FROM PAGE 1

DNA showed that 11 were mislabeled; sheep's milk was actually cow's milk, venison dog treats were beef, and the sturgeon caviar was Mississippi paddle fish!

I believe that both of these pieces in the secular media only reinforce the worldwide conception of Kosher, and the pivotal role kosher certification agencies are perceived as playing. Although observant Jews scrupulously adhere to the laws of Kosher for one reason and one reason alone--because we are mandated to do so by the *Torah*--secular consumers may purchase Kosher because they view a kosher symbol as the Good Housekeeping seal of approval for superior safety and quality. As such, the kosher certification agency is their eyes and ears, assuring them that the product labels truly indicate that what they see is what they get!

I admit, this does not mean to say that there have never been kosher products that have been mislabeled. Rather, the question is what does a responsible kosher agency do about it? We at STAR-K train and expect our *mashgichim* to look for misrepresentation on labels, even if it has no bearing on the kosher status of the food. In addition, we encourage them to become as informed about ingredients and manufacturing practices as possible. A number of years ago, an incident made us question just how big of a watchdog role kosher certifying organizations should play, in fulfilling such evident consumer expectations.

A fruit juice company, located in the deep South, was exposed in the media for misrepresenting its products as 100% pure. Since the name of the company was very similar to that of a STAR-K certified juice company, located in New Jersey, both our company and our office received a number of complaints from irate

consumers. The calls that STAR-K received expressed dismay about our putative certification of a product that, albeit kosher, was not the same product as was represented on the label.

It was clear to us that a *kashrus* organization is obligated to enforce and monitor the veracity of claims printed on a label which relate directly to a *kashrus* concern, such as "Pareve", "Pas Yisroel" or "Yoshon." But regarding nutritional claims on labels, such as "preservative-free," "organically grown," "low in sodium," or "cholesterol-free," doesn't the validation of such claims go far beyond the scope and duty of even the most knowledgeable and alert *mashgiach*?

One time, STAR-K *kashrus* administrators noticed that a letter, sent by a flavor manufacturer for approval of a particular ingredient, was forged. When we explained to the flavor company why they could not use that ingredient, we were thanked profusely and all business relations were promptly stopped with that supplier. 'If the supplier attempted to cheat on *kashrus*,' the flavor company questioned, 'how can we be sure that they are

not misrepresenting their products in other ways?'

How has this misrepresentation changed the buying patterns of some kosher consumers? With the bar being raised by consumers, both kosher and organic certifications have shared an integral role in delivering better quality merchandise. Fairly recently, STAR-K formed a partnership with Quality Assurance International (QAI) to offer a twin Kosher organic certification. No doubt, it is this double reassurance of quality standards that a growing number of consumers seek when they look for our twin STAR-K/QAI logos. The similarities in the kosher and organic inspection processes, which certify that the foods, ingredients, handling, processing and packaging are up to certain requirements, provide these consumers with products they can feel confident in, as well as a greater quality assurance for their dollar.

STAR-K is proud of the role it plays in helping the kosher consumer--and all consumers--in certifying quality products, so that what you see is what you get! As a recent *New York Times Well Blog* put it, "Ultimately, the best part of buying kosher products is that it may help you know what is--and more importantly, what's not--in your food."

Nutrition Facts

Serving Size 3 oz. (85g)

Amount Per Serving	As Served	% Daily Value
Calories 0g	Calories from Fat 0	
Saturated Fat 0g		0%
Cholesterol 0g		0%
Sodium 0g		0%
Carbohydrate 0g		2%
Dietary Fiber 0g		3%
Sugar 0g		8%
Protein 0g		

Vitamin A 270% • Vitamin C
Calcium 2% • Iron 0%

Percent Daily Values are based on a 2,000 calorie diet. Your daily values may be higher or lower depending on your calorie needs:

	Calories	2,000	2,500
Total Fat	Less than	65g	80g
Sat Fat	Less than	20g	30g
Cholesterol	Less than	300mg	300mg
Sodium	Less than	2,400mg	2,400mg
Total Carbohydrate		300g	375g
Dietary Fiber		25g	30g

gogo rice organic
Organic Brown Rice
Riz brun biologique

Gluten Free
No Preservatives
No Cholesterol

1 min 30 s

Nutrition Facts
Valeur nutritive
Per 1/2 bowl (105 g)
Par 1/2 bol (105 g)

Amount / Quantité	% Daily Value / % valeur quotidienne
Calories / Calories 170	
Fat / Lipides 1.5 g	2%
Saturated / saturés 0.2 g	1%
+ Trans / trans 0 g	
Cholesterol / Cholestérol 0 mg	
Sodium / Sodium 3 mg	0%
Carbohydrate / Glucides 36 g	12%
Fibre / Fibres 2 g	8%
Sugars / Sucres 0 g	
Protein / Protéines 4 g	
Vitamin A / Vitamine A	0%
Vitamin C / Vitamine C	0%
Calcium / Calcium	2%
Iron / Fer	6%

INGREDIENTS: ORGANIC BROWN RICE, WATER.
INGRÉDIENTS: RIZ BRUN BIOLOGIQUE, EAU.



NEW UNDER STAR-K KOSHER CERTIFICATION

CONSUMER PRODUCTS

(only when bearing Star-K symbol)

ADI APICOLTURA SRL

ITALY
HONEY

AFC TRADING & WHOLESALE

Los Angeles, CA
TOFU PRODUCTS

ALDI, INC.

Batavia, IL
NUTS & SEEDS

ALOHA MEDICALS, INC.

Carson City, NV
VITAMINS, SUPPLEMENTS & NUTRITIONALS

AQUAE CARE

Hendersonville, TN
VITAMINS, SUPPLEMENTS & NUTRITIONALS

BOUNTIFUL HARVEST

Houston, TX
VEGETABLES (CANNED)

BRASSICA PROTECTION PRODUCTS LLC

Baltimore, MD
TEAS

CAFÉ MOTO

San Diego, CA
COFFEES; ORGANIC PRODUCTS; TEAS

CANDLE LAMP COMPANY

Riverside, CA
CANDLE FUEL

CATOCTIN CREEK DISTILLING

Purcellville, VA
ALCOHOL

CBL NATURAL FOODS

SRI LANKA
FRUIT (CANNED); DRIED; FRUIT BLENDS/PUREES

COMMON MARKET

Frederick, MD
DAIRY PRODUCTS

CONSORCIO PERU MURCIA

PERU
VEGETABLES (CANNED)

COSMOPOLITAN FOOD GROUP, INC.

Jersey City, NJ
OILS/OLIVE OILS

COSTCO WHOLESALE CORP.

Issaquah, WA
TORTILLAS/TACOS

DAIRY FRESH FOODS, INC.

Taylor, MI
FRUIT (CANNED); FRUIT BLENDS/PUREES

DELIGHTFUL FLAVOR, LLC

Rosedale, NY
CAKE & PASTRY PRODUCTS

EUROTRADE IMPORT-EXPORT, INC.

CANADA
PICKLED PRODUCTS

FRESH & EASY NEIGHBORHOOD MARKET

El Segundo, CA
RICE

GALDISA

MEXICO
NUTS & SEEDS

GEOBRES

GREECE
FRUIT (DRIED)

GUANGXI HEZHOU

DACHENG FOODSTUFFS
CHINA
VEGETABLES (CANNED)

HYSON USA, INC.

Bensenville, IL
FRUIT (CANNED); FRUIT BLENDS/PUREES

HY-VEE, INC.

West Des Moines, IA
RICE

IMOFOOD, LTD.

Brooklyn, NY
PASTA PRODUCTS; PICKLED PRODUCTS; SUSHINORI; VEGETABLES (DRIED); WINE

INTERNATIONAL MARKETING SYSTEM

Shelton, CT
CAPERS

JA KIRSCH CORP.

Teaneck, NJ
VEGETABLES (CANNED)

LUCERNE FOODS, INC.

Pleasanton, CA
RICE

MELALEUCA OF AUSTRALIA & NEW ZEALAND

AUSTRALIA
VITAMINS; SUPPLEMENTS & NUTRITIONALS

MILKY WAY INTERNATIONAL TRADING CORP.

Norwalk, CA
FRUIT (CANNED); FRUIT BLENDS/PUREES

NATURAL EARTH PRODUCTS

Brooklyn, NY
VEGETABLES (FRESH)

NATURE'S FIRST, INC.

Orange, CT
BEVERAGES & DRINK MIXES

ONECOUP LIFESCIENCE LTD.

HONG KONG
OILS/OLIVE OILS

OPAL SY. INTERNATIONAL

ISRAEL
OLIVES

ORCANEL ORGANIC, LLC

Beverly Hills, CA
FRUIT (DRIED)

PERFORMANCE FOOD GROUP

Richmond, VA
VEGETABLES (CANNED)

ROYAL FARMS

Baltimore, MD
NUTS & SEEDS

ROYAL FOOD IMPORT CORP.

Boston, MA
FRUIT (CANNED)

SANTAI AOSTAR PHOSPHATE CHEMICAL INDUSTRY

CHINA
PHOSPHATES

SEARS HOLDING COMPANY-KMART

Hoffman Estates, IL
FRUIT (DRIED)

SUPERBA COFFEE

Marina Del Rey, CA
COFFEE BEANS

SURESH EXPORTS

INDIA
SPICES & SEASONINGS

TECCINO CAFFE, INC.

Santa Barbara, CA
TEAS

THE SUN VALLEY RICE CO.

Arbuckle, CA
RICE

UNIVERS FOOD

MOROCCO
VEGETABLES (CANNED)

UNIVERSAL WELLNESS

Somerset, NJ
VITAMINS, SUPPLEMENTS & NUTRITIONALS; WATER

VICTORIA PACIFIC TRADING

Rowland Heights, CA
VEGETABLES (CANNED)

VIRTO ULTRACONGELADOS

SPAIN
VEGETABLES (FROZEN)

ZEE-NET FOODS LTD. STI.

TURKEY
VEGETABLES (DRIED)

INDUSTRIAL/ INSTITUTIONAL PRODUCTS

(see letter of certification)

AGRO SOLVENT PRODUCTS

INDIA
SOY PRODUCTS

ANHUI DANGSHAN XINGDA CANNED FOODS

FRUIT (CANNED); VEGETABLES (CANNED)

ANHUI JINBANG MEDICINE CHEMICAL

CHINA
INDUSTRIAL CHEMICALS

ARIES CHEMICAL INC.

Beaver Falls, NY
DETERGENTS & CLEANSERS

ARKAS MELISSOKOMIKI

CH. BASILOPOULOS K. STAMATOPOULOS

GREECE
HONEY

BEIJING LYS CHEMICALS CO.

CHINA
FLAVOR CHEMICALS

BERGWERFF ORGANIC

INDIA
SPICES & SEASONINGS

BLUE PLANET

Naperville, IL
FRUIT (CANNED)

CIRANDA, INC.

Hudson, WI
OILS/OLIVE OILS; STARCH

COSMOPOLITAN FOOD GROUP, INC.

Jersey City, NJ
OILS/OLIVE OILS

CUSTOM GRANULAR, INC.

Genoa City, WI
GRANULATION

EDENIQ, INC.

Visalia, CA
BAKERY SUPPLIES

ENZO CHEM LABORATORIES

INDIA
ENZYMES; SOY PRODUCTS

GALDISA

MEXICO
NUTS & SEEDS

GEOBRES

GREECE
FRUIT (DRIED)

GOLDEN TIME CHEMICAL CO. LTD.

CHINA
SWEETENERS

GORDON FOOD SERVICE

Grand Rapids, MI
PLASTIC PRODUCTS

HPC FOODSERVICE

South Windsor, CT
BEVERAGES & DRINK MIXES

HUAYUAN HENGYUAN

PLANT BIOCHEMISTRY
CHINA
HERBAL EXTRACTS

HUBEI KANGYUAN FINE CHEMICALS HI-TECH LTD.

CHINA
FOOD CHEMICALS

HUDSON TRADING GROUP

New York, NY
SPICES & SEASONINGS; VEGETABLES (DEHYDRATED; DRIED)

HUNAN DONGTING CITRIC ACID CHEMICALS

CHINA
CITRIC ACID/CITRATES

INTERNATIONAL AGRICULTURAL PROCESSING

INDIA
PICKLED PRODUCTS

ISI BRANDS, INC.

American Fork, UT
VITAMINS, SUPPLEMENTS & NUTRITIONALS

J.L. PRIESTLEY FOOD

INGREDIENTS YANGCHENG
CHINA
VEGETABLES (DEHYDRATED)

JETRO CASH & CARRY/ RESTAURANT DEPOT

College Point, NY
FRUIT (CANNED)

JINING AOXING STEVIA PRODUCTS

CHINA
SWEETENERS

JRS INTERNATIONAL INC.

Lyndhurst, NJ
SWEETENERS

LA FRESH CUTS

Los Angeles, CA
FRUIT (FRESH PACKAGED); VEGETABLES (FRESH)

LINYI YASHENG FOOD

CHINA
FRUIT (CANNED); VEGETABLES (CANNED)

MIVILA FOODS

Paterson, NJ
BEANS; VEGETABLES (CANNED)

MURTUZA FOODS

INDIA
VEGETABLES (DEHYDRATED)

NEIMENGGU FUFENG BIOTECHNOLOGIES

CHINA
AMINO ACIDS; FOOD CHEMICALS; FOOD GUM

OLEOESTEPA, S.C.A.

SPAIN
OILS/OLIVE OILS

ONECOUP LIFESCIENCE LTD.

HONG KONG
OILS/OLIVE OILS

ORCANEL ORGANIC, LLC

Beverly Hills, CA
FRUIT (DRIED)

OTTO BREHM, INC.

Yonkers, NY
FLAVORS & EXTRACTS

PARRY PHYTOREMEDIES

INDIA
VITAMINS, SUPPLEMENTS & NUTRITIONALS

POSY PHARMACHEM

INDIA
ACIDS & ACIDULANTS; CITRIC ACID/CITRATES

PYURE BRANDS, LLC

Naples, FL
SWEETENERS

QEMI INTERNATIONAL

Kingwood, TX
ENZYMES

QINGDAO CANNED FOODS CO., LTD.

CHINA
FRUIT (CANNED); FRUIT BLENDS/ PUREES; PICKLED PRODUCTS; VEGETABLES (CANNED)

SANTAI AOSTAR PHOSPHATE

CHEMICAL INDUSTRY CO.
CHINA
PHOSPHATES

SCHUMANN/STEIER, INC.

Coral Gables, FL
OILS/WHITE OILS

SHANGHAI MINGRUI IMPORT & EXPORT CO.

CHINA
TEAS

SHANGHAI MINGXU IMPORT & EXPORT CO., LTD.

CHINA
TEAS

SHRICHAKRA UDYOG

INDIA
SPICES & SEASONINGS

TEXAS KOSHER MEATS

San Benito, TX
MEAT/POULTRY PACKING

UNICHEM ENTERPRISES, INC.

City of Industry, CA
HERBAL EXTRACTS

UNIVERS FOOD

MOROCCO
VEGETABLES (CANNED)

VIRTO ULTRACONGELADOS

SPAIN
VEGETABLES (FROZEN)

WEIFANG SUNRAISE PLASTIC PRODUCTS CO.

CHINA
PLASTIC PRODUCTS

ZHEJIANG POLNOL BIO-TECH

CHINA
HERBAL EXTRACTS

NEW UNDER STAR-D

(only when bearing Star-D symbol)

K O S H E R D A I R Y The Star-D is a *kashrus* symbol of the National Council of Young Israel (NCYI). The Star-K, in its relationship with the NCYI, administers the *kashrus* of the Star-D. All Star-D products are dairy – *cholov stam* (non-*cholov Yisroel*).

5TH AVENUE CHOCOLATIER

Valley Stream, NY
CHOCOLATE PRODUCTS

ALDI, INC.

Batavia, IL
NUTS & SEEDS

AQUAE CARE

Hendersonville, TN
VITAMINS, SUPPLEMENTS & NUTRITIONALS

COMMON MARKET

Frederick, MD
DAIRY PRODUCTS

DELIGHTFUL FLAVOR, LLC

Rosedale, NY
CAKE & PASTRY PRODUCTS

NATURE'S FIRST, INC.

Orange, CT
BEVERAGES & DRINK MIXES

ESTABLISHMENTS

(see letter of certification)

FAN CATERING, LLC

1075 Ocean Parkway
Brooklyn, NY 11230

CATERER

CAFÉ K-STRICKLAND

6165 Strickland Avenue
Brooklyn, NY 11234

RESTAURANT/TAKE OUT

LEGENDS HOSPITALITY

Yankee Stadium
1 East 161st St.

Bronx, NY 10451

RESTAURANT/TAKE OUT

Leadership in



Kashrus Education

Insights from the Institute

SHAILOS FROM THE
INSTITUTE OF HALACHAH



RABBI MORDECHAI FRANKEL
DIRECTOR OF THE INSTITUTE OF HALACHAH

Q: My father has a full-time nurse who lives with him and takes care of him. When I hired her, I told her that under no circumstances may she cook any food for my father. However, I went to visit this morning and saw that she had baked him a potato. What is the status of the utensils that she used?

A: In order to discourage intermarriage, Chazal established the prohibition of *bishul akum*.¹ Food which was cooked by an *akum* without the involvement of a Jew may not be eaten, and the utensils which were used for the cooking must be *kashered*.² However, this prohibition does not apply to all food cooked by an *akum*. In fact, there are five potential reasons to be lenient:

1. Some *Rishonim* suggest that the concern of intermarriage applies only when the Jew goes to the house of the *akum*, but not when the *akum* comes to the house of the Jew.³ According to this opinion, the prohibition of *bishul akum* applies only to food cooked in the house of an *akum*, but not food which the *akum* cooks in a Jew's house. However, the majority of *Rishonim* reject this approach and state that the prohibition of *bishul akum* applies equally in the house of a Jew.⁴ The *Shulchan Aruch* accepts this view and unequivocally states that *bishul akum* applies even in the house of a Jew.⁵

2. The *Rema* states that there is a further reason to be lenient when an *akum* cooks in the house of a Jew. The prohibition of *bishul akum* does not apply when a Jew adds to the fire or stirs the flame.⁶ The *Rema* states that one can assume that a long-lasting fire in a Jew's house will certainly be tended to by the Jew at some point in time.⁷ However, this last argument was relevant in the time of the *Rema* only, when it was common to leave a kitchen fire burning for days at a time; this would not apply in modern times.⁸

3. The *Ramban* writes that the prohibition does not apply to food cooked by the *shifcha* or *eved* of a Jew.⁹ He explains that the prohibition of *bishul akum* was instituted due to the concern that the Jew may befriend the *akum*, which may lead to intermarriage. There is no need to forbid the *bishul* of an *eved* and *shifcha*, as we know that the Jew would not befriend them. However, the *Rashba* states that one should not rely on this opinion even in a *bedieved* situation, as Chazal made a comprehensive prohibition without exceptions.¹⁰ The *Shulchan Aruch* codifies both of these points of view and states that some allow food cooked by an *eved* or *shifcha*, whereas others do not. The *Rema paskens* that *bedieved* one may be lenient and eat the food if it has already been cooked.¹¹

The *Shach* wonders how the *Rema* can be lenient even *bedieved*, as an *akum* who works in the house of a Jew nowadays would not be categorized as an *eved* or *shifcha*. The *Shach* offers three approaches: (i) The *Rema* is referring to an *eved* or *shifcha* only, and

would agree that one cannot be lenient nowadays as we no longer have *avodim* or *shifchos*; (ii) The *Rema* is primarily relying on his other reason (number 2 above) to be lenient, and would agree that this reason alone is not sufficient; (iii) The *Rema* is relying on the opinion of an unnamed *Rishon* cited by the *Rashba*¹², that the concern of intermarriage is limited to a situation where the *akum* cooks willingly for the Jew, not when he is being paid to do so. According to this opinion, the prohibition of *bishul akum* does not apply to any paid worker, even if he is not an *eved* or *shifcha*. Even though the *Rashba* himself rejects this approach, the *Rema* relies on this *bedieved*.¹³

The *Gr"a* accepts the third approach of the *Shach*, and explains that in this situation there are two reasons to be lenient. Firstly, there are *Rishonim* who state that the prohibition does not apply at all in the house of the Jew. Secondly, there is an opinion that the prohibition does not apply when the *akum* is performing paid labor. Even though we do not accept either of these arguments, the *Rema* feels that we can rely on both of these opinions to be lenient *bedieved*.¹⁴

As mentioned above, the *Shach* has three ways of explaining the *Rema*. According to the first and second approaches, the leniency of the *Rema* would not apply in present times. However, according to the third approach, the leniency

would still apply. Due to this uncertainty, the *Chochmas Adam paskens* that one should rely on this only in a situation of substantial financial loss.¹⁵

The *Rema* and *Shach* are discussing a situation where the worker did what he was instructed to do. In the case of the nurse who baked a potato, she cooked the food after being instructed not to do so. It would seem that if we are not concerned that a Jew will befriend a worker who follows instructions, we similarly need not be concerned that he will befriend a worker who does not follow instructions. If so, we could apply the *psak* of the *Chochmas Odom* to the case of the nurse who baked a potato.

As mentioned above, the *Chochmas Odom* is lenient only in a situation of substantial financial loss. Since the utensils used by the nurse can be *kashered*, there is no financial loss involved. Utensils made from earthenware generally cannot be *kashered*. However, utensils which need *kashering* due to *bishul akum* are an exception to that rule, and can be *kashered* with *hagala* (immersion in boiling water) three times.¹⁶ Therefore, the leniency of the *Rema* does not apply in this case.

4. There are further limitations to the prohibition of *bishul akum*. It does not apply to food which is eaten raw.¹⁷ Since people would eat such food without cooking it, the *bishul* of the *akum* is not significant, and Chazal are not concerned that it may lead to friendship between the Jew and *akum*. However, this leniency would not apply to a potato, which is not normally eaten raw.



Insights from the Institute

5. A further limitation to the prohibition of *bishul akum* is that it applies only to foods which are *oleh al shulchan malochim* (served at prestigious meals).¹⁸ Here too, the cooking by an *akum* of food which is not *oleh al shulchan malochim* is not deemed significant, and *Chazal* are not concerned that it may lead to friendship between the Jew and *akum*. The *Chochmas Adam* states that potatoes are considered *oleh al shulchan malochim*.¹⁹ However, the *Aruch HaShulchan* states that circumstances have changed, and plain potatoes are no longer considered *oleh al shulchan malochim*; they are eaten only by poor people who cannot afford better food.²⁰ It would seem that circumstances have changed once again, as at the present time baked potatoes are served even at prestigious

meals, and therefore would once again be considered *oleh al shulchan malochim*. If so, the prohibition of *bishul akum* would apply to a baked potato.²¹

In conclusion, in the situation of the nurse who baked a potato, none of the five possible reasons for leniency would apply. Therefore, the utensils which came into contact with the hot potato should all be *kashered*.²² One should also try to ascertain whether or not the nurse has used any additional utensils to cook any other food. If she has done so, there may be a further issue of *bishul akum*, depending upon which foods she cooked.

Halachic queries regarding all topics may be presented to The Institute of Halachah at the Star-K by calling 410-484-4110 ext. 238 or emailing halachah@star-k.org.

1. רמב"ם פי"ז מהל' מאכלות אסורות וכ"כ רש"י ע"ז דף לה ע"ב, אמנם ברש"י שם דף לה ע"א כתב טעם אחר שמא יאכלנו דבר טמא, ועי' בתוס' שם ד"ה אלא ובב"ח יו"ד ר"ס קיב' ע"ב. 2. בשו"ע יו"ד סי' קיג' ר"ב אברהם ב"ר דוד הובא בתוס' ע"ז דף לה ע"א ד"ה אלא ר"ב תם הובא בתוס' שם, ובב"י סי' קיג' כתב שכן דעת הפוסקים. 5. שו"ע שם סי' א' 6. רמ"א שם סי' ז' 7. רמ"א שם סי' ד' 8. פשוט 9. שו"ת הרשב"א המיוחסות להרמב"ן סי' רפד, ונדפס ג"כ בכתבי הרמב"ן ח"א עמ' נפא 10. שו"ת הרשב"א ח"א סי' סח ונכפל במיוחסות להרמב"ן סי' קמט 11. שו"ע ורמ"א שם סי' ד' 12. שו"ת הרשב"א שם 13. ש"ך שם סי' ק"ז 14. ביאור הגר"א שם סי' ק"י וסי' ק"א 15. חכמת אדם כלל סו דין ז שבמקום הפסד מרובה יש להתייר 16. שו"ע שם סי' טז 17. שו"ע שם סי' א' 18. שו"ע שם 19. חכמת אדם כלל סו דין ד' 20. ערוך השלחן סי' קיג' סי' יח 21. שו"ת שבת הלוי ח"ו סי' קה אות ד' 22. וכן שמעתי ממורי ר' היינעמן שליט"א

Q: Can a child who is under *bar-mitzvah* or *bas-mitzvah* check eggs for blood spots or check lettuce for bugs?

A: The *Terumas Hadeshen*¹ states that *tevilas keilim* can be performed by a *koton*, as long as a *godol* is present to ascertain that the *tevila* was performed correctly. However, a *koton* who claims to have performed *tevilah* is not relied upon without verification by a *godol*. The *Terumas Hadeshen* explains that the *koton* is not relied upon because *tevilas keilim* is a *deoraissa* obligation, and a *koton* is not believed to have performed an action which is a *chiyuv deoraissa*. The *Shulchan Aruch* and *Rema pasken* in accordance with the *Terumas Hadeshen*.²

*Reb Akiva Eiger*³ quotes the *Pri Chadash*⁴ as stating that only the *tevilah* of metal *keilim* is a *deoraissa* obligation, but the *tevilah* of glass *keilim* is a *derabonon* obligation. *Reb Akiva Eiger*, therefore, argues that a *koton* would be believed to have *toveled* a glass utensil. The ruling of the *Terumas Hadeshen* that a *koton* is not believed is limited to statements that the *koton* makes concerning *deoraissa* obligations, but a *koton* would be believed regarding a *derabonon* obligation.

However, *Reb Akiva Eiger* adds that there is an opinion in *Tosefos*⁵ which states that, even regarding *derabonon* obligations, a *koton* is believed only on issues which affect the *koton* himself. According to this viewpoint, if the *koton* was designated as a *shaliach* to perform an action on behalf of someone else, he is not believed to have carried it out, and a *koton* could not be a *shaliach* to perform *tevilas keilim*.

A similar issue to this is whether a *koton* can be relied upon to perform *bedikas chometz*. Before *Pesach*, a person is obligated to verbally be *mevatel* all *chometz* that he owns. In addition to this, there is a *derabonon* obligation of *bedikas chometz* in order to verify that he has no *chometz* in his possession. The *Shulchan Aruch*⁶ *paskens* that a *koton* is believed to have performed *bedikas chometz*. As stated above, a *koton* is believed to say that he has performed an action which is a *derabonon* obligation, and is therefore believed to have performed *bedikas chometz*. The *Shulchan Aruch* adds that the *koton* is believed only if he is old enough to understand what checking for *chometz* involves.

The *Shaar HaTziyun*⁷ cites the viewpoint of the *Tosefos* mentioned above, that the *koton* is believed only regarding *chometz* in a house in which he lives, but cannot be a *shaliach* for *bedikas chometz* in someone else's house. However, the *Shaar HaTziyun* concludes that the consensus of the *Poskim* is that a *koton* is

believed even to be a *shaliach* and perform *bedikas chometz* on behalf of another person.

As previously mentioned, the *Shulchan Aruch paskens* that a *koton* is believed regarding *bedikas chometz*. However, the *Mishna Berura*⁸ states that *lechatchilah* one should not rely on a *koton*. He explains that checking for *chometz* is a laborious activity, and there is the concern that a *koton* may not carry it out diligently.

It is customary to check eggs for blood spots before consuming them.⁹ However, this is certainly not a *deoraissa* obligation¹⁰, and is also not a laborious activity.¹¹ Therefore, a *koton* may check eggs for bloodspots, as long as he is old enough to understand what is involved. There is also a requirement that a person check vegetables for bugs before consumption. If the majority of a particular type of vegetable has bugs, there is a *Torah* obligation to check the vegetable, and a *koton* would not be believed to have done so. If a significant minority of this type of vegetable has bugs, there is a *derabonon* obligation to check the vegetable,¹² and a *koton* would be believed to have done so as long as he is old enough to understand what is involved. However, checking for bugs would be classified as a laborious activity¹³. For this reason, *lechatchilah* one should not have a *koton* check vegetables for bugs.

Halachic queries regarding all topics may be presented to The Institute of Halachah at the Star-K by calling 410-484-4110 ext. 238 or emailing halachah@star-k.org.



[The *Mishna Berura* states that the *koton* is believed even if one knows for certain that there once was *chometz* in the area that the *koton* checked. Even though there is a *chazakah* that there was *chometz*, the *koton* is believed to alter that *chazakah*. The *Mishna Berura* is *paskening* that the *koton* is believed to alter a *chazakah*, and clearly sides with the opinion of *Reb Akiva Eiger* mentioned above.]

[The *Pischei Teshuvah* quotes the *Pri Megaddim* as stating that a *koton* is not believed even to say that he has *toveled* a glass utensil. The *Pri Megaddim* explains that, even though there is only a *derabonon* obligation to *tovel* glass, prior to *tevilah* the utensil has a *chazakah* of being *ossur* to use and a *koton* is not believed to alter that *chazakah*. Thus, there is a dispute between *Reb Akiva Eiger* and the *Pri Megaddim* as to whether a *koton* is believed to say that he has *toveled* a glass utensil.]



STAR-K CERTIFICATION, INC.
122 Slade Avenue, Suite 300
Baltimore, Maryland 21208-4996

NON PROFIT ORG
 US POSTAGE PAID
 STATEN ISLAND NY
 PERMIT #835

Star-K's 7th Annual Kashrus Training Program

STAR-K's Kashrus Training Program will be held Monday, July 12 through Thursday, July 15, 2010. This intensive seminar, held at STAR-K's offices in Baltimore, Maryland, is limited to 25 students—*rabbonim*, *kollel* fellows, and others serving as *klei kodesh*—who have studied *Yorah Deah*. In addition to lectures, audio-visual presentations and a hands-on practicum, several field trips are planned.

Know Thy Insects

Confused about which fruits and vegetables need to be checked for bugs and how to check them?

Visit www.checkforinsects.com, Star-K's new multimedia insect checking website.

Get detailed instructions, watch video tutorials, and view pictures and videos of the insects.



MAY 2010

Royal Farms Frozen Beverages

THE FOLLOWING ROYAL FARMS FROZEN BEVERAGES ARE KOSHER PAREVE UNLESS OTHERWISE INDICATED:

Coca Cola Classic	Full Throttle Frozen Fury
Fanta Sour Watermelon	Fanta Mango Passionfruit
Fanta Blue Raspberry	Full Throttle Twisted
Fanta Wild Cherry	Fanta Orange Creme
Fanta Grape	Master Chill Cherry Limeade



TeleKosher Conference Series

Star-K's ongoing TeleKosher Conference Series for consumers is scheduled for the last Wednesday of each month at 12 Noon EST, hosted by Rabbi Zvi Goldberg.

To join the conference, call 1-218-895-1203 (if you have unlimited long distance there is no charge), and enter 2020#. Now also accessible online – go to www.star-k.org/telekosher for details.



Star-K Kosher Certification

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

FOUNDING EDITOR:
A.J. Levin

EDITOR:
Rabbi Tzvi Rosen

COPY EDITOR:
Mrs. Pesi Herskovitz

COORDINATOR:
Ms. D. Rosenstein

CONTRIBUTING WRITER:
Mrs. Margie Pensak

Phone: (410) 484-4110

Fax: (410) 653-9294

E-mail: info@star-k.org
www.star-k.org

Copyright: 2010.
 Star-K Certification, Inc.
 All rights reserved.
 May not be reproduced in
 any form without permission
 of Star-K Certification, Inc.

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

Subscriptions

\$10(USD) annually for 4 issues -US & Canada
 \$15(USD) annually for 4 issues -Overseas

Kashrus Kurrents is also available on the web at www.star-k.org/cons-kash.htm. To receive an email when it is available online subscribe at www.star-k.org/cons-kash.htm or send an email to kashruskurrents-subscribe@star-k.org.

(The Star-K Passover Book, not included in this subscription, is available for purchase in Jewish bookstores during the Passover season.)

Name _____

Address _____

City _____ State _____ Zip _____

Phone _____

Please send your tax deductible checks made payable to: **KASHRUS KURRENTS**

122 Slade Avenue, Suite 300, Baltimore, MD 21208-4996

Phone: (410) 484-4110 • Fax: (410) 653-9294

Receive late breaking kashrus news and alerts in your email.
 Send an email to alerts-subscribe@star-k.org or visit www.star-k.org/cons-new-alerts.htm

Leadership in



Kashrus Education